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EXECUTIVE SUMMARY

The present document is the thematic report on migration elaborated within the 3-1 activity of the MEDGOVERNANCE project.

Therefore this report aims at presenting today's actual contribution of regional actors in the "governance" of migration policies impacting the Mediterranean territories. Governance can be defined as the co-ordination systems existing between government, local and regional authorities, multilateral organizations and also private actors, companies and NGOs allowing the development of public policies, decisions and projects. Co-ordination among this plurality of actors can be either institutionalized or ruled by procedures and even informal rules.

Even though relevant international laws and in particular EU directives frame integration policies, integration of migrants has always been decided principally at national level. At this level **different typologies** have been constructed. The most common (Zincone 1990; Rudiger and Spencer 2003) are based on three types:

- an assimilationist Republican model that foresees generous provisions of individual rights (main example France),
- a functionalist guest-worker model inserted in an ethnically defined nation state that gives immigrants cultural rights in order to facilitate their repatriation (main examples Germany and Austria),
- a multicultural and communitarian model (UK, Netherlands and Sweden) that gives cultural rights in the tradition of pluralistic societies.

In recent years, huge policy changes have strongly detached the national cases from the above models. In particular, the need to share common public values and master a vehicular language is becoming a dominant policy guideline in many EU countries, including those which used to adopt multicultural policies. However, the assimilationist Republican model has had to face many problems as well, and has undertaken some important changes including accepting reverse discrimination (Zincone 2006). These policy changes and revisions of national incorporation models were due both to the fear of political and cultural alienation, particularly risky in a context of transnational terrorism, and to the high rates of unemployment and welfare dependency of

immigrant minorities, especially in some EU states, even in generations after the first. After these revisions, national cases can no longer be classified by the 'original' types; furthermore, even in the past they never perfectly matched the types, and some authors are today questioning the utility of constructing and applying typologies (Freeman 2003; Joppke 2006).

Besides mismatches and crises of traditional policy paradigms, relevant departures from the national models and policies and significant differentiations have always been observed at sub-national levels. The responsibility of implementing integration policies, often with remarkable degrees of discretionary power, is mainly attributed to **regional and local authorities** even in political systems not characterized by high levels of devolution. Local policy actors (public administrators and civil servants, elected politicians, officials of workers unions and employers confederations, NGOs, religious organizations) also invent practices and policies which are later embodied in national policies (Zincone and Caponio 2006). As a consequence, many challenges have to be faced directly by local and regional bodies.

Efforts of local public authorities to facilitate the integration of immigrants have been complemented by the activities of a wide range of civil society organisations. In fact, in many cases these organizations have proved to be the best positioned to provide immediate and concrete solutions to the practical problems commonly experienced by immigrants. In most cities, there is close cooperation between local government and the NGO sector on integration initiatives. This illuminates one of the main characteristics of Italian immigration policy: in a situation of a lack of intervention by the central government, there has been great self-promotion of associations and the NGO sector. As a result, some needs relating to the increasing number of immigrants have been satisfied just in time. The negative effect of this *modus operandi* is the fragility of these initiatives: they are carried out under annual funding, without any continuity or final independent evaluation of their efficacy.

In this framework, three specific case studies have been selected to highlight qualities and characteristics of the governance process, which is developed principally at local level, even when issues should be dealt with at an international level. Unaccompanied minors, trafficked women and labour migration policies are topics in which transnational cooperation is necessary in order to produce positive results. At the moment it seems that there is a common thread belonging to governance on specific immigrant target groups, mainly trafficked women and unaccompanied minors. Among all the MEDGOVERNANCE partners, analysis has shown that co-ordination exists between the central and local levels in order to observe the subsidiarity principle: indications and

funds coming from the EU are managed by national governments funding initiatives and projects at local levels. This process guarantees closer local co-operation and strong governance at local level. There is, on the other hand, a lack of efficacy at the international (and vertical) level of co-operation. Even in the case study of REMI, the international network developed in order to help unaccompanied minors coming from Africa to Europe (mainly France, Spain and Italy), achieves better results at local levels than could be achieved by the involvement of the three EU countries.

This analysis has shown that the top-down approach does not influence the role played by regional authorities: governance at local (sub-regional) level is more important than that at national level. All the cases mentioned below show how the focus on specific critical issues has been developed thanks to a strong network at local level. The availability of European Union funds addressed to specific migration topics — although in itself not sufficient - supports the development of projects in these fields. However, only where funds encounter institutions and civil societies ready to invest in these areas will projects and initiatives develop. The same is true of projects focused on economic co-operation among sending and receiving countries, e.g. the Italian initiative supporting migrants living in Piedmont (especially in Turin) to set up businesses in their home countries.

Introduction

In Europe immigration is a sensitive and sometimes controversial issue. Changes in the size and direction of migratory movements as a result of global developments, EU enlargement received a great deal of attention.

In Europe the 1997 Amsterdam Treaty empowered the European Union's institutions to act on migration, changing intergovernmental co-operation among member states into the development of joint policies on immigration and immigrant integration. A new debate emerged on the role of immigration to address economic and demographic imbalances.

In adopting the European Pact on Immigration and Asylum at a meeting of the European Council, heads of state and government laid the founding principles of a common policy, transcending all divides and guided by a spirit of solidarity between member States and a spirit of co-operation with outside countries.

From now on, the European Union will approach migration with respect to the five commitments of the Pact:

- Legal immigration will be organised by taking into account the priorities, needs and reception capacities determined by each Member State, and encouraging integration;
- Combating illegal immigration will be carried out in particular through the repatriation of illegally resident foreign persons to their country of origin or a country of transit;
- More effective border controls;
- Construction of a Europe of asylum;
- A comprehensive partnership with countries of origin and transit to promote synergy between migration and development will be formed.

The issue of partnerships with migrant countries of origin and transit was at the core of the Second Euro-African Conference on Migration and Development which welcomed more than eighty delegations and unanimously adopted ambitious conclusions with 104 operational measures. Discussions revealed widespread support, from North to South, for selective and concerted immigration. The three-year co-operation programme approved by Ministers, which accounts for all actions likely to be undertaken within the three aspects of the Global Approach to Migration, will give concrete form to the process begun in July 2006 in Rabat. The results of its implementation

will be on the agenda of the new conference to be held in Senegal in 2012. This meeting will, it is hoped, bear witness to the universally accepted relevance and exemplary nature of this coordination between migrant countries of origin, transit and destination.

More generally, the presidency has, in close co-operation with the Commission, implemented instruments for the Global Approach to Migration (partnerships for mobility in particular).

1. The Mediterranean model: the shift from countries of emigration to countries of immigration

The shift occurred at the end of the seventies and the beginning of the eighties when the countries of Northern Europe were closing their borders to foreign workers and introducing policies of strict control over migratory flows.

The shift of from emigration to immigration is explained by scholars in the new international migratory context.

In their research on new migratory movements towards Southern Europe, many scholars insist on the “push factors” of the general crisis in Third World countries. New migrations were not traditional labour migration but a general population movement from South to North, following the socio-economic disaster of the Third World and of Eastern Europe (Melotti, 1990). This approach considers migrations in the framework of North-South relations marked by conflicts, the extension of poverty and the worsening of economic and social differences. According to this analysis, push factors were much more important than pull factors as the European labour markets did not need immigrants (Melotti, 1990). In fact European countries closed their borders, with the only possibility to get into Europe now being through family reunification and refugee status (which is very difficult to obtain) for humanitarian reasons. That is the reason why migration coexists with unemployment in the Western World. The consequence is the growing importance of clandestine migrants.

While not contradicting the "North-South approach", other authors focused on the socio-economic changes which had taken place in the international labour market and in the national ones of the receiving societies because of industrial changes, the increase in flexibility of productive processes, the development of informal economy and services and the segmentation of labour markets (Venturini, 1989).

Venturini (1989) wrote that migration flows were no longer the result of an overall quantitative imbalance of the labour markets in the receiving countries. Sectors' imbalances may arise in

situations of unemployment where they are they are produced by the labour market’s segmentation process and apply mainly to jobs at the lowest or highest rungs of the occupational ladder.

In other words, in spite of the high unemployment of local populations, there were areas where there was a demand for immigrant labour force in the labour markets of the European countries. This was particularly the case of Southern Europe where the informal economy was very important and there were niches in the labour market which had been abandoned by the native labour force. Such niches represented “pull factors” for new migratory flows.

The immigration boom which has taken place during the last decade in most Southern European countries has reignited past discussions on the possibility/usefulness to single out a “Mediterranean immigration model”.

Many interesting questions arise:

- ◆ Is it possible/useful to talk of a Mediterranean model of immigration?
- ◆ If so, and from a policy perspective: does such model contain innovative elements with reference to the European mainstream of the last decades?
- ◆ From a long-term social and economic point of view: is such model sustainable?

Tab. 1 - A “Mediterranean model”? Similarities and divergences

STRUCTURAL ASPECTS	Low fertility/Rapid ageing	Different degree of exposure to irregular flows
	Large informal sector	Largely distinct migration systems
	Strong demand for low-skilled/ Complementarities with domestic labour force	Different sectoral distribution
RESPONSES	Repeated regularisations	Different degrees of politicization
	Use of quotas/ceilings	Different degrees of public alarm (but little comparative research)
	Experiments with worker-driven admission systems	
	High investment in border controls (PT?), low in integration (role of NGOs)(but ESP+PT)	Different approaches to nationality law (IT GR as “worst cases”)

Source: Pastore, 2009.

Scholars such as Russell King (1999) or Enrico Pugliese (1992) theorized the Mediterranean model. The Mediterranean model has characterised some Southern countries like Spain and Greece. In this model, migration has a spontaneous character at least at the beginning, not being directed by the national or local authorities and in the absence of legislation. Migratory policies are introduced slowly and they do not have a systematic character being aimed at solving urgent problems. The absence of migratory policies is favourable to illegal migration.

The industrial sector is not the main absorber of the immigrant labour force. Specific niches in the labour market –domestic work, fishing, agriculture, and services, represent pull factors. In these niches underground labour is very common. An ethnic specialisation appears as some ethnic groups tend to work more in some sectors than in others. The gender specificity is also an important distribution factor in the labour market. For example, Filipinos are mainly in domestic services: the percentage of women is around 70%. The Senegalese are mainly street-vendors and male. Moroccans are in construction work. The Chinese develop ethnic businesses in catering and small leather industries.

However from the nineties on, the insertion of immigrants in industries and construction grew and migratory policies appeared. At the beginning of the migratory flow, immigrants were necessary only for agriculture and services. From the nineties onward, immigrants became necessary for construction work and in small industries as well.

The entire migratory phenomenon has been characterised by numerous extremely diversified flows in terms of ethnic and national origins. In this diversified landscape, no group reached a quantitative importance until the Nineties. The causes of this diversification can be found both in the present context of international migration, with an ever larger number of countries touched by emigration and immigration (Castles e Miller 1993), and in the type of labour market insertion.

The increase of women in the composition of migrant groups and flows is another character of the Mediterranean model. Migrants' social and professional origins have also changed: there are immigrants with high school level and/or from urban areas. More women, more students, more middle class migrants.

A long-lasting lack of migratory policies, of integration policies and the type of insertion in the labour market are favourable to a high presence of undocumented immigrants who become the victims of the propaganda of xenophobic political groups.

2. Background information on the countries

2.1 History of migration and composition of the migrant populations

2.1.1 Italy

Italy became an immigration country in the second half of the 1970s.

Italy, which at the time had no legal instrument for expelling migrants and because of its geographical situation could hardly control its borders, became a destination for people coming from all over the world: political refugees, from Latin America, Vietnam, Erythrea; "border immigrants", Tunisians in Sicily, working on fish boats and in agriculture, Yugoslavs in Friuli and Trieste, working mainly in construction (Friuli had been destroyed by an earthquake in 1976); maids, from Cabo Verde islands, Erythrea, Mauritius, Salvador and, later, Philippines and Sri-Lanka (maids were given a special residency permit which did not allow them to change jobs). Women were among the first to arrive in Italy. They represented and still represent today an important part of immigration because of the high demand for maids.

In comparison with other European countries, Italy had a particularly large sector of informal economy and a stronger segmentation of the labour market. "Italy has a labour market which stimulates illegal immigration". In Italy, immigrants found an insertion point mainly in the informal economy, in specific spaces occupying places that Italians had abandoned or creating their own new jobs (as is the case of street-vendors) The main occupational areas which attract foreign immigrants are in the tertiary sector (peddling, domestic work, small cleaning enterprises, catering, ...) and in the primary sector -fisheries and some agricultural activities.

Italy presented important more "pull factors" for migrant labour force than other European countries. 1974-75 had been years of great economic growth, more importantly so than in other European countries. In some areas, this growth had been a real economic miracle (namely in the North-East), thanks to the flexible structure of small and medium businesses.

Italy's economic growth had not been the outcome of large industries but of an economic model of small and medium businesses where the informal economy and underground labour played an important role. The arrival of immigrants corresponded in fact to the entry of Italy in the strongest economies of the world through a peculiar economic development that concerned mainly some

production sectors in some areas of the country and had not diminished the importance of the informal economy.

Nowadays, Italy is undergoing a process of structural assessment of immigration. The immigrant population has changed its characteristics from a demographic, socio-economic, as well as cultural point of view (Blangiardo, 2005).

Extension of length of stay, gender balance, family reunification, increased numbers of immigrants with children, and an increased number of students in schools are some of the characteristics that outline a deep-seated phenomenon. Today, the immigrants have become part of the country's socio-economic fabric. They are also the origin of associations that aim to support the integration process and keep connections with their countries of origin alive.

A diachronic analysis of the data on residence permits illustrates how the origin of immigrants in Italy has moved progressively towards Eastern Europe, with migrations from Poland, Romania, Ukraine and Bulgaria becoming more and more relevant since the late 1990s (Pittau, Ricci, Silj, 2008).

Of course the migratory flows follow a growing trend, but they are characterised by internal transformations. The main change took place on the 1 January 2007¹. The entry of Romania and Bulgaria into the European Union meant the decrease of non-EU citizens officially resident in the country (with consequences in terms of free circulation, access to the labour market, and expulsions). Nonetheless, the conditions of insertion and integration in the Italian socio-economic context had not yet been improved.

Tab. 2 - Principal nationalities of foreign-documented citizens (as of december 2007).

Country of origin	Number of foreigners
Romania	625,278
Albania	401,949
Morocco	365,908
China	156,519
Ukraine	132,718
Philippines	105,675
Tunisia	93,601
Poland	90,218

Source: Istat, 2008.

¹ Among the ten countries that joined the EU in 2004, Poland is the only country sending numerous citizens to Italy, both for temporary work and for settlement.

At the beginning of 2008, there were over three million immigrants (3,342,651) with a regular residence permit in Italy coming from more than 191 countries, especially East-Central Europe, North Africa, Latin-America and South-East Asia (Istat, 2008). In the debate on current immigration, attention is frequently monopolized by illegal entry, and this risks confusing a part with the whole and losing sight of the ever more extensive legal movements. According to a recent estimate by Istat, Italy has been expecting an annual increase of 110,000 new immigrants, reaching more than 8% of the entire population by 2010. The immigrant population exceeded 4% in 2004 and is now around 6% (Billari and Dalla Zuanna, 2008).

National groups can be divided into different types according to the proportion of two kinds of residence permits (employment and family reunification):

- Immigration exclusively for work reasons (Senegal, China, Ukraine).
- Immigration mainly for work reasons with family reunification below average (The Philippines).
- A balance between the two types (Morocco, Albania).
- Relevant family migration (Romania) (Ismu, 2009).

According to the territorial distribution of residence permits, at the end of 2007, 62.5% of the legal foreigners were in the North, 25% in the Centre and 12.5% in the South (Caritas, 2008). Nevertheless, there is a different ethnic composition in each city: Chinese are over-represented in Tuscany (Prato) and Lombardy (Milan), Romanians in Piedmont (Turin), and Albanians and Filipinos in Lazio (Rome) (Ismu, 2009).

According to gender composition, there is a prevalence of female immigrants among some African groups (e.g. Somali and Ethiopians), Asian groups (Filipinos), Latin American groups (Brazilians, Peruvians), and Eastern European groups (Ukrainians and Poles), while male immigrants prevail among various African groups (Tunisians, Senegalese). The age structure shows an extremely young immigrant population in Italy, with 70% of residents falling into the 20-54 age bracket (Istat, 2008).

Although some immigrant communities are at a more advanced stage of the migration process (e.g. family reunification), this does not correspond to successful insertion in the labour market. Men are mainly employed as workers, while the women's workforce remains to a large extent absorbed in specific areas of the service sector, and at the lowest level. The economic distribution of regularly

employed workers is as follows: 7.3% in agriculture (almost nine out ten with short-term contracts), 35.3% in industry, and 53.8% in the service sector (Caritas, 2008). Their employment is growing faster in services and the building industry, sectors that are characterised by a high degree of casual and irregular work.

The highest concentration of immigrant workers is found in domestic service, where over half of employees are immigrants, reaching around 75% in certain areas such as Rome and Milan. If we take into account domestic workers employed illegally (for example, the so-called "child-minders" from eastern countries hired on a temporary basis), the percentage is even higher. Immigrant self-employment, mostly male, is also on the rise (Ismu, 2009).

Nonetheless, the Italian context is also characterised by a certain proportion of irregular immigrants. It is difficult to quantify the current illegal immigrant population in Italy: it is estimated that about two-thirds of foreigners in Italy have spent some time in the country under illegal residence conditions (Caritas, 2007). Readmission agreements have been signed with the main sending countries in Eastern Europe, the Balkans and North Africa, and are currently being extended to Sub-Saharan Africa and the Indian Subcontinent. The so-called *Temporary Reception Centres* (Centri di permanenza temporanea)² have been established to allow officials to ascertain the identity of people who do not have permission to remain in the country, and to carry out repatriation.

2.1.2 Spain

During the 1980's, Spain changed and was, for the first time in its recent history, the destiny of international flows in population. Its migratory transition, similar to that observed in other neighbouring States in southern Europe, such as Greece, Portugal, or Italy, has been one of the signs which characterized the depth of the social, economic, and political transformation that has been occurring in recent decades. In this way, Spain became incorporated to the European migratory system as a country of destiny, as the protagonist of one of the most outstanding migration novelties on an international scale: the appearance of a migratory subsystem in Mediterranean Europe.

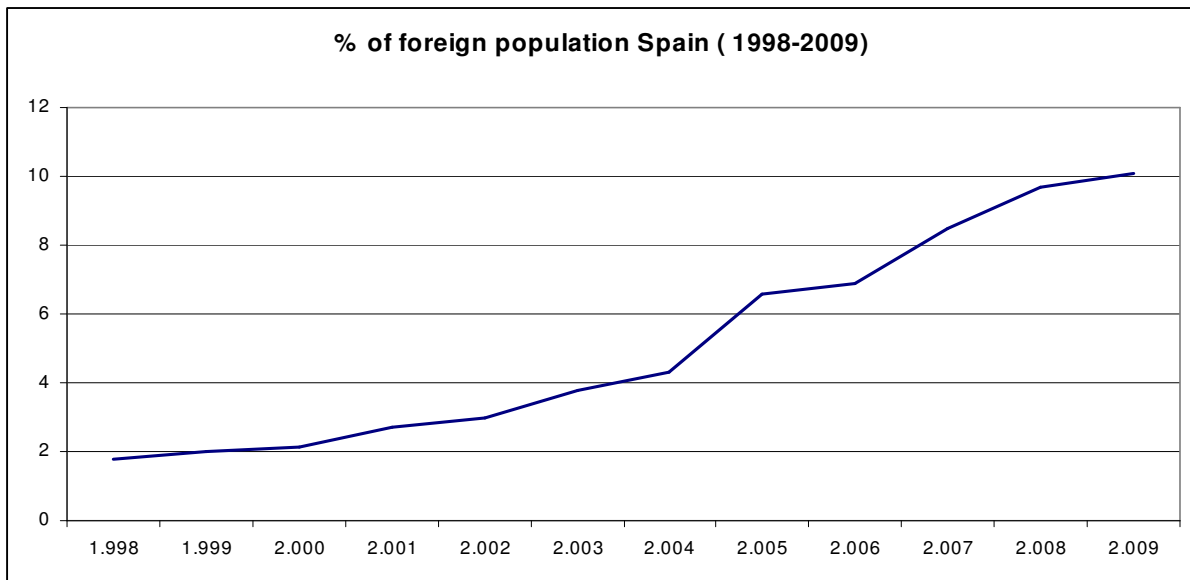
The majority of the immigrants come from North Africa and Latin America and arrive searching for a better life or new economic opportunities. On the other hand, Spain receives a very different

² Law no. 289/98 established these centres, which have been changed by Law no. 189/2002 into CIE (Identification and Expulsion Centres), where illegal migrants can stay for six months at most.

typology of immigrant, mainly retirees who come from the United Kingdom or Germany who want to benefit from the pleasant climate.

This large affluence of immigrants has had a positive impact on the Spanish economy, constituting the immigrants as an important part of the manpower, largely in the agricultural and construction sectors. However, at the same time, immigration supposes a great problem for the government and the Spanish society because many of the immigrants in Spain are illegal and are working without work permits.

In June 2009 there were more than 4,6 million registered immigrants in Spain. It is however interesting to point out that this figure was only around 720,000 in 1998, so during last decade the number of registered immigrants has multiplied by six. We have also to bare in mind that there is an unknown number of non registered immigrants estimated between 0,5 and 1 million depending on the sources.



Source: Foreign population's Statistical Yearbook. Ministry of Work and Immigration (MTIN) several years.
*2009 data referred to June.

There is a very uneven distribution of this population within the Spanish territory, with the main concentrations located in the two biggest cities (Madrid and Barcelona), hosting more than 35% of the total immigrant population. All along the Mediterranean coast we find almost half the population of immigrant origin.

Immigration by regions (Autonomous Communities) evolution 2000-2006-2009						
	2000		2006		2009*	
	Number	% of total foreigners in Spain	Number	% of total foreigners in Spain	Number	% of total foreigners in Spain
Catalunya	214.996	24,0%	642.829	21,3%	1.033.380	22,3%
Madrid	162.985	18,2%	575.118	19,0%	847.303	18,3%
País Valencià	86.994	9,7%	409.058	13,5%	586.872	12,7%
Andalucía	132.428	14,8%	362.467	12,0%	575.903	12,5%
Total 4 CCAA	597.403	66,7%	1.989.472	65,8%	3.043.458	65,8%
Canarias	77.594	8,7%	172.644	5,7%	229.064	5,0%
Murcia	22.823	2,5%	160.390	5,3%	205.160	4,4%
Balears	45.772	5,1%	130.752	4,3%	195.180	4,2%
Castilla-LaMancha	15.835	1,8%	100.819	3,3%	192.991	4,2%
Aragón	17.590	2,0%	91.915	3,0%	168.361	3,6%
Castilla y León	24.338	2,7%	95.273	3,2%	167.489	3,6%
Euskadi	18.822	2,1%	64.228	2,1%	101.193	2,2%
Galícia	24.141	2,7%	61.302	2,0%	88.244	1,9%
Navarra	11.002	1,2%	41.661	1,4%	62.495	1,4%
La Rioja	9.515	0,7%	27.671	0,9%	44.886	1,0%
Asturias	9.519	1,1%	24.779	0,8%	39.645	0,9%
Extremadura	10.508	1,2%	25.578	0,8%	39.348	0,9%
Cantabria	5.388	0,6%	20.657	0,7%	35.253	0,8%
TOTAL	895.720		3.021.808		4.625.191	

Source: Foreign population's Statistical Yearbook. Ministry of Work and Immigration (MTIN) years 2000 and 2006, and Permanent Immigration's Observatory. Trimester Report , June 2009

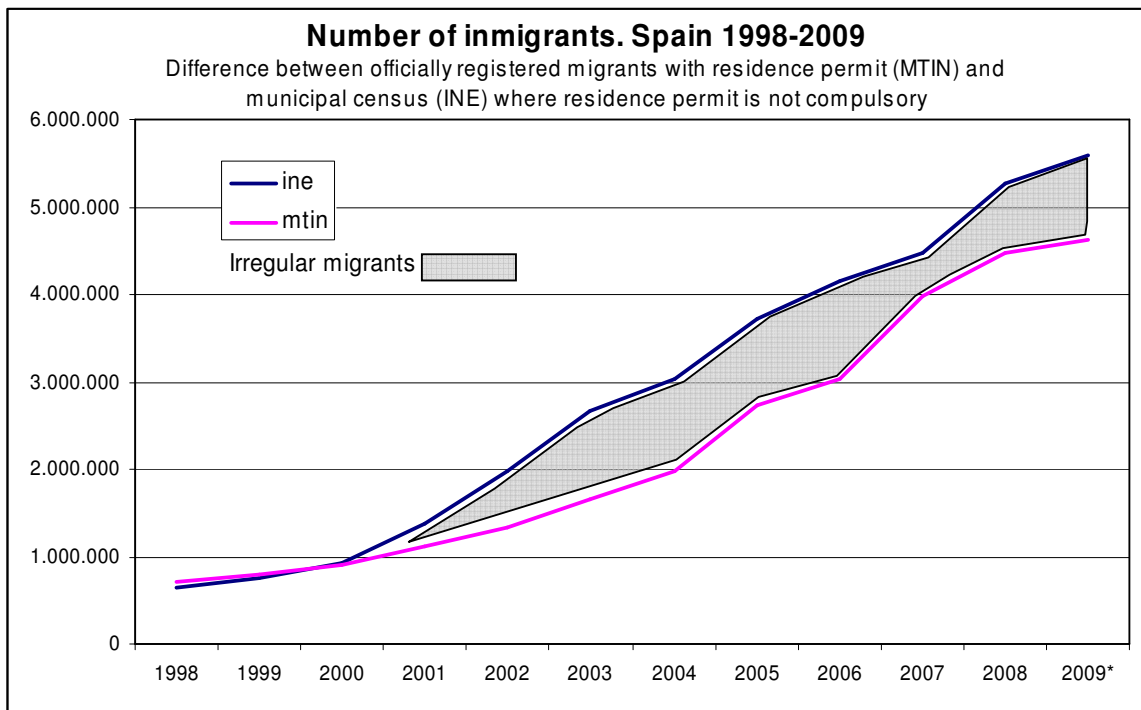
	2009				
	Total population	% on total Spanish population	Number of foreigners	% of foreigners on total CCAA population	% of total foreigners in Spain
Andalucía	8.285.692	17,8%	575.903	7,0%	12,5%
Catalunya	7.467.423	16,0%	1.033.380	13,8%	22,3%
Madrid	6.360.241	13,6%	847.303	13,3%	18,3%
País Valencià	5.084.502	10,9%	586.872	11,5%	12,7%
Total 4 CCAA	27.197.858	58,3%			
Galícia	2.794.796	6,0%	88.244	3,2%	1,9%
Castilla y León	2.560.031	5,5%	167.489	6,5%	3,6%
Euskadi	2.171.243	4,7%	101.193	4,7%	2,2%
Canarias	2.098.593	4,5%	229.064	10,9%	5,0%
Castilla-LaMancha	2.079.401	4,5%	192.991	9,3%	4,2%
Murcia	1.445.410	3,1%	205.160	14,2%	4,4%
Aragón	1.342.926	2,9%	168.361	12,5%	3,6%
Extremadura	1.100.000	2,4%	39.348	3,6%	0,9%
Balears	1.094.972	2,3%	195.180	17,8%	4,2%
Asturias	1.085.110	2,3%	39.645	3,7%	0,9%
Navarra	629.569	1,3%	62.495	9,9%	1,4%
Cantabria	589.043	1,3%	35.253	6,0%	0,8%
La Rioja	321.025	0,7%	44.886	14,0%	1,0%
TOTAL	46.661.950		4.625.191		

Source: Ministry of Work and Immigration (MTIN) Permanent Immigration's Observatory. Trimester Report , June 2009

The undocumented immigrants.

Undocumented migration is a common phenomenon in Southern European countries, as well as growingly present in the new Eastern European members of the EU. Spain, being physically located at the crossroads of a migration flow, is experiencing in a more accentuated way what constitutes a common problem for all European countries: the need to regulate migration flows, and to establish effective expulsion policies. Although expulsions do take place, they are quite limited in volume, thus allowing us to talk of a policy of tolerance towards irregularity, to a certain extent linked to the economical functionality of those migrants. Following studies conducted on irregular immigration in Spain we can say that more than 90% of undocumented migrants arrived within the last three years, that their average age is inferior to those documented (one third of them is under 26), and between 85 and 90% of those came from Ecuador and Colombia as tourists, while undocumented Moroccans had to enter the country using clandestine means.

The following table compares the official figures from the government body in charge of migrations matters at the Ministry of the Work and Immigrations (MTIN) with the data on immigrants listed at the municipality register (Census inscription) which is processed by the Statistics National Institute (INE), giving us a rough estimate of the evolution of the number of undocumented migrants living in Spain during the period 1998-2009.



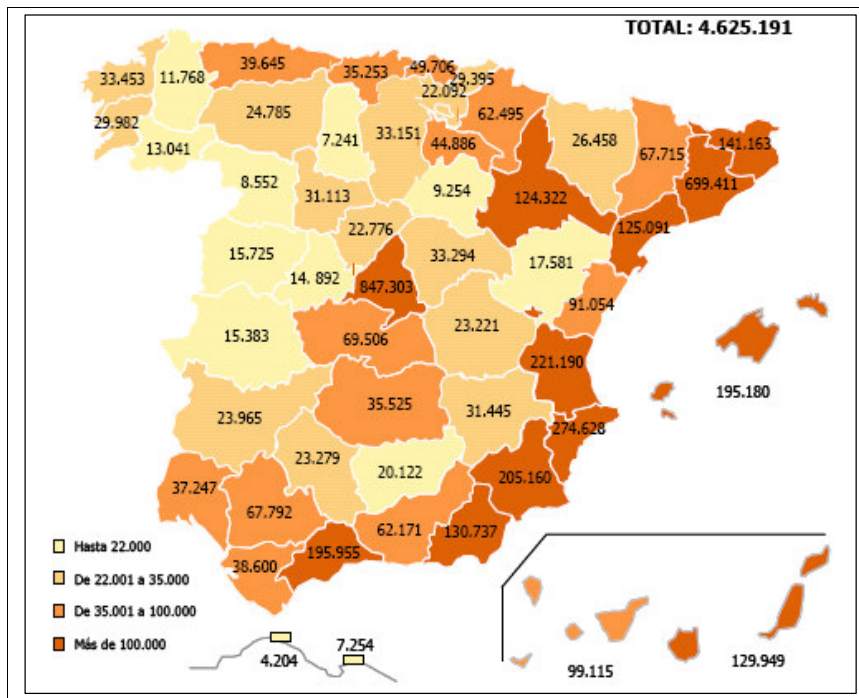
Source: Foreign population's Statistical Yearbook. Ministry of Work and Immigration (MTIN) several years. And Municipal census, Statistics National Institute (INE) *2009 data referred to June.

Migration typology and geographical regions.

In Spain the territorial dimension strongly conditions the type of immigrants arriving to them, as well as the conditions in which these migrants will develop their individual projects. In this respect the specific characteristics and particular problematic are to be found in the different immigration spaces in Spain (Pumares, 2003):

- Border spaces: Southern coast of Andalusia (Strait of Gibraltar), Canary Islands, and the city enclaves of Ceuta and Melilla located in the African continent. These are spaces to be considered as the gates of entrance, located in between two worlds. Their geo-strategic placement makes them places where international politics (bilateral relations between sending and receiving countries) interacts with the local context (asylum seekers, children, irregular migration, etc). Main policies involved are the management of the arrival of people trying to reach Europe.

Foreign population in Spain (30th June 2009) geographical distribution by provinces



Source: Ministry of Work and Immigration (MTIN) Permanent Immigration's Observatory. Trimester Report , June 2009

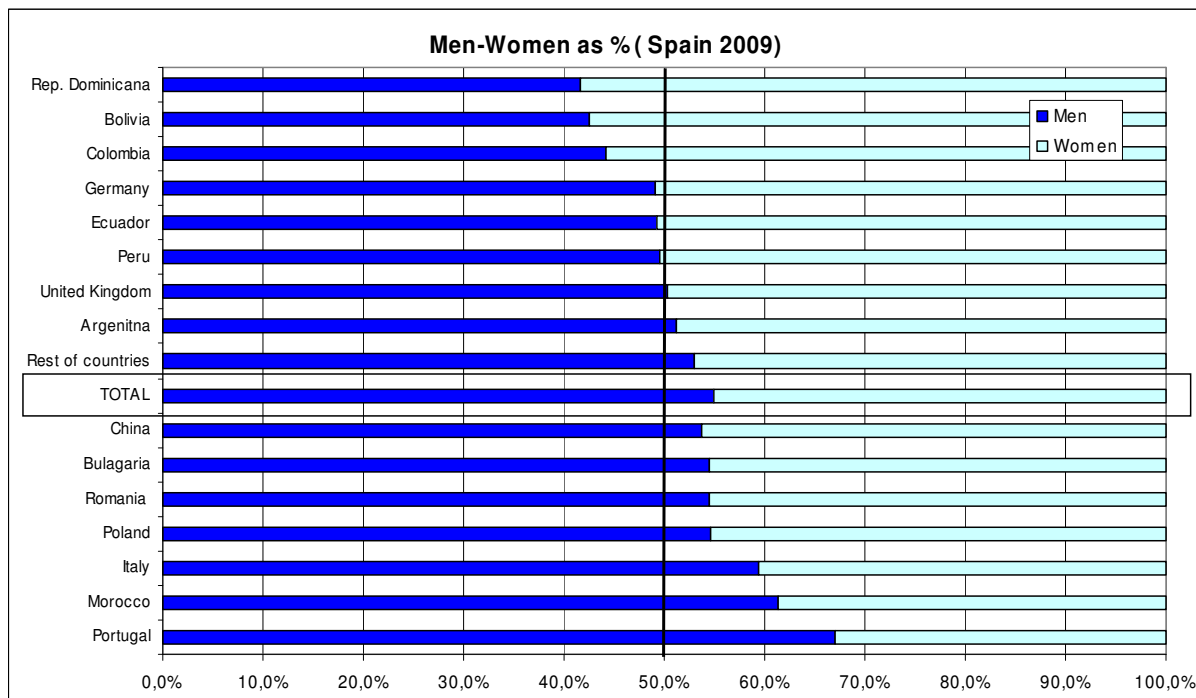
- Agriculture intensive regions (Huelva, Almería, Cáceres, Jaén, Albacete, Murcia, Lleida, Rioja) with high dependence of foreign workers, seasonal work has to be managed on a local basis because during harvest time population in these areas may grow up to 25%. These spaces become the waiting room of the migratory project. They are not areas where migrants stay, the flow of newcomers is constant, and conflicts with the population are frequent.

- Tourist regions: They have already a traditional mobility of workers, with very interesting transformations taking place at present. For instance the Balearic Islands and the Mediterranean coast, are simultaneously receiving tourists and retired people from Europe, constitute economically dynamic regions demanding both high and low skilled workers, attracting therefore important numbers of migrant workers. This polarizing process has been identified as New California, where two trends of human movements meet: North-South looking for leisure activities, and South –North looking for work and a decent standard of living.

- Metropolitan spaces: big cities such as Madrid, Barcelona or Valencia concentrate big part of immigration in Spain. They stand as attraction centres of immigration, since labour opportunities are bigger. Policies here have to adjust a completely different model to the aforementioned regions. Big cities are witnesses of a new multicultural society which force to look for an answer to the challenge of organising a society made up from ethnic (religion, culture and identity) diversity.

Immigration by country of origin						
	Total		Men		Women	
	Number	% on total foreigners in Spain	Number	Men as %	Number	Women as %
Morocco	748.963	16,2%	459.622	61,4%	289.341	38,6%
Romania	700.618	15,1%	382.062	54,5%	318.556	45,5%
Ecuador	442.114	9,6%	217.554	49,2%	224.560	50,8%
Colombia	287.417	6,2%	127.168	44,2%	160.249	55,8%
United Kingdom	217.097	4,7%	109.124	50,3%	107.973	49,7%
China	148.253	3,2%	79.656	53,7%	68.597	46,3%
Peru	142.975	3,1%	70.939	49,6%	72.036	50,4%
Italy	142.298	3,1%	84.533	59,4%	57.765	40,6%
Bulagaria	138.426	3,0%	75.330	54,4%	63.096	45,6%
Portugal	122.728	2,7%	82.209	67,0%	40.519	33,0%
Bolivia	105.931	2,3%	45.128	42,6%	60.803	57,4%
Germany	103.707	2,2%	50.896	49,1%	52.811	50,9%
Argenitna	102.363	2,2%	52.423	51,2%	49.940	48,8%
Poland	85.135	1,8%	46.522	54,6%	38.613	45,4%
Rep. Dominicana	84.958	1,8%	35.385	41,6%	49.573	58,4%
Rest of countries	1.052.208	22,7%	557.115	52,9%	495.093	47,1%
TOTAL	4.625.191	100,0%	2.475.666	53,5%	2.149.525	46,5%

Source: Foreign population's Statistical Yearbook. Ministry of Work and Immigration (MTIN) years 2000 and 2006, and Permanent Immigration's Observatory. Trimester Report , June 2009

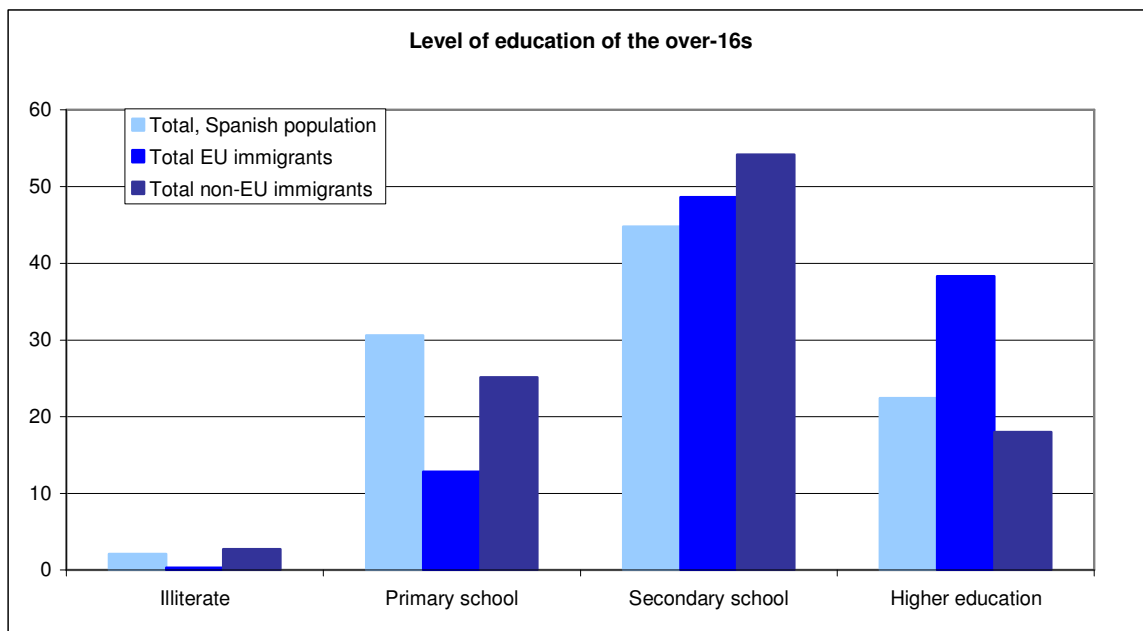


Source: Ministry of Work and Immigration (MTIN) Permanent Immigration's Observatory. Trimester Report , June 2009

Catalonia

More than 1.1 million immigrants of the nearly 4,4 million registered immigrants in Spain in 2008, were living in Catalonia, which means that 25% of the present immigrant population in Spain is located in it. This number also informs us that about 16,4% of the population in Catalonia is of migrant origin.

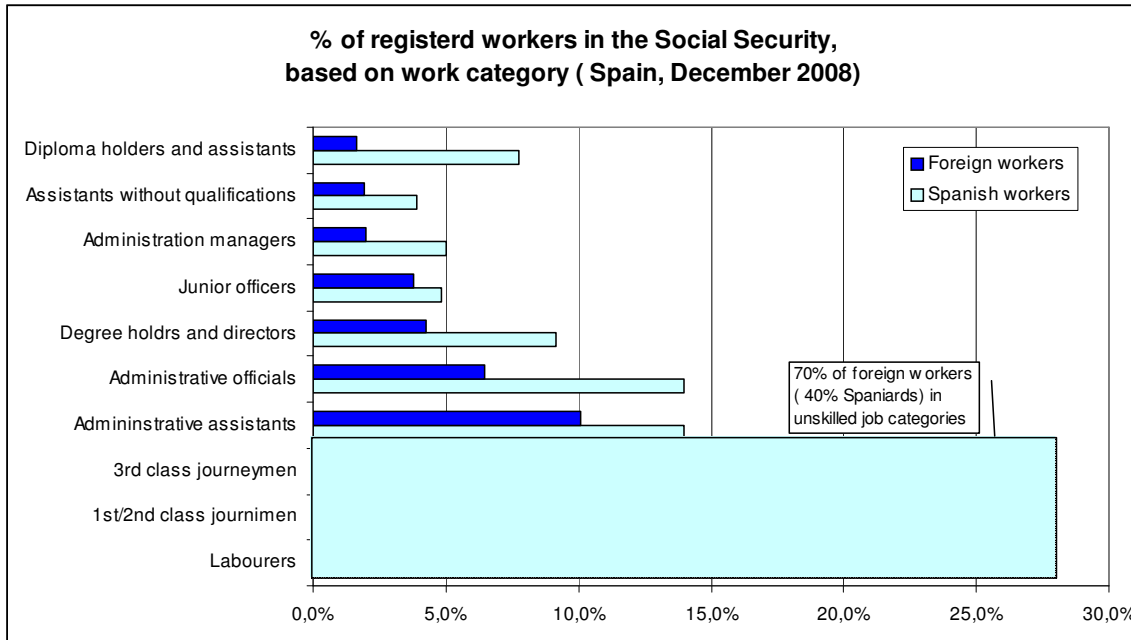
The first characteristic to notice the reduced lapse of time in which a million people arrived to Catalonia. (200,000 in year 2000; half a million in 2005; 1,1 million in 2008)



Source: Pajares (2006) Inserción laboral de la población inmigrada en Catalunya 2006. CERES and Permanent Immigration's Observatory, Ministry of Work and Immigration (MTIN)

A second important characteristic is its distribution within the territory, with some 60% of the migrants concentrated around the Barcelona metropolitan area (BMA), following the pattern of the total population. However, an important data to be retained is the % of the immigrant population, since it shows that almost all regions of Catalonia are near the average 15%. In year 2000 this percentage was around 3,4%.(see fig. 1).

Some specific cities located in tourist areas can reach the 30% of immigration, these are affected by two migratory flows, economical immigration and immigration originated in tourist sector (aged Europeans permanently residing in Catalonia)

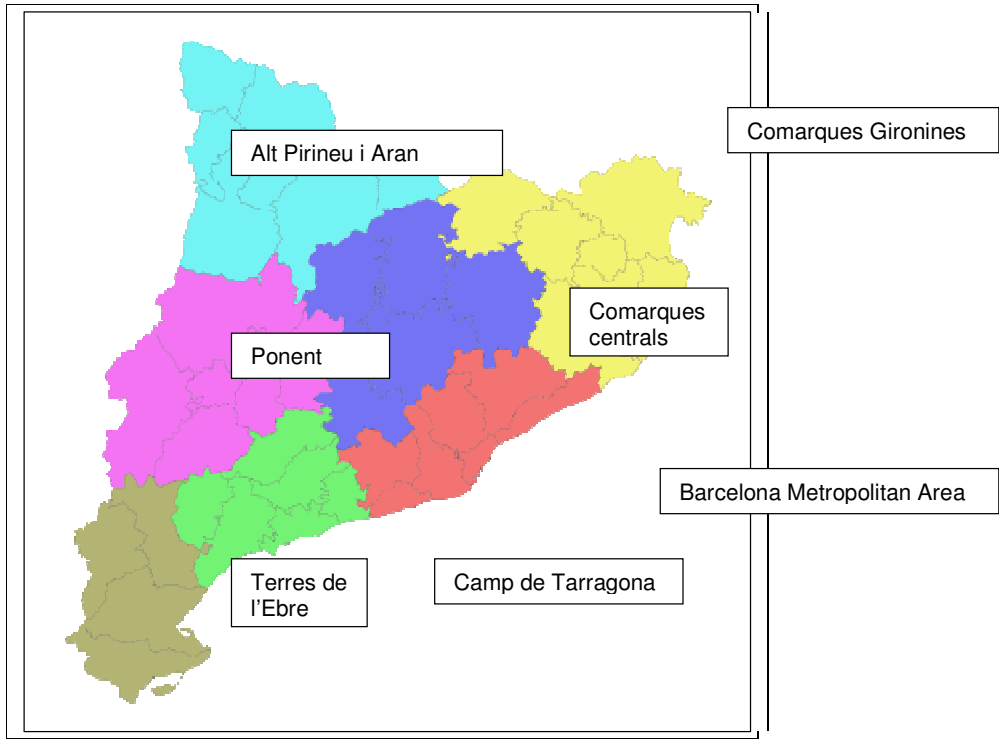


Source: Pajares (2009), Inmigración y mercado de trabajo. 2008 report: Permanent Immigration's Observatory, Ministry of Work and Immigration (MTIN)

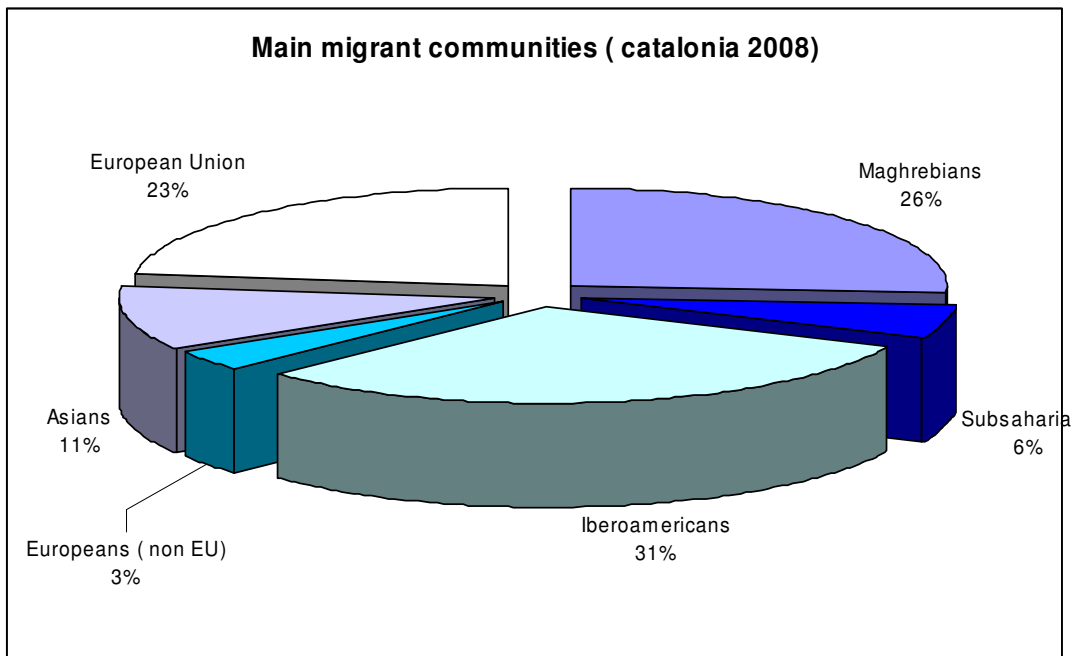
IMMIGRATION IN CATALONIA					
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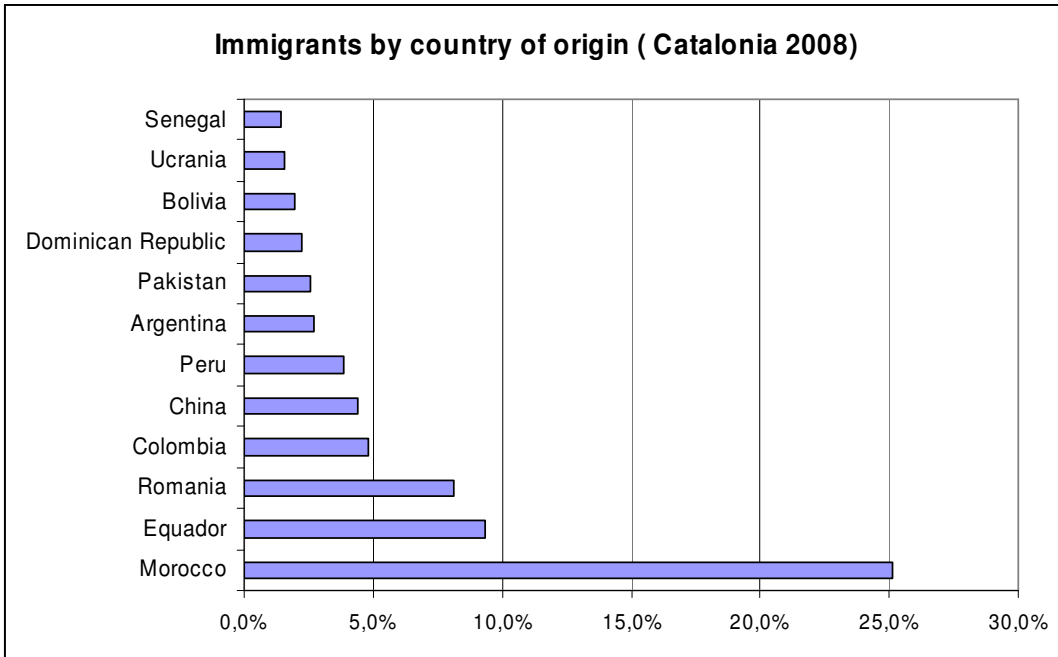
	Total population	Foreign population	% foreigners on the total population	Distribution in % on total immigrants	Distribution in % of total population
Catalonia	7,518,145	1,236,443	16.4%	100%	100%
Metropolitan Area of Barcelona	5,022,090	773,091	15.4%	62.5%	66.8%
Comarques Gironines	735,619	161,557	22.0%	13%	10%
Camp de Tarragona	616,790	116,144	18.8%	9.4%	8.2%
Terres de l'Ebre	193,895	40,689	21.0%	3%	3%
Àmbit de Ponent	361,882	67,473	18.6%	5.5%	4.8%
Comarques Centrals	510,598	63,918	12.5%	5%	7%
Àmbit de l'Alt Pirineu i Aran	77,271	13,571	17.6%	1.1%	1.0%

Source : Catalan Government, Secretary for Migration, provisional data, 1st January 2009.



IMMIGRATION IN CATALONIA

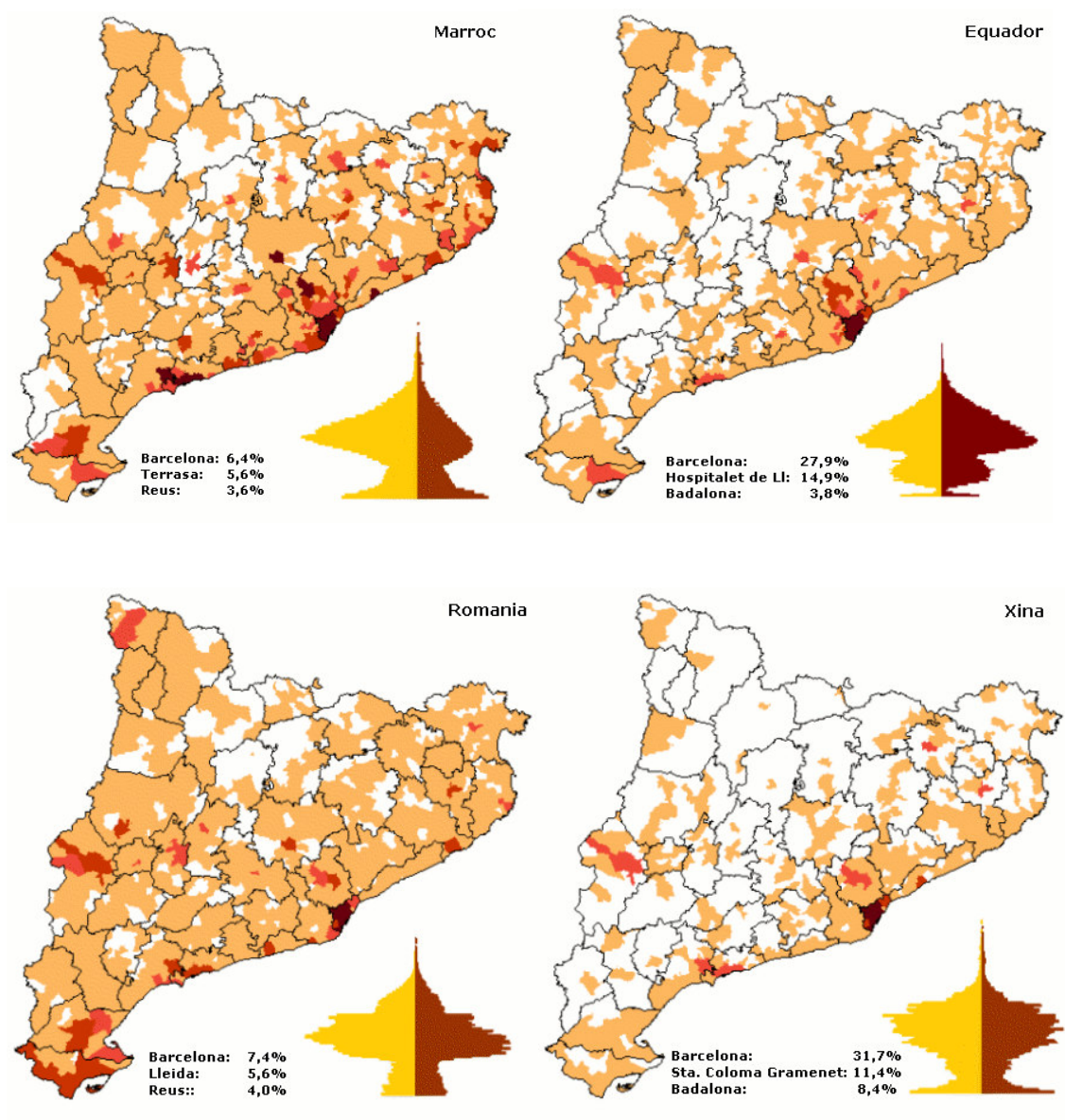
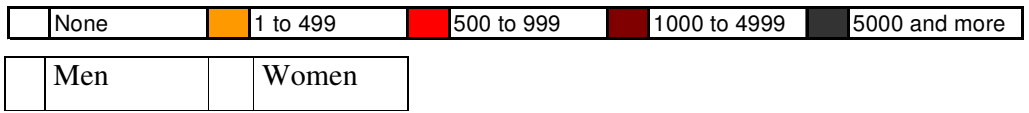




Source: Catalan Government, Secretary for Migration, official data, 1st January 2009.

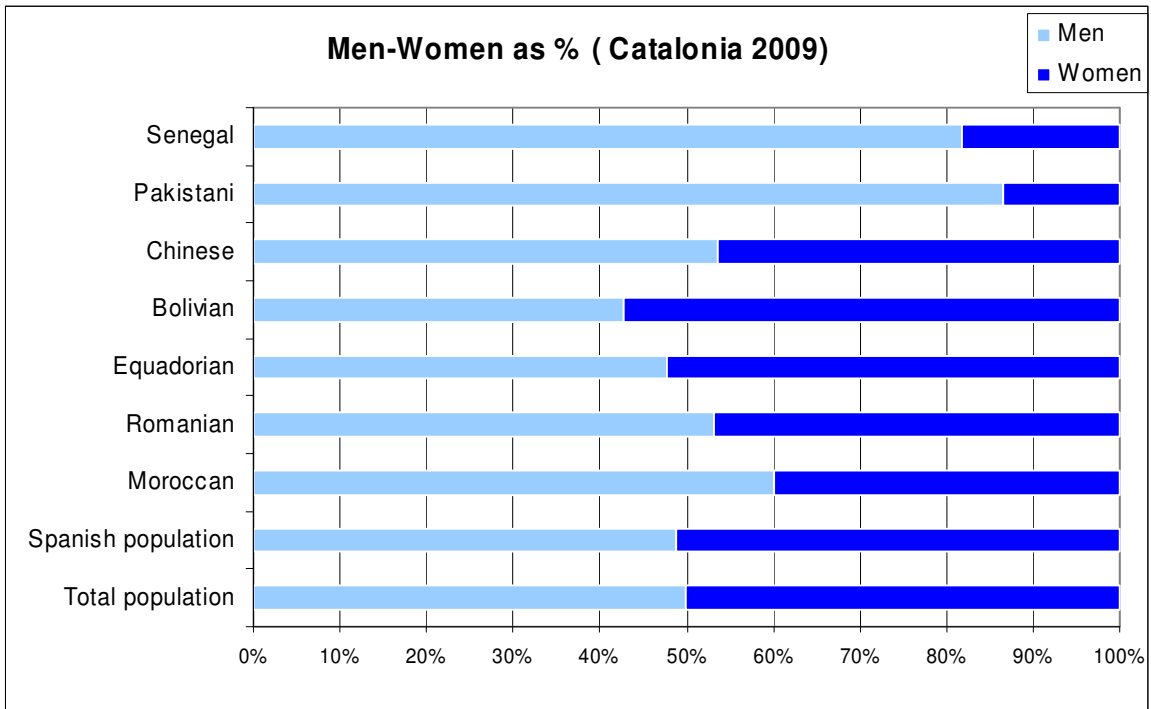
IMMIGRATION IN CATALONIA

Distribution of the main immigrant groups:

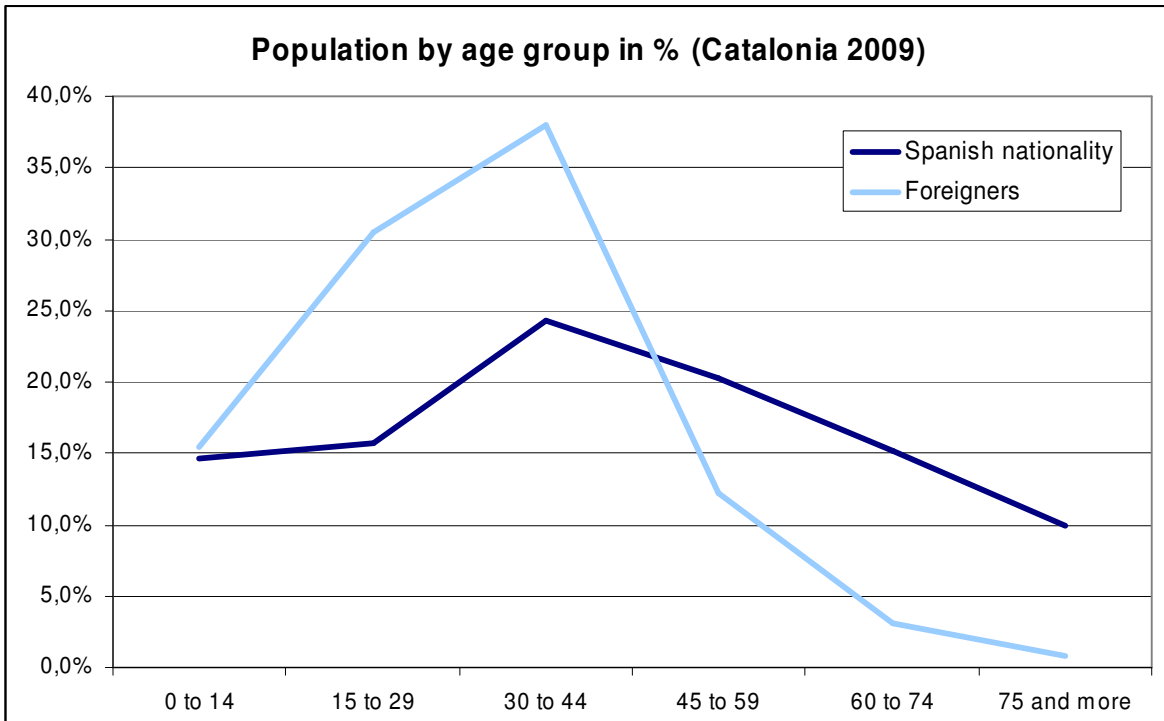


Source: Catalan Government, Secretary for Migration, official data, 1st January 2008.

IMMIGRATION IN CATALONIA

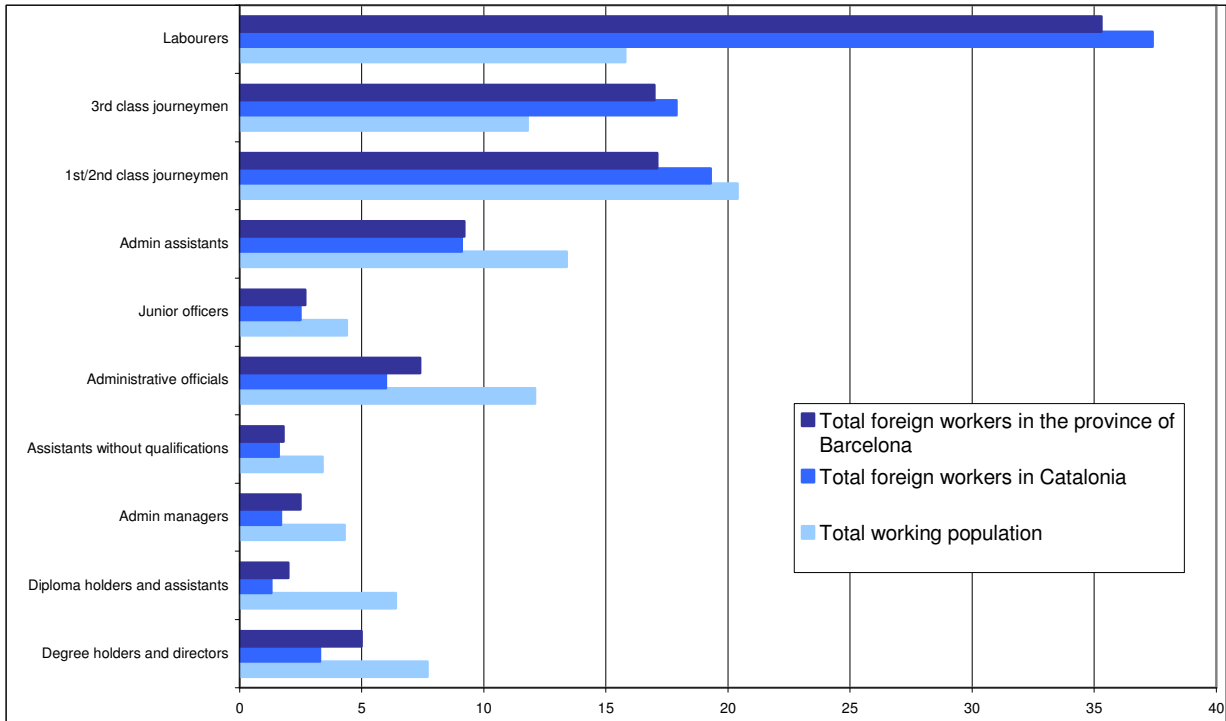


Source : Catalan Government, Secretary for Migration, provisional data, 1st January 2009.



Source : Catalan Government, Secretary for Migration, provisional data, 1st January 2009.

Percentage of registered workers with Social Security card based on work category (January 2007)



Source: Pajares (2007), Inmigración y mercado de trabajo. 2007 report: Observatorio permanente de la Inmigración, MTAS; Report: Informe immigració i mercat de treball a Barcelona, CESB (2007).

Data on immigrants in Catalonia:

Statistics Institute of Catalonia (IDESCAT)

<http://www.idescat.cat/poblacioestrangera/?lang=en> (information available in English)

Secretary for Immigration (Catalan Government)

Demographic profiles of foreigners in Catalonia (2009 data)

<http://www.gencat.cat/benestar/societat/convivencia/immigracio/recursos/perfiles/index.htm>

Andalusia

Andalusia has been considered by many, especially by those from the richest countries, as a suitable place to establish residence after retirement, while those from the most recently incorporated countries considered it a place where work could be found.

Likewise, as a consequence of the Andalusian coasts' proximity to those of North Africa, Andalusia has become one of the main doors of entrance for foreigners proceeding from the Magreb. As well as these points of origin, the influence of Latin Americans looking for work is increasing.

Foreign immigration that comes to Andalusia presents two different models: the search for good living conditions, which is the criteria followed by the European Union citizens, and the arrival of manpower with low qualifications, mostly Africans, South Americans, and Eastern Europeans, who find Eastern Andalusia's agricultural sector as a reason for their settlement.

Foreign immigration in Andalusia is concentrated on the Mediterranean coast, being Malaga and Almeria the two provinces that receive the most immigrants, especially the former, for being a place of rest for retired Europeans and for its flourishing economy. Meanwhile, Almeria is a different case, based on its economy in the denominated "plastic agriculture," whose necessity of cheap and low-qualified manpower has attracted the arrival of groups of South Americans, Eastern Europeans, and especially North Africans. The rest of the Andalusian provinces follow one of these two models, in lower intensity.

2.1.3 France

France has already a lengthy history of immigration, unlike the so-called "new immigration countries" in Europe (such as some southern-European countries).

The various migratory flows, and the second and third generations (and so on) that have resulted, have not only contributed to population growth, but have above all occasioned some profound changes in society (Simon, 2003). Yet France, unlike some other countries, such as the United States, has struggled to see itself as an immigration country (Noiriel, 1988; Rea, Tripier, 2003). This is probably connected to the specifics of the normative, universalist French model, the so-called "modèle républicain d'intégration", according to which it is not up to the group but to the individual to seek inclusion in the nation (Schnapper, 2003). We will return to this model further on, to attempt to understand how it influenced both the definition itself of the second generations, and their inclusion in French society.

France became an important destination for foreign immigration around 1820. From this point of view it can be seen as an exception in the European context, which is characterized by much later flows.

In the 19th century, foreign immigration was above all associated with economic and demographic factors: the early decline in the birth rate, and the rural exodus – combined with the rapid developments in industry – account for the French need for labour.

But the arrival flows were also occasioned by political questions: this was an era of revolutions and anti-Semitism in Europe, and these circumstances gave rise to significant waves of refugees. From 1881 onwards several thousand Jewish people fled the pogroms in Eastern Europe and Russia and settled in France.

The majority of migration flows came from neighbouring countries characterized by poverty and over-population. Various waves developed over time. The first to arrive were Germans, then Poles, Belgians and Italians. In 1866 the largest group was that of the Belgians working in the mines and agriculture. As of 1900 the most numerous group was the Italians. After that immigration from countries close to France was not sufficient to satisfy the country's demand for labour and French employers began to organize recruitment expeditions in Kabylia (Algeria) and Poland.

The First World War was characterized by the use of significant foreign labour in the army, the factories and agriculture. This labour came from various areas: the African colonies, neighbouring European countries, but also further afield. This, for example, was the period which saw 140,000 Chinese immigrants arriving in France, most of whom remained in France after the war.

Between the two wars the government signed labour agreements with Poland, Czechoslovakia and Italy. Immigration from the colonies also increased. Numerous refugees also arrived (for instance Armenians deported after the Turkish massacres of 1915, Italian anti-Fascists and German anti-Nazis, Jews fleeing persecution in Germany and Central and Eastern Europe, and Spanish Republicans).

Thus in 1931 there were almost three million foreigners in France, namely 6.6% of the population, which is higher than the current figure (5.6% in 1999). The 1930s saw xenophobia developing, with the press inveighing against the “invaders”, while the government was engaged in the first expulsions of foreigners.

During the Second World War, many foreigners were engaged on the front and in the factories, as in the First World War (120,000 soldiers from the colonies fought at the front). During the Vichy

regime numerous foreigners were denaturalized (in particular Jewish people from Eastern Europe), going on to meet a tragic end.

French and foreign population (1921-1999).

<i>Year of census</i>	<i>Population (thousands)</i>	<i>French born (%)</i>	<i>Acquired French nationality (%)</i>	<i>Foreigners (%)</i>
1921	38,798	95.4	0.7	3.9
1926	40,228	93.4	0.6	6.0
1931	41,228	92.5	0.9	6.6
1936	41,183	93.4	1.3	5.3
1946	39,848	93.5	2.1	4.4
1954	42,781	93.4	2.5	4.1
1962	46,459	92.6	2.8	4.7
1968	49,655	92.1	2.7	5.3
1975	52,599	90.8	2.6	6.5
1982	54,296	90.5	2.6	6.8
1990	56,652	90.5	3.1	6.3
1999	58,521	90.4	4.0	5.6

Source: Insee, various years.

After the Second World War, the need to rebuild and the economic boom generated a significant need for labour, and the French government signed agreements with Italy, Spain, Portugal, Turkey, Yugoslavia, Tunisia and Morocco. Only part of these migrants settled permanently in France. There was a high turnover in the immigrant population and most migrants returned to their native countries after spending a few years in France (Milza, 1985).

During the last 30 years, the growth of the foreign population has slowed down, and most immigration is due to family reunions. The reason for this lies in the restrictions on the entrance of workers as of 1973. At the 1982 census there were 4 million immigrants in France, and in 1999 4,310,000. The highest numbers of immigrants came from Algeria and Portugal.

Immigrants in France by country of birth.

	1962	1968	1975	1982	1990	1999
	%	%	%	%	%	%
Europe	78.7	76.4	67.2	57.3	50.4	44.9
Spain	18.0	21.0	15.2	11.7	9.5	7.3
Italy	31.8	23.9	17.2	14.1	11.6	8.8
Portugal	2.0	8.8	16.9	15.8	14.4	13.3
Poland	9.5	6.7	4.8	3.9	3.4	2.3
Rest of Europe	17.5	16.1	13.1	11.7	11.4	13.2
Africa	14.9	19.9	28.0	33.2	35.9	39.3
Algeria	11.6	11.7	14.3	14.8	13.3	13.3
Morocco	1.1	3.3	6.6	9.1	11.0	12.1
Tunisia	1.5	3.5	4.7	5.0	5.0	4.7
Rest of Africa	0.7	1.4	2.4	4.3	6.6	9.1
Asia	2.4	2.5	3.6	8.0	11.4	12.8
Turkey	1.4	1.3	1.9	3.0	4.0	4.0
Cambodia. Laos. Vietnam	0.4	0.6	0.7	3.0	3.7	3.7
Rest of Asia	0.6	0.6	1.0	1.9	3.6	5.0
<i>America. Oceania</i>	3.2	1.1	1.3	1.6	2.3	3.0
<i>Unknown</i>	0.8	0.1	///	///	///	///
Total	2.861.280	3.281.060	3.887.460	4.037.036	4.165.952	4.306.094

Source: Insee. various years.

Population by nationality.

<i>French by birth</i>	52,902,209
Acquired French nationality	2,355,293
Spanish	161,762
Italian	201,670
Portuguese	553,663
Other EU	278,403
Algerian	477,482
Moroccan	504,096
Tunisian	154,356
Turkish	208,049
Other	723,705
Total	58,520,688

Source: Insee. 1999.

The composition of the foreign population in France changes rapidly. This is due to the relative ease of acquiring French citizenship. Therefore the most numerous groups are those of more recent immigration, with continuing flows.

2.2. Policy and institutional framework

2.2.1 Italy

Policies on migrant are one of the most suitable tools to gauge governments' ability to cope with the phenomenon of migration. Italy began to face the problem recently and only in the latest years (with the issuing of the Unified Act on Migration, Law Decree n. 286/98) an "Italian model" of migration policy has been outlined.

In the attempt to explain the evolution of the Italian migration policy, four different phases can be listed:

a) The first phase – from the initial migration flows of the '70s up to the '90s – was substantially characterized by indifference; Italy did not immediately understand its transition from a country of emigrant to a country of immigration. From a legal viewpoint, this period is characterized by a number of emergency interventions and by the lack of conscious political choices apt at steering the government's action towards the phenomenon.

b) The second phase was characterized by awareness: migration is no more a temporary phenomenon, but a concrete aspect of our society, which needs to be managed and regulated. The European influence through the signature of the Schengen Agreements by Italy was clear. During this period – which was also one of the most critical for the Italian political system – various parliamentary study committees were set up and a number of bills were presented.

c) The third phase began in 1998 with the adoption of the so-called Turco-Napolitano law and with the approval of the subsequent Unified Act on migration. Italian migration policy begins therefore to have a political orientation although with difficulty. The entry of foreign people starts to follow a governmental model and the initial tools for the integration of migrant are applied.

During these years it is possible to see some constant aspects in the evolution of migration policies: first of all the level of politicization of the debate. In fact, choices concerning migration policies have always been characterized by very animated and conflictual debates.

d) The last two years characterized by the exploitation of migration in electoral campaigns by political forces such as the Northern League which have an explicitly racist rhetoric, by the re-introduction of populist rhetoric in the political debate, by the introduction of a new Law and the growth of racist attacks on immigrants.

Another important aspect lies in the different nature of integration policies carried out at the local level. Given the complete lack of reference to a common national policy on the matter, local

agencies had to face the emergency phase of reception and to apply their own integration processes. This caused a wide variety of intervention policies and of processes of acknowledgement of rights. Such a variety was not due to the different quality and quantity of migration flows but rather to the uneven efficiency of public administrations and to the presence of private social bodies whose action was stronger in some areas of the country (Zincone 1994).

National level

The Ministry of Welfare (formally entitled the Ministry of Labour and Social Policy) is responsible for determining the annual quotas for admission of third country nationals³ and for the funding of specific projects in their favour. The Ministry of Welfare contains a “General Directorate for Immigration” within the Department for Social and Pension Policy. The Third Country Nationals Service (Servizio extracomunitari) is responsible for:

- monitoring immigration, including permits, entries, conversions, preferential quotas and regularizations⁴;
- planning the annual quotas for foreign workers and seasonal workers in agriculture and tourism;
- informing local labour offices on rules for foreigners and on criteria for accepting requests for foreign labour;
- bilateral agreements on migration; liaison with foreign consulates in Italy; trans border workers;
- relationship with Parliament and assistance in drafting legislation and inquiries.

The provincial employment services supply the Ministry with the estimates used in calculating the quotas for foreign workers. It coordinates social integration policy and anti-racism and humanitarian initiatives. It also coordinates the Foreign Minors Commission.

³ The Italian quota system is based on an explicit desire to limit the number of incoming third-country nationals, since it is presumed that in the absence of limits, the numbers of incomers would be much higher. The quota system favours specific countries – especially those countries with which bilateral agreements have been reached and enforced. Precedence is given to neighbouring countries. In part this is due to “cultural affinity”, but is most likely due to the importance of repatriation agreements with countries which send clandestine immigrants to the Italian coastline. Recent quotas have seen Albania, Tunisia, Morocco, Egypt, Nigeria, Moldavia and Sri Lanka all receive preferential quotas. Argentina is currently seen as a special case of affinity – about one-third of Argentinians claim Italian ancestry – and is favoured by large preferential quotas of 4000. Because the quotas are distributed to Regions and then to provinces, insufficient housing in specific provinces may lead to a stop in immigration to those areas.

⁴ Italy has held 4 large regularisations in the past 15 years, as stated above (1990, 1995, 1998 and 2002). This has been a response to the large number of undocumented foreigners working in the country. The pull factor exerted by Italy is undoubtedly the vast informal labour market. The regularisations, in terms of scale (most foreign workers in Italy have benefited at one point or another from a regularisation), represent a *de facto* immigration policy. Yet the increasingly restrictive immigration policy in Italy is a direct response to the widespread irregularity and an ongoing attempt to reduce the presence of undocumented foreigners.

The Ministry of Interior is responsible for regulating migration in general; it covers both the Police, who issue residence permits, and the Prefectures, who handle local security issues and run the regularization and the local Immigration Councils.

There are a number of institutions at the national and local level for monitoring immigration trends and implementing immigration policy. The 1998 law created three national bodies: the large Commission for Integration Policy, at the then-Ministry of Social Affairs; the National Coordinating Body at the Labour and Economics Council (CNEL); and a special advisory council at the Prime Minister's office (*Consulta*). It also created local Immigration Councils in each province, later entrusted to the Prefect.

The **Commission** was entrusted with preparing an annual report and to provide advice, and comprised ministerial representatives and experts. The *Consulta* comprised dozens of representatives of social parties, associations, ministry experts, representatives of local government, and others. This plenary-style organisation met periodically to provide a forum for stakeholders in the immigration debate. The

Commission and the *Consulta* were not reinstated after the change in government in 2001, and the 2002 immigration law created a new, more restrictive advisory council.

The **CNEL** coordinating body unites representatives of local government and associations, trade unions, employers' associations and other experts. In addition to occasional plenary sessions on specific topics, working groups meet to prepare policy papers and guidelines on different themes, which are then formally presented to the government for action.

The **local Immigration Council**, or *Consiglio territoriale per l'immigrazione*, was meant as a broad-based provincial forum in which to discuss immigration trends and pilot and coordinate local integration programmes. The decision to entrust it to the Prefect rather than to an elected official such as the Provincial President caused much dissent at first. The success of this structure has been varied, since its success is based on the capacity of the local Prefect to identify and involve local stakeholders and on the effective ability of the council to pilot spending. The Ministry of Interior provided guidelines for the minimum number and typology of representatives for each council; effective participation ranges from 9 up to 50 members. In some regions, the council has become an important forum for associations. A total of 2000 stakeholders across Italy have been nominated to such local Councils.

Regional and local level

At the same time, each Italian region, and many provinces and towns, have an **Immigration Council** which draws representatives from institutions, trade unions, employers' and professional associations, associations and NGO's. These councils – where active, since many are suspended – usually provide input to local authorities on identifying priority areas for investing social funds and for putting pressure on national government to make changes in the immigration laws. Because the local government controls most social spending, participation in these councils tends to be more desirable than in other forums. In some cases, regional stakeholders will attempt to change the direction of national policy by legislating in the opposite direction.

Nonetheless, the overall strategy for implementing integration policy has been to pass responsibility to the regions, to the provinces and to municipalities, which receive funds earmarked for integration but which decide on their own priorities and the means in which the funds will be disbursed. This means that national integration policy is difficult to decree, and that some points on which the open method aims to work cannot be easily addressed because of contradictory directions in regional policy.

Cooperation and development policies

Foreign and development policies have been increasingly linked to immigration policy. In part this is because of the transformation of activity by development NGO's from work on projects abroad to work on social integration of immigrants in Italy, so that these organisations' lobby is particularly sensitive to development issues. The first article of the 2002 immigration law, regarding "cooperation with foreign countries", makes donations to recognised charities in non-OECD countries taxdeductable. Perhaps more importantly, foreign policy is increasingly driven by the desire to combat illegal migration, as explicitly stated in the 2002 law.

2.2 .2 Spain

Spanish immigration and asylum policy in 2008 has been dominated by the drafting and subsequent adoption of the European Pact on Immigration and Asylum (hereinafter, EPIA). Therefore, different measures that have been introduced during the year and preparation for the reform of Spanish legislation on both immigration and asylum aim, among other things, to develop the basic commitments made in the EPIA in five areas that form the backbone of this Pact:

- a legal immigration coherent with the reception capacity of each State and for the integration of immigrants;
- an effective policy against illegal immigration that guarantees, save for notable exceptions, the return of the illegally staying foreigner;
- an effective border control;
- a consolidation of a Europe of asylum;
- strengthening global cooperation with the countries of origin and transit in order to encourage synergy between immigration and asylum.

We should take into consideration that in Spain, for example, many areas of policy (mostly those related to Welfare State) are largely decentralised, so the different autonomous communities have been able to develop quite different schemes for the incorporation of immigrant populations. This opens room for heterogeneous models (that in fact already exist in relation to the nationals), but also creates a sort of “laboratory” for creating learning processes and mechanisms for sharing experiences and information, as well as a clear need for the establishment of institutionalised spaces for coordination and cross-references between the different regional governments.

The tools used to control illegal immigration in 2008 continue to be focused on the policy of demanding visas for entry and work, on an increasingly sophisticated border control, on the drive to return and expel illegally staying foreign nationals, and cooperation with the immigrants’ countries of origin and transit.

With regards to the voluntary return of immigrant workers living in Spain, in 2008 an innovative measure was proposed to support their voluntary return to their countries of origin. Given the worsening economic situation and the rise of the immigrant population’s unemployment rate, the Spanish Government approved a Plan for Voluntary Return that recognised the possibility of paying contributory unemployment benefits in advance and cumulatively to non-EU foreign workers who have lost their job in Spain and decided to voluntarily return to their country of origin. However, it should be remembered that this Plan for Voluntary Return is supplementary to the Humanitarian Return Plan which has been operating since 2003. With regards to immigration policy, the Plan for Voluntary Return has been a prominent initiative of the Spanish Government.

The Strategic Plan for Citizenship and Integration 2007-2010 (PECI), has been followed through to fruition in the belief that we can only become a cohesive society if immigrants are properly integrated.

In summary, it can be said that Spanish policy on immigration in 2008 has continued to be underpinned by three fundamental pillars, as in 2007: the coordinated management of migration flows and the consolidation of the link between legal immigration and the labour market; the integration of immigrants within the society of reception; and the control of illegal immigration. In order to achieve this, cooperation on a Europe-wide scale continues to be vital.

National level

Institutionally, the main developments were the renaming of the Ministry of Work and Immigration (previously the Ministry of Work and Social Affairs), within which the competent body for managing continual migration continues to be the State Secretariat for Immigration and Emigration and the creation of a Ministry of Equality, which had previously been existent.

The State Secretariat for Immigration and Emigration of the Ministry of Labour and Immigration is the organism responsible for developing governmental policies regarding emigration and immigration related matters, on a national level. This Secretariat is composed of three General Directorates, which in turn are composed of Sub-Directorate Generals:

General Directorate for Immigration

- Sub-Directorate General Legal
- Sub-Directorate General for the Management and Coordination of Migration Flows
- Sub-Directorate General for the Modernization of Management

General Directorate for the Integration of Immigrants

- Sub-Directorate General of Social Intervention
- Sub-Directorate General of Institutional Relations
- Spanish Observatory of Racism and Xenophobia

General Directorate for the Spanish Citizenship Abroad

- Sub-Directorate General of Legal Regulations and Reports
- Sub-Directorate General of Social Benefits

Regional and local level

Andalusia

Andalusia was the first Spanish independent community to elaborate an Integral Immigration Plan which permitted the ordering of all the policies related to foreign workers and their families, which until then had been dispersed among the different councils. The plan was effective between 2001 and 2004 and although each department continued to develop its measures, they all integrated themselves in a global frame and were coordinated by a main directorate of the Council of Interior.

The situation of the migratory phenomenon in Andalusia has undergone a relevant change since the entrance in force of the Integral Plan 1, which took into account the elaboration of the II Integral Plan for Immigration in Andalusia (2006-2009), which has the following general objectives:

- To enhance the economic, social, and cultural conditions that foment the policies of receiving the population which arrives for the first time in Andalusia, supporting strategies which permit a model of independent inclusion for new Andalusians.
- To favour the total social, labour, and personal integration of the immigrant population, subject to rights and duties, in the heart of the Andalusian society.
- To assure the immigrant population's access, in conditions of equality and fairness, to the basic common services available to the entire population, such as health, education, employment, housing, social services, or legal attention, impelling and developing active strategies that guarantee this access.
- To foment the coordination, cooperation, and follow-up of the activities of the public powers and the social and economical agents implied; to make use of the available resources; and to permit better response times to changes.
- To permanently improve the knowledge of the situation, the strategies most suitable for change, as well as the analysis of the accomplished achievements, continually maintaining the investigative activity about Andalusia's immigration phenomenon.
- To design and enhance educational programmes for all people who have such activities, in a private or public scope, allowing a constant adjustment to the application of knowledge.
- To foment social awareness about the positive values of immigration, rejecting all forms of racism and xenophobia, and any type of discrimination that takes place.
- To contribute to improving the conditions of living, the infrastructures, as well as the quality of participation of the people in the emigrants' countries of origin, through the Regional Government

of Andalusia's integrated policies of cooperation with development, which affects the causes of the fact, as well as the perception that our system of well-being has in those countries.

In Andalusia, the Integral Plans for Immigration have meant a considerable effort of systemization and coordination of the immigration related activities that different organisms carried out. The creation of the General Direction of Migratory Policy Coordination also contributed to that goal.

Although coordination of the II Integral Plan corresponded to the Ministry of Interior, currently the Ministry of Labour is responsible for immigration related matters. Within this Ministry, the General Director of Migratory Policy Coordination's responsibilities relate to the following:

- ◆ The function of promotion and public policy coordination of the various Ministries in response to the social consequences of the migratory situation.
- ◆ The coordination of activities addressed in the health, social, cultural, educative, and other areas of intervention, regarding the migratory situation.
- ◆ The study of migration's evolution as a social reality.
- ◆ The planning of the Administration of the Regional Government of Andalusia's actions with respect to the ongoing evaluation of its results.
- ◆ The coordination of the actions and relations with other governmental agencies with regard to the impact of the migration situation.

Plans developed by the Regional Government of Andalusia are integral.

They reference all the lines of action in the migration field and permit work on specific topics from an integral perspective. Their duration is for five years and they are developed primarily through national funds and the European Social Fund.

Even though this is about integral plans, the II Integral Plan for Immigration in Andalusia has made a considerably larger effort in the educational field.

Catalonia

Political competence distribution on immigration policies.

Policy guidelines	Executive competence	Policies
Admission policies	Political competence of the Spanish Government.	-Control of flows: entrance, border control, admission-expulsion. -Establishment of annual quotas. -Authorisation of residence and work permits. -Renovation of permits. -Cooperation to development and humanitarian aid
Control policies		
Cooperation with countries of origin		Political competences of the Autonomous Communities.
Policies of incorporation	Political competences at local level.	-Urban planning. -Planning and cooperation in education. -Health assistance. -Social integration and promotion. -Cooperation to development and humanitarian aid.
Exclusive political competence	Regarding the initial reception of immigrants, which includes mechanisms for receiving and welcoming immigrants. Development of the integration policy for immigrants in the framework of all those areas with political competence such as education, healthcare, social services etc. Establishment and regulation (by law) of the required measures for social and economic integration of immigrants and for their social participation.	
Executive political competence	Work permit authorization for foreigners which labour contract is based in Catalonia. This policy will necessarily been done in coordination with the State level competences on entrance and residence of foreigners, which are: a) Processing and resolution of initial work authorisations for employed and self-employed workers. b) Processing and resolution of appeals presented with regard to cases arising from the former paragraph and application of the inspection and sanction system.	
Participation	The Catalan government participates in State decisions concerning immigration which are especially important for Catalonia and, in particular, shall have preceptive participation in determining the contingent (quota) of foreign workers by means of the mechanisms established by Title V.	

Source: European Institute of Public Administration (2001).

2.2.3 France

2008 was the first complete year of application for the immigration policy defined by the government appointed in June 2007 by the newly elected French President, Nicolas Sarkozy.

This policy is based on the control of migration flows – accompanied by increased efforts in combating illegal immigration – an ambitious policy with regard to integration, the rebalancing of migration flows in order to encourage immigration which will benefit the French economy, in relation to family immigration, without, of course, undervaluing the right to family life, and finally, the partnership of source countries of immigration in controlling flows within the framework of global agreements which place immigrants within the construct of joint development.

These objectives of the French government have brought about considerable quantitative results with regard to migration flows, begun in 2007, towards rebalancing French policy in favour of immigration which takes into account France's socio-economic needs.

This rebalancing of migration flows is particularly significant when one compares residence permits issued for employment purposes, which doubled between 2007 and 2008 (10 700 to 20 800), to those issued for family reasons, which did not increase, and indeed slightly fell, in the same period (86 000 to 81 000).

The French government finally aims to include its immigration policy within a partnership strategy with source countries of immigration, as part of a global approach. This is the objective of the principle of circular migration.

These two fundamental measures concern the introduction of new residence cards and concerted management agreements on migration flows and joint development.

National level

The definition of policy relating to immigration was drawn up in 2007. It is based on the control of migration flows and a proactive and ambitious policy with regard to the integration into French society of foreign persons who are legally settled in France on a long term basis.

With regard to the control and reorientation of migration flows, emphasis is placed on:

- Stepping up efforts against illegal immigration, including a proactive policy to combat clandestine immigration networks, involving, as far as possible, source countries of immigration;
- The development of economic immigration, particularly for sectors and occupations required by the French economy. New residence permits have been introduced for this purpose;
- Cooperative development with source countries of immigration, by encouraging and assisting, in particular, the resettlement of voluntary migrants to return to their country of origin.

The reorientation of immigration policy is being accompanied by the continuation and intensification of efforts to combat clandestine immigration. These changes in legislation will enable increased effectiveness for services responsible for deportation.

For twenty years or so, policy on migration was based on bringing together the various elements of immigration policy under one system, which, up until then, had been divided between the ministries with responsibility for Foreign Affairs, Justice, Social Affairs and Home Affairs.

The setting up, by Decree dated 26 May 2005, of the Inter-ministerial Committee on Immigration Control (CICI), met the coordination requirements for this policy. This committee, which is chaired by the Prime Minister, is made up of representatives from 9 other ministries. It meets on average twice a year; it sets out government policy guidelines in areas relating to migration flows, asylum and co-operative development; every year it approves the report to parliament on government policy on immigration matters.

The Inter-ministerial Committee on Integration (CII) is competent to act on all matters relating to the integration of foreign persons into French society.

For the first time in the history of the 5th Republic, a minister is responsible for managing policies on immigration, integration and co-operative development with source countries of emigration.

This ministry has 3 main objectives in matters relating to immigration:

- Controlling migration flows;
- Encouraging development actions with source countries of emigration ;
- Promoting integration of foreign persons wishing to settle in France.

Its structure is as follows, under the authority of a Secretary General:

- The Department of Immigration, whose remit covers the issue of visas, matters relating to the admission for residence of foreign persons and combating illegal immigration and fraud;
 - The Department of Reception, Integration and Citizenship, which deals with matters relating to integration and the prevention of discrimination, as well as the granting of French citizenship;
- The Asylum Section, whose remit covers all areas relating to asylum and subsidiary protection;
- Sections responsible for co-operative development, European matters, strategy and research.

The setting up of the (French) National Agency for the Reception of Foreign Persons and Migration (ANAEM), in 2005, allowed for the merging of competences and resources of two existing structures, the International Migration Office (OMI), established in 1945 to manage and regulate the arrival of immigrants, and the Social Aid Service for Emigrants (SSAE), an organisation set up in 1926, which made available specialised social support for migrants upon their arrival in France.

The ANAEM has two main functions – the reception and support of foreign persons when they migrate to France, and the implementation of integration policies or assisted repatriation policies.

To this end:

- It is involved with entry procedures in France for legally-resident foreign persons, mainly in relation to employment or family reunification;

- ~ With regard to employment, following agreement with the Departmental Directorate for Work, Employment and Vocational Training (DDTEFP), it is responsible for the entry of non-EU workers into France;

- ~ With regard to family reunification, it is responsible, within certain areas laid down by decree, for collecting applications, carrying out, at the request of local councils, any checks on applicants' accommodation and, finally, implementing entry procedures for family members, following approval by the Chief of Police, through its missions abroad or French consulates;

- ~ It deals with legally resident foreign persons and recommends that they sign the Reception and Integration Contract (CAI). From 2007, the ANAEM has been responsible, by Act n°206-396 dated 31 March 2006 for equal opportunities and for all actions relating to implementation of the Reception and Integration Contract;

- ~ It implements assisted repatriation measures for foreign persons wishing to return to their country of origin;

- ~ It is involved in developing the public network for international placements in cooperation with the ANPE (French national employment agency);

- ~ It is involved in combating the exploitation of illegal foreign workers, by collecting the administrative fine applied to employers.

The government, in the interests of making its immigration and integration policies more effective, decided to set up a new agency, based on ANAEM, to handle immigration and integration matters: the French Office for Immigration and Integration (OFII), set up by Decree n° 2009-331 dated 25 March 2009. This office will be responsible, on all French territory, for the reception of foreign persons holding, for the first time, a document authorising them to reside in France and, when they wish to settle in France for the long-term, their registration on an integration programme for their first five years of residence in France.

This agency, continuing on from ANAEM, will also be involved in all administrative, health and social actions relating to:

- The entry and residence of foreign persons for a period of less than or equal to 3 months ;

- Entry into France for the purposes of family reunification or marriage to a French citizen, of foreign nationals from countries outside the EU; in preparation for their integration, the Office will be responsible for arranging tests and, where required, any training courses, particularly in language training, in the country of origin;
- Entry into France, for work purposes, of foreign nationals from countries outside the EU;
- The organisation of medical checks for foreign persons admitted to stay in France for a period of more than 3 months;
- The reception and monitoring of asylum seekers;
- The repatriation and reintegration of foreign persons in their country of origin, as well as cooperative development actions.

OFII will have the regional and infra-regional network of platforms of ANAEM at its disposal. ANAEM is in fact based in all metropolitan areas.

The French migration policy, for a long time “laissezfaire” and increasingly voluntarist, has always oscillated between economic and demographic concerns, and, depending on economic and political conjunctures, gave priority either to employment or to settlement considerations. It is a hybrid model somewhere between settler societies (USA, Canada etc.) and those that privileged the labour market in migration management (Germany, Austria, Switzerland).

In accordance with the EU-wide recognition of the necessity of immigration for the European economy, the new French legislation promotes selected immigration (*immigration choisie*) in specific economic sectors where job supply exceeds demand (construction, catering and in general, “*where vacancies exist and difficulties in recruitment are manifest*”). France tries to attract skilled workers, facilitate the admission of students and provide jobs and residences for the best among them. Attracting the best should not be to the detriment of the countries of origin, depriving them of their “brains” neither should it imply “de-skilling”, non recognition or inadequate recognition of the credentials and know-how of immigrants. The downward social mobility of immigrants - especially of women employed in precarious jobs in typically female occupations in the labour market - remains a blind spot in policy.

Regional and local level

While immigration policy is often determined, designed and funded at the national level, the integration of immigrants is a policy area where a local approach is critical. Language learning, training and re-training, recognition of know-how and skills, and encouragement of labour market

participation including ethnic entrepreneurship are examples wherein different initiatives may benefit from one another by targeting a wide range of persons, including immigrants. It is also politically easier to encourage political participation at a local level than at the national level. Other forms of civic participation also mostly take place at the local level.

Transnational level

Another level where integration takes place and is important to consider in our globalized world is at the transnational level.

Before they settle in another country, most people tend to circulate between their place of origin and the country or countries of work. Others, for different reasons, never settle, but commute for a considerable portion of their lifetimes (“settle in mobility”) before “returning” or starting another move (multiple migrants). Empirical evidence increasingly suggests that a stable status (permanent residence, naturalisation), generally seen as a strategy of integration into the nation, can be, in the context of globalisation, a strategy of integrating transnationally, one which enables people to connect easily across borders and develop different practices such as cross-border businesses which can have an integrative function: circulatory migration has been, in many ways, a regional dynamising factor. There is also evidence that legalised or stabilised foreigners often return to take up residence in their home country, but use their status to travel back and forth for work or other purposes at various intervals.

Co-operation and development policies

The “co-operative development and migration” programmes are an integral part of the policies defined by the Inter-ministerial Committee on International Cooperation and Development (CICID) held on 19 June 2006 and by the Inter-ministerial Committee on Immigration Control (CICI).

Focusing as a priority on countries of the African Sub-Sahara and North Africa, it aims to encourage the successful outcome of a series of multilateral, bilateral, as well as individual actions, driven by the diasporas and more generally by immigrants residing in France, for development in their countries of origin”.

The programme has 4 main area of focus: promotion of productive investment, mobilisation of the communities and the elite, local development projects, and reintegration and resettlement assistance in their country of origin.

The action for “Reintegration and resettlement assistance for migrants in their country of origin” is carried out by ANAEM, which implements assisted repatriation measures for foreign persons

wishing to return to their country of origin (assisted voluntary repatriation, assisted humanitarian repatriation), and supports them by setting up income-generating economic activities.

The budget for this action, which was allocated 5 million Euros in 2008, is managed by ANAEM and is topped up by co-financing from the European Refugee Fund (ERF) to the sum of € 1 800 000.

With the Act on Immigration and Integration of 24 July 2006, France has established a new migration policy which is aimed at more effectively taking account of socio-economic realities and requirements in France and in the countries of origin and transit of migrants.

This migration policy, which forms part of the “global approach to migration” promoted by the European Union, was confirmed at the Second Euro-African Ministerial Conference on Migration and Development which was held in Paris on 25 November 2008.

Two measures give priority in particular to circular migration: the introduction of new residence permits and joint management agreements for migration flows and co-operative development.

In 2007, a new legal instrument was introduced by the ministry: concerted management agreements for migration flows and co-operative development. Measures for these management agreements correspond to 3 elements of the ministry’s global approach: encouraging employment immigration, combating clandestine immigration and promoting development in the country of origin. Each of these agreements is the subject of specific negotiations adapted to the needs of both signatory countries and the migration profile of each partner country.

Two elements of the concerted management agreements for migrations flows and co- operative development concern circular migration in particular: the organisation of legal migration and co- operative development :

Circular migration should benefit:

- The country of origin, through a return of skills;
- The host country, by the definition of a list of jobs, to mitigate recruitment difficulties for businesses in certain sectors;
- Migrants, by legal residence and welfare cover, the right to training, the opportunity to save money, and assisted resettlement in or return to the country of origin, and co- operative development.

- Organisation of legal migration: this aspect of the management agreements applies to all issues relating to the movement of persons and the employment of students at the end of their course, and thus makes employment migration a key issue:

- By offering nationals from partner countries a scheme which goes beyond the general law set out by the Act of 24 July 2006. Measures provide for the opening of the French labour market on the basis of a list of “hard-to-fill” jobs for businesses in France. This opening of the market takes into account joint needs and opportunities expressed by partner countries of origin;

- By bringing in measures aimed at facilitating the issue of new residence permits (“skills and talents” or “seasonal” permits) and promoting exchanges between young professionals aged 18 to 35, for temporary stays of up to 18 months.

- Co-operative development: this aspect is an integral part of the objective to reduce poverty in regions of emigration. It meets the requirements of States of origin and civil society. Depending on the needs expressed by the partner country of origin, measures may be adopted to mobilise operators, organisations and migrants, whether individually or collectively, to implement:

- Various forms of support for sectoral development (occupational training, health, etc.);

- Financial assistance to encourage and support economic and social reintegration, the development of income-generating activities and business creation;

- New co-development savings products intended for the savings of migrants who wish to finance investment ventures which contribute to the economic development of their country (co-development savings account, co-development savings book).

2.3 Financial framework

The general framework regarding politics, programmes and funding is intricate. The EU created a number of financial programmes concerning all matters in the area of Freedom, Security and Justice; with the latest reform intervention, the funds have been reorganized around three general programmes: security and safeguarding liberties, which includes specific programmes for the prevention and fight against terrorism and crime; fundamental rights and justice, more related to the fights against human trafficking, drugs prevention, and co-operation in the field of civil justice and rights and citizenship; solidarity and management of migration flows, which consists of four financial instruments: the External Borders Fund, the Integration Fund, the Return Fund, and the European Refugee Fund. However, regions of the member states are not directly involved nor in the planning, not in the administration of these funds: a small part of them (less than 10%) goes to the so-called “community actions”, and the European Commission itself issues every year a call for proposals - regions can participate, but the selection process lies entirely at the EU level - ; the greatest part of the funds is distributed to Member States’ responsible authorities on the basis of a national multi-annual programming strategy.

Following the strategy approved by the Commission, in **Italy** for example, the Ministry of Interior issues a call for proposals every year: regions can only intervene after the submission of the proposals, to give a binding advice about the conformity of the proposals with regional policies on immigration. Finally, it is the Ministry which selects the projects to be financed; anyway, it is very common that regions are involved in the stage of implementation, as they are often asked to co-finance, or to give logistic and institutional support (either in a formal or informal way) to projects executed in their territory by civil society associations or local authorities which proposals have been selected by the central authority.

On the other side, local authorities are deeply involved in the decision-making process with reference to national financial programmes; national law on immigration (d.lgs. 286/1998) established a specific fund (Fondo nazionale per le politiche migratorie) to finance regional programmes on integration, housing, education and training for third country nationals. In 2002, the fund has been absorbed by the National fund for social policy (Fondo nazionale per le politiche sociali), created by the social security reform law (l. n. 328/2000). Every year, the Ministry of labour and social policy) who is responsible for regulating the labour market and funding social initiatives and the Ministry of finance, in accordance with the State-Region permanent conference,

allocates the resources among the regions (art. 46, l. 289/2002 - 2003 budget law); it is the Regional Council, then, the responsible authority to divide the funds among the different areas of intervention. The Regional Council can also decide to share the funds between the Provinces (on the basis of the population and percentage of immigrants residing in the territory), laid down the guidelines for the call for proposals to be launched by the provincial authorities for the year and determined the priority areas of intervention, which were previously identified in accordance with the provinces themselves.

Naturally, regional authorities also dispose of their own funds to finance interventions in the area of immigration (in application of art. 3,5, d.lgs. 286/1998).

In **Spain**, in 2008, the Government allocated €200 million for the reception and integration of immigrants towards the management of the Support Fund for the Admission and Integration of Immigrants and to Reinforce their Education by Autonomous Communities and Municipalities. Of this 200 million, €105.8 million (55%) was allocated to reception and integration, €86.6 million (45%) to educational assistance, and €7.5 million to the care of unaccompanied foreign minors that have travelled from the Canary Islands.

Compared with the previous year, autonomous communities have seen increases in their budgets for managing the reception fund. This allows initiatives that benefit the whole population based on the principles of equal treatment and non-discrimination to be developed, promoting the immigrant population's access to general public services, supporting their reception, educational assistance and civic education. The Fund's main axes are reception, education, employment, housing, social services, health, infancy and youth, equal treatment, women, participation, awareness-raising and co-development.

Throughout the year, subsidies for financing were summoned for local authorities and NGOs in order to provide programmes that encourage the social and laboral integration of immigrants, asylum seekers, stateless persons and those received under the temporary protection scheme and other subsidiary protection arrangements.

Special funds are also addressed to con-development projects. Focussing on this aspect, the co-development cooperation projects have diverse funding sources through the European Social Fund and institutions.

2.4 Legal Framework

The legal framework concerning immigration is built on a combination of measures adopted by the EC, national authorities, and regional authorities and also at bilateral and multilateral level we can find different types of agreements related to migration management.

European level

The fields in which the intervention of EC law is stronger and widespread are those related with visas and borders control, fight against illegal immigration, return and readmission, conditions of entry and residence, and asylum. Regarding in particular legal immigration, a few legal instruments have been adopted under art. 63, 3, a EC Treaty, and they are currently in force; they establish a set of legal rules concerning a uniform format for residence permits, a single application procedure for a residence and work permit, limitations on the admission of third-country nationals employment and self-employment, conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service, entry and residence of highly qualified workers (EU Blue Card), residence permit issued to victims of trafficking in human beings, status of long-term residents, family reunification.

In 2008, the EU took another step towards a common immigration policy. Following the Communication from the Commission of June 2008 entitled 'A common immigration policy for Europe: principles, actions and tools', on 15 and 16 October 2008 the European Council adopted the European Pact on Immigration and Asylum (EPIA). This document contains the basic commitments made by the European Council to continue the Stockholm Programme on justice, freedom and security, which will replace The Hague Programme as of 2010.

Finally, as is well known, 2008 saw the adoption of Council Regulation (EC) No 856/2008 of 24 July 2008, amending Council Regulation (EC) No 1683/95 laying down a uniform format for visas, as regards the numbering of visas. Also debated was the proposed Regulation No 81/2009 of the European Parliament and of the Council, amending Regulation (EC) No 562/2006 as regards the use of the Visa Information System (VIS) under the Schengen Borders Code (subsequently approved in 2009). Council Regulation (EC) No 1104/2008 on migration from the Schengen Information System (SIS 1+) to the second generation Schengen Information System (SIS II) was also approved.

However, notwithstanding the increase of EU competence in the field of immigration and asylum, the core of immigration policy, namely the rules concerning admission of third country nationals and the concrete rights to which they are entitled in the receiving State still lies in the hands of national authorities.

2.4.1 Italy

National level

In Italy the first legislative steps were aimed at closing the borders. During the 1980's, lawmakers were convinced that ending legal entrances was sufficient to prevent migration flows. This was supported by the idea that Italy was not ready to receive more migrants due to the severe economic crisis affecting the country.

The first law on migration dates back to 1986. **Law 943, "Rules concerning the employment and conditions of non-UE migrant workers and against illegal migration"** was a necessary step for Italy who had to implement the OIL Convention no. 143 dating back to 1975 which it had already ratified with a law of 1981. Italy's signing of the Convention, following the trend of all the other European countries, was a political measure aiming at protecting Italian emigrants rather than foreign immigrants in our country. In fact, the convention established the full equity in treatment and parity between Italian and foreign workers.

The commitment resulting from signing the convention and the need to put into practice article 10 of the Italian Constitution led to this law on migration. However, it proved to be incomplete. Since it was designed for foreign workers it contained no rule aiming at encouraging integration processes. The idea behind the law was that this migration phenomenon was limited and transitory. "The basic concept was that migrants were attracted by a labour demand which the local workforce could not satisfy and that it was a migration caused by a labour demand. The law and the perception of reality supporting the law itself neglected the pushing effect exerted by the countries of origin" (Pugliese and Maciotti 1993).

The present law introduced the following principles: equity of conditions between non-EU and Italian workers (Art.1), the right to family reunion (Art. 4), procedures and preconditions for work permits (Art. 8), and sanctions against employers and any individual encouraging illegal migration (Art. 12). Moreover the law promoted a second amnesty (regularisation).

Law 943/86 also set up the first public agencies responsible for the co-ordination and monitoring of migration. A specific Council on the problems facing non-EU workers and their families was set up

within the Ministry of Labour while a council for the promotion of bilateral agreements with migrants' countries of origin was established within the Ministry of Foreign Affairs.

Both councils worked only four years after the coming into force of the law. This testifies to the superficiality with which Italian governments faced the problem of migration.

In the meanwhile, between November 1988 and December 1989, the First Commission for Constitutional Affairs of the Italian Chamber of Deputies, chaired by Hon. Silvano Labriola, carried out a "**Survey on the condition of foreigners in Italy and racist phenomena**", which stressed the limits of the newly passed law. Some of these limits concerned the law itself while others were the result of the inefficiency of State bodies.

The most evident lack was the absence of regulations concerning self-employment which caused difficulties as far as the enjoyment of the rights foreseen by Art. 1 of Law 943/86 was concerned, thereby determining an imbalance of treatment between Italian and foreign workers and also between employed and self-employed foreign workers.

Another incentive to the introduction of the new law was a cruel news item: during the summer of 1989 Jerry Masslo, a South-African refugee, was killed by a band of crooks in Villa Literno, a village in Campania. The next fall, a huge demonstration was organised by secular and Catholic associations in memory of the young victim, asking for a new regulation on the matter of migration.

Beside this powerful drive, there was the need to adjust Italian regulations on migration to European ones for Italy to be a part of the Schengen Agreements. The European Union's influence was clear in the drafting of **Law 39**, the so-called **Martelli Law**.

In December 1989 Law Decree 419 was issued and became law in March of the following year. Law 39/1990, most commonly known as the "Martelli Law", from the name of the vice-prime minister who promoted it, was named "Urgent regulations refugee status, entry, residence and regularisation of non-EU citizens".

In the same year, the First National Conference on Migration was held in Rome from the 4th to the 6th June. Its aim was to supply data and statistics on the phenomenon of migration. The conference which concluded the Italian semester of premiership at the EU, had the merit of starting the political debate on migration but it also showed the various limits of the Government's actions. It was unable to provide reliable figures on the presence of migrants in Italy (Magni 1995).

The "Martelli Law", however, had the privilege of being the first law in seventy years to regulate the entry and residence of non-EU citizens. Before doing so it resorted to a new amnesty for about 250.000 migrants.

The Martelli Law opened a new period for Italy. Migration began to be considered as a stable phenomenon in our society. It also introduced some important changes in the legislation on the condition of foreigners in Italy. In particular, on entry permits for working reasons, the law established that the Government should draw up a yearly plan instead of referring to pre-defined criteria. In planning entry flows, the Government should not only consider the needs of our economy and the effective capacity of reception of our society, but also the number of applications of residence permits for working reasons submitted by foreign citizens already possessing a residence permit of a different nature (tourism for example).

However, this standard was largely unapplied. The first decrees on migration flows adopted according to Law 39/90 did established no quantitative limit for entry in our country. It only allowed new entries on the basis of family reunion and the nominal appointment principles according to Art. 8 of Law 943/86.

Considering that the nominal appointment of foreign workers was conditioned by the non-availability of national workers, legal entry of foreign workers in Italy for working reasons were practically blocked, bringing about an increase of illegal migration.

Since the greater flexibility and the higher level of awareness of the need to regulate working opportunities for foreign workers at a national level - in compliance with the Martelli Law - were both frustrated, the entry process of migrant workers into Italy continued within the usual unlawful channels. The number of irregular entries continued to increase at an unaltered pace also because of the amnesty provided for in the same law. Not even the repressive aspect of the law, i.e. repatriation, could counteract this situation. In fact, the Martelli Law was extremely protective as far as expulsion measures were concerned. These were applied only in extremely severe cases and not as a tool to compensate the lack of a suitable migration policy. The law itself also established that an appeal against repatriation to the Regional Administrative Court suspended the measure until a final decision was reached.

The Martelli Law was only partially applied and met hindrances mainly due to its nature of emergency provision, undoubtedly influenced by the contingent situation and limited to the regulation of some aspects of the phenomenon. The detailed regulation of many judicial institutions such as entry visas or residence permits made reference to rules and/or provisions made by different authorities without any coordination among themselves (Martellone, 2000).

Over the following years, the Martelli Law was often adjusted and some of the adjustments become law decrees. Others, on the contrary, were used to modify the legislative text. Many complained

about the inefficiency of these regulations but several bills on the matter were actually never reached Parliament.

The various gaps in the Martelli Law (repatriation for example) emerged in its implementation and the law never became a comprehensive Legislation. On the contrary it gave rise to more emergency measures among which a new amnesty in 1995 which allowed the regularisation of over 250.000 migrants.

Moreover, in 1990 the Schengen Agreements to which Italy subscribed foresaw the need to apply structural changes to boundary passes, to the procedures for the issuing of entry visas by means of common measures and to rules governing the residence of foreign citizens.

In 1992, as Head of the Government, Mr. Ciampi appointed a specific commission mandated to prepare a general bill on the matter. The chairman was the Hon. F. Contri and the Commission was made up of experts in the field and of university professors.

This choice was due to the President's wish to de-politicize the debate on the problem of migration. The Commission worked for two years and finally introduced a bill made up of 153 articles, which was intended to regulate all the aspects of the condition of foreigners in Italy. The "Contri" bill was never debated in Parliament but its main structure was absorbed by the future **law 40**, so-called **Turco-Napolitano law**.

In 1996, under the premiership of Mr. Prodi, Ms. Livia Turco was appointed Minister for Social Affairs with the task of introducing a new bill on migration to Parliament.

A research and study commission was set up according to the same criteria used for the Contri commission and the bill was introduced to both chambers in February 1997. After a very long and complicated parliamentary debate, Law no. 40, dated 6 March 1998, "**Regulation of migration and rules on the condition of foreign citizens**" was finally passed and was better known as the Turco-Napolitano Law, from the names of both ministers who had introduced it.

The bill was deeply modified during the parliamentary debate and the idea of excluding civil society and political powers from the preparatory debates turned out to be substantially wrong. The most innovative parts included in the text were substantially downsized during the parliamentary debate and in some cases they eventually lost their function.

The Turco-Napolitano Law abrogated the previous Martelli Law with the exception of Art. 1 concerning refugee status, a topic that should have been subject to an *ad hoc* provision and therefore removed from the amendment of 1998. Moreover, the TULPS regulations and those foreseen by Law 943/86 remained unchanged. Some months later, these regulations integrated the

new "**Unified Act on the Regulation concerning Migration and Foreigners' Condition**" issued with **Law Decree dated 25 July 1998, no. 286**.

Apart from yet another amnesty (the fifth one) ordered by Prime Minister's Decree, dated 16 October 1998, the Turco-Napolitano Law and the subsequent Unified Act on Migration represent important improvements of technical and legal tools for controlling migration flows and counteracting illegal migration.

In the introductory report of the bill, the three goals of the law were outlined: the fight against illegal migration and criminal exploitation of migration flows; the implementation of a policy of legal, planned and regulated entries the application of efficient integration processes for new migrants and foreigners already residing in Italy.

The outlined goals were not mutually exclusive. In fact an effective integration of migrants is possible only with an efficient policy of fighting illegal migration (Bolaffi 1996; Zincone 2000; Zincone 2001).

Two new legal measures were introduced to counteract illegal migration: the setting up of remand centers for those migrants who must be repatriated (Art. 14 of the Unified Act) and the devolution of authority to the Ministry of Foreign Affairs to conclude bilateral agreements with the migrants' countries of origin, aiming at the readmission of repatriated citizens (Art. 21 of the Unified Act).

Administrative detention for illegal migrants was a totally new standard for the Italian set of rules whose constitutionality was questioned.

As to bilateral agreements of readmission, the text specifies that these agreements - beside regulating the procedures through which each country recognises its own citizens - can establish preferential quotas within the yearly flow in favour of workers from a country which signed an agreement with Italy. Italy started a new diplomatic policy based on the *do ut des* principle. Readmission agreements signed by Italy will be repaid either through funding from the border police of signatory countries or by means of cooperation plans or through the granting of specific entry quotas.

Concerning the regulation of flows, the Unified Act follows the orientation already pursued by the Martelli Law concerning the contingent situation of entry permits granted for working reasons. Compared to the beginning of the 1990's, however, there is a different attitude to the application of procedures: instead of a rigid closing a more open attitude prevailed.

There are three entry channels in the decree on the yearly flow: entry granted by means of nominal appointment of foreign workers upon request of an employer for working reasons, even in the case

of seasonal jobs or self-employment; preferential entry quotas for signatory countries; and entry granted for establishment in the work environment.

The latter is the most innovative channel. Foreign citizens are allowed to enter Italy even without an employment contract in order to establish themselves in the work environment. The precondition is that an Italian citizen or a foreign citizen legally residing in Italy guarantee the support of the foreigner for one year (the so-called sponsor mechanism).

This entry channel was highly supported by a part of the government coalition and it was certainly more suitable to the characteristics of the Italian work environment.

However, its application was almost neglected in the yearly entry flows.

This choice confirmed the lack of awareness of Italian politicians concerning the placement mechanisms of migrants in the Italian work environment. In fact, the appointment of foreign workers complicated the offer and demand mechanism due to the red tape of entry procedures.

In an economic system characterised by a high presence of small and medium enterprises employers willing to employ a foreign worker first want to meet him/her.

This attitude immediately highlighted some of the shortcomings of a regulation of entries exclusively based on an appointment mechanism.

To support this idea, it is worth mentioning that employers have used the appointment procedure mostly to regularise the position of illegal workers already permanently working in Italy.

The larger use of the nominal appointment was surely determined by the lower level of complication of this system. The prerequisite of having a job before being granted an entry permit reassures a society about the eventual economic integration of the foreign worker.

To sum up, the policy expressed in the new law has a more symbolical than actual value. In order to contrast the theoretical and political assumptions against unlawful migration (but coherent with the symbolism attached to these claims in the past years), the center- and right-wing government set up a migration management system which, because it is based on the migrant uncertain situation will be an incentive towards more unlawful entries.

As regards the policies to counteract unlawful migration flows, the indiscriminate compulsory escorting of expelled migrants to the border means an investment of huge financial resources and the employment of countless members of the police force who could be involved in other tasks.

The **Bossi-Fini law** increases the inflexible attitude in the relationship with the migrants' countries of origin. If on one the one hand the Turco-Napolitano law had introduced the principle of larger

entry quotas for those countries committed to fighting unlawful migration, on the other hand the Bossi-Fini law (2002) introduces a “punitive principle” in limiting the number of entries for migrant workers coming from countries which are not committed to doing so.

Regional and local level

In Italy art. 117, 2, b) of the Constitution sets “immigration” under the Central State exclusive competencies, so that regions can only be enabled by national law to carry on some specific tasks. Regions are also scarcely involved in the general decision-making process: the only interventions of sub-national authorities in the overall policy planning are, first of all, the **State-regions Permanent Conference**’s participation to the drafting of the **Programmatic document (Documento programmatico triennale)** which contains the State’s commitments and planned actions in the field of immigration for the three years to come, and the criteria for the definition of the annual quotas of third country nationals to be admitted in the country; secondly, **law n. 189/2002** introduced the possibility for regional authorities to transmit once a year a document to the Presidency of the Council of Ministers, reporting the numbers and social conditions of third-country nationals residing in the region and containing indications on the quotas of new immigrants that the regional territory can absorb for the year to come (art. 4-ter d.lgs. 286/1998).

Moreover, according to the principle of subsidiarity, national legislation set down procedural rules to involve regional and local authorities in the concrete implementation of immigration policies, for example, by empowering them to manage state financial resources to carry out actions directed to third-country nationals in the field of first reception, integration and non-discrimination, education, training, and health care (a more detailed explanation of these procedures will be given in the paragraph below).

It also establishes that local authorities shall, with their own budget, support actions to enhance third country nationals’ concrete possibilities to enjoy the rights they are entitled to in the receiving State, in particular those concerning housing, language training and integration (art. 3,5, d.lgs. 286/1998).

Then, art. 3 d.lgs. 286/1998 established in each region a **Consulta Regionale per l’immigrazione**, and in each Province, the so-called **Territorial Councils for Immigration (Consigli Territoriali per l’Immigrazione)**, with the aim of identifying the needs and promoting the necessary actions in matters related to immigration at a regional and local level.

Finally, referring to legislative competencies only it must, of course, be recalled that within regional competencies as established by national law each region issues its own legislation on immigration:

Lazio region, for example, approved a new **law on 25 June 2008 (Regional Law n. 10/2008, which abrogates the L.R. n. 17/1990)**, which re-launches a shared decision-making process in the territory, by renovating the members of the Consulta regionale, and by creating new participatory decision-centres, such as the **“Regional permanent assembly of immigrant citizens” (art. 23 L.R. n. 10/2008)**. However, also because of the difficulties arisen in setting up these bodies, the new law is not yet fully in force, and the entire sector seems to be in a sort of partial reorganization.

2.4.2 Spain

Spain is fully committed with migration policy objectives that are set out in the framework of the Council of the European Union and with Regulations approved within the Community institutions, guaranteeing their introduction into Spanish legislation as soon as possible.

In this sense one of the Government's reasons for proposing the reform of Organic Law 4/2000 on the rights and freedoms of foreigners in Spain and their social integration is to introduce the Community Directives that have been approved subsequent to the last reform of that law in December 2003 into Spanish legislation.

The **Organic Law 4/2000** has commonly been known as *Ley de Extranjería*. The first regulation was formulated just before entering to the UE in 1985, presented as an urgent bill, the proceedings were considerably shortened. The urgency and the low profile of this policy area in the political agenda made for a poor debate in Parliament, with virtually no amendments presented to the law. The **law 7/1985** (*Ley Orgánica 7/1985 sobre derechos y libertades de los extranjeros en España*) Law about the rights and freedoms of foreigners in Spain) had a very restrictive character, with a strong emphasis placed on issues of border control. Particularly it proposed an extremely restrictive system of work and residence permits.

The regulatory framework has remained unchanged, and is mainly focused on the management of immigration flows, the fight against illegal immigration and the cooperation with countries of origin in terms of border control and repatriation agreements (E. Aja, 2006).

In October 2009 a new law has entered into force **Law 12/2009** (*Ley Orgánica de reforma de la Ley Orgánica 4/2000, de 11 de enero, sobre derechos y libertades de los extranjeros en España y su integración social*). It is a law that basically doesn't change the main rules related to migration flows management, it also includes new rights for irregular migrants, since the Supreme Court considered that several regulations of the former Law in this field were against the Spanish Constitution, and introduces some articles that make family reunification more rigid and enlarges the length of stay in processing centres (Centros de internamiento) for irregular migrants. However the main innovation of the present law is the participation of regional governments (autonomous communities) in one of the main tools for the migration management: the approval of the work permit.

Therefore, in 2008, the regulatory framework on immigration and asylum in Spain continued to englobe:

- the Spanish Constitution;
- the Civil Code;
- Organic Law 4/2000 of 11 January on the rights and freedoms of foreigners in Spain and their social integration, amended by Organic Laws 8/2000, 11/2003 and 14/2003;
- The Regulation applicable to Organic Law 4/2000, approved by Royal Decree 2393/2004 of 30 December;
- Royal Decree 240/2007 on the entry, free movement and residence in Spain of citizens of the Member States of the European Union and of other States that are a party to the Agreement on the European Economic Area;
- Law 5/1984 of 26 March governing the right to asylum and refugee status, amended by Law 9/1994 and Organic Law 3/2007;
- The Regulation applicable to this Law;
- Regulations on the temporary protection system in the event of a massive influx of displaced persons, approved by Royal Decree 1325/2003; among other legislation.
- Royal Decree-Law 4/2008 of 19 September on the cumulative contributory unemployment benefits paid in advance to non-EU foreign workers who voluntarily return to their countries of origin, developed by Royal Decree 1800/2008 of 3 November.

Agreements with third countries

Another important aspect of Spanish immigration policy is cooperation with the countries of origin and transit of immigrants who come to Spain. The Spanish Government's perspective is that to control migration flows and fight illegal immigration, it is essential to try to attack their root causes. This requires encouraging a progressive cooperation and moving forward in formalising bilateral instruments to enable this cooperation with countries of origin and transit.

One of the instruments designed for this purpose is the adoption of agreements on immigration. The Framework Agreements on cooperation on immigration, from a wider perspective, include aspects relating both to the fight against illegal immigration and to readmission as well as as measures of cooperation for the employment of workers, integration of immigrants and contribution to development.

Regional and local level

Catalonia

As far as Catalonia is concerned, the migration policies will have a new and enlarged impulse with the implementation of the new **Law of the Statute of Autonomy of Catalonia** (art. 138 is referred to immigration). This Law defines the rights and obligations of the citizens of Catalonia, the political institutions of the Catalan nationality, their competences and relations with the Spanish State and the financing of the Government of Catalonia. This Law was approved in referendum by the citizens on 18th June 2006 and substitutes the former one which dated from 1979.

Management areas	Type of policies	Laws	Level of governance
Control policies	Visa policy, border control, anti-trafficking measures,	-	
Admission policies	Policies on residence permits, work permit and regulations (sanctions to employers contracting irregular migrants) and migrant workers quotas, family reunification and asylum demands.	-	
		RealDecreto 1463/2009	
Social integration policies	Public policies developed on education, healthcare, social services, women attention, cultural mediation, intercultural dialogue, citizen participation.	Reception Law Projecte de Llei d'acollida (02/06/2009)	

In Catalonia, instead, the Government of the Generalitat has a long history of developing policies on immigration. In 1992 the Interdepartmental Committee was set up, by agreement of the Government of the Generalitat, to monitor and co-ordinate activities concerning immigration matters. The **Interdepartmental Immigration Plan** (1993-2000) was drawn up in a context marked by the beginning of a growth in immigration to Catalonia, and its purpose was to promote the integration of the immigrant population, whilst developing co-ordinated, interdepartmental

policies. On the 31 August 2000 the Government created the Immigration Department, attached to the Office of the President. One of the first mandates that the Immigration Department received, was to draw up the **second Interdepartmental Immigration Plan (2001-2004)**, which was approved on the 18 July 2001.

The **Citizenship and Immigration Plan (2005-2008)** capitalises on the previous plans and to maintain coherence with some of the guidelines already in place, but at the same time, tries to be innovative and improve on those aspects which proved to be mistaken or to be difficult.

The Plan determines that any instances involving managing immigration should share the same criteria: in the organisational sector, co-ordinate basic policies and, in particular, establish criteria for creating specific services; in the professional sector, promote across-the-board training programmes.

- ◆ The Plan involves the participation of Local Authorities and representatives present in the region.
- ◆ The programmes, and in particular their actions, will have to be distributed throughout the region so that no inequalities arise.
- ◆ The Plan establishes, as one of the basic management principles, the co-ordination of both the various departments and bodies of the Generalitat, who are responsible for these matters and for co-operative administration with other public authorities, whether they are the State, the Generalitat or local authorities.
- ◆ Providing resources for these programmes is part of the institutional commitment to develop these programmes and is an unavoidable requirement for achieving the Plan's objectives.

The main area of participation for social agents, local authorities, various bodies, and immigrant associations is through the *Consell Assessor d'Immigració* (Immigration Advisory Council), which this Plan has changed to become the *Taula per la ciutadania* (Citizens Committee) with new functions and a new composition. The Committee started its functions in April 2008 as Immigration and Citizens Committee.

It is important to note that there are also two other bodies which have an impact on the Generalitat's immigration policy: the *Comissió d'Immigració* (Immigration Commission), created in 2004, at

the heart of the *Servei d'Ocupació de Catalunya* (Employment Service for Catalonia); and the body for participating in social dialogue created at the beginning of 2005, as a result of the Strategic Agreement on Internationalisation, the quality of employment and the competitiveness of the Catalan economy. This would be the proper arena for dialogue regarding equality and action against discrimination at the heart of the businesses.

Various stakeholders are involved with multilateral organisms and they play an important role in immigration related matters:

The Forum for Social Integration of Immigrants is an organism for consultation, information, and advice in immigrants' integration related matters under the Ministry of Labour and Immigration, through the General Directorate for the Integration of Immigrants.

Its objective is to enhance immigrants' participation in and integration into Spanish society, by proposing, informing, and channelling activities with these goals.

Its functions are:

- ◆ To develop proposals and recommendations aimed at promoting the integration of immigrants and refugees into Spanish society.
- ◆ To receive information about programmes and activities which are carried out by the General State Government, the Governments of the Independent Communities, and the Local Governments, in matters regarding immigrants' social integration.
- ◆ To collect and channel the proposals of social organisations which are active in the immigration field, in order to facilitate seamless coexistence between immigrants and the receiving society.
- ◆ To prepare an annual report, on one hand, about work and activities undertaken and, on the other hand, about the social integration situation of immigrants and refugees.
- ◆ To prepare reports on proposals, plans, and programmes that can affect the immigrants' social integration, either on their own initiative or when requested by competent organisms of the General State Government.
- ◆ To enhance or develop studies and incentives about issues related to social integration of immigrants and refugees.
- ◆ To cooperate with similar organisms in the international, regional, or local levels, in order to coordinate and improve those initiatives benefiting the social integration of immigrants and refugees.

- ◆ To issue a perceptive report of the General State Government's projects affecting the immigrants' social integration, regarding related state-level plans and programmes, prior to approval.

The Plenary of the Forum for Social Integration of Immigrants holds at least two regular meetings each year, and involves representatives from different institutes or entities: Ministries of the General State Government, the Women's Institute, the Government of Catalonia, the Community of Madrid, the Spanish Federation of Municipalities and Provinces, Immigrant and Refugee Associations, and trade unions, among others.

Andalusia

The Andalusian Immigration Forum, for example, regulated by **Decree 55/2001** dated 26 February, is an organism of consultation, representation, and participation in the field of social policy for immigrants, under the Ministry of Labour of the Regional Government of Andalusia.

Its aim is to set up participation and debating channels with all social agencies involved in the immigration phenomenon, to enhance social integration of foreign-born immigrants living in Andalusia.

Its functions are:

- To facilitate dialog and communication between the immigrant community and the receiving society.
- To develop proposals and recommendations that enhance immigrants' social integration.
- To collect and channel proposals from social organisations that work with immigrants, to be debated and developed, where applicable, by relevant government agencies.
- To be aware of the programmes and activities being carried out in immigration related matters by all competent governmental authorities.
- To promote scientific knowledge about the social integration of foreign-born immigrants and to propose policies about social integration of the community.
- To act as an active organism in the fight against racism, xenophobia, and in favour of tolerance by carrying out active campaigns in the media to enhance the image of the immigrant.
- To further inter-ethnic relationships and the diffusion of diverse cultures present in Andalusia.
- To maintain contacts and exchange programmes with other similar organisms of local, regional, national, and international levels without damaging the latter, which correspond to the General State Government.

The Andalusian Immigration Forum is composed of its president, three vice presidents and thirty-three members, representing the governmental authorities responsible for the immigrant community on a regional level, for social organisations, and for those organisations with a significant immigrant population.

Similarly, in each of the provinces of the Regional Community of Andalusia, there are Provincial Immigration Forums, whose aim is to set up participation and debating channels with all social agencies involved in the immigration phenomenon, to enhance social integration of foreign-born immigrants living in each one of the Andalusian provinces.

Co-development projects

In the area of co-development cooperation, the Andalusian NGOs carry out different projects mainly aimed at setting up micro-companies and economic micro-activities in rural areas of the immigrants' countries of origin. It is about structural improvements, such as building bridges or improving the means of communication among isolated populations, which are actions that ultimately have an impact on people.

Some specific projects developed in the co-development cooperation field are:

- Project Yant-Bi in Senegal, aimed at improving the population's living conditions.
- Project "Avanzando en femenino" in Senegal, which permitted fencing farmland, constructing water wells, installing solar panels, and training women in agricultural techniques.
- Project Salineras Kaolack in Senegal, aimed at improving the population's working conditions.
- Project Apoyo, return qualified Moroccan and Senegalese immigrants living in Spain.
- Mediterranean Sea Basin Programme, for family members of Moroccans living in Spain.
- Project to support the creation of micro-enterprises in the country of origin. Carried out in Spain for Senegalese immigrants including training and counselling in developing business plans, financial support for implementing the business idea, support in the country of origin, and verification of projects.
- Project Tawasol, aimed at Youssoufian and Eastern Moroccan immigrants, included diverse actions such as the creation of a working group made up of the immigrants who had met regularly and were trained in computer science

The evaluation of these projects is carried out both internally by the entity itself, which runs it, and by the financial supporters.

2.4.3 France

National level

As far as migration is concerned, the authoritative text was the **Decree dated 2 November 1945** relating to conditions of entry and residence for foreign persons in France. This decree has been amended on several occasions since then to meet the changing requirements for immigration and an international environment which has undergone profound changes. All legislative and statutory texts have, since 2005, been classified into the **Code for Entry and Residence of Foreign Persons and the Right of Asylum (CESEDA)** which became the authoritative text.

Besides bilateral agreements regulating migration flows (the most exceptional under ordinary law being the bilateral agreements with Algeria), the principal multilateral agreements for the protection of foreign persons signed within the scope of the UN and the Council of Europe deserve mention:

- The **Geneva Convention** dated 28 July 1951 relating to the status of refugees, amended by the New York Protocol dated 31 January 1967, is the most significant;
- Certain agreements relating to human rights have an influence upon legislation for foreign persons in a protective sense. This is particularly the case with the **European Convention for the Protection of Human Rights and Fundamental Freedoms (CEDH)**, signed on 4 November 1950 and ratified by France in 1974. The European Court of Human Rights, which sits in Strasbourg, is responsible for penalising States which are in breach of the Convention. Thus, French law has incorporated the right to respect for family life (Article 8 of the CEDH: Article 313-11 (7) of the CESEDA (permits issued for reasons of “personal and family ties”).

Transnational level

For over two years now, France has been signing a series of **bilateral agreements** with the main countries of origin (Gabon, Congo and Benin in 2007; Senegal, Tunisia, Cape Verde and Mauritius in 2008; Burkina Faso and Cameroon will be added to this list in 2009).

3. Case Studies

3.1 Case Study: “Prendere il Volo III” Lazio region

The case study has been selected, under the suggestion of the interviewed stakeholders at Lazio Region, between the so-called “art. 18 projects”. The project’s name is “Prendere il volo”, and the proposing organisation is the Province of Rome; at present, the third edition of the project for the year 2009/2010 is at its initial stage.

The procedure for the implementation of art. 18 projects is clearly established by the law and the implementing decree (art. 25 D.P.R. 394/99): every year, the Ministry of Equal Opportunities issues a call for proposals for projects aiming at the protection and the social inclusion of victims of trafficking, then the Ministry itself selects the proposals to be financed. Eligible organisations for the submission of the proposals are local authorities and civil society associations, but only those admitted to the register of associations working in immigration matters set at the Ministry of Labour and social affairs. It is noteworthy that, between 2000 and 2009, 573 projects under art. 18 have been financed and implemented in Italy.

The implementing decree also establishes that the proportion of financial support from the central authority shall not exceed 70% of the cost of the project, while the remaining 30% shall be covered by a local authority: the local authority’s commitment to co-finance the project must be stated in the proposal to be submitted, the absence thereof being a reason for exclusion from the selection process. Consequently, when the proposing organisation is a civil society association rather than a local authority, the involvement of local authorities in the evaluation of the proposals (and, at a second stage, in the supervision of the projects’ implementation) is guaranteed anyway, as there is a need for a previous agreement between the interested local authority and the proposing association.

To offer continuity throughout the years, follow-ups of the originally selected proposals are often financed, if the first edition of the project proved to be successful. Concerning the territory of Lazio, for example, there are a few projects (both under art. 18 and art. 13) coming from civil society organisations which have been implemented for many years now, and some of them are co-financed by Lazio Region; notwithstanding the financial and logistic support that regional authorities guarantee to projects implemented in their territory, still there is a lack of a true top-down coordination (that has been put in place, on the contrary, in Emilia Romagna, Toscana, Umbria, Friuli, where it is the Region itself that submits a single proposal to the Ministry, involving all kind of partners and the whole regional territory). “Prendere il volo” has been selected because it is the

first attempt to put in place a territorial coordination between different projects, even if at a smaller level than the regional one (Provincia); however, the regional authority has been involved in the third edition of the project, and it demonstrated a strong will to deepen the co-operation between the Region, local authorities and the civil society, with the aim of making the Region the main point of reference for all organisations dealing with art. 13 and art. 18 projects in the regional area.

In this sense, one of the aim of 2009/2010 edition of the project is to develop partnerships in wider areas of the regional territory: if in 2008 the province already involved the province of Latina and other local authorities, the aim for 2009 is to reach the province of Viterbo and many local Socio-sanitary districts.

Now, coming to 2009/2010 project financing, the economic partners of *Prendere il Volo III* are the Ministry of Equal Opportunities, the IX department of the Provincia of Rome, and the Lazio region department for social policies (Assessorato per le politiche sociali); the entire cost of the project for the year 2009/2010 is 214.850 Euros; the amount covered by the State is 150.395 Euros of the total cost, while the Provincia and the Region contributed with 32.227,50 Euros each.

Six different partners participated to the implementation of all three editions of *Prendere il volo*: the Provincia of Rome, and five civil society associations: “Magliana 80”, “Differenza Donna”, “ATS (Associazione Tuscolana Solidarietà) Caritas of Frascati”, “Il Cammino”, which already implemented actions in favour of the victims of trafficking on their own, and have been involved in the territorial network of “*Prendere il Volo*” by the Provincia since 2006/2007, and “Be Free”, which instead was born in 2007 from the meeting of different social operators and with the support of the Provincia when “*Prendere il Volo*” was first conceived.

The main objectives of the project are, on one side, to create a network of services including contact, reception and orientation centres, health care structures, social and occupational integration; on the other side, the aim is to involve the entire territorial community, to raise people and institutions’ awareness about the problem, and to seek extensive co-operation during the social inclusion process.

As already mentioned, the 2009/2010 edition of the project is still at a first stage of implementation, but we can also refer to “*Prendere il volo*” I and II to explain project’s activities, outputs and results. Project actions are carried out by the different partner associations, on the basis of their experience and specificity: the Province’s contribution includes the general organization, the managing of a network which includes all territorial services, such as provincial employment centres and immigration service centres, the Centre for minors and justice, local health care services (ASL), public security bodies (such as the Questura) responsible for the regularisation process, and the

implementing organisations, as well as qualified human resources, awareness-raising events, and training courses.

“Magliana 80” and “ATS Caritas” offer a mobile unit service, to assure a first contact with people on the road, to identify victims of trafficking and introduce the project to them; “Differenza donna” and “ATS Caritas” provide for first reception centres; “Il Cammino” deals with labour market inclusion, and offers work grants; “Be Free” holds an information desk, which provides the beneficiaries with all kind of information regarding reception centres, legal assistance, social inclusion, health care, and the different territorial centres.

For the reception of transgender beneficiaries, regional authorities also intend to strengthen the cooperation with the project “ADA X”, implemented since 2000 by “Ora d’aria” association and also co-financed by Lazio region, which among many services offers a dedicated reception centre and tailored integration paths for transgender people.

The target population is composed by people of all kind (man, woman, transgender) and all provenance: in particular, the project aims at rescuing victims of sexual exploitation, child trafficking and forced labour. Possible beneficiaries are reached on the road, in retention centres for third-country nationals, or sent by social and health services in the territory.

All implemented actions, then, are conceived as offering complementary services, allowing social operators working in the project to take care of a beneficiary from the first contact, until the completion of his/her social insertion path.

The aim for 2009/2010 edition of the “Prendere il volo” is to contact around 1500-2000 people who are likely to be victims of trafficking, and to effectively involve in the project around 15 of them (between which 13 adults, 2 minors, and 11 women, 2 men and 2 transgender), as at present there is room for 15 people in reception centres, but the number of beneficiaries shall increase with the strengthening of the territorial network.

3.2 Case study: Promozione di nuove imprese da parte di migranti marocchini nella provincial di Kouribga, Morocco

The Piedmont Region has been considering Morocco as one of the main areas of interest since 1990.

The Region has been working for ten years on cooperation, focusing on the relationships among territories, small community groups that work together and that involve all the parts of the civil society (schools, universities, etc.) to favour the dialogue among them and to create mechanisms of mutual strengthening and interest.

The cooperation is addressed to the beneficiary country, but also to have important effects in the Piedmont Region.

The Region has developed two lines of intervention toward Morocco:

- Immigration is seen as a co-development factor. The Region has decided to work with Rabat and Kouribga. Rabat as Moroccan capital is in relation with the French region of Rhone Alpes with which the Piedmont Region has strong institutional links, whereas Kouribga is the Region from which an important Moroccan community resident in Piedmont region comes. In 2000 Piedmont Region signed cooperation agreements with the two presidents of the regional councils. It developed also some operative projects with partners like Ics and the technological parks for example for the creation of an industrial park in Rabat together with Rhone Alpes region and for the creation of enterprises in the Kouribga province.
- The Mediterranean area should become an important free trade area in the next years and Morocco will have a central position.

The project “Promozione di nuove imprese da parte di migranti marocchini nella provincial di Kouribga” aims to favour the local development of the Chaouia Ouardigha Region and of the Kouribga Province through the supply of resources made up of the Moroccan migrants, residents in Piedmont, who intend to promote enterprises in the country of origin. The project, that last for one year (September 2007 – October 2008), was co-funded by Piedmont Region, Chamber of Commerce of Turin, CNA Turin, Centre Regional d’Investissement de la Region Chaouia Ouardigha and had among its partners the Conseil Regional de la Region Chaouia Ouardigha and the Euro-Mediterranean Institute Paralleli.

After a first starting mission and the consolidation of the relations among the Moroccan partners and the other partners working in the private sector, activities for spread information about the project in Turin and in the Chaouia Ouardigha Region with Moroccan migrants' associations, Moroccan entrepreneurs working in Turin and Moroccan entrepreneurs members of the CAN were launched.

In December 2007, after the Conference "Investire insieme in Marocco" and the mission of the Moroccan partners in Turin, the information and orientation activities started at the CNA and at the Centre Regional d'Investissement of Settat.

Almost 30 migrants and Italian entrepreneurs used during that period the activities of the services, information and orientation.

They offered:

- A first meeting with the person interesting in the project
- Meetings to collect information about the first enterprise idea to create in Morocco, the main demands of the users and to offer details on the assistance provided
- Following meetings to analyze the enterprise idea. At the end of this phase the CNA discussed and decided with the user the possibility to turn it in a real investment project.

During the orientation activities the users were helped to:

- Understand that the enterprise idea needed of further in-depth studies and/or it didn't have those characteristics useful to become a real enterprise project
- Know and create relationships with Italian and Moroccan entrepreneurs working in the same or in similar sectors, that could be useful in the future for commercial activities
- Create relationships and network with providers
- Create relationships and networks with commercial Italian partners
- Strengthen the own professional and entrepreneurial activity in Italy.

Some of the analyzed entrepreneurial projects were then selected to continue and to be used to elaborate the business plan. An expert of the CNA as tutor developed a support activity in the phase of elaboration of the business plan close to the Moroccan migrant.

The main results of the projects were:

- Almost 30 persons received information/assistance/orientation on their own idea of enterprise creation in Morocco.
- A group of Moroccan and Italian entrepreneurs was created and in the future it could develop projects and networks to share information and commercial opportunities

- An ad hoc methodology for the elaboration of business plan for the creation of enterprises in Morocco was consolidated
- 4 projects of enterprises creation in Morocco were selected. Business plans to be presented to the Moroccan and Italian financial institutions were developed.
- 1 Italian/Moroccan enterprise already launched in Kouribga was assisted and became a useful case study for future projects of enterprise creation in Morocco.

3.3 Case Study: REMI

In France the procedure for minors is as follows:

Foreign minors without legal representation on French territory may submit an application for asylum. They must go to the prefecture in their place of residence to carry out procedures prior to their asylum application (taking of EURODAC fingerprints, and registration in the AGDREF (computer application used by the police services to manage and register permit requests for foreign nationals). The prefecture must normally refer the case to the Public Prosecutor to ascertain that the person concerned is indeed a minor, and also verify that the minor has no legal representation in France. The Prosecutor will appoint, where necessary, an ad hoc administrator, and the prefecture will give the administrator the OFPRA asylum application. In addition, OFPRA is informed of the appointment of the ad hoc administrator. However, at times OFPRA receives cases of unaccompanied minors without legal representation which have not been referred to the Public Prosecutor. In these cases, OFPRA has to refer it to the Public Prosecutor and notify the prefecture of the minor's place of residence.

The minor is called to an interview which may be attended by a legal representative. Cases of unaccompanied minors are entrusted to "specialised" protection officers for processing of these applications, and who are particularly attentive to the interests of the minor. When the procedure has been completed, the decision is notified to the minor's legal representative, and the minor receives a copy. It should be noted that in the event of there being a delay in the appointment of a legal representative, the decision (and the interview) must be delayed until the unaccompanied minor has reached the age of majority. If a negative decision is given, the legal representative will lodge any possible appeal on behalf of the minor.

Against the general trend, asylum applications from unaccompanied minors (410 applications), as in previous years, continues to decrease. However, the rate of this decrease has been slowing down over the years: applications fell by 40 % in 2005, 22 % in 2006, 19 % in 2007 and 10.7 % in 2008.

Unaccompanied minors accounted for 305 asylum applications submitted at the frontier; this represented a significant increase in 2008, with an almost twofold increase (166 in 2007). Applications from unaccompanied minors from India came at the top of this category, overtaking applications from Africa. Minors from Palestine, or so alleging (usually young Egyptians) came next. Applicants from Asia represented 60 % of unaccompanied minors at the frontier: Africans 36.1 %, Europeans 2.3 % and Latin-Americans 1.6 %. The majority of these minors were aged between 16 and 18.

The Euro-Mediterranean network of isolated young migrants (REMI) was created in November 2002 at the joint initiative of the PACA region and the Tuscany region during a conference held in Marseilles on the issue of young isolated migrants.

Young isolated migrants is increasingly visible and thus reaching a significant position in territorial political agenda. Although difficult to evaluate precisely, young migrants seems to be more and more numerous in the Mediterranean cities. The profile and origin of these migrants is very diverse and different according to each context.

The general objective of the REMI is to improve the care provided to young migrants in the Euro-Mediterranean region through:

- the development of experience sharing activities,
- the identification of best practices,
- the training of the professionals involved on that issues such as caregivers,
- the improvement of national legal frameworks.

The REMI comprises three different bodies: an Executive Committee, a Bureau and a Scientific Committee.

The Executive Committee gathers the main stakeholders and partners of the REMI:

- The PACA regional council
- The general council of the following departments: Vaucluse, Bouches-du-Rhône, Haute Corse
- The Tuscany regional government
- The Tangiers Tetouan region (Morocco)
- The Algerian Ministry of Solidarity and Family
- The Catalunya region.

Within the Tuscany region, the REMI is followed up by Giovanni Lotarlo from the direction for social and health affairs.

Within the PACA regional council, the REMI is followed up by the direction of Social Affair

The support to young isolated migrants also involves special cooperation between the Regional Council and the French national Ministry of Justice. A special convention has been established in order to develop the access of young migrants to justice and law. This involves the creation of Departemental Centre for the Access to Law.

Recently, new partners of joined the network:

- The general councils of the departments of Seine Saint Denis, territoire de Belfort,
- The municipality of Paris.

At regional level, a wide range of stakeholders are involved:

- State local services are involved in all the dimensions of migration policies;
- Local authorities: general councils (departments), municipalities and also the PACA regional council;
- Many NGOs are involved in the field of migrations more specifically in taking care of young migrants but also, more generally, isolated migrants. Among these NGOs, one finds national associations such as Médecins du Monde or local associations such as Touiza solidarité or Center Osiris.

REMI has signed the petition on the maintenance of the Défenseur of Children. The working group (the *Besson working group*) on isolated young migrants that should be organised by the Ministry of Immigration could also constitute an interesting opportunity for the REMI in the perspective of the dialogue with the national level of decision.

Different kind of activities may be distinguished.

The Bastia colloquium

The colloquium held in Bastia (Corsica) in June 2009 has led to the elaboration and adoption of a solemn address to the French national authorities in order to recognise in the legal framework the specific statutes of young migrants. The absence of legal statutes of young migrants aggravates the situation of administrative complexity they are most of the time trapped in.

The training sessions

The REMI is organising training on the issue of young migrants. These training sessions will be devoted to a wide range of actors including professionals such as caregivers. It will last 5 days aim at providing them a better understanding of the issue, its legal and regulatory framework, the economic dimension, the main stakeholders and operational solutions available to take care of young migrants...

Participants to the sessions will be supported by individual grants provided by Grünwied. The sessions provisioned will be held in Marseilles in January 2010 and in Firenze in February 2010.

The Euro-Med observatory of young migrants

This activity is led by the general councils participating to the REMI. The objective is to create a common observatory gathering relevant data on the young migrants in the partners territory: age, origin country and territory, arrival territory... This common observatory will rely on the childhood protection observatories compulsory created in each department according to a 2007 law.

A specialised review (*les cahiers de l'observatoire*) should be published twice a year on the basis of the data gathered within the Euromed observatory.

A centre of resources

The REMI also aims at providing its partners with a platform for exchanging information, resources and contact persons on the issue of isolated young migrants.

The REMI is often contacted with person in charge with isolated young migrants.

The REMI partners encounter two types of difficulties (see stakeholder interview):

- The lack of continuity of institutional commitment in the project: The decision to enter the REMI is often linked to the personal commitment of an elected representative or a senior administrative manager. For instance, the personal commitment of Michel Vauzelle has been a key lever in the creation of the REMI. The importance of personal commitment may also be a relative weakness for the sustainability of the partnership. For instance, some partners such as the Catalonia region have entered, quitted and then re-entered the REMI according to the change in the institutional management;
- The lack of dialogue with upper level of decision: local actors have no dialogue with European institutions. With national institutions, such as the Ministry of Immigration, the creation of a dialogue platform (the *Besson group*) has been envisaged but has not been implemented so far.

The decision to enter the REMI is often linked to the personal commitment of an elected representative or a senior administrative manager. For instance, the personal commitment of Michel Vauzelle has been a key lever in the creation of the REMI. Its involvement in REMI is facilitated by the strong Mediterranean competence of the region and its numerous cooperation with other Mediterranean local and regional authorities notably in the Northern Africa countries.

The importance of personal commitment may also be a relative weakness for the sustainability of the partnership. For instance, some partners such as the Catalonia region have entered, quitted and then re-entered the REMI according to the change in the institutional management.

The Bureau of the REMI is made of the President, two vice-presidents, a secretary and a treasurer. The Scientific Committee gathers experts, scholars and also NGO representatives.

3.3 Case studies: Catalonia

In accordance with the principle of the child's best interest as set out in the United Nations Convention on the Rights of the Child and the Organic Law for the Legal Protection of Children, Spain introduced in 2008 a number of initiatives to improve the care that unaccompanied minors require. The main initiatives applied in 2008 were:

- Relations with the minors' countries of origin have continued in order to establish the corresponding Cooperation Agreements in the field of preventing illegal emigration of minors, their protection and repatriation.
- In the case of Morocco, this Agreement is pending parliamentary ratification. Likewise, in 2008 the corresponding Agreement was ratified by Senegal.
- Similarly, extra support to minors at risk has been provided by the Spanish International Co-operation Agency for Development, implementing strategies for attention during infancy and professional training in countries of origin, particularly Morocco, thereby generating opportunities in the country of origin.
- Cooperation with Autonomous Communities that receive the greatest number of immigrant minors has been increased, particularly with the Government of the Canary Islands and the cities of Ceuta and Melilla. Mechanisms for coordination have also been set up between different stakeholders at both the national government level and governmental sub-delegations in different provinces.

3.3.1 Programa Catalunya-Magrib: *return of Non Accompanied Minors to Morocco*

The program targets those children who live under administrative supervision of DGAIA (Minor Protection Unit) or in centres that are subsidized, whose families can be contacted in Morocco, and are willing to return to Morocco. The program supports the family reunification, and once in Morocco: education and vocational training and labour and social inclusion through the resources provided under the Program.

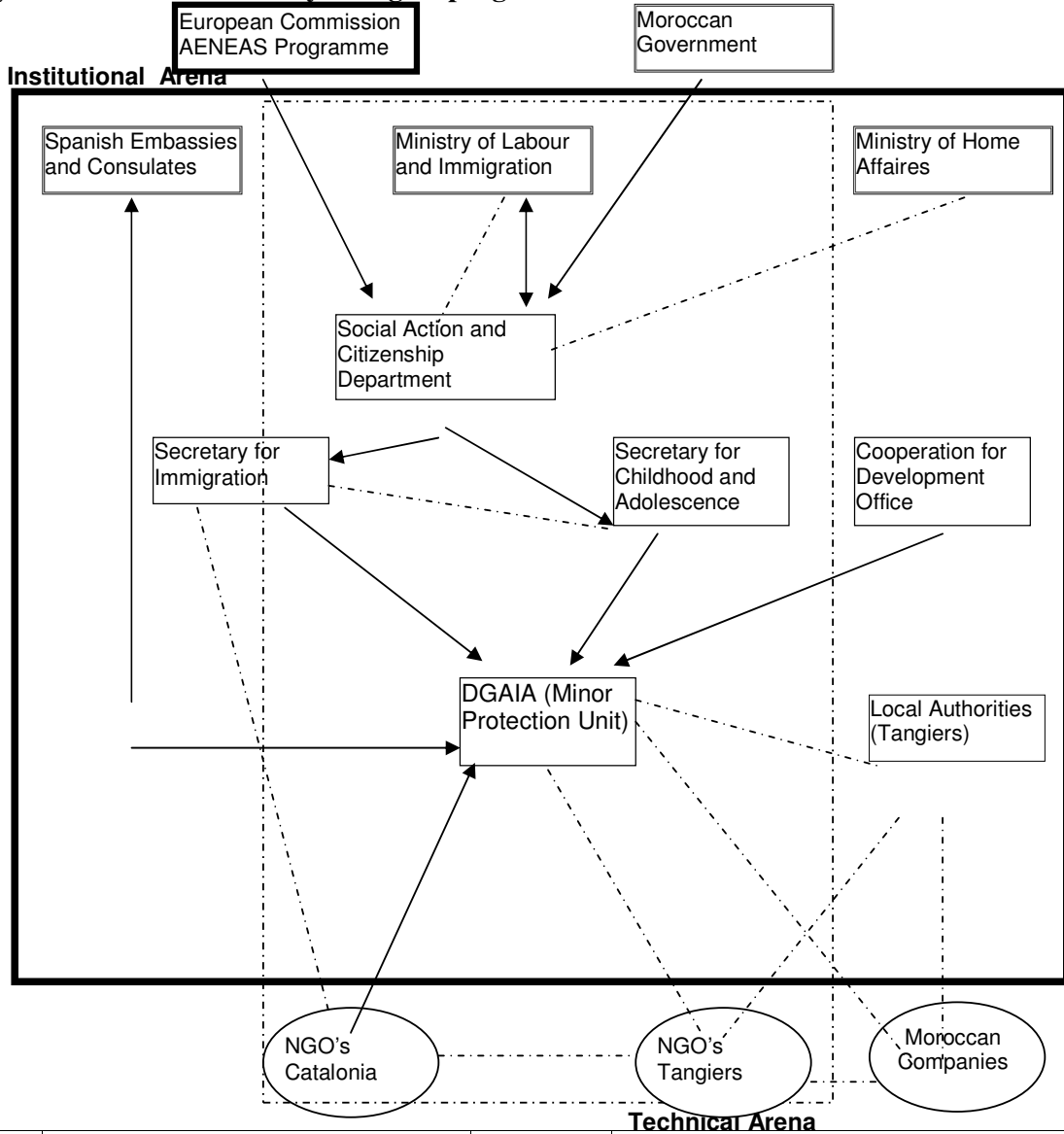
The programme started in 2007, has a length of 3 years, with a global budget of 2.012.313 € and is co-financed by the European Commission programme AENEAS, which is financing with 1.012.313€, that is the 50% of the project. The rest of the funds are supplied by the Catalan Government.







The aim is therefore to create a framework of services in Tangiers that could give an appropriate answer to those minors that are returned from Catalonia, but also to work with non accompanied minors living in Tangiers. That is, the impulse of a network of institutions in Tangiers to raise awareness and prevention of this phenomenon, create a catalogue of companies who could be able to receive these young people in trainee programmes, and also make agreements with the Moroccan Government to build a School of vocational training.



This programme, besides the institutional actors, involves many actors from different sectors. From Catalan based NGOs to NGOs based in Tangiers, the municipality of Tangiers, and companies.

From 2007, there has been 11 voluntary returned minors, and more than 130 students are assisting the School of vocational training (Licée Catalunya-Magrib) and 56 of them have already finish a course on the construction (21) , hotel business (22) , and clothing industry (13). Up to now, there are 63 collaborating companies on trainee programs.

Policy network of the Catalunya-Magrib programme



	Political scenario (arena)		Institutional Actor (State Administration)
	Institutional Arena		Institutional Actor (regional administration)
	Technical Arena		Technical actor (non institutional)

	Support		Alliance
	Conflict		

3.3.2 Serveis d'Intermediació i Formació Laboral en Origen (SILO)

Intermediation Services and Labour Training in Source (countries)

It is a program that offers a service to facilitate the recruitment of foreign workers directly from the source country. The overall objective is to expand the intervention of the Catalan Government in managing the recruitment of foreigners, and give greater coherence to its presence in the international arena. It takes into account the conventions and rules which regulate the migration flows and also aims to maintain a cooperative relationship with the Spanish embassies and consulates abroad. This service has the objective of contributing to the regulation of migration flows and preparing a reasonable quota, allowing the orderly inclusion of immigration. The Service will carry out appropriate actions to the responsibilities assigned to the Employment Services of Catalonia and acts in co-operation with the Spanish State based on the criteria and objectives that define it, as well as following the guidelines and recommendations of international conventions on labour law, sponsored by the International Labour Organization.

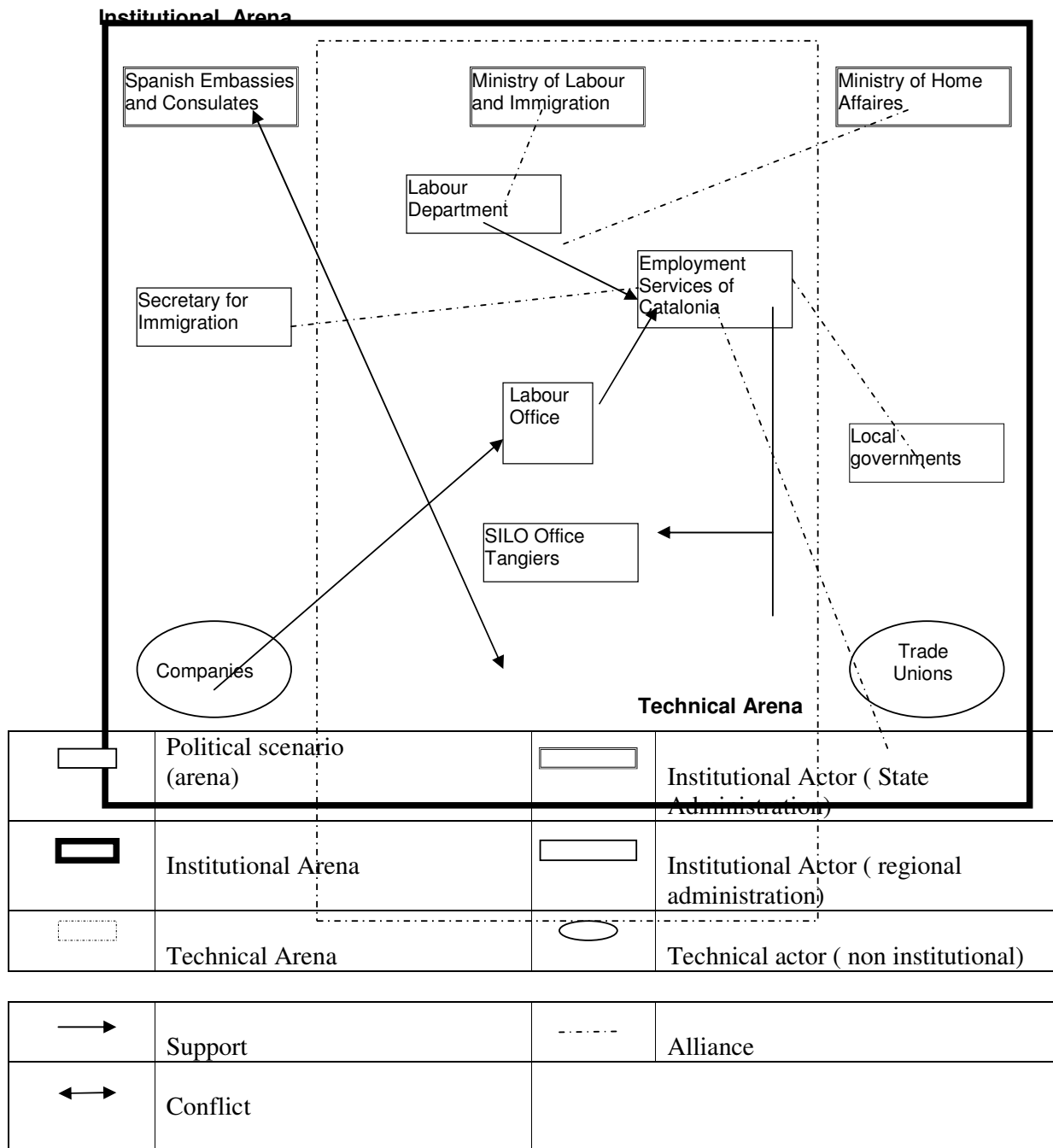
The responsible unit is the Employment Services of Catalonia (SOC) of the Labour Department of the Catalan Government, and is implemented in collaboration with the Secretariat for Immigration, local government federations, business organizations and trade unions.

This policy entails two aspects that are normally carried out exclusively by central State administrations namely: the management of immigration flows (work permit approval) and the establishment of the yearly foreign workers quota (foreign labour recruitment).

It also requires a regional office in the country of origin in this case in Morocco, devoted to workers recruitment, which has to narrowly cooperate with the Spanish consulate, that is with the Ministry of Foreign Affairs.

In 2008, the SILO programme was able to recruit a 20% of the total workers of the Agriculture campaign (that is the recruitment of temporal workers for the harvest season) that were recruited abroad. The rest of the in origin country recruited, was managed through the traditional yearly quota of temporal workers implemented by the Spanish Ministry of Labour and Immigration.

Policy network of the SILO program



3.3.3 Co development programme of the municipal development agency (FCCD)

Fons Català de Cooperació al Desenvolupament

The official policy on development at Catalan level, is still to be implemented, although it exists at the so called Green book on Codevelopment, that has been done by the Cooperation for Development Office (Agència Catalana per ala Cooperació al Desenvolupament). The strategy on development is part of the The Master Plan for Development Cooperation, which is the main strategic planning tool created under the Development Cooperation Act to help the Government of Catalonia's administrative bodies allocate funds and establish the geographic and sector-specific priorities to be respected and developed in the subsequent annual plans and to serve as general guidelines for development cooperation policy as a whole. It operates on a four-year basis.

In this framework co-development is conceived as a practise which is based on the principle of immigrants contributing to the development of both their homeland and host societies. Codevelopment activities are usually intercultural experiences, as they involve cooperation between immigrants and members of their host society, for which reason participation in the corresponding associations can be an appealing option for new residents.

Until the co development projects don't start to be implemented, the most interesting experience so far are the projects carried out by the Catalan Development Cooperation Fund, an institution that gathers and coordinates the cooperation to development programmes of the local administration. From 1998 onwards 13 co development projects have been done, 7 of them are already finished, 6 of them in process. A sum of 721.000€ devoted to co development projects in the fields such as gender issues, to sustainable agriculture. The funding comes from the municipalities that take part in the project. They are case examples of decentralized cooperation to development.

A complete list of the projects, its funding, its partners and its evaluation/development report are available at the FCCD web site:

http://www.fonscatala.org/versio2004/catala/inicio/lineasdetreball/resultats.php?insnumero=&entitat=&Sector_Amb=+2&origen=actual&Titol=&Numero=&anyinici=&anyfinal=&CPais=MARROC &CContinent=&CArea=&Sector=&CBeneficiari=&entitatString=&institucioString=#a

As one example of these projects we analyze the one devoted to the consolidation of the Mostakbal formation centre for aiding productive communities. The main characteristic of this project is that it was originally planned by temporal agriculture workers, that were formed in cooperation to development while they where working in Catalonia.

They planned the project, and the agrarian trade union (Unió de Pagesos) gave them the first institutional and funding support. Afterwards, they continued the project, making it better and bigger.

The partners for this second stage of the project are: in Morocco the Mostakbal Association of Sidi EL Yamani in the North of Morocco, which has elaborated the project, and that is formed by women that are or where temporary workers in Catalonia. The partners in Catalonia are two Town Halls, the ACCD and is implemented by the Fundació Pagesos Solidaris, the agrarian trade union's foundation that carries out social cooperation projects. The total budget is 35.000 €.

The project arises from the demand of Sidi El Yamani women participating in the association, they aim to build productive initiatives by themselves, generating income for their area. To meet this need and interest, the centre will create a specialized unit to sustain productive initiatives, and also to offer training and advising to professional women's groups who want to start productive projects.

4. Lessons learnt

- Lack of cooperation among European, national and local levels;
- Speaking about immigration, we have to distinguish between, on the one hand, border controls and, on the other hand, integration and inclusion policies. In this case, the focus is on local level: given the various national legislations above mentioned, quite a number of research projects or activities are enacted at the regional and local level, both by regional and local government bodies and by non governmental organizations. Nevertheless there is a lack of cooperation among regions: initiatives and projects are generally developed in one area, without any attempt in order to improve both national and international networks;
- Various initiatives are developed through a partnership among local authorities, NGOs and associations (both intercultural and ethnic) due to European funds. This kind of partnership enlightens one of the main characteristics of the involvement of the four countries in the migration field (especially in the integration area). This is well-known in the Italian scenario: in a situation of a lack of institutional initiatives, there is a great self-promotion of associations and the third sector. They satisfy the needs of immigrants “just in time”, but they are also somewhat fragile: they are carried out under annual funding, without either any continuity or any final evaluation of the efficacy of the actions. Recently, some funding provided by local authorities requires a final report on the activity that consists of a self declaration written by the grantee organization, without any evaluation carried out by experts;
- Inter-regional co-operation is generally focussed on critical issues: unaccompanied minors (e.g. REMI project in France), trafficked and exploited women (e.g. Piemonte in rete contro la tratta (network against trafficking), AURORA-IONIO project in Italy). It could be interesting to sharing knowledge and expertise in the wider area of inclusion and integration.

The findings of the study lead to the following recommendations.

In order to improve an inter-regional co-operation, it would be useful to:

- Share among countries successful specific policies (practices) aimed at the different immigrant groups: it could be useful to improve information tools;
- improve the long-term co-operation among regional bodies and civil society, also developing training activities;

- enforce the role of local and regional authorities in promoting integration programmes.

5. Interviews

Andalusia

Name: Israel Adán Castilla

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