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Panel II: Management of legal migration - Types of and channels for legal migration

David Chico Zamanillo

International mobility is an essential part of our modern times. Certainly, International migratory movements have existed throughout History but today more than ever we are witnessing increased flows and a growth in the complexity of this phenomenon. Nowadays, there are more than 200 million people who, by diverse reasons, move to live in another country.

Human mobility across borders will not only continue, but will certainly become more manifest and dynamic in the future.

In this context, Spain has witnessed in the last decade an incredible growth of migrant flux, having at present around 10% of foreign population, exactly 4.169.086 foreign people at June 30th, 2008. The trend has rapidly growth. To have an idea one should just recall that two years ago at the end of 2006, the foreign population was 3 million and that in 2004 foreign population as roughly 2 million.

Inside the OSCE countries, biggest populations in Spain are Romanians, 686.733 people, and outside the EU members are Ukrainians, 61.793 and Moldovans, 12.149 people.



Spain has been an emigration country until recently, - still today they continue residing abroad more than a million of Spaniards -, but throughout the two last decades we have become a land of immigration.

It is a data that marks us like society.

Our experience and sensitivity at the time of governing the migratory flows and the demographic challenges can be very helpful to develop and contributed the needed strategies at international level.

Development and Immigration- The fight against poverty and climate change

International migration is a reality that will persist as long as there are differentials of wealth and development between the various regions of the world.

No doubt that migration trends is an opportunity, because it is a factor of human and economic exchange, but we must be aware that the main reason why people migrate is identified with poverty, inequality and the absence of expectations and opportunities.

To illustrate that, it is enough to mention that the Spanish economy with 45 million inhabitants produces more wealth than the set of the African Continent with 900 million people.

But poverty and hope of better life can not be taking out of the many and varied reasons which makes also people migrates, all of them



interdependent: war, violence, lack of freedom, hunger, natural disasters, food crisis, desertification, persistent droughts, floods, etc.

Development and Migration are intimate linked.

In this regard, Spain recognises the importance of tackling the roots of migration, for example through the creation of livelihood opportunities and the eradication of poverty in countries and regions of origin, the opening of markets and promotion of economic growth, good governance and the protection of human rights.

Last Spanish OSCE Chairmanship in office devoted important works in areas as water management, vital to ensure environmental security and sustainable development.

Action is needed at global level because these problems can only find solution with a collective answer of the International Community.

The international community has recognized that security today goes beyond traditional approaches and is broadening its focus to include new areas of concern and interest to the OSCE participating States and partner countries.

There is an African proverb from the banks of the Niger River that says ‘the river is big, but it always needs a drop of water’. The international effort is large, but not enough.



Orderly management of migratory flows

The migration phenomenon requires a great effort in dialogue and concerted governance. There is need to build structures and work together at international level to address this complex issue.

OSCE is an organisation of unquestionable value for the construction of an area of shared peace and prosperity; a space of dialogue and multilateral cooperation that allows us to face together the great challenges of XXI century. The OSCE with its cross-dimensional approach to security provides an invaluable platform to address these issues.

In this context, Spain values the work of the OSCE in the analysis of bonds between migration and security, its efforts against the criminal organisations and the fight against traffic of human beings.

EU

But to talk about managing legal migration can not be done without mentioning the efforts to harmonise policies and the attempt to build a common policy at the EU level.

Spain works and supports the design of an integral policy of immigration in the European Union that involves origin countries, transit and destiny and takes into account its causes and effects through measures of cooperation to the development, integration and security.



In this context, should be mentioned the Global approach to Migration approved by the European Council in December 2005 and the European Pact on Immigration and Asylum, political document of high significance that has been adopted yesterday in Brussels.

But we should still recognize that concerning migratory matters interests and needs vary considerably from one country to another, a factor which to a large extent marks the attempts to achieve a real European immigration policy.

Spain- Balanced and Migration Global approach

Spanish migration policies are based on the idea of a balanced, global and coherent approach, covering initiatives to organise legal migration, to combat irregular migration and support the development efforts of countries of origin and transit, always ensuring that these policies have no negative effects as e. g. the so called brain drain effect

1. Concerning the first point, organise legal immigration should be linked to the labour market and take account of the needs and reception capacities determined by countries of destination, and promoting integration.
2. Secondly, Spain is committed to fight against organised crime that smuggle human beings and the need to strength border control. We need to fight with determination against irregular migration.



3. And third, in order to respond to the opportunities and challenges of migration it is necessary not only to strengthen border control, but also support the development efforts of countries of origin, implementing measures which take into account the causes of migration and to try to change them. We should work together to ensure cooperation in a global approach between countries of origin, transit and countries of destination.

Types of and channels for legal migration

In addition to the EU initiatives in the field of migration, as legal migration is still competence of each Member State, although under the umbrella of the UE, Spain has different bilateral agreements regulating labour migration flows, a model based on the agreement and the cooperation with the countries of origin.

The mechanism is based on the cooperation and dialogue with origin countries, such as Senegal, Morocco, Ecuador, etc and also with countries of the EU namely, Romania, with whom we share an important migration flow.

I would like to underline some of the characteristics of these agreements:

a) Sharing information in order to better match labour supply and demand

These agreements regulating labour migration flows involves countries of origin. The mechanism works in the following way, the Spanish authorities, through Spanish Embassies in origin countries, notify the origin countries' authorities of the number and type of workers needed, taking into account



existing job offers. (There is no set quota; rather, the employers in Spain request a certain number of needed workers.) Origin countries in turn notify the Spanish authorities, through the Spanish Embassies, about the possibility of meeting this demand with their nationals willing to go to Spain.

b) Involvement of non-government stakeholders in the selection and recruitment of workers

Also the agreements involve non-government stakeholders in the selection and recruitment of workers. For instance, the Unio de Pagesos, a farmers' union in the region of Catalonia, helps to implement Spain's bilateral labour agreements. This union assists efforts to match supply and demand, including a process by which employers communicate labour needs. It also arranges authorizations, documentation and visas; hosts the workers by provision of accommodation, integration measures and training; and initiates development projects in the country of origin

C) Inform workers of legal migration opportunities and of their rights and obligations

Also these agreements foresee for instance the contracting parties' organization of educational campaigns to inform potential migrants of their rights and social obligations, to prevent the risks and consequences of irregular migration, to prevent the use of counterfeit or altered documents, and to discourage the use of networks that traffic in human beings.

To end this part, Spain would like to underline the importance of temporary or circular migration.



The experience shown these years teach that temporary migration is a perfect tool both for countries of origin and destination, always linking the supply of workers to the demands of the labour market and to a clear legal framework which provides security to employers and rights to employees.

Some of the agreements signed by Spain contain provisions on circular migration arrangements which allow migrants who have already been selected for overseas employment one year to re-enter the Spanish labour market more easily the following season.

Conclusion

To end I would like to underline once more the important role of the OSCE improving migration governance as a strategic factor of development and peace and to thank you to the Greek chairmanship in office to have initiative to consecrate the OSCE Economic and Environmental Forum 2009 to the question of migration.