

The European Migration Network (EMN) is an initiative of the European Commission.

Its objective is to meet the information needs of Community institutions and of Member States' authorities and institutions by providing up-to-date, objective, reliable and comparable information on migration and asylum, with a view to supporting policymaking in the European Union in these areas. The EMN also serves to provide the general public with such information.

To that end, the EMN has a network of National Contact Points (NCPs).

In Spain, the NCP is composed of experts from four ministries (Ministry of Labour and Immigration, Ministry of Interior, Ministry for Foreign Affairs and Cooperation and Ministry of Justice) and is co-ordinated by the Permanent Observatory for Immigration, a collegial body attached to the Ministry of Labour and Immigration. The NCP also collaborates with independent experts for the elaboration of EMN studies and reports.

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Annual Report on Migration and Asylum Statistics

Spain
2006

This National Report provides analysis of the statistical data on migration and asylum for Spain in the context of legal and policy developments.

Reference period: 1st January 2006 to 31st December 2006.

This Report has been produced by the European Migration Network, and was completed by the Spanish EMN National Contact Point.

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1. Introduction

1.1. Methodology

This report provides the most relevant statistical data on migration and asylum in 2006 in Spain, highlighting the recent trends and the main variations compared to previous years. It is the continuation of a series of reports that began in 2003, and this is the third year in which the European Migration Network's (EMN) National Contact Point (NCP) for Spain is responsible for drafting it.

This document was drafted by members of the EMN's NCP, with the collaboration of the National Institute of Statistics (INE - Instituto Nacional de Estadística), which provided statistical data from its area of responsibility.

This report does not necessarily reflect the opinion of the NCP nor the EMN, which do not assume any liability whatsoever for the conclusions.

The data presented herein were provided by Eurostat and verified by members of the NCP, and by the National Institute of Statistics, when appropriate. Otherwise, they were provided directly by members of the NCP through the official suppliers of said statistics.

The following offers a brief description of the methodology applied to each statistical operation.

1.1.1. Asylum

The Asylum and Refugee Office (OAR - Oficina de Asilo y Refugio), which is part of the Ministry of the Interior's General Directorate of Internal Policy, is responsible, by means of



an individualised process, for studying the approval or refusal of the applicant's refugee status and other types of subsidiary protection, when appropriate.

The first instance decisions refer to all applications that have or have not been accepted for processing. The latter are resolved directly on the proposal of the Asylum and Refugee Office, while those accepted for processing are resolved on the proposal of the Inter-Ministerial Commission of Asylum and Refuge (CIAR - Comisión Interministerial de Asilo y Refugio). All of them are registered in a database for subsequent statistical use. Both administrative restitution appeals and contentious administrative appeals may be lodged against negative decisions (unfavourable resolutions and applications not accepted for processing). The legal resolutions are notified to the Asylum and Refugee Office either by the Central Courts or by the National Court and filed at the Asylum and Refugee Office by date of receipt.

1.1.2. Migration

1.1.2.1. Migratory flows

The data on migratory flows included in this report are taken from the Residential Variations Statistics from the National Institute of Statistics. The data is drawn up primarily based on the information related to registration and elimination due to changes of residence entered in the Municipal Population Registers¹. These Registers inform as to the total annual domestic migratory flows and part of the foreign ones. The former occur between different Spanish municipalities, while the latter are movements to or from abroad.

Since 2004, the Residential Variations Statistics also include registrations by omission and elimination of the undue inclusion of foreigners, which are considered, respectively, as immigration from abroad in which the country of origin is not indicated and emigration abroad in which the destination country is unknown. Very few foreigners request their elimination from the Register; therefore, most of the eliminations are a result of the ex officio procedures conducted by the municipal governments that are reflected as eliminations on the basis of an undue inclusion.

Finally, eliminations by expiry have been included since 2006. This type of elimination is the result of the legislative modification introduced by Organic Law 14/2003 on Aliens, in Law 7/1985 regulating the terms and conditions of the local government, which establishes the obligation for non-EU foreigners without a long-term residence permit to

¹ Administrative register listing all of the individuals who reside, on a regular basis, in the municipality.

renew their inscription in the municipal population register every two years. If the renewal is not effectuated, the municipal governments must declare the expiry of the register entry.

It is important to point out that the statistics of annual migratory flows refer to migrations and not migrants, since an individual may change residence more than once a year.

1.1.2.2. Population by nationality

The data in this section are derived from the Current Population Estimates for the years 2005 to 2007, whereas for previous years, are based on inter-census estimates.

The Current Population Estimates (or Now-Casts, as they are referred to in Anglo-Saxon terminology) represent a synthesis which takes into account all of the demographic information available at any given moment: Population Censuses; births and deaths registered in the Natural Population Movement statistics and immigration and emigration observed as of the most recent inscriptions in the population register. These estimates, based on the most updated information available, are considered the best possible approximation to the actual number of residents in Spain. Therefore, the National Institute of Statistics currently uses these as their statistical reference population in all of its household surveys and in the calculation of all types of indicators.

The methodology applied for their calculation is based on the components method. The following scheme is applied when using this method: as of the population residing in a specified geographical area and based on the data collected for each of the basic demographic components of mortality, fertility and migration, the hypothetical population corresponding to later dates is calculated under certain hypotheses as to the future development of those three phenomena, thereby determining the population's growth rate and distribution by age.

The predicted statistics related with birth, death and migration corresponding to the hypotheses are compared, a posteriori, with those observed each time new data become available. Given the important increase observed over recent years as to the entry of immigrants, as well as the existent uncertainty as to the future evolution of said migratory movements, the Current Population Estimate compares the predicted numbers with those actually registered (generally of a provisional or predictive nature) at the end of each quarter.

The population numbers, by province, gender and age, taken from the Population Census as of 1 January 2002 constituted the base population. For each new valuation period, the base population for applying the components method is comprised of the statistics



as to the population corresponding to the Current Population Estimate as of 1 January of the current year, by province, gender and age.

As a primary basis for the projection of future migrations as of the flows observed in the Municipal Population Register, the evolution of net foreign entries is determined as the difference between the registered variations resultant of the incoming and outbound migratory movements.

1.1.2.3. Residence Permits

The statistical data on residence permits are taken from the Central Register of Foreigners, the database managed by the General Directorate of the Police and the Civil Guard, Ministry of the Interior, in collaboration with the Ministry of the Public Administrations. It keeps record of, amongst others, the formalities leading to the obtention of both residence permits and permits of stay for studies, by aliens who wish to establish their place of residence or study in Spain.

Statistical information as to the valid stock of permits on any given date is highly developed, with data available dating back to 1992, but the obtention of data as to flows of permits granted during a specific period is currently under development.

The recent adoption of Regulation (EC) No 862/2007 of the European Parliament and of the Council of 11 July 2007, on Community statistics on migration and international protection has been an excellent incentive for obtaining statistics comparable internationally, which will also compensate a shortcoming that has been noted in the national statistics system. However, it will be some time yet before the data and breakdowns required by said regulation can be obtained.

In this transitional phase, and while the new information system is not operational, the data on permits granted during the year (total permits and permits granted for the first time) are obtained from fixed tables provided by a database application based on the Central Register of Foreigners.

The data corresponding to the years 2003-2005 included in this report are different from the data provided in the annual statistical reports corresponding to 2004 and 2005 due to various reasons:

- In previous years, only the total number of permits granted (including renewals) was provided, without indicating how many corresponded to permits granted for the first

time. This shortcoming has been corrected in this report, which provides data on both concepts.

- According to Spanish legislation, there is a type of residence card for family members of European citizens that, in previous years, were included under the heading 'Other categories: Community Scheme'. However, in line with the guidelines on Article 6 of Regulation 862/2007, these permits have been included in the category 'Family-related reasons', together with the permits for family reunification, which in previous years were also included under the heading 'Other categories: Residence only'.
- As a result of the above, the heading 'Other categories' currently includes only the concepts 'Residence only' (corresponding to third countries nationals having a residence permit but not a work permit), 'Long-term residents' (only in the case of "total permits" and not in the "permits granted for the first time" sub-table, since it only makes sense in renewals) and 'Other' (including permits granted for humanitarian reasons and other exceptional circumstances, as well as other permit non-classified).
- In short, the methodology has been updated to obtain the flows of permits granted based on a methodology consistent with that used to calculate data for the European Integration Fund.

1.1.3. Entry refusals, apprehensions and removals

These statistics are provided to Eurostat by the General Commissariat for Alien Affairs and Borders (CGEF - Comisaría General de Extranjería y Fronteras), through the Central Statistics Service, which is the unit responsible for collecting and sending data to different official entities. There is also a centralised database used to record all data on foreigners in Spain, whether from the EU or from third countries, as regards their inscription in the Central Register and the formalities carried out there: application for the different permits, application for the Alien Identification Number (NIE - Número de Identificación de Extranjero), certificates, removal proceedings, etc.

All these data are collected and sent to Eurostat based on the corresponding CIREFI (Centre for Information, Discussion and Exchange on the Crossing of Frontiers and Immigration) criteria and on the provisions of the Common Borders Code.



1.1.3.1. Refusal of entry

This section includes data related to the refusals carried out at all of the country's borders, including data from Ceuta and Melilla. Each peripheral workforce (provincial aliens and borders brigades and border posts) sends a monthly statistical summary to the General Commissariat for Alien Affairs and Borders' Central Statistics Service as to the refusals of entry effectuated at the borders posts under their control.

1.1.3.2. Apprehensions

This includes data on the removal proceedings initiated and the number of persons apprehended based on circumstances outlined in the applicable law on foreigners, as well as those that have broken an entry prohibition order and have been located in Spanish territory. The peripheral workforces send these monthly data reports to the General Commissariat for Alien Affairs and Borders' Central Statistics Service and enter the data related with the removal proceedings and the grounds for apprehension in the centralised database, in such a way that these statistics are readily available directly from this electronic file.

1.1.3.3. Removals

Prior to the entering into effect of the new Regulation 862/2007 on statistics, the data included in this concept correspond to the number of removals, obtained from the electronic database itself, where each peripheral workforce that executes the removal enters the corresponding data, which is included in the monthly reports remitted to the General Commissariat for Alien Affairs and Borders.

1.1.4. Granting of Spanish nationality

The naturalisation process to acquire Spanish nationality in Spain is governed by the Civil Code (Articles 17 to 26). The Civil Code constitutes legal regulations approved by the State. Sub-national entities do not have any competencies in naturalisation matters.

People born with a Spanish father or mother are Spanish at birth, as are people born in Spain with foreign parents if one of them was born in Spain, if they are stateless or if neither of the parents' legislations sets forth the child's nationality. People born in Spain of unknown parentage are also considered Spanish at birth.

There are several ways to acquire Spanish nationality. Some of these are automatic (attribution of the Law without the will of the interested party needing to intervene) and others are not (the will of the interested party intervenes).

Naturalisation due to residence supposes that, once a person has resided in Spain during the period laid down by the Civil Code, he/she may apply for Spanish nationality. It is the most common non-automatic way of acquiring Spanish nationality and it has been used by thousands of immigrants over the past few years. Residency has to be legal, continuous and immediately prior to the application. Generally speaking, the residency period is of ten years; however, shorter periods have been set forth:

- Five years: for anyone having the status of refugee.
- Two years: for nationals of Latin American countries historically linked to Spain and Portugal, Andorra, the Republic of the Philippines, Portugal, Equatorial Guinea or Sephardic Jews (descendants of the Jews expelled from Spain in the 15th century).
- One year: for applicants born within Spanish territory, for people who did not exercise the power to choose in a timely manner, for people subject to the guardianship, custody or placed under the care of a Spanish citizen or institution for two years; for people married to a Spanish citizen during a year and who are not separated either legally or de facto; for widows/widowers of a Spanish citizen who were not separated at the moment of their spouse's death; for people born outside Spain whose father, mother, grandfather or grandmother were originally Spanish citizens.

Should Spanish nationality be acquired due to residency, applicants have to renounce their previous nationality, except in the case of it being from a Latin American country historically linked to Spain and Portugal, Andorra, the Philippines, Equatorial Guinea or Portugal. The granting of nationality must be registered in the Civil Registry.

The information sources are the databases on Spanish nationality granted on the basis of residency resolved throughout the year, managed by the Ministry of Justice's General Directorate of Registries and Notaries (Dirección General de los Registros y del Notariado).



2. Asylum

Pursuant to the obligations it has taken on by its accession to the different International Instruments in the defence of Human Rights, Spain has its own International Protection system, implemented by the General Directorate of Internal Policy, dependent on the Sub-Secretariat of the Ministry of the Interior. More specifically, its competencies include determining the right to asylum, the legal status of refugees, displaced and stateless persons, as well as the so-called subsidiary international protection, which together constitute what is known as International Protection.

The Asylum and Refugee Office (Oficina de Asilo y Refugio) is the specialised body responsible for setting the guidelines as to asylum-related matters. It is headed by the General Sub-Director of Asylum and depends on the General Directorate of Internal Policy.

The granting of the right to asylum, as well as the granting of other kinds of protection for humanitarian reasons (subsidiary protection) are carried out through an individualised procedure which acknowledges the applicant's condition as a refugee or his/her right to any other kind of subsidiary protection.

2.1. Analysis and interpretation of asylum statistics

2.1.1. Trends in first-time asylum applications in 2006 compared to the previous year

During 2006, 5,297 applications for asylum were presented in Spain. Compared to the previous year (5,257 applicants) this figure represents an increase of 40 applications for asylum, which in percentage terms represents a growth rate of 0.76%.

In 2006, the applicants for asylum registered in Spain claimed nationalities corresponding to 101 countries, not including the stateless persons. The nationals representing the highest numbers are from: Colombia (2,239), Nigeria (632) and Morocco (281).

The distribution by gender is of 64.43% (3,413) males compared to 35.57% (1,884) females. The increase as to the relative weight of females is maintained: 29.23% in 2004 and 32.22% in 2005.

As regards their distribution by age group, 799 applications were processed for persons between the ages of 0 and 17 (15.08%), 3,486 for applicants between 18 and 35 years of age (65.81%), 976 for those between 36 and 59 (18.43%) and 36 for those over 60

GRAPH 2.1. First asylum applications, 1997-2006

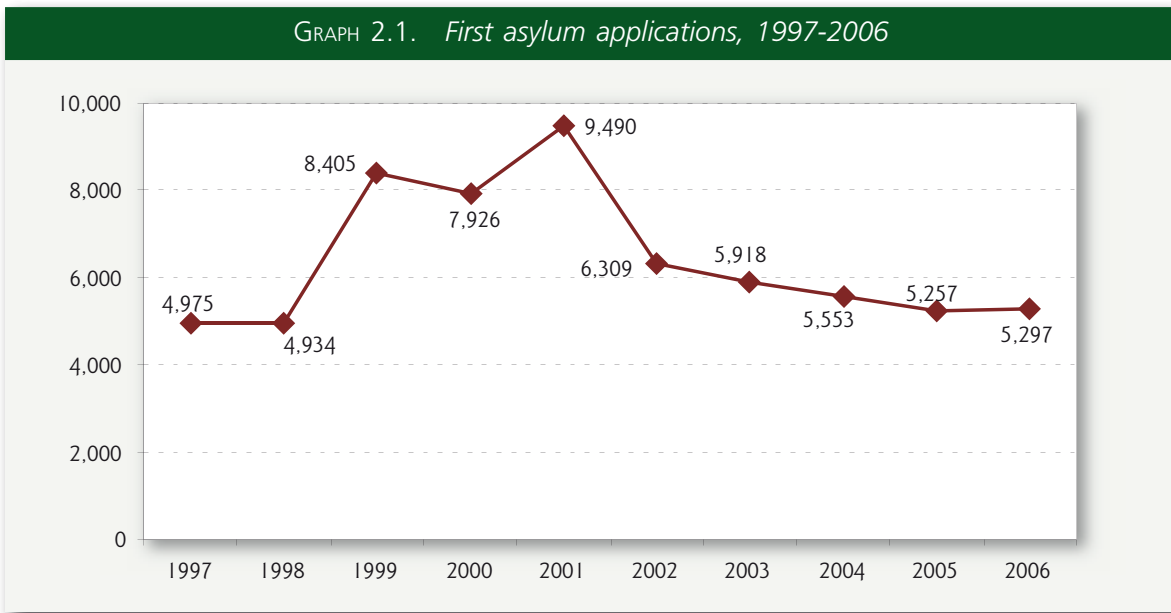
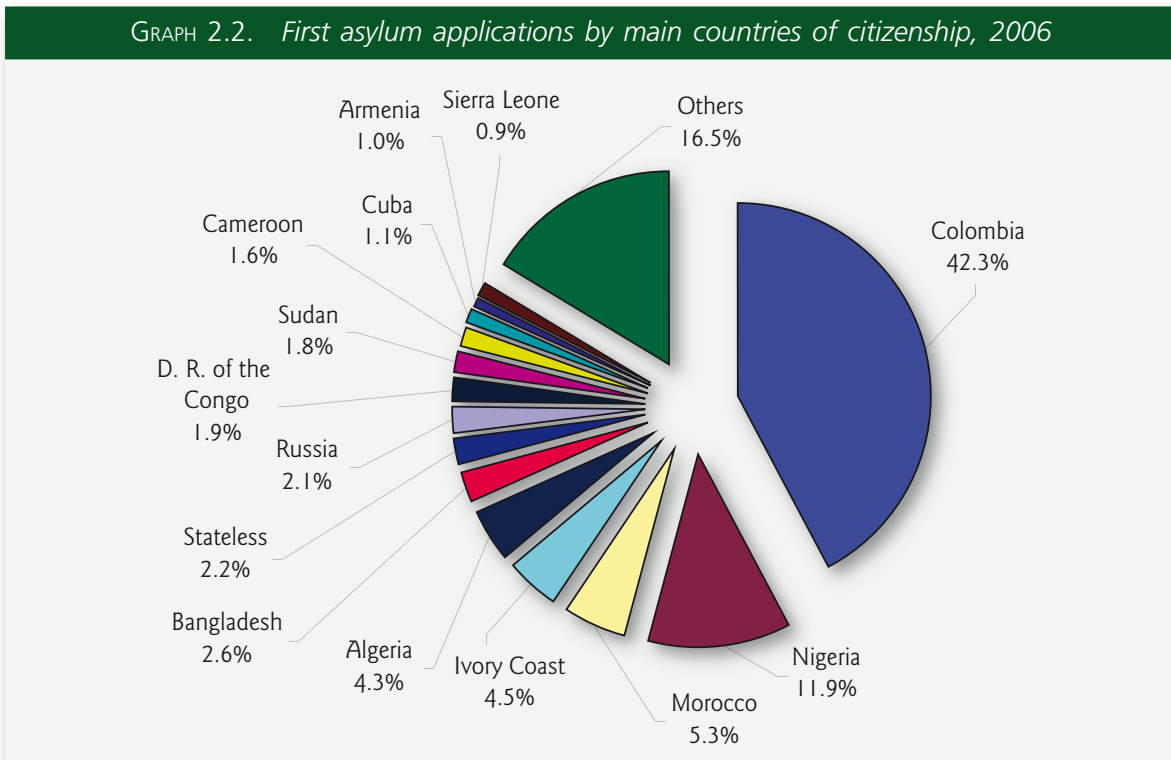


TABLE 2.1. Total number of first asylum applications during the period 1997-2006

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Number of first applications	4,975	4,934	8,405	7,926	9,490	6,309	5,918	5,553	5,257	5,297

Source: Ministry of the Interior (Asylum and Refugee Office - OAR).

GRAPH 2.2. First asylum applications by main countries of citizenship, 2006



(0.68%). In recent years a downward trend has been observed in the relative weight of the 18 to 35 years of age group, which is compensated by an increase in all of the other age groups. In fact, those under 18 represented 9.17% in 2004, and those between 36 and 59 represented 13.5%.

TABLE 2.2. *First asylum applications by main countries of citizenship, 2006*

	Total
TOTAL	5,297
Colombia	2,239
Nigeria	632
Morocco	281
Ivory Coast	236
Algeria	230
Bangladesh	137
Stateless	117
Russia	110
D. R. of the Congo	102
Sudan	94
Cameroon	83
Cuba	59
Armenia	54
Sierra Leone	48
Others	875

Source: Ministry of the Interior (OAR).

TABLE 2.3. *Asylum applications by age group, 2006*

	Total
Total	5,297
0-17	799
18-35	3,486
36-59	976
60 and over	36

Source: Ministry of the Interior (OAR).

2.1.2. First and final positive decisions in 2006, disaggregated by the citizenship of the person concerned

TABLE 2.4. *Number of decisions by type, 2006*

	Total*	First instance	First appeal	Subsequent appeal
Total	8,398	4,248	4,150	..
Positive decisions	212	168	44	..
Negative decisions	7,567	3,892	3,675	..
Other non-status decisions **	619	188	431	..

Source: Ministry of the Interior (OAR).

* Not including the decisions following subsequent appeals, given the unavailability of this information.

** Including Subsidiary Protection.

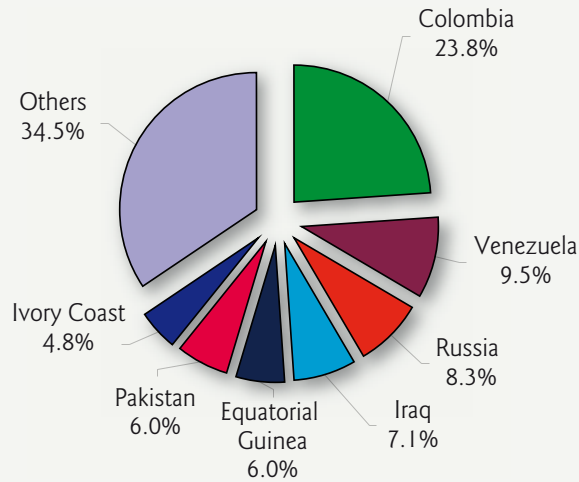
TABLE 2.5. *Total number of positive decisions (first instance) by type and country of citizenship, 2006*

	Total	Geneva Convention Status Granted	Humanitarian Status and all other types of subs. Protect
Total	356	168	188
Ivory Coast	77	8	69
Colombia	49	40	9
Iraq	34	12	22
Russia	27	14	13
Equatorial Guinea	18	10	8
Venezuela	18	16	2
Pakistan	11	10	1
Others	122	58	64

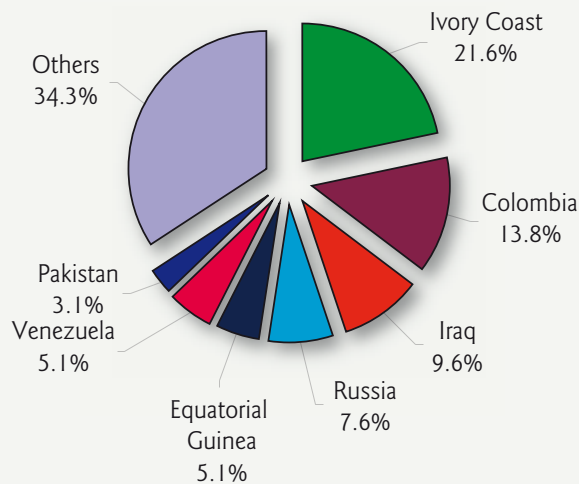
Source: Ministry of the Interior (OAR).



GRAPH 2.3. Number of positive decisions (Geneva Convention Status) by country of citizenship, 2006



GRAPH 2.4. Number of positive decisions by country of citizenship, 2006



The following sections explain in further detail the information compiled in the charts above:

First instance

There were a total of 4,248 first instance decisions.

Of the 356 positive first instance decisions, 168 correspond to resolutions signed by the Interior Minister granting Refugee Status pursuant to the Geneva Convention (34 fewer than in 2005), putting the figure at a level similar to that of 2004. The three top

countries whose citizens were granted refugee status in 2006 are Colombia (40, that means 41 less than in 2005), Venezuela (16) and Russia (14, with 9 fewer granted than the year before). In 2005, Venezuela was not amongst the top six countries granted refugee status. The same is true of Pakistan, which moves into sixth place with 10 refugees, overtaking countries such as Cuba and Belarus. The number of Iraqi refugees, although low, has doubled in a year from 6 to 12. The Other Non-Statutory Decisions category (Table 2.4) includes the resolutions signed by the Minister granting some type of Subsidiary Protection, which in 2006 totalled 188. Of these, 37% (69) correspond to nationals from Ivory Coast, 22 to Iraqi applicants and 13 to Russian citizens.

The negative first instance decisions correspond to the 1,475 unfavourable decisions as to the right of asylum plus the 2,417 resolutions refusing admission for processing, totalling 3,892.

Appeals

During 2006, a total of 4,150 sentences were handed down through the appeals process, a number which includes positive and negative sentences as well as other decisions.

The positive decisions reached through the appeals process that led to the granting of asylum affected 44 people. The negative sentences —dismissals of appeal— totalled 3,675, corresponding to resolutions denying the right to asylum plus the resolutions rejecting admission for processing. Other Non-Statutory Decisions includes 431 positive decisions corresponding to some type of Subsidiary Protection.

2.1.3. Changes in the statuses regularly granted to particular citizenship groups?

With regards to the statute of the refugee according to the Geneva Convention, Colombia continues to be, since 2002, the country of origin of asylum seekers with the greatest number of positive decisions, although the relative weight of this country has decreased from 40.10% in 2005 (a year with a significant increase) to 23.81% in 2006. There has also been a steady decline in the numbers granted to Russian nationals and an increase in the number as to Iraqis. In other non-statutory decisions, Colombia also experiments a significant downward trend since 2004.



2.2. Contextual interpretations (legal, political and international factors)

2.2.1. New or amended laws effective in 2006

Beginning in March 2005, a process for the normalisation of aliens was carried out in Spain over a period of three months, with the objective of regularising the situation of immigrants. This situation may have impacted the asylum-seeking procedure, reducing the number of persons applying for this type of protection. This process is outlined in "Order PRE/140/2005, of 2 February, which develops the procedure applicable to the normalisation process outlined in Transitory Provision Three of Royal Decree 2393/2004 of 30 December that approves the Regulation for the execution of Organic Law 4/2000, of 11 January, on the rights and liberties of foreigners in Spain and their social integration". Additional Provision Seventeen of the Regulation enables asylum seekers to access jobs.

2.2.2. Procedural changes effective in 2006

The procedure underwent no changes in 2006.

2.2.3. European / international factors explaining certain changes regarding asylum trends in 2006 in your Member State

The situation remains the same as in previous years.

3. Migration

The increasing trend in international migration flows received by Spain was maintained. These flows approached 700,000 net entries in 2006, of which 682,717 corresponded to foreigners. An increase in both immigration and emigration was detected. The main continent of citizenship of the aliens that entered Spain in 2006 was South America (38.7%), followed by non-EU European countries (23.0%) and EU nationals (18.8%). The third countries that contributed most to immigration in 2006 were Romania, Morocco and Bolivia.

Regarding the alien population stock, over 4.5 million aliens were registered at the Municipal Population Register (Padrón Municipal de Habitantes) at the end of 2006 (1 Jan. 2007). Of these, 3.5 million were third-country nationals, and the list was headed by Morocco, Romania and Ecuador. The total of EU-10 nationals was 103,493 at the

end of 2006, while Bulgarian and Romanian nationals amounted to a total of 664,480 people on the same date.

As regards residence permits, the number of permits issued in 2006 returned to the numbers issued in previous years after the significant increase arising from the regularisation process of 2005. A total of 370,923 new permits were issued, which was lower than the figure for 2004. Whilst in 2005, the main category was the work permits (72.0%), in 2006 it amounted to 29.0%. A greater incidence of permits issued for family-related reasons can be observed (40.5%), which includes reunification permits for the family members of third-country nationals, as well as the cards issued to the family members of European citizens. Permits issued for study or training reasons accounted for 11.2%, and residence permits excluding gainful activities ('Only residence') amounted to 12.1% of the total.

3.1. Analysis and interpretation of migration statistics

3.1.1. Migration Flows

The immigration flows detected over the last few years continued in 2006 at levels similar to –and somewhat higher than– those seen since 2004 (the net migration in 2002 and 2003 amounted to around 440,000 people, while it exceeded 600,000 since 2004 and approached 700,000 in 2006).

The number of immigrants² registered in 2006 amounted to 840,844, the highest figure since 2002. However, emigration flows have also increased steadily and at higher rates (142,296 people in 2006). These overall figures require a more detailed analysis to fully comprehend the existence of the different flows.

Nevertheless, it is necessary to point out that such data include both Spanish and foreign immigrants and emigrants. A breakdown by nationality would, in principle, enable one to differentiate between flows of Spaniards who return home and those who actually constitute foreign immigration (Graph 3.1).

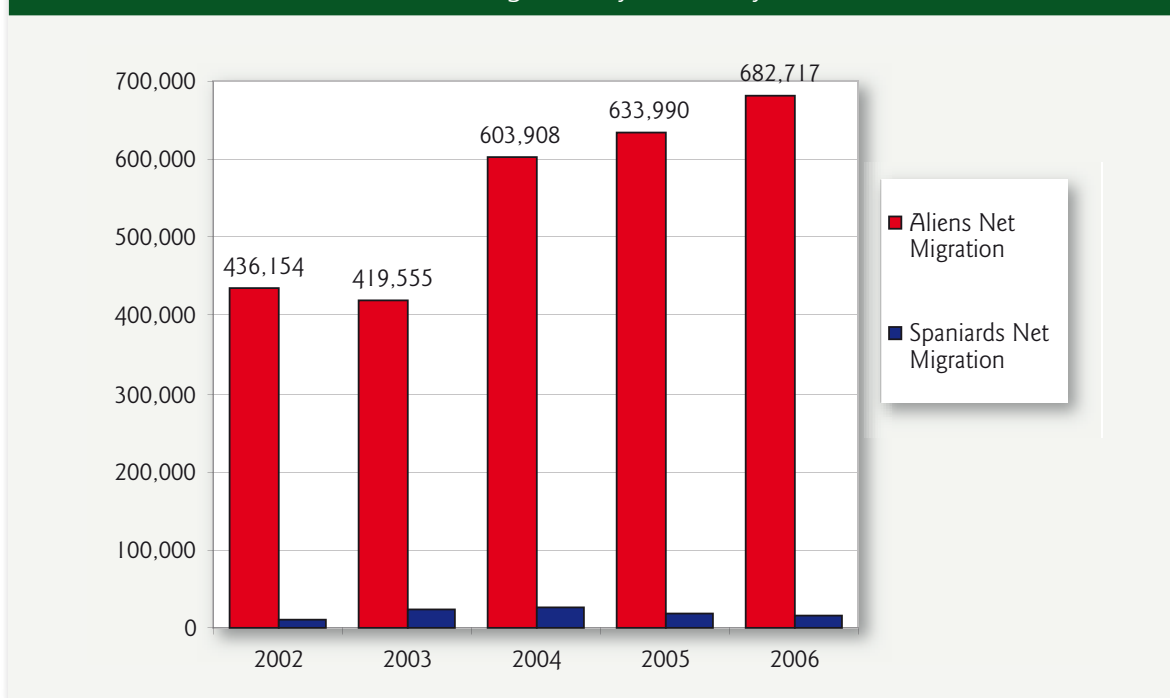
² As a matter of fact, the source (Residential Variations Statistics from the Spanish National Institute of Statistics) does not record migrants (individuals) but migrations (entries and exits). It is therefore possible that more than one exit or entry into the country throughout the year may have been recorded for a single individual. Nonetheless, from a statistical viewpoint, it does not appear that the migrations are appreciably higher than the number of migrants.



TABLE 3.1. *Immigration, Emigration and Net Migration, 2002-2006*

	Population	Immigration	Emigration	Net Migration
2002	41,837,894	483,260	36,605	446,655
2003	41,550,584	470,010	25,959	444,051
2004	42,197,865	684,561	55,092	629,469
2005	43,038,035	719,284	68,011	651,273
2006	43,758,250	840,844	142,296	698,548

Source: National Institute of Statistics (*Estadística de Variaciones Residenciales - Residential Variations Statistics*).

GRAPH 3.1. *Net Migration by nationality, 2002-2006*

Such a distinction, however, is not sufficient as in some cases legal status (nationality) covers up the social condition of immigration. To partly overcome this difficulty, we also took into consideration the immigrants' country of birth (Spain / other country).

- We could thus identify specific situations (Table 3.2). As regards immigration flows:
- The most numerous group was comprised of aliens born outside Spain, the number of which practically doubled from 2002 (441,000) to 2006 (798,158).

- Among Spaniards who entered the country, two sub-groups were identified: on the one hand, people returning home (born in Spain), whose number remained similar to that of 2002 (slightly less than 20,000 people a year) and, on the other, people born abroad who arrived with a Spanish passport. The number of the latter is similar to that of the former group, but their significance is different, as these are immigrants of foreign origin who are descendents of old Spanish emigrants.
- The immigration flow's final component, which is of minor importance but of increasing significance, is comprised of aliens born in Spain. These are the descendents of immigrants who had previously left the country and returned to live in Spain after some time (they numbered less than 2,000 in 2002 and amounted to 4,813 in 2006).

TABLA 3.2. *Inmigración y emigración según nacionalidad y país de nacimiento de los migrantes, 2002 -2006*

	Immigration				Emigration			
	Aliens		Spaniards		Aliens		Spaniards	
	Born in Spain	Born in another country	Born in Spain	Born in another country	Born in Spain	Born in another country	Born in Spain	Born in another country
2002	1,608	441,477	17,826	22,349	163	6,768	26,092	3,582
2003	1,516	428,008	19,201	21,285	225	9,744	13,867	2,123
2004	3,227	642,617	19,934	18,783	1,261	40,675	10,980	2,176
2005	3,726	678,985	18,468	18,105	1,200	47,521	15,910	3,380
2006	4,813	798,158	18,936	18,937	3,376	116,878	17,895	4,147

Source: National Institute of Statistics (*Estadística de Variaciones Residenciales* - Residential Variations Statistics).

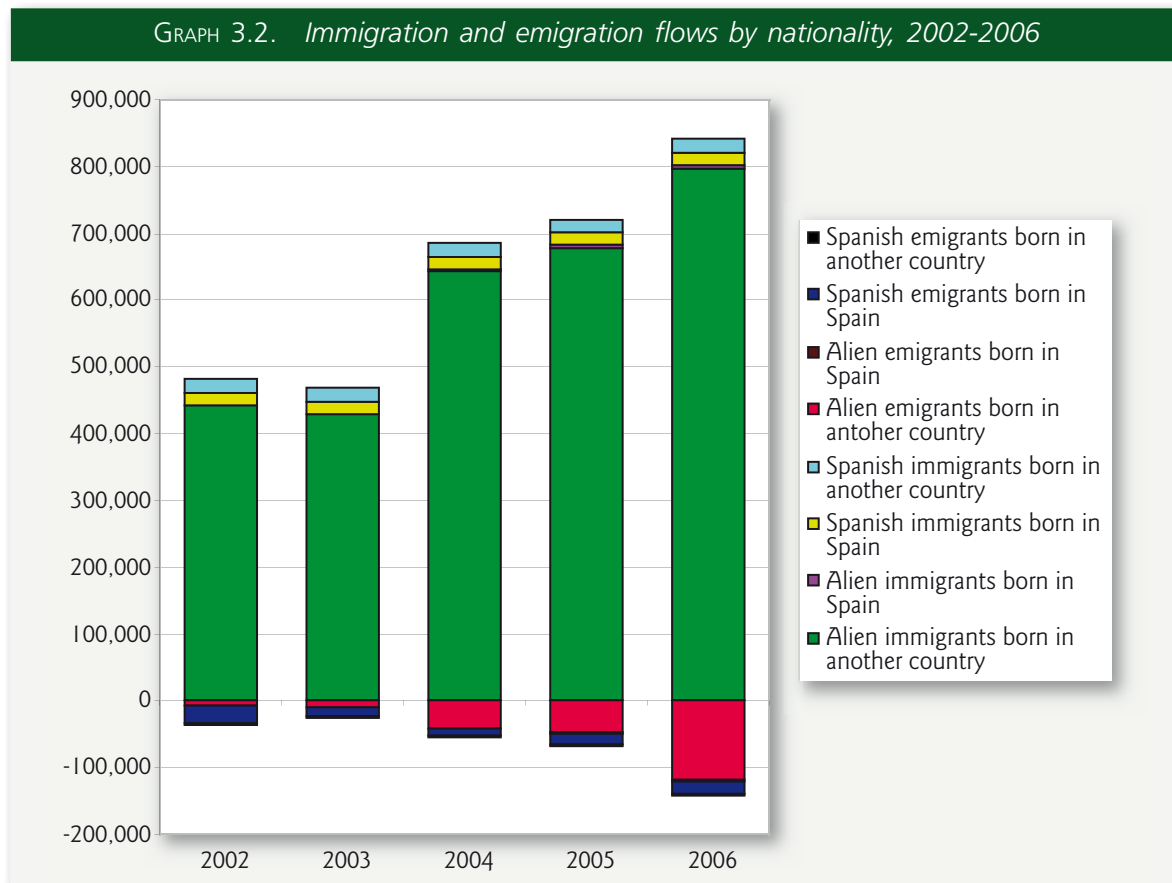
As regards emigration flows:

- The main component is also comprised of aliens born outside of Spain (immigrants of foreign origin who returned to their country of origin or who left Spain to live in another country). Their numbers have grown steadily since 2002. They amounted to less than 10,000 people in 2002 and 2003 and more than 40,000 in 2004 and 2005, reaching 116,878 emigrants in 2006. Such data suggest that both entry and exit flows of aliens born outside Spain are increasing.
- Two other components of emigration correspond to populations whose origin lies in a previous migration, namely aliens born in Spain (the children of immigrants) and



Spaniards born abroad (the descendents of old Spanish emigrants who had returned to Spain). The numbers of the former flow are small but rising steadily, as is the number of foreigners born in another country (in part, they could be the children of the alien adults who left Spain at the same time). The latter group's numbers are somewhat higher, showing a decline in 2003 and an upward trend since 2004.

GRAPH 3.2. Immigration and emigration flows by nationality, 2002-2006



- The final component of emigration is comprised of Spaniards born in Spain (native population). Their numbers declined between 2002 and 2004 (from 26,000 to 10,900) and subsequently increased (17,895 in 2006).

Thus, if we were to exclude the Spanish population born in Spain, the rest of the flows are related to populations that come from another country either directly (Spaniards and aliens born in another country) or indirectly (aliens born in Spain). Only taking these three components into account, immigration of foreign origin has increased to levels in excess of 450,000 people in 2002 and 2003, and above 600,000 in 2004, 700,000 in 2005, and 800,000 in 2006 (Graph 3.2).

Immigration Flows by Nationality

The aliens who have entered Spain are mainly nationals from countries of the Americas (see Table 3.3), although their relative weight declined from 48.7% in 2002 to 38.7% in 2006. This reduction, however, was offset by an increase in the entry of Europeans, including both EU nationals (whose percentage contribution increased from 14.9% in 2002 to 18.8% in 2006) and European third country nationals (who accounted for 21.2% of foreign immigrants in 2002 and 23.0% in 2006). The increase in immigration by EU nationals, also known as the free movement of Community citizens, is partly due to the EU's enlargement in May 2004. The data on the ten new member states were incorporated as from 2005. An increase in the flow of Africans has also been detected, with a steady increase between 2002 and 2005 (from 12.6% to 17.7%) and a slight decline in 2006 to 14.5% of all foreign immigrants. An increase in Asian immigrants has also been detected, with a trend mirroring that of Africans: there was a rise in Asian immigration between 2002 and 2005 and a slight drop in 2006, when they accounted for 4.8% of all foreign immigration.

TABLE 3.3. *Immigration of Aliens by Continent of Nationality, 2002-2006*

	Total	Horizontal Percentages					
		European Union*	Rest of Europe	Africa	Americas	Asia	Oceania
2002	443,085	14.9	21.2	12.6	48.7	2.6	0.0
2003	429,524	17.1	22.2	13.8	43.6	3.3	0.0
2004	645,844	17.2	26.0	17.2	33.2	6.4	0.1
2005	682,711	19.2	22.8	17.7	33.8	6.4	0.1
2006	802,971	18.8	23.0	14.5	38.7	4.8	0.1

Source: National Institute of Statistics (*Estadística de Variaciones Residenciales - Residential Variations Statistics*).

* The years 2002 to 2004 refer to the EU-15, while 2005 and 2006 refer to the EU-25.

As shown in Table 3.4, the third countries that contributed most to immigration in Spain were Romania, with 131,457 people, Morocco, with 78,512 and a list of Latin American countries historically linked to Spain and Portugal —headed by Bolivia—, which were the main source of immigration to Spain. Bulgaria is ranked seventh, contributing 21,748 nationals. Of the more than 150,000 EU citizens who settled in Spain in 2006, nationals of the United Kingdom, with 42,535 people, and Portuguese nationals, with 20,658, stand out.



TABLE 3.4. *Main Third Countries of Nationality Contributing to Foreign Immigration Flows, 2006*

Total Third Country Nationals	651,785
Romania	131,457
Morocco	78,512
Bolivia	77,755
Colombia	35,621
Brazil	32,586
Argentina	24,191
Bulgaria	21,748
Peru	21,691
Paraguay	21,617
Ecuador	21,387
Others	185,220

Source: National Institute of Statistics (*Estadística de Variaciones Residenciales* - Residential Variations Statistics).

Origin of the Immigration Flows

Concerning the origin of immigration —the place where the migration flow originates, which does not necessarily have to be the same as the country of birth or nationality, though it coincides to a large degree—, the main continent of origin of foreign immigration continues to be America³. Its contribution, however, dropped significantly between 2002 and 2005 (from 50.0% to 34.2% of the total) and a considerable recovery was registered in 2006 (39.5%). The second most important flow came from non-EU European countries. Their percentage contribution remained steady throughout the period under analysis, though there was a slight upward trend (21.2% in 2002 and 23.0% in 2006). The third most important flow comes from European Union countries. Their contribution increased from 13.7% in 2002 to 19.7% in 2006. The fourth most important component comes from the African continent, with a relative contribution that increased between 2002 and 2005 (from 12.4% to 17.5%) to then fall in 2006 (13.4%). Immigration from Asia clearly constitutes a small percentage and has evolved following a trend that is similar

³ The results referring to 2004, 2005 and 2006 should be considered prudently due to the importance of the number of immigrants of an unknown origin (20% in 2004 and 15% in both 2005 and 2006).

to Africa's. There was relative growth until 2005 and a subsequent drop in 2006. The percentage loss of flows from Africa and Asia coincides with the increase in immigration from the Americas seen in 2006.

TABLE 3.5. *Immigration of Aliens by Continent of Origin, 2002-2006*

	Total Foreign Immigrants	Horizontal Percentages					
		European Union*	Rest of Europe	Africa	Americas	Asia	Oceania
2002	443,085	13.7	21.2	12.4	50.0	2.6	0.0
2003	429,524	16.3	22.1	13.7	44.6	3.2	0.0
2004	645,844	17.4	27.6	17.3	32.7	4.9	0.1
2005	682,711	19.5	23.2	17.5	34.2	5.5	0.1
2006	802,971	19.7	23.0	13.4	39.5	4.4	0.1

Source: National Institute of Statistics (*Estadística de Variaciones Residenciales* - Residential Variations Statistics).

* The years 2002 to 2004 refer to the EU-15, while 2005 and 2006 refer to the EU-25.

3.1.2. Population by Citizenship in 2006

Table 3.6 reflects the data based on the Municipal Population Register (Padrón Municipal de Habitantes)⁴, the official population register in Spain. Registration at municipal registers is mandatory for all residents of a Spanish municipality, independently of their legal residency status. The data correspond to 1 January each year, and it is therefore necessary to compare the registers of January 2006 and 2007 to determine the evolution that occurred in 2006.

The figures show that the population of Spanish citizenship hardly varied at all between 2002 and 2007, given that the slight increases registered between 2003 and 2006 barely offset the decline seen in 2002. The alien population, on the contrary, increased significantly from nearly 2 million in January 2002 to over 4.5 million at the beginning of 2007. The largest relative annual increases came about in 2003 and 2004, with rises of 26.1% and 21.6%, respectively.

⁴ The data for 2005 and 2006 come from the Current Population Estimates (*Estimaciones de la Población Actual*) -synthesis statistics which takes into account all of the demographic information available at any given moment: Population Censuses; births and deaths registered in the Natural Population Movement statistics and immigration and emigration observed as of the most recent inscriptions in the population register-, while for previous years they are based on inter-census estimates.



The number of third country nationals has been increasing steadily over the last few years, from 1,488,132 on 1 January 2002 to 3,521,276 on 1 January 2007⁵. The annual rate increased significantly in 2003 (to 27.8%) and then fell back slightly in 2004 and 2005 (to just under 20%) and decreased in 2006, when the lowest annual increase was registered (11.2%). In January 2006, third country nationals accounted for 79.1% of all foreigners living in Spain. In January 2007, this percentage fell to 76.4%.

TABLE 3.6. *Population by Nationality, 2002-2007*

Absolute Values						
	1-01-2002	1-01-2003	1-01-2004	1-01-2005	1-01-2006	1-01-2007
Total Population	41,837,894	41,550,584	42,197,865	43,038,035	43,758,250	44,474,631
Nationals	39,859,948	39,352,775	39,425,665	39,666,641	39,755,741	39,868,157
Total Non-Nationals	1,977,946	2,197,809	2,772,200	3,371,394	4,002,509	4,606,474
of which other EU-Nationals*	489,814	448,283	536,357	700,187	835,731	1,085,198
of which Non-EU-Nationals	1,488,132	1,749,526	2,235,843	2,671,207	3,166,778	3,521,276
	1-01-2002	1-01-2003	1-01-2004	1-01-2005	1-01-2006	1-01-2007
EU-10 Nationals	30,183	27,558	42,432	55,933	70,815	103,493
EU-2 Nationals	97,020	..	251,503	370,505	490,397	664,480

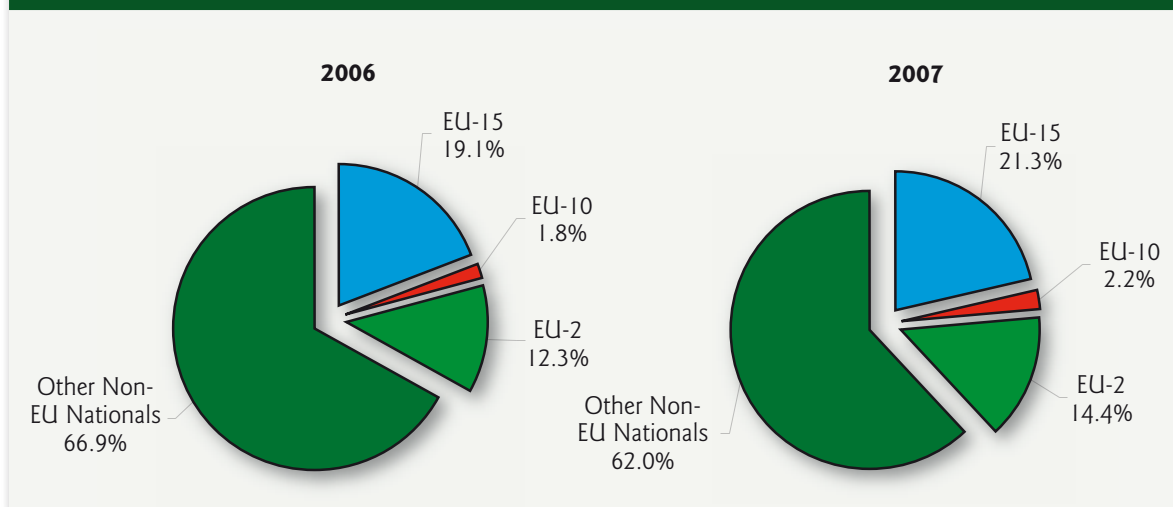
Percentage Annual Variations					
	2002(%)	2003(%)	2004(%)	2005(%)	2006(%)
Total Population	-0.7	1.6	2.0	1.7	1.6
Nationals	-1.3	0.2	0.6	0.2	0.3
Total Non-Nationals	11.1	26.1	21.6	18.7	15.1
of which other EU-Nationals*	-8.5	19.6	30.5	19.4	29.9
of which Non-EU-Nationals	17.6	27.8	19.5	18.6	11.2
	2002(%)	2003(%)	2004(%)	2005(%)	2006(%)
EU-10 Nationals	-8.7	54.0	31.8	26.6	46.1
EU-2 Nationals	47.3	32.4	35.5

Source: National Institute of Statistics (*Estimaciones de la Población Actual y Estimaciones intercensales* - Current Population Estimates (Nowcasts) and Inter-Census Estimates).

* For 2002 and 2004, these refer to the EU-15. For 2005, 2006 and 2007, these refer to the EU-25.

⁵ It is important to note that the data are not strictly comparable, as the countries that joined the EU in May 2004 are not included since 2005, though their contribution to the alien population is not very significant. On the contrary, data on third country nationals on 1 January 2007 included Romanian and Bulgarian nationals despite the fact that these countries joined the EU on that date, as this report makes an effort to analyse what occurred in 2006, when they still did not form part of the European Union.

GRAPH 3.3. Foreign Population by Main National Groups, 1 Jan. 2006 and 1 Jan. 2007



Few changes have come about in the list of the main third country nationalities between 2005 and 2007 (Table 3.7). The first nine nationalities continue to be the same, although some changes have occurred in their rankings. Morocco continues to be ranked first, followed by Romania, which pushed Ecuador back into third place. Colombia remains fourth and is followed by Bolivia, leaving Argentina ranked sixth. Bulgaria, China and Peru continue to be ranked 7th to 9th, while Brazil replaces Ukraine in the 10th position. As can be seen, the predominance of American countries continues to exist in Spanish immigration.

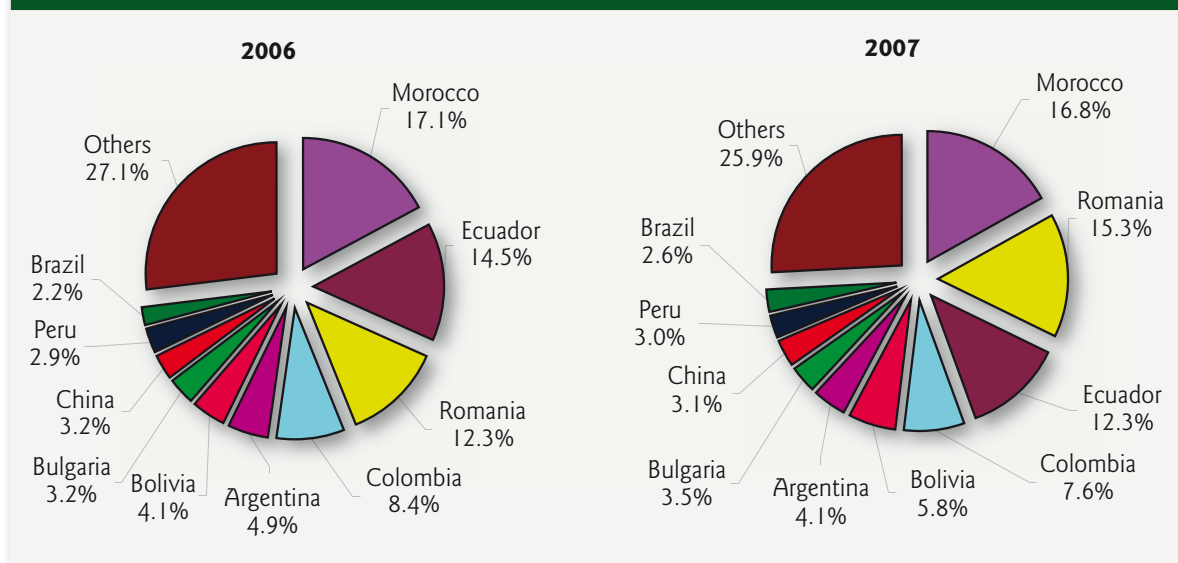
TABLE 3.7. Main Third Country Nationalities, 2005-2007

	01/01/2005	01/01/2006	01/01/2007
Morocco	461,544	Morocco 542,969	Morocco 592,274
Ecuador	449,145	Ecuador 459,993	Romania 539,507
Romania	287,087	Romania 388,422	Ecuador 433,032
Colombia	245,608	Colombia 266,548	Colombia 265,878
Argentina	138,706	Argentina 155,680	Bolivia 204,264
Bolivia	88,445	Bolivia 130,064	Argentina 143,573
Bulgaria	83,418	Bulgaria 101,975	Bulgaria 124,973
China	79,164	China 100,608	China 107,899
Peru	77,105	Peru 93,028	Peru 105,318
Ukraine	59,450	Brazil 70,663	Brazil 91,955
Others	701,535	Others 856,828	Others 912,603

Source: National Institute of Statistics (*Estimaciones de la Población Actual - Current Population Estimates (Nowcasts)*)



GRAPH 3.4. Third Country Population by Main Nationalities, 1 Jan. 2006 and 1 Jan. 2007



Throughout 2005 (difference between 1 Jan. 2005 and 1 Jan. 2006), the largest numerical increases corresponded to Romanian (101,335) and Moroccan (81,425) nationals. However, in percentage terms, Bolivian nationals stand out (47.1%) more than Romanian nationals (35.3%). Further behind, both Chinese and Bulgarian nationals also stand out with increases of 27.1% and 22.2%, respectively. In 2006, the greatest increases corresponded to Romanian (151,085) and Bolivian (74,200) nationals, though in percentage terms the ranking was inverted (Bolivia: 57.0%, Romania: 38.9%). They were followed by percentage increases of Brazilian nationals, which rose 30.1%, and Bulgarians (22.6%). A decrease in nationals from three of these nationalities came about in 2006: Argentina (-7.8%), Ecuador (-5.9%) and Colombia (-0.3%).

The decline in the number of the nationals from these countries could suggest the existence of a process of leaving Spain. However, in general terms, it can be accounted for by the immigrants gaining Spanish nationality, as access to Spanish nationality by Latin American nationals is possible after two years of continuous legal residence. This fact obliges us to point out the implications that analysing immigration by nationalities could have without taking into consideration the country of birth in some migrant groups. By comparing immigrant figures (people born in a country) with aliens (people holding the nationality of said country), some segments that usually go unnoticed can be found.

According to data from the National Institute of Statistics, there were 942,218 people in Spain born in another country who held Spanish nationality at the end of 2006 (1 Jan. 2007). They are therefore not aliens, but they are immigrants. They account for

17.9% of the people born in another country. This percentage is rather higher among nationals of some third countries, the most significant of which are Cuba and Mexico (over 40%) or Argentina, the Dominican Republic and the Philippines (over 30%). Lower but rising values can be detected among nationals of Morocco (16%), Colombia and China (11%).

Section 5.3 provides detailed information on the granting of Spanish nationality.

Stock of EU-10 and EU-2 Nationals

Table 3.6 shows the evolution of the foreign population holding nationality of the countries that have most recently joined the EU. The number of EU-10 nationals has increased steadily since 2002 (apart from a slight fall in 2003) from 30,183 to 103,493. In other words, the number of nationals from these countries has increased 3.4 times over the last five years. However, the number of Bulgarian and Romanian nationals is higher, as it is their growth rate, as their numbers grew during the same period from 97,020 in 2002 to 664,480 in 2007, which means this population grew 6.8 times.

3.1.3. Residence Permits: annual total of first issuing in 2006

The number of aliens who have annually been issued with a residence permit for the first time has shown a growing trend since 2003. The variations, however, are not constant. The number of residence permits issued in 2004 (461,335) doubled those of 2003, while in turn the number issued in 2005 doubled the numbers issued in 2004 to reach 919,575. These figures then dropped to 370,923 in 2006. This evolution is the result of the migration policies put into place by the government, such as the regularisation in 2005 and the promotion of hiring at origin, already mentioned in the Annual Statistical Report 2005. The dynamics of 2006 do not respond to the adoption of restrictive measures but to a "return to normalcy" after the exceptional situation of 2005. The difference of 550,000 residence permits issued between 2005 and 2006 was absorbed by the difference of the work permits issued in both years. During the regularisation process, around 580,000 work permits were issued for the first time (conditional upon the existence of an employment contract) which, in 2006, appear in the sub-table on permits issued (being renewals of the permits issued in the preceding year) and not new permits (Table 3.8). Thus, putting the exception circumstance that came about in 2005 aside, we could say that 2004 was the year in which the greatest number of residence permits was issued for the first time during the 2003-2006 period.



TABLE 3.8. Residence Permits Issued (First Time Issued and Total Permits Issued) by Main Categories, 2003-2006

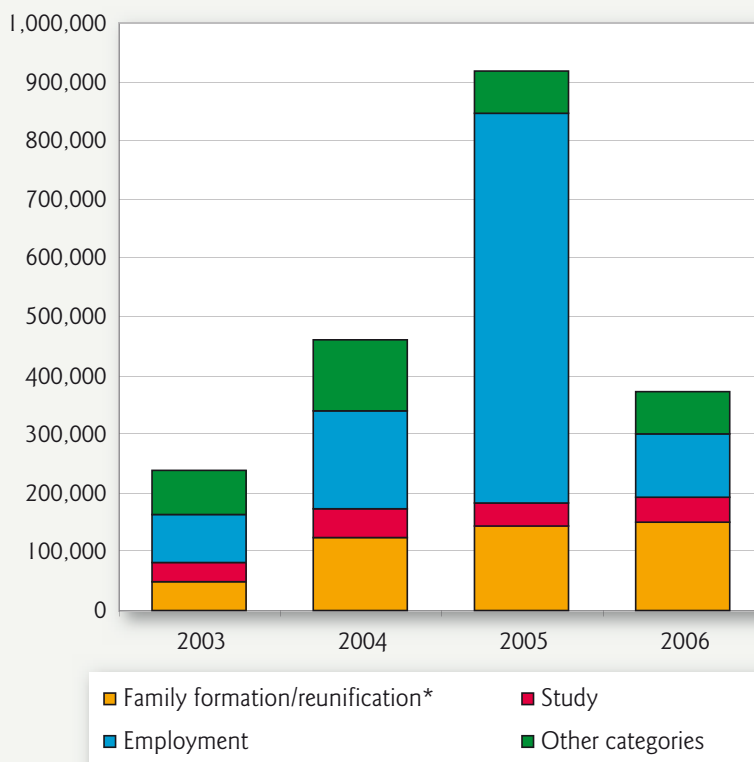
First permits								
	2003	2004	2005	2006	Vertical Percentages			
					2003	2004	2005	2006
Total	238,141	461,335	919,575	370,923	100.0	100.0	100.0	100.0
Family formation/reunification *	49,324	123,976	142,700	150,050	20.7	26.9	15.5	40.5
Study	32,654	48,341	40,652	41,639	13.7	10.5	4.4	11.2
Employment	82,151	166,718	661,770	107,746	34.5	36.1	72.0	29.0
self-employed persons	1,897	2,513	1,142	611	0.8	0.5	0.1	0.2
employed persons	80,254	164,205	660,628	107,135	33.7	35.6	71.8	28.9
Other categories **	74,012	122,300	74,453	71,488	31.1	26.5	8.1	19.3
residence only	69,938	82,279	31,195	44,818	29.4	17.8	3.4	12.1
others	4,074	40,021	43,258	26,670	1.7	8.7	4.7	7.2
Total permits issued								
	2003	2004	2005	2006	Vertical Percentages			
					2003	2004	2005	2006
Total	613,620	1,092,315	1,511,411	1,540,243	100.0	100.0	100.0	100.0
Family formation/reunification *	49,324	123,976	142,701	150,073	8.0	11.3	9.4	9.7
Study	32,654	48,341	40,652	41,639	5.3	4.4	2.7	2.7
Employment	284,463	499,682	995,691	822,682	46.4	45.7	65.9	53.4
self-employed persons	8,014	13,999	11,535	9,703	1.3	1.3	0.8	0.6
employed persons	276,449	485,683	984,156	812,979	45.1	44.5	65.1	52.8
Other categories **	247,179	420,316	332,367	525,849	40.3	38.5	22.0	34.1
Residence only	129,198	192,377	149,983	177,702	21.1	17.6	9.9	11.5
Long-term residents	79,733	127,177	87,717	271,831	13.0	11.6	5.8	17.6
Others	38,248	100,762	94,667	76,316	6.2	9.2	6.3	5.0

Source: Ministry of Labour and Immigration (Work Permits Issued to Aliens) and specific exploitation of the Central Register of Aliens (Ministry of the Interior).

* Includes 'family reunification' (the sponsor is a third country nationals) and dependants of sponsors who are European citizens

** The "Residence Only" category refers to third country nationals who have been issued a permit to live in Spain but not to work, and the "Others" category includes the permits issued for humanitarian reasons and other exceptional circumstances, plus other non-classified.

GRAPH 3.5. Residence Permits Issued by main categories, 2003-2006



* Includes 'family reunification' (the sponsor is a third country national) and dependants of sponsors who are European citizens.

An analysis by type of permit reveals the exceptional nature of 2005. In the period under study, the issuance of permits for work reasons played a significant role. They accounted for 72.0% of the total, almost all of which were for salaried employment⁶. However, the figures were around 35% in preceding years and amounted to 29% in 2006. A change in the specific weights of the remaining categories can be observed due to this significant rise in the permits issued for work reasons.

During this period, the permits issued for family reasons⁷ showed an upward trend (from 49,324 in 2003 to 150,050 in 2006). In any event, the continual arrival of foreign workers

⁶ It should be highlighted that the administrative regularisation process was only aimed at aliens having salaried employment.

⁷ Any permits issued to family members of third country nationals are included under this heading (known as family reunification in European and Spanish legislation), as well as to family members of EU nationals and Spaniards (corresponding to the EU Scheme residence permits issued to non-EU citizens).



and EU citizens points to an increase in the number of residents due to family reasons in the future. In 2006, 40.5% of the permits issued were for this reason.

Concerning the permits issued for educational reasons, after the significant rise seen in 2004 (from 32,654 to 48,341), there was a decline and they remained steady at around 40,000 in both 2005 and 2006 to account for 11.2% of the permits issued for the first time in 2006.

The main component of the "Other Categories" heading corresponds to the non-lucrative residence permits, which authorise holders to live in Spain but not to work as long as they can prove they have sufficient means to live without carrying out any work activity. In 2003, 69,938 permits were issued for this reason. There was then an increase in 2004 (mirroring the general increase seen in all other categories) to then fall in 2005 and once again increase in 2006 to 44,818, accounting for 12.1% of all the permits issued in that year.

3.2. Contextual interpretations (legal, political and international factors)

3.2.1. Main trends and most important developments in the area of migration policy

The activities of the Government and the Administration concerning immigration matters focus on three basic lines of action: reinforcing the fight against illegal immigration, consolidating the link between immigration and the labour market, and promoting an integration strategy for immigrants in keeping with the current situation in the country.

The fight against illegal immigration has materialised through a significant stiffening of border controls (especially along the North African coast) and an increase in the return of illegal immigrants.

Linking immigration to access to the labour market, which was already initiated through the Regularisation Process for irregular immigrant workers in 2005, has been driven forward through the renewal of the public instruments aimed at managing migrations to encourage hiring in the country of origin.

As regards integration, the Government's actions in 2006 were focused on the preparatory work for the approval and drawing up of a Strategic Plan for Citizenship and Integration 2007-2010 (Plan Estratégico de Ciudadanía e Integración 2007-2010), which is meant to be a co-operation framework for joint action by all the players involved in integration

policies aimed at the immigrant population, including the different tiers of the Public Administration, as well as civil society. Additionally, subsidies were granted to local authorities for innovative programmes in the area of integration, in addition to social and employment allowances for immigrants, asylum seekers and other people under international protection.

3.2.2. Existing categories of admission or non-admission in 2006

The prevailing legislation that applies to aliens living in Spain depends on their scheme of residence and this, in turn, is largely dependent on the alien's nationality.

Residence in Spain of EU citizens, nationals of other states that form part of the Agreement on the European Economic Area (Iceland, Liechtenstein and Norway) and nationals of the Swiss Confederation, along with that of their family members and the family members of Spaniards who are third-country nationals is governed by Royal Decree 240/2007 of 16 February on the entry, free movement and residence in Spain of EU Member State citizens and citizens of States that are a party to the Agreement on the European Economic Area. These aliens are subject to the EU Residence Scheme, which in 2006 was governed by Royal Decree 178/2003 of 14 February on the entry and stay in Spain of nationals of European Union Member States, nationals of other states that are a party to the EEA Agreement and nationals of the Swiss Confederation.

The family members entitled to the EU Scheme include:

- The spouse, as long as they are not legally separated;
- Descendants and the spouse's descendants, as long as the spouses are not legally separated, any descendants under twenty-one years of age or any above the age of twenty-one living at their expense;
- The parents or the spouse's parents, as long as the spouses are not legally separated and their parents live at their expense, except the parents of students and of their spouses.

Those benefiting from the EU scheme are entitled to freely enter, leave, move around and reside in Spain and, apart from the family members set forth in paragraph c) above who are third-country nationals, to access any kind of economic activity, either salaried or self employment, under the same conditions as Spaniards.



The residence of all other aliens is subject to the General Scheme, which is governed by Organic Law 4/2000 of 11 January on the rights and freedoms of foreigners in Spain and their integration and by the Aliens Regulations approved by Royal Decree 2393/2004. These aliens must obtain a residence permit, which may be temporary or long-term, for the subsequent issuance of a residence card.

Types of Residence Permits in the General Scheme

Aliens included under the General Scheme may be in the situation of having been granted either temporary or long-term residence.

Temporary Residence. Aliens authorised to remain in Spain for a period greater than 90 days and less than five years are in this situation. Temporary residence permits for family reunification purposes are included under this category.

Temporary residence permits may be initial permits, first renewals and second renewals thereof. In general terms, initial permits have a duration of one year and each renewal has a duration of two years.

The categories of temporary residence permits are as follows:

- Temporary residence permit
 - Temporary residence permit (general)
 - Temporary residence permit due to family reunification
 - Temporary residence permit under exceptional circumstances
 - ✓ Due to having established employment and socio-employment roots, and for children of a parent who was originally Spanish
 - ✓ Due to reasons of international protection
 - ✓ Due to humanitarian reasons
 - ✓ For people who collaborate with administrative, police, tax or court authorities
- Temporary residence and work permit
 - Temporary residence and work permit for salaried employment
 - Temporary residence and work permit for fixed-term salaried employment

- Temporary residence and work permit for self employment
- Temporary residence and work permit under the framework of cross-border service provisions (Intra-Corporate Transferees)

Long-term Residents. Aliens authorised to reside and work in Spain for an indefinite period under the same conditions as Spaniards are in this situation.

Any aliens who can prove they have resided legally and in a continuous fashion in Spain during five years are entitled to obtain a permanent residence permit.

The continuity referred to in the foregoing paragraph is not affected by absences of up to six months from Spain, as long as the sum of such absences does not exceed the total of one year in the aforementioned five years, except when such exits have been effectuated in an illegal manner.

Long-term residence permits may also be issued to aliens who find themselves in the situations set forth in Article 72, Section 3, of the Regulations of Organic Law 4/2000 approved by Royal Decree 2393/2004 of 30 December.

Spanish legislation on alien affairs and immigration does not set forth residence permits for foreign students (except in the event of a change in their situation). Their administrative situation is known as a stay (*estancia*) and hence they are duly issued with a permit of stay for studies after their entry into Spain with the relevant student visa. The duration of such permits is equivalent to the length of the course for which the student has registered or of the research work he/she is carrying out.

A detailed description of the different types of residence and stay permits, along with the requirements to apply for them and for their issuance is found in the prevailing legislation (the aforementioned Organic Law 4/2000 and its Regulations approved by Royal Decree 2393/2004).

Data on the Stock of Residence Permits

There were 3,021,808 aliens in Spain holding a current residence card or permit as of 31 December 2006, amounting to an increase of 10.33% (282,876) compared to December 2005.

Concerning the scheme of residence, at the end of December 2006 there were 2,092,095 aliens (69.23% of the total) included under the General Scheme and 929,713 aliens



(30.77%) under the EU Scheme. The number of aliens included under the General Scheme increased by 6.84% (134,004 people) when compared to the end of 2005, and those included under the EU Scheme rose by 19.07% (148,872 people).

By continent, 21.88% of the aliens were nationals of EU member states, 12.17% were nationals of non-EU European countries, 23.48% were Africans, 35.25% were from Latin American countries historically linked to Spain or Portugal, 0.60% were from North American countries, 6.55% were Asians and 0.06% were nationals of countries in Oceania.

By nationality, the main national groups at the end of December 2006 were comprised of Moroccans (543,721 people), Ecuadorians (376,233), Colombians (225,504), Romanians (211,325) and British (175,870). People of these five nationalities accounted for 50.74% of the total number of aliens holding a valid residence card or permit in Spain at the end of December 2006. The national groups ranked next included the Chinese (99,526 people), Italians (98,481), Peruvians (90,906), Argentines (86,921) and Germans (77,390).

The number of valid residence permits on any specific date does not coincide with the official alien population data published by the National Institute of Statistics (INE - Instituto Nacional de Estadística) due to a number of reasons. Part of this difference can be accounted for by the fact that many aliens living in Spain who are registered in their municipalities may not have a residence permit while being legally resident, such as:

- Those who are in the process of renewing their residence documents;
- Asylum seekers and those who have been granted the status of refugee or of being stateless, as they receive special documents that are different from a residence permit to be able to remain in Spain;
- EU nationals who have not applied for a residence card, as it was no longer obligatory for a majority of such nationals in 2006.

Categories of Non-Admission

Concerning the non-admission of EU nationals and their family members who are third-country nationals, it was only possible due to reasons of public order, security or health in 2006 (Article 16, Royal Decree 178/2003). Regarding all other aliens, non-admission was possible whenever they failed to meet the requirements laid down in the Aliens Regulations approved by Royal Decree 2393/2004. Non-admission could lead to a prohibition of entry

into Spain, a denial of the document renewals required to remain in Spain or removal from Spanish territory.

European / international factors explaining certain changes/continuity

No international factors that affected the evolution of the data came about in 2006.

4. Refusal, Apprehensions and Removals

4.1. Analysis and interpretation of statistics

4.1.1. Developments/trends pertaining to the number of refusals in 2006 in comparison to the previous year

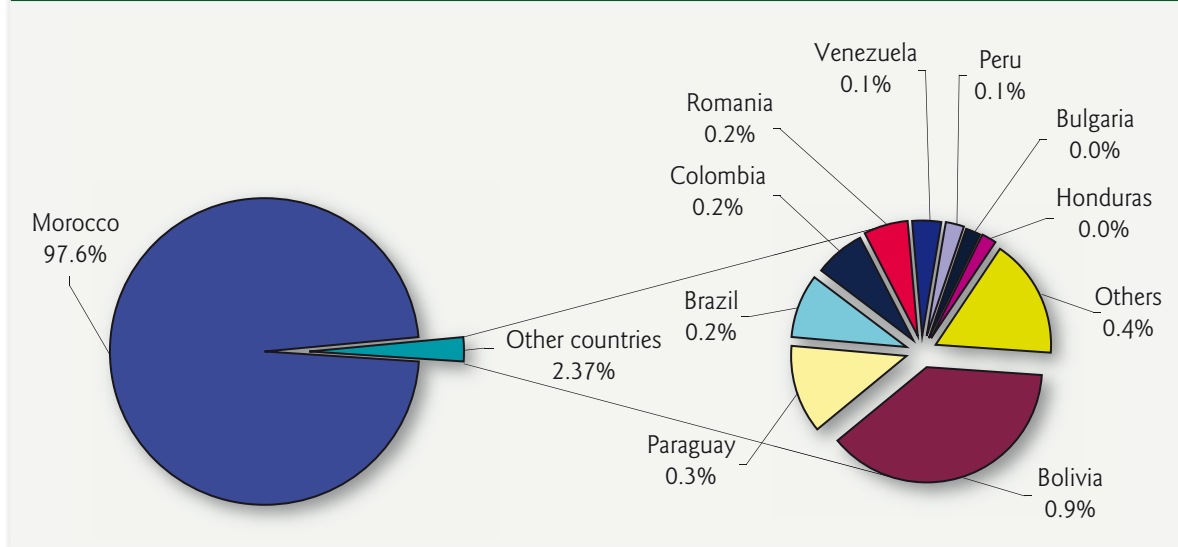
Entry to Spanish territory is refused when the person does not fulfil the requirements established in the Convention implementing the Schengen Agreement Law on Foreigners. Refusals can only be enforced on persons entering Spanish territory, but not on migrants who are already on Spanish territory.

The number of refused aliens in 2006 were 630,305, showing an increase of 0.29% with respect to 2005 (628,463 refusals). Moroccans were in both years by far the largest group: 615,394 in 2006 (97.63% of the total number of refused aliens) and 617,531 in 2005 (98.26%).

Bolivians are still in the second position in 2006 with 5,616 Bolivians who were refused entry in Spain and reflecting an increase of 69.2% in relation to those refused in 2005. It is noticeable that nationals from Brazil and Venezuela, who are in the fourth and seventh positions in the number of refusals during 2006, show decreases in relation to 2005 (31.7% and 31.05% respectively).

Nine of these top ten countries were already in this list in 2005. Chile has been substituted by Honduras in the list of the ten nationalities with more refusals of entry in Spain.



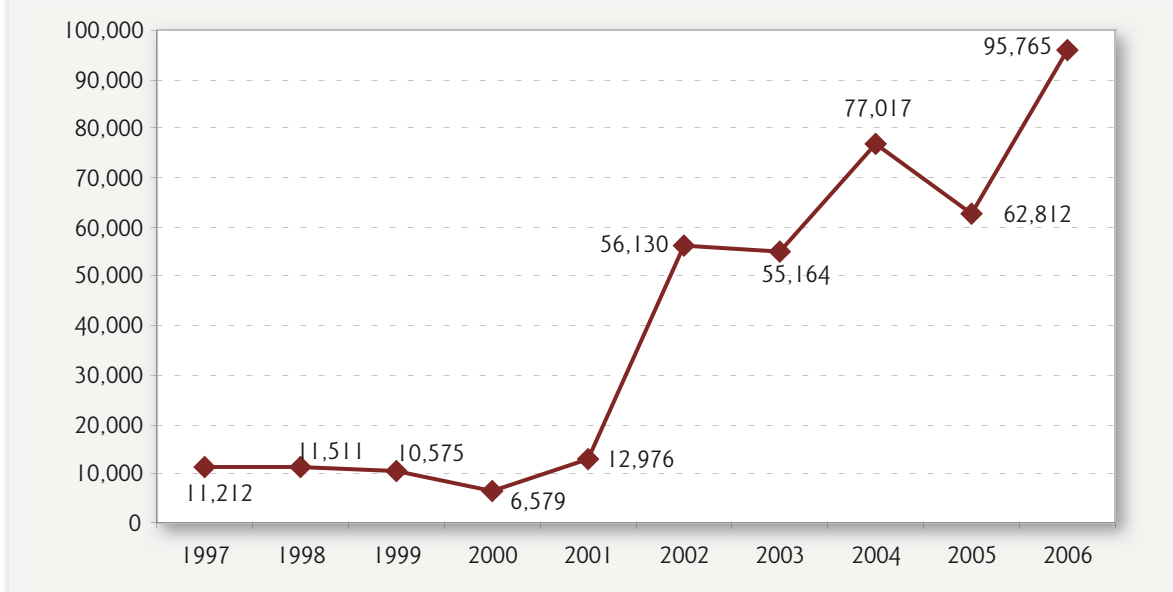
GRAPH 4.1. *Refused aliens by main country of citizenship, 2006*TABLE 4.1. *Refused aliens by main country of citizenship, 2006*

	Total
TOTAL	630,305
Morocco	615,394
Bolivia	5,616
Paraguay	1,833
Brazil	1,370
Colombia	1,092
Romania	957
Venezuela	575
Peru	401
Bulgaria	300
Honduras	282
Others	2,485

Source: Ministry of Interior. General Directorate of the Police and the Civil Guard

4.1.2. Developments/trends pertaining to the number of apprehensions in 2006 in comparison to the previous year

During the year 2006, 95,765 illegally present aliens were apprehended on Spanish territory. In relation to 2005, this figure increased in 32,953 apprehensions (52%).

GRAPH 4.2. *Apprehended aliens illegally present, 2006*

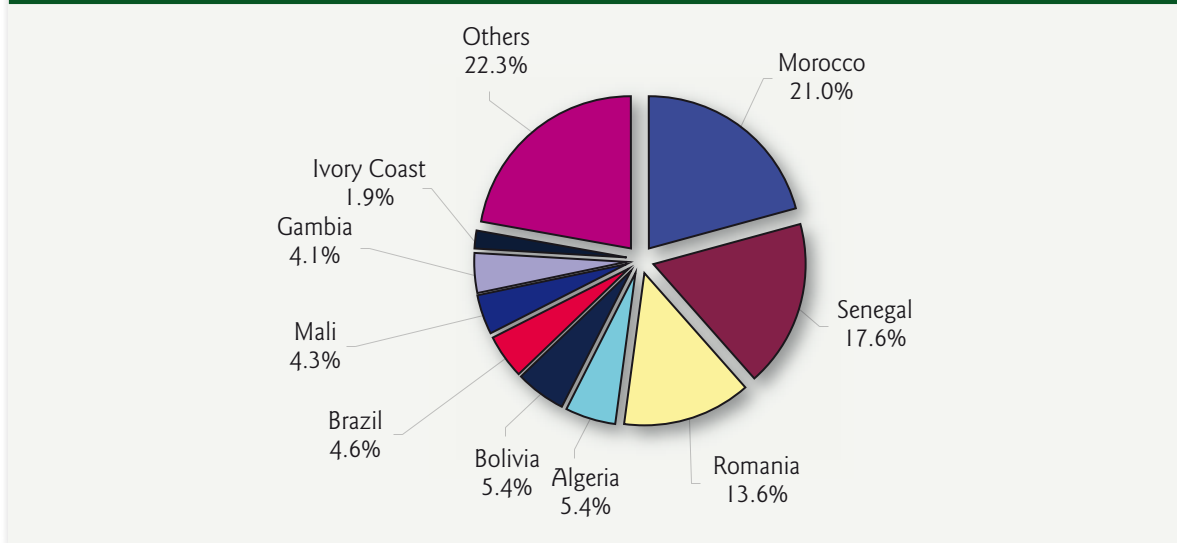
Moroccans were the largest group of apprehended aliens illegally present in Spain (20.21%), accounting for 19,350 apprehensions and constituting a decrease in comparison to the year before (20,754).

TABLE 4.2. *Apprehended aliens illegally present by main countries of citizenship, 2006*

	Total
TOTAL	95,765
Morocco	19,350
Senegal	16,224
Romania	12,554
Algeria	4,986
Bolivia	4,970
Brazil	4,203
Mali	3,982
Gambia	3,782
Ivory Coast	1,743
Others	20,560
Unknown	3,411

Source: Ministry of Interior. General Directorate of the Police and the Civil Guard



GRAPH 4.3. *Apprehended aliens illegally present by main countries of citizenship, 2006*

Only Morocco and Algeria out of the ten main citizenship groups have decreased their number of apprehensions. On the contrary, the nationals from Romania, Brazil, Mali, Gambia and Bolivia have increased their number. Senegal has arisen as the second largest group of apprehended aliens with 16,224.

4.1.3. Developments/trends pertaining to the number of removals in 2006 in comparison to the previous year

Migrants without a legal authorisation under Spanish Law can be removed by an expulsion order. In the recent years, the registered number of removed aliens has remained at a relatively constant level, showing a slight decrease up from 2003 to 2005. In 2006 the number of removed aliens was 33,235, the higher rate since 1998 (31% more than 2005).

The main group of removed aliens in 2006 were Moroccans (15,168) representing the 45.64% of total removals and reflecting a decrease of 7.4% with respect to 2005.

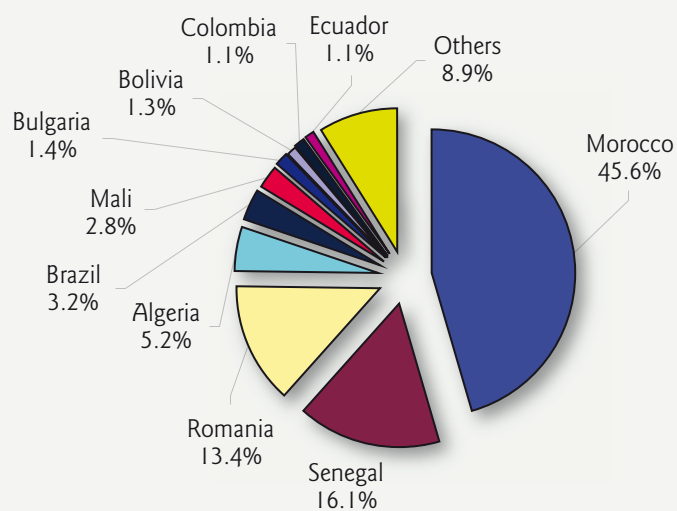
Romania, Algeria and Brazil, showed an increase in the number of removals in 2006 meanwhile Morocco, Ecuador and Colombia decreased. Nigeria and Russian Federation, present among the top ten nationalities in 2005, gave way to Senegal and Mali, being Senegal the second main nationality.

TABLE 4.3. Total removed aliens by main countries of citizenship, 2006

	Total
TOTAL	33,235
Morocco	15,168
Senegal	5,357
Romania	4,450
Algeria	1,713
Brazil	1,055
Mali	926
Bulgaria	473
Bolivia	426
Colombia	361
Ecuador	360
Others	2,946

Source: Ministry of Interior. General Directorate of the Police and the Civil Guard

GRAPH 4.4. Removed aliens by main countries 2006



4.1.4. In cases of refused, apprehended, and removed migrants in 2006, are these from the same countries in all categories, or are particular citizenship groups more common in a particular category?

Concerning the three categories analysed, Morocco has seen a reduction in total numbers when compared to 2005, despite being the nationality ranked first in quantitative terms. At the same time, the figures for nationals from Senegal, Mali and Gambia came to form part of the 10 main nationalities for all these categories or have seen their number increased in comparison with previous years. All of the above could be due to the factors set out below, which can be summed up as the reinforcement of the co-operation and means used in the fight against illegal immigration and border control:

- The Ministry of the Interior strengthened the measures used to combat illegal immigration throughout 2006 by stiffening border patrols and controls, as well as by increasing co-operation with the irregular immigrants' countries of origin and transit in both the fight against immigration mafias and the control of their land borders and territorial waters. Furthermore, return mechanisms to third countries were speeded up and the Ministry of the Interior's attaché network in West Africa was reinforced.
- The Canary Islands Regional Co-Ordination Centre (CCRC - Centro de Coordinación Regional de Canarias) was set up to co-ordinate the different means deployed in the fight against seaborne illegal immigration. All these measures were accompanied by the reinforcement of the different police units charged with immigration and border controls.

4.2. Contextual interpretations (legal, political and international factors)

4.2.1. New or amended laws influencing illegal immigration in 2006

The legislation underwent no changes in 2006.

4.2.2. Procedural changes influencing illegal immigration in 2006

The increase in the resources assigned to border controls and the strengthening of the Government's co-operation with third countries on immigration matters enabled better border controls to be exercised and enhanced the fight against illegal immigration.

5. Other data

5.1. Seaborne Immigration

As regards illegal seaborne immigration, 500 cayucos (boats used by African immigrants) transporting a total of 23,597 irregular immigrants were intercepted. These immigrants were either rescued or taken to dry land.

In order to cope with the arrival of immigrants from Mauritania and Senegal on the one hand and Morocco on the other, the Spanish Government put a package of measures into place that included support for these countries, so that they could reinforce control over their land and sea borders to prevent migrants heading for the Spanish coasts from sailing. Spain adopted several measures including the donation of considerable material means to such countries and the setting up of several kinds of joint patrols to achieve this. Additionally, several institutional co-operation agreements were promoted.

The measures adopted mainly aimed to achieve three objectives:

- To dissuade illegal immigrants from the idea of setting out on a journey that would place their lives in serious danger and to intercept them before they put out to sea on the journey toward the Spanish coasts. Police co-operation with the countries of origin, the interchange of information and technical assistance managed to increase the number of immigrants intercepted in these countries.
- To convince those who had managed to leave to return to their countries of origin before reaching the Spanish coasts.
- To return any who had managed to reach Spain to their countries of origin with all the legal guarantees laid down and in accordance with their rights.

5.2. The Fight against Immigration Mafias

The increase in the police's efficacy in the fight against illegal immigration can also be clearly seen in the results achieved in the fight against immigration mafias, an aspect in which considerable progress was made. In 2006, 429 such gangs were dismantled (28.8% more than in 2005) and 1,821 people holding positions of power in these gangs were arrested (a 24% increase).



By kinds of gangs, the most significant increases were seen in the operations carried out against mafia groups dedicated to smuggling immigrants into Spain. Ninety-six such gangs were disbanded and 380 gang members were arrested. These figures account for an increase of over 40% when compared to 2005. Since 2004, the cumulative increase in the gangs disbanded amounted to over 88% and arrests of gang members rose by 123.5%.

The increase in anti-immigration operations against targets that cannot be considered as gangs was even more intense. The 2,437 operations conducted in 2006 amounted to a 24.3% increase on the 1,961 operations carried out the year before. Moreover, the 6,149 people arrested in such operations practically tripled the 2,669 arrests produced in 2005.

5.3. Naturalisation due to residence

During 2006, Spanish nationality was granted on the basis of residency to 62,339 individuals, in line with the growth trend observed in recent years. The increase, compared with that of 2005 (45.6%) is the greatest since 2001, both in percentage and absolute terms.

TABLE 5.1. *Concessions of Spanish nationality on grounds of residence, 2001-2006*

	2001	2002	2003	2004	2005	2006
Number of concessions	16,743	21,810	26,556	38,335	42,829	62,339

Source: Ministry of Labour and Immigration based on resolutions of General Directorate of Registries and Notaries (Ministry of Justice).

According to sex, 34,612 women were granted Spanish nationality (55.59% of the total) and 27,655 men (44.4%). Compared with 2005, the number of women who were granted Spanish nationality increased by 46.6% and the number of men by 44.2%.

According to continent, 81.6% of the persons who were granted Spanish nationality in 2006 on grounds of residence were former nationals of Latin American countries, 12.2% of African countries, 3.3% of Asian countries, 1.4% of non-European Community European countries, 1.3% of European Community countries, 0.2% of North America and 0.02% were former nationals of Oceania countries.

Therefore, 93.8% of the favourable resolutions were for Latin Americans and Africans, with a strong increase among Latin Americans (19,094 positive resolutions more than in 2005, representing an increase of 60.2% compared with 2005). In fact, the increase in the number of Latin Americans who were granted Spanish nationality constitutes 97.9%

of the total increase experienced in 2006. On the other hand, there was a small increase in the case of Africans (272 positive resolutions more, representing an increase of 3.70%). The number of Asians who were granted Spanish nationality in 2006 was 2,078, slightly above the number in 2005 (when there were 2,010 favourable resolutions affecting this collective). In the case of non-EU Europeans there was a sharp increase of 24.1%, due to 168 favourable resolutions more than in the previous year. In the case of North Americans, the increase was 21.4%. However, in terms of nationals of the European Community, there was a decrease of 12.7% (116 favourable resolutions less than in 2005).

According to nationality, in 2006, the largest collective was the Ecuadorian (19,477 persons were granted Spanish nationality), followed by the Colombian (12,720), the Moroccan (5,690), the Peruvian (4,713), the Argentine (3,536), the Dominican (2,805) and the Cuban (2,703). Compared with the data for 2005, the highest numerical increase took place in the Ecuadorian collective (9,446 positive resolutions more in 2006) and the Colombian collective (5,386), followed by the Argentine (1,243) and the Peruvian (1,068) collectives. On the other hand, the collectives of other countries experienced a fall in the number of persons who were granted Spanish nationality on grounds of residence, mainly, the Chinese collective (80) and the Portuguese (48). In relative terms, among the countries with 50 or more persons who were granted Spanish nationality in 2006 on grounds of residence, the highest percentage increases were experienced in the Bolivian (124.2%) and the Ecuadorian (94.2%) collectives, and the largest decreases were in the Italian (32.0%) and Cape Verde (23.6%) collectives.

According to age group, 4,306 persons (6.9% of the total number of persons who were granted Spanish nationality in 2006 on grounds of residence) were under sixteen years of age, 57,252 (91.9%) were aged sixteen to sixty-four and 751 (1.2%) were over sixty-four. According to age group and continent, Africans made up 46.9% of the total number of persons aged under sixteen and Latin Americans 43.0%.

As regards the place of birth of the foreigners who were granted Spanish nationality in 2006, we can see that 4.7% were born in Spain, 94.8% in the continent of their nationality, and the remaining 0.4% were born in a different continent from the continent of their nationality. The highest percentage of those born in Spain (leaving aside stateless persons) is found among nationals of African countries (27.4%), followed by 18.8% of the nationals of European Community countries.

According to the reason for the concessions of Spanish nationality, 73.4% of the persons were granted Spanish nationality on proof of having resided in Spain for more than two years, 12.2% through marriage, 8.0% on proof of ten years of residence in Spain, 4.7% because they were born in Spain and 1.8% for another reason.

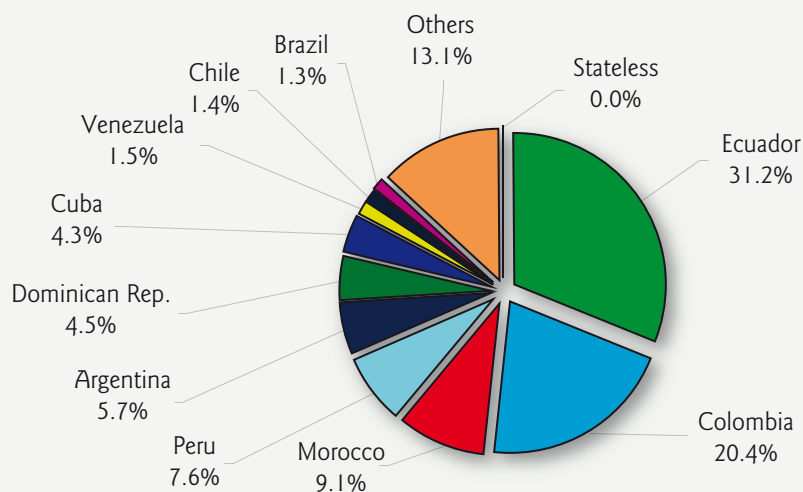


TABLE 5.2. Concessions of Spanish nationality on grounds of residence according to main previous nationalities, 2004-2006

2004		2005		2006	
TOTAL	38,335	TOTAL	42,829	TOTAL	62,339
Morocco	8,036	Ecuador	10,031	Ecuador	19,477
Ecuador	6,370	Colombia	7,334	Colombia	12,720
Colombia	4,194	Morocco	5,555	Morocco	5,690
Peru	3,958	Peru	3,645	Peru	4,713
Dominican Rep.	2,834	Cuba	2,506	Argentina	3,536
Cuba	1,889	Dominican Rep.	2,322	Dominican Rep.	2,805
Argentina	1,746	Argentina	2,293	Cuba	2,703
Philippines	800	Venezuela	752	Venezuela	908
Venezuela	703	Brazil	695	Chile	844
Brazil	683	Philippines	680	Brazil	782
Others	7,090	Others	6,989	Others	8,138
Stateless	32	Stateless	27	Stateless	23

Source: Ministry of Labour and Immigration based on resolutions of General Directorate of Registries and Notaries (Ministry of Justice).

GRAPH 5.1. Concessions of Spanish nationality on grounds of residence. Main countries of citizenship, 2006





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