

SERVICES, LABOR MOBILITY AND BILATERAL LABOR AGREEMENTS: THE CASE OF SPAIN, COLOMBIA & ECUADOR

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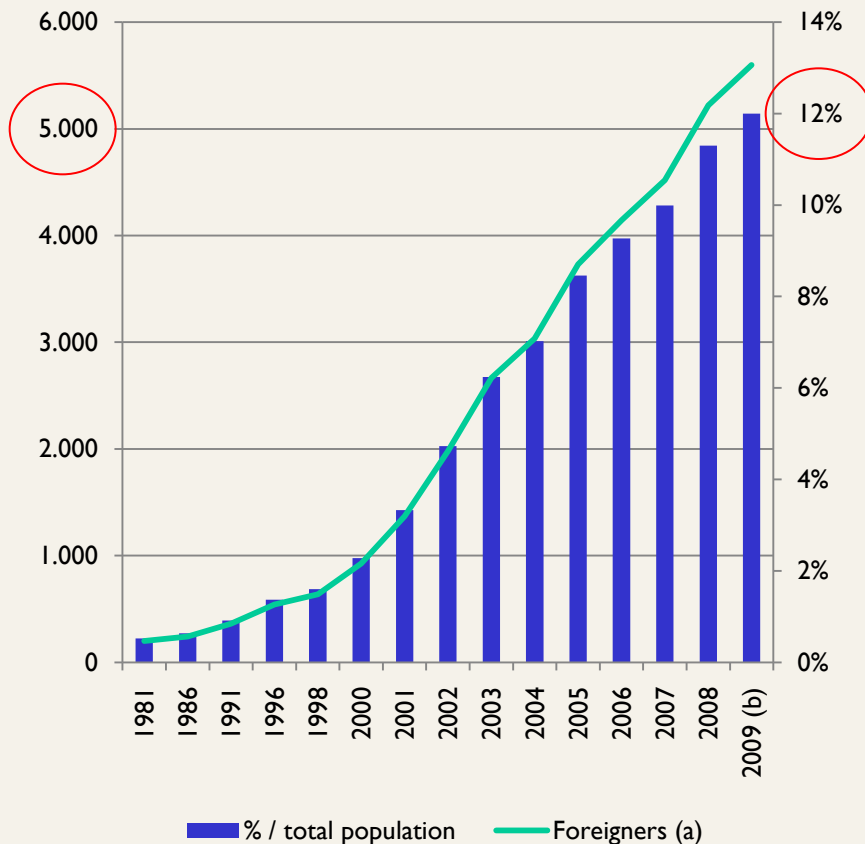
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I. INMIGRATION POLICY: WELCOME TO SPAIN

I.I. Spanish Immigration Policy Framework

Evolution and share (%) of Spain's foreign population, 1981-2009



- Spain transformed from sender to receiver of immigrants
 - Joining EU
 - Large demand for unskilled labor
 - Change in social attitudes to work

- Official Spanish policy
 - Orderly mgmt of migration flows
 - Link to labor market demands
 - Cooperation with other countries
 - Integration of immigrants
 - Fight against illegal immigration

- EU citizens – free movement

I. IMMIGRATION POLICY: WELCOME TO SPAIN

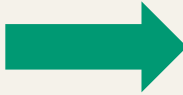
I.2. Non-EU workers: quota system

“National Employment Situation”

Regional governments

Business associations

Trade unions



Yearly quota for work permits

- Permanent and temporary positions
- Selection process
 - done in country of origin
 - complex procedure
 - Employer may participate
- Hard-to-Fill Occupations

I. INMIGRATION POLICY: WELCOME TO SPAIN

I.2. Non-EU workers: quota system

EVOLUTION OF THE CONTINGENT OF FOREIGN WORKERS, 2002-2009

	JOBS OFFER (Posts Foreseen in the labor Quota System) - A			Posts Actually Filled - B			B - A	
	TOTAL	Permanent	Temporary	TOTAL	Permanent	Temporary	Absolute	%
2002	31.979	10.884	21.095	13.914	3.394	10.520	-18.065	-56,5
2003	34.157	10.575	23.582	17.878	2.940	14.938	-16.279	-47,7
2004	30.978	10.908	20.070	38.796	3.864	34.932	7.818	25,2
2005	Na	Na	na	36.495	3.198	33.297	na	na
2006	16.878	16.878	-	45.995	6.248	39.747	29.117	172,5
2007 *	27.034	27.034	-	70.444	5.728	64.716	43.410	160,6
2008 *	15.731	15.731	-	48.693	1.513	47.180	32.962	209,5
2009 *	901	901	-	4.471	27	4.444	3.570	396,2

I. INMIGRATION POLICY: WELCOME TO SPAIN

I.3. Exporting Services to Spain through GATS mode-4

- Spain follows EU directives & regulations
- Very little use of Mode-4 provision of services
 - Cumbersome & complex legal procedures
 - Little known to labor lawyers & companies

WORK PERMITS GRANTED TO NON-EU IMMIGRANTS

	2004	2005	2006	2007 ^b	2008 ^b
TOTAL WITHIN QUOTA	38.796	36.495	45.995	70.744	48.693
TOTAL OUTSIDE QUOTA	498.280	995.607	822.682	499.408	733.892
Salaried-work authorizations	484.394	984.076	812.979	448.320	635.735
- First authorizations	152.514	644.305	101.079	222.561	68.818
- Transnational provision of services	1.404	1.091	965	1.396	1.343
- Seasonal work	9.602	13.642	4.032	15.650	46.223
- Renewed	319.033	322.130	704.569	208.606	516.651
Self-employed work authorizations	13.886	11.531	9.703	8.109	10.141

2. MIGRATION AGREEMENTS: SPAIN, COLOMBIA & ECUADOR

2.1. Provisions of Spanish BLAs

- 33 migration agreements signed since 2000 (most of them with African countries)
- Fields of cooperation
 - Adapt legal flows to labor market needs
 - Voluntary return assistance
 - Social integration of immigrants
 - Use migration to promote development in sending country
 - Fight against illegal immigration and trafficking of humans
- Theoretical priority to signatory countries in yearly quota

2. MIGRATION AGREEMENTS: SPAIN, COLOMBIA & ECUADOR

2.2. The Colombia & Ecuador Agreements

	COLOMBIA	ECUADOR
Date	2001	2001
Competent Authorities	3 Spanish ministries 3 Colombian ministries	3 Spanish ministries 1 Ecuador ministry
No. Immigrants since signature	14.626	6.630

- Very complex procedure to assign work permits to individuals
- Very little use in relation to total work permits granted to Colombians & Ecuadorians
- Safeguards to ensure temporariness & voluntary return

2. MIGRATION AGREEMENTS: SPAIN, COLOMBIA & ECUADOR

2.3. Assessment

- Good objectives and goals
 - Culture of legal migration
 - Orderly process of immigration
- Rights of immigrants
- Reinforced cooperation between governments
- Irrelevant from quantitative point of view

INMIGRATION DATA (as of 31-Dec-09)

	COLOMBIA	ECUADOR	TOTAL SPAIN
Total no. of legal immigrants	287.205	440.304	4.791.232
Total temporal work permit (employees)	103.550	168.214	875.009
Total temporal work permit (self-employed)	1.452	1.444	14.527
Total permanent work permit	79.558	150.638	1.112.064
Total number under BLAs / Contingent (2002-09)	14.626	6.630	244.894
Remittances 2005-2008 (Euro million)	5.286	4.423	28.342


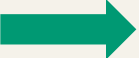
2. MIGRATION AGREEMENTS: SPAIN, COLOMBIA & ECUADOR

2.3. Assessment

- No effective preference to Colombia nor Ecuador in yearly quota
- Procedures criticised by social & business associations
- No significant advantage to Colombia & Ecuador over other countries (with or without BLA)

3. CONCLUSION: GATS MODE-4 vs BLAs

CAN SERVICES BE EXPORTED THROUGH BLAS ?

- Difference between GATS mode-4 vs. BLAs
 - Trade agreements  highly skilled
 - BLAs  irregular migration & low skilled workforce
- Colombia – Ecuador Agreements show that BLA more efficient than GATS, but figures mostly irrelevant
- In the absence of GATS, BLAs can be 2nd best

Thank you for your attention

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