



COA Centraal Orgaan opvang asielzoekers



The reception of asylum seekers in Spain

report of the exchange programme

Sylvia van de Wetering
April 2005



Documentbeheer

Document

Naam The reception of asylum seekers in Spain
Bestandsnaam Verslag Spanje
Opslagplaats

Historie

Versie	Datum	Auteur	Opmerkingen
1	20 mei 2005	Sylvia van de Wetering	

Acceptatie

Accepterende partij	Naam	Datum	Handtekening
Stafmedewerker externe en internationale betrekkingen	Maarten Visser		
Manager Opvang Gelderland	Hans Zoun		
Hoofd Wonen Gelderland	Wim Bender		

Contents

1. Introduction	1
2. The asylum Procedure in Spain	2
2.1 Request for asylum on national territory.....	2
2.2 Request for asylum at a border post	3
2.3 Quota Refugees	4
3. Asylum seekers, facts and figures	5
3.1 The figures of asylum seekers	5
3.2 The origin of asylum seekers	5
3.3 The figures of immigrants	5
4. The reception of asylum seekers in Spain	6
4.1 Preface	6
4.2 General objective and function of the CAR	6
4.3 Staying in a CAR	6
4.4 The staff in a CAR	7
4.5 The services and facilities in a CAR	8
4.6 Comisión Española de Ayuda al Refugiado (CEAR)	9
4.7 Asociación Comisión Católica Española de Migración (ACCEM)	9
4.8 The reception of unaccompanied minor asylum seekers (UMA's)	10
5. Work	11
5.1 Permission to work	11
5.2 AENEAS-EQUAL project	11
6. Immigrants	12
6.1 Amnesty for illegal immigrants	12
6.2 Cooperation on immigration and asylum policy in the EU	12
6.3 Result of the amnesty	12
Appendix 1: Voluntary Return Project, implemented by ACCEM	14
Appendix 2: Useful links and addresses	19



1. Introduction

The ENARO project offered me and Kjartan Dirdal, a colleague from Norway, the possibility to visit Spain in april 2005. It was the first time for Spain to host within the ENARO network. The intention of the programme was to visit a number of reception organisations and other agencies in Madrid and Valencia.

This report is a summary of my visits during these two weeks and an answer to some of the research questions. The purpose of the exchange programme was to get a complete idea of how the reception, integration, repatriation and return of asylum seekers is organised in Spain.

I would like to thank all the people working in the Ministerio de Trabajo y Asuntos Sociales¹, in C.A.R.² Alcobendas, Vallecas and Mislata, the OAR³-office and the migrationcentres run by the Cruz Roja Española⁴, ACCEM⁵, CEAR⁶, for all your efforts, hospitality and clear information. Your support, frankness and humor enabled me to write this report.

Sylvia van de Wetering
Programme Manager Department Living
AZC Nijmegen
Telephone: 0031-24-3818908
e-mail: sweterin@coa.minjus.nl

Page 2

2. The Asylum Procedure in Spain

¹ Ministry of Labour and Social Affairs

² C.A.R= Centro de Acogida a Refugiados

³ O.A.R= Oficina de Asilo y Refugio

⁴ Spanish Red Cross

⁵ ACCEM= Asociación Comisión Católica Española de Migración

⁶ CEAR= Comisión Española de Ayuda al Refugiado



2.1 Request for asylum on national territory (in country application)

Asylum applications can be made in person, or by a representative, at the OAR (Office for Asylum and Refuge), the Aliens Office and at Police Stations. There is also a possibility to apply for asylum at a Spanish embassy or consulate abroad, provided that the applicant is in a third country.

All applications for asylum applied within the country undergo a preliminary procedure to decide if they are admissible or not, the so called admissibility procedure. The applicant must be able to prove his/ her identity, fill in a standard questionnaire, submit a statement about the fear of persecution and then undergo an interview. Normally the interview will take place within a few days. The asylum seeker has the right to free legal assistance and advice, normally arranged by the refugee-assisting NGO's, and an interpreter.

An official from the Ministerio del Interior⁷ at the OAR in Madrid is responsible for examining all the applications and for preparing a report on their admissibility or inadmissibility. The decision must be made within 60 days. When it's evident an application is inadmissible, a representative from the ACNUR⁸ must be informed before the decision of inadmissibility is made. The ACNUR should have the opportunity to express their opinion and to give a recommendation within 10 days. However, this recommendation is not binding.

Asylum applicants, who are waiting for a decision on whether their application is going to be admitted into the procedure or not, have to find their own accommodation and may have to rely on public shelters. Due to the lack of good public shelters this can lead to very difficult situations. Exceptions can be made but only in case of vulnerable applicants.

If there is a negative decision on admissibility, the asylum seeker can lodge an appeal at the National High Court in Madrid. The appeal does not automatically have a suspensive effect, however this can be requested from the Court. If he/ she doesn't appeal, he/ she has to leave Spain within 15 days. Another option is to apply for a new asylum procedure in case there is new evidence to support the claim.

Asylum seekers admitted to the procedure are given provisional identity cards. Social workers from the Ministry of Labour and Social Affairs at the OAR Office in Madrid, assign asylum seekers to reception centres. It's not obligatory to live in a reception centre. If someone can arrange accommodation for him/ her self it's possible to live there. In some cases a basic monthly allowance is

Page 3

granted. The average time a procedure takes is between 6 months and 2 years, sometimes longer. Ultimately around 96% of the asylum applications are rejected.

⁷ Ministerio del Interior = Ministry of Interior

⁸ ACNUR= Alto Comisionado de las Naciones Unidas para los Refugiados= UNHCR= United Nations High Committee Refugees



When the application is admissible, the determination procedure starts with an investigation of each case by the OAR. An officer, who has taken special training on the country or area from which the applicant comes, examines every application. Sometimes an applicant is interviewed for a second time. A second interview may also be requested from the applicant. The applicant may also continue to give new evidence to support the case.

The file is then forwarded to the CIAR⁹, existing of a representative from the Ministry of Interior, the Ministry of Foreign Affairs, the Ministry of Justice, the Ministry of Labour and Social Affairs and a representative of the ACNUR, who has a voice but not a vote in the recommendation. They have the task to give a recommendation for the first decision. This is submitted to the Ministry of Interior who is responsible to make the decision.

The decision can be positive (recognition of refugee) or negative (refusal of asylum). In case of a negative decision it's possible to lodge an appeal at the National High Court within 2 months after receiving the decision. Appeals don't have a suspensive effect, but may be requested at the Court. The time required to process an appeal is between 18 months and two years, sometimes even more. That's probably the reason why only a small number of people appeal. If he/ she doesn't appeal, he/ she has to leave Spain within 15 days.

2.2 Request for asylum at a border post

The apply for asylum at the border, port or airport can be made at the border police or airport police. All applicants will undergo a preliminary procedure to decide if they can be admitted in the determination procedure or not, exactly like the in country applicants.

The applicant must fill in a standard questionnaire and then undergo an interview. An officer of the provincial Aliens Office or the Aliens Division of the National Police (border police) is responsible for this interview. At Barajas airport in Madrid, an officer of the OAR is doing the interview. The asylum seeker has the right to free legal assistance and an interpreter.

The report of the interview will be transferred to the OAR. Within 72 hours (3 days) the decision on admissibility must be taken and communicated to the applicant. If the admission is rejected, the applicant may apply for a review of the decision within 24 hours. The outcome of the review must be communicated to the applicant within 48 hours (2 days). ACNUR should also be informed about the negative decision and the request for a review. Within 24 hours they can give a recommendation to the

Page 4

OAR, but this is not binding. However, if the applicant receives a second negative decision, he/ she can lodge an appeal at the National High Court. Then admission to the territory may be granted if ACNUR supports the asylum procedure. If he/ she doesn't appeal they have to leave Spain immediately.

⁹ CIAR= Comisión Interministerial de Asilo y Refugio= Interministerial Commission on Asylum and Refugees



Border applicants must remain at adequate premises until a decision has been made. There is a basic reception facility and a social worker for social assistance at Barajas Airport, provided by the Spanish Red Cross.

Stowaways on board of a ship are not allowed to leave the ship until the decision of admission is made.

Asylum seekers admitted to the procedure are given provisional identity cards. Social workers from the Ministry of Labour and Social Affairs at the OAR Office in Madrid, assign asylum seekers to reception centres.

The determination procedure starts with an investigation of each case by the OAR. An officer, who has taken special training on the country or area from which the applicant comes, examines every application. Sometimes an applicant is interviewed for a second time. A second interview may also be requested from the applicant. The applicant may also continue to give new evidence to support the case.

The file is then forwarded to the CIAR¹⁰. Existing of a representative from the Ministry of Interior, the Ministry of Foreign Affairs, the Ministry of Justice, the Ministry of Labour and Social Affairs and a representative of the ACNUR, who has a voice but not a vote in the recommendation. They have the task to give a recommendation for the first decision. This is submitted to the Ministry of Interior who is responsible to make the decision.

The decision can be positive (recognition of refugee) or negative (refusal of asylum). In case of a negative decision it's possible to lodge an appeal at the National High Court within 2 months after receiving the decision. Appeals don't have a suspensive effect, but may be requested at the Court. The time required to process an appeal is between 18 months and two years, sometimes even more. If he/she doesn't appeal they have to leave Spain immediately.

2.3 Quota Refugees

Spain has no agreement to accept an annual quota of refugees.

Page 5

3. Asylum seekers, facts and figures

3.1 The figures of asylum seekers¹¹

¹⁰ CIAR= Comisión Interministerial de Asilo y Refugio= Interministerial Commission on Asylum and Refugees

¹¹ Boletín de Asilo, Oficina de Asilo y Refugio



The number of asylum applications has declined in Spain since 2002. Also in the other European countries the request for asylum has declined enormously. Below is a list with figures of applications in Spain from 1995 until 2004.

1995:	5678	2000:	7926
1996:	4730	2001:	9490
1997:	4975	2002:	6309
1998:	6764	2003:	5920
1999:	8410	2004:	5553

The reduction in the last few years was approximately 6%. These figures include all asylum seekers, in other words border applications, in country and applications abroad and family reunification.

3.2 The origin of asylum seekers

In February 2005 there were 456 requests for asylum, most asylum seekers came from Colombia (74 persons), Nigeria (60 persons), Algeria (53 persons). Of these 456 applications 156 were admitted in the asylum procedure. Of the Colombian applicants 61 got admitted.

Of these 456 requests for asylum, 375 were applied in country and 69 at the border, airport or harbour. In Ceuta 220 people applied for asylum and in Madrid 166 people. At the embassies abroad 12 people applied for asylum.

Since 2002 the main countries of origin were: Colombia, Cuba, Nigeria and Sierra Leone.

3.3 The figures of immigrants¹²

According to statistics published by the National Statistics Institute (INE) at the end of the year 2004, there were 43,97 million people resident in Spain, of whom 3,69 million (8.4%) are immigrants. The population grew by 770.000 during 2004, of whom 650.000 are immigrants. By nationality, most numerous are Moroccans (more than 500.000), Ecuadorians (more than 492.000), Rumanians (more than 300.000) and Colombians (more than 260.000).

Page 6

4. The reception of asylum seekers in Spain

4.1 Preface

In 1987 the first reception centres for asylum seekers were build in Spain. At present, there are around 24 centres. They have a total capacity of approximately 1000 places for asylum seekers. All centres are

¹² Think Spain in association with the CB Friday, April 27, 2005



financially supported by the state. However only 4 of them, the so called CARS¹³, as well as the 2 CETI's¹⁴ in Ceuta and Melilla are run directly by the Direccion General de Integracion de los Inmigrantes¹⁵, a department of the Ministry of Labour and Social Affairs. The other centres are run by the NGO's¹⁶, CEAR, ACCEM and the Spanish Red Cross.

There are 2 CARS around Madrid, CAR Alcobendas and CAR Vallecas, in Valencia is CAR Mislata and the last one is in Sevilla. Alcobendas has a capacity for 80 asylum seekers, Vallecas and Mislata for a 100 and Sevilla for 120 asylumseekers.

The CETI's in Melilla and Ceuta are called "migrationcentres" since last February, as well as the centres run by the NGO's. This means that they are centres for the reception of asylum seekers and immigrants. Both Ceuta and Melilla have a capacity of 1200 places.

4.2 General objective and function of a CAR

The general objective of the CAR is to provide temporary coverage of the basic and primary needs of refugees and to promote integration into Spanish society. The function of the CAR is to provide temporary housing, board, health care, social and psychological care, educational and occupational care and financial aid.

4.3 Staying in a CAR

The staying in a CAR is for a maximum of 6 months, except if the asylum procedure has finished, then it will end earlier. Every resident is obliged to follow Spanish language courses to learn the language and to attend classes about Spanish society during this first 6 months. In this way they can integrate more easily in the Spanish society. If a resident doesn't follow these classes, he/ she can get a sanction. It is possible to extend the stay with another 6 months. The resident must make a request for prolongation one month before his first 6 months ends. The technical staff will decide if they grant the prolongation or not. In most cases the prolongation is granted, especially if somebody obeyed all the rules and learned the language. The maximum time to stay in a CAR is 1 year. When there is no resolution within this period, the asylumseeker has to leave the centre. When a very vulnerable person

Page 7

has to leave the centre after this period, the social worker can contact a CASI¹⁷ to check if there is a possibility for temporary emergency reception.

4.4 The staff in a CAR

Every CAR has his own director. The director is responsible for the technical staff (the experts), the administrators , the maintenance team, the receptionists (porters), the chief cook and the other cooks, the gobernanta (head of the cleaning team and waiters) and the waiters and cleaning team.

¹³ CAR= Centro de Acogida a Refugiados

¹⁴ CETI= Centro de Estancia Temporal de Inmigrantes

¹⁵ General Management of the integration of immigrants

¹⁶ Non Governmental Organisation

¹⁷ CASI= Centros de Atención Social a Inmigrantes



The technical staff consists of a head of residence, a psychologist, a social worker and an employment manager and a social labour mediator. Below is an overview of the different tasks of the technical staff in CAR Mislata. The division of tasks is a little bit different than in CAR Alcobendas.

The head of the residence is responsible to promote harmonious living at the centre by coordinating different activities. He/ she also has to give information about the health care and make appointments with health services if necessary. The head of residence is also responsible for the gobernanta, the kitchencrew and the porters. The gobernanta coordinates the waiters and cleaning women.

The psychologist is responsible for psycho-social counselling, mental health counselling, therapeutic support, schooling of children, coordination of volunteer groups, leisure activities, coordination of rising awareness activities and coordination of Spanish courses.

The social worker is responsible for the legal department counselling, information about the asylum procedure, official recognition of diplomes, obtaining of the health card, dental care, housing guidance and registration of the residents at the local administration.

The employment manager has the responsibility to help and to give information to the residents about how to find a job and how to keep it. He/ she also gives information about the labour market, training offers and courses.

The social-labour mediator is responsible for welcoming new residents and helping them around, (access to institutions and associations). He/ she arranges courses (Spanish language) and vocational trainings and keeps contact with vocational training centres. He/ she gives advice about employment, offers help with finding a job and keeps contact with companies. He/ she also mediates in working conflicts. He/ she will even give support to residents after the end of their staying.

In CAR Alcobendas, where 80 residents live, they have a staff of 30 people responsible for the cooking, waitering, cleaning, laundry and maintenance of the centre.

Page 8

4.5 The services and facilities in a CAR

At the entrance of a centre the reception is located and manned by porters. The services provided by the reception are the reception of visitors and distribution of mail and telephone calls. It's possible to arrange appointments at the reception with members of the technical staff. Also things like an iron, newspaper, games or typewriter can be borrowed over here.

Every centre has a dining hall that operates on a self-service system. According to a timetable in the morning, afternoon and evening the residents can come and have their meal.



The cleaning of the common areas is done by a cleaning team. The residents only have to clean their own bedroom. Every week they will receive cleaning material.

The washing of bed linen will be done by the CAR as well. Once a week somebody of the staff will collect the bed linen and give clean linen in return.

The kitchen is responsible for preparing meals. The menu is planned for 4 until 6 weeks in advance and is based on classic Spanish cooking. If somebody has religious reasons or medical reasons they will receive the meal they need according to these criteria.

Every resident will have an own bed but will have to share a room with other persons, depending on the size of the room.

There are normally 2 or more common areas or lounges in a centre. Mostly there will be a television in it because there are no televisions in the room, except if a resident bought one him/ herself.

Not all the centres have rooms with bathrooms. So bathrooms are common areas. Residents must leave them clean when they leave.

Depending on the centre, mostly every floor has a laundry. Each resident has a few possibilities a week to wash according to a time-schedule. Everybody must respect his/ her turn not to interfere with the washing of other residents. Every week the resident will receive washing-powder.

It's possible to borrow books in different languages from the library.

Most centres have a recreation room for the use of the children.

There is a special room where the residents can get hot water to prepare tea, coffee or baby food, as well as an ice-maker or water fountain with cold water.

Besides these services and facilities there are activities, on the premises of the centre or outside, for leisure and free time. These are organised by the centre or in collaboration with other institutions. In

Page 9

CAR Alcobendas and CAR Mislata they also do a lot on awareness raising campaigns (making comics, calendars) in collaboration with the community. The purpose is to promote tolerance, respect and interculturality and to improve the contact.

4.6 Comisión Española de Ayuda al Refugiado (CEAR)

CEAR is one of the biggest non-governmental organisations. In 1979 CEAR was formally constituted but became in charge of managing different governmental programmes to assist asylum seekers and refugees since 1983. The head office is in Madrid but they also have offices in Valencia, Barcelona, Sevilla, Mérida, Bilbao and Las Palmas.



CEAR has approximately 245 places to receive asylum seekers and immigrants. Most of these places are in apartments and some are in small centres. These centres were not especially built to receive asylum seekers and immigrants like in the CAR's. The center in Cullera, with a capacity of 60 persons, used to be a hotel.

CEAR provides free legal aid to asylum seekers to assure legal protection. Besides this CEAR offers social services like help with starting an educational and professional training, help in searching for a job by offering trainings, offering a course to improve the social abilities, help in obtaining a house and financial support. CEAR has a staff of 170 people on the pay-roll and 600 volunteers.

CEAR has a special program for helping refugees to find a house. After finding a house they will help with the payment of the rent for the first 3 months, the deposit and the buying of the basic equipment. The Spanish Red Cross and ACCEM will also help refugees to look for a house, but they don't offer any financial support after finding one. Usually a person, who gets the permission to stay in Spain, will be sent to CEAR for this help.

4.7 Asociación Comisión Católica Española de Migración (ACCEM)

The name of ACCEM originates from 1951. At that time it was erected to support the Spanish "guestworkers" outside Spain. In 1991 ACCEM became a non-governmental organisation. They kept their name but the meaning católica doesn't mean it's only meant to help Catholics.

ACCEM has approximately 500 places to receive asylum seekers, unaccompanied minor asylum seekers and immigrants. All these places are in different apartments all over Spain. In 2004 they received 44 asylum seekers.

Page 10

ACCEM also offers free legal assistance and social services. They give financial support to the people they receive and they help with finding a house. Since 1991 ACCEM assists asylum seekers, immigrants and refugees with a programme¹⁸ to voluntarily return to their countries of origin.

4.8 The reception of unaccompanied minor asylum seekers (UMA's)

All the minors that apply for asylum will get an examination of their wrist to check if they are really under 18 years. The minors are placed under guardianship of the local government department for the protection of minors. A legal representative represents the child throughout the asylum procedure.

¹⁸ See Appendix 1



In Spain are approximately 50 places to receipt UMA's. In 2004 there were 88 applications made for asylum by minors, an increase of 26% compared to the year 2003. Many of these applications are made by Moroccans minors.

The Associació Valenciana d'Ajuda al Refugiat (AVAR) in Valencia have 22 UMA's in the age between 13 and 18 years living in 4 different appartments. AVAR has a very important role to teach the children all the basic skills they need to know and to stimulate them to go to school and to learn a profession. They also offer Spanish language courses and vocational training for children from 16 years and older. In that way they are able to make their own living in the future.

Recently AVAR started a project in Morocco. Because of the many applications made by Moroccan minors they started a campaign to give information and support to large families. This help consists of offering education and in some cases financial support.

Page 11

5. Work

5.1 Permission to work

The first 6 months an asylum seeker is living in a centre, the most important thing is to learn the Spanish language and to follow orientation courses on the Spanish society. There is a wide range of institutions where Spanish classes and orientation courses are given. The centres have good agreements with them. Some centres offer Spanish classes and orientation courses themselves, however they prefer the residents to follow classes outside the centre. In this way they will integrate faster in the society.



Every asylum seeker receives a provisional identity card that must be renewed after 6 months. The new identity document that is given after being in the procedure for 6 months gives the asylum seeker the permission to work in Spain. This is also written on the document. Between 80 and 90% of the asylum seekers find work after these 6 months, especially if they are able to speak the language. The Spaniards don't see the asylum seekers as competitors on the labour market because usually they accept jobs the Spaniards don't want to do (domestic servants, cleaning jobs, agriculture, steel-works and welding).

As soon as an applicant for asylum is admitted into the procedure, he/ she can directly register at a regional employment service. This service has a network of employment offices together with the national institute of employment. Sometimes vocational trainings are offered. Asylum seekers that are registered and interested in these trainings are allowed to take part in them. After attending a training the majority finds a job.

5.2 AENEAS EQUAL Programme

The AENEAS-EQUAL project is an integral plan of actions with the objective to meet the specific needs of asylum seekers and other people under the protection of the Spanish state. The goal is to improve their conditions to access and integrate in the labour market under the same conditions as the rest of the population. The project is financed by the European Social Fund.

The professional in charge of this project in all the reception centres (the 4 CAR's and centres run by the NGO's), is the social-labour mediator or the employment manager.

The employment manager has the responsibility to help and to give practical information to the residents about how to find a job and how to keep it. He/ she also gives information about the labour market, training offers and courses.

The social-labour mediator arranges courses (Spanish language) and vocational trainings and keeps contact with vocational training centres.He/ she offers help with the recognition of certificates and

Page 12

helps the residents to make their personal portfolio and helps them with preparing for a job application. He/ she stimulates them to look for a suitable job and helps them with finding one.

6. Immigrants

6.1 Amnesty for illegal immigrants¹⁹

Spain has offered an amnesty to hundreds of thousands of illegal immigrants. The conservative opposition forces says the move will make the country more attractive to human traffickers. The Socialist government of Spanish Prime Minister Jose Luis Rodriguez Zapatero said the amnesty would begin on 7th February and run until 7th May. The government has described the decision as a way to

¹⁹ ISN Security Watch



deal with immigration more rationally. Spain's policy is to deport illegal immigrants from countries with which it has repatriation agreements, but where those agreements do not exist, illegal immigrants often end up living on the streets, according to Spanish officials. On the 5th of February, two days before the amnesty was scheduled to take effect, Spain rescued 227 African migrants from a fishing boat off the island of Tenerife in the Atlantic Ocean.

An estimated 800.000 illegal immigrants currently live in Spain, a major entry point into the EU. The amnesty requires that migrants have identity papers of some sort, prove they have been in Spain since before August 2004, have guaranteed employment for at least the next six months, and have no criminal record.

The amnesty has been opposed by some European Union countries (The Netherlands, Germany). They fear it will make Spain a gateway for more illegal immigrants and immigrants attempting to enter northern European countries once they have gained legal status in Spain.

6.2 Cooperation on immigration and asylum policy in the EU

Spain's decision comes as some European countries are debating on establishing refugee "holding centres" outside of the EU for asylum seekers. That idea has so far failed to win support, with Germany and Italy backing the plan and France opposing. In October 2004 the EU members agreed on a new five-year plan, aimed at strengthening cooperation on immigration and asylum policy, that calls for the creation of a common EU border guard to coordinate the fight against illegal immigration, organized crime and terrorism. By 1st May 2005, a common frontier agency will be set up and a rapid reaction force of national experts tasked to manage external borders.

6.3 Result of the amnesty

Spain has granted amnesty to 700.000 illegal immigrants. The Spanish Government hopes this will help to end exploitation of those working secretly in the black economy. The Socialist Government

Page 13
claimed that 80 to 90% of the country's illegal workers had taken advantage of the opportunity. According to reports, Ecuadorians, Romanians, Moroccans and Colombians made up most of the applicants.



Page 14

Appendix 1:





**Implement
ed by
ACCEM**

TERMS OF REFERENCE

In 1991, ACCEM began assisting asylum seekers whose cases have been refused or withdrawn, and refugees and persons covered by other forms of international protection to voluntarily return to their countries of origin. The project provided only minimal financial support for travel expenses. However, since 2001, and funded by the European Refugee Fund (ERF), ACCEM has been in a position to provide financial support and facilitate the voluntary repatriation and initial reintegration of the target group.

BRIEF DESCRIPTION OF THE PROJECT

The voluntary return program established in ACCEM is addressed to:

- Asylum seekers
- Refugees
- Internally Displaced
- Those with humanitarian reasons

Most applicants to this program are people who found many difficulties in achieving total integration in the host country. In many cases, the applicants belong to divided families, and this could generate emotional instability. In other cases, the voluntary return might be a response to a change in the circumstances that obligated the applicants to leave their home countries. These reasons, and the ones below, explain why the voluntary return is considered an option to find the social, emotional, family and labour stability. The main reasons for someone to choose voluntary return are:

- A negative response to an asylum application in Spain
- A change in the home country situation
- Health and/or humanitarian reasons
- Serious or urgent personal and/or family reasons
- Voluntary return happens to be the only way to assure social integration or labor market integration in the country of origin.

Page 15

Voluntary return applicants consider this program as an alternative that gives them the opportunity and real chances to fit in the job markets and the civil society of their countries of origin.

Each one of the voluntary return applications are individually processed taking into account the applicant and his/her family's situation. The native country's situation and the applicant's situation



since he/she enters Spain are both exhaustively analysed. This analysis aims to evaluate the reasons an applicant may have in order to apply for the voluntary return program.

Though deciding to return to the home country is a personal decision, once a person arrives to his/her country of origin, ACCEM will make an extensive follow-up of every case to assure that returning to their home country will not involve any type of risk for the returnee and, at the same time, to confirm that both social and labour market integration take place.

Persons who run the project will be contacting, where possible, all the returnees on arrival in their country of origin to verify their degree of socio-economic re-integration and to provide emotional support. The participants generally contact ACCEM through email, post or on occasions by telephone to confirm their arrival in their country of origin and to inform ACCEM how they are re-integrating into their country of origin. This regular contact is maintained normally during the first year however, it may be extended where it is considered to be of value to the returnee. To this date most participants have been Colombians - male, aged between 18 and 55 whose asylum claims were rejected. Most economically active returnees find employment within a reasonable period of time, of those a good proportion start their own businesses or/and they return to education.

The voluntary return program covers transportation to and inside the native country, accommodation, and paperwork fees. This type of financial support has been provided by the European Refugee Fund (ERF) since 2001, and it allows the program users to settle down in their country of origin.



Objectives of the Project

Page 16

- Enhancing and facilitating the voluntary return of refugees and other beneficiaries of protection as one of the durable solutions to their problems, whenever the evolution of the conditions in the country of origin makes it possible.
- Enhancing and facilitating the return of people whose protection applications had been rejected or refused.
- Gathering and diffusing the information on the countries of origin to have an effect on the return of the beneficiaries.
- Advising people who are considering a possible return or that have decided on it and want to obtain more information regarding documentation, means of transport, reception conditions in the country of origin, etc.
- In case the beneficiaries have not got the right documents help them obtaining them.
- Totally or partially financing the travel expenses for the return.
- Creating any type of resettlement package to cover their first settling down expenses for the beneficiaries of the Project.
- Carrying out a follow up of the reinsertion process of those returned to the country of origin through those professionals working in the different headquarters of International Catholic Commission, International Rescue Committee, and also through those organisations located in the countries of origin, that would be contacted.



STAGES OF THE PROJECT- Identification

Page 17

To this date the vast majority of the participants come to ACCEM with a prior knowledge of the programme, forwarded by other organisations, the State and NGOs, or family and friends. A minority of the participants are informed about the programme through contact with other ACCEM programmes.

Interviews

First Interview

In this interview, they are informed about the repatriation project and all the options are outlined to them in order to prevent an uninformed precocious decision. However, those who participate in the project, generally approach ACCEM with a clear idea that they want to return to their countries of origin.

In a initial interview they are directly informed that the project is designed for those who lack the financial resources to return. Afterwards a second interview is arranged and they are asked to write a short outline of their future plan on arrival in their country of origin and are always recommended to take some time to reflect on their decision.

Second Interview

The second interview is carried out in much greater detail and examines the reasons why the participants left their countries of origin, their personal, including financial circumstances, while in Spain, and their knowledge of the current situation in their country of origin. They are then informed of the necessary administrative steps and documents that they will require, including the financial support, subject to need and availability. Financial support is available, up to 2404,05 euro per family or 601 euro per person. Despite the fact that the decision to return is taken voluntarily, ACCEM attempts to ensure that such a return is safe and that their standard of living will not be worse than in Spain.

Process

A record of the process is kept in order to facilitate the evaluation of the project, including: a personal report on the applicant, a letter written by the applicant explaining their personal reasons for returning to their country of origin etc. Recognised refugees, or asylum seekers at any stage of the asylum procedure, have to give up their status or withdraw from the asylum process prior to their return.

Page 18



Once admitted into the return project, all the participants must possess the necessary documentation to enable them to travel. When they do not possess the afore mentioned documentation, and in co-operation with the Legal Department, the necessary authorities are contacted and the appropriate administrative procedures follow. They are provided with tickets and other relevant information and, where it is considered necessary, are accompanied to the point of departure by a ACCEM staff member.

Difficulties

Once the participants arrive in their countries of origin, the project is unable to provide them with assistance- above emotional- to help them overcome the difficulties reintegrating into their societies. Although they have been provided with a resettlement grant, many NGOs have noted that returnees are often in need of training courses and employment and other support to facilitate their reintegration. Furthermore, where returnees form a significant proportion of the population, the local economy may be negatively affected and as such returnees are often seen in a poor light.

The project workers are often unable to obtain reliable information about the potential returnees' country of origin. This is particularly so when the information sought relates to a specific group or region within a country.

It is not possible to ascertain the exact nature of the returnees' employment nor the rate of unemployment as the available statistics do not shed any light on the quality of the employment nor do they specify whether those who are not working are doing so out of choice.

Evaluation

ACCEM considers the financial support provided under the project has positively contributed to their integration into their countries of origin, particularly for those who have established their own businesses. ACCEM continues its search for organisations in the countries of origin that take an active role on integrating returnees. Given that many of the difficulties faced by the project directly relate to adequacy of the information about specific regions or groups in country of origins, it is imperative that contact is established with organisations working in these countries. To this end, other NGO's coordinating similar projects, with established contacts with NGO's in the field, could play a valuable role and, as such, require greater consideration in the future.



Ministerio del Interior	www.mir.es
Ministerio de Trabajo y Asuntos Sociales	www.mtas.es
Migracion y España	www.imsersomigracion.upco.es
CEAR	www.cear.es
ACCEM	www.accem.es
Cruz Roja Española	www.cruzroja.es
ENEAS-EQUAL project	www.eneas-equal.org

Addresses:	CAR Vallecas C/ Luis Buñuel, 2 Madrid 28018	CAR Mislata Camino Viejo de Xirivella, 2 46920 Mislata (Valencia)
	CAR Alcobendas C/ Sariñena, 7 Alcobendas 28100 (Madrid)	CAR Sevilla Plaza de la Acogida, 1 41020 Sevilla
	Oficina de Asilo y Refugio (OAR) C/ Pradillo, 40 Madrid 28002	ACNUR Av. General Perón, 32 Madrid 28020
	Cruz Roja Refugiados C/ Juan Montalvo, 3 y 5 Madrid 28003	CEAR Avda. General Perón, 32-2nd Madrid 28020
	ACCEM C/ Valenzuela, 10 Madrid 28014	Min. de Trabajo y Asuntos Sociales C. José Abascal, 39 Madrid 28003
	floor	













