
Títol del projecte ha de sintetitzar la temàtica científica del vostre document.
FILLS I FILLS DE FAMÍLIES IMMIGRADES ALS PAÏSOS RICS. INFORME 2010 SOBRE EL CAS DE CATALUNYA AL
CONTEXT DE LA UNIÓ EUROPEA

Nom de la convocatòria

ARAFI

Llegenda per a les convocatòries:

ACOM	Ajuts a projectes de recerca d'abast local i comarcal
AJOVE	Ajuts a projectes d'estudi i anàlisi en matèria de joventut a Catalunya
ARAFI	Ajuts per incentivar la recerca aplicada i la formació universitària en matèria d'immigració a Catalunya
ARIE	Ajuts per a donar suport al desenvolupament de projectes de recerca i innovació en matèria educativa no universitària
FJOVE	Beques per a la realització de tesis doctorals en matèria de joventut
ISPC	Ajuts per a la realització de projectes de recerca, estudi i anàlisi sobre seguretat a Catalunya
PBR	Projectes Batista i Roca. Ajuts per al finançament de projectes de recerca en l'àmbit de les Ciències Socials i les Humanitats
RICIP	Ajuts a treballs de recerca en l'àmbit de la pau

Memòria justificativa de recerca per a les convocatòries ACOM, AJOVE, ARAFI, ARIE, FJOVE, ISPC, PBR, RICIP

La memòria justificativa consta de dues parts:

- 1.- Dades bàsiques i resums
- 2.- Memòria del treball (informe científic)

Tots els camps són obligatoris

1.- Dades bàsiques i resums



**Agència
de Gestió
d'Ajuts
Universitaris
i de Recerca**

Dades de l'investigador responsable

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Dades de la universitat / centre al que s'està vinculat

UNIVERSITAT AUTÒNOMA DE BARCELONA - CENTRE D'ESTUDIS I RECERCA EN MIGRACIONS

Número d'expedient

ARAF2010-00032

Paraules clau: cal que esmenteu cinc conceptes que defineixin el contingut de la vostra memòria.
SOCIODEMOGRAFIA, EDUCACIÓ, MARC JURÍDIC ESTRANGERIA, FILLS/ES FAMÍLIES IMMIGRADES,
COMPARACIÓ INTERNACIONAL

Data de presentació de la justificació

14/06/2012

Nom, cognoms i signatura
de l'/la investigador/a responsable

Altres signatures, si escau



Generalitat de Catalunya
**Departament d'Economia
i Coneixement**

Resum en català (màxim 300 paraules)

Aquest projecte ha consistit en la realització d'un informe actualitzat i ampli sobre la situació dels fills i filles de famílies immigrades a Catalunya en dos grups d'edat (0-17 i 18-29) i s'ha centrat en els àmbits socio-demogràfic, educatiu i jurídic, des d'una perspectiva comparativa internacional proporcionada pel projecte UNICEF Innocenti Children of Immigrant Families in 8 Affluent Countries (2009). S'ha treballat amb dades quantitatives, qualitatives i bibliogràfiques de diverses fonts primàries i secundàries.

Per realitzar aquest informe, s'han ampliat els indicadors d'Innocenti en dos sentits: a) afegint, quan ha estat possible, els ja elaborats i experimentats per l'equip investigador al I i II Informes sobre Infància i Immigració a Catalunya en el marc del CIIMU els anys 2002 i 2005, així com els desenvolupats als capítols "Infancia e Inmigración" dels dos volums La Infancia en Cifras en España (Ministerio de Trabajo y Asuntos Sociales) els anys 2006 i el 2007 sobre una mostra del padró 2005 i amb projecció pel conjunt de l'estat; b) afegint una anàlisi jurídica transversal dels diferents marcs que regulen la situació dels fills i filles de famílies immigrades a la Unió Europea, Espanya, Catalunya i les cartes de drets internacionals, i s'ha contrastat aquestes regulacions amb l'anàlisi de casos obtinguts amb treball de camp etnogràfic a dues comarques (de Barcelona i Girona) que han permès il·lustrar les contradiccions de la seva aplicació.

D'altra banda, seguint amb la perspectiva aplicada en estudis i informes precedents, l'abordatge ha permès analitzar comparativament la situació dels fills i filles de famílies immigrades amb els seus coetanis d'origen autòcton, pel que fa a les condicions de vida i les oportunitats socials en un sentit ampli. La Memòria que s'annexa consta de 4 grans apartats: 1) Sociodemografia, 2) Educació, 3) Marc jurídic, 4) Joves de famílies immigrades.

Resum en anglès (màxim 300 paraules)

This project has carried out a broad and updated report on the situation of the Children of Immigrant Families in Catalonia in 2 age groups (0-17 i 18-29) and has focused on three different areas: sociodemography, education and legal frameworks, from an international comparative approach provided by the UNICEF Innocenti project Children of Immigrant Families in 8 Affluent Countries (2009). It is based on the exploitation of quantitative and qualitative data from primary and secondary sources as well as from recent literature reviews.

For this report the indicators used in the Innocenti project have been extended in two different ways: a) whenever possible, other indicators already applied in previous projects by the team have been added, specially those from the 1st and 2nd Reports on Children and Migration in Catalonia produced by the Institute of Childhood and the Urban World in 2002 and 2005, as well as those used in the chapters "Infancia e Inmigración" in the volumes La Infancia en Cifras en España (Ministerio de Trabajo y Asuntos Sociales) in 2006 and 2007 employing a local census sample projected to the national scope; b) adding a cross-cutting juridical analysis of the different legal frameworks that regulate the situation of the children of immigrant families in the European Union, Spain, Catalonia and several international Charts of Rights, illustrating and contrasting these regulations by the analysis of cas studies from ethnographic fieldwork carried out in two areas (in Barcelona and Girona), an exercise that has allowed us show the contradictions emerging in their application.

Finally, following the perspective applied in former studies and reports, our approach has pursued a comparison between the situation of the children of immigrant families with their peers of Catalan origin in living conditions and social opportunities in a broad sense. The report attached has 4 main chapters: 1) Sociodemography, 2) Education, 3) Legal frameworks, 4) Young adults from immigrant families.

2.- Memòria del treball (informe científic sense limitació de paraules). Pot incloure altres fitxers de qualsevol mena, no més grans de 10 MB cadascun d'ells.

MEMÒRIES JUSTIFICATIVES PER A PROJECTES DE RECERCA

Orientacions generals

La memòria justificativa hauria de seguir els apartats següents:

1. Introducció

És el marc de referència del tema d'estudi la contextualització dels objectius i el procés de la recerca. Ha de donar la informació necessària per entendre la magnitud o l'impacte del problema/tema de recerca. Cal incloure els antecedents que han portat fins al plantejament de l'estudi i esmentar els objectius inicials del projecte.

2. Metodologia

Descripció del procediment portat a terme per al desenvolupament de la recerca. Ha de fer referència, en general, a aquests apartats:

- tècniques de recollida d'informació
- procediment
- anàlisi de les dades

Si es tracta de recerques experimentals, s'haurà de fer referència a la infraestructura emprada i al desenvolupament de noves tècniques o adaptacions, si s'escau.

Indiqueu, també, la funció general que han tingut els membres de l'equip del projecte.

3. Resultats

Presentació dels resultats reals de la recerca, dels productes de l'anàlisi de dades. No s'han d'incloure aquí conclusions ni suggeriments.

4. Conclusions

Contribucions de la investigació realitzada, vinculació entre els objectius i els resultats obtinguts, implicacions i limitacions de l'estudi.

5. Impacte previst

Impacte científic i socioeconòmic.

Publicacions realitzades o previstes, presentacions de resultats a reunions científiques o altres accions de transferència dels resultats derivats de la recerca que s'hagin previst.

Quan es tracti de projectes derivats de convocatòries per a la recerca aplicada, s'haurà de fer especial esment a les propostes d'actuacions/intervencions que es desprenen dels resultats.

Referències

Bibliografia. Fonts utilitzades per elaborar els apartats de la memòria.

Annexos

Només els documents que siguin imprescindibles.

Es recomana que cada apartat es tracti amb la major brevetat i que es redacti de manera clara i directa.



**Agència
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Universitat Autònoma de Barcelona

FILLS I FILLS DE FAMILIES IMMIGRADES ALS PAÏSOS RICS. INFORME 2012 SOBRE EL CAS DE CATALUNYA AL CONTEXT DE LA UNIÓ EUROPEA

**MEMÒRIA JUSTIFICATIVA PROJECTE ARAFI 2010
Expedient 00032**

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CENTRE D'ESTUDIS I RECERCA EN MIGRACIONS

14 DE JUNY DE 2012

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INTRODUCCIÓ¹

A Catalunya, la segona CCAA amb majors efectius i intensitat de fluxos de l'estat, la història d'immigració prèvia ha ajudat relativament poc a crear condicions d'integració i acomodació sense assimilació (Gibson, 1988) per la nova immigració, i han estat més les polítiques endegades en els darrers anys i el període de (temerari) creixement econòmic viscut els que han emmarcat les condicions de recepció. Cal afegir-hi una complexitat inesperada, actualitzada pels nous passos que s'han volgut donar des de Catalunya en el seu encaix dins de l'estat, a nivell econòmic, polític, social i cultural que, entre altres coses, ha reclamant insistentment competències i recursos per gestionar un fenomen de transformació que afecta el disseny i el desplegament de l'estat del benestar. Segons les dades més recents de la Secretaria per la Immigració, amb una certa ralentització en la intensitat dels fluxos, el 2007 es situava per primera vegada la immigració familiar per damunt de la immigració laboral, i ja el 2008, el 28,3% dels nous naixements a Catalunya corresponien a nadons fills de mares nascudes a l'estranger (Font: Migracat). En l'actualitat, la població menor catalana (0-17) té una composició sociocultural, socioeconòmica, lingüística i fenotípica d'una diversitat sense precedents (sense comptar el segon fenomen que ens ha igualat als EUA en nombres absoluts i relatius, l'arribada d'infants procedents de l'adopció internacional, també anomenada 'la migració silenciosa'). En aquest context, és urgent avaluar la implementació del model d'integració a Catalunya a partir de la identificació de les condicions d'inclusió/exclusió i pertinença de la població menor més vulnerable, en el seu conjunt i globalment, dins de l'àmbit sociopolític on s'implementa aquest nou model, i fent també una especial atenció al grup d'edat dels joves (18-25) que s'han anat incorporant a la societat catalana o que varen néixer aquí en els primers anys del nou cicle, analitzant les seves trajectòries de forma global. Es tracta, a més, de contemplar en la seva totalitat la preparació de la societat per tota una nova generació de catalans.

Ha estat evident l'esforç de les polítiques d'immigració i d'integració (de les quals s'ha tingut competències) per abordar l'efectivitat la millora de les condicions d'acollida. Això ha tingut lloc amb tensions i contradiccions importants que s'estan fent evidents en moments de recessió i confrontació electoral, com mai fins el moment, des de la convicció que no es pot caure en la normalització de la producció de ciutadans de segona, amb menys drets i oportunitats, des dels aspectes jurídics i socials, quan ja ha crescut tota una nova generació en la incertesa del seu estatus actual i futur a la societat receptora, que és sovint la única que coneixen.

Fins i tot, darrerament, dins dels agents socials entre els quals destaca l'escola, com a principal instrument potencial d'emancipació i inclusió per tractar-se de l'únic espai de contacte entre minories i majories (Carrasco, 2001), es corre el risc de generar noves desigualtat per mitjà de la implementació de dispositius i pràctiques que donen lloc a

¹ Aquest informe és l'esborrany inicial del llibre que es publicarà en anglès i es presentarà a UNICEF per tal d'incorporar l'equip català a la propera onada de recerca d'aquesta línia que porta a terme Innocenti. Alguns dels capítols ja es presenten en anglès i d'altres estan pendents de traducció.

segregacions, i que si no en coneixem l'abast i s'hi actua decididament, portaran a una seriosa fractura de les bases de la cohesió social a Catalunya.

En aquest sentit, doncs, és urgent disposar de dades que permetin mesurar les desigualtats i contrastar allò que les estimacions indiquen sistemàticament. Fins el moment, només els informes sobre la infància 2002 i 2004 han inclòs, amb limitacions, un abordatge panoràmic sobre la situació comparativa –la paradoxa de la doble exposició vs. la doble invisibilitat (Carrasco, 2002)- dels fills i filles de la immigració en diferents àmbits de la vida social, tot i que amb limitacions. En els darrers anys s'ha produït un volum important de recerca, però no hi ha hagut continuïtat en els informes, de manera que no disposem d'un retrat global actualitzat, ni molt menys comparable amb el nostre entorn de la UE ni de l'OCDE, ni encara menys amb l'evolució que la continuïtat dels informes amb els mateixos indicadors ens podria mostrar, aspecte fonamental per avaluar les polítiques públiques.

Molt breument, vegem algunes dades preocupants al respecte:

En primer lloc, Gibson, M. & Carrasco, S. (2009) recullen elements clau en el **camp educatiu** que justifiquen de forma sintètica la necessitat de realitzar aquest projecte, pel què fa a aquests grups d'indicadors:

- L'anàlisi dels resultats de l'Informe PISA 2006 revela importants desigualtats en educació entre alumnes de nacionalitat espanyola i alumnes de nacionalitat estrangera (Ferrer, Valiente & Castel, 2008); però encara no s'ha fet una avaluació sistemàtica amb dades de l'ESO.
- La distància en els resultats obtinguts es gairebé igual de gran entre els fills i filles dels immigrants nascuts a Espanya i els seus coetanis autòctons (Zynovyeva, Felgueroso, & Vázquez, 2008); mentre s'atura el suport educatiu i és substituït per grups de nivell.
- Els resultats en ciències, matemàtiques i comprensió lectora de l'alumnat de nacionalitat estrangera a Catalunya i Espanya són els més baixos dels 27 països de l'OCDE
- Les dades de 2005 a Catalunya mostraven que menys del 25% dels alumnes marroquins aconseguien graduar-se al final de l'ESO, i per sota del 50% es trobaven també els alumnes d'origen equatorià; amb un abandonament molt alt, i un escàs 5% dels que continuaven estaven matriculats al Batxillerat (Carrasco, Ballestín & Borison, 2005)
- Un estudi de 2008 a 18 centres de Catalunya mostrava que els índexs d'abandonament escolar (no acabar l'ESO) eren del 12% en el cas dels alumnes autòctons i d'un 30% entre els alumnes d'origen estranger, arribant al 42% en el cas dels alumnes d'incorporació tardana (Serra & Palaudàries, 2007)
- Finalment, cal recordar que no existeix encara ni un sol estudi global ni sistemàtic sobre les formes i continguts de les representacions de la població menor i jove

d'origen estranger a Catalunya, ni sobre les formes directes i indirectes de discriminació percebudes i experimentades per aquests sectors de població (malgrat els pioners estudis etnogràfics de Serra, 2006, a secundària, i Ballestín, 2008, a primària) que permeti conèixer aquestes dinàmiques i el seu impacte sobre el territori.

En segon lloc, com a part dels resultats de l'estudi sobre **convivència i conflictes** als centres encarregat pel Síndic de Greuges de Catalunya (Carrasco, Ponferrada, Villà y Miró, 2007) es varen detectar amb claredat situacions de major vulnerabilitat dels joves d'origen estranger a la institució que més hauria de promoure la convivència intercultural, i en concret, s'observava:

- Un nivell d'insults més alt rebut pels joves d'origen estranger en comparació amb els autòctons (22,1% dels primers envers 12,4% dels segons), i un nivell més gran d'aïllament (18,7% vs. 9,3 %, el doble entre els d'origen estranger)
- També hi havia un 17,2% de joves d'origen estranger que afirmaven sentir-se insultats envers un 8,6% dels espanyols; això no obstant, continua l'associació constant entre alumnat estranger i conflictivitat, atribuïda als propis joves estrangers
- Els joves estrangers eren citats pels seus companys com a víctimes constants de les agressions als instituts de la recerca; mentrestant, les polítiques antiracistes actives encara no han arribat a les escoles, i no s'ha portat a terme una avaluació dels graus de compliment dels drets d'infants i joves d'origen estranger a partir de les convencions internacionals signades per l'estat i, lògicament, assumides aquí.

Finalment, pel què fa a les **condicions de vida** de la població menor d'origen estranger, cal recordar algunes dades clau el darrer informe sobre la Inclusió Social (2008) de la Caixa de Catalunya:

- La meitat dels menors d'origen estranger viuen en pobresa moderada (52%), que representa 2,5 vegades més que la població menor pobre de nacionalitat espanyola
- Entre la població menor de nacionalitat estrangera, les taxes de pobresa alta i molt alta són molt més prevalents (32% i 28%)

Aquest informe ha realitzat una recopilació i sistematització de les dades disponibles per construir un coneixement global sobre la situació social, educativa i d'incorporació social per mitjà de la participació dels fills i filles de les famílies immigrades en un país receptor desenvolupat, com és el cas de Catalunya, que defensa en les seves regulacions i acció legislativa un compromís amb el desplegament de polítiques públiques específiques, des d'una perspectiva comparativa internacional amb altres països del seu entorn i nivell de desenvolupament i complexitat.

NOTA METODOLÒGICA

1. FILLS I FILLES DE FAMÍLIES IMMIGRADES : SITUACIÓ I EVOLUCIÓ SOCIOMOGRÀFICA A CATALUNYA EN PERSPECTIVA COMPARATIVA

Introduction to data problems and data sources in Catalonia: contents and methodology considerations

The data in this sociodemographic report on children in immigrant (and native) families are newer than those used by the Innocenti Report (which results in an important bias to have in mind when exercising the comparison with the eight affluent countries depicted there), and are built up mainly on the following statistic sources which are the ones that make possible to reconstruct their profiles and trends:

INE (Spanish National Institute of Statistics) and Idescat (Catalan Institute of Statistics): Data coming from *Padrón Continuo 2011* and accessible via Internet (web of the institution)

Encuesta Nacional de Inmigrantes 2007-ENI (National Immigrants Survey), provided and published by INE:

These data come from a unique study based on a sample of 267 households² with foreign-born residents from 16 years old that at the moment of participating in the Survey had been living (or had the intention to live) in Spain for at least one year. This Survey is not renewable, so it has no updating. We have had direct access to the data published in the institution's web.

Enquesta Demogràfica 2007- ED (Demographic Survey), by Idescat:

The 2007 Demographic Survey (carried out in 10.500 households approximately) is an official statistical operation that was part of the Law on the Statistical Plan for Catalonia 2006–2009. Its primary goal was to update the Census' information on the main structural variables referring to the population, households and families, and homes, which includes a subsample of immigrant origins and/or nationality. As the ENI Survey, it has not been updated.

In this case we had an agreement with Idescat to order specific data for children living in immigrant households. The main limitation in this demand was that for many of the indicators demanded the subsample was too small to disaggregate it by countries of origin (it had no statistical significance in terms of representation of the total population).

Locating and accessing suitable data for the comparison of the statistical portraits of the situation of children in immigrant families has been difficult as long as immigrant children still remain hidden and invisible in the production of national sociodemographic data (starting with the difficulties of obtaining data age by age), a handicap we have to add to the constraint of possibilities for the "replication" of Innocenti's indicators. The following is the summary of the main methodological issues that have imposed limitations in our construction and analysis of the data (the majority of them have been noted in some previous publications of the members of the team: Carrasco et al. 2002a i 2002b; Ballestín i Roca, 2011):

1. First of all, we've had to deal with the above mentioned *adultcentric* perspective of the sources providing statistical data, which have implied some difficulties for

² This is the sample size only for Catalonia. The total sample of households with immigrant population for the whole Spain was 2.270.

reconstructing data regarding directly to children and their families (available data are designed for adults), among which these could be mention:

- Lack of age disaggregation for immigrants and their children: only five-year intervals (disaggregation 0-17 o year by year only available through specific demand to INE or Idescat)
 - Difficulties in access to *families with children*: most of available indicators which are referred to immigrant population don't inform us about parental ties between adults and children.
2. In second place, we've had to face the rapid "*caducity*" of immigrants' data in contrast with the slowness in their updating (which is linked to the dependency of non specialized sources). As it is also quoted at the Innocenti's report (2009:6), Census is often the most comprehensive (official) data source that provides detailed information on the foreign population, but their major limitation is that the updating of the Census is done one every ten years in the case of Spain, so it is difficult to capture the quick changes in the characteristics and living conditions of the migrant population, specially families. In that sense, the goal of pursuing the "newest" data available has leaded us to discard the exploitation of 2001 Census complete data provided by INE.
 3. In third place we have what we can call the *Nationality vs. Place of birth* dilemma. The *immigrant* status is not an objective and evident data that we can "collect" directly from the population. We are quite aware that inside the category of *foreign nationality* we can find perfectly integrated and assimilated population, while the category *foreign place of birth* can exclude population born in the place of settlement that live in precarious and complicated situations due to their foreign nationality status.

When transferring these evidences to the population's structure by age, we find out that among the adults the indicator "place of birth" gives a more accurate approximation to adult immigrant population's size, while "nationality" is the one that offers more visibility to, and precise information about, children and adolescents of immigrant families, especially in countries which have had more recent flows of foreign immigration as it happened in Spain and Catalonia.

4. Another methodological issue quite constraining for the comparison of data between different countries (and inside them) are the Geographical categories used by the different sources of data: it is really discouraging the lack of coincidence of geographical unities not only in terms of the sources, but also when comparing different years of data collection. In that sense, some categories provided by INE and Idescat are too big (i.e. "Africa") to facilitate a proper distinction o significant cultural and socioeconomic areas of origin.

Not to mention the enormous difficulties of having disaggregated data by countries of origin (nationality or place of birth), which in the case of Catalonia (and Spain) are only available for the most basic demographic indicators. This limitation has partially frustrated our goal of replication of Innocenti Report's tables and figures using the same classification of countries by income categories according the World Bank's *Atlas of Global Development* (2007) .

5. A last set of basic of difficulties to have in consideration affect data regarding family composition and morphology, and social conditions of life (parental education, situation of employment and housing) of children from immigrant families. These are endorsed in, again, the disparities of family (structure and composition) and socioeconomic categories used by the Catalan and Spanish

sources and by the eight affluent countries included in the Unicef's study, which difficult cross-countries comparison. Even when the category is apparently the same (f.e., "parents who are employed full time"), the values attached to the category are frequently not fully equivalent (in the example, the concept of full *time employment* is not "catchable" by the interval values used by Idescat).

2. Share of all children and global origins of children in immigrant families

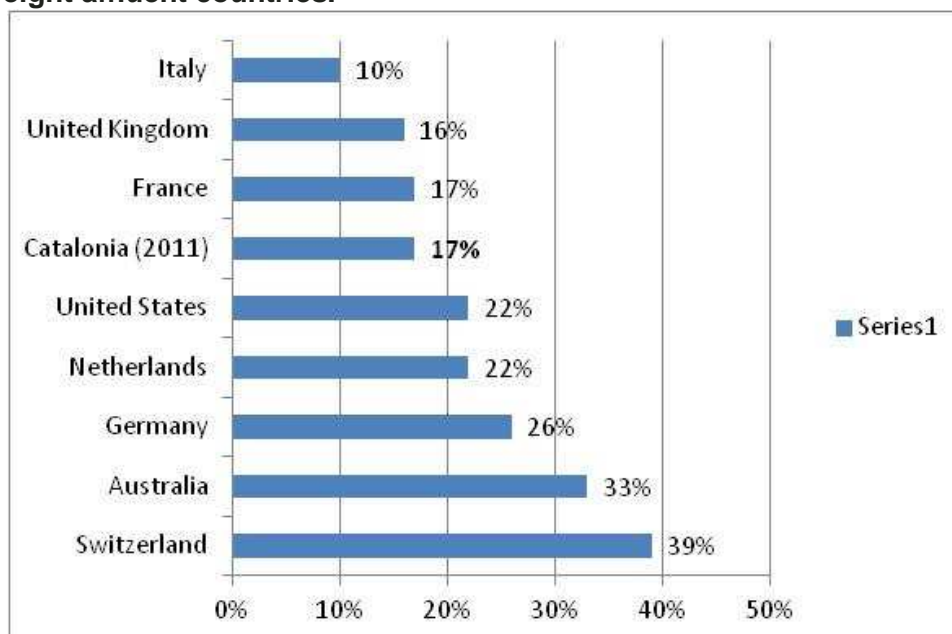
Children in immigrant families: a large share of all children

A general statement in the *Innocenti* report is that *immigrants in affluent countries are often more likely than the native-born population to be in the family-building stage of life, and immigrants from Low and Middle Income countries (LMICs) often have families that are larger than families among the native population*. As a result, in the eight affluent countries in the report, the share of all children who have an immigrant parent is often substantially larger than the share of the total population that is born outside the country.

Therefore, children in immigrant families account for a large share of the overall child population in the eight affluent countries considered in the report: Italy (10 per cent), United Kingdom (16 per cent), France (17 per cent), the Netherlands and the United States (22 per cent each), Germany (26 per cent), Australia (33 per cent) and Switzerland (39 per cent).

Catalonia is not an exception in this finding: in figure X we can see that immigrant children represent 17% of all children from 0 to 19 years old, which supposes the 4th place in the ranking³. Thus, as they grow older, children in immigrant families will constitute a large share of the adult populations both in the countries examined in the report and in Catalonia as one of the main regions of immigration in Spain.

F. Children in immigrant families as a share of all children. Catalonia (2011) and eight affluent countries.

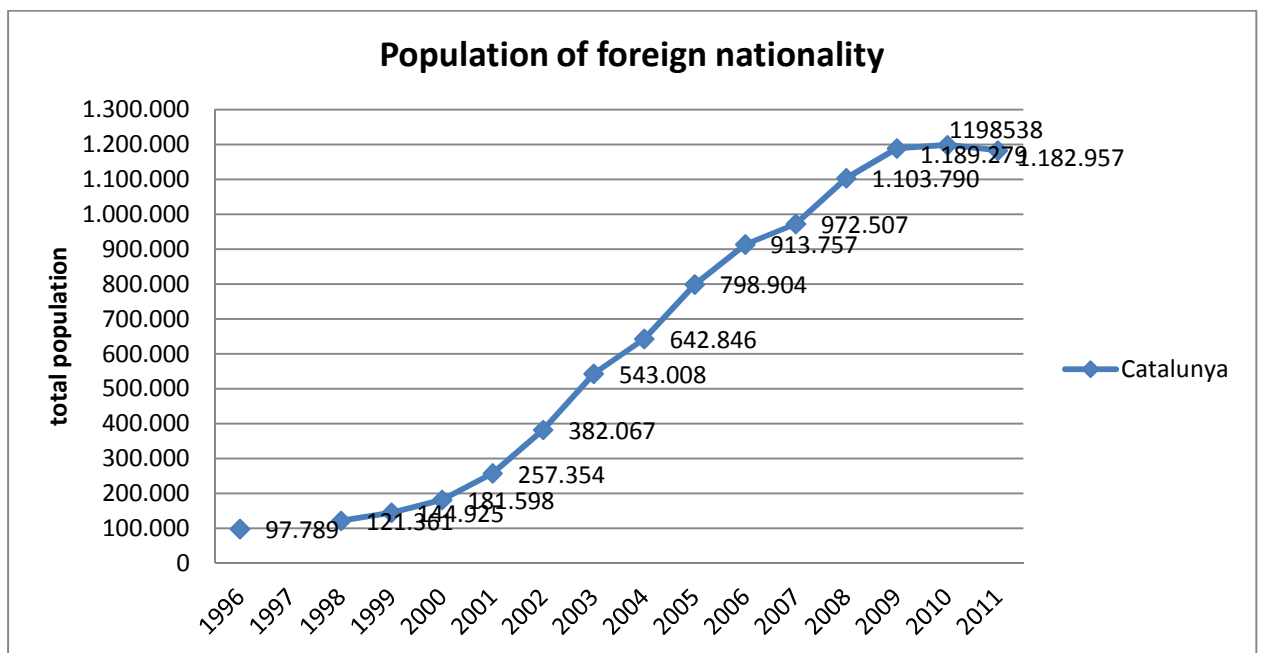


Source: *Innocenti* report and Idescat

If we take a look at the past, in Catalonia there has been a very important increase of immigrants between 2001 and 2009, when it started a stagnancy that continues in the present due to an economic crisis that is affecting the whole Spanish country in increasingly painful ways. Anyway, foreign population nowadays (2011) supposes 15,7% of the total population residing in the Catalan territory which still is one of the main destinations of immigrants moving to the south of Europe.

³ We must always have in mind that the Unicef Report's data are older (from 1999 to 2006) than Catalonia's and that supposes some bias when interpreting these comparisons.

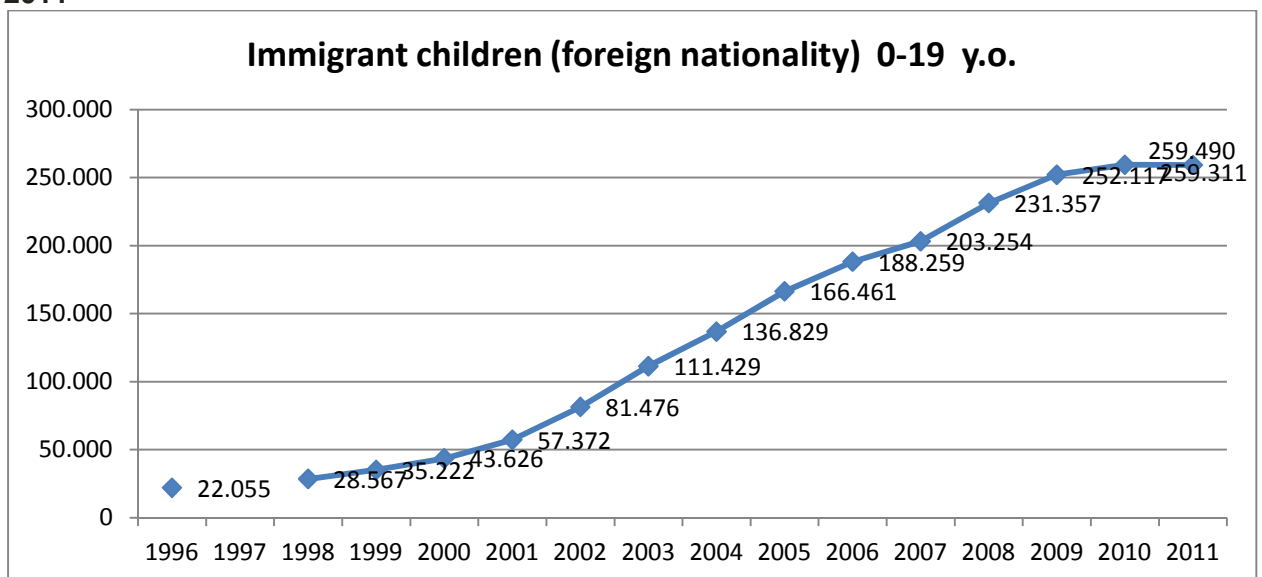
F. Total population of foreign nationality. Catalonia, 1996-2011



Source: Idescat

This increase evolution is still more accentuated for data regarding children and adolescents: weight of foreign population as a share of children of the same ages is in 2011 superior than including adults: 17,2%, while in 1996 this share was only 1,6% and in 2001 (when the immigrant population *boom* started) 4,7%,

F. Children 0-19 of foreign nationality as a share of all children. Catalonia, 1996-2011



Source: Idescat.

The population share of children in immigrant families from LMICs

Children in immigrant families from low and middle-income countries (LMICs) account for a substantial share of all children in the destination countries reported in the Unicef study. In Italy, the Netherlands, the United Kingdom and the United States, they represented more than half of the children in immigrant families. Among all children in immigrant families, the share of children who live with parents with LMIC origins ranged from 10 to 75 per cent in the eight countries.

In 2011 Catalonia surpasses this share as children (0-19 y.o.) from LMICs suppose 89,2% of the total immigrant population of the same ages. This is a very high score compared to the rest of countries (even when their data are older and referring to children from 0 to 17 y.o.) depicted in the *Innocenti* Report.

Per cent of children in immigrant families by income category of country of origin. Catalonia and eight affluent countries.

Country	All children			Children in immigrant families			
	In native-born families	In immigrant families	Total	HIC origin	LMIC origin	Country income level not specified	Total
Catalonia (2011)	82,8	17,2	100	10,6	89,2	0,1	100
Australia	67.4	32.6	100	50.5	30.8	18.7	100
France	82.7	17.3	100	21.7	45.7	32.6	100
Germany	74.5	25.5	100	87.3	9.6	3.2	100
Italy	90.4	9.6	100	46.5	53.5	0.0	100
Netherlands	77.7	22.3	100	23.0	66.0	11.0	100
Switzerland	61.3	38.7	100	49.9	49.7	0.5	100
United Kingdom	83.7	16.3	100	36.8	60.6	2.6	100
United States	77.9	22.1	100	23.6	75.6	0.8	100

Source: *Innocenti* report and INE, *Padrón Continuo* 2011..

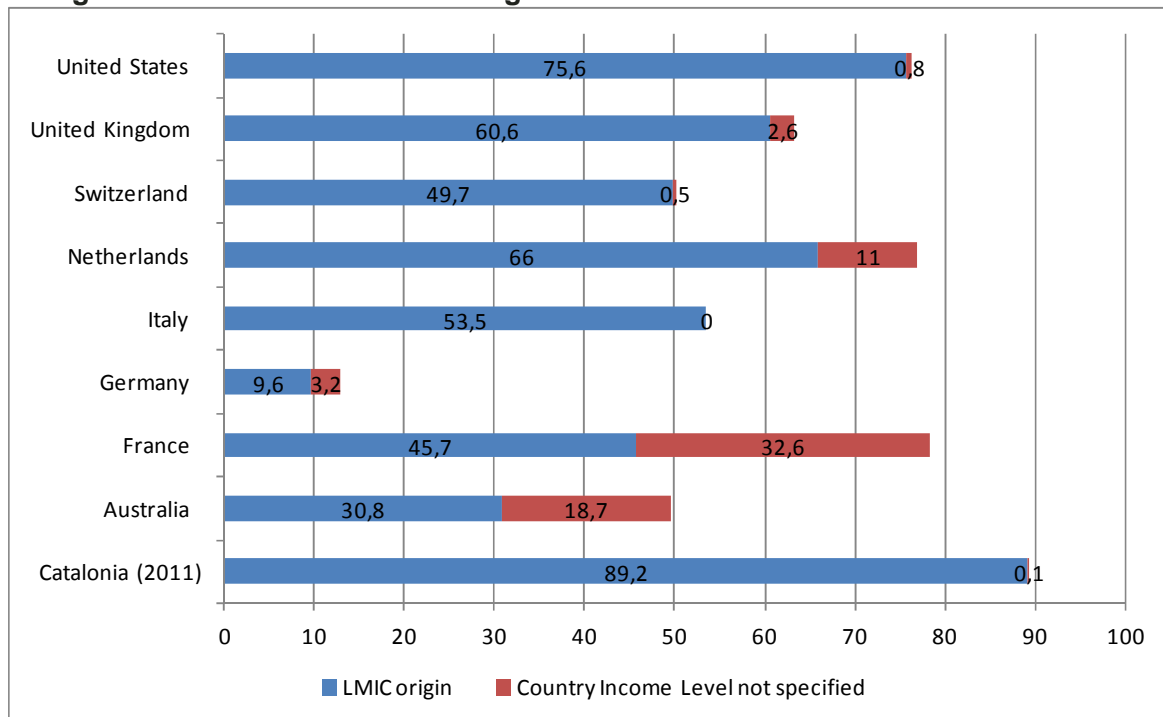
As for the children in families from High Income Countries, in the countries under study at the *Innocenti* report, their share among all children ranges from 4–6 per cent (France, Italy, the Netherlands, the United Kingdom and the United States) to 17 per cent in Australia, 19 per cent in Switzerland and 23 per cent in Germany.

In Catalonia the most recent percentage of children in families coming from HICs is situated in the middle of these figures : 10,6% of all immigrant children. Coming mostly from European Union countries, these children therefore possess a western culture similar to the culture of most of the children in native-born families. They are mainly identifiable as *white*, although they may pose challenges to inclusion in the countries of settlement because of differences in language and subtle differences in culture and customs.

Children in immigrant families with origins in LMICs often differ from the native population in cultural, religious, linguistic and ethnic backgrounds, thereby posing important challenges and opportunities for civil integration and social inclusion.

These children are often from Africa, Asia, Latin America and the Caribbean or Oceania and may also differ in physical appearance from the non-immigrant population, potentially making them subject to racial or ethnic discrimination in school and the labour market.

F. Children in immigrant families from LMICs as a share of all children in immigrant families. Catalonia and eight affluent countries.



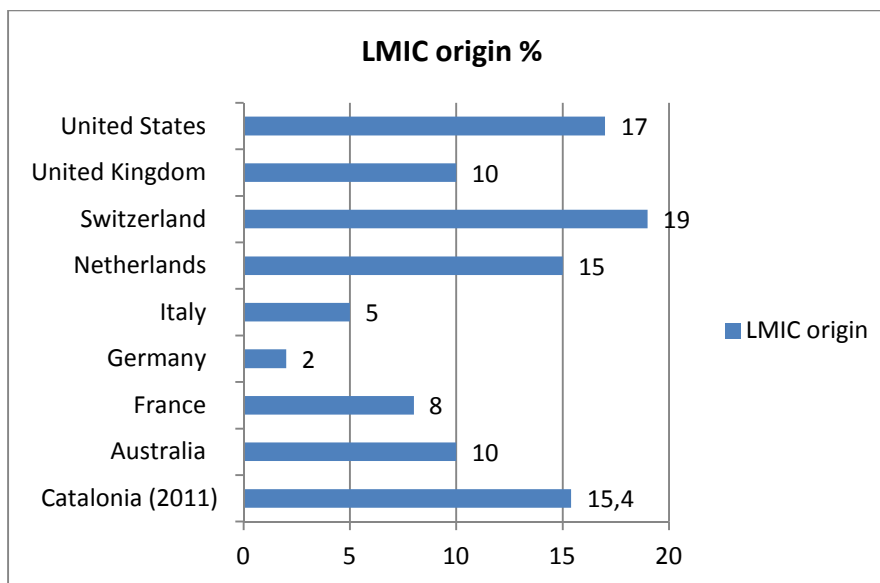
Source: *Innocenti* report and INE, *Padrón Continuo* 2011..

In the next Figure we have additional data about the weight of children in immigrant families from LMIC as a share of all children in the population. In most of these countries of settlement, children in immigrant families with LMIC origins, often non-western developing countries, account for nearly one child in ten or more.

We can see that in the case of Catalonia these infants are 15,4% in 2011, a very high proportion equivalent to the Netherlands and only outnumbered by Switzerland (19%) and the United States (17%).

As a result, it is firmly believed that children in immigrant families with origins in LMICs will play an increasingly prominent role during adulthood in the economic and social life of Catalonia as were in the countries of *Innocenti* report, partly because of the growth in their numbers, and partly because of low rates of natural demographic increase in the respective non-immigrant populations, which is leading to ageing populations in these countries.

F. Children in immigrant families from LMICs as a share of all children in the population. Catalonia and eight affluent countries.



Source: *Innocenti* report and INE, *Padrón Continuo* 2011..

The distribution of origins

In specific countries under study, a small number of countries of origin account for large shares of the children who are living in immigrant families with LMIC origins⁴.

In Catalonia more than 30% of children 0-19 in immigrant families have origins in Morocco, while the rest of the countries in the top 10 ranking range from 7,9% (Romania) to 2,2% (The Gambia).

As we can follow through the next Table, the first positions in 2011 were occupied by children in families coming from Morocco, Romania, Ecuador, China and Bolivia. So now we have an increasingly diverse population in terms of cultural origins, which somehow contradicts one of the statements of *Innocenti* reports: that “*Geographical proximity and historical relationships play important roles in the origins of immigrants and, hence, of children in immigrant families*” (2009:15). In Catalonia this is true for

⁴ In the United States, about half (46 per cent) the children in immigrant families from LMICs have origins in Mexico, while no other country of origin accounts for more than 5 per cent of these children. In four of the other countries under study, only two countries of origin account for more than 40 per cent of the children in immigrant families from LMICs, as follows (2009:15):

- France: 69 per cent (34 per cent from Algeria, 35 per cent from Morocco)
- Germany: 50 per cent (31 per cent from the Russian Federation, 19 per cent from Turkey)
- Netherlands: 47 per cent (23–24 per cent each from Morocco and Turkey)
- Switzerland: 40 per cent (29 per cent from the Federal Republic of Yugoslavia, 11 per cent from Turkey)

Two countries of origin account for smaller, but still substantial, shares of the children in immigrant families from LMICs in the three remaining countries under study:

- United Kingdom: 35 per cent (15 per cent from India, 20 per cent from Pakistan)
- Australia: 24 per cent (10 per cent from the Philippines, 14 per cent from Viet Nam)
- Italy: 22 per cent (10 per cent from Albania, 12 per cent from Morocco)

Prominent among these countries of origin, Turkey accounts for the largest or second largest share of children in immigrant families with LMIC origins in Germany, the Netherlands and Switzerland (11–24 per cent), and it also accounts for the third largest share in France (12 per cent).

immigrants coming from Morocco (with which Spain has long have historical and colonial bonds) or Latin American countries such as Ecuador, Bolivia, Colombia or Dominican Republic, but doesn't account for the arrival of immigrant families coming from very distant countries which have had no traditional ties with Catalonia or Spain, as is the case of China (4th in the ranking), Pakistan or The Gambia.

T. Top 10 countries of origin of children 0-19 in immigrant families. Catalonia 2011.

CATALONIA		
Nationality	Number	% Immigrant
Morocco	78.551	30,2
Romania	20.637	7,9
Ecuador	18.051	6,9
China	13.468	5,2
Bolivia	9.549	3,7
Colombia	9.106	3,5
Pakistan	9.007	3,5
Italy	6.471	2,5
Gambia, The	5.649	2,2
Dominican Republic	5.626	2,2
Total population in ranking	176.115	67,7
Total immigrant population 0-19 y.	260.276	100
Total population 0-19 y.o.	1.509.404	
% Immigrant population	17,2	

Source: INE, *Padrón Continuo* 2011..

In fact the *Innocenti* report's data specify that although the eight countries under study experience high concentrations of immigrants with particular national and regional origins (LMICs), it also is the case that these countries are home to immigrants with an enormous array of origins⁵ (2009:19): Catalonia should be included among these countries, the evidences for that not only based on single immigrant countries' data but also taking a look to regional origins and nationalities.

Among children in immigrant families from LMICs (T. x), 31,3% have origins in the Middle East and North Africa (mostly from Morocco, as we saw in the ranking), while 15,7% have origins in Latin American and Caribbean countries. But a substantial 12,8% of children in immigrant families from LMICs in Catalonia have nationalities from East Europe and Central Asia (especially Romania, Ukraine, Russia and Bulgaria); and we find percentages of around 6% for children in immigrant families coming from the rest of the regions considered : Sub-saharan Africa (specially Gambia, Senegal,

⁵ In the five of the eight countries reporting highly detailed country of origin data based on the most recent national population census or the national registration system, the number of LMICs represented among the children in immigrant families ranges from more than 25 for the Netherlands and 50 for Italy, to more than 90 for Switzerland, the United Kingdom and the United States. The total number of LMIC origins would turn out to be larger still if more detailed data were available (2009:19).

Nigeria, and Guinea), East Asia and the Pacific (remarkably China and Philippines) and South Asia (Pakistan, India and Bangladesh).

Table x gathers the detailed data for each country of nationality displayed in regions according the Income categories taken from the World Bank's *Atlas of Global Development* (2007):

T. Children in immigrant families of immigrant origin from LMICs as a percentage of total children in families of immigrant origin. Catalonia 2011.

	CATALONIA 2011	
	Number	%
East Asia and the Pacific	15.370	5,9
Low income	0	0,0
Lower-middle income	15.370	5,9
Upper-middle income	0	0,0
Europe and Central Asia	33.404	12,8
Low income	0	0,0
Lower-middle income	6.180	2,4
Upper-middle income	27.224	10,5
Latin American and Caribbean	40.844	15,7
Low income	0	0,0
Lower-middle income	29.634	11,4
Upper-middle income	11.210	4,3
Middle East and North Africa	81.595	31,3
Low income	0	0,0
Lower-middle income	79.085	30,4
Upper-middle income	2.510	1,0
South Asia	14.545	5,6
Low income	1.457	0,6
Lower-middle income	13.088	5,0
Upper-middle income	0	0,0
Sub-Saharan Africa	16.259	6,2
Low income	9.887	3,8
Lower-middle income	6.356	2,4
Upper-middle income	16	0,0
Total from LMICs	232.284	89,2
Total in immigrant families	260.276	100

Source: INE, *Padrón Continuo* 2011.

T. Children in immigrant families by country of nationality, and Region/Income Categories (*World Bank* classification). Catalonia 2011.

COUNTRY of NATIONALITY	REGION	INCOME CATEGORIES	Number
Germany	..	High income: OECD	2.710
Austria	..	High income: OECD	145
Belgium	..	High income: OECD	648
Denmark	..	High income: OECD	170
Slovenia	..	High income: OECD	25
Estonia	..	High income: OECD	37
Finland	..	High income: OECD	88
France	..	High income: OECD	4.814
Greece	..	High income: OECD	59
Hungary	..	High income: OECD	165
Ireland	..	High income: OECD	240
Italy	..	High income: OECD	6.471
Luxembourg	..	High income: OECD	12
Netherlands	..	High income: OECD	1.426
Poland	..	High income: OECD	2.107
Portugal	..	High income: OECD	2.084
United Kingdom	..	High income: OECD	2.885
Czech Republic	..	High income: OECD	181
Slovak Republic	..	High income: OECD	188
Sweden	..	High income: OECD	315
Iceland	..	High income: OECD	58
Norway	..	High income: OECD	71
Switzerland	..	High income: OECD	234
Andorra	..	High income: nonOECD	226
Croatia	..	High income: nonOECD	85
Cyprus	..	High income: nonOECD	5
Malta	..	High income: nonOECD	8
Latvia	..	High income: nonOECD	105
Rest Europe	..	High income: nonOECD	42
Russian Federation	Europe & Central Asia	Upper middle income	3.157
Albania	Europe & Central Asia	Upper middle income	57
Belarus	Europe & Central Asia	Upper middle income	222
Bosnia and Herzegovina	Europe & Central Asia	Upper middle income	71
Bulgaria	Europe & Central Asia	Upper middle income	2.259
Lithuania	Europe & Central Asia	Upper middle income	467
Macedonia	Europe & Central Asia	Upper middle income	33
Serbia	Europe & Central Asia	Upper middle income	170
Romania	Europe & Central Asia	Upper middle income	20.637
Turkey	Europe & Central Asia	Upper middle income	51
Kazakhstan	Europe & Central Asia	Upper middle income	100
Armenia	Europe & Central Asia	Lower middle income	859
Georgia	Europe & Central Asia	Lower middle income	744
Moldova	Europe & Central Asia	Lower middle income	1.003
Ukraine	Europe & Central Asia	Lower middle income	3.574

T. Children in immigrant families by country of nationality, and Region/Income Categories (*World Bank* classification). Catalonia 2011. (CONTINUATION)

Algeria	Middle East & North Africa	Upper middle income	2.382
Iran, Islamic Rep.	Middle East & North Africa	Upper middle income	39
Lebanon	Middle East & North Africa	Upper middle income	62
Iraq	Middle East & North Africa	Lower middle income	27
Egypt	Middle East & North Africa	Lower middle income	281
Morocco	Middle East & North Africa	Lower middle income	78.551
Tunisia	Middle East & North Africa	Lower middle income	93
Jordan	Middle East & North Africa	Lower middle income	42
Syrian Arab Republic	Middle East & North Africa	Lower middle income	118
Equatorial Guinea	..	High income: nonOECD	490
South Africa	Sub-Saharan Africa	Upper middle income	16
Angola	Sub-Saharan Africa	Lower middle income	33
Cape Verde	Sub-Saharan Africa	Lower middle income	15
Cameroon	Sub-Saharan Africa	Lower middle income	341
Côte d'Ivoire	Sub-Saharan Africa	Lower middle income	130
Congo, Rep.	Sub-Saharan Africa	Lower middle income	108
Nigeria	Sub-Saharan Africa	Lower middle income	1.816
Senegal	Sub-Saharan Africa	Lower middle income	3.913
Benin	Sub-Saharan Africa	Low income	20
Burkina Faso	Sub-Saharan Africa	Low income	71
Ethiopia	Sub-Saharan Africa	Low income	87
Gambia, The	Sub-Saharan Africa	Low income	5.649
Guinea	Sub-Saharan Africa	Low income	1.461
Ghana	Sub-Saharan Africa	Low income	874
Guinea-Bissau	Sub-Saharan Africa	Low income	124
Kenya	Sub-Saharan Africa	Low income	10
Liberia	Sub-Saharan Africa	Low income	16
Mali	Sub-Saharan Africa	Low income	1.150
Congo, Dem. Rep.	Sub-Saharan Africa	Low income	24
Mauritania	Sub-Saharan Africa	Low income	341
Sierra Leone	Sub-Saharan Africa	Low income	33
Togo	Sub-Saharan Africa	Low income	27
	Country income level	Country income level not	
REST OF AFRICAN COUNTRIES	not specified	specified	114

T. Children in immigrant families by country of nationality, and Region/Income Categories (*World Bank* classification). Catalonia 2011. (CONTINUATION)

Canada	..	High income: OECD	105
United States of America	..	High income: OECD	901
Costa Rica	Latin America & Caribbean	Upper middle income	73
Cuba	Latin America & Caribbean	Upper middle income	1.009
Dominica	Latin America & Caribbean	Upper middle income	56
Mexico	Latin America & Caribbean	Upper middle income	628
Panama	Latin America & Caribbean	Upper middle income	67
Dominican Republic	Latin America & Caribbean	Upper middle income	5.626
El Salvador	Latin America & Caribbean	Lower middle income	386
Guatemala	Latin America & Caribbean	Lower middle income	83
Honduras	Latin America & Caribbean	Lower middle income	3.134
Nicaragua	Latin America & Caribbean	Lower middle income	148
REST OF CENTRAL AMERICA	Country income level not specified	Country income level not specified	32
Argentina	Latin America & Caribbean	Upper middle income	5.001
Brazil	Latin America & Caribbean	Upper middle income	3.801
Chile	Latin America & Caribbean	Upper middle income	2.868
Colombia	Latin America & Caribbean	Upper middle income	9.106
Peru	Latin America & Caribbean	Upper middle income	5.465
Venezuela, RB	Latin America & Caribbean	Upper middle income	1.531
Uruguay	Latin America & Caribbean	Upper middle income	2.495
Bolivia	Latin America & Caribbean	Lower middle income	9.549
Ecuador	Latin America & Caribbean	Lower middle income	18.051
Paraguay	Latin America & Caribbean	Lower middle income	2.034
REST OF SOUTH AMERICA	Country income level not specified	Country income level not specified	2
China	East Asia & Pacific	Lower middle income	13.468
Philippines	East Asia & Pacific	Lower middle income	1.859
Indonesia	East Asia & Pacific	Lower middle income	10
Thailand	East Asia & Pacific	Lower middle income	30
Vietnam	East Asia & Pacific	Lower middle income	3
India	South Asia	Lower middle income	4.081
Pakistan	South Asia	Lower middle income	9.007
Bangladesh	South Asia	Low income	1.349
Nepal	South Asia	Low income	108
REST OF ASIAN COUNTRIES	Country income level not specified	Country income level not specified	115
Saudi Arabia	..	High income: nonOECD	9
Korea, Rep.	..	High income: OECD	106
Israel	..	High income: OECD	145
Japan	..	High income: OECD	273
Australia	..	High income: OECD	48
New Zealand	..	High income: OECD	16
EXPATRIATES	Country income level not specified		32
TOTAL			260.276

Source: INE, *Padrón Continuo* 2011..

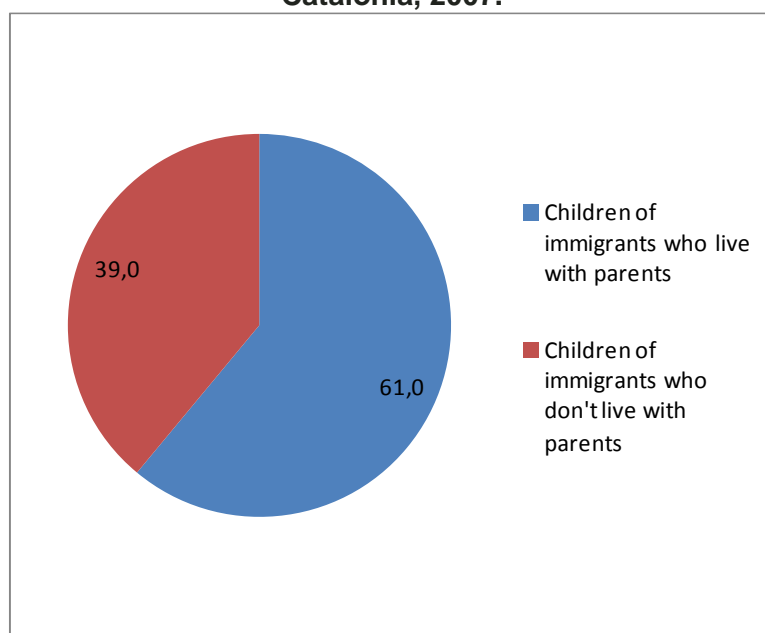
2. Family composition

Children of immigrants and cohabitation with parents

The data presented in this sub-epigraph have no parallel with the *Innocenti* report, but we regard them of interest to better understand the situations and living conditions of immigrant families in Catalonia.

Following the National Immigrants Survey by INE (National Spanish Statistics Institute), in 2007 nearly 40% of the 0-16 y.o. children of the immigrants who formed part of the study's sample in Catalonia didn't live with their parents, which is a very high score to have in consideration.

F. Children 0-16 of immigrant families living and not living with parents. Catalonia, 2007.



Source: INE, *Encuesta Nacional de Inmigrantes 2007*.

From the point of families we are provided with some data that allows us to distinguish children living and not living with parents by number of children in the family: according to INE's *National Immigrants' Survey* when parents⁶ have one or two children it is more likely that they cohabit in the same household (66,3%) than when they have three to five children (58,1%), or, more significantly, when they have six or more (in that case only 28,2% of the families have all their children living together in their household).

T. Immigrants by number of children and cohabitation. Catalonia, 2007.

	1-2 children	3-5 children	6 children or more
Children living with parents	66,3	58,1	28,2
Children not living with parents	33,7	41,9	71,8
Total	100,0	100,0	100,0

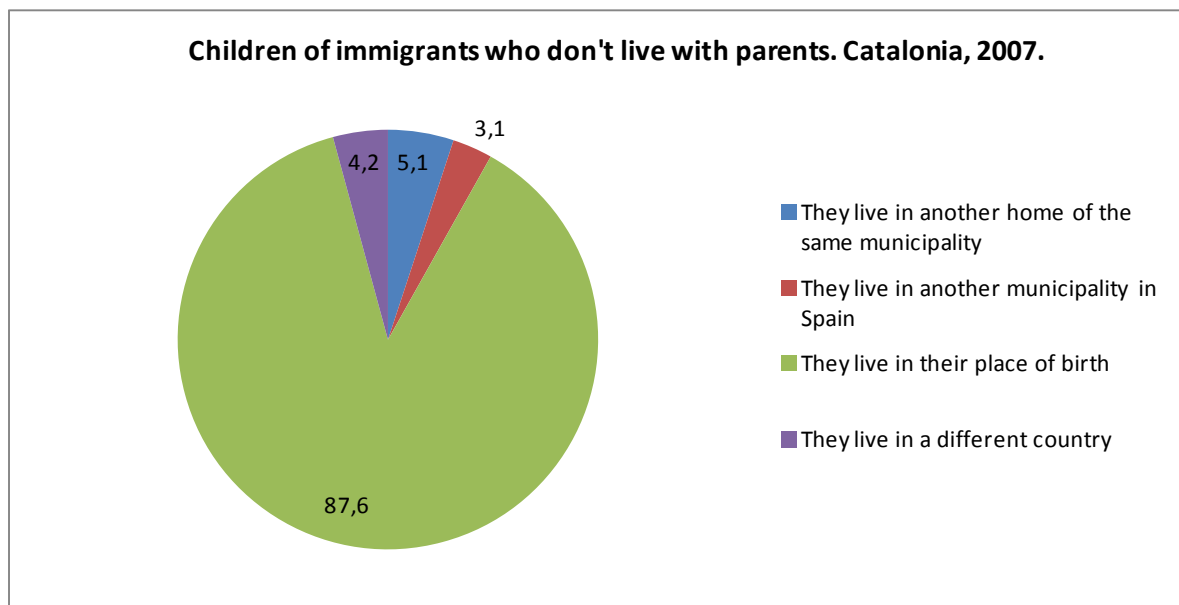
Source: INE, *Encuesta Nacional de Inmigrantes 2007*.

Most of the families (87,6%) who reported having children that didn't live with them in the household said they lived in their place of birth (some of these children were pending on family reunification, we will have some figures about it later on). A far less

⁶ The sample of immigrants with children interviewed in this Survey in Catalonia were 634.226 (2007).

significant share of them reported they had children living in another home of the same municipality (5,1%), or in a different country (4,2%), or in another Spanish municipality (3,1%).

F. Children 0-16 of immigrant families who don't live with parents by place of residence. Catalonia, 2007.



Source: INE, *Encuesta Nacional de Inmigrantes 2007*.

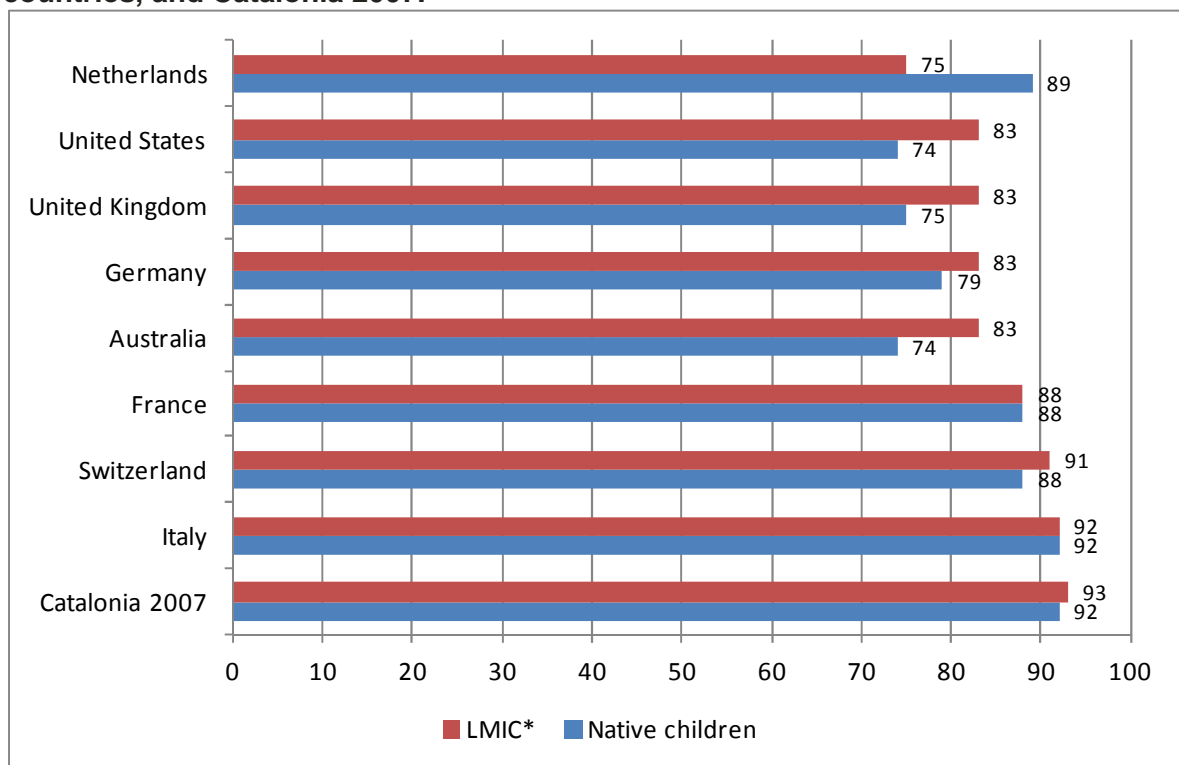
One- and two-parent families

As for the basic structure of immigrant families, overall, the overwhelming majority of children with LMIC origins in the countries of *Innnocenti* report, have two parents in the home, and they are generally more likely than children in native-born families to live in strong two-parent families.

Catalonia is, jointly with Italy (vid. T. x), the territory where children live most with their two parents, both native-born (92%) and immigrant (93%).

Unfortunately, the statistical source of information doesn't provide disaggregation by countries or areas of nationality to compare with the results of the Unicef study.

T. Per cent of children in two-parent families by LMICs* origin. Eight affluent countries, and Catalonia 2007.



* In the case of Catalonia the data are for all children of immigrants 0-17 y.o. (which suppose 89% of the total children of immigrants)

Source: *Innocenti* report and Idescat: *Enquesta Demogràfica 2007*.

Siblings in the home

Brothers and sisters can be a liability and an asset. In so far as parental time and finances are limited, these resources must be spread more thinly in families with more siblings than in families with fewer siblings. Therefore, in the *Innocenti* report we can find information about homes with two or more children: the major finding is that the countries studied there differed greatly in the number of siblings in native-born families (2009:27), the share of these children with two or more siblings 0-17 ranges from 15% in Italy and 19% in Germany to 32% in France and Switzerland, 36% in USA and 38% in Australia.

In the case of Catalonia we only have information about children living with siblings regardless of their number: the source of provision (*Idescat's Demographic Survey, 2007*) allows us to state that there is an important gap between native-born children and those with immigrant background: the firsts live with siblings more frequently (71,2%) than the seconds (58,3%), which, jointly with the evidences on parental cohabitation with their children displayed before, give us an idea of family fragmentation and the relevance of transnational families in our territory.

T. Per cent of children 0-17 y.o. in homes with siblings. Catalonia, 2007

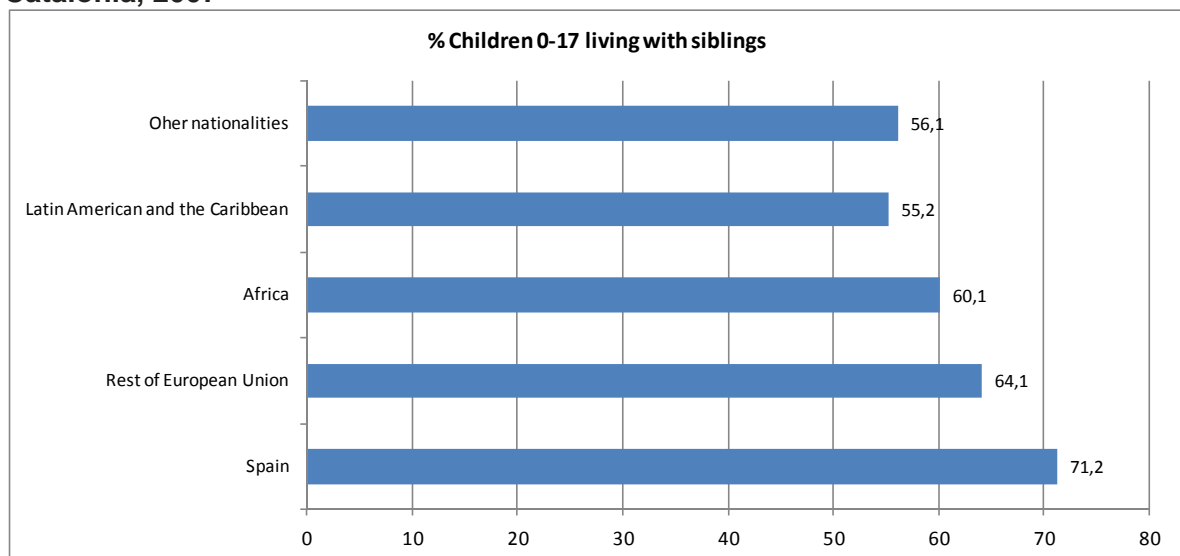
	Number*	%	(Total children*)
All children	869,2	68,6	1267,6
In native-born families	715,9	71,2	1004,8
In Immigrant families	153,3	58,3	262,8
Children in immigrant families by income category of the country of origin			
Low or middle income	122,5	57,1	214,6
High income	30,9	64,1	48,2

Source: Idescat, *Enquesta Demogràfica 2007*.

When contrasting geographical origins, much of the difference is accounted for by children living in families with LMICs origins (57,1% of children living with siblings, while the share for children coming from HICs is 64,1% -see T. x), and especially in Latin American and the Caribbean countries, among whom the share of children 0-17 y. o. living with siblings drops to only 55,2%, being 60,1% for children of African origins and 64,1% for children with European Union's.

This breach is probably due to the feminization of Latin American immigration, as often are women who find a job easier than men in the domestic sector and are impelled to leave some of their children behind in the country of origin.

Per cent of children 0-17 y.o. in homes with siblings by geographical origins. Catalonia, 2007



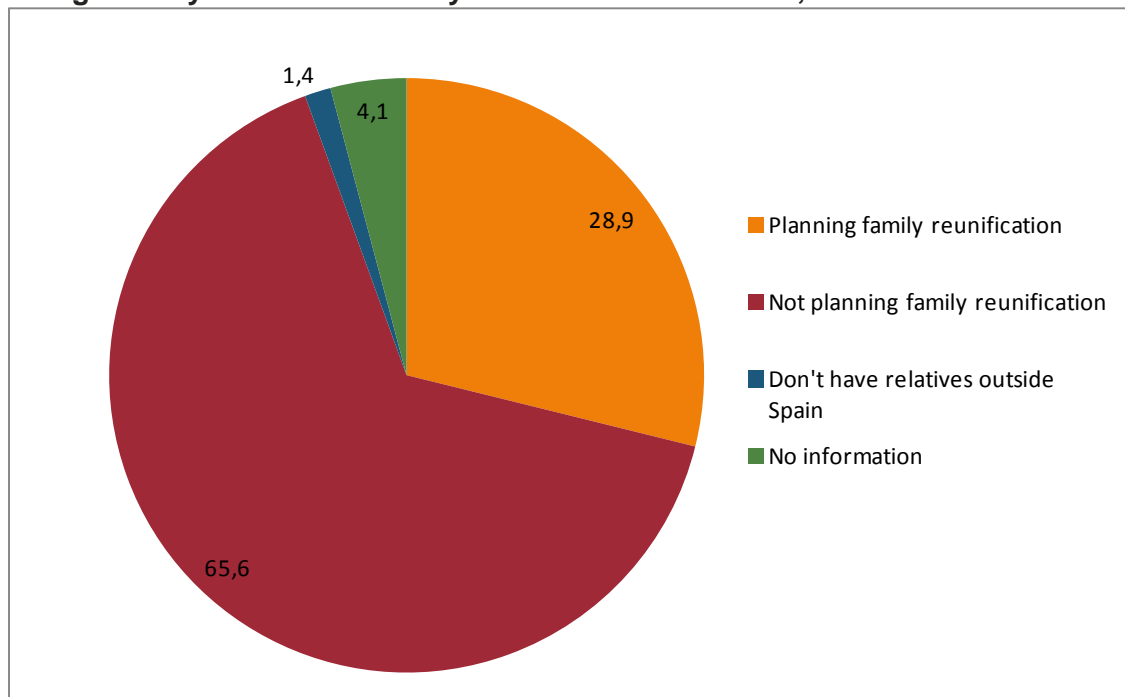
Source: Idescat, *Enquesta Demogràfica 2007*.

Family reunification

A last set of indicators, in this case with no correlative with *Innocenti* report's, are related to family reunification in Catalonia.

In the 2007 National Immigrants Survey (INE), more than a half of the participants declared not having intention of family reunification in the future (65,6%); on the contrary, nearly 30% of the surveyed stated that they did have planned applying for family reunification in the future (see F. x).

Immigrants by intention of family reunification. Catalonia, 2007.



Source: INE, *Encuesta Nacional de Inmigrantes*, 2007.

The intention of family reunification, according to the 2007 Demographic Survey (Idescat) is more evident among immigrants coming from African countries (17,4%), soon followed by South American immigrants (14%). The rest of nationalities have not enough significance to be disaggregated.

Nevertheless, we should remark that this source don't have congruence with INE's Survey (this could be a matter of sample, as Idescat's survey was general for the whole population while INE's was specifically for immigrants but don't offer regional or country disaggregation), as it states that nearly 80% of the surveyed immigrants affirmed not having in mind family reunification (for a better interpretation of these data, we should know if these population had already applied in the past).

Immigrants by intention of family reunification and region of nationality. Cat

	Planning family reunification	Not planning family reunification	No information	Total
Rest of EU	5,6	86,6	7,7	100
Africa	17,4	67,3	15,3	100
Latin American and the Caribbean	14,0	83,6	2,4	100
Other nationalities	19,4	73,9	6,7	100
Total (1.057,6 thousands)	13,9	79,0	7,1	100

alonia, 2007.

Source: Idescat, *Enquesta Demogràfica*, 2007.

Aside of the information of “intention” of family reunification, there are some data on the applications for residence authorizations based on family reunification provided by the Provincial Government’s Subdelegations in Barcelona, Girona, Lleida and Tarragona and analyzed in an specific study (Alcalde et al., 2010). On Table x, we notice that in 2008 the first country in number of applications, congruently with their relevance in terms of immigration, was Morocco, with 29,6% of total applications. Next was Ecuador (11,6%), followed by Pakistan (9,1%), China (8,5%) and Colombia (7,9%). Contrasting the countries in the ranking we can conclude that there is a high diversification in the cultural origins of families applying for family reunification even when Morocco concentrates an important part of them.

Applications for residence authorizations based on family reunification, by country of nationality. Catalonia, 2008

	Number	%
Algeria	211	0,8
Bangladesh	332	1,3
Bolivia	479	1,9
Colombia	1.996	7,9
China	2.165	8,5
Ecuador	2.931	11,6
Egypt	44	0,2
Philippines	456	1,8
Gambia, The	140	0,6
Ghana	190	0,7
Guinea Conakry	162	0,6
India	732	2,9
Morocco	7.512	29,6
Moldova	135	0,5
Pakistan	2.300	9,1
Peru	1.737	6,8
Dominican Republic	1.368	5,4
Russian Federation	134	0,5
Senegal	442	1,7
Ukraine	463	1,8
Rest of countries	1.442	5,7
Total	25.371	100

Source: Alcalde, R. et alt. (2010) *El reagrupament familiar a Catalunya, una aproximació quantitativa*. Barcelona: Fundació Jaume Bofill.

3. Parental education

Parents in immigrant families often have high educational aspirations for their children, but may know little about the educational system of their adopted homelands, particularly if they have completed comparatively few years of school. Parents with little schooling may, as a consequence, be less comfortable with the education system, less able to help their children with schoolwork and less able to negotiate effectively with teachers and school administrators (*Innocenti* report, 2009:41). Thus, to assess not only the educational needs of parents, but also the educational needs of children, one must measure the educational attainment of the parents of the children.

The share of children in native-born families living with fathers who have completed the first stage of tertiary education or higher ranges from a low of 10 per cent in Italy to 16 per cent in Australia, 23 per cent in France, 28–29 per cent in the United Kingdom and the United States and 36–37 per cent in Germany, the Netherlands and Switzerland (see *Table x*). In Catalonia this share of children is quite in the middle of the countries reported in *Innocenti's* report: 21,5% (source: Idescat's *Demographic Survey 2007*)

The share of children in immigrant families from LMICs living with fathers who have completed this level of schooling is larger than the corresponding share among children in native-born families in Australia and the United Kingdom, about the same in Italy, but substantially lower in France, Germany, the Netherlands, Switzerland and the United States. In 2007 in Catalonia the proportion of fathers who have completed the first stage of tertiary education or higher is significantly larger for native-born than for immigrants: 21,5% versus 16,6%.

Children in immigrant families (with LMIC origins) are about as likely as or are less likely than children in native-born families to be living with a father who has completed less than upper secondary school in the case of Australia and Italy. In the remaining six countries under study, the immigrant group is much more likely to be living with a father with this lower level of educational attainment. That also clearly happens in Catalonia: while 33% of immigrant fathers declare having completed less than upper secondary education, this share is only 14% for the native-born fathers surveyed by the Idescat's *Demographic Survey* in 2007.

T. Fathers' educational attainment. Catalonia 2007, and eight affluent countries*.

	Catalonia 2007	Australia	France	Germany	Italy	Netherlands	Switzerland	United Kingdom	United States
% of all children									
First stage of tertiary or higher	20	18	22	33	10	34	34	31	27
Upper Secondary	61	58	49	53	33	43	47	49	55
Less than upper secondary	19	24	29	14	57	23	19	20	18
% in native-born families									
First stage of tertiary or higher	22	16	23	37	10	36	37	29	28
Upper Secondary	64	59	51	56	33	43	54	52	60
Less than upper secondary	14	26	27	7	58	21	8	19	12
% in immigrant families*									
First stage of tertiary or higher	17	31	12	16	12	17	22	40	20
Upper Secondary	51	49	28	40	34	34	34	29	35
Less than upper secondary	33	20	60	44	54	28	44	31	45

*The countries compared with Catalonia only account for LMICs origins.

Source: Innocenti Report and Idescat. *Enquesta Demogràfica 2007*.

The *Innocenti* report highlights a comparison of the educational attainment between LMICs and HICs immigrant fathers that is not possible to develop for Catalonia due to a lack of data on geographical origins.

In the next Table we can see a more detailed distribution of fathers' levels of studies confronting both total frequencies (sample) and percentages: immigrant fathers are more visible than native-born families in the lower categories of studies, although for all of them Upper Secondary is the category most reported to have been completed.

T. Fathers' educational attainment. Catalonia 2007.

	Catalonia 2007	
	Number**	%
% of all children		
First stage of tertiary or higher	229	20,3
Upper Secondary	688,1	60,9
Less than upper secondary	212,1	18,8
TOTAL	1129,2	100
% in native-born families		
First stage of tertiary or higher	182,6	21,5
Upper Secondary	545,8	64,2
Less than upper secondary	121,2	14,3
TOTAL	849,6	100
% in immigrant families*		
First stage of tertiary or higher	46,4	16,6
Upper Secondary	142,3	50,9
Less than upper secondary	90,9	32,5
TOTAL	279,6	100

** The unities are counted in thousands

Source: Idescat. Enquesta Demogràfica 2007.

The results of *Innocenti's* report on educational attainment among mothers living with children are broadly similar to those among fathers in both native-born families and immigrant families, although the overall educational attainment among mothers is somewhat lower (see *Table X*), which doesn't happens in Catalonia. Among children in immigrant families with LMIC origins, the differences in educational attainment at a specific educational level between mothers and fathers are no more than 14 percentage points. This difference is similar to the respective difference among children in families with origins in HICs.

T. Mothers' educational attainment. Catalonia 2007, and eight affluent countries*.

	Catalonia 2007	Australia	France	Germany	Italy	Netherlands	Switzerland	United Kingdom	United States
% of all children									
First stage of tertiary or higher	24	16	23	20	10	27	14	23	23
Upper Secondary	58	49	44	58	36	47	59	55	60
Less than upper secondary	19	34	33	22	54	27	28	22	18
% in native-born families									
First stage of tertiary or higher	26	15	24	22	10	29	11	21	23
Upper Secondary	61	48	45	64	36	48	71	59	65
Less than upper secondary	14	37	30	14	54	23	17	20	12
% in immigrant families*									
First stage of tertiary or higher	16	16	11	14	11	24	22	37	31
Upper Secondary	50	55	38	39	38	48	44	47	56
Less than upper secondary	34	29	51	47	51	28	34	16	13

*The countries compared with Catalonia only account for LMICs origins.

Source: Innocenti Report and Idescat. *Enquesta Demogràfica 2007*.

In Catalonia it is clear that despite the fact that the most important gap focuses on mothers who have completed less than upper secondary school (only 13,5% of children with native-born mothers, versus 34,2% of children with immigrant mothers), is very relevant the great difference we find in the category of mothers who have completed first stage of tertiary or higher: while native-born mothers surpass their male partners in this achievement (26%), immigrant mothers are less present and maintain a share equal to immigrant fathers (16,3%).

T. Mothers' educational attainment. Catalonia 2007.

	Catalonia 2007	
	Number**	%
% of all children		
First stage of tertiary or higher	293	23,5
Upper Secondary	717,8	57,6
Less than upper secondary	234,5	18,8
TOTAL	1245,3	100
% in native-born families		
First stage of tertiary or higher	240,5	26,0
Upper Secondary	558,3	60,5
Less than upper secondary	124,5	13,5
TOTAL	923,3	100
% in immigrant families*		
First stage of tertiary or higher	52,5	16,3
Upper Secondary	159,5	49,5
Less than upper secondary	110	34,2
TOTAL	322	100

** The unities are counted in thousands

Source: Idescat. Enquesta Demogràfica 2007.

In global terms, and returning to the comparison across affluent countries, the shares of children in immigrant families living with parents who have completed less than upper secondary schooling are higher for immigrant families than for native-born ones. This suggests that immigration to these affluent countries is often undertaken by persons with limited education who are seeking to improve their economic opportunities through immigration to an affluent country. In so far as the Council of the European Union and the governments of the member states have established the principle that “efforts in education are critical in preparing immigrants . . . to be more successful and more active participants in society” (*Innocenti* report, 2009:44), these results suggest that many children in immigrant families are living with parents who would benefit from such efforts in affluent countries, including Spain and Catalonia.

4. Parental Paid Employment

Employment is a key part of the integration process and is central to the participation of immigrants, to the contributions immigrants make to the host society, and to making such contributions visible” (*Innocenti* report, 2009:45).

Employment among the parents of the children in immigrant families is also important because it is the primary source of economic support for children and their families and is therefore critical to ensuring social inclusion among the children.

Employment among fathers

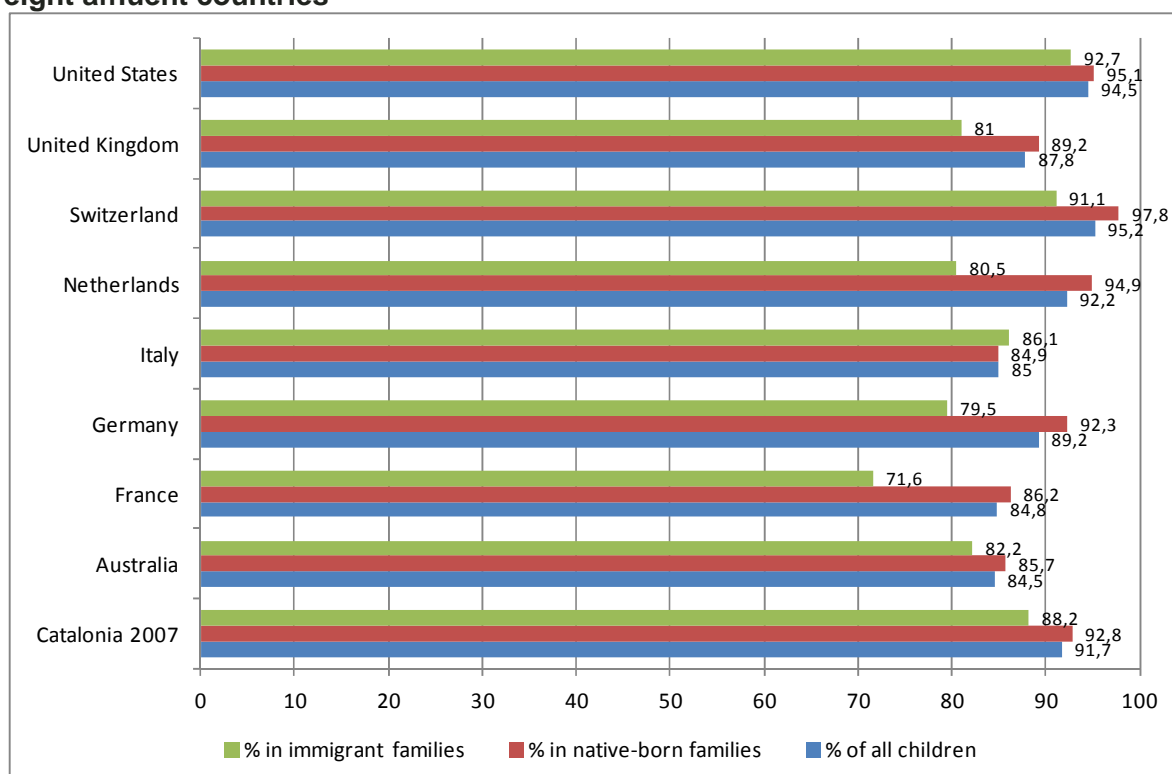
The vast majority of children in native-born families in the eight countries reported in Unicef's study are living with fathers who are working to support their families, and so is the case of Catalonia (see Figure x). The shares of these children with employed fathers range from 85–86 per cent in France and Italy to 88–92 per cent in Australia, Germany and the United Kingdom and to 95–98 per cent in the Netherlands, Switzerland and the United States. In Catalonia this share is 92,8% (this is a score taken in 2007, just before the present economic recession, so for sure it would be lower today).

According to Innocenti's data (disaggregated by regions and income categories), children in families with LMIC origins are somewhat less likely to be living with fathers who are employed than are those in families with HIC origins in Australia and Switzerland, but especially in France, Germany, the Netherlands, and the United Kingdom (see Table x).

In Catalonia there is not such a big difference between children living with native-born or immigrant fathers who are employed: 92,8% versus 88,2%. So the proportions for working and not working fathers are quite equivalent among immigrant and not immigrant families.

We have no data distinguishing by countries or areas, but it is supposed that in a large majority of the fathers in immigrant families from most origins are actively contributing to the economies of the country of settlement.

F. Per cent of children living with fathers who are employed. Catalonia 2007, and eight affluent countries



Source: Innocenti report and Idescat: *Enquesta Demogràfica 2007*.

Fathers employed full-time

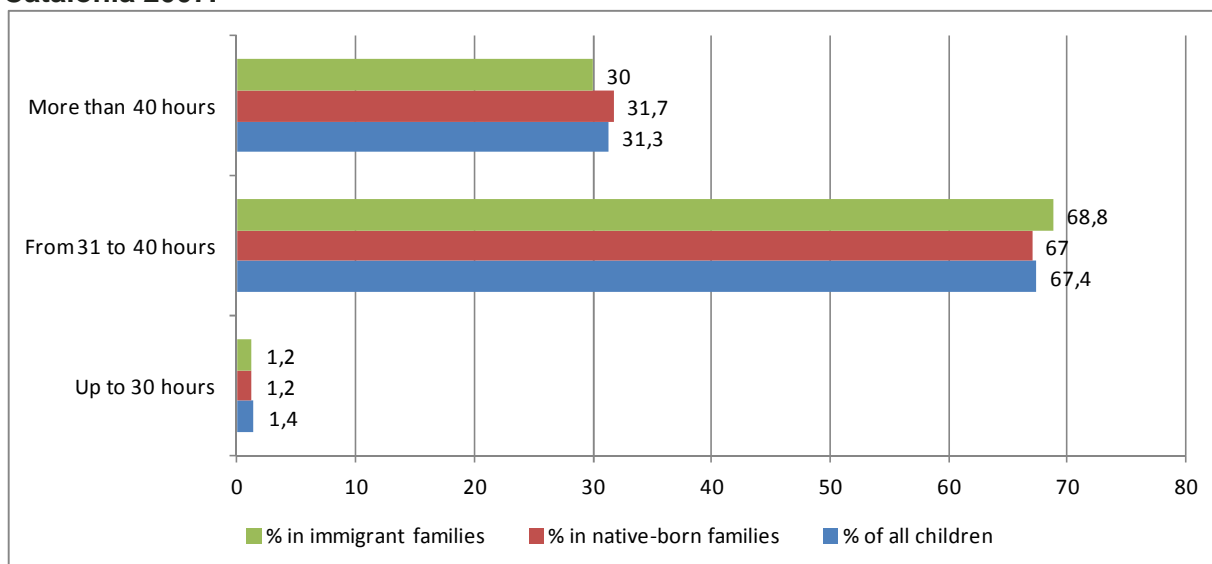
In Innocenti's report, fulltime employment among fathers is defined as 36 hours per week or more, and from this definition it is possible to compare its incidence across five affluent countries that have broadly similar norms on the labour force and collect generally comparable data. Among children in native-born families, the shares living in families with working fathers where the fathers are employed full-time are 82–83 per cent in Germany, Italy and the United Kingdom, 90 per cent in the United States and 93 per cent in Switzerland (*Innocenti's report*, 2009:48).

The gaps in full-time employment are about the same or slightly larger among the fathers in immigrant families with LMIC origins than among the fathers in native-born families in Italy (both 82 per cent), Switzerland (84 versus 93 per cent) and the United States (85 versus 90 per cent), but substantially larger in Germany (49 versus 83 per cent) and the United Kingdom (60 versus 82 per cent) (*ibíd*). Thus, there is a wide gap relative to employment rates among fathers in native-born families in the United Kingdom and especially in France, Germany and the Netherlands. Corresponding differences occur in full-time employment across the countries reporting relevant results.

Unfortunately, it is not possible to include Catalonia in the former comparative comments as the interval categories to differentiate dedication to work are not coincident: Idescat uses three distinctive categories that make difficult to discriminate full-time from part-time paid work.

In Figure x we can see, however, that the distribution of employed fathers in terms of hours worked per week is really equal among immigrants and native-borns: the great majority devote to their occupation 31 to 40 hours per week, and some 30% dedicate more than 40 hours, regardless of national origins.

F. Children 0-17 living with employed fathers by hours worked per week. Catalonia 2007.



Source: Idescat: *Enquesta Demogràfica 2007*.

Employment among mothers

The employment situation for native-born and immigrant mothers is far more complex and different from the uniformity stated among fathers independently of their geographical origins.

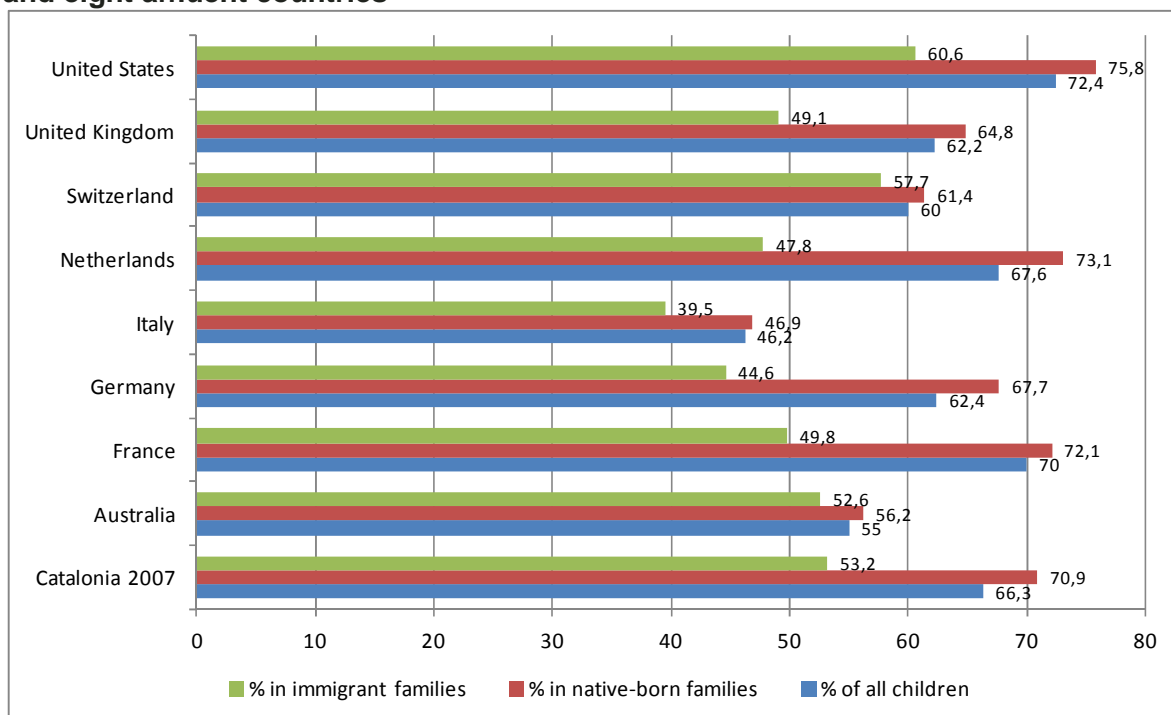
In the affluent countries under study, the shares of children in native-born families who are living with employed mothers vary enormously, from 47 per cent in Italy to 56–61 per cent in Australia and Switzerland, 65–68 per cent in Germany and the United Kingdom and 72–76 per cent in France, the Netherlands and the United States. In Catalonia the rate for children living with employed mothers is 70,9%, near to the scores reported for France, the Netherlands and USA (see Table x)

In Australia, Italy and Switzerland, children in immigrant families with LMIC origins are 7–9 per cent less likely than children in nativeborn families to be living with employed mothers; this gap expands somewhat, to 15 per cent, in the United States. The gap widens to 23 per cent in the United Kingdom and 35–37 per cent in France, Germany and the Netherlands (*ibíd.*).

In the case of Catalonia, there is a gap of more than 17% between children living with native-born (70,9%) and immigrant (only 53,2%) employed mothers. This scores vividly contrast with the mentioned equality of fathers' dedication to remunerated work regardless of their origins.

This notwithstanding, even in the affluent countries with the lowest employment rates among mothers, between about one third and two fifths of children in families with LMIC origins are living with mothers who are actively participating in the economy; this share rises to more than one half in Catalonia.

F. Per cent of children living with mothers who are employed. Catalonia 2007, and eight affluent countries



Source: *Innocenti* report and Idescat: *Enquesta Demogràfica 2007*.

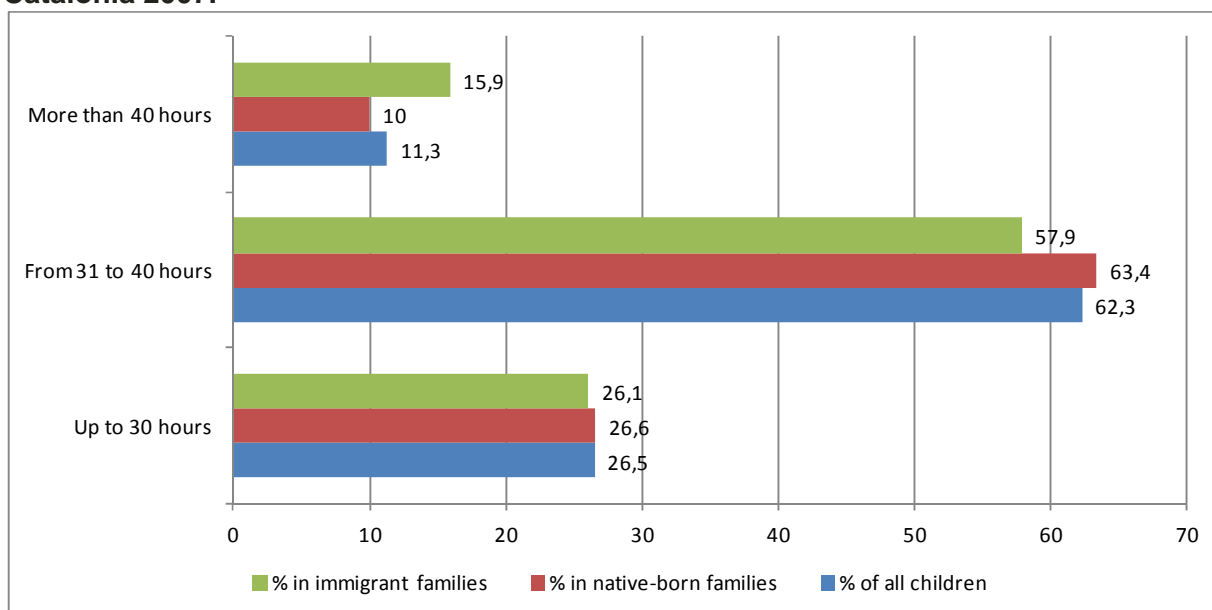
Mothers employed full-time

Following *Innocenti's* comparative comments, in none of the seven affluent countries for which data are reported there are more than one half of the children in native-born or immigrant families living with mothers who are employed full-time (2009:49). The share among children in native-born families is 49 per cent in the United States, but only 34 per cent in Italy, 19 per cent in Australia, Germany and the United Kingdom and 5–11 per cent in the Netherlands and Switzerland (2009:50).

The shares are smaller among children in immigrant families with LMIC origins than among children in native-born families in the United States (44 versus 49 per cent) and Germany (10 versus 19 per cent), but larger among children in families with LMIC origins in Australia (26 versus 19 per cent) and Switzerland (25 versus 11 per cent) (*ibid.*).

We can sum Catalonia in the last distribution trend because immigrant mothers who have an occupation and dedicate to it more than 40 hours have more presence (15,9% of occupied mothers) in comparison to Spanish mothers (10%). But in the rest of the interval categories (*from 31 to 40 hours*; and *up to 30 hours*) the share of children living with immigrant and native-born mothers are quite similar. This distribution give us some evidence to state that in Catalonia all mothers work more hours per week (around 60% work from 31 to 40 hours) than in the affluent countries depicted in *Innocenti's* report, although the categories are not coincident and we cannot establish an exact comparison.

F. Children 0-17 living with employed mothers by hours worked per week. Catalonia 2007.



Source: Idescat: *Enquesta Demogràfica 2007*.

5. Housing

Overcrowded housing

A measure of access to decent housing is the extent to which children live in overcrowded housing. Children living in overcrowded housing may have additional difficulty finding a place to do homework and may also encounter negative consequences in behavioural adjustment and psychological health.

In the Innocenti's report, children are considered to be living in overcrowded housing if they live in a home in which the ratio of the number of persons to the number of rooms is higher than 1.0.

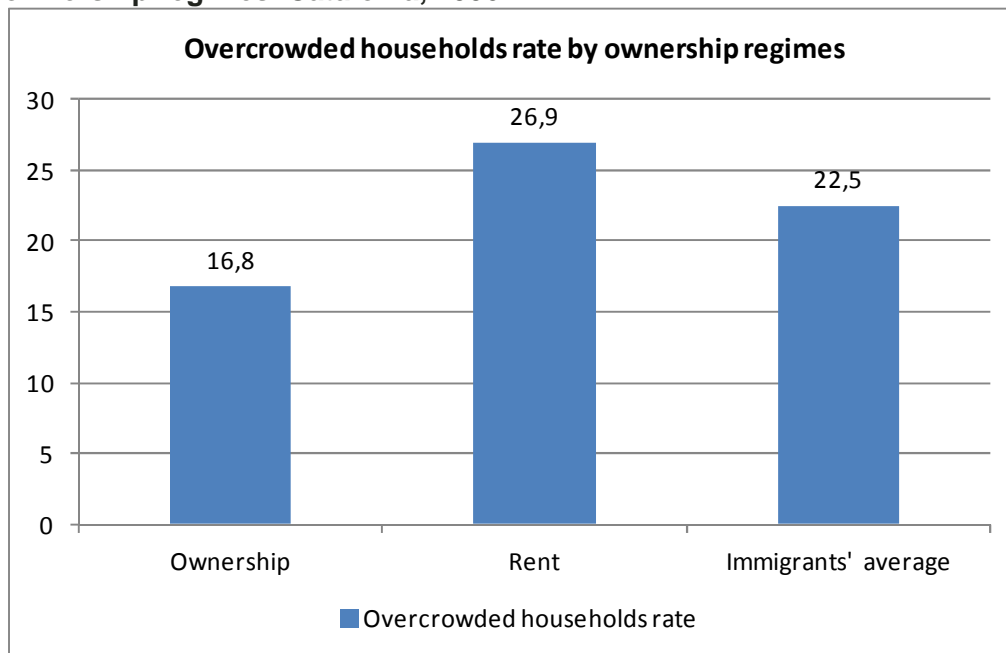
Following the report (2009:57), in Australia, children in immigrant families with LMIC origins are 3 percentage points more likely than children in native-born families to live in overcrowded housing (12 versus 9 per cent). The gap increases seven-fold, to 21–23 per cent, in Italy (64 versus 43 per cent) and the United Kingdom (33 versus 10 per cent), and it increases 14-fold, to 41–42 per cent, in France (60 versus 19 per cent) and the United States (52 versus 11 per cent).

Again, there are not directly available data to compare Catalonia with the affluent countries referred to before. Instead, we can have a look at some results on immigrant families' housing published in a more extended study about their conditions of life in Catalonia (Ajenjo, M; Bosch, J. et al, 2006). The methodology used defines as overcrowded housing the situation when a household offers less than 15 m² per person living there.

From that definition, in the specific chapter (id., 107-136) we find out that while the share of overcrowded housing is 9% among native-born families, it rises to 22,5% among immigrant population (with data taken from 2001 Census).

In the last 10 years, the growing number of immigrants arrived to Catalonia has collided with a serious crisis of economic accessibility to housing due to an exorbitant increase of prices. This has affected especially the immigrant families, which also are pushed to live in worse conditions in terms of size, age or modern conveniences of the houses. Figure x. displays the share of overcrowded households by ownership regimes, and consistently with the more precarious conditions that imply renting a house in comparison to buy it, we see that overcrowded housing is clearly more frequent among immigrant families who are paying a rent (26,9%) than among those who are paying mortgages (16,8%).

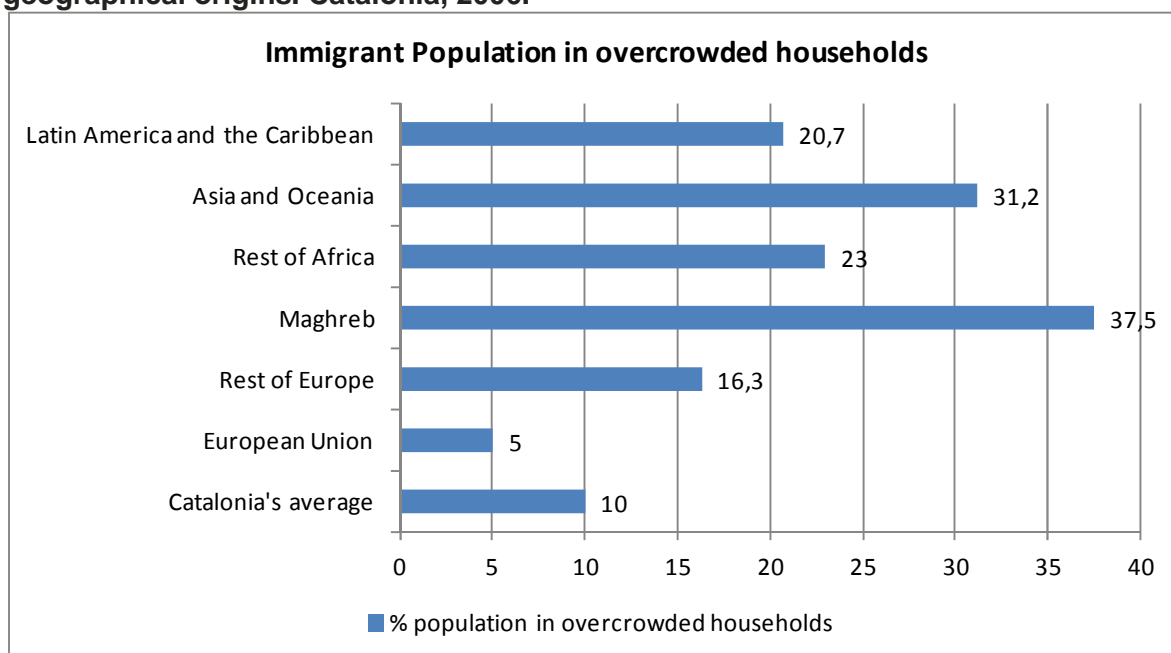
F. Per cent of immigrant population living in overcrowded households by ownership regimes. Catalonia, 2006



Source: Bosch, J. (2008) "Integració i mobilitat residencial de la població immigrada a Catalunya". In Ajenjo, M. et al., *Les condicions de vida de la població immigrada a Catalunya*. Barcelona, Fundació Jaume Bofill, pgs. 107-136

If we compare the overcrowded housing by geographical areas (see next Figure), Maghrebi families (basically Moroccan) are the most affected (37,5%), followed by immigrants from Asia and Oceania (31,2%), from Subsaharan Africa (23%) and from Latin America and the Caribbean (20,7%). All these regions include a majority of LMI Countries. Immigrant families coming from HICs (European Union, 5%; and Rest of Europe, 16,3%) are likely to be less damaged by overcrowded housing.

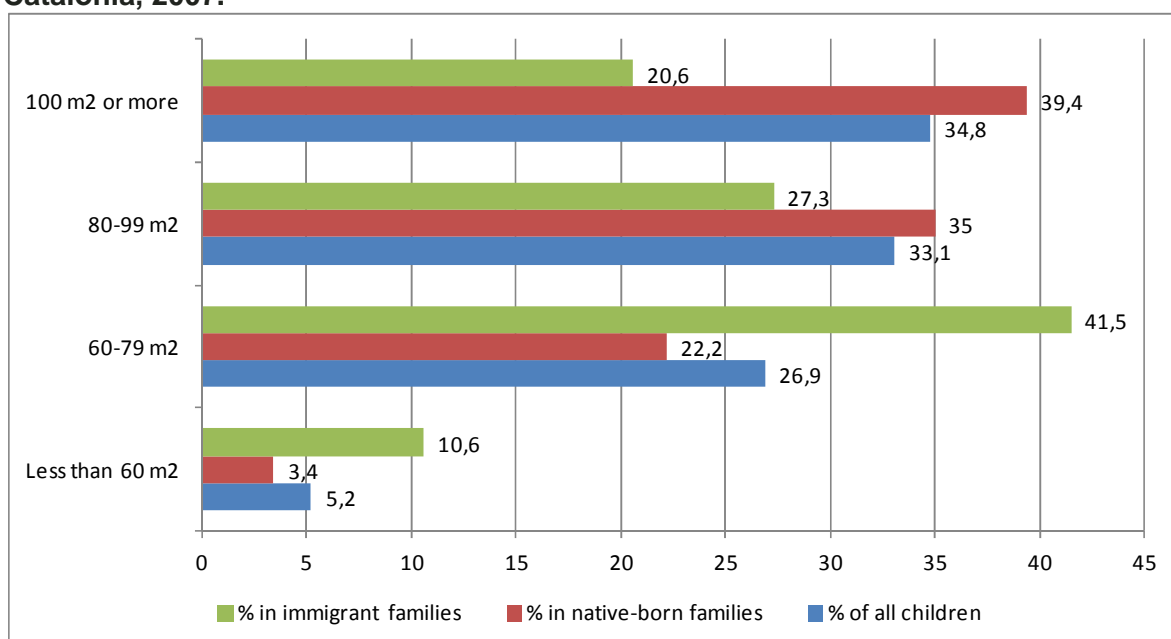
F. Per cent of immigrant population living in overcrowded households by geographical origins. Catalonia, 2006.



Source: Bosch, J. (2008) "Integració i mobilitat residencial de la població immigrada a Catalunya". In Ajenjo, M. et al., *Les condicions de vida de la població immigrada a Catalunya*. Barcelona, Fundació Jaume Bofill, pgs. 107-136

A last useful indicator (provided by Idescat's *Demographic Survey, 2007*) could be the comparison of the homes' sizes in m². In the next Figure it is evident that immigrant children live in littler households than native-born ones: the majority (41,5%) of children 0-17 y.o. in immigrant families live in homes which length are between 60 and 79 m², while children in native-born families live more frequently (39,4%) in homes of 100 m² or more. Children of immigrant origins are also more likely to live in the smallest –less than 6 m²- homes (10,6%) than native-born (only 3,4%).

Children 0-17 by place of birth of the person of reference and home size (m²). Catalonia, 2007.



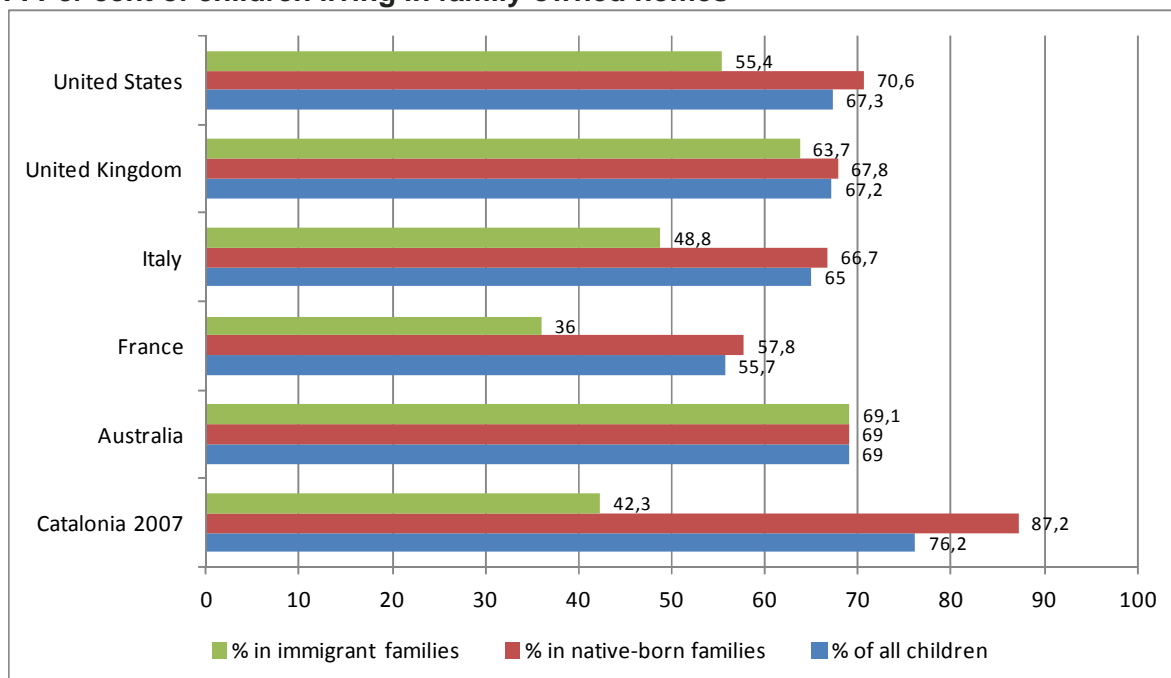
Source: *Innocenti report* and Idescat: *Enquesta Demogràfica 2007*.

Homeownership

The results on homeownership do not necessarily reflect the quality of housing, but they do reflect access to housing; they also reflect investment in and commitment to neighbourhoods and communities by families.

In each of the five affluent countries reporting results on rates of homeownership, a substantial majority of children in native-born families live in homes owned by their families, ranging from 58 per cent in France to 67–71 per cent in Australia, Italy, the United Kingdom and the United States. From this frame of reference Catalonia stands out in homeownership by native-born families: in 2007 there is a share of 87,2% of children whose parents are the owners of the household (see Figure x). This very high percentage could be a “sample effect” (the source is the Demographic Survey), but it also reflects a continuing “culture” of buying a house (one of the maximum social aspirations) which is very common all across Spain.

F. Per cent of children living in family-owned homes



Source: *Innocenti* report and Idescat: *Enquesta Demogràfica 2007*.

Therefore is not rare that the largest gap in homeownership separating children in immigrant families and children in native-born families – 45 percentage points! – occurs precisely in Catalonia: only 42,3% of children live in a household owned by their parents or tutors.

This gap between children in immigrant families and children in native-born ones is still important but lower in France (36 versus 58 per cent) and Italy (49 versus 67 per cent). In the United States, the difference is somewhat smaller, at 15 percentage points, and the majority in both the immigrant and native-born groups live in family-owned homes (55 versus 71 per cent). Children in immigrant families are nearly as likely as children in native-born families to live in a family-owned home in Australia (69 per cent) and the United Kingdom (64 versus 68 per cent).

The percentages of children living in immigrant families with homeownership in the affluent countries reported by Unicef are often 50 per cent or more. They are almost

always at least 30 per cent or more; in France and in Catalonia, the overall rates are somewhat lower than in the other countries, but are still significant when we take into account that although substantial shares of children in many immigrant groups are living with at least one parent who has been in the country of settlement for less than five years (*Innocenti* report, 2009:60), many immigrants are tangibly investing in their communities by purchasing homes and showing a strong commitment to the local neighbourhoods, towns and cities in their adopted homelands.

2. FILLS I FILLES DE FAMÍLIES IMMIGRADES : SITUACIÓ I EVOLUCIÓ EDUCATIVA A CATALUNYA EN PERSPECTIVA COMPARATIVA

Bálint-Àbel Bereményi & Sílvia Carrasco

No data related to families, can be gathered from educational statistics of the public administrations. Gathered data reflect students' nationality or place of birth. So one cannot know whether foreign-nationality students are themselves "immigrants" or "children of immigrant parents". Similarly, we cannot be sure whether foreign-born Spanish children are children of immigrants or not. Nevertheless, these are the data related to education that we can deal with, so we are going to base our analysis on these sources.

1, Educational aspiration of immigrant families in Catalonia:

"parents in immigrant families often have **high educational aspirations** for their children" (Comparative 61 citing **US** studies) 86

"educational aspirations of students in schools with high concentrations of immigrants are higher than those of students in schools without high concentrations of immigrants (Comparative 61 citing **German** studies) 87

parents in immigrant families and their children have higher aspirations than the native French population at the same socio-economic level. (Comparative 61 citing **German** studies) 88

2, Educational progress and achievement

Statements to be contested w/ Catalanian case: reflected in literature (no own data on: first-second generation, credential-gaining rates, enrol rate, etc....)

To be contested

Australia: Large-scale studies of school outcomes show little difference between children in immigrant families and children in native-born families, including studies of
reading skills at ages 8-9
mathematics skills at ages 8-9
reading comprehension at age 14
school dropout rates at ages 16-17

Australia PISA: educational outcomes at age 15 were not statistically different among children in immigrant families and children in native-born families, both before and after controlling for socio-economic status . (Comparative 61 citing Australian studies)

Germany PISA: immigrant families in Germany generally performed less well than children in nativeborn families. (Comparative 61 citing German studies)

Other German studies: families are **delayed in starting** school and are **more likely to repeat**

classes than children in native-born families (Comparative 62 citing German studies)
children in immigrant families who are in grades 1-3 are four times more likely than native-born German children to **repeat a grade**. (Comparative 62 citing German studies)
children in immigrant families **have worse grades** than children in native-born families, and the gap in grades increases over time. (Comparative 62 citing German studies)

French studies: nearly half the children in immigrant families **repeat** one or more grades in elementary school, which is twice the corresponding share of children in native-born families, and, in the first year of middle school, children in immigrant families had much **lower success rates on national tests** than students in native French families (Comparative 62 citing French studies)

Italy studies: immigrant families experience **less success** in school than students in native Italian families, and the gap in promotion from one grade to the next steadily expands from elementary school to secondary school (Comparative 62 citing Italian studies)

Netherlands: immigrant families **lag behind** students in native-born families.⁹³ The **lowest test scores** are found among children in families with origins in Turkey, followed by those in immigrant groups from Morocco and Suriname. Children in some **refugee groups**, however, show **more success** in school than children in other immigrant groups, particularly in the second generation, including children in refugee families from **Eastern Europe** and from Afghanistan, the Islamic Republic of Iran and Iraq.

Switzerland: PISA: students who grow up speaking a non-local language show lower test scores in reading and mathematics.

first-generation immigrant children have lower test scores than do second-generation children, who have lower scores than do the third and later generations

gap: Australia, Canada (smaller); Switzerland (mid); France Germany Netherlands (high)

US study: differences across immigrant groups.⁹⁶

Catalan case: National test of students' competence including Catalan and Spanish language, Mathematics, French and English language at last primary school grade (11-12 years) have been done by "Consell Superior d'Avaluació de Sistema Educatiu" (High Council of Educational System Evaluation, belonging to the Dept. of Education, Govern of Catalonia), since 2009. The latest study published in 2011 on students' achievement states that Spanish nationality students obtain better results than foreign nationality students in all evaluated competencies, with a difference of almost 10 points. This fact supports findings of those *Innocenti* studies realized in Germany, France, Italy, the Netherlands and Switzerland, and contrast with the findings of the Australian large-scale studies that refer to little difference in reading, mathematical skills between children in immigrant families and children in native-born families. (mentioned in Innocenti Comparative p61)

The main difference among these studies is found in the very definition of the unit of analysis. While the Catalan study focuses on the foreign-nationality students, the Innocenti studies speak about the children born in foreign families, or foreign-born children.

CSASE study also states that foreign nationality students reach the highest average points in foreign linguistic competence (74,9) and in mathematics (73,8). An average growth of 6% can be observed in average grades of all competences, both in Spanish-nationality and in foreign-nationality population. (CSASE 2011:31) The most notable growth has been achieved in English language skills, while the lowest ones in Mathematics and Spanish language skills. [*no se sap a què deu aquest increment*]

In Table XXX we can observe the average scores obtained by Foreign (nationality) and Spanish primary school students of 6th grade, by competences.

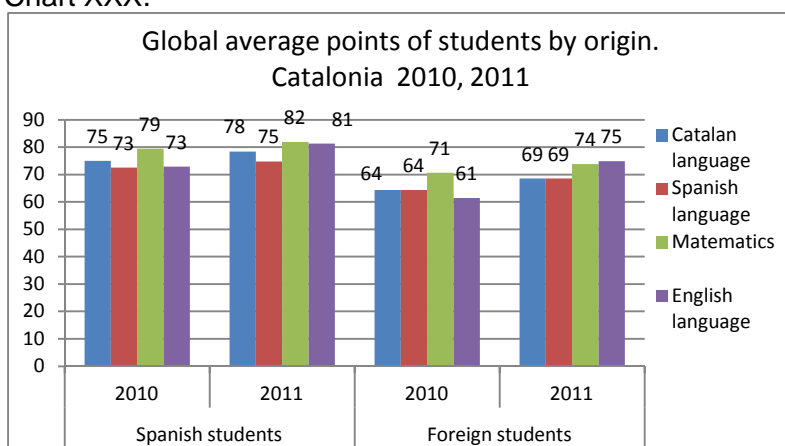
Table XXX. Global average points of students, by origin. Years 2010, 2011

	Spanish students			Foreign students			GAP		
	2010	2011	Growth	2010	2011	Growth	2010	2011	Growth
Catalan language	75	78,4	105%	64,4	68,5	105%	10,6	9,9	93%
Spanish language	72,5	74,8	103%	64,4	68,5	103%	8,1	6,3	78%
Mathematics	79,4	81,9	103%	70,6	73,8	103%	8,8	8,1	92%
English language	72,9	81,3	112%	61,4	74,9	112%	11,5	6,4	56%
Average	75,0	79,1	106%	65,2	71,4	106%	9,8	7,7	79%

Elaborated by the authors. Source: CSASE 2011: 31

In Table XXX one can observe a decrease of the performance gap between Spanish and Foreign students. While in 2010 this gap represented 9,8 point, in 2011 the gap reduced to 7,7 points. Most significant reduction have occurred in English language (56%) and in Spanish language (78%) skills, while in Catalan language and in Mathematics skills the gap doesn't seem to have reduced significantly.

Chart XXX.

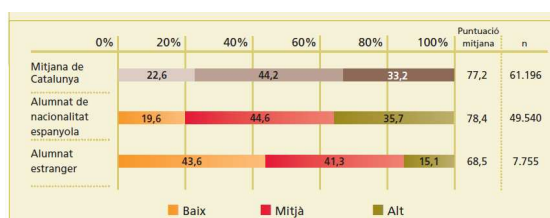


Elaborated by the authors. Source: CSASE 2011: 31 (Table 1)

Although generally speaking foreign nationality students perform below average, there are significant internal differences. Academic performance of those students of EU and other European origin are situated close to the average of Catalonia in all evaluated competences, but Spanish language. In Spanish language competences it is Latin American origin (nationality) students that outperform their non-Spanish peers. In mathematical and English language competences it is Asian-origin students who perform over-average. The students with lowest outcomes in all competencies are those of Maghrebin and North African origin. (CSASE 2011: 32)

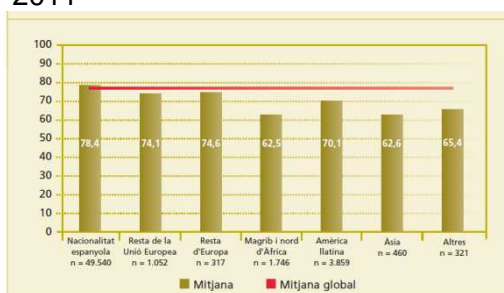
Catalan language competence

Chart XXX. Proportion of students situated in competence stretches in **Catalan** language. By origin. Catalonia 2010, 2011



Source: CSASE 2011: 32 [Gr.21]

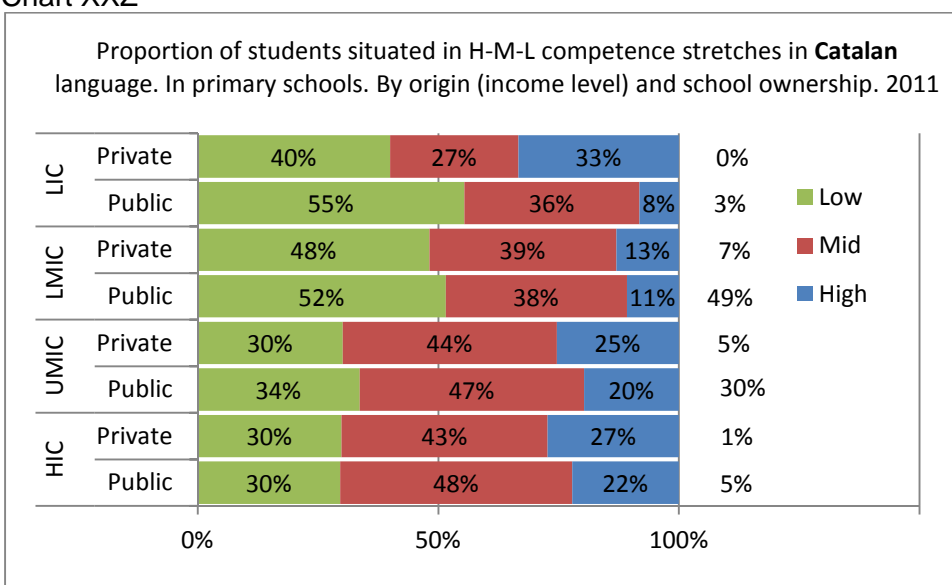
Chart XXY. Students' outcomes in **Catalan** language competence. By geographical origin. Catalonia 2010, 2011



Source: CSASE 2011: 33 [Gr.22]

As we can gather from Chart XXX, 35,7% of Spanish nationality student in Catalan schools belong to high-competence stretch. Less than half of this proportion: 15,1% of foreign nationality students can gain high-competence in this field. At the same time, low competence volume (43,6%) of foreign students is almost the double than Spanish students (19,6%). By origin (geographical zone of nationality) it is Maghreb/North African as well as Asian students that lag behind, while performance of those students of the EU and other European origin close up to Spanish students' performance.

Chart XXZ



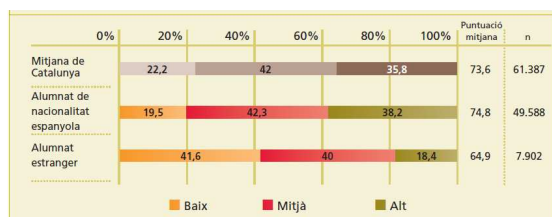
Source: Own elaboration based on data provided by CSASE

Broken down by Income category of country of nationality we can observe on Table XXZ that the majority of non-Spanish students come from Low Middle Income (56%) and Upper Middle Income (35%) countries. There is a high proportion (52%, 48%) of **LMIC** students in the low performance stretch in Catalan language competences, with 4% gap between public and private schools. At the same time a very low proportion (11%, 13%) of LMIC students get into the high-performing stretch in Catalan language. In contrast, students from **UMIC** countries have a lower proportion in the low performing zone, and a higher proportion in the high-performing zone. Among these students there is a wide performance gap depending on the school ownership. Notably, UMIC private school students outperform both UMIC public school students and LMIC

students. However, in Catalan language even UMIC private school students lag 11 points behind Spanish students' competence. Unfortunately, we have no segregated data for Spanish students by school ownership.

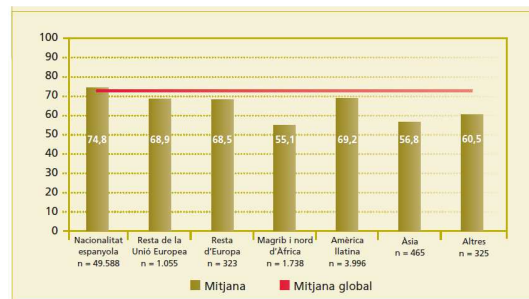
Spanish language competence

Chart XXX Proportion of students situated in competence stretches in **Spanish** language. By origin. Catalonia 2010, 2011



Source: CSASE 2011: 33 [Gr.23]

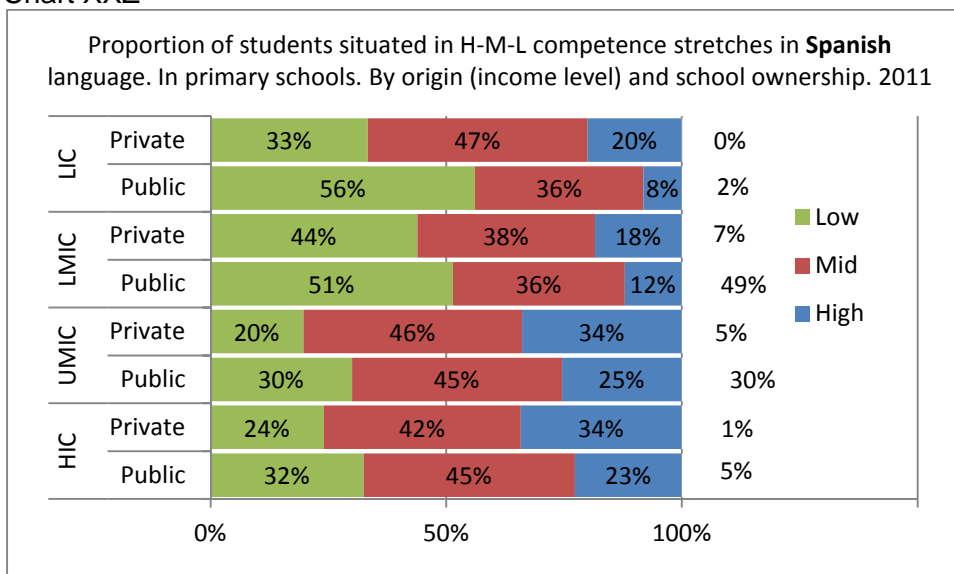
Students' outcomes in **Spanish** language competence. By geographical origin. Catalonia 2010, 2011



Source: CSASE 2011: 34 [Gr.24]

As we can gather from Chart XXX, 38,2% of Spanish nationality student in Catalan schools belong to high-competence stretch. Less than half of this proportion: 18,4% of foreign nationality students can gain high-competence in this field. At the same time, low competence volume of foreign students (41,6%) is the double as that of Spanish students (19,5%). By origin (geographical zone of nationality) it is Maghreb/North African (55,1) as well as Asian (56,8) students that lag behind other groups in average outcomes, while performance (69,2) of those students of Latin American origin closes up to Spanish students' performance, outperforming non-Spanish European students.

Chart XXZ



Source: Authors' own elaboration based on data provided by CSASE

Broken down by Income category of country of nationality we can observe that there is a high proportion (51%, 44%) of **LMIC** students in the low performance stretch in Spanish language competences, with an elevated 6% gap between public and private schools. At the same time a very low proportion (12%, 18%) of LMIC students get into

the high-performing stretch in Spanish language, with a significant 6% gap between public and private schools.

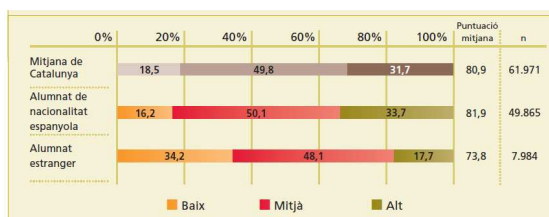
In contrast, students from **UMIC** countries have a lower proportion (30%, 20%) in the low performing zone and a higher proportion (25%; 34%) in the high-performing zone. Among these students there is a wide performance gap (9%) depending on the school ownership. Notably, UMIC private school students get close to the Spanish students distribution among performance stretches, though still with a gap of 4%. Of course, if we compared UMIC private school students' distribution with that of Spanish private school students, the gap would further widen.

Mathematics competence

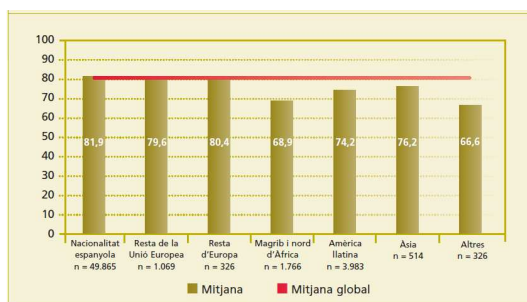
Proportion of students situated in competence stretches in **Mathematics**.

By origin. Catalonia 2010, 2011

Students' outcomes in **Mathematics** competence. By geographical origin. Catalonia 2010, 2011



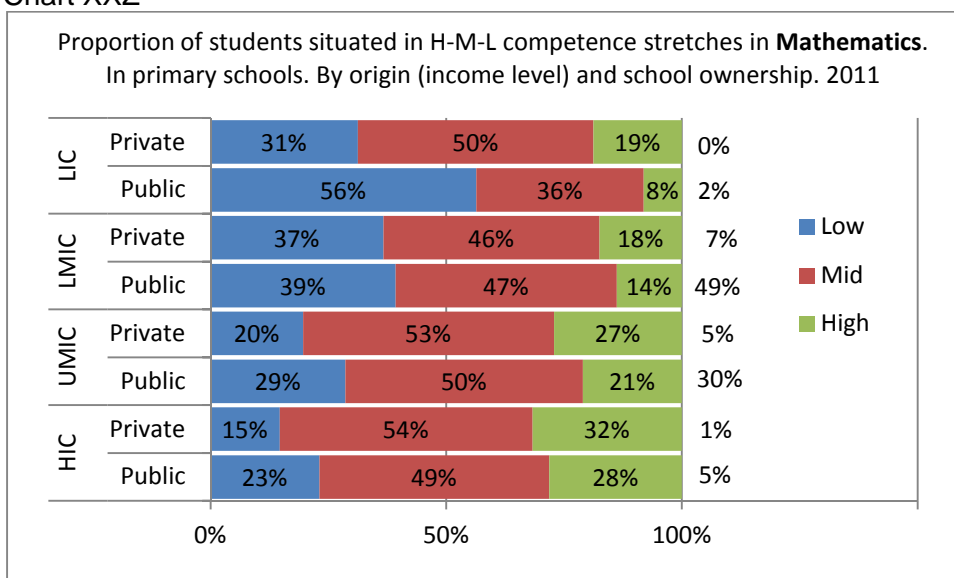
Source: CSASE 2011: 34 [Gr.25]



Source: CSASE 2011: 35 [Gr.26]

As we can gather from Chart XXX, 33,7% of Spanish nationality students in Catalan schools belong to high-competence stretch. Almost half of this proportion: 17,7% of foreign nationality students can gain high-competence in this field. At the same time, low competence volume of foreign students (34,2%) doubles that of Spanish students (16,2%). By origin (geographical zone of nationality) it is Maghreb/North African (68,9%) as well as Other (66,6%) students that lag behind other groups in average outcomes, while performance of those students of the EU and of other European origin closes up to Spanish students' performance. It's worth mentioning that Asian students shows a much higher average outcome (76,2) in Mathematics than in other subjects.

Chart XXZ



Source: Authors' own elaboration based on data provided by CSASE

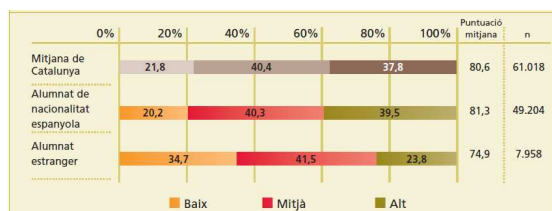
Broken down by Income category of country of nationality we can observe that there is a relatively high proportion (39%, 37%) of **LMIC** students in the low performance stretch in Mathematics competences, with a 6% gap between public and private schools. At the same time a very low proportion (14%, 18%) of LMIC students get into the high-performing stretch in English language, with a 4% gap between public and private schools.

In contrast, students from **UMIC** countries have a lower proportion (29%, 20%) in the low performing zone and a higher proportion (21%; 27%) in the high-performing zone. Among these latter students there is a performance gap of 6% depending on the school ownership. UMIC private school students get closer to the Spanish students distribution among performance stretches, though still with a considerable gap of 6,7%. Of course, if we compared UMIC private school students' distribution with that of Spanish private school students, the gap would further widen.

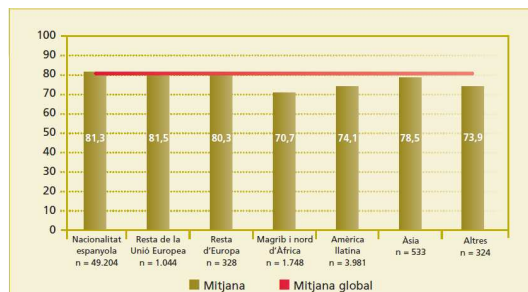
English language competence

Proportion of students situated in competence stretches in **English** language. By origin. Catalonia 2010, 2011

Students' outcomes in **English** language competence. By geographical origin. Catalonia 2010, 2011

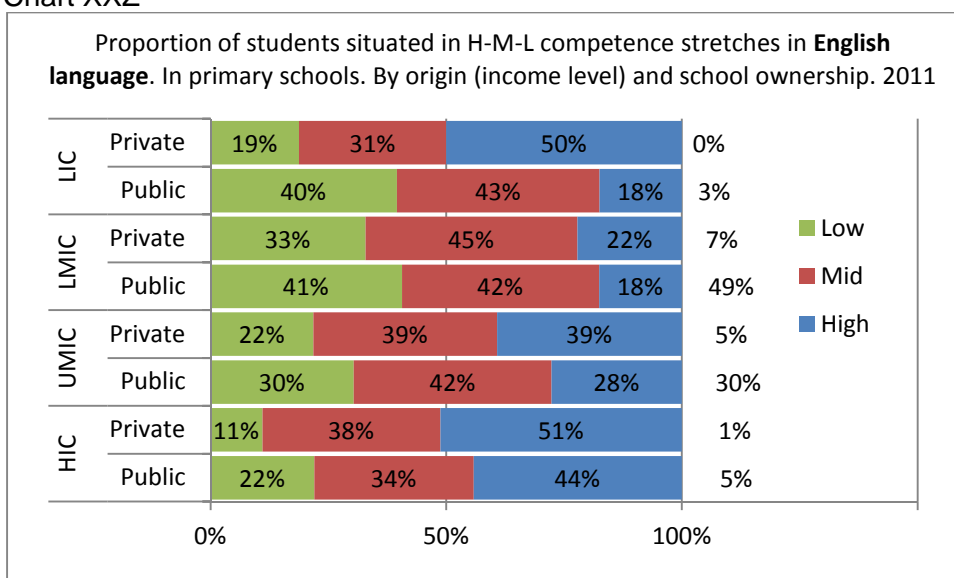


Source: CSASE 2011: 35 [Gr.27]



Source: CSASE 2011: 36 [Gr.27]

Chart XXZ



Authors own elaboration. based on data provided by CSASE

Broken down by Income category of country of nationality we can observe that there is a relatively high proportion (33%, 41%) of **LMIC** students in the low performance stretch in English language competences, with a rather wide 8% gap between public and private schools. At the same time a very low proportion (18%, 22%) of LMIC students get into the high-performing stretch in Mathematics, with a 4% gap between public and private schools.

In contrast, students from **UMIC** countries have a lower proportion (30%, 22%) in the low performing zone and a higher proportion (28%; 39%) in the high-performing zone. Among these students there is a wide performance gap (11%) depending on the school ownership. UMIC private school students have the same English language competences at the high-performing stretch as the Spanish students however the mid-performing zone is slightly wider among the Spanish students. Of course, if we compared UMIC private school students' distribution with that of Spanish private school students, the gap would widen.

2a, School achievement by social class

In **Italy**, a study carried out in nine cities found that overall scholastic achievement was influenced by social class among students in native-born families and students in immigrant families, and that **social class explains part of the differences** in educational outcomes between the two groups.⁹⁸

Research in the **United States** among children in the 8th and 10th grades indicates that parental **socio-economic status accounts for little** of the Asian immigrant advantage in grade point averages and mathematics test scores, and little of the disadvantage in reading test scores relative to whites in native-born families.⁹⁹

More broadly, a recent review of literature pertaining to European countries concludes that **socio-economic background may explain at least half, and in some cases all, the educational gaps** between various immigrant and native groups, including immigrant groups with origins in Morocco, Pakistan and Turkey that live in France, Germany, the Netherlands and the United Kingdom.¹⁰¹

2b, Tracking and migration

Other studies also indicate that differences in social class in **Italy** are important in accounting for **the underrepresentation** of students in immigrant families in the **academic track** in secondary education (which, in general, prepares students for university) compared with the technical and vocational tracks.

In **France**, guidance on assigning students to educational tracks focuses on proficiency in French rather than educational achievement. [Brinbaum, Yaël, and Annick Kieffer, 'D'une generation à l'autre; les aspirations éducatives des familles immigrées: ambition et persévérance', *Education et formations*, no. 72, 2005, pp. 53–75.] If special schooling is deemed necessary, the student is enrolled in two classes, a special class of reduced size and a standard class, and the student transfers between them as and when language proficiency improves. But the **transition from a special class to a standard class is problematic**. (Innocenti compare: P63)

Spain: quins estudis??? EBE, etc.

A study in Mannheim, **Germany**, found that children in **foreign-born families** tend to obtain **lower grades in German and mathematics** than other children, leading to more frequent **guidance towards the Hauptschule**, the **least intensive secondary-school track**, and less frequent guidance towards the more intensive *Gymnasium and Realschule*.¹⁰³

Another study in Germany found that, in 2004, youth in immigrant families were **less likely to have the opportunity for vocational training** and apprenticeships.

Research in **Switzerland** finds that the share of students in immigrant families tracked to the **basic curriculum in lower secondary school** rather than to the advanced curriculum increased from 45 to 49 per cent between 1980 and 2005, while the corresponding share in native-born families declined from 35 to 25 per cent.¹⁰⁵

2c, Geographical and school segregation

France, for example, the concentration of children in immigrant families in selected schools may have deleterious (or salutary) consequences, regardless of whether this segregation is unintended or the result of explicit discrimination.¹⁰⁶

In **France**, a government study found that, in 1998–1999, children in immigrant families accounted for 22 per cent of the students in schools in **areas with multiple problems** that had therefore been **classified as priority education areas** (*zones d'éducation prioritaires*), but students in foreign-born families accounted for only 5 per cent of the students in schools not included in this classification.

School segregation is common in both the **Netherlands and the United Kingdom**.

Netherlands, school segregation is associated with both urban concentration and the right to choose the school a student will attend.¹⁰⁷ Across the Netherlands, but concentrated mainly in the four largest cities, **6 per cent of primary schools have enrolments of students in immigrant families at 50 per cent or more**, and 73 per cent of the classmates of students in immigrant families are other students in immigrant families, whereas, on average, native-born children attend schools in which children of immigrant origin account for only 27 per cent of the student body.

In the **United Kingdom**, as a consequence of the concentration of immigrant families in urban areas, students in immigrant families represent 40 per cent or more of the students in schools that account for only 8 per cent of the total student population.¹⁰⁸

United States finds that children with **limited proficiency in English (which may be taken as a proxy for immigrant status)** are highly concentrated in a small number of schools.¹⁰⁹ Nearly 70 per cent of such students are enrolled in 10 per cent of schools.

Teachers in schools with high concentrations of limited English proficient students are more likely than teachers in others schools to have **provisional, emergency, or temporary certification**, and new teachers are substantially more likely to be uncertified.

A study in **southern Florida and southern California** found that children in immigrant families perform **consistently worse on mathematics and reading tests** if they attend minority inner-city schools.¹¹⁰

2d, Stereotyping and discrimination (teachers and peers)

Australia: in some immigrant groups suffer from **racism practised by teachers and other students**, suggesting the need for new studies of school achievement that focus on specific immigrant origins. ¹¹¹

Switzerland suggests that the stereotypes teachers have regarding students in immigrant families may contribute to the overrepresentation of these students in special classes for children with learning difficulties, and physical or mental disabilities.¹¹² Youth in the immigrant community are four times more likely than native-born Swiss youth to have no education beyond compulsory schooling.

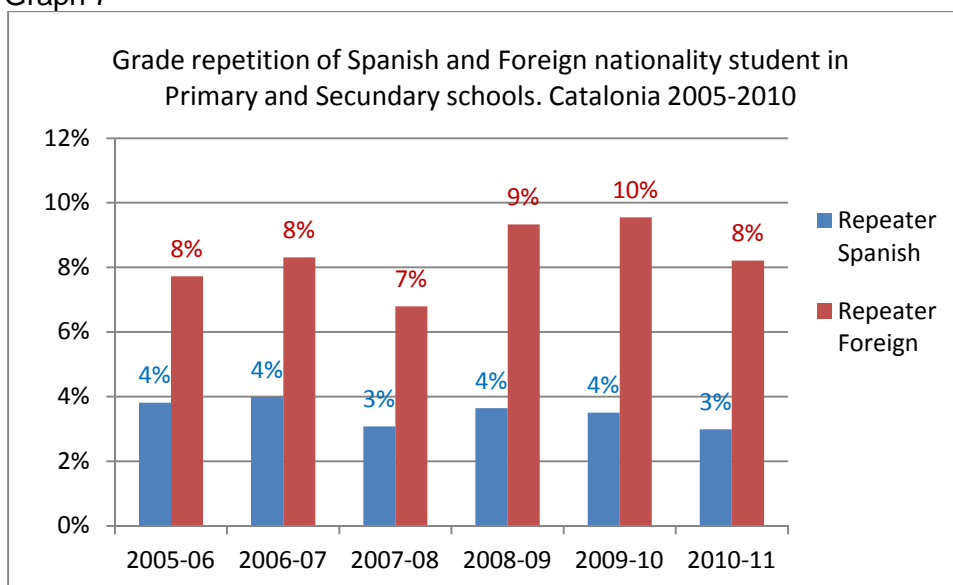
3, Grade repetition

In Catalonia, repeating a school-year has become a less recommended method by school authorities. In certain exceptional cases in the second half of the Primary

education (Ordre EDU/296/2008) and especially in secondary education (Ordre EDU/295/2008) grade repetition is recommended to new comer families, in order that the student can acquire a better command of the (Catalan and Spanish) language and obtain experience in Catalanian school system, so that he/she can gain final school credentials with equal conditions than their peers. This good intentioned practice often creates an unnecessary barrier to promotion and difficulties related to social integration in peer relations. Sometimes language related difficulties are over-emphasised and grade retention is justified by rather than academic, simply linguistic fundaments.

In Primary school, students can repeat grade only once, while in Secondary school this restriction is more permissive: one particular grade can be repeated only once. Though in exceptional cases, the last – 4th- grade can be repeated twice if no previous repetition have been made along secondary school years.

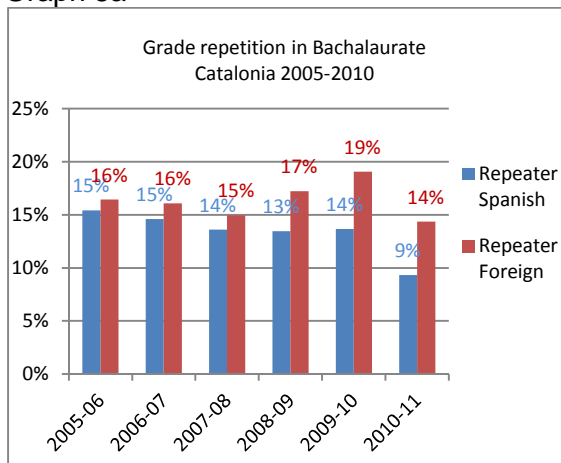
Graph 7



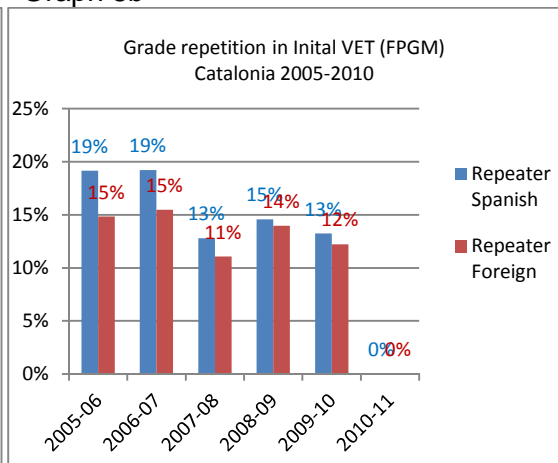
Authors own elaboration. Source: Departament of Education, Catalan Government

Based on Graph 7, grade repetition rate among Spanish students is significantly lower than among foreigners, in compulsory education stages (6-16). The gap has widened from 4 points to 6 points between the academic years 2005-06 and 2010-11, that is a higher proportion of foreigners repeats in compulsory education than Spanish nationality students, and this difference of proportion has been growing. As one can estimate on Graph 8a in academic-oriented post-compulsory stages (bachalaurate) the gap has been growing by 44% (from only 1 point of difference in repetition rate to 5 points). However, in initial vocational training (I-VET) courses (see Graph 8b), an inverse difference gets evident, in which foreign students' repetition rate stays below that of the Spanish students.

Graph 8a



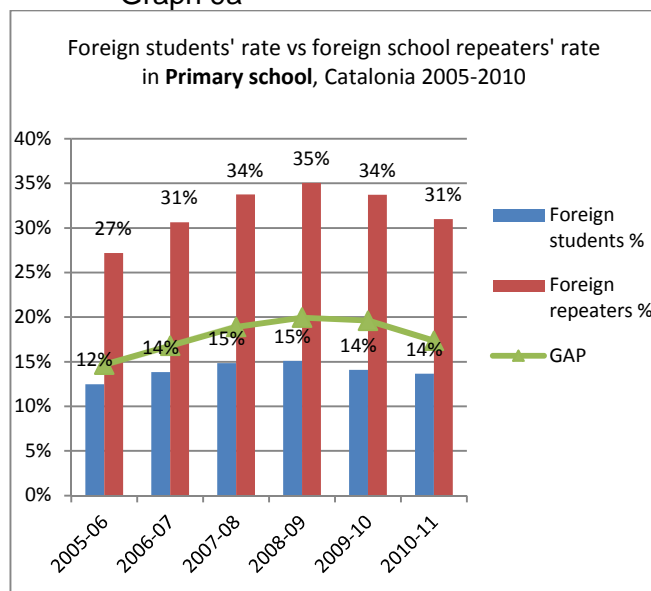
Graph 8b



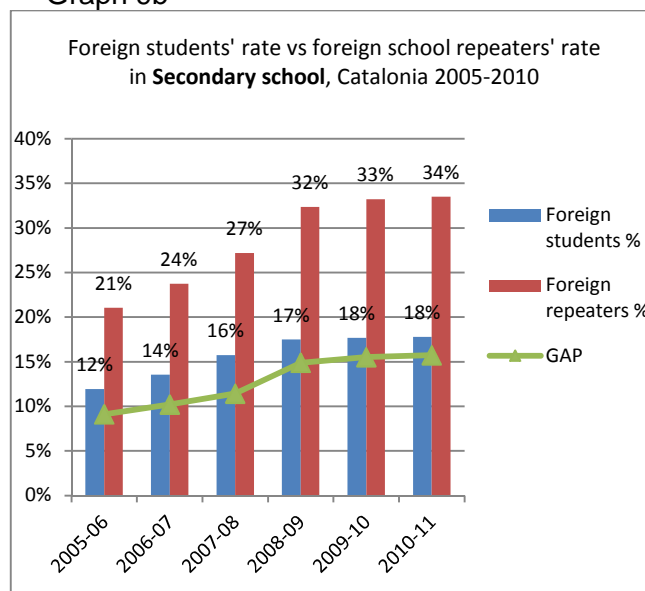
Authors own elaboration. Source: Departament of Education, Catalan Government

Beyond these facts, we can also confirm that grade repetitions of foreign students represent a significantly higher proportion than their numerical weight within the school population. So for example, Graph 9a shows that in Primary school, foreign students have represented the 12%-15% of all student population, while repetitions that belonged to them represent an disproportional 27%-35%. That is, generally speaking repeating rate doubles numerical proportion of foreign students, which is fundamentally due to the widespread strategy of retaining foreign-born students in the last grade of Primary school so that he or she can obtain better linguistic skills. In Secondary school there are similar proportions, though what seems an alarming fact is that both the proportion of repeaters is growing and the gap between foreign repeaters weights and the foreigners' proportion.

Graph 9a



Graph 9b

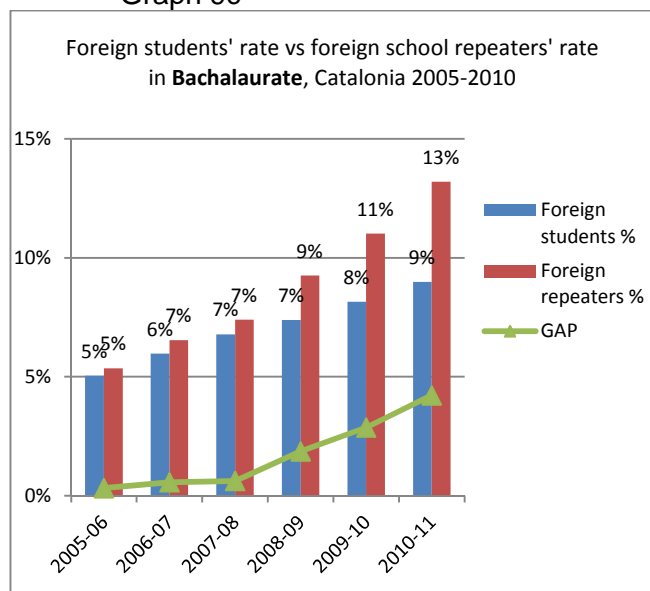


Authors own elaboration. Source: Departament of Education, Catalan Government

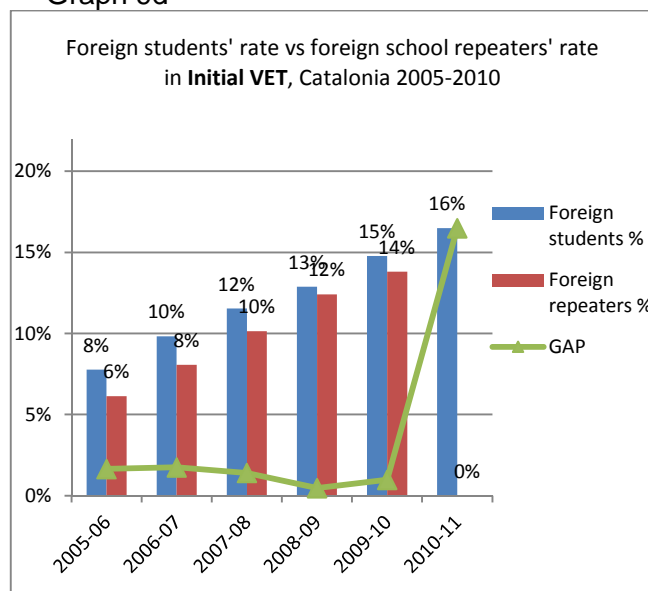
As we previously observed, there is a noteworthy difference in this phenomenon among different post-obligatory educational forms. In academically-oriented post-obligatory courses (bachalaurate) repeating rate of foreigners did not use to differ from their proportion in student population (2005 – 2007), however recently a growing gap can be observed. In last observed course for example, difference has reached 4 points (between 9% and 13%). In less prestigious labour market oriented technical VET

courses foreign students' presence is somewhat higher than in bachalaurate and gap results inverted, that is the repetition rate of foreign students is lower than its proportion within the whole student population. (we have no reliable data corresponding to 2010-11)

Graph 9c



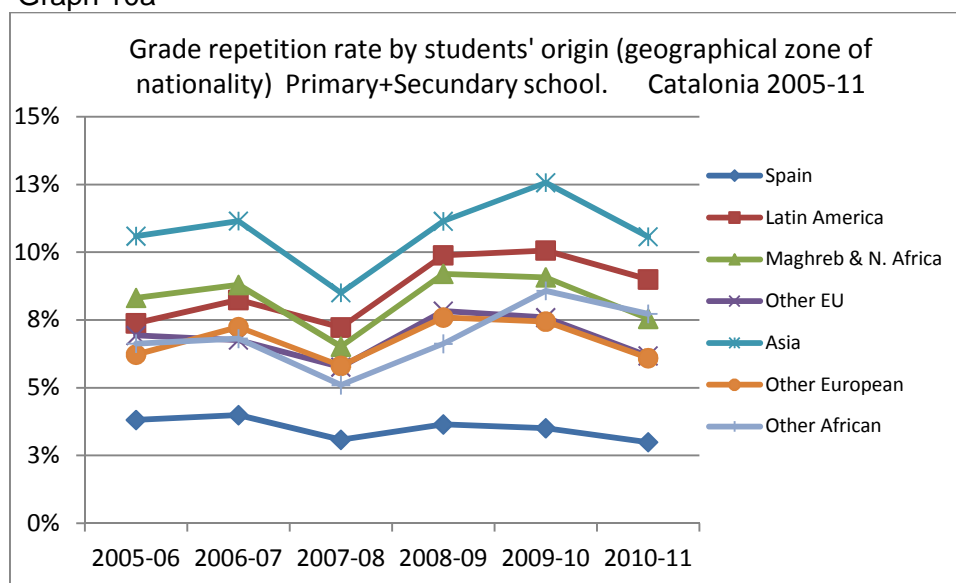
Graph 9d



Authors own elaboration. Source: Departament of Education, Catalan Government

Observing Graph 10a one can gain a more detailed insight into repetition rate by geographical zone of students' nationalities. Changing normative context may have an impact on repetition rate, as it can be observed in year 2007-08, when suddenly repetition rate dropped in Secondary school. In compulsory stages, it is Asian students that produce the highest repetition rates, followed by Latin American and Maghreb students. Spanish students have a significantly lower level of grade repetition, followed by European and "other African" students with a sustained distance of 2% from Spanish students' repetition rate.

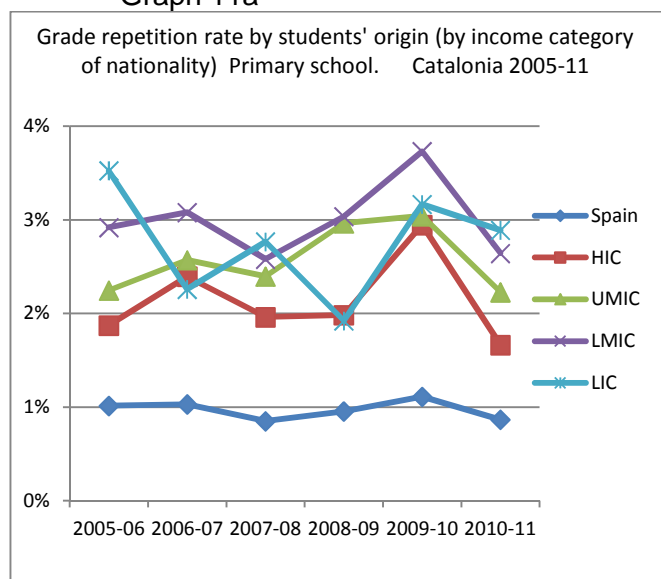
Graph 10a



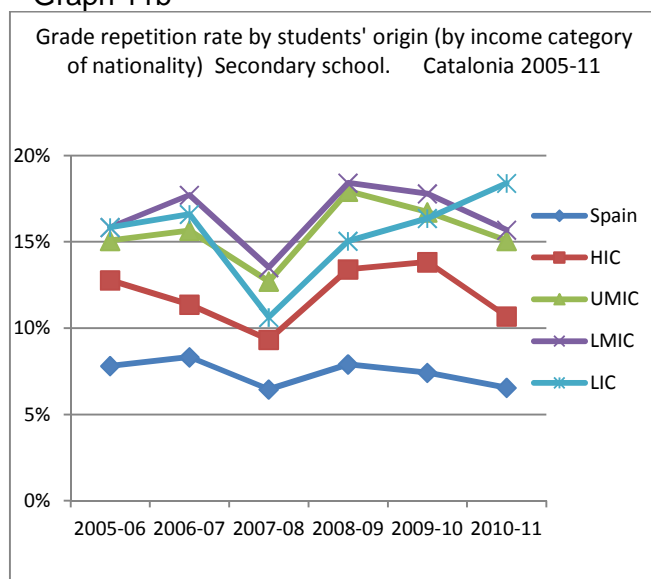
Authors own elaboration. Source: Departament of Education, Catalan Government

Graph 11a shows the evolution of repetition rate in Primary school, while Graph 11b demonstrates repetition rate in Secondary school, both charts organized by income level of country of origin (nationality). Beyond yearly changes it is notable the sustained low level of repetition among Spanish students. The second lowest level of repetition rate is produced by non-Spanish students of High Income countries origin, both in primary and secondary school.

Graph 11a



Graph 11b



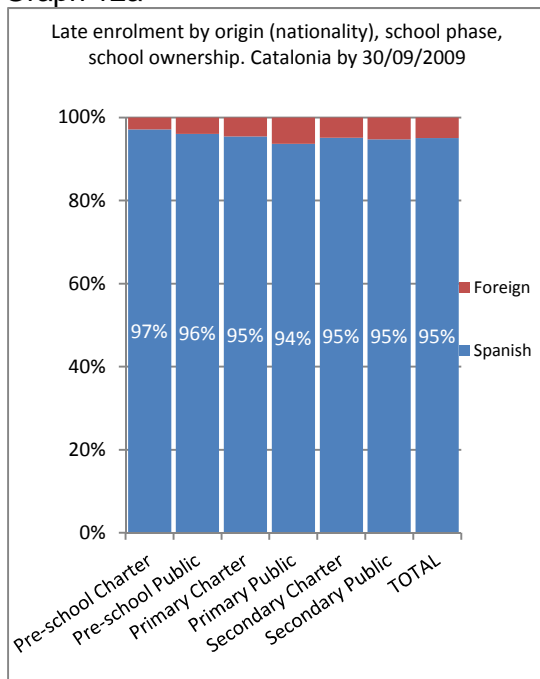
So we can conclude that students with foreign origin (nationality) are prone to grade repetition, sometimes to a proportion that doubles their weight within student population. In initial VET courses, as far as official data are reliable, this gap is inverted. Differences within foreign nationality population are significant by country/geographical zone of origin, as well as by income category of that particular country.

4, School mobility

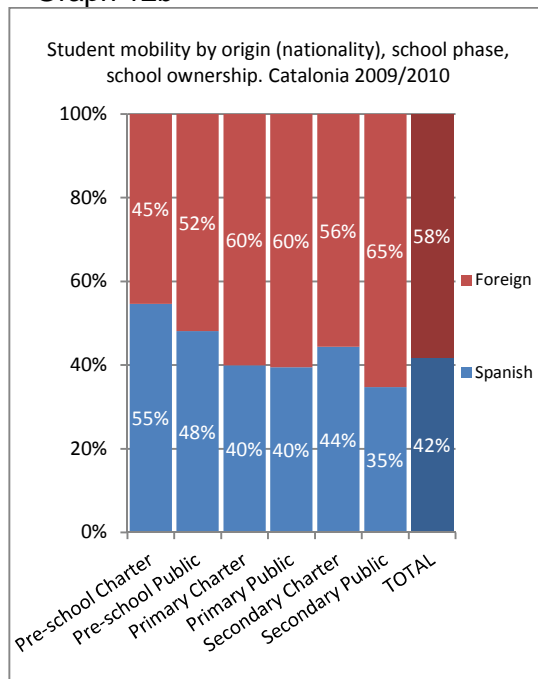
In the last decade, one of the most well-known problems of Catalan educational system has been students' increasing mobility, especially in compulsory stages of schooling. This phenomenon has been partly related to international migration processes, but by no means exclusively, contrary to the popular thinking.

Though there is no exact data about students' mobility by nationality, the study conducted by EMIGRA Group (Carrasco, Pàmies, Bereményi, Casalta 2011) offers an estimation based on the late enrolment applications presented by Spanish and foreign families. The related difficulty is that not all the applications are approved, and not all mobility is registered through applications.

Graph 12a



Graph 12b



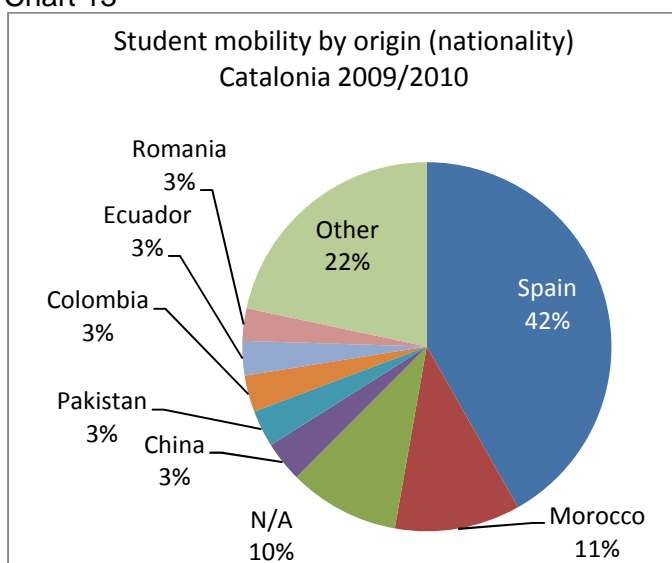
(both taken from *Matricula Viva Report 2011: 85*)

Source: Own elaboration based on data provided by: Dept of Education, Govt of Catalonia

Graph 12a shows that late enrolment (after official enrolment period, but before the beginning of school-year in September) is a phenomenon whose protagonists are the Spanish nationality families. Only a certain part of this late enrolment corresponds to student mobility. As it can be seen on Graph 12a, only a very limited portion of late enrolment is made by foreign families. Quite the contrary, a bit more than half of the cases of late enrolment during the months of schooling belongs to families of foreign nationality.

The two extreme cases observed on Graph 12b are that of public secondary schools, where 65% of late enrolment (ie. mobility) is related with foreign nationality students, and that of charter pre-school Kindergartens where late enrolments correspond to Spanish families in the 55% of the cases. While the first case reflects a physical mobility, the second one has to do with Spanish families' strategies to change for "better" private schools at the end of the pre-school stage, in order to avoid high competition to access those school at primary school stages.

Chart 13



(both taken from *Matricula Viva Report 2011: 85*)

Source: Own elaboration based on data provided by: Dept of Education, Govt of Catalonia

Distribution of the mobility of foreign students of different nationality corresponds, though not exactly, to the proportion that they represent within the body of foreign students. As a geographically defined group “South American students” represent the highest proportion. By nationality it is Moroccan students that lead late enrolment (2009-10), followed by Colombian, Chinese, Pakistani, Ecuadorian and Romanian students.

These data and the analysis of the motives for the school mobility let the authors draw the conclusion that within internal mobility of the Catalan people, those families of foreign nationality show a higher rate of mobility, mostly within a limited territory, or even within the same municipality. The problem that the authors discuss in this study is that students’ mobility often strengthens inequality in school negatively affecting particularly the non-Spanish students. Schools with capacity to offer unoccupied school places are far too often those with a very high proportion of immigrant student population, and/or with discriminated Spanish students with an ethnic minority background, notably the Roma/Gitanos. While students mobility, and especially those produced during the school year, are due to economic reasons, labour market forces or through housing opportunities, there are others that can be explained by conscious search for better school opportunities. These latter motivations remain aspirations of a minority among non-Spanish families, and especially within public school system.

5, Grants, scholarships

According to Law 12/2009, 10th of July, of education, all students have right to access, in equal conditions, to the public system of school grants, based on their economic resources, skills and preferences. The majority of the grants and scholarships have the explicit goal to assure equal opportunities by compensating situations or conditions of social and economic inequality.

In Catalonia, the following grants are available for any students based on their socioeconomic situation:

- Grants for text-books and complementary learning material for students of socioeconomically “disfavoured” conditions. (Dept. Of Education. Cat, based on an agreement with the Ministry of Education of Spain) ENS/217/2011, of 6th of September.
- Individualised grants for students of special educational needs (“NEE”) learning from Kindergarten to post-compulsory stages. EDU/1748/2011 of 21st of June.
- Disability and grave disorder of conduct that requires special educational attention.
- Disability and grave disorder of conduct for “*large families*”
- Complementary specific programmes for students of special need related to “high intellectual capacity”.
- General scholarships and mobility grants for post-compulsory, non-university educational levels. (Ministry of Education of Spain; Orden EDU/2099/2011)
- Mobility and dormitory grants (Department of Education, Cat: ENS/229/2911, 2nd of September). For post-compulsory, for students of residence in localities with low population density.
- Grants for post-compulsory students with high school achievement at Secondary school (12-16) Dept of Education, Cat, ENS/232/2011, 2nd of September.

Out of these grant types we are only interested in the one for “Text books and didactic materials”; “General grants” and the ones for “Special Educational Needs”, as the others are addressed to students of post-compulsory pre-university studies.

In general terms, including all previously mentioned grant types, 22% of all grants (as far as assigned money is concerned) are offered to non-Spanish students. This sum represents, however, the 28% of all grants assigned. We have no exact figures about the number of students at all study stages, in order to say whether this figure is proportionate or not.

In pre-school Kindergartens the overall proportion of foreign students is 11%, while the grants sum assigned to foreign families is only 5%. In Primary school, foreign students represent 14% of all student population. However, the grant amount assigned to these families makes up the 20% of all Primary school grants. In Secondary school proportion of foreign students is at 18% and 20% of the grant amounts are addressed to them. However, it is clearly stated in the legal background of those grants that all students have equal right to get those grants based on their necessity, etc.

Chart 13a

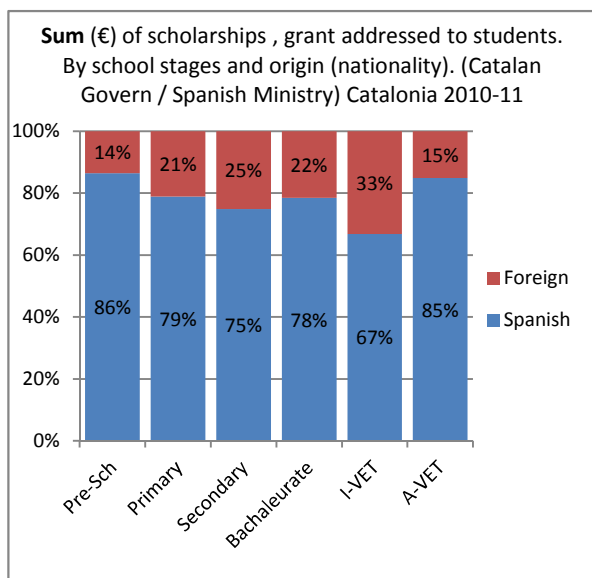
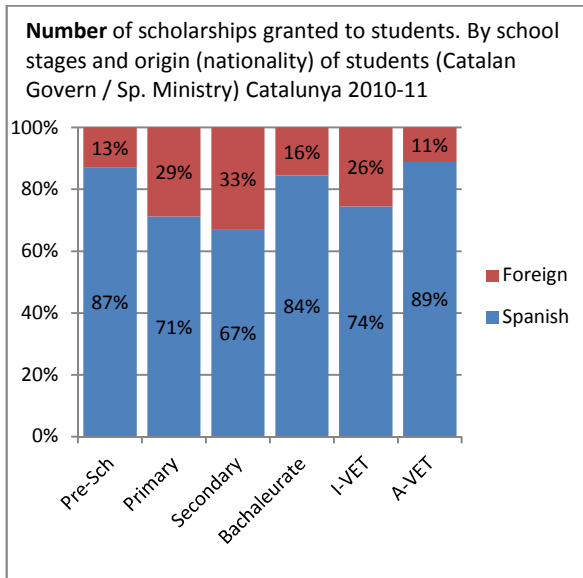


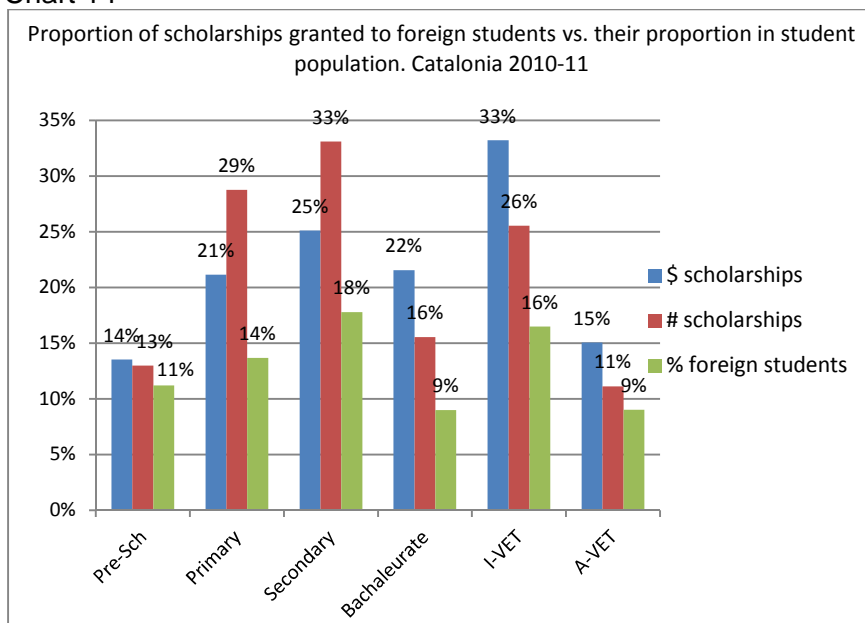
Chart 13b



Charts 13a and 13b show the weight of the distribution of all previously mentioned scholarships between foreign and Spanish students. As we can see, the number of grant assignments represent a somewhat higher proportion than the actual sum of money (€) granted in Primary and Secondary stages. For example, in Primary school 29% of the scholarships are assigned to foreign students, however, as for the quantity of money they are granted represents only the 21%. In Pre-school and post-compulsory stages the correlation is inverted.

Chart 14 shows that, both proportions (# and €) are higher than the weight of foreign nationality students in total student population (%).

Chart 14



Source

It is true though that the only grant quantified in this stage is the one for “special educational needs” (NEE). In Pre-school stage, We can estimate on Chart 15 in what

proportion grants amounts are shared among Spaniards and foreign students, by grant types and by stages of study. Grants sum for special educational need is shared on a 95%-5% basis in pre-school Kindergartens, 87%-13% in Primary school, and 84%-16% in Secondary school. General grants are assigned in secondary and Post-obligatory stages. Grants for books and didactic material are awarded to foreign students on an overrepresented share both in Primary and Secondary school.

As for classification according to Income level of the country of origin, one can observe that Lower Middle Income countries represent more than half of foreign nationality students almost in all educational stages. In Pre-school its weight is as much as 68%, while in Bachaleurate it shrinks to 47%. The grant assigned to this foreigner category however tends to be disproportionally higher. In Primary school, for example, their weight is 60%, but the grants sums assigned achieve 69% of all grants allocated to foreign students. Similarly in secondary school, their weight is 59%, but the grant sums assigned achieve 72%. At the same time Upper Middle Income and High Income groups get less than would correspond them, which is logic based on the social need criteria that is established for obtaining those grants.

In Pre-school, this trend does not apply due to the fact, that the only grant assigned is the one for Special Educational Needs. (NEE) In this educational stage, it is students from Low Income countries the ones who get almost three times higher proportion of scholarships that would correspond to their numerical proportion.

6, Accreditation of foreign diploma, titles, credentials (see chapter 4]

Unfortunately, we have no detailed enough data on the credentials presented for homologation to Catalan authorities (Dept. Education). Available data deals with secondary school credentials (ESO) and higher secondary school credentials (Batxillerat) in one aggregated category and with vocational training and special education (règim especial) in the other one. According to Department's staff, financial crisis and the subsequent growing unemployment triggered higher figures of application for homologation or accreditation, as these documents are necessary in order to roll in vocational training courses or higher education schools.

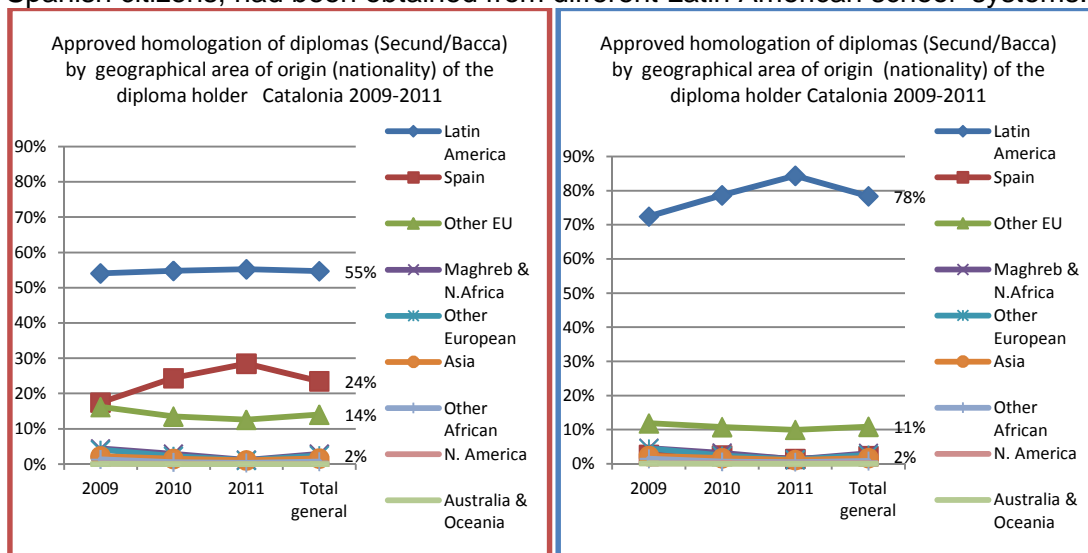
Graph 13 shows a short list of the countries of which the highest number of applications for homologation has been presented to Catalan authorities, that were subsequently **approved**. A rather significant data is that 13 among the first 15 are school systems of Latin American countries. Only the Romanian and Moroccan school systems are on the list, that are not Latin Americans. To emphasized

Graph 13

Top 15 list of school systems whose titles were presented for homologation and subsequently approved by Catalan/Spanish authorities						
	Sistema educatiu	2009	2010	2011	Total	% tots aprovats
1	Perú	273	593	462	1328	17%
2	Equador	227	525	360	1112	15%
3	Colòmbia	263	493	254	1010	13%
4	Argentina	247	278	93	618	8%
5	Romania	179	262	148	589	8%
6	Bolívia	66	180	79	325	4%
7	Brasil	81	130	84	295	4%

Rep.						
8	Dominicana	86	124	23	233	3%
9	Marroc	90	106	21	217	3%
10	Veneçuela	63	81	60	204	3%
11	Cuba	58	77	38	173	2%
12	Xile	51	57	52	160	2%
13	Uruguai	51	66	22	139	2%
14	Hondures	31	50	19	100	1%
15	Paraguai	32	42	19	93	1%
....
	Total	2219	3522	1886	7627	100%

In 2009 a total of 2219 homologation demands were approved, more than half of which corresponds to Latin American citizens. The second largest group belong to Spanish citizens (18%-24%-28%), It is significant that 88% of those credentials presented by Spanish citizens, had been obtained from different Latin American school systems.



Graph 14a Graph 14b

On Graph 14a and 14b we can observe the difference between approved accreditations organized by nationality and place of birth. Latin American (54%) and Spanish (23%) citizens' application add up to the all Latin American born (77%) persons' application.

In 2009, 90% of the applications were related to a secondary school (ESO) or higher secondary school (Batxillerat) credential, while only 10% asked homologation of vocational training credentials. By 2011, this latter category decreased to only 2%. So, in total out of 7241 (2009-2011) approved applications only 386 were of this category.

Graph 15

Franja d'edat	# sol·licituds	
14-17	370	5%
18-30	3721	49%
31-40	2358	31%
41-50	963	13%
51-60	208	3%
61-70	6	0%
71-80	1	0%
Total	7627	

As for the age distribution, there were some 111 (1%) applicants in compulsory school age and 5% between 14 and 17 years of age, that is, minors (2009-11). Almost half of the applicants were younger than 30 years old, and almost third of them were among 31 and 40. However, there were also approved applications for middle-aged or even elderly people.

As for gender distribution, 59% of all the applications were presented by women. The quantitative superiority is even higher in the case of vocational training credentials (77%), and is lower in the case of secondary and higher secondary school credentials (58%).

5, School demography

Growth in the last 6 years

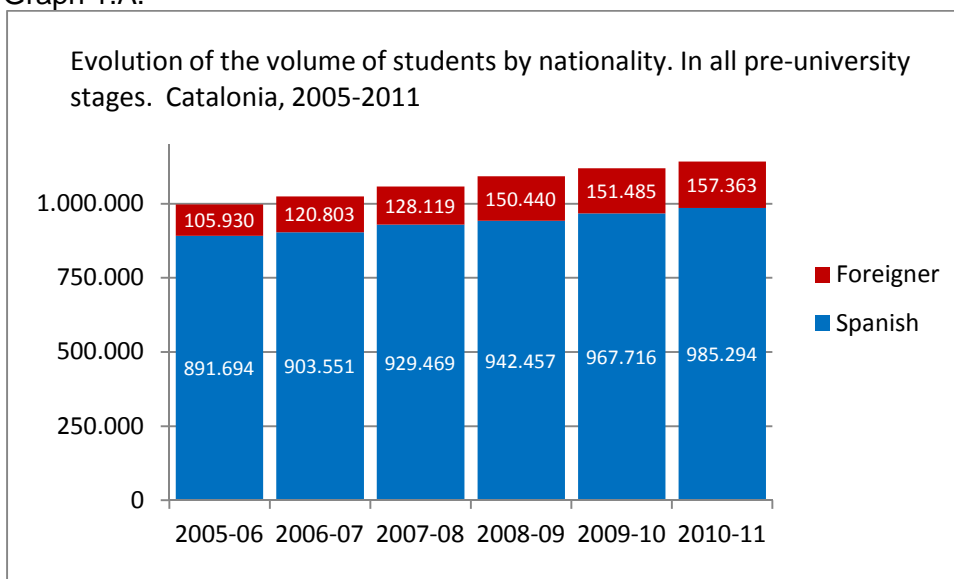
On Graph 1A, we can observe a significant growth in the number of students of the Catalan schools at all pre-university education stages, in the last 6 years. The overall growth broken down by nationality categories shows a growth of

49% of students with foreign nationality, at all pre-university stages.

10% of growth of students with Spanish nationality, at all pre-university stages.

From Graph 1B, we can gather that the most significant augment of foreign students (0-16) occurred in the first half of the decade, reaching growth levels of over 40% per year.

Graph 1.A.



Authors' own elaboration based on data of Department of Education (Catalan Govern)

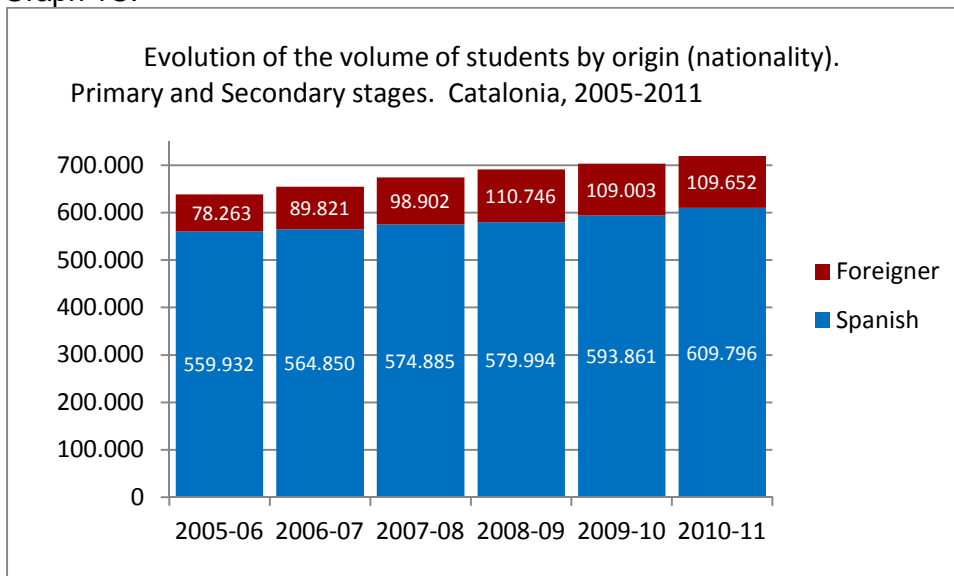
TOTAL	ALUMNAT 0-16 CATALUNYA			2000-2010	
	alumnat total	alumnat estranger	estranger /total	creix de l'alumnat total	creix. alumnat estranger
2000-01	820.315	21.468	3%		
2001-02	826.897	31.302	4%	1%	46%
2002-03	845.509	46.191	5%	2%	48%
2003-04	870.504	66.299	8%	3%	44%
2004-05	891.368	78.346	9%	2%	18%
2005-06	914.294	94.088	10%	3%	20%
2006-07	942.811	106.741	11%	3%	13%
2007-08	978.707	120.928	12%	4%	13%
2008-09	1.008.919	130.627	13%	3%	8%
2009-10	1.027.822	129.154	13%	2%	-1%

Graph 1.B extret d'informe Matricula viva p51.

Source: Own elaboration based on data provided by: *Estadística d'Educació, Sèries anuals, 2000-2001, 2009-2010 GENCAT, Dept of Education, Govt of Catalonia*

At compulsory stages (Primary/Elementary 4-12 and Secondary/High School 13-16) the growth has reached 13% between 2005 and 2010. While the body of Spanish nationality students has increased by 9% only, the number of foreign nationality students has incremented by 40%. The most significant growth can be observed at secondary school (grammar school, high school= ESO???) 58% growth has been produced, while Spanish students has not incremented in number. By this, 12% of foreign students' proportion of 2005 reached up to 18% in 2010.

Graph 1C.



Authors' own elaboration based on data of Department of Education (Catalan Govern)

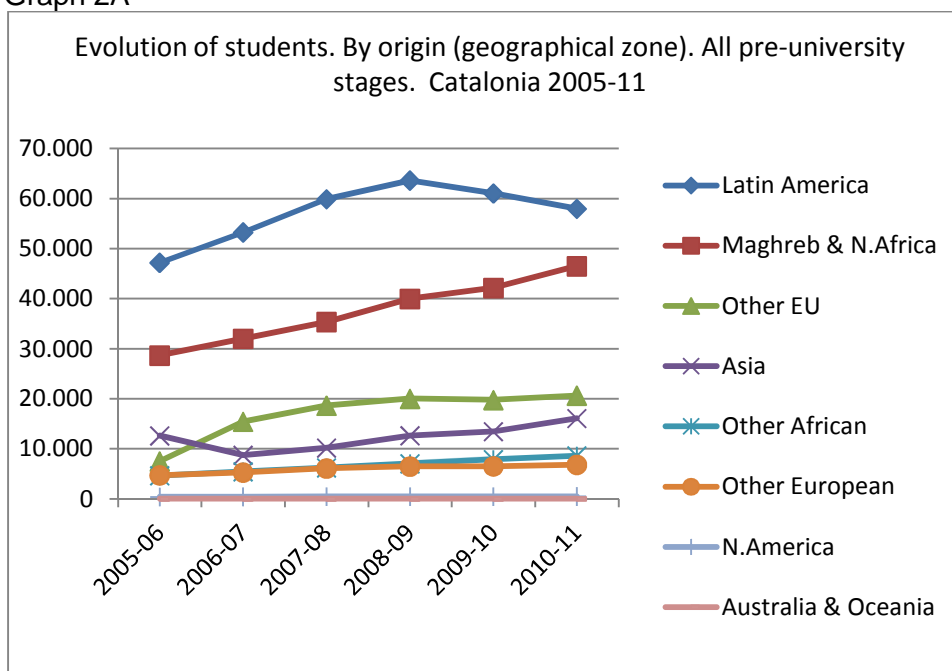
The use of pre-school (Kindergarten, 3-5) institutions is generalized among both Spanish and non-Spanish population, due to the fact that it is a free public service, though also offered by private or semi-private school institutions. The growth in this educational stage has also been very high: 18% overall; 45% for foreign children, and 15% for Spanish nationality children.

In post-compulsory education, different forms of vocational trainings have become more popular than pre-university schooling (grammar schools, 16-18), both among Spanish and foreign students. In 2005 only 5% of Grammar school students made up of foreigners, by 2010-11 their proportion grew up to 9%. At primary vocational training courses (16-18) foreign students have almost tripled in number (296%) and at secondary vocational training courses they have doubled (213%) in the last five years.

Geographical zone of origin

Growth has not been equal for all nationalities.

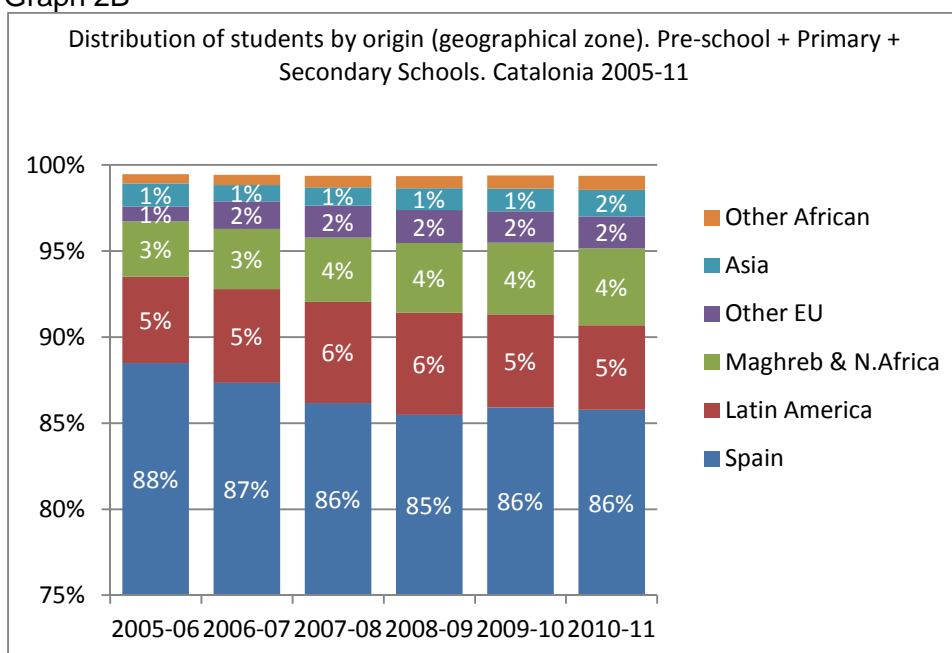
Graph 2A



Authors' own elaboration, based on data provided by Dept. Education. Govern of Catalonia.

In all pre-university educational stages, it was Latin American students that have reached the highest absolute figures (representing 5% of all foreign students), followed by students from Maghreb and North Africa (4% of all foreign students). However, it is European Union citizens, and especially Romanians, who have produced the highest growth (249%) in the last six years. These trends also apply for compulsory stages.

Graph 2B

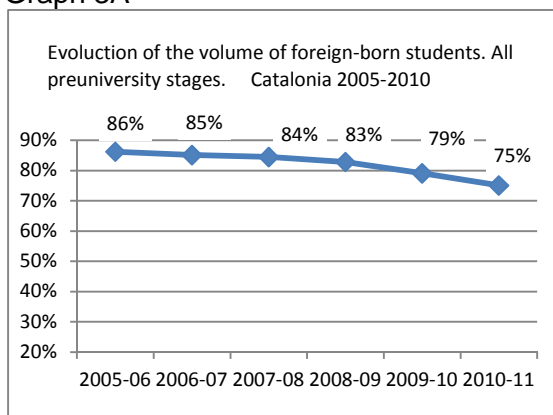


By nationality

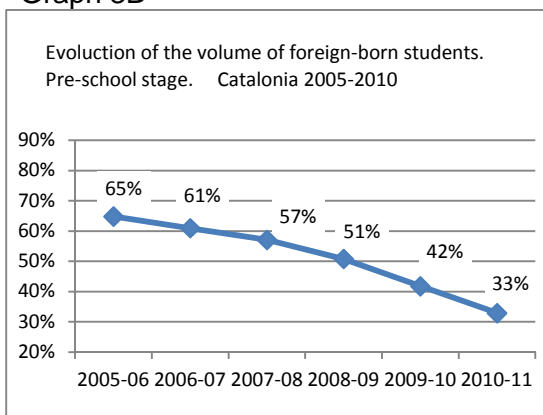
In compulsory stages (EPRI+ESO), the foreign nationality students represent some 15%. Out of this 15%, 39% has Moroccan nationality. The second largest group is that of Ecuadorians (16%) and the third is of Romanians (10%), with different growth rates. It is also important emphasize that largest immigrant groups has a increasing percent of children who maintains their parents' nationality though they were born in Spain.

Place of birth

Graph 3A



Graph 3B



While the proportion of students of foreign nationality has been growing in Catalanian school system, the proportion of foreign students born in a foreign country has been gradually decreasing. In 2005, 86% of foreign students had been born out of Spain, while in 2010 only 75%. It is not surprising that this figure reaches its lowest grades (33% in 2010-11) in pre-school stages. To mention but some examples, in pre-school (3-5), only 20% of Moroccan children were born in Morocco, only 33% of Chinese children were born in China, and only 41% of Romanian children were born in Romania.

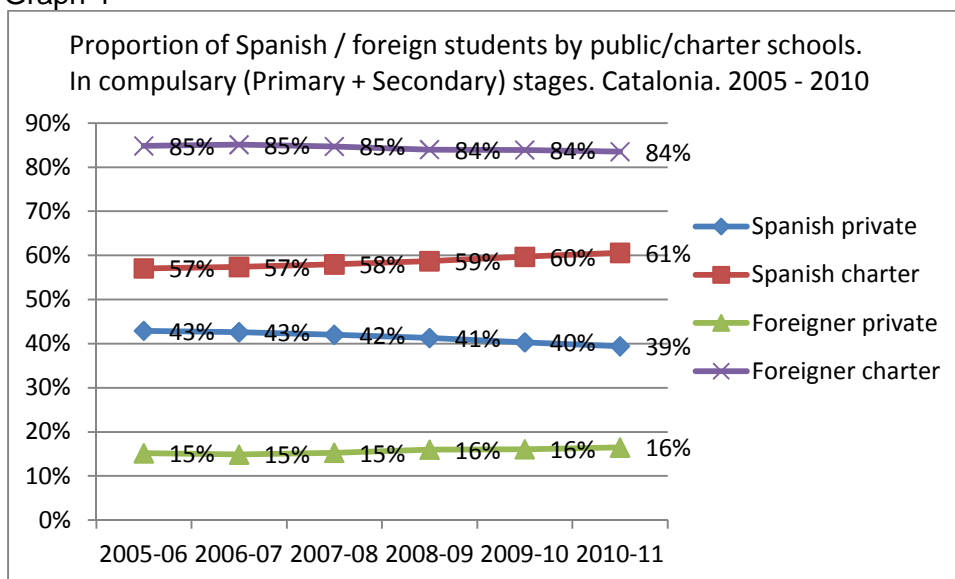
Gender differences

In general terms there are no significant differences in the gender composition of Spanish and foreign nationality students. In all age groups there are slightly more men than women. In pre-school and compulsory stages, there are no deviations from this general trend. In Secondary school there are approximately 4% more men than women, which is even more emphasised (+1%) among foreign students. In Bachaleurate women's dominance gets evident among non-Spanish students from the European Union, the half of which corresponds to Romanian youth. In this particular case the women outsize men with 62%, the Maghrebians women by 61%, and other Africans by 60% (2010-11). In initial VET courses as well as in PQPI courses, men tend to dominate in number.

Public school, private school

There is a clear difference between state-owned and private schools as for the proportion of foreign nationality students, as well as in other related aspects.

Graph 4



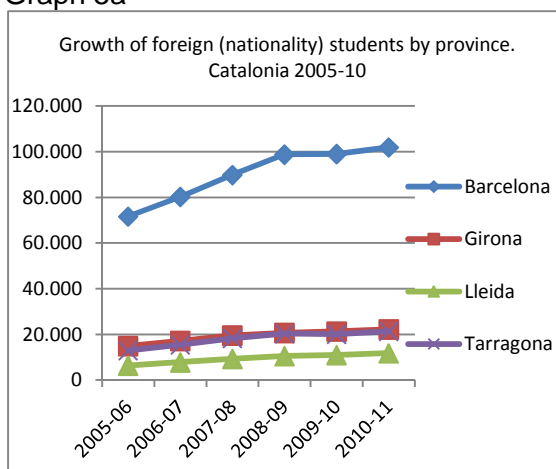
As we can observe on Graph 4, at compulsory levels (EPRI+ESO), 84% of foreign students (2010-11) go to public school, as opposed to 61% of Spanish students. Only 16% of foreign students get to private schools, as opposed to the 39% of Spanish students. There can be observed an extremely slight trend towards the equality throughout the last six years.

This gap is even higher at pre-schools, where the 88% foreigner children go to public Kinder-gartens, as opposed to the 66% of Spaniards. In primary school and in post-compulsory *higher secondary school* (BATXILLERAT???) - the figures are 86% as opposed to 63%.

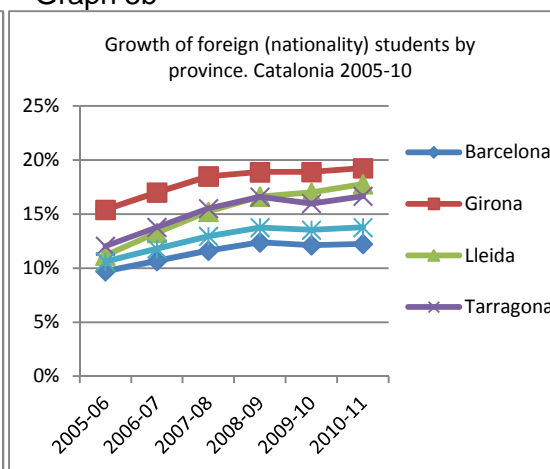
In post-compulsory vocational training gap is much narrower because the majority of these courses are offered by public institutions.

Geographical differences

Graph 5a



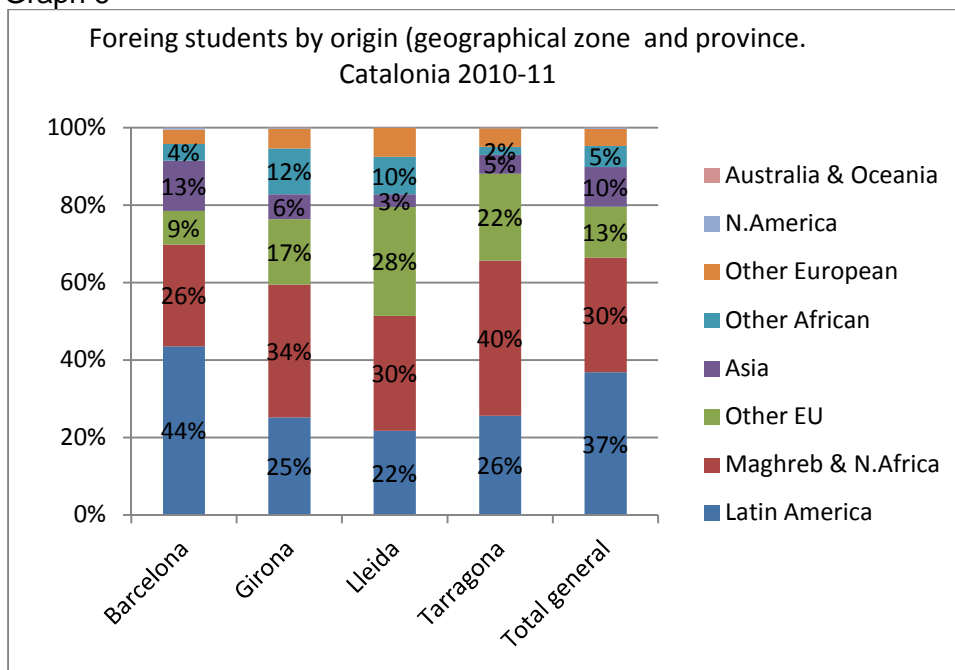
Graph 5b



Graph 5a shows the evolution of foreign students in Catalan schools by “provinces”. As one can observe the vast majority (65% in 2010-11) of foreign students go to school in Barcelona province. On the other hand, Graph 5b shows the proportion of foreign students in school by “provinces”. There is no correlation between the two graphs. Girona province that has almost the same number of foreign students that Tarragona, and only a quarter of that of Barcelona province, deals with the highest proportion of foreign students within the schools., on an overall level. This proportion reaches 19% in Girona, 18% in Lleida and 17% in Tarragona far higher than the 12% of Barcelona province.

Speaking about foreign born, foreign nationality students the proportion is somewhat (4%-1%) lower showing that many of those foreign nationality students were born in Spain.

Graph 6



We can observe that inner composition of foreign students is very heterogeneous as for its geographical zone of origin. Even if the composition is similar among provinces of Catalonia, there are some differences of proportion. For example, in Barcelona, 44% of all foreign student population is made up of Latin Americans, while in Lleida this group represents less than a quarter of it. Similarly, Maghrebian students are the largest group (40%) in Tarragona province, while they are not so representative in Barcelona province.

3. ELS DRETS DELS FILLS I FILLES DE FAMÍLIES IMMIGRADES. EL MARC JURÍDIC I NORMATIU (INTERNACIONAL, ESTATAL I AUTONÒMIC) D'APLICACIÓ A CATALUYA EN PERSPECTIVA COMPARATIVA.

Elisenda Casañas & Laia Narciso

The object of this chapter is to study the rights of children of immigrant families in Catalonia within the framework of the European Union. When considering 'children of immigrant families', it will study children born outside Spain, or with one or both of their parents born outside Spain. More specifically, we will focus on children from the ages of 0-17, and also the effects of transition to adulthood.

When considering the current Catalan legal framework (which also incorporates international treaties, EU law and the ECHR, and the Spanish legal framework), we find that depending on these specific circumstances, these children may be located in different legal categories which may determine their access to some rights and, at the same time, may confer on them other specific rights linked to their status.

- Spanish nationals
- Nationals from an EU Member State
- Nationals from a non EU Member State in a regularised situation in Spain
- Nationals from a non EU Member State in a non –regularised situation in Spain (here, an additional distinction could be drawn between those who have registered in their municipality - *empadronament*- and those who haven't. As will be seen, this is a fundamental element when considering the rights of immigrants in Spain).

When studying these rights, we will include what are defined as 'fundamental rights' (freedom of religion, expression), socio-economic rights (health, social services), and rights specific to the field of immigration (for example, family regrouping). In addition, we will analyse those where the minors have a direct entitlement, and those where they have an indirect entitlement, that is, where their access to rights is dependent on the entitlement of their parents or guardians. Access to Spanish nationality may also be a right in itself in the case of non-nationals and, in particular, of nationals from third countries.

The object of analysis does not include unaccompanied immigrant children in Catalonia. While it is not within the specific object of this report it must be noted that this is also an issue of fundamental importance, in particular from the perspective of their rights.

The chapter will begin by considering the international legal framework, moving to the European legal framework, and analysing both the European Union and the Council of Europe. It will then discuss the Spanish and Catalan policies and legal frameworks, ending with the analysis of some specific areas, namely, education, health and housing.

An annex is attached with a collection of 5 cases obtained from professional practice in the field which highlight the problems that immigrant children have in practice to exercise their rights, in what is apparently a highly protective legal framework.

1. International legal framework

International human rights instruments that have been ratified by Spain, and are therefore binding in accordance with the Constitution (Art. 10.2), must inform all policies and legal instruments and their implementation by all public authorities.

The above include general rights conventions, such as the Universal Declaration of Human Rights 1948, the International Covenant on Economic, Social and Cultural Rights 1966, and the international Covenant on Civil and Political Rights 1966; conventions on non-discrimination, such as the International Convention on the Elimination of All Forms of Racial Discrimination 1965 and the Convention on All Forms of Discrimination against Women 1979; conventions on migrants rights, such as the International Convention on the Protection of the Right of All Migrant Workers and their families 1990; and conventions on children's rights, such as the Convention on the Rights of the Child 1989.

Without entering into a specific analysis of the rights they include, 2 general considerations of fundamental importance must be made: Firstly, these rights apply to all persons / children without distinctions based on nationality or residence; and secondly, they constitute the basic minimum standard of protection on which State parties, and in this case all Spanish and Catalan authorities can build.

2. European Legal Framework

For the issues of interest in this chapter, we must consider the European Union and the Council of Europe system, focusing on the European Convention on Human Rights and its interpretation by the European Court of Human Rights.

2.1. The European Union

Spain joined the European Union in 1986 and, since then, EU law has become part of Spanish law and is binding on all public authorities. Although not initially provided for in the original Treaties, the EC's (now EU) progressively incorporated fundamental rights into European Law and finally enacted a Charter of Rights for the EU. As part of the process of European integration, the EU has also developed a 'Citizenship of the European Union', which confers a specific set of rights on the citizens of the Member States of the European Union within the scope of EU law. In addition, as part of this process, the EU has been conferred competences in the areas of immigration and integration, asylum and non-discrimination. These can also confer new rights or affect the existing rights of third country nationals within the sphere of the Union.

Legal framework on citizenship, immigration and rights

We will begin with the Treaties, which are the equivalent of the 'Constitution' of the European Union, including the Charter of Fundamental Rights, which currently has an analogous status, and then consider some of the legal instruments adopted by the EU institutions.

EU Treaties

The Treaty on European Union provides that the Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. It adds that these values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail (Art. 2).

Among the objectives of the Union, it states that its aim is to promote peace, its values and the well-being of its peoples and that (...) it shall combat social exclusion

and discrimination, and shall promote social justice and protection, equality (...), solidarity between generations and protection of the rights of the child (Art. 3).

More specifically, it reads that the Union recognises the rights, freedoms and principles set out in the Charter of Fundamental Rights of the EU (...) which shall have the same legal value as the Treaties, and that fundamental rights, as guaranteed by the European Convention of Human Rights and as they result from the constitutional traditions common to the Member States, shall constitute general principles of the Union's law (Art. 6).

Charter of Rights of the European Union

As is well known, the European Union adopted its own Charter of Rights which has been given the same legal binding force as the Treaties with the entry into force of the Treaty of Lisbon (Art. 6, TEU). This Charter builds on the ECHR discussed below and includes a specific section on citizens' rights. These rights can be enforced against EU institutions and bodies and against the member states, including Spain, when they are implementing EU law.

Under the heading of 'Dignity', the Charter includes the declaration of inviolability of human dignity (Art. 1), the right to life (Art.2), integrity of the person (Art. 3), and the prohibitions of torture and slavery (Arts 5-6); under 'Freedoms', the right to liberty and security (Art. 6), respect for private and family life (Art. 7), freedom of thought, conscience and religion (Art. 10) and, of special interest for this study:

- The right to education (Art. 14), providing that 'everyone has the right to education and to have access to vocational and continuing training', adding that, 'this right includes the possibility to receive free compulsory education'.
- The right to work (Art. 15), providing that 'everyone has the right to engage in work and pursue a freely chosen or accepted occupation', adding, again, that 'nationals from third countries who are authorised to work in the territories of the Member States are entitled to the working conditions equivalent to those of citizens of the European Union'.
- The right to asylum (Art. 18), which 'shall be guaranteed with due respect for the rules of the Geneva Convention and the Protocol of 1957 relating to the status of refugees' and to Protection in the event of removal, expulsion or extradition (Art. 9), adding that 'collective expulsions are prohibited' and that 'no one may be removed, expelled, or extradited to a State where there is a serious risk that he or she would be subjected to the death penalty, torture or other inhuman or degrading treatment or punishment'.

Under the heading of 'Equality', the Charter continues, stating that 'Everyone is equal before the Law (Art. 20), prohibiting discrimination on a variety of grounds, including sex, race, colour, origin, genetic features, language, religion or belief, among others (Art. 21), providing for the respect of cultural, religious and linguistic diversity (Art. 22), equality between men and women (Art. 23) and, of particular interest for this study:

- The rights of the child (Art. 24), stating that 'Children shall have the right to such protection and care as is necessary for their well-being', that 'they may express their views freely' and that they shall be taken into consideration on matters which concern them in accordance with their age and maturity'; that 'in all action relating to children, the child's

best interest must be a primary consideration' and that 'every child shall have the rights to maintain on a regular basis a personal relationship and direct contact with both of his or her parents, unless that is contrary to his or her interests'.

Closing this initial section, under the heading of 'Solidarity', the Charter provides a series of worker's rights, including the prohibition of child labour and the protection of young people at work (Art 32), stating that 'they must have working condition appropriate to their age and be protected against economic exploitation and any work likely to harm their safety, health or physical, mental, moral or social development or to interfere with their education'. This part also includes the legal, social and economic protection of the family (Art. 33), and the rights to social security and social assistance (Art 34) and to health care (Art. 35). However, while the above are generally conferred on 'everyone', the Charter includes limitations with regard to these to final rights. In the case of social security and social assistance, it provides that 'everyone residing and moving legally within the European Union' is entitled to it, 'in accordance with Union law and national laws and practices'; and in the case of health care, again, while it does refer to everyone, it adds that 'under the conditions established by national laws and practices'.

The Charter then provides a series of specific citizens rights (this reinforces the idea that all the above are not, exclusively for EU citizens), including the right to vote and stand for election to the European Parliament and in municipal elections (Arts. 39-40), the right to good administration (Art. 41), the right to diplomatic and consular protection (Art. 46), and of specific interest for this study, the freedom of movement and of residence (Art. 45). It must also be noted that this part also extends or provides for the extension of some of these rights to third country nationals, extending the right to access to documents (Art. 42), to referral to the European Ombudsman (Art 43), and the right to petition (Art. 44), to citizens and persons residing in a Member State, and stating that freedom of movement and residence may be granted, in accordance with the Treaties, to nationals of third countries legally resident in the territory of the Member State.

Finally, the Charter includes a set of rights in the area of 'Justice', including the right to an effective remedy and a fair trial (Art. 47) and the presumption of innocence and right to defence (Art. 48), among others.

EU Citizenship

As defined by Leenerts (p. 180), the status of citizenship of the European Union weaves together the threads leading to the rights granted to the nationals of the member States. Its origins can be found in 1990-1992 Intergovernmental Conference, at the instigation of Spain, where it was decided to introduce it concurrently to the European Union and it was initially introduced in the EC Treaty (Treaty of Maastricht) in 1992.

A citizen of the Union is defined as any person holding the nationality of a Member State (Art, 9 TEU and Art, 20(1) TFEU). Whether a person has the nationality of a Member State is to be determined by the law of the state concerned, and Union law requires Member States to recognise the nationality of another Member State without imposing any other condition.

The rights that the Charter confers only on citizens are the right to engage in work and to pursue a freely chosen or accepted occupation, to exercise the right to establishment and to provide services in any Member State, and the right to move and

reside freely in the territory of the Member States (Art. 15 (2) and 45 (1)), together with those considered above). Citizenship rights also include the right not to be discriminated on the grounds of nationality within the scope of the application of the Treaties (Art. 18 TFEU). Of special interest for this study are the free movement and residence rights.

The rights to free movement and residence are now also enshrined in the Treaties (Art. 21(1) TFEU), and are framed in such a way that they confer direct effect for citizens. Under the treaties, the European Parliament and the Council may adopt provisions to facilitate the exercise of these rights and in 2004 they simplified and merged together the existing instrument dealing with these rights in Directive 2004/38 on the rights of the citizens of the Union and their family members to move and reside freely within the territory of the Member States. This Directive confers on Union citizens the right of residence in the territory of another member State for a period of up to 3 months without any conditions of formalities other than holding a valid identity card or passport.

It also extends the right of free movement and residence of family members of citizens of the Union, even if they do not have the nationality of the Member State, including: spouses, partners in a registered partnership, descendants (under 21 or dependants) and dependant ascendants of the citizen and the spouse of partner. The Court of Justice has established that the status of 'dependant family member' is the result of a factual situation characterised by the fact that material support for the family member is provided by the Union national who exercised the right to free movement of his/her spouse.

The Directive grants residence for a period longer than three months to workers or self-employed persons, and all other Union citizens who have sufficient resources for themselves and their family members not to become a burden of the social assistance system of the host State. The concept of 'social assistance system of the Member State' has its own meaning in EU law and can't be defined by reference to national law. It refers to assistance granted by the public authorities which compensates for a lack of stable, regular and sufficient resources (..), and the host State should take into consideration temporary difficulties and personal circumstances to establish whether the beneficiary has become an unreasonable burden and proceed to their expulsion. In addition, the Directive grants Union citizens who have resided legally for a continued period of 5 years in the host member State the right of permanent residence there (Art. 16).

However, these rights of Union citizens and their family members may be restricted on grounds of public policy, public security and public health (Art. 27).

Finally, Union citizens and their family members residing in the territory of a host member state on the basis of the Directive are to enjoy equal treatment with nationals of that Member State within the scope of the Treaties.

The European Court of Justice and citizenship cases

Within the above framework, the European Court of Justice has played a fundamental role in developing the family rights of European children with non-European parents. The most important cases include:

- Carpenter (2002): A spouse of a British citizen who was a national of the Philippines applied for a permit to stay in the UK but her application was rejected and a deportation order was issued. The court declared that the presence of a third country mother who could look

after the family children while the father was away could be seen as aiding him in his provision of cross-border services (first step, but not about children's rights as such).

- Zhu and Chen (2004): Catherine Zhu was the child of a Chinese couple working and living in the UK. She was born in Ireland and thereby automatically received Irish citizenship. Her mother moved with her to the UK and wanted to get a permanent residence permit, which was refused. However, the Court decided that the child, as a Union citizen, enjoyed a right of residence in a host State which could only be exercised if the third country parent was allowed to reside in the host State [Baumbast (2002), is a variation on the same].
- Ruiz Zambrano (2011): A married couple of Columbian nationals applied for asylum in Belgium and remained there, though their application was rejected. Two children of this couple, born in Belgium, gained Belgian nationality and, thus, citizenship of the Union. Based on this fact, the father of the two citizens tried to obtain a residence permit but his application was refused. The Court ruled that the Treaties preclude a Member State from refusing a third country national upon whom his minor children, who are EU citizens, are dependent, a right of residence in the Member State of residence and nationality of those children, and from refusing to grant a work permit to that third country national, in so far as such decisions deprive those children of the genuine enjoyment of the substance of the rights attaching to the status of EU citizens. The novelty of this case is that the Court established that Union citizens have the right to reside not only in other member States but in the EU as a whole, and this can be exercised against their home State in purely internal situations.
- Dereci (2011): This was a joint case of five applicants, each of whom was a third country national wishing to reside in Austria with his/her Austrian family member, none of which had exercised their right to free movement within the Union. All had had their applications for residence permits rejected on the grounds that the Union citizen concerned has not exercised right of free movement. The Court confirmed the Zambrano decision, restating that the Treaty prohibits expulsion from the Union of a family member of Union citizen if this expulsion has the consequence that the Union citizen is forced to leave the Union too.

This case law is of fundamental importance for children with non-European parents (third country nationals), as their position is often fragile within the host State.

Immigration

The Treaty on the Functioning of the European Union (TFEU) provides that the Union shall develop a common immigration policy aimed at ensuring, at all stages, the

efficient management of migration flows, fair treatment of third-country nationals residing legally in Member States, and the prevention of, and enhanced measures to combat, illegal immigration and trafficking in human beings (Art. 79.1, 2, 3). For these purposes, it states that the Union shall adopt measures regarding (a) the conditions of entry and residence, and standards on the issue by Member States of long-term visas and residence permits, including those for the purpose of family reunification; (b) the definition of the rights of third-country nationals residing legally in a Member State, including the conditions governing freedom of movement and of residence in other Member States; (c) illegal immigration and unauthorised residence, including removal and repatriation of persons residing without authorisation; (d) combating trafficking in persons, in particular women and children.

It also provides that the Union may conclude agreements with third countries for the readmission to their countries of origin or provenance of third-country nationals who do not or who no longer fulfil the conditions for entry, presence or residence in the territory of one of the Member States.

Within these competences, the EU has adopted a series of legal instruments, among them, on a uniform format for residence permits (Council Regulation 2725/2000), the status of long-term residents (Council Directive 2003/109) and, of specific interest to this study, the right to family reunification (Directive 2003/86). It must be noted that these are not binding on Denmark, Ireland or the UK.

More specifically, the Council Directive 2003/86 on the right to family reunification establishes a set of common European rules for the case of third country nationals joining non-EU citizens in a Member State, and was drafted as a first step in the harmonisation of the law in these issues. In brief, it sets out two conditions for being eligible as a sponsor for family reunification: a valid residence permit of at least a year and reasonable prospects of obtaining the right to permanent residence, the second allowing a margin of interpretation to Member States which could in practice lead to the exclusion of almost any third national from its scope.

Subject to the above conditions, the Directive requires Member States to authorise the entry and residence of nuclear family, which includes the sponsors spouse and minor children of the sponsor or spouse. They are then free to decide whether to include other family members in their national legislation. It's worth highlighting that for minor children, the Directive allows Member States to ask children over 12 arriving independently from their families to prove they meet integration conditions (only used by one Member State) and that children over 15 may be required to enter on other grounds (not used by any Member State). On the other hand, it includes a horizontal clause that obliges the Member States to pay due regard to the best interests of the minor children when examining an application.

The European Commission recently published a Green Paper on this directive, which included a consultation on its possible reform. The period for responding ended in March 2012.

Asylum

Linked to the above, the TFEU establishes that the Union shall develop a common policy on asylum, subsidiary protection and temporary protection with a view to offering appropriate status to any third-country national requiring international protection and ensuring compliance with the principle of non-refoulement (Art. 78 TFEU). Of notable importance for this study, it states that this policy must be in accordance with the Geneva Convention of 28 July 1951 and the Protocol of 31 January 1967 relating to the status of refugees, and other relevant treaties.

For these purposes, the Treaty establishes that the Union shall adopt measures for a common European asylum system comprising: (a) a uniform status of asylum for nationals of third countries, valid throughout the Union; (b) a uniform status of subsidiary protection for nationals of third countries who, without obtaining European asylum, are in need of international protection; (c) a common system of temporary

protection for displaced persons in the event of a massive inflow; (d) common procedures for the granting and withdrawing of uniform asylum or subsidiary protection status; (e) criteria and mechanisms for determining which Member State is responsible for considering an application for asylum or subsidiary protection; (f) standards concerning the conditions for the reception of applicants for asylum or subsidiary protection; (g) partnership and cooperation with third countries for the purpose of managing inflows of people applying for asylum or subsidiary or temporary protection.

As highlighted above, it must be noted here that the right to asylum, together with protection in the event of removal, expulsion or extradition is also included in the Charter of Fundamental Rights of the European Union, considered above (Art. 18).

In order to determine which state was responsible for examining applications for asylum in a specific case, the Member States established the Dublin Convention 1990 (entry into force 1997), which was replaced by a Regulation in 2003 (Council Regulation 343/2003).

Non discrimination

As noted above, one of the principles linked to EU citizenship is that of non-discrimination on the basis of nationality. This principle has, however, been extended more generally to non-discrimination within the scope of the Union to other grounds including sex/gender, and of particular interest for this study, racial or ethnic origin, religion or belief and age, among others (Art. 10 TFEU). In these areas, the EU has adopted a Directive prohibiting discrimination on the basis of racial or ethnic origin (Council Directive 2004/43) and another directive providing a general framework for equal treatment in employment and occupation (Council directive 2007/78).

Education and migrant children

As part of its provisions linked to free movement, the EU adopted the Directive 77/486/CEE on the education of the children of migrant workers from EU countries. This instrument requires Member States to ensure free tuition in their territory, adapted to the specific needs of such children, in particular teaching an official language of the host state; and to promote teaching the mother tongue of the country of origin, in coordination with normal education, in cooperation with the Member State of origin.

It must be highlighted however that this directive only applies to the children of EU citizens who move to another EU Member State. The children of third country-nationals living and working in a Member State are therefore excluded from its application. They do however enjoy access to education on the basis of equal treatment with children who are nationals of the host Member State if they come under the scope of Directive 2003/86 on the right to family reunification and/or Directive 2003/109 on the status of long term residents.

In 2008 the EU Commission published a Green Paper on 'Migration & mobility: challenges and opportunities for EU education systems' to launch a public consultation on the future of this directive and on the best ways of supporting the education of children from a migrant background in the education systems of EU Member States. The consultation closed in December of the same year, and a summary of responses is available. It's notable that the consultation uses the term 'children of migrants' to refer to the children of all persons living in an EU country where they were not born, irrespective of whether they are third-country nationals, citizens of another EU Member State or have subsequently become nationals of the host Member State, widening their scope of consideration to all migrant children.

The EU and the ECHR

Finally, it must be noted that by mandate of the Lisbon treaty, the European Union is currently negotiating its accession to the European Convention of Human Rights. While the negotiations are still at an early stage, when finally concluded and ratified they will result in the EU institutions and law, including the European Court of Justice,

being subject to the supervision of the European Court of Rights. It is expected, therefore, that they will increase their standard of protection.

2.2. The Council of Europe

A reference to the Council of Europe System is also necessary and, in particular, to the European Convention on Human Rights and its interpretation by the European Court of Human Rights (ECtHR). Spain joined the Council of Europe in 1977 and ratified the European Convention on Human Rights in 1979.

As part of its activities in the area of human rights, the Council of Europe has a programme for the promotion of children's rights, one on the protection of migrants' rights, and one on racism and intolerance. Of particular interest, in February 2012 it adopted a new strategy for the protection of children's rights focusing on, among other aspects, guaranteeing the rights of children in vulnerable situations, such as those with disabilities, in detention, in alternative care, migrant or Roma children.

Legal framework on immigration and rights and the role of the European Court of Human Rights

The European Convention on Human Rights begins by establishing that the contracting parties shall secure to everyone within their jurisdiction the rights and freedoms defined in the Convention. Therefore, as a general principle, these rights are conferred on all persons within the jurisdiction of the Spanish authorities, without any distinction regarding citizenship or legal residence. In this sense, Art. 13 of the Convention states that everyone whose rights and freedoms as set forth in the Convention are violated, shall have an effective remedy before a national authority.

The rights the Convention encompasses include the rights to life (Art. 2), prohibition of torture and inhuman or degrading treatment (Art. 3), prohibition of slavery (Art. 4), right to private and family life (Art. 8), right to liberty and security (Art. 5), right to a fair trial and no punishment without law (Arts. 6-7), freedom of conscience and religion (Art. 9), freedom expression (Art. 10), freedom of assembly and association (Art. 11), right to marry (Art. 12) and non-discrimination (Art. 14). In addition, and of special interest for this study, Art. 2 of Protocol 1 to the Convention includes the right to education, providing that no person shall be denied the right to education. It then adds that the State shall respect the rights of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions.

Although the Convention doesn't include specific children's rights, recent studies highlight that the European Court of Human Rights (ECtHR) has been very active in incorporating international children's rights law and standards into its interpretation of the rights provided for in the Convention, reinforcing their protection within the ECHR territory, including those of migrant children. Some examples of particular relevance for this study include:

- Timishev v Russia (2005): The applicant's children, aged 7 and 9, were excluded from a school they had been attending for 2 years because their father, a Chechen, was not registered as a resident in the city where they lived and no longer had a migrant's card. The Court found a violation of Art. 2 of Protocol 1 (right to education).
- Mubilanzila Mayeka and Kaniki Mitunga v Belgium (2006): A five year old Congolese girl was detained at Brussels airport, where she was due to be collected by her uncle, after arriving without proper papers. She was held in facilities for adult illegal immigrants for nearly 2 months, unaccompanied, and then sent back to Congo where no one from her family was there to meet her. The Court found violations of

Art. 3 (prohibition of inhuman treatment) and of Art. 8 (right to family life).

The Court has also adopted some important decisions on segregation in schools which, while arising in the specific cases of Roma children, could also be extended to situations where schools are faced with large numbers of migrant children:

- *Sampanis v Greece* (2008): The Greek authorities did not enrol a group of Greek children of Roma origin for a whole academic year and subsequently more than 50 children were placed in a special school annex which was supposed to prepare them for reintegration into the mainstream class. The Court found the children were not suitably tested to see if they needed to go to that class or if they had progressed and found a violation of Art. 2 of protocol 1 (right to education) and Art. 14 (non-discrimination).
- *Orsus v Croatia* (2010): 15 Croatian children of Roma origin complained that they were victims of racial discrimination in that they were segregated into Roma only classes. Although the Government attributed the separation to their lack of language proficiency, the Court found that the tests determining their separation didn't focus on language skills, their educational programme didn't target language problems and their progress was not clearly monitored. Their placement in such classes was therefore in violation of Art.2 Protocol 1 (right to education) and Art. 14 (non-discrimination).

Finally, the Court has also decided a long list of cases on the teaching of religion in schools and on religious symbols in the classroom, which are currently areas of on-going controversy and debate. Among them: *Folgero v Norway* (2007), *Hasan v Turkey* (2007), *Grzelak v Poland* (2010), *Dojan v Germany* (2011) and *Lautsi v Italy* (2011).

3. State-level Policies and legal Framework

As is well known, Spain is composed of 17 Autonomous Communities, among them Catalonia, and competences are distributed between these and the Central State in the Constitution. As regards the issues of interest for this study, the Constitution provides that the State shall have exclusive competence over 'nationality, immigration, status of aliens, and right to asylum' (Art. 149.1(11)). As will be seen, however, Catalonia has also developed a sphere of action in these areas and the specific interpretation of this provision has been contested before the Constitutional Court.

We will start by considering the State-level policies and legal framework and then consider those of Catalonia.

3.1. Immigration policies

Spain was not historically a country of immigration but of emigration. Massive immigration is therefore something new and unprecedented for Spain, as was the need for immigration policies (Sanchez Alonso, 2011). As a result, scholars highlight the difficult transition and present a poor balance of Spanish immigration policies, after migration first became visible in the mid-80s. We can distinguish three different phases in Spanish immigration policy since then: the initial period from the mid-80s to the early 90s; a second phase during most of the 90s; and a third phase starting in 1999.

The first measures adopted were in the Immigration Law of 1985 (Ley de Inmigración), which was enacted by pressure from the European Communities more than national immigration statistics. The measures in this statute focused largely on the policing borders to control the flow of immigrants and on regulating the formal requirements for foreigners to stay in Spain, resulting in a large number of undocumented immigrants. Also in this initial phase, the Law of Asylum was passed in 1984 and the Royal Decree of 1986 that developed the Foreigners Law included the regulation of the situation of European Economic Community state citizens, both of which became privileged categories.

This framework was complemented by two important Constitutional Court decisions: the first (STC 107/1984) clarified the rights that would be enjoyed by foreigners in the new constitutional system, distinguishing between basic rights to be enjoyed by all persons, political rights to be enjoyed only by citizens (Spanish nationals), and other rights which could be enjoyed by foreigners depending on their legal situation in Spain and in accordance with the Foreigners Law. The second decision (115/1987) resulted in the removal the requirement of authorisation for foreigners to exercise their freedoms of association and assembly, which was considered a *de facto* limitation to these rights.

The problems with the above led to the second phase in migration policies in the 1990s. Requests for the regularisation of undocumented immigrants and for the rights of families to be reunited, brought integration into discussion for the first time. This led to a reformed the Decree implementing the foreigners' law, including more specific regulation of family reunification, unaccompanied minors and some social rights. However, the legislation was still very much focused on control and management. In 1993, the government launched the quota system, creating a new direct way to enter Spain legally and in a regularised situation without submitting individual applications to a test of the labour market. In addition, in 1995 the law on Asylum was modified, in accordance with European intergovernmental agreements, and became more restrictive and since then the use of this system by foreign immigrants entering Spain has been substantially reduced.

The third phase can be identified starting in 1999, when a new Foreigners' Law was enacted, entering into force in 2000. This amendment aimed to improve the quota system as a preferred instrument to regularisations and recognised a significant number of immigrants' rights, both for those in a regularised situation and those who were not. However, these changes were reversed very shortly after, in December of the same year, with a significant reform of the law by the new conservative government. The new system was notably more restrictive, limiting many of the rights of undocumented immigrant and making the sanctions for them and those who helped them much harsher, and as reformed again in the same sense in 2003. Both of these reforms were challenged before the Constitutional Court for possible violation of fundamental immigrants' rights, and in 2007 the Court struck down some of the provisions in the first reform on this basis. From 2000-2004 the conservative government also closed off the possibility of entry through the general regime, allowing only for the quota system, but this was restored at the end of this period.

Spanish immigration policy has also been characterised by frequent extraordinary regularisations of undocumented immigrants. So far, there have been six, in 1986, 1991, 1996, 2000, 2001 and 2004.

3.2. Policies on integration and social exclusion

As has been noted above, the initial policies and measures in the area of immigration were directed at control and management, and the concept of integration did not appear until the 1990s. In 1994, an initial Plan on Social Integration of Immigrants was drafted, largely as a result of societal pressure, by the Ministry of Social Affairs. It has been highlighted that it was not highly influential at the time and was largely symbolic, in the sense that it introduced integration as a policy goal for the

first time. The meagre results of the plan were partly due to the lack of specific resources allocated to it and also to coordination problems between the multiplicity of institutions involved. It has also been highlighted that it emulated the plans of the Autonomous Communities, in particular, that of Catalonia of 1993. In addition, during this initial period 2 instruments were created to assist the development of integration policies: the Forum on the Social Integration of Immigrants, as a consultative body for the government, and the Permanent Observatory on Immigration, to monitor immigration and integration and suggest policies.

The introduction of integration policies complicated the relations between the different levels of government in Spain, as while the central state had full competences in immigration matters, it was the Autonomous Communities, with the participation of municipalities, who were managing the integration of immigrants through their competences in social welfare, education, health and housing.

In 2001, the new conservative government adopted its plan for integrating immigrants, the Global Programme on Regulation and Coordination of the Treatment of Foreigners and Immigration (known as the GRECO), which was aligned with its restrictive reforms in 2000, and largely understood immigration as temporary and focused on return. It has been noted that integration was not its first priority and that it didn't establish concrete measures or guidelines for sub-national actors. Again, the plan had no specific allocation of funding, and the transfer of these matters from the Ministry of Social Affairs to the Ministry of the Interior are a clear example of the change of paradigm during this period. It can therefore be generally stated that until 2004, policymaking efforts at this level were primarily focused on managing immigration and not on integration.

With the change of government in 2004, the first real national framework policy for the promotion of integration was established. This led to the new National Programme for Citizenship and Integration (known as the PECl), set up in 2006, with the principal aim of promoting equality of immigrants within Spain. For the first time it was backed up by financial resources which were distributed among the Autonomous Communities and municipalities, in accordance with their percentage of immigrant population. This has been followed and further developed by the Citizenship and Integration Strategic Plan 2007-2010 and the Citizenship and Integration Strategic Plan 2011-2014, currently in force.

Within the framework of the above, in 2007 the Sectorial Conference on Immigration was established, composed of the Government, the Autonomous Communities and some observers from local governments. It meets to promote discussion between the different levels of government in order to achieve maximum consistency in the implementation of public policies in the field of immigration and integration.

3.3. Naturalisation and citizenship policy⁷

The Spanish Constitution refers the regulation of the acquisition of Spanish nationality to ordinary legislation by the Parliament: 'Spanish nationality is acquired, kept and lost according to the laws' (Art. 11.1). This provision, however, has not become the basis for a law on nationality. The current citizenship regime is contained in the Civil Code and other procedural norms, in particular the Statute and Executive Decree on the Civil Registry⁸.

The Spanish system distinguishes between 'nationality by origin' (*nacionalidad originaria*) and 'derivative nationality' (*nacionalidad derivativa*). The first generally refers to nationality by birth and the second by application, although there are a few exceptions to the former. The main practical consequence of this distinction is that

⁷ Rubio Marin, R. and Sobrino, I. (2010), 'Country Report: Spain', EUDO Citizenship Observatory, Robert Schuman Centre for Advances Studies, Florence.

⁸ Ley del Registro Civil de 8 de Junio de 1957 y Decreto Ejecutivo de 14 noviembre de 1958.

there are a series of prerogatives excluded from derivative nationality. Of importance in this context is the right not to be deprived of nationality against one's will and to retain it when acquiring another nationality in certain cases⁹.

It is mainly a *ius sanguinis* system, with some elements of *ius solii*. *Ius sanguinis* is unqualified for those born of a Spanish mother or father, who will become nationals 'by origin', regardless of where they were born (11.7 CC). Nationality 'by origin' is also extended to those born in Spain when one of their parents was also born in Spain or the person would otherwise become stateless, and to cases of adoption by a Spanish national, from the moment it takes place (11.9 CC).

As for non-automatic acquisition of Spanish nationality, we can currently distinguish between four modes:

i. By option: they only have to express their will in due time and form, to acquire Spanish nationality:- Those who are or have been subject to the parental authority (*patria potestad*) of a Spaniard. - Those whose father or mother was a Spanish national 'by origin' born in Spain (since 2002, previous similar temporal provisions). - Those for whom descent from a Spanish national or birth in Spain have been established after they turned 18 (limited to when they turn 20 or to 2 years after their legal emancipation; also 2 years after determination).

ii. By discretionary naturalisation ('*Carta de naturaleza*'): for cases which present 'extraordinary circumstances'; on application and may be successful depending on the full discretion of the Government. In practice, 'exceptional circumstances' have ranged from language promotion to football expertise and belonging to some international brigades during the Spanish Civil War.

iii. Residence based acquisition:

- Requirement of 10 years continual, uninterrupted, legal and prior residence.
- Residence plus additional factors (residence requirements are shorter): refugees with a residence requirement of 5 years; nationals of Latin American countries, Andorra, the Philippines, Equatorial Guinea, Portugal or Sephardic Jews, requirement of 2 years; there is a final category which requires 1 year of residence, which includes: those born in Spain to immigrant parents, those who had a right to option subject to a time limit and did not exercise it, those who have been married to a Spanish national for a year (civil unions, regardless of sexual orientation, are not included), and those born outside Spain whose father, other, grandfather or grandmother was Spanish by origin.

iii. By 'possession of status': introduced in 1990, applies to people who in good faith have possessed and used Spanish nationality for 10 years on the grounds of a validly registered title, if it turns out that title was not valid.

Despite the dramatic increase of immigrants in Spain since the mid 1980's, the Spanish regulation of nationality has not been substantially modified since then. It is notable, however, that the reforms carried out have prioritised concerns about former expatriates who have lost their nationality or a sort of 'social reconciliation' over immigrants living in Spain for whom nationality could be an opportunity for integration. In this sense, it has been described as a system that looks more to the past than to the future. At the same time, taking into consideration the two largest groups of immigrants in Spain, one formed by immigrants from Latin America and one from immigrants from Morocco, as well as other parts of Africa and Asia, it results in a privileged treatment of the former, who are provided a much easier path to inclusion through nationality.

⁹ Arts. 60, 112 and 113, Spanish Constitution and Arts. 24 and 25 of the Civil Code.

3.4. Legal framework

Immigration and Rights

Constitution

The Spanish Constitution includes a charter of rights of which includes what it defines as fundamental rights (Part I, Chapter 2) and a set of principles governing economic and social policy (Part. I, Chapter III). The distinction between these two categories is that the former are binding on all public authorities and directly enforceable as constitutional rights by means of a preferential summary procedure and in final instance by an individual appeal for protection (*amparo*) to the Constitutional Court (Art. 53). The latter, however, although mostly also framed as rights, are only guide legislation, judicial practice and actions by public authorities and may only be invoked in the ordinary courts in accordance with the legal provisions implementing them (Art. 53). In practice, this means that their definition and therefore specific content is left in the hands of the legislature.

As defined by the Constitution, fundamental rights include, among others, the right to life, physical and moral integrity (Art. 15), freedom of ideology and religion (Art. 16), the right to freedom and security (Art. 17), honour, personal and family privacy (Art. 18), freedom of expression (Art. 20), freedoms of assembly (Art. 21), freedom of association (Art. 22), fair trial and effective judicial protection (Art. 24) and of specific interest for this study, the right to education (Art. 27).

The principles governing economic and social policy include what are known as socio-economic rights, and among them we can highlight, more generally, the right to health (Art. 43), the right to enjoy a suitable environment (Art. 45) and the right to adequate housing (Art. 47). In addition, it includes a series of specific rights for the protection of children and the family (Art. 39).

The Constitution includes a specific provision regarding the entitlement to constitutional rights of non-nationals. Art. 13.1 provides that foreigners in Spain shall enjoy rights and freedoms guaranteed by the Constitutional text 'under the terms to be laid down by the treaties and the law'. It is generally accepted, however, that this article must be interpreted jointly with others in the Constitution, such as provisions that human dignity and inviolable rights inherent to personality are the foundation of the political order (Art. 10.1) and that rights provisions must be interpreted in accordance with international human rights treaties, in particular, for this study, the Convention on the Rights of the Child (Art. 10.2), and that therefore, immigrants cannot be denied these rights. This position is strengthened by references to 'all persons' in different rights provisions in the Constitution itself (life, liberty, education, among others).

In this same sense, the Constitutional Court (STC 107/84) has stated that 'there are rights that belong to a person as such and not as a citizen or (...) that are essential for the safeguard of human dignity which (...) constitutes the foundation of the Spanish political order.' And that therefore 'Rights such as the right to life, physical and moral integrity, privacy, privacy, freedom of conscience, etc also belong to foreigners by constitutional mandate, and their an unequal treatment with respect to Spanish citizens is not possible'.

Law on the legal protection of minors (LO 1/1996, de proteccion juridica del menor).

This statute states specifically that it applies to those under the age of 18 located in Spanish territory – therefore without distinction of citizenship or legal residence-, with the only exception of those who are no longer considered minors in accordance with their national legislation (Art. 1). As a general principle, the statute also reads that the higher interest of the minor shall be the primary principle guiding its application, prevailing over any other legitimate interest, and that any measure adopted should have an educational character (Art. 2).

It then includes a specific catalogue of rights of minors, including the right privacy and honour, the right to information, the right to freedom of ideology, freedom

of expression and the rights to participation and association and to be heard (Arts. 4-9). The statute also notes that these rights shall be interpreted in accordance with the international human rights treaties ratified by Spain, and in particular, the Convention on the Rights of the Child (Art. 3).

The statute then states the general principles and measures that should guide the activity of public bodies in ensuring that minors can exercise these rights. In brief, the main principles are: supremacy of the interest of the minor; maintaining minors in their family environment or origin; their social and family integration; prevention of any situations that can damage their personal development; sensitization of the public towards situations of defencelessness of minors; promotion of participation and social solidarity; and objectivity, impartiality and legal certainty in the protective measures, guaranteeing the collegiate and interdisciplinary character of the adoption of measures (Art. 11.2).

Foreigners' Law

The Law on Immigration ('ley de Estrangeria') is actually entitled 'law of the rights and liberties of foreigners in Spain and their social integration'¹⁰.

Within this framework, the statute provides the general principles for the activity of public bodies in this field, which include: the social integration of immigrant through transversal policies directed at the whole citizenry (Art. 2 bis c); the effective equality between men and women (Art. 2 bis d); the effectiveness of the principle of non-discrimination and, consequently, the recognition of equal rights and obligations for all those who work or live legally in Spain, as established by the law (Art. 2 bis e); and the guarantee of the exercise of all rights that the Constitution, international treaties and statutes recognise to all persons (Art. 2 bis f).

The statute states specifically that the general criteria for interpreting rights of foreigners is that of equality with Spanish citizens; interpretation in accordance with international human rights treaties (Art. 3. (1) (2)).

The statute includes a set of specific rights for foreigners. Some of which it provides are for those legally resident in Spain: public participation (Art. 6), free movement (Art. 5), work and social security (Art. 10); others more generally to all foreigners, such as assembly (Art. 7), association (Art. 8), syndication and strike (Art. 11). Finally, some include more specific distinctions or are referred to further legislation, such as the right to education (Art. 9), health assistance (Art. 12), housing (Art. 13) and social services (Art. 14). As highlighted above, these can be included in the category of socio-economic rights and will be considered in more detail below.

Under a separate heading, the statute establishes that legally resident foreigners have a right to family life, and therefore to family regrouping in accordance with its corresponding provisions (Art. 16). In these it establishes that this right includes the spouse of the resident, children under the age of 18, and the parents of the resident and spouse when they're under their charge, over the age of 65 and there are reasons for that justify the need to authorise their residency in Spain (Art. 17). It then contains some provisions regarding special circumstances and, among them that regrouped children can obtain an independent residence authorisation when they become 18 and have sufficient means to cover their needs.

Finally, the statute also contains a specific section on anti-discrimination measures. According to its own definition, discrimination includes any act which directly or indirectly results in a distinction, exclusion, restriction or preference against a foreigner based on race, colour, ascendance or national or ethnic origin, religious convictions and practices, and which has the objective or effect of destroying or limiting the recognition or exercise, in equal conditions, of the rights and freedoms in the political, social, economic or cultural fields (Art. 23). It then provides some examples of

¹⁰ Ley Organica 4/2000, de 11 de enero, sobre derechos y libertades de los extranjeros en España y su integración social. In cases of countries with which Spain has special historical and cultural ties.

discriminatory acts for judicial protection against any discriminatory act that results in a rights violation via summary procedure for rights protection in the courts (Art. 24).

4. Catalan Policies and Legal Framework

4.1. Scope of powers in immigration matters

As highlighted above, Art. 149.1.2. of the Constitution confers exclusive competence on the central state over 'nationality, immigration, the status of foreigners and the right to asylum'. It has also been highlighted, however, that the Autonomous Communities, and in particular Catalonia, have played a fundamental role in the management of immigration and integration in their territories. Because of this, with the reforms of the Statute of Autonomy of Catalonia in 2006, new more specific competences were conferred on the Catalan authorities in this field. More specifically, Art. 138 of the Statute has developed a new competence heading on 'integration'.

In matters concerning immigration, the Generalitat has: exclusive power regarding the initial reception of immigrants, which includes socio-sanitary attention and guidance; development of the integration policy for immigrants in the framework of its powers; establishment and regulation of the required measures for social and economic integration of immigrants and for their social participation; and establishment by law of a referential framework for the reception and integration of immigrants.

The Generalitat has executive power in authorising work to foreigners whose employment is in Catalonia. This power, which shall be coordinated with that of the State regarding the entry and residence of foreigners, includes: processing and assignation of initial work authorisations for employed and self-employed workers; processing and resolution of appeals presented with regard to cases arising from the above and application of the inspection and sanction system.

In addition, the Generalitat participates in State decisions concerning immigration which are especially important for Catalonia and, in particular, shall have preceptive participation in determining the contingent of foreign workers.

This provision, however, was one of the ones challenged before the Constitutional Court for violating the competence provisions in the Constitution, and more specifically, art. 149.1.2. above. Although the Court saves the constitutionality of the provision via interpretation, this decision has been criticised for its concept of integration and immigration (Aparicio, 2010).

4.2. Catalan policies on immigration and integration

The debates on immigration in Catalonia started in the early 1990s. As has been highlighted, while the central State had exclusive competence over immigration, Catalonia and local authorities had responsibility over other areas (education, social services, healthcare), which were also affected by the new increasing demands from immigrants, both legal and illegal, in their territories.

After the regularisation process of 1991, The 'Girona Report: 50 proposals on immigration (*L'Informe Girona: 50 propostes sobre immigració*), published in July 1992, was drafted by the commission of non-governmental organisations and association of Girona demanding the amendment or repeal of the Foreigners Law, the establishment of an immigration policy and the participation of the autonomous communities in this area.

The Generalitat responded with the establishment of an interdepartmental commission for the monitoring and coordination of immigration actions, which lead to

the first Interdepartmental Plans on Immigration (1993-2000). Its main objectives were: a global policy of integration, coordinated services and resource programmes and participation of immigrants and information and awareness of citizens. As part of this framework, some specific local county-focused plans were also adopted. This then led to a second phase of consolidation and growth of these policies, with the creation of the Secretariat for Immigration, linked to the Department of the Presidency, which developed the second interdepartmental plan (2001-2004). This had the same objectives as its predecessor, but was also characterised by a special commitment to a Catalan way of integration, involving a balance between respect for diversity and a sense of belonging to a single community.

The first Citizenship and Immigration Plan (2005-2008) resulted in a quantitative leap in immigration policies. It was divided in three areas: reception policies, equality policies and accommodation policies, and also introduced the concept of 'residence citizenship' for all immigrants and their descendants in Catalonia. The enactment of the new Statute of Autonomy in 2006 meant that actions were extended. In addition, in 2005, the Ministry of Employment and Social Affairs established the State Reception and Integration Fund and the Remedial Education Fund, which it allocated to Catalonia, who handed it out. For the first time, therefore, this plan had a budget. Its implementation, which involved 111 programmes, prioritised promoting social cohesion, occupational integration, intercultural education, driving the social use of Catalan, training public service professionals and combating discrimination.

During this period, a large number of socio-economic agents and representatives from civil society and the government signed the National Agreement on Immigration (December 2008), and a Citizenship and Immigration Board, with the participation of immigrant and support organisations was set up, as an advisory body to the government. Also, in 2007-2008, an extensive consultation was carried out for the enactment of a 'Reception' Act, to set up initial reception services for new arrivals and which will be discussed below.

The current Citizenship and Immigration Plan (2009-2012) includes as parts of its basic principles those of Citizenship and Equity. According to its definition, citizenship 'involves the commitment (...) to promote the extension of full rights and duties to everyone who lives in Catalonia' and that 'people, regardless of their nationality, are considered to be citizens based on their material, daily residence and their wish to have this citizenship'. Complementing the above, under the principle of equity the plan is 'firmly committed to ensuring normalised equal access to public services for immigrants'.

The plan is structured along 3 main lines: 1. Management of migratory flows and access to the labour market, 2. Adaptation of public services to a diverse society and 3. Integration into a shared political culture.

4.3. Catalan Legal Framework

Immigration and rights

Statute of Autonomy of Catalonia 2006

As seen above, the newly reformed Statute of Autonomy of Catalonia contains new provisions conferring competences in immigration to the Catalan authorities. In addition, the new Statute also contains a charter of rights for Catalonia (Title I). As a general principle, Art. 4 establishes that public authorities shall promote full exercise of rights and freedoms; the conditions for individual and group freedom and real equality and participation. Art. 15 states that the 'citizens of Catalonia' shall be the beneficiaries of these rights, but that they may also be extended to other individuals under the terms established by law.

Chapter I of the charter includes civil and social rights, among them, rights in the field of the family (Art. 16), the rights of minors (Art. 17), rights in the field of education (Art. 21), rights in the field of health (Art. 23), rights in the cultural field (...), rights in the field of welfare services (Art. 24) and rights in the field of housing (26). Chapter III

includes linguistic rights, and of specific interest for this study, linguistic rights in the field of education (Art. 35). The Statute provides that these rights are binding on all public authorities of Catalonia and, depending on the right, on individual citizens. As a result, regulation passed by the public authorities in Catalonia shall respect these rights and shall be interpreted and applied in such a way to ensure their full effectiveness.

Finally, Chapter V provides a series of governing principles to guide public policy, such as, among others, the protection of the individual and the family (40); gender perspective (41); social cohesion and welfare (42), socio-economic field (45).

In the framework of the above, the Catalan Parliament has enacted recent legislation regarding childhood and adolescence, immigration, education, housing and social services.

Law 14/2010, of the rights and opportunities in childhood and adolescence:

This Statute further develops Art. 17 of the Statute of Autonomy, mentioned above, which provides that which establish that all minors have the right to receive the attention necessary for the development of their personality and for their welfare, both in family and social contexts. It also implements Art. 166.3 and 4 of the same text, which provides that the Generalitat has exclusive power over the protection of minors and over promotion of families and children. Art. 40. 3 also provides that when acting in this sphere, in all actions implemented by the public authorities or by private institutions, the interests of the child shall be awarded priority.

It provides the guiding principles for the actions of public authorities in this field, which include, most fundamentally, the higher interest of the child or adolescent (Art. 5). Other principles of relevance for this study are non-discrimination (9), gender perspective (10).

In addition, the statute also includes a specific charter of rights of children and adolescents, encompassing civil and political rights (Chapter I); rights in the sphere of the family (II); provisions regarding their personal and material welfare (III), Health (IV) and Education (V).

Finally, the statute also provides for the adoption of preventions measures (Title III) in cases of: vulnerability (Art. 78), social risk (Art. 77) and of special relevance for this study, of prevention of genital mutilation of children and adolescents (Art. 76).

Legislative provisions on immigration: Reception Law 10/2010

Entitlement to the right of access to first reception services in Catalonia is conferred on immigrant foreigners and asylum seekers without distinction or additional conditions (Art. 7.1.). All the provision adds is that it will begin from the moment of registration or asylum request (Art.7.2.).

Immigrants within the age of obligatory education access the Catalan education system in conditions of equality. To this end, the department with competence over education shall carry out acts of reception to facilitate their full integration in the Catalan educational system and to guarantee them a better and faster acquisition of knowledge and contents (Art. 8.1). For those above the age of obligatory education, actions will be formative and informative and, on the basis of an initial evaluation of knowledge and needs of the person, structured in adapted itineraries (Art. 8.2). The services provided include language competences, labour knowledge and general knowledge on Catalan society and its legal framework (Arts. 9-11).

In addition, the statute provides that the different departments of the Generalitat may approve specialised reception programmes and must do so, at least, in certain specific areas including health, education, adult training, social services and children and adolescence, among others (Art. 15).

The general planning and specification of the minimum requirements for these reception programmes is competence of the Generalitat but their implementation is responsibility of local authorities.

5. Socio-economic rights:

The Spanish welfare state is characterised by the combination of social provision (pension, unemployment benefit) with programmes of universal vocation (education, health care and, in a lesser degree, social services). Immigrants generally access them via 2 ways: first, linked to the participation in the job market and their affiliation to the Social Security System; and secondly, via residence and registration, which grants them access to some of the universal programmes of protection such as health, education, and some social services like housing.

Below we will include some examples of the rights of immigrants in specific subject areas.

Education

The Constitution includes the right to education within its catalogue of fundamental rights, with the highest standards of protection. Its content was defined in the Constitutional Court decision STC 236/2007, highlighting that it is unequivocally linked to the guarantee of human dignity (...). Because of this, it stated that the right as protected in the Constitution include both obligatory and post obligatory education. As a consequence, foreigners in Spain without legal residence cannot be deprived of these (Art.s 1,3 and 9).

Before this decision, the Foreigners' Law 4/2000 only guaranteed the right to free and obligatory 'basic education' and to the corresponding qualification, whatever the person's administrative situation. But post obligatory education, both of 16-18 year olds and adults, was not available for immigrants without legal residence in Spain.

The most recent reform of this Statute, via the Organic Law 2/2000 amended Art. 9, extending the right to education to all foreign minors, whatever their administrative situation. It doesn't, however, comply with the Constitutional Court's decision regarding the right to education of foreigners over the age of 18 who are not legal residents, which it doesn't recognise and refers to further legislation on education.

Health services

Art. 34 of the Constitution establishes the right to health and that 'it is incumbent upon the public authorities to organize and watch over public health by means of preventive measures and the necessary benefits and services'. It then provides that 'The law shall establish the rights and duties of all in this respect'.

Initially, the open and free access of immigrants to health services for immigrants was conditioned to their contribution to the Social Security system. EU citizens could access health services via the EU recognition system and in the case of refugees or asylum seekers, these services were provided by the Red Cross, in agreement with the State. Undocumented immigrants, however, could only access emergency services or treatment for infectious diseases, and the parallel circuits set up by NGO's for their treatment, had very limited resources and depended largely on the good will of health professionals.

The first step for undocumented immigrants was the extension of health protection to pregnant women and children, with the enactment of the state Law for the protection of minors of 1996 and the decree for the implementation of the Foreigner's law of 1985. This legislation was not however implemented in practice, due to the complexity of the different levels of administration involved (state, autonomous communities and local).

The full health coverage of immigrants became a political issue in 1999, and was finally included in the Foreigner's law of 2000, which extended it to all persons that could prove their residence in Spain had insufficient means to cover the costs of their health treatment.

The health coverage of undocumented has again become an issue of controversy as a result of a recent government Decree abolishing this right and various autonomous communities, including Catalonia, stating they will not comply with it. The

Catalan Consultative Council has also declares it consider this reform violates the Constitution and has recommended it be challenged before the Constitutional Court.

Housing

Art. 47 of the Constitution provides that all Spaniards have the right to enjoy decent and adequate housing. It then adds that the public authorities shall promote the necessary conditions and establish appropriate standards in order to make this right effective, regulating land use in accordance with the general interest in order to prevent speculation.

Art. 26 of the Statute of Autonomy of Catalonia further develop these provisions and states that those individuals who lack sufficient resources have the right to a decent home, and public authorities shall, therefore, establish by law a system of measures to guarantee this right, within the terms determined by law.

The main problems immigrant families face with relation to housing are overcrowding and that housing is beneath the standard of living conditions, which many times them affect the possibility of family regrouping and of formally registering with the local authorities, which has consequences for receiving other services.

More specifically, the Law on the Right to Housing on Catalonia (Art. 45) provides specifically for equality of access in the occupation of housing. Also, the foreigner's law (Art. 13) provides for equality in access to housing assistance for foreigners with legal residence in Spain, in accordance with the law. It notes that, in particular, those with long term residence have a right to the same assistance and in the same conditions as Spanish nationals.

ANNEX al capítol 3 (per traduir)

A continuació es presenten un seguit de casos vinculats a la manca d'accés a drets fonamentals per part d'infants i joves immigrants o fills i filles d'immigrants estrangers. El coneixement dels mateixos és fruit de la observació participant realitzada des de dos Serveis Socials Bàsics de dos municipis (un de la província de Barcelona i un de la província de Girona) durant els mesos d'Octubre a Juny de 2011-2012.

Els noms de les persones i les referències geogràfiques han estat substituïdes per pseudònims o descripcions per assegurar la confidencialitat de les persones protagonistes de les situacions que s'exposen.

CAS 1:

Els germans Hannud, un noi de tretze anys, una noia de deu i un nen de quatre anys van arribar a Catalunya acompanyats per la seva mare, després que aquesta decidís iniciar el retorn a Catalunya per visitar al pare empresonat a l'Estat espanyol. Anys enrere, abans de la crisi econòmica, la família ja havia viscut a Catalunya a una ciutat mitjana de la província de Barcelona.

La mare, sense suports directes al Marroc, va decidir contactar amb membres de la comunitat marroquina de la ciutat catalana on havien viscut, demanar ajut i tornar a Catalunya amb els seus fills. Aquest cop però no entraren a l'Estat cop a reagrupats, sinó amb visat de turista per a tres mesos. Al mes de gener es van dirigir a la ciutat on havien residit però el suport va ser limitat. D'una banda no va aconseguir matricular als fills a un centre escolar perquè per assignar-li plaça escolar li requerien el padró. Es van dirigir a Serveis Socials Bàsics i finalment els van empadronar per ofici i des de l'Oficina Municipal d'Escolarització es van iniciar els tràmits de plaça escolar. Tot i això la família es trobava sense vivenda i amb el passaport caducat. La mare no tenia permís de residència i per tant ni ella ni els menors no van tenir accés a prestacions i

serveis especialitzats d'urgència social. Finalment, al cap de cinc mesos, va trobar suport de familiars a un altre municipi català i es va van traslladar, iniciant de nou els tràmits de plaça escolar i repetint el problema de no poder empadronar-se a casa dels familiars ni a l'habitació que posteriorment va llogar. El cas es va derivar als Serveis Socials Bàsics del nou municipi, els quals van fer un informe assegurant que els menors vivien al municipi, servint de document per iniciar l'assignació de plaça escolar i recomanant la urgència de l'escolarització per la situació sociofamiliar. Des d'aquest informe fins a la incorporació a l'escola va passar un mes i mig més, en els que es va demanar a la família visitar totes les escoles abans de decidir quina plaça volien demanar, se'ls va citar tres vegades en setmanes diferents: primer per sol·licitar plaça i després per formalitzar la matrícula, i finalment des de l'escola assignada els van informar que no podien iniciar l'escola perquè els menors no havien passat revisions mèdiques. Es van dirigir al Centre d'Atenció Primària per a sol·licitar aquesta revisió i la data que els donaven era ja un cop finalitzat el curs escolar, al·legant que s'havia de fer un seguit de documentació ja que no estaven empadronats al municipi i els pares no es trobaven en situació regular. Van estar per tant sis mesos a Catalunya sense ésser escolaritzats i afegint els gairebé tres mesos de vacances escolars van passar nou mesos fins a la seva incorporació escolar. A més no van poder gaudir de cap prestació econòmica o servei residencial que assegurés el benestar en les seves condicions bàsiques de vida (vivenda, alimentació, suports a l'escolarització, entre altres).

CAS 2:

En Musa Camara, de 14 anys, va arribar a Catalunya a una ciutat de la província de Girona per reagrupament familiar. El seu pare vivia amb dos fills de vint anys, fruit de la seva primera esposa que va morir, i un fill de tretze, de la seva segona esposa de la qual es va divorciar anys enrere i va retornar a Gàmbia amb els dos fills més petits. En aquell moment el Musa va anar a viure un temps amb la seva tieta a Saragossa i finalment va tornar a Gàmbia amb la seva mare i germans.

L'últim estiu per les circumstàncies econòmiques de la família a Gàmbia el pare va decidir portar a Catalunya a dos dels fills que vivien amb la mare a Gàmbia. Un cop a la ciutat, on havien viscut anys enrere, van iniciar els tràmits de matrícula escolar a la Oficina Municipal d'Escolarització, la qual va demanar el padró com a un dels documents requerits per a iniciar l'assignació de plaça. El germà del Musa no havia estat donat de baixa del padró i no va tenir problema per a continuar amb els tràmits de matrícula escolar i va poder iniciar l'escola al cap de poc temps que s'iniciés el curs escolar. El Musa, però, sí havia estat donat de baixa i per a empadronar-lo des de l'Ajuntament requerien al pare el llibre de família. A l'últim viatge que van fer a Gàmbia el llibre de família va quedar allà i davant la dificultat a tenir aquest document la sol·licitud de matrícula escolar va quedar aturada.

Durant els tràmits d'una prestació econòmica una treballadora social va fer una visita al domicili de la família Camara i en veure al menor a casa en horari escolar va activar el protocol municipal d'absentisme escolar. L'educadora social de referència va contactar amb el pare, el qual li va explicar la seva situació. Aquesta va revisar la història de la família a Serveis Socials Bàsics, on constava que el noi havia assistit a una escola d'educació especial. Davant d'això va sol·licitar a la OME que pogués demanar a inspecció tramitar la matrícula escolar.

Dos mesos més tard l'educadora va trucar a la OME per fer un seguiment del cas i encara no s'havia fet efectiva l'assignació de plaça perquè es va considerar que l'EAP havia de fer una valoració per veure si realment el menor havia d'assistir a un centre d'educació especial.

L'EAP va citar dues vegades al pare i al menor i es va iniciar la valoració. El professional de referència no tenia clara la decisió i a més no hi havia gaire vacants al centre d'educació especial, de manera que la decisió un mes més tard va ser fer l'assignació de la plaça a un centre ordinari al qual aquest professional assistia amb assiduitat per acabar de fer la valoració a llarg termini in en tot cas el curs vinent canviar si calgués al menor de centre.

L'educadora social que feia el seguiment de la situació de va trucar al pare per comunicar-li l'assignació de plaça aquest va informar que el Musa havia retornat a Gàmbia, després de passar vuit mesos a Catalunya (i dos trimestres de curs escolar) sense estar escolaritzat i sol a casa mentre el pare en havia de treballar o marxar a buscar feina.

CAS 3:

La Saray Heredia, tenia 2 anys quan li van diagnosticar distrofia muscular. Des que els seus pares es van divorciar, vivia a Mallorca amb la seva mare i dues germanes maternes més grans, una de 15 anys, la Rosario Flores, i una de 12 anys la Coraima Flores.

Quan ella tenia quatre anys els metges van recomanar a la seva mare que anés a viure a Catalunya a prop de Barcelona per tenir accés a especialistes de la seva malaltia i aquesta així ho va fer. Van anar a viure a la mateixa ciutat on estava part de la família extensa, en un barri residencial perifèric sense accés a transport públic i amb pocs serveis. Aquest fet va fer que estiguessin força aïllades i que depenguessin de familiars i amics per poder anar al centre de la ciutat amb cotxe, desplaçar-se a les visites mèdiques. Les condicions econòmiques de la família eren molt precàries, la mare treballava puntualment fent neteges i mentre, la germana gran, faltant a l'institut, o una tieta s'ocupaven de la Saray. Vivien en un pis que els hi havia llogat molt per sota dels preus de mercat ja que no tenien aigua corrent ni electricitat, i l'acord amb el propietari era que la mare s'encarregaria de posar comptadors i donar d'alta els subministraments i mentre no calia que pagués les mensualitats. Tot i això les condicions de vida no eren gens adients i menys en el seu estat de salut. Va dirigir-se als serveis Bàsics d'Atenció Social a sol·licitar una Renta Mínima d'Inserció, en principi destinades a totes les persones que ho necessitin per atendre les necessitats bàsiques per viure en la societat, i no li van poder tramitar perquè no podia acreditar dos anys de residència a Catalunya, tot i tenir nacionalitat espanyola.

Així doncs, la mare de la Saray no podia ser titular de RMI però ella i les seves germanes tampoc en van ser beneficiàries, tot i la situació de vulnerabilitat en àmbits fonamentals de la vida com la vivenda, la salut, l'alimentació, el treball i la formació que els situaven en un risc important d'exclusió social.

CAS 4:

La Fatou Conteh, de tres anys, va néixer a Catalunya. La seva mare va arribar un any abans del seu naixement procedent d'una petita ciutat del sud-est de Senegal i després que el seu pare es casés amb ella com a segona esposa. Viuen a un pis d'un poble costaner el seu germà, de pare i mare, i els seus tres germans de pare, el seu pare i la seva mare i la primera esposa del seu pare.

La poligàmia no està prevista per l'Administració i cada vegada que la família ha demanat alguna ajuda o prestació, com per exemple suports escolars com l'Ajut

Individualitzat de Menjador Escolar, tenen problemes per justificar els ingressos i despeses del nucli familiar per membre ja que no està previst recomptar a les dues esposes i als seus respectius fills. Així doncs, la Fatu surt perjudicada ja que realment els membres de la seva família son vuit persones i no quatre. Aquest fet provoca que els ingressos nets calculats siguin el doble dels reals.

Hi ha una ambigüitat de criteris que fa que en alguns casos hagin estat considerats com dues famílies diferents, per exemple amb expedient diferent als Serveis Socials Bàsics, o que s'hagi matriculat als germans segons mare a escoles diferents i en canvi en altres no, com per exemple el recurs a lot d'aliments, que se'ls ha donat una única carta per recollir aliments.

CAS 5:

El Ilias El Ouarzaki Choques és fill de mare equatoriana i pare marroquí. Els seus pares es van separar quan ell tenia un any i des de llavors viu amb la seva mare tot i que veu sovint al seu pare ja que pràcticament son veïns. La seva mare davant al mala situació econòmica i la manca de suport familiar pretenia retornar a origen però el pare de l'Ilias s'hi oposa.

Aquesta explica que espera a obtenir la nacionalitat per intentar anar a algun altre país europeu a buscar feina i a aprendre idiomes. El seu fill però ha agafat la nacionalitat marroquina del pare, en el cas que els dos progenitors haguessin estat Equatorians i l'infant nascut a l'estat espanyol tindria nacionalitat espanyola i esdevenint ciutadà de la Unió Europea, en canvi en aquest cas la nacionalitat paterna els perjudica en aspectes com la lliure circulació entre altres.

4. JOVES ADULTS, FILLS I FILLES DE FAMÍLIES IMMIGRADES. PANORÀMICA GENERAL A CATALUNYA EN PERSPECTIVA COMPARATIVA

Núria Roca, Cris Molins i Silvia Carrasco

Els joves d'origen immigrat presenten algunes característiques específiques i diferenciades de la resta de joves. Encara són joves amb escassa visibilitat i no formen part de l'imaginari social. Presenten una important heterogeneïtat. Molts no han fet procés migratori perquè són nascuts a Espanya però tots comparteixen l'etiquetatge social d'immigrats. Difereixen de la resta de joves en l'estructura familiar, la convivència i les transicions familiars.

Són recents els treballs realitzats a l'estat espanyol que fan referència als joves adults fills de famílies immigrades, amb una conseqüent manca de perspectiva històrica de les trajectòries vitals d'aquests nois i noies, per la seva recent incorporació a la societat espanyola i catalana. En els darrers dotze anys emergeix una literatura que comença a focalitzar l'atenció en els immigrants joves. És amb l'augment de l'arribada d'infants i adolescents, a través del reagrupament familiar, que es veu la necessitat d'obrir noves línies de recerca. Els estudis abasten des de la infància fins la joventut. Cadascun dels estudis posa l'accent en temes i aspectes importants en les vides d'infants i joves. El context escolar és un dels més repetits, segurament per tot el que representa per a infants, famílies i societat, i per ser un dels espais socials on l'impacte és més fort i on es manifesta més clarament la necessitat d'anàlisi. També destaquen com temes d'interès la inserció laboral, les relacions familiars i les relacions socials. Un altre element d'anàlisi emergent és la identitat, camp d'anàlisi molt recent en el global de les recerques sobre la immigració estrangera a Espanya i Catalunya.

Un dels riscos en relació a com s'han realitzat molts estudis i anàlisi dels fills i filles de les famílies immigrades és el seu abordatge des de la perspectiva del dèficit i les mancances en quant a capacitats i competències. Per altra part, un dels perills en relació a la visió i classificació dels fills i filles de famílies immigrades és que poden produir immigrants endògens, malgrat molts neixen en destí. Aquestes perspectives i la categorització com immigrants, junt amb una mobilitat descendent, tenen el perill de portar a una infraclasse (Aparicio i Tornos, 2006).

Els fills i filles de les famílies immigrades extracomunitàries a Catalunya reproduïen les condicions de vida familiars, que es troben determinades per la seva posició en la classe social. La mobilitat ascendent es veu dificultada pels eixos de desigualtat existents en la societat espanyola, que la crisi econòmica, social i política ha incrementat. Origen ètnic i nacional, edat, gènere i territori són eixos, afegits a la classe social, que actuen com factors de discriminació en molts casos. Mentre que els joves autòctons estan distribuïts en tots els nivells de l'estructura social, als joves d'origen immigrat els trobem sobrerrepresentats en les classes socials menys afavorides. Uns i altres comparteixen problemàtiques comunes pel fet de ser joves, però a alguns joves de famílies immigrades els hem de vincular amb situacions de privació i dinàmiques exclusores. L'origen ètnic es relaciona amb estereotips i prejudicis que afavoreixen pràctiques discriminatòries vers aquests grups de població. Tots els tòpics i estereotips relacionats amb els joves es potencien quan són ètnicament diferents.

Població Jove a Catalunya: Algunes dades

En els darrers anys, la franja d'edat entre 18 i 30 anys s'ha vist incrementada per l'arribada de població immigrada jove, bé sigui per migració personal o per

reagrupament familiar. Molts són joves en trànsit entre origen i destí, amb una socialització més complexa i amb diversitat de referències (Informe Juventud en España 2008: 84).

La distribució per grups d'edat indica que entre els 25 i 29 anys es produeix un augment significatiu de nois i noies, ja evident entre els 20 i els 24 anys. Tant en el total com en cada grup d'edat es fa palès un lleuger predomini masculí, que es manté en totes les franges d'edat.

Taula 1 : Total de població jove per nacionalitat a Catalunya 2011

Grups d'edat	Espanyola	%	Estrangera	%	Total	%
15 – 19 anys	279.240 4.4		63.334 5.3		341.574 4.5	
20 – 24 anys	293.355 4.6		97.769 8.2		391.124 5.2	
25 – 29 anys	359.196 5.7		162.970 13.7		522.166 6.9	
Total	931.791		324.073		1.254.864	

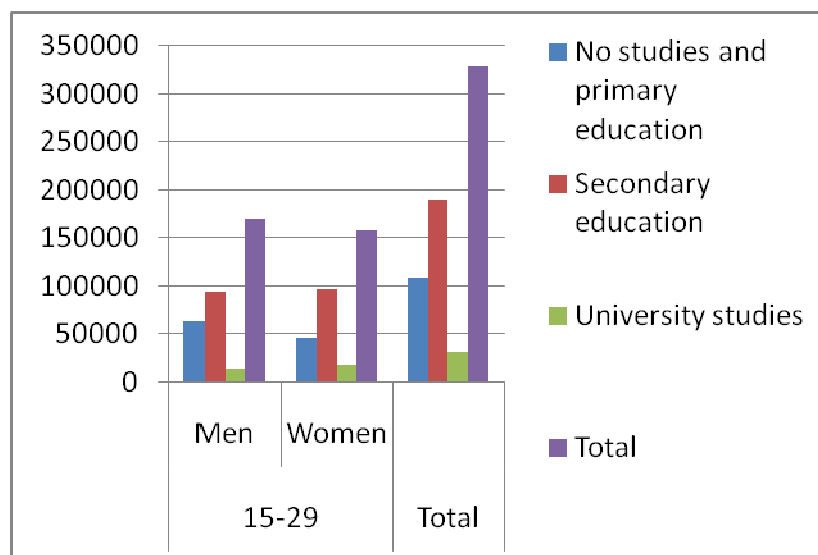
Font: Idescat, a partir de l'explotació estadística dels Padrons

- El percentatge de població jove(15-29 anys) per l'any 2011 sobre el total de població a Catalunya representa un 16.69% (1254864 joves) dels que són noies un 49%.
- La proporció de població jove sobre la total d'origen immigrant representa un 27.24% i, sobre el total de la població catalana representa un 4.2%.

Joves estrangers i educació

L'enquesta a la població estrangera del 2007 recull informació sobre el nivell educatiu de la població estrangera al nostre país ens indiquen que la majoria, tant homes com dones tenen estudis de secundària finalitzats quasi un 60%, poc més del 30% no tenen estudis o primària acabada i la resta, un 9% tenen estudis universitaris.

Gràfic 1. Nivell educatiu de la població estrangera de més de 10 anys. 2007



Font: Encuesta de la población inmigrante, 2007.

Sobre el sistema de beques en els estudis pre-universitaris les dades ens indiquen que la situació del grup de joves d'origen estranger queda com segueix:

- Tenim 182.411 estudiants matriculats en estudis post-obligatoris dels que un 21.50% tenen beca.
- Del total d'estudiants en la post-obligatòria, l'alumnat estranger representa un 11.38%, i estan becats en un 46.48%. La resta d'estudiants de nacionalitat espanyola estan becats en un 18.30%

La majoria de beques que reben els estudiants estrangers s'inscriuen sota l'epígraf de "Llibres i Material didàctic", en segon lloc "Convocatòria General" i tercer lloc "NEE", just en l'ordre invers en que obtenen les beques els estudiants de nacionalitat espanyola.

Alumnat universitari.

- *El 90% dels estudiants universitaris tenen entre 18-30 anys.*
 - *Menys del 4% dels estudiants universitaris són estrangers*

Sobre el país d'origen d'aquests estudiants la següent taula ens mostra les principals nacionalitats.

Quasi un 40% de la població de nacionalitat espanyola es troba estudiant a la universitat, mentre que per la resta d'origens estrangers, trobem que en el cas de Portugal trobem que estan matriculats quasi un 7%, els dos següents països amb percentatge més elevats de matrícula a la universitat amb poc més del 4% són Alemanya i Perú, amb un 3% Xile, Argentina i França, amb un 2% Itàlia, amb poc més d'un 1% Equador, Xina. En els darrers llocs d'aquesta dotzena d'origens trobem Marroc i Romania que són, els orígens amb efectius absoluts més elevats.

**Taula 2. Rànquing de principals nacionalitats de l'alumnat universitari.
Catalunya, curs 2009-10.**

	Population 20-29*	University 18-30	%
ESPANYA	299.525	120520	40,24
ITÀLIA	16692	399	2,39
PERÚ	7562	358	4,73
MARROC	54256	329	0,61
PORTUGAL	5070	343	6,77
COLÒMBIA	11280	267	2,37
ARGENTINA	7280	273	3,75
EQUADOR	18089	253	1,40
ROMANIA	29508	230	0,78
FRANÇA	7647	222	2,90
ALEMANYA	3594	172	4,79
XILE	3707	131	3,53
XINA	9944	121	1,22

Font: IdesCat, 2011

En l'estudi sobre necessitats i demandes del joves d'origen immigrant a Catalunya, Alarcón (2010) destaquen que el nivell de formació és un dels elements que pot determinar les posteriors trajectòries d'inserció laboral.

Cal fer menció que la situació administrativa dels joves arribats en edats tardanes (via reagrupament familiar o altres) pot ser un obstacle per accedir als cursos de formació ocupacional, ja que han de disposar del permís de treball, situació que en molts casos no es compleix. També es produeix, sovint, desconeixement de les necessitats de formació dels joves i de les demandes de les empreses, junt amb la retroalimentació i perpetuació de nínxols laborals que generen etnoestratificació (Alarcón, 2010: 114). Com a conseqüència d'aquestes situacions esdevé una pèrdua de capital humà, ja format en els països d'origen.

Els joves amb projecte migratori propi tenen com a principal prioritat l'homologació i reconeixement dels estudis realitzats en origen. Mostren actitud favorable a rebre cursos de català però el nivell d'abandonament és alt per incompatibilitat d'horaris. Ambdós factors són claus per la inserció laboral a mig i llarg termini (Alarcón, 2010).

Quant als joves d'incorporació tardana al sistema escolar català, les principals necessitats que detecta l'estudi són la convalidació dels estudis cursats en origen i l'aprenentatge de la llengua catalana i castellana per iniciar el procés d'escolarització. Un aspecte important és potenciar l'autonomia de les noies a través de la formació per evitar situacions de nivells educatius baixos i risc d'exclusió social. La situació administrativa dels joves arribats en edats tardanes (via reagrupament familiar o altres) pot ser un obstacle per accedir als cursos de formació ocupacional, ja que han de disposar del permís de treball, situació que en molts casos no es compleix. També es produeix, sovint, desconeixement de les necessitats de formació dels joves i de les demandes de les empreses, junt amb la retroalimentació i perpetuació de nínxols laborals que generen etnoestratificació (Alarcón, 2010: 114). Com a conseqüència d'aquestes situacions esdevé una pèrdua de capital humà, ja format en els països d'origen.

En el cas dels joves nascuts a Catalunya, les seves necessitats s'equiparen a la resta de joves del seu grup d'edat. La principal mancança detectada és la pèrdua de les competències de lecto-escriptura de la llengua materna. Són joves especialment

capacitats per treballar l'acollida i acomodació dels joves i famílies nouvingudes, fet que fa necessari el domini de la llengua d'origen. Tenen altes expectatives en els estudis, tot i que no sempre es compleixen. Un alt nombre de joves realitza estudis de formació professional i s'observa una segmentació segons el gènere. Per altra part, cal destacar que les dificultats per cursar estudis estan originades per aspectes socioeconòmics i no tan per origen nacional (Alarcón, 2010).

Inserció en el mercat laboral

La distribució de la població jove en el mercat laboral ens ofereix una imatge com la que segueix: del poc més de milió de joves que es correspon a aquest grup d'edat (15-29 anys), el 62% es declaren actius i estan ocupats menys d'un 40%.

**Taula 3. Població de 15 a 29 anys. Catalunya.
1/2012**

Per relació amb l'activitat i edat

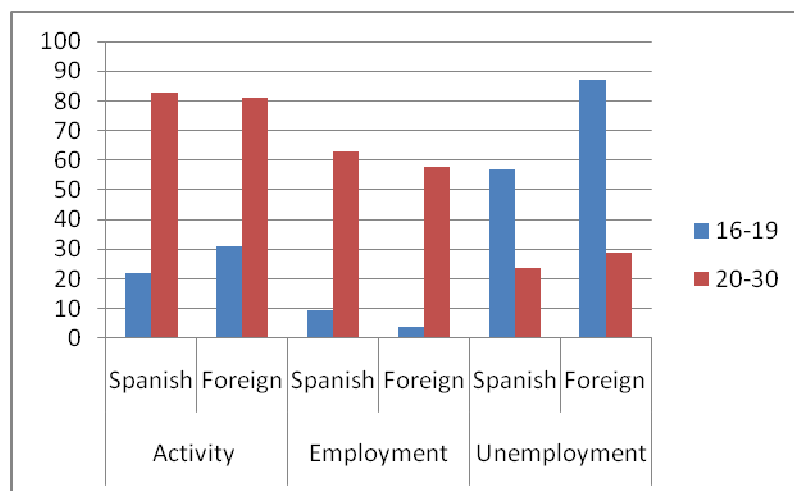
	De 15 a 24 anys	De 25 anys i més	Total
Població activa	303,4	411,5	714,9
població ocupada	151,3	306,1	457,4
població desocupada	152,0	105,4	257,5
Població inactiva	391,8	46,0	437,7
Població total	695,1	457,5	1.152,6

Unitats: milers de persones

Font: Idescat, a partir de dades de l'Enquesta de població activa de l'INE

Altres estudis com Garrell Ballester, D. (2011) que analitzen el mercat laboral ens indiquen que per a aquests grups d'edat l'atur és més elevat entre la població estrangera que la de nacionalitat espanyola, i les diferències són més grans per al primer grup d'edat (16-19) en el que es declararia més activa la població estrangera.

Gràfic 2. Mercat laboral i població jove (16-30), activitat, feina i atur. 2010.



Font: Idescat a partir d'EPA, 2011

- Segons el Anuario Estadístico de Inmigración. Mº de Empleo y Seguridad Social. Secretaría Gral. De Inmigración y Emigración. Per l'actualització de de novembre de 2011, els homes no disposen de permís de treball en una proporció més alta que les dones.
- Així, un **9,71%** (1154.48) de la població estrangera no disposa de permís de treball ni d'estudis
 - 2,64 % (1.662) de població estrangera entre 15-19 no té permís de treball ni estudis

- 15,95% (18.064) de població estrangera entre 20-24 no té permís de treball ni estudis
- - 20,87 % (38.883) de població estrangera entre 25-29 no té permís de treball ni estudis

Del total d'estrangers inscrits a la Seguretat Social (1.189.279), en treballen un 33.4 % (397.823). Per grups d'edat, els joves (16-29 anys) representen sobre el total de població estrangera inscrita un 30.5% (362.495)

I la distribució per gènere dels que treballen queda de la següent manera.

Taula 4. Distribució per grup d'edat i gènere dels inscrits a la SS que treballen. 2011

	Homes	Dones
16-19	8%	6%
20-24	32%	27%
25-29	39%	38%

Font: Idescat, 2011

En referència a les transicions al mercat de treball dels joves, l'experiència que tenim encara és escassa ja que és recent la seva incorporació al mercat laboral. Els informes i estudis oficials sobre la població jove d'origen immigrant no diferencien entre joves reagrupats i joves amb processos migratoris individuals. Tampoc es fa referència a fills i filles nascudes en destí. No obstant, cal assenyalar que ja són observables algunes dinàmiques en quan a les oportunitats que s'ofereixen per a aquest grup de població.

Si comparem pares i fills podem parlar d'una moderada promoció social dels fills en un 23% del conjunt com treballadors qualificats, fills de pares que eren treballadors no qualificats. En canvi, trobem un 35% amb mobilitat intergeneracional descendent, que indica una proletarització dels fills respecte dels pares (Parella i Recio, 2008: 79). Les estadístiques indiquen, doncs, que molts fills passen a categories professionals (i socials) inferiors que les dels seus pares. S'evidencien situacions de desigualtat entre joves autòctons i d'origen estranger (amb recursos escassos). A grans trets, les diferències més significatives entre els joves d'origen immigrant i els autòctons es concreten en què combinen més la primera ocupació amb els estudis, sense que ambdues tinguin relació; tenen més dificultats per trobar feina i quan ho fan, sovint és en l'economia submergida o en negocis familiars, i amb dedicació a temps parcial. Inicien el seu primer treball en edats més joves que els autòctons, principalment els joves de famílies amb recursos escassos i utilitzen les xarxes informals per cerca feina. A major nivell d'estudis la incorporació al mercat laboral és més tardana (Alarcón et al, 2010).

Els diferents estudis consultats posen de manifest que la inserció laboral dels joves d'origen immigrant és un camí llarg i difícil, i està marcat per la precarietat i la temporalitat. Aparicio i Tornos, 2006¹¹. examinen el tipus de treball amb que els joves s'inicien en el mercat laboral comparant les seves perspectives amb les dels pares i amb els joves autòctons, amb qui comparteixen moltes de les condicions de precarietat que afecten a la població jove. Una primera conclusió indica que els fills de persones immigrades aspiren a incorporar-se en el mercat laboral abans que els joves autòctons, fet que no expressa, necessàriament, un abandonament precoç dels estudis. La hipòtesis dels autors és que els joves estudiants no s'estanquen ni

¹¹ Aquest treball corrobora les conclusions dels diversos estudis ja existents sobre la població jove en edat de treballar, d'origen immigrant.

“integren a la baixa”. Es constata que treballen un 53% de les noies d’origen marroquí, el 64% de les dominicanes i el 39% de les peruanes, del qual es dedueix que adopten estils de vida diferenciats als del seu país i famílies. En quan als tipus de treball, menys del 23% de noies realitzen treballs no qualificats, xifres que en el cas de les noies marroquines baixa al 10.8. En treballs qualificats trobem un 42% de nois i un 29.2 de noies. Els joves d’origen marroquí tenen millors condicions laborals que els seus coetanis dominicans i peruans. A més edat, el % de joves en treballs qualificats augmenta. Aquestes xifres indiquen una millora en positiu (molt discreta) de les trajectòries laborals respecte els seus pares. Comparativament l’atur és menor que entre els joves autòctons. En contrast amb aquestes dades positives, dues de negatives. Els sous són inferiors als dels joves autòctons i el nombre de joves que treballen en l’economia submergida i en situació de precarietat és superior.

L’any 2008, l’inici de la crisi va afectar més als homes que les dones i els col·lectius que van viure un major creixement de l’atur foren marroquins, equatorians, senegalesos i romanesos, molts d’ells ocupats en la construcció. La taxa d’atur de la població immigrada es va situar en el 20.2% a finals del 2008 (Pajares, 2009: 26)¹².

L’atur afecta més a dones i joves de 16 a 24 anys que són els grups més vulnerables a la situació de crisi. Comparativament, tenen més dificultats per ocupar-se els joves estrangers amb estudis universitaris que els sense estudis. Actualment també ens trobem davant una creixent feminització de la irregularitat laboral. En els darrers anys ha augmentat el nombre de dones que realitzen procés migratori i s’incorporen al mercat laboral sense tenir resolta la situació administrativa. Majoritàriament s’ocupen en el treball domèstic i, sobre tot les que provenen d’Amèrica llatina, tenen una millor formació acadèmica. Això no evita que tinguin sous baixos i una taxa d’atur alta. Les condicions laborals són dures i es troben, en molts casos, en situació d’indefensió i explotació laboral (Izquierdo, a Informe FOESSA 2008). Les dones immigrades són un grup molt heterogeni i divers, però es pot afirmar que les dones llatinoamericanes tenen taxes més altes d’ocupació i les africanes més baixes. En el ventall de població immigrada, les dones africanes són les que presenten més risc de pobresa i exclusió social. L’Informe de l’any 2008 ofereix unes xifres que confirmen la tendència a la precarietat laboral d’aquets joves. Dels 2 milions d’estrangers afiliats a la Seguretat Social, a Espanya, a 31 de desembre de 2007, el 30.7% eren joves de 16 a 29 anys (607.582). Des de l’any 2003, el nombre s’ha duplicat¹³. Un 33.1% dels joves d’origen estranger viuen dels seus ingressos, xifra molt superior al 19.3% dels joves espanyols, malgrat que el 50% cobra menys de 1000 euros mensuals. Els percentatges de població activa entre 15 i 19 anys és superior en 10 punts entre els joves d’origen estranger i de 17 punts entre 20 i 24 anys. Entre els 25 i 29 anys, el percentatge és més similar ja que els joves espanyols s’incorporen més tard al mercat laboral. La incorporació dels joves d’origen immigrat al mercat laboral s’incrementa a mesura que tenen més edat¹⁴. La taxa d’activitat laboral femenina és inferior a la masculina, encara que la distància va disminuint, sobre tot pel que fa a les noies procedents d’Amèrica Llatina, que en molts casos són les sustentadores principals de les llars. Per la resta d’origens, les taxes d’ocupació femenina encara són força baixes. L’Informe destaca que els rols de gènere encara juguen un paper crucial en la incorporació al mercat

¹² La taxa d’atur de la població no immigrada va arribar al 9.8% a finals del 2008. En el primer trimestre del 2009 era del 12.7%

¹³ Les diferències educatives no expliquen les diferents pautes d’incorporació al mercat laboral ni la situació en què es troben.

¹⁴ Els joves casats tenen taxes més altes d’ocupació.

laboral. A mesura que les dones tenen un nivell formatiu més elevat, augmenta la taxa d'activitat.

Les diferències més significatives les trobem en les pautes d'incorporació al mercat de treball, concretament pel que fa referència a les oportunitats laborals. S'identifica una tendència a l'etnofragmentació que evidència un perill de greus desigualtats i discriminació per origen ètnic i que pot produir processos de segmentació, segregació i exclusió social (Informe Juventud en España 2008: 126). Aquesta segregació laboral es visibilitza majoritàriament amb els joves no europeus (Amèrica Llatina, Àfrica i Àsia). Es tracta de nínxols laborals precaris i inestables que no permeten gaudir dels drets laborals ni socials. Els estrangers s'apleguen en les categories laborals més baixes i en els treballs menys qualificats. El 47.5% es concentra en personal de serveis i comerciants venedors i similars. Hi ha menys tècnics i professionals qualificats. Moltes dones joves treballen en el servei domèstic, ocupació molt desvaloritzada i en alguns casos no considerada com treball. *“Estos procesos responden al objetivo de asegurar la asignación de la fuerza de trabajo de origen inmigrante a los empleos socialmente indeseables, con la finalidad no sólo de rellenar vacíos laborales, sino también de poder contar con una mano de obra más barata, más dócil y más frágil”* (Cachón, 2003 a Informe Juventud en España 2008: 126). Les pràctiques discriminatòries més emprades pels empresaris són no formalitzar la relació contractual ni donar d'alta a la Seguretat Social, retalls salarials amb sous més baixos del que estableixen els convenis i pitjors condicions laborals amb jornades més llargues. En quatre anys ha augmentat en 5 punts el nombre de joves d'origen estranger que treballen en l'economia submergida. En quant a l'atur, la majoria de joves aturats procedeix d'Amèrica Llatina i més de la meitat són dones. Globalment, les taxes d'atur dels joves es situen en un 15.9% pels joves espanyols i en 18% pels d'origen estranger. Per aquests joves la duració de l'atur és més curta, busquen feina amb més rapidesa i afany, i no tenen problemes per ocupar-se en qualsevol activitat. Malgrat que l'Informe es fa ressò d'una millora en la contractació dels joves d'origen immigrant, encara trobem molta diferència en el percentatge de joves que tenen contracte fix (un 50% entre els joves espanyols i un 32% pels joves immigrants). L'Informe constata un major grau de satisfacció amb els treballs realitzats entre els joves amb la nacionalitat adquirida. Una dada rellevant és l'ús de les xarxes socials per trobar feina. El 41.4% dels joves estrangers ha aconseguit treball gràcies a amistats o coneguts (mentre que aquesta situació solament es dona en el 21% dels espanyols).

A partir dels resultats i les conclusions de diversos estudis¹⁵ Labrador i Blanco (2007: 86-87) assenyalen com variables determinants de les diferències entre joves autòctons i d'origen immigrant, en la incorporació al món laboral: *la comunitat ètnica*, pel que fa a formes d'identitat col·lectiva i xarxes de suport; *l'estructura d'oportunitats*, centrades en el sistema educatiu i la trajectòria escolar; *el reflex de la societat majoritària*, concretament la percepció pública i la imatge construïda de la immigració; *factores familiars*, en quant a la implicació dels pares en l'aprofitament de les oportunitats dels fills i, finalment, *el factors individuals*, com són l'autoestima, capacitat de superació i resistència dels propis joves. En el mateix estudi, Labrador i Blanco (2007) constaten que molts joves d'origen immigrant compaginen estudis i treball. En la seva recerca amb joves d'origen xinès, magrebí i dominicà identifiquen quatre trajectòries d'incorporació a la vida laboral. Les trajectòries *d'èxit autònom* són dels joves que han finalitzat estudis, que tenen el suport familiar, que treballen en el comerç familiar i mostren un tarannà emprenedor. Els joves d'origen xinès són els que s'inscriuen en aquesta tipologia. Quant a les *trajectòries* anomenades *aproximacions successives*, els joves han de vèncer molts obstacles per aconseguir superar l'estatus familiar. L'escolarització no ha estat conflictiva i molts realitzen estudis postobligatoris i

¹⁵ Portes, A. i Rumbaut, R.G., 2001; Portes, A. i Hao, L., 2005, Suárez-Orozco i Suárez-Orozco, 2003, entre altres.

especialitzats, fent entrades i sortides del mercat laboral. Estan motivats per millorar la posició laboral i són conscients de l'esforç familiar. Aquesta tipologia s'identifica més en les noies, sobre tot marroquines. En tercer lloc, les trajectòries *tradicionals obreres*, són les més habituals en aquest grup de població. Factors familiars, personals i estructurals intervenen de manera decisiva en l'escolarització i posterior entrada al mercat de treball. La formació professional es va adquirint amb el desenvolupament del treball i la majoria es troben en condicions precàries. Finalment, alguns joves entren en trajectòries de *marginació*. No s'incorporen al mercat laboral i poden iniciar una dependència dels serveis socials.

Domínguez i Daza (2008) analitzen les trajectòries laborals del jovent marroquí i equatorià reagrupat a Catalunya. Per fer-ho tenen en compte el projecte migratori familiar i el context familiar d'origen i, sobre tot, les trajectòries escolars. *“L'itinerari educatiu seguit pel jovent en relació a l'èxit o fracàs, és a dir, a la continuïtat de l'educació postobligatòria, -segons aquesta es tradueixi en itineraris més o menys llargs-, serà un factor definidor de les oportunitats laborals i de posicionament en l'estructura social, i per tant, de les possibilitats de mobilitat social que tindran respecte dels progenitors”* (Domínguez i Daza, 2008: 58). Entenen que els itineraris educatius en origen, dels joves arribats en l'adolescència, i les experiències educatives en la incorporació a l'escola a Catalunya, d'infants i adolescents, són factors determinants en les trajectòries d'èxit o fracàs escolar. En aquest sentit, les autores assenyalen com element decisiu l'edat d'arribada. Identifiquen els següents itineraris educatius:

- Itineraris d'escolarització llarga amb accés a la universitat. Corresponen a famílies de classe social mitjana baixa, implicades en l'aprenentatge dels fills i filles i a jovent incorporat al sistema educatiu català entre els 7 i 15 anys.
- Itineraris curts o de CFGM¹⁶. Els joves acaben l'ensenyament obligatori i en alguns casos cursen cicles formatius de grau mitjà. Les famílies són de classe baixa i l'edat d'incorporació al sistema català és divers. En alguns casos la desmotivació pels estudis i el desig de treballar per tenir ingressos propis han estat decisius. En algunes noies de famílies marroquines, les responsabilitats familiars també han forçat a no seguir estudiant.
- Itineraris de fracàs escolar. Alguns dels joves que abandonen l'ensenyament obligatori ho fan perquè les seves expectatives migratòries no passen per estudiar sinó per treballar. No hi ha implicació de les famílies.
- Itineraris sense incorporació al sistema educatiu català. Són joves que no han tingut l'oportunitat per entrar a l'escola catalana, per raó d'edat. Aquests joves tenen més dificultats per fer una socialització normalitzada, ja que molts tampoc podran tenir oportunitats per entrar al mercat laboral degut a la situació jurídica. Alguns fan cursos formatius de tipus professional que no sempre els permet adquirir les competències necessàries per fer una transició normalitzada al mercat laboral.

En tots els casos, les expectatives d'escolarització tenen un paper fonamental en les trajectòries de nois i noies. La recerca de Domínguez i Daza (2008) analitza com es configuren les trajectòries laborals dels joves reagrupats i els factors que hi intervenen. Per Domínguez i Daza (2008) els dos elements que identifiquen com definitoris dels processos d'inserció laboral són l'estatus legal i, com ja he comentat, l'experiència en el sistema educatiu català. *“La possessió o no del permís de treball és l'element que determinarà les possibilitats d'inserció laboral del jovent reagrupat en el mercat de treball formal”* (Domínguez i Daza, 2008: 80). L'estudi permet observar diferències en l'accés al mercat laboral en funció del itinerari educatiu, del suport o no de les xarxes socials, del sexe, de les actituds i valors respecte del treball i de les expectatives de

¹⁶ Cicles Formatius de Grau Mitjà.

mobilitat social. Pel que fa referència a l'accés al mercat laboral i la disponibilitat per a les noies marroquines i equatorianes és similar als nois, sense diferències per origen ètnic. *"S'observa una lleugera millor posició de les dones joves marroquines en el mercat de treball, en llocs de treball qualificats i de cert reconeixement social, respecte dels homes o de les homòlegues equatorianes com a conseqüència del seu major nivell formatiu"* (Domínguez i Daza, 2008: 88). El permís de treball és, també en el cas de les noies, el factor més important. Les que no en tenen i entren en l'economia submergida s'enfronten a condicions laborals molt dures. En aquest sentit, les noies marroquines que porten mocador es veuen sotmeses a una doble discriminació, de gènere i identitària. En general, les noies estan disposades a acceptar treballs més precaris i amb pitjors condicions laborals. Domínguez i Daza identifiquen les següents categories en les trajectòries laborals del jovent reagrupat (2008: 94):

- Inserció en treballs qualificats i de cert reconeixement social, dels joves que estan cursant o han cursat estudis universitaris.
- Inserció en activitats laborals poc qualificades i amb risc d'atur i competència descendent. Fa referència a joves ocupats en els sectors serveis, restauració, indústria i construcció, que han acabat estudis obligatoris o CFGM. Aquí es situa una part important de jovent marroquí reagrupat i alguns joves equatorians.
- Inserció en activitats marginals. Es tracta d'activitats situades al marge del mercat de treball formal, per manca de contractes, principalment treball domèstic, restauració i construcció. En aquesta categoria trobem a gran part dels joves equatorians i una part important de marroquis.
- Exclosos del treball. Abasta a tots aquells nois i noies que no tenen permís de treball. Molts joves que han fet reagrupament familiar es situen en aquesta categoria. Les autores els anomenen "joves sense experiències d'inserció". Trobem més joves marroquins que equatorians, ja que aquests utilitzen més les xarxes informals, sobre tot per treballar en el servei domèstic.

Per fer front a la situació d'exclusió del mercat laboral, els joves desenvolupen estratègies d'equilibri personal. Les estratègies passen per: entrar a l'exèrcit, fer formació no reglada (cursos de garantia social, formació ocupacional...), esperar o comprar un contracte laboral. En general, la majoria de trajectòries laborals dels joves entrevistats estan entre la precarietat i la desestructuració. *"El context social en el que es situa la gran majoria del jovent reagrupat marroquí i equatorià és d'extrema vulnerabilitat. Les expectatives de majors oportunitats educatives i laborals que han de permetre viure millor que al país d'origen no sempre es veuen complides"* (Domínguez i Daza, 2008: 101).

L'accés al treball és el primer pas del procés d'inclusió social dels joves. Actualment, totes les dades indiquen que la manca de treball i l'atur juvenil suposen la primera i principal barrera per assolir l'emancipació i la inclusió social normalitzada, així com la condició de ciutadans de ple dret (Alarcón et al, 2010). Per molts fills i filles de famílies immigrades, la incorporació al mercat de treball representa la repetició de desavantatges que viuen els pares. Estereotips, estructura desigual del capital cultural, valor del capital social i formatiu són alguns dels factors que condicionen la seva entrada al mercat laboral, fet que no es produeix en els seus parells d'origen nacional. L'origen estranger dels pares projecta una llarga ombra sobre els fills i filles. Quan entren al mercat laboral, la precarietat, els sous baixos i l'ocupació en feines d'inferior categoria que els estudis cursats, són característiques que es repeteixen.

Estat de Salut

Els estudis realitzats fins a data d'avui coincideixen en què l'estat de salut de la població d'origen immigrat a Catalunya és bo i equiparable al de la població autòctona (Puigpinós et al, 2008). Majoritàriament, es tracta de persones joves i sanes que afronten situacions adverses, superant les dificultats que se'ls hi plantegen. No obstant, la disminució del pressupost en salut fa preveure, a curt i mitjà termini, que les desigualtats, ja existents, empitjoraran significativament la salut de les classes socials pobres, entre les quals s'inclou una part important de les famílies immigrades procedents dels països extracomunitaris. Algunes de les patologies i trastorns que pateixen estan determinats, fonamentalment, per les condicions de vida. La precarietat laboral, econòmica i d'habitatge junt amb dificultats d'integració, rebuig de la societat receptora i algunes diferències culturals (Jansà i Ordoñez, 2005; Puigpinós et al, 2008) són determinants que actualment incideixen en la qualitat de salut i vida de les famílies immigrades. S'evidencien característiques diferents segons origen nacional i, també, heterogeneïtat en els mateixos col·lectius. Un aspecte rellevant és que la salut mental apareix com un tema tabú per a la majoria de persones. La literatura revisada sobre salut i immigració tendeix a focalitzar la seva atenció en (1) l'accés i la utilització del sistema sanitari per part de la població immigrada, (2) les principals malalties o situacions que afecten la seva salut, emfasitzant en la salut sexual i reproductiva, addiccions, salut mental, malalties infeccioses i transmissibles, i accidents de treball, i (3) percepcions i dificultats dels professionals de la salut en l'atenció als diferents col·lectius.

No existeixen dades específics sobre l'estat de salut del jove d'origen immigrat, sinó que s'inclouen en els estudis globals sobre la població immigrada o sobre la joventut. Malgrat aquesta manca d'estudis específics, podem afirmar que els fills i filles de famílies immigrades, igual que els joves autòctons parells, no presenten problemes de salut especialment greus ni altes taxes d'incidència o prevalença pel que fa a malalties. Pel contrari, la salut de la joventut a Catalunya és millor que la de les generacions anteriors. En general, els fills i filles de les famílies immigrades es veuen aliats als problemes de salut i utilitzen poc els serveis sanitaris. En comparació als joves nacionals, s'observen algunes diferències de comportament respecte a hàbits de salut i pràctiques de risc. Pel que fa a la conducta sexual, l'Informe Juventud en España 2008, focalitza dos temes prioritaris: les Infeccions de Transmissió Sexual i els embarassos no desitjats. Els embarassos no desitjats en joves de nacionalitat estrangera es situen en el 23,3%, a diferència del 9,6% de les joves nacionals (Comas, 2008). L'estudi realitzat per l'Agència de Salut Pública a la ciutat de Barcelona, l'any 2008 (amb dades de l'ESB 2006), posa de manifest que les dones provinents de països en vies de desenvolupament presenten les taxes més elevades d'embarassos adolescents, d'embarassos no planificats i d'interrupcions voluntàries de l'embaràs. Cal destacar variacions entre regions i països, trobant les taxes més elevades de naixements de mares adolescents entre joves romaneses, mentre que les taxes de fecunditat són més altes en les dones providents del Marroc i Equador. Quant al començament de les relacions sexuals, dades del Ministeri de Sanitat indiquen que els adolescents autòctons i els fills i filles de famílies immigrades presenten una prevalença similar (25.2% i 27.1%, respectivament). Destaquen el jove llatinoamericà, que s'iniciï en les relacions abans dels 15 anys (44.3%), seguit per joves procedents dels països de l'Europa de l'Est (34.9%). Els adolescents procedents dels països àrabs presenten dades significativament inferiors a la resta (17.6%).

Una dada important és l'augment de les infeccions pel VIH entre el col·lectiu de persones immigrades. Segons el Centre d'Estudis epidemiològics sobre la Sida, l'any 2010, el 40% de les noves infeccions a Catalunya es va produir en persones estrangeres, la majoria joves. L'estudi realitzat entre 238 immigrants d'Amèrica Llatina i el Magrib va mostrar que la meitat dels entrevistats presentaven un coneixement insuficient i inadient sobre la prevenció i transmissió del VIH, i solament el 42% feien ús del preservatiu amb parelles ocasionals.⁹

Els joves reagrupats tenen una visió dels joves autòctons associada a conductes de risc i, concretament, de les dones a qui associen amb comportaments insans. Els joves amb projecte migratori propi no s'identifiquen amb pràctiques de risc i són poc transgressors de les pautes i normes, no obstant presenten malalties i/o accidents laborals associats a les condicions de treball i a desconeixement de drets laborals. Van al metge quan presenten problemes de salut i, en general, es manifesten satisfets de la cobertura del sistema públic de salut. No obstant, un dels dèficits que identifiquen té a veure amb la promoció de la salut i la prevenció de malalties, concretament sobre l'educació sanitària relacionades amb les pràctiques de risc (Alarcón, 2010).

Cal destacar que existeixen limitacions en l'accés al Sistema Nacional de Salut per a les persones estrangeres en situació de major vulnerabilitat jurídica. La cobertura sanitària dels immigrants indocumentats està en risc amb les noves normatives i això fa preveure una disminució del nivell de salut d'aquests col·lectius i de tots aquells que, de manera molt important, estan en situació de risc i/o exclusió social.

Aculturació, identitat i acomodació

La realitat dels joves, fills i filles de famílies immigrades, està directament articulada amb temes fonamentals de la nostra època, essencialment drets de ciutadania i participació social, que obliguen a polítiques pro-actives d'inclusió.

En el si de les famílies que han fet procés migratori hi ha una transmissió de capital cultural entre generacions, amb la voluntat de preservar els referents d'origen, que els fills i filles enriqueixen amb l'adquisició de pautes, valors i elements de la cultura de destí (Roca, 2009).

En general, els fills i filles de famílies immigrades realitzen un procés **d'adaptació i acomodació** positiu a la societat catalana, mantenint un estret lligam afectiu amb l'origen nacional i ètnic. Estan ben adaptats i suposen un capital humà, social i cultural important. Comparteixen espais i temps amb els adolescents i joves de la seva edat, amb qui estableixen relacions que *"configuren les identitats generacionals, especialment en un període de profundes transformacions socials que afecta les vides i trajectòries de tots"* (Carrasco, Ballestín, Borison, 2005: 53). S'arrelen, enculturen, aculturen i assimilen a la societat receptora, adoptant pautes, normes i valors, tot i mantenir un estret lligam afectiu amb origen. Majoritàriament construeixen identitats flexibles, obertes i múltiples amb vinculacions i pertinences positives, demostrant que són joves perfectament integrables a la societat i trencant amb tòpics, imatges, discursos i percepcions negatives vers la immigració (Roca, 2009).

No obstant, cal dir que en molts casos les desigualtats estructurals no permeten una integració normalitzada. Tot i que els joves d'origen immigrant valoren Catalunya com una societat oberta, moderna i desenvolupada, en algunes localitats, barris, escoles i comerços s'han generat espais de diferenciació que separen a la població d'origen immigrant de la població autòctona. Aquestes situacions s'han potenciat amb estereotips i prejudicis al voltant de la població immigrada que no facilita la plena inclusió social. Els joves que han fet procés migratori propi fan poques demandes de participació ciutadana, fan ús de canals de participació informativa a partir de xarxes relacionals i, sovint, presenten dificultats de relació lligades a la llengua. En quant als joves nascuts en destí o reagrupats, les necessitats de participació social són similars a les dels joves autòctons i s'orienten vers activitats esportives, d'oci i formatives. Tenen poca participació en les associacions d'immigrants i en entitats locals (Alarcón et al, 2010).

Els nois i noies no mostren resistència a la **integració social**, contràriament, la busquen com una de les finalitats més importants del procés migratori familiar i de l'èxit esperat. La situació que presenten els joves, pel que fa a la **inclusió social**, respon a la panoràmica global dels joves parells autòctons amb nivell d'estudis

anàlegs. Les cohorts de joves viuen moments de precarietat i dificultat per emancipar-se, resultat de diversos factors de discriminació que afecten de forma més greu a les classes treballadores. Hi ha dues situacions que empitjoren l'accés i les condicions en els fills i filles de famílies immigrades: disposar de permís de treball i patir discriminació per origen ètnic i/o religió. En aquest sentit cal fer notar que intensifiquen el factor classe social (més amagat en la generació dels pares) però mantenen el conflicte interètnic en el sentit que la societat majoritària els segueix assignant a l'origen perquè l'herència de la classe perpetua la desigualtat d'oportunitats i drets socials. No fan identitats negatives davant les dificultats d'inclusió social (estudis inacabats, treball precari...) ni es victimitzen arrel de les situacions de discriminació o precarietat.

Molts nois i noies fan trajectòries acadèmiques amb possibilitats de mobilitat ascendent (*aculturació consonant* de Portes i Rumbaut, 2001). Gràcies als estudis universitaris o de formació professional de grau superior superen la formació dels pares i es troben en posició avantatjosa per millorar les seves condicions de vida. Altres joves es troben a les portes d'una mobilitat a la baixa (*assimilació descendent*, Portes i Rumbaut, 2001), més determinada per factors externs o *límits* (Alba, 2005, 2010) que per fracàs escolar o mala adaptació social. Els factors externs estan associats a la precarietat que envolta els joves, agreujats per la discriminació ètnica i de classe social.

Les tendències segregadores que afecten a les famílies amb capital social baix (o classes treballadores en situació precària) són resultat de condicions estructurals de tipus econòmic, polític i social. Moltes famílies pateixen un tracte desigual i s'enfronten a condicions estructurals de vulnerabilitat social causades per aspectes jurídics escassament integradors, segregació i etnificació en el mercat de treball, condicions laborals precàries, dificultats d'accés a l'habitatge, tendència a l'exclusió residencial i situacions de racisme i estigmatització. El resultat és una articulació entre immigració extracomunitària i pobresa, que en èpoques de crisi econòmica i social assoleix nivells preocupants (Roca, 2009).

Pel que fa a les diferències entre nois i noies, la categoria gènere i els estereotips segueixen actuant com determinants en les identitats dels nois i noies, en els rols desenvolupats en l'esfera domèstica i pública, en les trajectòries educatives, en la inserció laboral, i en les relacions familiars i socials. En general la classe social, l'origen ètnic i l'edat són eixos que s'articulen amb el gènere en el desenvolupament dels rols de noies i nois. La condició de ser dona de classe social assalariada amb recursos escassos, d'origen estranger i edat jove aglutina moltes situacions de discriminació familiar, social i laboral. Les condicions estructurals de la societat receptora augmenten les dificultats per assolir un bon nivell d'inclusió social i perpetuen les dinàmiques patriarcals. A nivell familiar les expectatives es relacionen amb l'origen i la classe, d'aquesta manera, les famílies amb menys recursos dipositen menors esperances d'èxit en les seves filles que en els fills. Malgrat tot i l'heterogeneïtat del col·lectiu cal assenyalar que es constata com característica comú la subordinació respecte a l'home, tot i que s'observen dinàmiques d'emancipació i autonomia afavorides per l'aculturació de pares i germans en la societat receptora. En l'àmbit social, moltes noies mostren tendències força similars a les joves autòctones, ja que allarguen l'etapa formativa, assoleixen èxits acadèmics importants, s'integren amb dificultat al mercat laboral i retarden l'edat de tenir família de procreació. En canvi, en les relacions familiars, les diferències de gènere segueixen presents en la distribució de les feines domèstiques i dels rols (Alarcón et al, 2010).

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5. ACTIVITATS REALITZADES EN EL MARC DEL PROJECTE

- Reunions i signatura de convenis per cessió i explotació de dades amb organismes oficials (IDESCAT, INE, Departament d'Ensenyament, Consell Superior d'Avaluació, Serveis Socials d'Atenció Primària comarcals, Consell Interuniversitari de Catalunya, Departament de Treball, Sindicats, i altres)
- Treball de camp etnogràfic a dues comarques de Catalunya (SSAP)
- Explotació de bases de dades jurídiques
- Revisió de la literatura produïda sobre la temàtica en els darrers 5 anys
- Reunions de coordinació amb l'assessora externa
- Organització i celebració d'un International Workshop (seminari de contrast) programat en el projecte amb altres autors dels informes Innocenti
- Redacció i presentació de 7 comunicacions i 1 ponència a dos congressos internacionals i un seminari internacional:
 - VII Congreso de las Migraciones Internacionales en España, EHU – Universidad del País Vasco, Bilbao, 11-14 Abril 2012 (3 comunicacions i 1 ponència)
 - XIX ECER Conference, Cadiz, 16-19 Setembre 2012 (4 comunicacions)
 - Seminari Immigració, Educació superior i Món Professional, organitzat pel grup ESBINA de la Universitat de Barcelona, amb la reunió d'experts internacionals i la presentació de resultats preliminars de 4 projectes ARAFI (Juana Sancho, Montserrat Rifà, Jordi Pàmies, Silvia Carrasco)
- Docència especialitzada amb dades en procés d'elaboració al Màster en Migracions Internacionals, del Centre d'Estudis i Recerca en Migracions de la UAB
- Elaboració de l'EMIGRA Newsletter núm. 10 sobre el tema del projecte
- Inclusió de dos doctorands en parts del projecte portant a terme treball de suport i participació en publicacions com a parts de les seves respectives tesis (Laia Narciso i Àlex Paniagua)

