

Refugee Contribution to Europe

A feasibility study on the establishment of a
Fund for Refugee Employment and Education (FREE)
in the European Union

Spain

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I. INTRODUCTION

A recent study evaluated quality of public social services for asylum seekers, refugees and displaced people in Spain. Required by the Institute of Migration and Social Services (Instituto de Migraciones y Servicios Sociales: IMSERSO) and carried out by INMARK, ESTUDIOS Y ESTRATEGIAS S.A., it revealed that almost half of the refugees interviewed are currently unemployed and looking for a job (49%). Another 46% do have some kind of job although in very variable conditions as only 16% have a stable position while roughly 30% are working in precarious or irregular conditions and 4.5% do not have a job and are not looking for one.

These data, supported by many other interviews, show that the main difficulty in the refugee integration process is, together with finding a home, getting a stable and well-paid job.

In view of this tough reality refugees have two very distinct positions:

- Resigning themselves to the labour market reality. In other words, starting afresh in the labour market sectors that Spaniards are not interested in (agriculture, construction, hotels and home services) and which are very badly paid.
- Rejection and revindication of more social protection that permits access to jobs commensurate refugees' educational and labour-professional profile. This attitude is supported by refugees as a way to claim for the status they enjoyed in their country of origin. Indeed, most refugees are better qualified than immigrants and look for a job in accordance with their educational background and professional experience.

This high unemployment situation takes no advantage of refugees' potential contribution and active participation in the host society and tends to present this group as an added problem. Therefore, the organisations that defend refugees' rights have the challenge of designing policies that take account of the specific factors regarding the circumstances of forced departure from the country of origin. In the process of social integration of this group, it is necessary to go beyond mere improvements in existential conditions and provide refugees with the means to ensure their individual development, i.e. offer them the possibility to participate in the labour market with as much dignity and equal conditions as natives.

Public intervention regarding refugee education is usually insufficient. Governmental programmes need to be complemented with other supportive initiatives and to involve and mobilise other social actors in new constructive concepts of long-lasting and fair solutions for refugees.

Having determined this need to involve refugees in the development of the host society while taking account of the refugees' ignored potential, we have endeavoured to seek ways to foster this participation. A fund that could concentrate the material resources available for such ends seems the most suitable initiative. However, before setting this fund in motion, it is necessary to understand all aspects that could support not only its usefulness but also its effectiveness. That is the purpose of this study. We aim to offer elements that are necessary for the creation of a structure that can foster access to higher education, sustain its continuation in cases when it was started in the country of origin, upgrade university degrees and support refugees' business initiatives.

Thus, within the framework of the Community Action 2002 of the European Fund for Refugees (Decision of the European Council, dated 28 September 2000), the European Commission has financed this study in each of the member states so as to conclude as to the viability of a **Fund for Refugee Education and Employment (FREE)**.

By way of introduction, we first present an overview of the refugee situation in Spain regarding education and training, reporting on the most interesting aspects that may help to process the data and the analysis of the second part of the report. The latter details the main lines of research done on the feasibility of FREE. This research focused on two principal points:

- Study of the profile of the possible donor: interests and conditions for investment in FREE
- Structure and organisational configuration of FREE.

II. METHODOLOGICAL CONSIDERATIONS

In order to fulfil the goals of the investigation, i.e. the analysis of the profile of possible donors (interests and conditions for investment) as well as the organisational aspects of the Fund, we considered the following stages:

First stage: Identification of possible donors and data organisation

In this stage, we created our own database with all the organisations which we decided to contact identified according to the instructions and parameters of the project provided by the Refugee Education and Training Advisory Service (RETAS). We have selected the organisations according to activity in the following way:

COMPANIES: Including business networks

FOUNDATIONS: Organisations that are devoted to sponsor social development projects

EDUCATIONAL INSTITUTIONS: Especially universities as they impart higher education

NON-GOVERNMENTAL ORGANISATIONS: They have first-hand knowledge of refugees' needs

GOVERNMENTAL INSTITUTIONS (Central, autonomous and local administrations): They are the first to be summoned to work on this group. Besides, they have the infrastructure and the means for a project of this kind to be set in motion

OTHERS: Made up especially of business people associations so as to have an overview as to where companies' social responsibility lies.

In choosing the organisations, we considered the following variables:

- *Size:* In order to select the possible donor companies, we used the classification of the 100 Spanish companies with the highest annual turnover, as well as the 50 savings banks and their respective foundations.
- *Support to social development projects:* Those organisations that have a tradition of cooperation with projects that in some way have features similar to FREE.
- *Geographical location:* So as to have a representative sample across Spain.
- *Direct work with refugees:* This variable was only applied in cases of non-governmental organisations.

Second stage: Establishment of contacts

We initially sent the subjects identified (people in charge of the departments devoted to social topics inside and outside the company and also responsible for institutional relations) information presenting the project and its goals. We sent this information by telephone, fax, e-mail and, above all, by regular mail.

Furthermore, we devised the questionnaire in such a way that it not only allows us to perceive the subject's interest but also to obtain more information and facts, that we will organise statistically in this report, on the subjects that for one reason or another we were not able to interview.

This study of the subject's profile as well as the other data proved to be our most important tool when it came to the personal interviews.

Management of contacts

	Regular mail	E-mail	Fax	Interview
Companies	33	24	2	6
Foundations	22	4		13
Educational institutions	2	1		2
NGOs				3
Governmental institutions	1			3
Others	5			
TOTAL	63	29	2	27

Third stage: Data reception and treatment

In this stage we organised and analysed all the information received. We exploited all the interviews carried out, and the answers to our questionnaires, combining both a quantitative and a qualitative approach.

We can stress that, in preparing this study, these stages have been supported by other documentary techniques such as examination of the companies' annual reports and balance sheets, though these are very limited in Spain.

PART 1: OVERVIEW OF THE REFUGEE SITUATION IN SPAIN

CHAPTER 1: MAIN AGENTS IN THE SPANISH SYSTEM OF REFUGEE INTEGRATION

1.1. The Institute of Migration and Social Services (IMSERSO)

The Institute of Migration and Social Services (IMSERSO) is responsible for managing social security and reports to the Ministry of Labour and Social Affairs (Ministerio de Trabajo y de Asuntos Sociales). Since 1990, it has been in charge of managing and developing social programmes for refugees, asylum seekers and displaced people, as well as the development of a network of refugee acceptance centres (CAR).

The aim of IMSERSO's refugee programmes is to provide help to refugees and displaced people in Spain who have no economic resources as well as to facilitate their integration. This is done in two ways: by direct management through Refugee Acceptance Centres (Centros de Acogida de Refugiados: CAR); by subsidy to NGOs in the sector to promote cooperation in the execution of social programmes. The management of the programmes is carried out in the government sphere, between the government and the NGOs. NGOs manage around 80% of the budget that has risen to 3,000 million pesetas.

1.2. The big non-governmental organisations

The main NGOs subsidised by the IMSERSO and that execute social programmes for refugees and asylum seekers are:

1.2.1. The Spanish Commission for Help to the Refugee (Comisión Española de Ayuda al Refugiado: CEAR): An organisation of universal and humanitarian vocation. Its purpose is the integral protection and the defence of the right of asylum and the rights of refugees and displaced people. It is made up of a number of civil organisations, political parties with parliamentary representation, religious creeds and trade unions. It cooperates with public administration organisations and with the ACNUR, and participates in European programmes.

It consists of the following areas of work:

- Social Area: Information and guidance service, temporal acceptance service, centre programmes, socio-labour integration programmes, training and employment services and European social programmes
- Legal area
- Translation area
- Public opinion awareness area

1.2.2. Spanish Red Cross: Acknowledged as an organisation of public usefulness in 1864, it works on behalf of the most vulnerable and gives assistance to their most urgent needs: elderly people, refugees, immigrants, foreigners, sick people, AIDS carriers, prisoners, children, youth and the poor. It has a Refugee Assistance service, and implements a health prevention and promotion programme for immigrants, a training and employment service, residence for immigrant mothers and immigrants' return and integration.

1.2.3. Association Spanish Catholic Immigration Commission: This is a NGO in the government sphere. It carries out activities in the field of migration. It forms part of various different networks: International Catholic Commission of Migration (Comisión Católica de Migraciones), European Network of Fight against Poverty and Social Exclusion (Red Europea de Lucha contra la Pobreza y la Exclusión Social), ECRE. It works mainly in the areas of the fight against poverty and social exclusion, international cooperation, management of refugee acceptance centres and is responsible for cases of voluntary repatriation.

1.2.4. International Rescue Committee (Comité Internacional de Rescate: CIR): The Spanish CIR started in 1960, as a local office of the international organisation of the same name as Albert Einstein in 1933. In June 1992, the Spanish CIR became independent and directed its attention to refugees and displaced people and its activities to programmes in the area of social, legal, awareness, emergency and cooperation international assistance.

In addition, there are other organisations and associations that provide direct assistance to asylum seekers, refugees and displaced people in the management of social programmes such as **COMRADE** and **Caritas diocesana**, although they do not participate to the same extent as the above-mentioned four NGOs.

1.3. The autonomous communities and the local governments

In accordance with the Spanish State model of autonomous communities (*autonomías*), it is the central government that is in charge of foreign affairs and asylum. Nevertheless, in the development of this programme, the autonomous communities have received the authority to decide on social and educational issues and implement different policies according to their government programmes.

CHAPTER 2: THE RIGHT OF ASYLUM IN SPAIN

2.1. The process of asylum and the refugee's legal status

2.1.1. Regulations of the right of asylum

The principles that regulate the right of asylum in Spain are based on two basic rules: Law 5/1984, dated 26 March, which regulates the right of asylum and refugee status. This law was modified by Law 9/1994, dated 19 March and its application code figures in the Royal Decree (Real Decreto) 203/1995, dated 10 February.

The former refers mainly to the precepts of the 1951 Geneva Convention and the 1967 New York Protocol and limits itself to proceedings of the general framework with which the processing of asylum applications must comply, introducing a process of inadmissibility to the asylum procedure for unfounded claims of economic immigrants. The latter, on the other hand, focuses on the proceedings to be followed to acknowledge refugee status, rules and rights, the effects of favourable and unfavourable resolutions regarding asylum applications and the relevant appeals.

2.1.2. Evolution of asylum applications

The asylum law was reformed in 1994. This reform introduced a substantial change in the political treatment of the right of asylum. Indeed, if this reform was justified by the need to harmonise this policy inside the European Union and above all introduce compensation on behalf of the actual refugees, it was in fact the institution of the policy of *numerus clausus* of the acknowledgements of the asylum right.

In order to illustrate better the evolution of asylum applications in Spain, let us examine the figures from year 2000 to the first semester of 2002.

In the year 2000, the Asylum and Refuge Office report presented the following data: There were 6299 applications within national territory, 1448 applications made at borders, and 179 in diplomatic missions. Of this total of 7926 applications, only 2546 were declared admissible. Regarding the number of people given refugee status in Spain; during the year 2000, the Minister of Home Affairs recognised 370 refugees. In addition, as a result of High Court sentences in litigious recourse, refugee status for eleven asylum seekers was recognised. The total number of refugee statuses recognised during the year 2000 was 381. Also, 273 asylum seekers were recognised with permanence for humanitarian reasons (art.17.2 Asylum Act) and 109 were recognised as beneficiaries of other types of complementary protection.

In the year 2001, there were 9490 asylum applications. This represents an increase of 19.7% from the previous year. Of all these applications, 3026 applications were admissible while 6535 were turned down

and 295 cases have been filed. The Minister of Home Affairs granted the status of refugee in 2001 to 298 asylum seekers. Due to sentences of the High Court, refugee status was recognised for 16 applicants. Therefore 314 statuses were granted during 2001. As far as other statuses are concerned, 96 were granted for humanitarian reasons (16 by judicial decision) as well as 168 people profiting from other forms of protection.

From January to June 2002, the Statistical Bulletin of Asylum (June, number 3), published by the Alienism and Immigration Head Office, reports a total of 3748 applications for asylum, 107 refugee statuses granted, 34 given permanence for humanitarian reasons, and 45 given other forms of protection.

2.2. The process of acceptance and the facilities

In Spain, the process of acceptance as well as the facilities related to it can be structured around three stages which coincide with stages in the processing of asylum applications.

2.2.1. Files on the way to being admitted

This process lasts 2 months. Refugees' rights to social benefits depend on whether they are considered as members of a vulnerable group or not. Those who are regarded as vulnerable are accommodated in cheap hotels (*hostales*). They have sanitary assistance in cases of emergency and have transport facilities while applicants considered as not vulnerable can only be referred to centres that depend on the Spanish Red Cross and have access to public refectories.

2.2.2. Admitted files

Once an application has been admitted, the asylum applicant is accommodated in an accommodation centre, which can be arranged directly by the Instituto de Migraciones y Servicios Sociales. These centres, called Refugee Acceptance Centres (Centros de Acogida para Refugiados: CAR) or Temporary Acceptance Centres (Centros de Acogida Temporal: CAT), are run by NGOs such as CEAR.

Asylum seekers who cannot go to one of these centres, for example due to lack of vacancies, have the right to economic assistance provided by the Spanish Red Cross. This assistance is meant to cover the asylum seeker's basic needs such as food, accommodation and travel.

It is necessary to stress that asylum seekers put up in these centres have access to all services and sanitary assistance, as well as Spanish lessons, training courses and psychological assistance. Minors are entitled to education and can go to state schools. The stay in these centres can be 6 months long and it can be extended depending on the case. At this stage of the process, there are also certain aids, which social services value depending on the circumstances, to which asylum seekers have access. Also after 6 months, the asylum seeker can request authorisation to work.

2.2.3. Application admittance

The admittance of the right of asylum entails authorisation to do any lucrative activity, under the same condition as natives, and admitted asylum seekers have a right to social and economic assistance. They have health insurance and have a right to specific aids specified in the agreements between IMSERSO and

CEAR, which are aids to social integration: aid to get their first house, training to get a job, educational aid and aid to self-employment.

CHAPTER 3: EDUCATION

3.1. The Spanish University System

3.1.1. Introduction to the Spanish university system

The Educational System General Law (Ley de Ordenación General del Sistema Educativo- LOGSE) regulates the Spanish educational system, which comprises two educational blocks: general education (*enseñanzas de régimen general*) and special education (*enseñanzas de régimen especial*).

General education includes:

- Child education
- Primary education
- Secondary education, including obligatory secondary school (Educación Superior Obligatoria: ESO)
- Professional higher education
- University education

Special education includes:

- Artistic education (music and dance, drama, painting and design)
- Language teaching

Primary education and obligatory secondary education constitute the basic education with 10 years of schooling. Both are obligatory and free of charge. The *bachillerato* entails 2 years during which students are prepared for higher education or for active life. Students can choose among arts, natural sciences, health, humanities and social sciences and technology.

3.1.2. Access to higher education

Generally, the students who have completed their *bachilleratos* have access to university education if they pass an entrance exam called *prueba de selectividad*. However, Parliament has just passed the new educational quality law (*ley de calidad de la enseñanza*), which does away with the entrance exam and aims to organise an exam testing students on the contents of their secondary education. It is also a maturity test. The set of regulations applying to the aptitude tests that must be taken to have access to university are the same for both Spanish and foreign students. These tests are administered by the National University of Distance Education (Universidad Nacional de Estudios a Distancia: UNED).

3.1.3. Aptitude tests for university access

In Spain, access to university depends on the success of an aptitude test. Three types of tests exist which depend on the modality that the student has studied for his/her conducive secondary studies to university studies:

- **Students of the UOC (University Orientation Course) and students of the Spanish Certificate of Secondary Education – LOGSE**

These aptitude tests are comprised of two exercises. The first exercise deals with the common material of the Programme UOC on the one hand, and the high school diploma on the other. Its objective is to appreciate the general learning of the student and to evaluate his\her basic academic abilities: the comprehension of concepts, the management of language, the capacity to translate, to relate, to analyse, to synthesise... The second exercise deals with required and elective materials of UOC, leading thus to the high school diploma. Its objective is to evaluate the specific skills in those areas.

The final score is calculated using 40% of the global qualification of the test and 60% of the average mark of the academic expedient of the student in the high school programme. To pass these access exams, this final score average has to be five or higher. The student is allowed four examinations at most.

The students will be able to present by two of the ways of access predicted. In this case, they should be examined of the four materials linked to the chosen ways of access.

Students with foreign studies corresponding to the UOC

Only Spanish students or foreigners that have studied out of Spain in foreign studies programmes corresponding to the University Orientation Course (UOC) can present themselves to these tests. The request is made directly to the NDDS (National University for Distance Studies) within a time limit and in a form determined by the Dean of the University. For a decision to be reached, the students should have accreditation by means of documents sent off by the MEC (Department of Education and Culture) to have their studies which were done abroad validated, or recognised in foreign studies centers in Spain. If this is not possible, they can present a transcript if there is one, requesting equivalency and/or validation to the General Office of the Technical secretary of the MEC, and in such cases the inscription for the tests will be conditional. Likewise, along with the request, should come a transcript, with the object of its appraisal in the final qualification of the tests. The academic documents of the foreigner should be properly legalised through diplomatic means (for refugees admitted through procedure, there an NGO will present a letter explaining their situation).

The aptitude tests have a presence requirement, in writing and in Spanish, attending to the programmes predicted with general character for the University Course of Orientation. To pass the aptitude tests the student arranges a maximum of four convocatories.

In practice, a refugee who has terminated his\her secondary studies does not have a great deal of problem to get his studies approved. The MEC usually grants recognition with ease since this is done in base to the boards of approval and many agreements of recognition themselves not university titles of teaching guarantee it. They are approved with the equivalence of the UOC. Also usually the contents of the tests are general and measure the degree of maturity. Refugees often do well in these aptitude tests. The only problem that needs an intervention and support is the preparation period of these tests.

3.1.4. Cost of registration and fees

Each autonomous community regulates the fees and prices of registration and individual subjects of university courses. The Organic Law 11/1983, dated 25 August, of University Reform, especially in its article 54.3.b as well as the Agreement of 29 May 2001 by the Council of Universities, regulate this issue.

The prices of registration and subjects can be divided into two types according to the structure of the courses:

Courses of study structured as credits

In courses leading to official university degrees of first stage, first and second stage or second stage only the price of registration is calculated by the addition of the different credits allotted to each subject. The credits corresponding to subjects freely chosen by the student will be fixed by considering their importance in the course of studies in question, independently of where these credits are taken.

For example, details of the degree of 'experimentalidad' are given below. Note the cost of the credits decreases as the degree progresses.

a. Studies with experimental degree 1: Medicine, odontology, nursing, physical therapy, nutrition, dietetic and podología . This course totals €913.27 for the year.

b. Studies with Experimental degree 2: Biology, bioquímica, environmental sciences, science of sport, pharmacy, geology and chemistry. This course totals €885.25.

c. Studies with Experimental degree 3: Architecture, engineering aeronautic, agronomy, industrial, electronic, automatic engineering, data processing engineering and other similar specialties. This course costs €846.71.

d. Studies with Experimental degree 4: Beautiful arts, physics and history, science of music. This course costs €818.21.

e. Studies with Experimental degree 5: Statistics, documentation, mathematics, pedagogy, psychology, translation and interpretation, social education. This course costs €785.32.

f. Studies with Experimental degree 6: Administration and direction of businesses, anthropology, finance, political science, administration, right, filología, sociology. This course costs €740.00.

Courses of study not structured as credits (Old plan)

For courses leading to official university degrees of short or long courses but whose plans have not been endorsed by the Council of Universities, the price of the complete course and of individual subjects is calculated taking account of how experimental such courses or subjects are.

In cases of registration by subjects or disciplines, only three distinctions are made: yearly, 4 months long or quarterly, according to the classification established by each university depending on the number of hours of classes that figure in each course of studies. For these purposes, one yearly subject or discipline is equivalent to two 4-month long or quarterly subjects or disciplines. The price of subjects which are 4 months long is half that of yearly subjects and quarterly subjects cost a third of yearly ones.

3.1.5. Systems of scholarships, subsidies and aids

The Ministry of Education (Ministerio de Cultura y Educación) announces general scholarships and study aids for students who have gone through obligatory education and for university students doing university courses in its autonomous community. For the academic year 2001/02, following the Ministry of Education Order of 18 July 2001 (BOE 29 June 2001), the following were announced:

- Courses of studies leading to a BSc in engineering, architecture, technical engineer and technical architect.

- Preparatory courses to enter university for students over 25 years of age, taught on a distance-learning basis.
- Adaptation courses that may be available for students who have completed the first university stage and who would like to pursue further official university studies.

In order to be granted a scholarship, it is necessary to meet certain academic and economic requirements.

Aids and cooperation scholarships

In addition to the Organic Law 1/1990, dated 3 October, the *Ordenación General del Sistema Educativo* and the Organic Law 11/1993, dated 25 August, the University Reform establish a general policy of scholarships, aids and credits for university students. As well, the Royal Decree 2298/83, dated 28 July, which regulates the system of scholarships and other personalised study aids, envisages the existence of special scholarships or aids and, among these, those that are granted on condition that the student will do services or work on behalf of the university where they study.

Observing such regulations, special aids called *Beca-Colaboración* (Scholarship-Aid) have been announced every year. These are aimed at students who are about to complete their last year at university so that they cooperate in university departments by getting started in doing research tasks directly related to the studies they are completing.

The extension of coverage of general scholarships and aids for university studies, in keeping with the new approach given to Scholarship-Aids, are aimed at students with the best performance and marks.

Refugee's access to the scholarships

In practice, refugees do not have access to the public scholarships. Of all the cases investigated by the services of CEAR it is evident that only one person has had a scholarship of the Department of Education and Culture (he is studying at present in Murcia). CEAR has signed a contract with the IMSERSO regarding the labor and social integration of refugees (with status) and beneficiaries of other complementary forms of protection. Within the framework of this contract, CEAR, considering the need of support for refugee education and the aim of guaranteeing the basic educational needs of refugee, and also considering that unlike nationals, refugees lack social or family networks that can cover these periods of not working, granted some scholarships for university studies to 16 recognised refugees (in 2001).

It is necessary to note that the majority of refugees and the displaced find their requests are denied for not being able to meet certain requirements necessary for the attainment of the scholarships of the MEC. On the other hand, it is necessary to underline that the MEC scholarships call for proposals were in Spanish only. Over the last 2 years we have noted certain openings. In effect there has been a rectification of the Minister MEC. In the resolution by the one that scholarships for students are called that be going to initiate university studies in the course 2002/2003 in its art10.1 stipulates: “*to obtain some of the scholarships called by the present resolution will be precise to comply with the requirements established in the art. 2 of the Real Decree 2298/1983, of 28 of July, keeping in mind the arranged thing in the Law 4/2000, of 11 of January the envelope rights and liberties of the foreigners in Spain and its social integration, in the editing given by the Organic Law 8/2000 of 22 of December*”

3.1.6 Private sponsorship

See Part 2, Chapter 1, which gives some *notes on the social policies of the companies in Spain*.

3.2. Refugees and higher education

3.2.1. The right of refugees and asylum seekers to higher education

In Spain there is no legal way of preventing someone from receiving education, be they refugees or asylum seekers. The law on foreigners acknowledges the right and the obligation of all foreigners under 18 years of age to education in the same way as Spaniards. What is more, section 3 in article 9 of the aforementioned law acknowledges the right to non-compulsory education for resident foreigners. The right to education stated in this article also includes the right to get a university degree and the access to the system of scholarships and aids.

3.2.2. The teaching of Spanish

Learning Spanish does not cause great difficulty. From the very arrival of an asylum seeker, they are referred to Spanish lessons organised in almost all refugee acceptance centres and organisations working with asylum seekers, refugees and immigrants. It is important to mention that due to their worries, asylum seekers sometimes lack enough motivation and attend only during the first months. As soon as they realise that they have learnt enough to manage, they soon drop out of these classes.

In Spain for the asylum seekers who reside in the Centers of Reception the classes of Spanish are obligatory although formally there are no sanctions. These classes are organised for small groups of refugees who have the same level and they are almost personalised and do not have waiting lists.

However, these language courses do not have a great deal of innovation and do not solve the problem of refugees' lack of motivation. The linguistic teaching of competences do not have a new focus that combines language training with other professional training, and wit advise on employment opportunities. Since these aspects facilitate access to the labour market they constitute a motivation to for participation.

On the other hand, the methodology is not always adapted to the cultural aspects of the asylum seekers and refugees to facilitate a better assimilation of concepts.

3.2.3. The recognition of foreign university degrees

The recognition of foreign university degrees is regulated by the Real Decree 86/1987, dated 16 January, as well as both the Order of 9 February 1987 for the application of what is stated in the Royal Decree 86/1987 and also the Order of 21 July 1995, which establishes the general criteria for tests prior to recognition of higher education degrees.

The recognition of foreign degrees is carried out in the Ministry of Education and Culture through two offices:

- The *Secretaría General Técnica*, which is in charge of recognition of foreign higher education degrees, obtained in any country, and is also responsible for degrees obtained in EU countries.

- The *Dirección General de Enseñanza Superior*, which has the authority to decide on medical and pharmaceutical specialities and nursing.

It is the university where the student would like to finish their course that is in charge of the recognition of unfinished higher education courses.

Foreign higher education courses can be recognised and matched to the corresponding Spanish ones as long as they bear enough resemblance with the corresponding Spanish official degree, which must exist in some Spanish university at the time when the recognition is requested.

In the process of recognition, the sub-commissions of evaluation of the Council of Universities have decisive intervention. Experts scrutinise the contents and duration of the foreign higher education courses to be recognised. These are compared with Spanish and EU higher educational contents and then the Council of Universities decides favourably or unfavourably on the recognition of the degree.

Conditioned recognition

When the Council of Universities decides that a foreigner's studies are not enough or somehow incomplete in comparison with the above-mentioned standards, candidates must take a test at a Spanish university of their choice in order for their degrees to be recognised.

Refugees in Spain have to face many barriers in the process of Diploma recognition. The MEC does not accept requests of recognition that do not have an original diploma (copies are not accepted). In the year 2000, of a total of 7186 requests of requalification, only 10 were for refugees and asylum seekers. In this process, they have a great deal of difficulty to gather all the documents required. The five main problems in the process are usually:

- The requirement of the original diploma. Certified copies are not admitted. In many cases it is very difficult for refugees to obtain the original diploma.
- Full diploma recognition is almost impossible for some careers such as Law, Medicine, Architecture and Engineering, even though all the documents required have been presented. It practices is the resolution to pass the test "pruebas de conjunto".
- There is no official aid for refugees thrown into the process of recognition. Individuals may receive some aid from NGOs.
- The NGOs are not entitled to certify documents. This can only be obtained by request to the local authorities or embassies.
- The price for the official translation required for all the documents is very high.

CHAPTER 4: REFUGEES AND THE LABOUR MARKET

4.1. Refugees' and asylum seekers' right to work

Article 10 of the Organic Law 4/2000, dated 11 January, amended by the Organic Law 8/2000, dated 22 December, on the rights and liberties of foreigners in Spain and their social integration, stipulates that foreigners who comply with the requirements stated in this law will be entitled to be paid for their work as self-employed or payroll workers, and they will also be eligible for social security. In addition, article 13 of the law that regulates the right of asylum and the refugee status stipulates that granting of the right of asylum entails authorisation for residence and for commercial and professional activities.

Furthermore, article 79 of the Royal Decree 8/2001, regulations of the application of the Organic Law 4/2000, in its section c) states that asylum seekers may work when 6 months have elapsed without an official answer to their asylum applications. This authorisation entitles asylum seekers to do some lucrative activity while working for others in a specific activity and area. The duration of this authorisation coincides with the work contract, with a limit of 6 months, and its validity depends on the asylum document.

As seen from this legal framework, asylum seekers have a special problem, particularly those with a family whose asylums are denied.

4.2. Vocational training

In Spain, the concept of vocational education (training) refers to a kind of education taking place outside the official educational programmes and geared to provide people with the tools, elements, concepts and basic vocabularies related to their professions. In the Spanish context, this education is very productive, considering the following factors:

- Most refugees and asylum seekers that arrive in Spain generally have the training necessary to do something they used to do in their countries of origin.
- Asylum seekers generally have a family to support, which makes it urgent for them to try to find some source of income. In addition, many of the families have only one parent.
- When they are informed about the steps required to have their degrees recognised as valid, they are generally discouraged by these difficulties and their lack of economic resources. Thus, they start to work straightaway and in whatever conditions they are offered.

NGOs have agreements with the National Institute of Employment (Instituto Nacional de Empleo: INEM) to give asylum seekers professional training courses that will provide them with the basic language for their professions. Also, they are given certificates and diplomas which specify the number of hours the course consisted of, the skills acquired and the contents of the course. These courses are an alternative to the official INEM courses since in those courses the particular situation of asylum seekers is not taken into account either in the design or in the planning of these courses, or in the timetables, the contents or the methodology. The NGOs select the refugees and asylum seekers for these courses on the basis of the following criteria:

- the candidate's legal situation;
- the interest shown;
- their professional experience;
- their knowledge of the Spanish language.

4.3. The problem of unemployment and the educational/professional level of refugees

The evolution of the labour market for non-EU foreigners has shown an increase of less qualified professions and in the number of unemployed as well as a decrease of qualified workers, office clerks, technicians and freelance professionals. Among refugees, unemployment is very high though the phenomenon of exclusion from the labour market or confinement to very badly paid jobs affects all immigrants. However, our data show that refugees and asylum seekers are, in general, better qualified than immigrants but find many difficulties to find a job due to the reasons that they had to leave their countries.

Indeed, asylum seekers were forced to leave their countries of origin owing to persecution. In their countries they had a status of life in accordance with their qualifications. It is due to this that they demand such a lifestyle and find it very hard to start afresh in the labour market. In contrast, immigrants readily accept any job they are offered, as their concern is an economic one.

The data coming from six job agencies of CEAR reveals an average qualification of 45%, 19% with university studies, 25% with primary school level and 11% without qualifications. It is very hard to assess their educational and/or professional level, except when they provide the relevant documentation (in general those with university level) in such a heterogeneous group from different countries, races and cultures. Nonetheless, a report from the Asylum and Refuge Bureau, updated on 31 December 2000, distinguishes different categories according to the studies pursued by asylum seekers:

Illiterate	638	8%
Primary school	1771	22%
Complete secondary school	2231	28%
Incomplete secondary school	1883	24%
Technical courses	430	5%
Higher education	973	12%

Furthermore, immigration in general entails a lack of correspondence from the socio-labour viewpoint. A study carried out by the Magazine of Social Studies and Applied Sociology reached this conclusion on the basis of a survey in which the question was, “What kind of job do you consider yourself best qualified for?” The conclusion was that there is a lack of correspondence between the labour qualifications and the job the individual actually has. As well, those already working regard themselves as qualified for better positions.

This same study reveals two concrete realities about the relationship between professional qualifications and job title:

1. While 235 considered themselves qualified as high technicians or freelance professionals, only 7% were actually doing these jobs. This lack of correspondence is particularly evident among black Africans (235 qualified, 15% employed).
2. Moroccans (one of the largest groups in Spain) regarded themselves as qualified as industrial or agricultural workers, shopkeepers and home employees with a much more competitive edge than in their actual jobs. Very few of them, however, aspired to better jobs.

4.4. Mediation in hiring of refugees

Article 162 of the Workers’ Statute (Estatuto de Trabajadores: ET) permits the existence of non-profit-making employment agencies, as long as they respect the terms of the National Institute of Employment (INEM), as regulated by the Royal Decree 735/1995, dated May. There are also Temporary Job Companies (Empresas de Trabajo Temporal: ETT) which make up for the INEM’s lack of supply. These companies subordinate their mediation to the immediate returns they may get. As can be supposed, they do not pay enough attention to refugees.

Under the concept of refugee hiring mediation, we understand three kinds of steps to be taken by mediating agencies acting on behalf of refugees and asylum seekers:

- Establishing for each candidate an insertion itinerary, their tutelage and follow-up.

- Management and care of the legal process required by the Administration.
- Upgrade the candidate's profile by providing them with training courses and assistance such as scholarships, salary and travelling expenses, after having trained the candidate in the Spanish language so that they can profit from upcoming courses, overcome their fears and fake job offers which may lead the candidate to drop out of the course.

The big problems arising in the processes of hiring refugees consist mainly in the mismatch between the job offered and the refugees' educational and professional training. To this problem may be added the foreigners' stigma of illegality and delinquency, which create a high level of reluctance to hire them. On the other hand, the Spanish labour market offers many possibilities in sectors in which natives do not want to work: hotels, construction, agriculture and farming. These jobs are most often very badly paid. When there are no more options, the refugee, who is usually better qualified, ends up doing these jobs. That is why there is a blatant lack of correspondence between the refugees' qualifications and the jobs they actually end up doing.

4.5. Self-employment and its financing

Self-employment is an interesting line of work that has its own *raison d'être*: people who, due to their age or status are not hired and/or have had some corporate experience in their countries of origin, or who feel motivated to embark on some venture of this kind, find enough reason to consider this kind of employment. However, there are difficulties to overcome; starting up a company entails initiative and professionalism (not only good will) and a constant battle with the market to make the business profitable. The subsidies needed for the launch soon run out if there is no profit.

The main difficulties in this line of projects are the refugees'/immigrants' lack of knowledge of the Spanish market. What is also necessary is a system of monitoring, control and business advice which new business people can fall back on. In Spain, once the refugees' status has been acknowledged, the refugee has access to two sorts of financial aid to start up their own business:

Aid specific for refugees: The IMSERSO considers a budget for self-employment. These aids are managed mainly by the CEAR through an agreement signed annual. Sometimes, they are complemented with other sources of funding coming from the European Social Fund.

During the financial year 1998–2000 through the INTEGRA programme, CEAR financed 53 self-employment projects with a total cost around € 6,864,309 (41,185,856 pesetas). During this financial year, there were 101 projects financed by the INTEGRA and by others. Of the 53 projects financed by INTEGRA, 63 new jobs were generated, out of which 43 were for men and 20 for women.

Standardised aids and financing: These are aids and financing for self-employment to which both legal refugees and Spaniards can resort. These are approved through annual official announcements in charge of the autonomous communities or through the INEM.

- When the applicant has obtained a bank loan, these aids may consist of the state body taking charge of a percentage of the total sum of bank interest.
- When the applicant has hired one or more employees, the aid may consist of a discount in company expenses on social security and an aid of up to €3,000 is also considered.

In addition, there are other local initiatives to foster employment. These include various kinds of incentives, like the Woman's Institute (Instituto de la Mujer), which designs incentives for promotion and equal opportunities for the woman in the world of business.

4.6. The national system of recognition of professional qualifications

According to article 2 of the Organic Law 5/2002, dated 19 June, the National System of Qualifications and Professional Education is the set of instruments and actions necessary to promote and develop the integration of offers of professional education through the National Catalogue of Professional Qualifications (Catálogo Nacional de Cualificaciones Profesionales), as well as the evaluation and recognition of the corresponding professional competences, in such a way that this favours individuals' professional and social development and the needs of the productive system are covered. This system has the following aims:

- Train individuals for the performance of professional activities, in such a way that this satisfies the needs of the individual as well as those of the productive system and the labour market.
- Promote a top-quality education.
- Provide information and guidance regarding professional education and employment qualification.
- Add to the educational offer educational actions that qualify individuals to perform business activities.
- Officially assess and recognise professional qualifications.

This Organic Law is new and has not yet been developed much. However, it states that the regulation and coordination of this system is the responsibility of the General Administration of the State (Administración General del Estado). In addition, it specifies that the General Council of Professional Education (Consejo General de Formación Profesional) is the consultive and advisory organisation in these matters and it also points out that the National Institute of Qualifications (Instituto Nacional de Cualificaciones: INCUAL), created by the Royal Decree 375/99, dated 5 March, is in charge of defining, elaborating and updating the National Catalogue of Qualifications.

Lastly, these regulations lay down that the government will set the requirements and procedures for evaluation and recognition of the effects and competences thereof. The assessment and recognition of the professional qualifications acquired through work experience or other informal education will also abide by the National Catalogue of Qualifications.

CHAPTER 5: REFUGEES' OBSTACLES AND NEEDS

1. Language learning

Obstacles	Needs
<ul style="list-style-type: none">- Psychological traumas as a result of forced departure from the country of origin, which hinders more concentration and discipline- Bad pedagogical quality. Lack of methodology adapted to refugees' and asylum seekers' concrete needs	<ul style="list-style-type: none">- More psychological assistance- Conceive of new ways to motivate individuals to participate so that they can associate other work qualifications, advice and opportunities.

2. Access to higher education

Obstacles	Needs
<ul style="list-style-type: none"> - The economic cost of embarking on higher education - Impossibility of getting scholarships - Need to prioritise income earning - Obligation to pass selection tests or university entrance exam. In cases of recognition of a foreign incomplete university course, the foreigner seldom resumes at the level he quit; their qualifications are almost always downgraded - Limited access to public resources for the refugee 	<ul style="list-style-type: none"> - Promote economic incentives and support - Positive discrimination and guarantee access to higher education, as neither linguistic obstacles nor the time needed to adapt to the university system favour success at tests and result in refugees' discouragement to pursue university studies - Provide scholarships to access high education

3. Access to professional vocation

Obstacles	Needs
<ul style="list-style-type: none"> - Legal requirements to certify their status as asylum seekers (despite having an identification card for asylum seekers). This certification is issued by the provincial government or by the Provincial Agency of Work (Dirección Provincial de Trabajo) so that the asylum seeker can register in the INEM to get a job - Lack of adaptation of the training modules to the refugees' circumstances - Little material support to foster participation (scholarships, transportation, nurseries) 	<ul style="list-style-type: none"> - Allow and help asylum seekers with their registration in the INEM as job applicants as well as prospective students in professional training courses - Design and adapt INEM's official courses so that they match refugees' experience, needs and circumstances - Unify economic aids for professional and vocational training

4. Recognition of degrees

Obstacles	Needs
<ul style="list-style-type: none"> - Requirement to provide original degree for its recognition - Little recognition of certain degrees like Medicine, Law, Engineering (protectionist tendency) - Lack of support for and during the process of recognition 	<ul style="list-style-type: none"> - Subsidise a technical and official translation service - Permit the use of photocopied degrees for their recognition, completing the file with complementary information and research - Speed up the process of degree recognition - Less protectionism - Provide economic aids to have degrees recognised

5. Educational system

Obstacles	Needs
- Too focused on the system of integration	- Integrate the cultural diversity dimension

6. Employment plans financed by the government

Obstacles	Needs
- The integral plan of attention and employment improvement for immigrants, carried out through professional and vocational education adapted to their situation, does not consider previous professional experience or ways to further these skills	- Plan new specific policies and actions which profit from and develop immigrants' and refugees' unexploited potential

7. Recognition of the right to work

Obstacles	Needs
- Working is permitted only after 6 months	- Permit a quick insertion into the labour market
- The intervention of the OAR's Report in the work permit	- Do away with the OAR's Report as part of the requirements to obtain a work permit
- Too long periods before the work permit comes through	- Speed up the process to obtain a work permit

8. Recognition of working qualifications

Obstacles	Needs
- The national system of qualifications has not yet decided on the basic methodology to identify professional competences and to define the model that professional qualifications must adopt	- Regulate the methods for the evaluation of competences
	- Regulate a uniform procedure for the validation, recognition and certification of qualifications

9. Setting up a business

Obstacles	Needs
- Lack of funding	- Facilitate the access to funding
- Lots of administrative requirements	- Policies and actions for the incentive and support necessary to start up one's own company
- Lack of incentives to foster and develop the skills necessary to start up one's own company	- Training for the creation and management of companies

10. Unemployment government plans

Obstacles	Needs
- The new PNAE policies only emphasise tenet I, i.e. improving the capacity of professional insertion, and tenet II, i.e. developing the	- Tackle refugees' unemployment problem taking their specific skills into account and propose actions tending to reduce the

corporate spirit too vaguely and with too preventive an approach	unemployment rate with more effectiveness and establish evaluation indicators in these policies
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11. Process of hiring and looking for a job

Obstacles	Needs
<ul style="list-style-type: none"> - Mismatch between positions offered and the refugee's educational and professional preparation - Poor quality and instability in hiring conditions - Some business people's racism and discrimination - Work offers focused on sectors with a highly transient nature: hotels, agriculture and construction 	<ul style="list-style-type: none"> - Educational actions in accordance with the needs of the labour market - Facilitate the validation of previous professional experience - Awareness raising and more partnership actions with business people - Global and integrative employment policies which take account of refugees' needs and insertion capacities in the labour market

PART 2: STUDY ON INTEREST AND INVESTMENT CONDITIONS IN FREE

CHAPTER 1: NOTES ON THE SOCIAL POLICIES OF COMPANIES IN SPAIN

Considering that the main aim of this study is to identify possible donors for FREE as well as the organisational contours of the Fund, by way of introduction to the analysis of data and for their better understanding, we think it appropriate to introduce the concept of sponsorship and patronage in Spain as well as its principal trends.

A study on companies' cooperation in general interest activities by the 100 Spanish companies with the highest annual turnover, admitting that they are not necessarily the ones that contribute most funds to general interest activities, asserts that only 82% do sponsorship and patronage activities. This percentage also includes actions carried out by these companies through their foundations, whose main aim is generally to foster activities which society will benefit from.

In Spain, a total of 33% of the 100 companies with the highest annual turnover have their own foundations although only in nine cases are they used as the only means of cooperation with the third sector. The companies that create foundations that cooperate with general interest activities take on a stable or midterm commitment. In spite of having their foundations for such aims, these companies carry out their cooperation activities using sponsorship as a marketing or publicity tool with a character that is complementary to their foundations' actions. However, we must admit that, inside companies, a specialisation is occurring regarding sponsorship and patronage.

As regards the economic dimension of companies' general interest activities, the data corresponding to 1998, for example, place the figure in the area of 162 billion pesetas (€973,639,609.10) with a substantial presence of savings banks providing 120 billion, i.e. three quarters of the total. In Spain, the laws affecting savings banks lay down that part of their profits must be destined for social and cultural activities after paying taxes and after putting their reserves aside. As opposed to the rest of the companies, they reinvest through social and cultural works, doing their activities directly or supporting other organisations' activities.

In comparison, some countries have a long tradition of sponsorship and patronage, such as Great Britain and the United States, where total percentages of company budgets dedicated to these concepts range between 0.2% and 2% of the net profits.

Comparison of percentages of sponsorship and patronage in Great Britain and the USA

Year	Great Britain	USA
1975	0.20	0.82
1980	0.20	0.93
1985	0.20	2.06
1990	0.67	1.74
1995	0.57	1.24

In Spain, the economic volume of savings banks’ aid was 20% (collaborative work) in 1998. This equals 33,489 million pesetas.

Among other features of sponsorship and patronage, the following can be pointed out:

- Sports and culture lead sponsorship and patronage activities.
- Cooperation with development is a growing sector.
- Solidarity patronage permits the company commitment with the values of society.
- The company’s main reasons are the improvement of its image, personal commitments and social responsibility practice.
- In Spain, fiscal policy is neither an incentive nor a deciding factor for companies.
- The company’s commitment with its social environment is a rising criterion in project selection.

CHAPTER 2: ANALYSIS OF DIFFERENT SECTORS

The research on the viability of the creation of a fund called FREE has revolved around two main axes: the possible donor’s profile and the conditions for investment in the Fund; the organisational structure of the Fund. As pointed out in the methodological considerations, we have on the one hand collected and analysed the data about possible donors by sector. In this way we highlight the specific characteristics inherent to each sector and, on the other hand, we compare the data of all the sectors analysed and thus we extract the main valid constant features for all the sectors that would participate in the Fund.

In this chapter we present and analyse the data by studied sector.

2.1. COMPANIES

It has traditionally been the civil service, NGOs, religious institutions and private undertakings, among others, that have taken the trouble to build a society with more solidarity and equality. However, in the last years, the company has become the new driving force as regards social policies. This does not only involve private undertakings doing correct corporate activities, but also that they should intervene in social development locally, nationally or world-wide, preferably paying attention to the least favoured or weakest sectors. Nevertheless, and despite this world tendency, the Spanish company has not played a very important role in this field so far, except for a few notable exceptions.

Before going further into the study of this sector, it is appropriate to clarify the degree of knowledge of the refugee problem, as they will be the beneficiaries of such a Fund, which will allow us to understand better the data we are about to present:

2.1.1. Benefits and conditions

The companies analysed in view of the possibility of their participation in FREE expect the following benefits:

- 50%: Fulfil social responsibility, promotions of a certain corporation culture.
- 25%: Improvement of staff loyalty and commitment, personal motivations and formation of values.
- 25%: Improvement of internal communication and working atmosphere, and presentation of a social balance.

Among the conditions a company would put in view of their possible participation in the FREE, the visibility of the organisation through a logo in all the publications related to the project stand out by 50%. When it comes to particular conditions, no participation of another company in the same line of business and the need to have more information on the project also stand out, at 25% each.

2.1.2. Geographical structure of the Fund

Companies prefer that the geographical structure of the Fund should be at state level (scoring 12), followed by a difference of one point by the option of a joint structure where responsibilities are shared at European and state levels (scoring 11). An automatically run Fund scored 8 points, while having the Fund run at a European level scored 5.

2.1.3. Characteristics of the management of the Fund

Regarding the management of the Fund, the option of a joint model is the most popular among the organisations (scored 15) that answered our questions: a model in which NGOs with first-hand knowledge of the refugees' situation participate together with state organisations that have the infrastructure necessary to set this kind of initiative into motion. Management being the responsibility of NGOs alone scored 5, as was the case for governmental institutions alone.

At this point we thought it interesting to enquire into the values that companies would require to participate in the FREE. Transparency, professionalism and defence of ethical values stand out, each scoring 15, while experience comes last, with a score of 13.

2.1.4. Activities of the fund

In general, there is no consensus on the conditions that companies will impose when they would decide to contribute to FREE as these would be recorded as one or several concrete activities. One important point to take into account is companies' constant need to have more information to take the decision to

participate in FREE. Regarding the activities that would have the most support, scholarships to start and to continue studies comes first, followed by socio-labour insertion projects. Last in interest come occupational training scholarships.

2.1.5. Cooperation procedures

Cooperation procedures favoured by the analysed companies

Procedure	Score
Socio-labour insertion project funding	12
Donation of materials for Fund programme management	11
Creation of agreements for refugee integration and training	10
Participation as periodic economic partner	10
Cooperation through participation of workers as trainers	10
Support of awareness-raising activities on the Fund	9
Creation of personal networks for relations between organisations and Fund	8
Direct participation due to membership as Fund's management	6
Transfer of spaces for refugees' training	5

2.2. FOUNDATIONS

2.2.1. Introduction

As pointed out in chapter 1 of this second part of the study, in Spain two kinds of foundations must be distinguished:

- Foundations in the traditional sense, like organisations or legal entities dedicated to charity, teaching or piety that continue with and carries out their founder's will.
- The company foundation, which is an independent legal entity of the company, though it has been created, funded and directed by it in the terms laid down in the regulations of foundations (Law 30/1994, dated 24 November, on foundations and fiscal incentives for private participation in general interest activities).

As regards this concept, only in the case of company foundations is there a special budget for sponsorship and patronage activities. This budget is public and in general it is divided and forms part of the allocation to marketing, communication, relations with outsiders or advertising. It is necessary to point out that companies that create a foundation are assuming a steady social responsibility in the medium-term.

2.2.2. Data analysis

Thirty-nine companies were selected to for this study. For this survey, we contacted thirteen but only seven of them met the requirements for possible participation in FREE. The data were collected through personal interviews.

Above all, we must emphasise the particular interest with which all the foundations received the idea of FREE and it is rewarding to consider the interest to cooperate in the Fund on condition that this participation should be adapted to each of the foundation's internal rules.

The analysis of the information gives the following results:

- The internal working of these organisations does not guarantee a real commitment to this kind of initiative. The allocation of funds to finance projects is managed in 42% of the cases through official announcements which have a number of requirements that each of the projects must meet, i.e. the initiatives must match the foundation's demands to have access to these aids. Besides, the selected projects must be supervised by an evaluation committee which has the final say as to what projects will receive their aid.
- Regarding the structure of the fund, 29% favour the state's management and 14% think that the management must be shared by the civil service and NGOs, while 43% need more information.
- Among the activities to be developed if FREE is set into motion are scholarships in 14% of the cases and unemployment programmes in 14% as well as those that would be ready to cooperate with both; the remainder did not answer as these aids will only be given if the project meets the requirements specified in each of their official announcements.
- 14% knows the reality of the refugees' situation in general terms while 86% did not answer or know anything whatsoever about this situation.

2.3. NON-GOVERNMENTAL ORGANISATIONS

These have first-hand knowledge of refugees' needs, and agree with the need to help them to qualify for the labour market of the host country but emphasise the need for information in areas where there is a labour shortage.

67% of the NGOs asked believe that refugees' needs are many and that there is not enough information. According to NGOs, companies' initiative is needed both to train and employ refugees and to help them to start their own companies.

What all the interviewed organisations agree on is that there is a link that is neglected: while they study the case, agree to help and concede refugees' status, there is not enough help to survive during that period. Their "illegal" status does not allow refugees to receive aid to study or start their own companies.

Mainly, they could participate in FREE's implementation, by doing the work of intermediation between FREE and their beneficiaries, coordinating its activities and involving themselves in the fundraising area.

Recognition of degrees is a difficulty that can be seen in 67% of the survey while the remaining 33.33% did not answer. It is a process that takes too long and that hinders refugees' access to higher education to upgrade their professional qualifications. Besides, the conditions in Spain in particular are not the most appropriate for someone to think about studying, as they must handle day-to-day problems and look for a job.

100% of the organisations believe that the aid must be adapted to the current situation, and that they must work together with the government to look for ways to solve the present state of affairs. 67% think that it is necessary to train refugees according to the host country's needs, as in many cases refugees' knowledge is not necessary or the labour demand has already been fully satisfied.

All the organisations point out that it is necessary to think about training for refugees' return to their countries of origin, especially now that immigration laws have been hardened, rendering return a solution. Training in areas and professions that help those refugees who return to improve their living standards so that they can contribute to their country's social and economic development is regarded as important.

As regards the structure and management of the fund, 67% believe that it should be run jointly by the central and autonomous governments and 33% think that this could be done in the European sphere but with governmental organisations' participation in each country. 100% prefer a joint kind of management, shared between the civil service and NGOs.

2.4. EDUCATIONAL INSTITUTIONS

All the educational institutions interviewed show a lot of interest in everything related to FREE. Naturally, as higher education institutions, they are devoted to supporting projects that encourage higher education. However, what must also be considered is that in some universities' cases aids to study are granted through official announcements that do not depend directly on the university.

The universities would participate through the mechanism of their own scholarships (becas propias) for specialised studies in many cases. The university norm does not allow them to create scholarships because it is the Ministry of Education and Culture's responsibility. Also they could participate through the accomplishment of their own programmes of education.

100% of the educational institutions consulted regard degree recognition as one of the main problems that refugees face if they want to continue with their studies. It is one of the obstacles to be surmounted as the bureaucratic steps required are long and do not make it easy to have access to higher education. Alternative solutions must be sought since changes in governmental management is very hard.

33% regard it as fundamental to consider companies' needs to train refugees in certain areas and, at the end of their training, present them, which would be an opportunity to commit companies to refugees' training and qualification.

It is necessary to structure the fund as an interinstitutional organisation in which the civil service, NGOs and private companies participate. In the case of companies, they should participate not only as an economic partner but also as an awareness-raising mechanism so that, in the future, they would participate more actively in refugees' socio-labour integration. This is the opinion of 67% of the educational institutions interviewed.

67% know the reality of the refugees' situation while 33% cannot tell economic immigrants from refugees.

2.5. GOVERNMENTAL INSTITUTIONS

2.5.1 The Spanish Bureau of International Cooperation (Agencia Española de Cooperación Internacional)

The Spanish Bureau of International Cooperation is an autonomous organisation belonging to the Foreign Affairs Ministry through the State Agency of International and Iberoamerican Cooperation. It is

structured as laid down in the Royal Decree 3424/2000, dated 15 December, and it became the organisation in charge of Spanish management of international cooperation for development policy without interfering with other ministries.

The Spanish General Agency of Cultural and Scientific Relations (Dirección General de Relaciones Culturales y Científicas; DG RC y C) of this organisation could be a good partner of FREE. Indeed, within its duties, it is in charge of planning and management of scholarships granted by the Agency and carries out the MAE scholarships subagency, readership and exchange (Subdirección de Becas, Lectorados e Intercambios). Through these official mechanisms, foreigners' studies in Spanish universities are financed in accordance with agreements and programmes that Spain has contracted with other countries.

Within this framework, FREE will be able to finance itself through the “ Convocatoria Abierta Permanente-CAP”, the “Permanent official Announcement”, dated 4 march 2002. Every year, official announcements of certain kinds are carried out in order to finance activities of cooperation with development and economic and social promotion, as well as cultural, technical and scientific promotion. These activities will be viable in Spain or abroad. One of the priorities of these official announcements (CAP) are cooperation activities destined for the economic and social development population and disadvantaged people and they will be led by individuals, government and private organisations, foundations and Spanish or foreign social groups, in accordance with the 2001–2004 Spanish Cooperation Official Plan. (Plan Director de la Cooperación Española 2001-2004).

Considering these arguments, this organisation deserves a lot of attention in the search for funding for FREE.

2.5.2 Others public institutions

The following conclusions can be drawn from the answers provided by governmental institutions.

100% support this sort of undertaking as long as FREE can do what the government cannot. At this moment there are other initiatives such as FREE.

67% believe that it is necessary to motivate refugees so that they learn the host country's “rules of the game”, as it is the only way to have access to more dignified living conditions and to manage in a country which is alien to them.

67% think that it is important to educate society and, above all, business people so that refugees can find economic support. Thus, it becomes necessary to change refugees' image.

In some autonomous communities, especially in Andalucía, awareness-raising work is necessary in view of the ethnic selectivity that there is when it comes to looking for new workers, i.e. to prevent employers from selecting their workers because they belong to an ethnic group that should be paid less.

66.67% are interested in supporting any undertaking in which they can participate but we must bear in mind that they lack certain competences. The central government, through IMSERSO, is in charge of managing all the issues related to refugees. The other 33.33% did not answer.

All the interviewed institutions have first-hand knowledge of refugees' situation and needs.

CHAPTER 3: ELEMENTS OF FREE'S VIABILITY

3.1. Introduction

According to the data from the different sectors analysed, we can highlight basic viability elements when it comes to considering a possible participation in the Fund. Starting with the study of conditions for investment, structure and activities analysed, we will then present the profile of FREE's possible donor in general terms.

3.2. Conditions for investment

In view of the increasing demand for cooperation that they receive, organisations have set criteria that define the kind of projects with which they will cooperate. Among them, a requirement for the company's visibility through a logo stands out at 44% while 30% need to know the project in detail before they can reply. 19% say they need no reward for participation and 7% require that no other organisation with similar interests to theirs participates.

In the particular case of this study, one variable must be emphasised as it is mentioned by all the interviewed organisations, namely the need to have more information about the project in order to take the decision to participate in FREE: 22% of the companies, 22% of the foundations, 0% of the NGOs, 4% of the governmental institutions, and 7% of the educational institutions said that they need more information, i.e. a total of 60% of the bodies approached.

Government or private official announcements are only one of the selection mechanisms that some organisations use. In any case, in view of the possibility that FREE may participate in some of these official announcements, the conditions of these announcements must be adapted. Besides, these contributions are given as long as the project adapts to the social development policies that companies have. 11% of companies, 15% of foundations, and 4% of educational institutions (total of 30%) require official announcements.

Society's recognition through graphic visibility is frequently one of the conditions that companies impose when they participate in this kind of project. 15% of companies, 11% of foundations, 11% of governmental institutions, 7% of educational institutions, and 0% of NGOs (total of 44%) require their logo to be used.

3.3. Structure of the Fund

From the information collected, it seems that regarding the geographical structure of the fund, organisations prefer joint management between European, national and autonomous institutions. However, 44.44% require more information to respond on this point.

Preferred geographical structure of the Fund

At European level	7%
At State level	15%
At autonomous level	4%

Joint State–European	15%
Joint State–autonomous	15%
Need more information	44%
TOTAL	100%

As regards fund management, 52% favour a joint structure, with the participation of NGOs and governmental institutions. Companies and governmental institutions are the ones that favour this structure the most (at 15% each), then foundations (11%), then NGOs (7%) and educational institutions (4%).

3.4. FREE's activities

Finally, we must bear in mind that not all of FREE's activities have the same appeal for possible donors. It can be inferred from this study that there are activities whose possibilities of being successful are very high.

Preferred activities of FREE

Scholarship	15%
Employment	7%
Scholarship and employment	19%
Need more information	59%

3.5. Possible donor's profile

- Organisations with accurate information about refugees' and asylum seekers' legal and social situation.
- Organisations within which there are regular official announcements for funding of social activities or scholarships.
- Organisations that see some kind of benefit in the Fund (visibility, image, labour).
- Organisations that see coincidences between the geographical area and its social objectives with the Fund's activities.

CONCLUSIONS

The first part of this report has summarily presented the refugee's general problems concerning education and employment in Spain. This global vision gives evidence of the need for a new concept of social intervention and points out the urgency to design new instruments to provide refugees with the necessary skills and education to take advantage of their potential contribution to the host society. The FREE project, fundamentally based on this need, will be a mechanism and a fair tool with which the refugees will be able to participate fully in European society, developing themselves at the same time in a dignified way as individuals and citizens.

We have first studied the matter in depth to find out the degree of interest and the conditions that the possible donors may demand in order to take part in the FREE project. We have obtained their profile, analysing the characteristics of their respective sectors: companies, charities, NGOs, educational institutions and public organisations. In the second place, we have emphasised the outline of FREE's

organisational aspects from the possible donor's perspective, which would be in a way an extension of their participation conditions.

This study has enabled us to investigate accurately, find out and define the social policies and action programmes of each entity, besides the fact that it has provided the basic elements, which will constitute the FREE programme. In addition to the fact that FREE has received a hearty welcome due to its innovative characteristics, we must call attention to the fact that the entities researched are not specialised as regards their work with refugees. It has been rewarding to realise that investment in activities of public interest has increased, as well as the effort to set up businesses or departments specialised in sponsorship and patronage programmes. This opens perspectives and possibilities of funding social promotion activities for refugees and asylum seekers.

The main ideas of this study have been, in many cases, conditioned by the demands of more and more detailed information about FREE. The common denominator, as regards the final decision to participate in the Fund, is the requirement that the Fund's orientations and its characteristics are in accordance with the specialisation and the scope (geographic and concerning their activities) of the donor. The Fund must adapt itself as well to the donors' norms on application for funds.

Information is of the utmost importance. The success of the FREE project will not only be dependent on a correct distribution of information about the reality of the refugee's condition, but also on a specific definition of FREE. Along the same lines, FREE will have to consider at every moment the particularities of the donor and will have to make the material (e.g. visibility) and immaterial (e.g. image) benefits of interest to the donor agree with FREE's objectives.

RECOMMENDATIONS

Bearing in mind the conclusions reached in this study, two types of recommendations can be stated, which could be important before starting up the Fund:

1. Assess how FREE can be a complementary programme to the work which is already being done by the social organisations specialised in social integration of asylum seekers and refugees, and design tools for that purpose, with a view not to be a financial burden to their own activities and programmes. In other words, the FREE cannot be a competitor to work already underway.
2. It would be desirable to work for the improvement of public awareness about the refugee's situation and reality and to provide information on that issue, as well as on the distinction between refugees and immigrants.