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Portugal's Policy on Immigrant Integration

A Success Story?

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Portugal's Policy on Immigrant Integration: A Success Story?

Carlos Miguel Correia Lopes

Resume

Having in mind the consequences of the economic crisis on several social, economic and political indicators, this report leans over immigration problematic both as a threat to the homogeneous cultural identity of a nation-state and as a way-out from economic contingencies, such, for example, the brain-drain phenomenon. Between – or within- these two landmarks, Portugal's approach towards integration of immigrants is put under scrutiny. Based on several reports, such as MIPEX III, we will evaluate the measures and outcomes of the Portuguese integration mechanism.

Keywords: Portugal, Integration, Immigration, Policy, MIPEX

Introduction

There are several approaches towards integration of immigrants. Varying according to different national contexts it is however inescapable to adopt a position. In this respect, a modern country, i.e. a country that is embedded in globalized mechanisms, has to choose between whether to develop measures to secure its nation-state homogeneity, or to engage on developing measures to assimilate efficiently the features of transnationalism as an end to the integration paradigm.

In order to settle down the Portuguese approach between these two options, one

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should firstly acknowledge the country's immigration numbers and since when Portugal is considered an immigration country. As we will see, since it has brought up to light, immigration trend has been shaped by separate and immediate interventions of consecutive Portuguese governments. This has been done at a national level but not without the existence of a European framework. Although each country is able to formulate its integration policy according to its own national features, the European Union, in light of the higher importance of the immigration issue as a political phenomenon, has produced several key documents with the intent of giving some directions to member-states.

With this in mind, and bringing up the institutional evolution that came along with the updates of legislation in Portugal, we will try to demonstrate the transversal analysis of the immigration issue. That is to say, how integration policies were internally perceived so that they would be faced not only as a matter of security, but also as a broader issue that involves all Portuguese government departments. In addition to that, brief mentions to the Action Plan for Immigrant Integration will be graphically presented in order to understand how Portuguese legislation changed across the years.

Finally, we are planning to focus on the MIPEX III report that gives more precise insights about the outcomes of the Portuguese integration policy. As we will see, either comparing with MIPEX or with the results on other Southern countries, Portugal has achieved a distinct place as the second country with the best results in MIPEX rankings.

Highlight of Immigration in Portugal

In Portugal, immigration is a very recent phenomenon. Integrated in the new global tendencies, the country moved from workforce supplier to immigrant receiver at the end of the 20th century. Since then, according to Marques (2006), immigrant population in Portugal increased by 400% percent, from approximately 100,000 immigrants to almost 500,000. The onset of this structural change, despite the emigrants who continue to see reasons to depart, has its origin mainly on two

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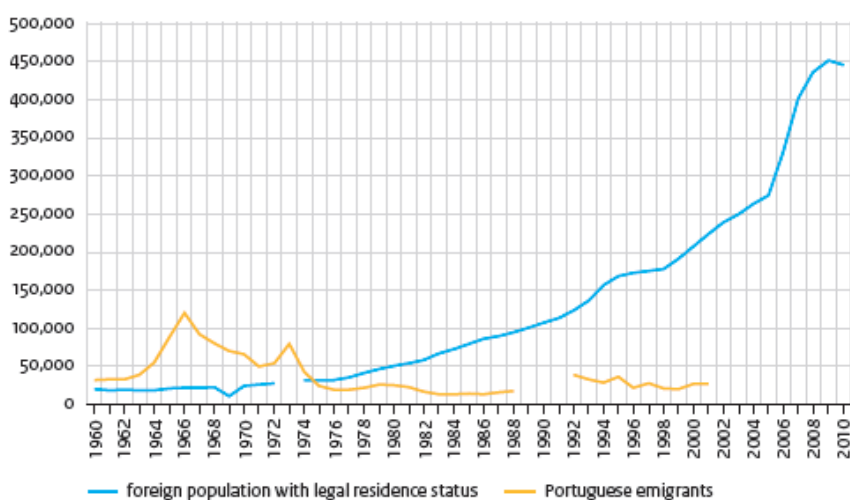
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Portuguese political events: the end of the dictatorship in 1974 and the accession to the EEC in 1986. As demonstrated in Figure 1, both events were phenomenal, inciting transformations in political, economic and social structures and leading to the shift in Portuguese migration patterns in the 1990s.

Figure 1 - Foreign population with legal residence status and Portuguese emigration, 1960-2010



Source: INE and Border Control Police

Although in a very slow pace, after the 1980s, Portuguese immigration increased. As a result of democratic consolidation and major national and international investments, new routes of immigration were established and several economic sectors were stimulated, which, otherwise, would lack labor force because of a continuing emigration and weaknesses observed on the education system. The slight decrease in immigrants from the former colonies on the 1980s was counterbalanced by new migration routes and arrivals from China, India, and Brazil (Oliveira, C. et al, 2006) that took advantage from the shift of the Portuguese workforce towards

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services such as dentistry, publicity, and information technology (Ortiz and Padilla, 2012: 164).

In the 1990s, mainly due to the construction boom, unprecedented routes from Eastern Europe were established. Following up the collapse of USSR and the subsequent emergence of post-soviet independent States, a new flow of immigrants arrived illegally in Portugal, marking from the year 2000 on a new chapter in the global panorama of Portuguese immigration (Oliveira, id).

As consequence of illegal immigration, a new process of extraordinary legalization was carried out as in January 2001 45,233 Ukrainians, 8,984 Moldavians, 7,461 Romanians and 5,022 Russians had regularized their legal status in Portugal. This process resulted into 174,558 new legal foreigners that reconfigured the hierarchy of the diverse communities, establishing Ukrainians as the largest group, followed by Brazilians, Cape Verdeans and Angolans.

Furthermore, as migration is almost always linked to political and economic circumstances, the beginning of the crisis in 2010 had some impact on Portuguese migration flows. In line with Ortiz and Padilla (2012), despite major consequences on net emigration, since 2009 immigration numbers decrease because of fewer immigrants entering in the country and previous immigrants that return to their origin countries, in particular Brazilians and Angolans whose countries are facing a sharp economic growth. However, both communities constitute an important part of Portuguese immigration movements.

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Fig.2 – Main countries of citizenship and birth of the foreign/foreign-born population, 2010

Portugal						
	citizens of	(1000)	(%)	born in	(1000)	(%)
Brazil	117	25.5	:	:		
Ukraine	52	11.5	:	:		
Cape Verde	49	10.8	:	:		
Romania	33	7.1	:	:		
Angola	27	5.9	:	:		
other	180	39.3	:	:		

Source: Eurostat – Statistics in focus 34/2011, Vasileva, 2011.

In the recent decades, immigrants contributed greatly to the accelerated development experienced in Portugal and the increase of cultural and religious diversity in the country Marques (2006;7). The progressive adaptation to this new reality is what we are going to discuss in the following part.

Integration of Immigrants Policy – EU Framework

The European Union is the preferred destination for many immigrants. Economic prospects, although interrupted by the current crisis, and political stability are decisive factors to choose Europe. Therefore, the quantity of non EU-members migrants in several countries is increasing, and nowadays represent around 20 million people, four per cent of the total EU population (Bijl, R., Verweij, A.; 2012). Nonetheless, the lack of a totally harmonized framework on dealing with immigrants has slowed down integration process and policy-making in a unitary form and manner.

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According to Desiderio and Weinar (2014), the adoption of the Common Basic Principles in 2004 and the Common Agenda for Immigrant Integration in 2005, marked the first major turning point of EU-level engagement. In these documents, immigrant integration was framed as a “dynamic two-way process” of mutual accommodation by immigrants and their host societies, and “a holistic approach to immigrant integration” was promoted in which integration is recognized as a cross-cutting issue whose governance requires initiatives in multiple policy areas. Moreover, EU integration policies evaluation that originally came out from the fist of the abovementioned agreements have been further framed by the Hague Program, the Stockholm Program and the Zaragoza Declaration, in line with the economic requirements of Europe 2020 Strategy (Bijl, R., Verweij, A.; id).

However, with the European Agenda for the Integration of Third-Country Nationals of 2011 the EU moved, as stated by Desiderio and Weinar (id), a step further in conceptualizing the comprehensive spectrum of actors and action involved in the governance of immigrant integration. By explicitly mentioning the importance of transnationalism to the integration process, the former agreement promoted a shift towards a three-way approach to immigrant integration involving immigrants, countries of immigration and countries of emigration. Under the assumption that the development of pre-departure measures may enhance the “first insertion of immigrants” in their receiving societies, the Commission produced a “tool-box” from which national authorities could pick measures most likely to succeed in their specific context, and most suited to their particular integration objectives (Bijl, R., Verweij, A.; id).

As immigration and integration are closely tied, it is expected that when resources are fewer, the quality of integration decreases. That is, as the economic and financial crisis severely hits Europe in terms of economic growth and unemployment, many European countries have tightened up their policy on migration. Despite national budget backlash, the EU, whether through broader funds such as the European Social Fund and the European Integration Fund or, more thematically through the URBACT and the Regional Development Fund, has always financially supported integration projects and initiatives (Oliveira, C., et. all, 2006).

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General Guidelines of Portuguese Integration Policy

Considering the structural change of Portugal from emigrant to immigrant country, it developed a more consistent and coordinated policy on welcoming and integrating immigrants (Marques, R., 2006). The implementation policy focuses on the institutional level and explains how Portuguese migratory experience has been shaped.

With this in mind, the first integration policy was created in 1991, when the Ministry of Education developed Entreculturas Secretariat (Bijl, R. and Verweij, A., id; 294). This structure intended to answer the new challenges of ethnic and cultural diversity, aiming to coordinate and promote the benefits of education, the programs and actions that pursue the teaching of the values of coexistence, tolerance, dialogue and solidarity among different peoples, cultures and ethnic groups. Additionally, in 1993 a Council of Ministers Resolution strengthened the framework for interventions in education, employment/vocational training and social welfare sectors.

At a similar context as in the 1996 regularization process, a major institutional turn happened. Creating the position of High Commissioner for Immigration and Ethnic Minorities (ACIME), integration of immigrants has been politicized as a holistic and transversal issue by linking different ministries. To the High Commissioner was given the mission of promoting the integration of immigrants in an inter-ministerial strategy. The reinforcement of its responsibilities took place however without mentioning or broadening the legal status of the target population and only by providing better “life-conditions” for immigrants (Bijl, R. and Verweij, A., id).

In 2002, the conversion of the High Commissioner’s cabinet into a High Commission, under the direct authority of the Prime Minister, increased the powers and scope for intervention of ACIME, turning Portugal one of the few countries having set up a centralized body with responsibility for immigrants’ integration. There was also a change in the concept of integration. It streamlines the fact that, even though cultural identities of immigrants should be respected, “integration” was only achieved if immigrants accept the language, laws, moral and cultural rights of the Portuguese

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nation. In order to face the legal status problem that was unresolved since 1996, participation of and collaboration with immigrant associations in policies that directly affect their communities was granted to those with legal residence status in Portugal.

In 2007, ACIME was renamed to ACIDI, the High Commission for Immigration and Intercultural Dialogue – reflecting the importance of dialogue with all stakeholders– and also became a public institute with an administrative autonomy. Besides this, for example, good practices for hosting immigrants were implemented. Creating facilities to accommodate them better in society, ACIDI’s National Immigrants Support Centers served, according to Collett (2011;14), as one-stop shops for services provided by representatives of numerous ministries and government departments, from housing information to recognition of qualifications. This also happened while the first Action Plan for Immigration Integration was being implemented. Advocating an intercultural model based on a holistic approach, the first “Action Plan” introduced Portugal to the privileged group of countries with best practices (MIPEX 2007, 2010; UNDP 2009; IOM 2010), as it had the virtue of identifying a range of needs as well as the responses to those needs.

Fig. 3: Main Content of Action Plan

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Holistic dimension of Portuguese integration policies

policy developments	implications	availability of data
Action Plan for Immigrant Integration: two editions (2007-2009 and 2010-2013)	<ul style="list-style-type: none">- 122 measures of integration in the first edition of the Action Plan, with an achievement rate of 81%, and 90 measures in the second edition of the Plan;- mobilisation and coordination of a range of relevant policies and ministries (13 different ministries involved in the first Plan, 14 in the second);- mainstreaming of integration policies in a whole-of-government approach, fostering coherence of information and coordination between different agencies and ministries.	<ul style="list-style-type: none">- measures monitoring reports
High Commission for Immigration and Intercultural Dialogue (ACIDI) reporting directly to the Prime-Minister	<ul style="list-style-type: none">- inter-ministerial intervention institute that takes into account not only the economic and legal aspects of immigrants' life in Portugal, but also other spheres related to integration;- provision of several integrated and holistic services (the one-stop-shops: all services that immigrants need to contact are centralised in one place, with branches of public administration services and support services managed through protocols between ACIDI and civil-society organisations, including immigrant associations).	<ul style="list-style-type: none">- ACIDI activity reports with data of integration services users- IOM external evaluations of the services (2005, 2007, 2010)
Consultative Council for Immigration Affairs (created in 1998)	<ul style="list-style-type: none">- representatives from different ministries, immigrant leaders, trade unions and civil-society organisations.	

It should be said that, despite serious reductions on public spending, Portuguese Government has maintained a strong commitment to its migration population (Collett; id). To keep bolster immigrant's access to the labor market as well as eventually reduce the impacts of the recession on its daily life, ACIDI budget has more than doubled from just over 6 million Euros in 2007 to 13.5 million Euros in 2009. In 2011, the Portuguese government increased ACIDI's budget in 4.7%. Even though most of the amount was provided by EU Funds, the fact that the total ACIDI budget increased only testifies the former Portuguese government and society pledge.

In the most recent years, the policy of welcoming and integrating immigrants has been outlined upon seven key principles that serve as framework to the different public bodies programs and actions:

- **Equality:** Fighting against all forms of discrimination and equal access as

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residents to work, health, education, social security, justice and all the other areas, supported by several legal instruments as CICDR – Commission for Equality and Against Racial Discrimination.

- **Hospitality:** Positive actions regarding competitive disadvantages or specific vulnerabilities by particularly recent arrivals; access to fundamental rights as well as to the program Portugal Receives (Portugal Acolhe) that offers language lessons.
- **Citizenship:** Although non-nationals, immigrants are citizens with full rights. Access to Portuguese citizenship was simplified with modifications to Nationality Law, with special importance to the descendants of immigrants who are now able to obtain Portuguese nationality more easily.
- **Co-responsibility and Participation:** It is possible for the socio-cultural mediators in public services and for the voice of immigrant's representatives in the Advisory Council for Immigration Affairs to actively fight for an inclusive society and to contribute to the common good.
- **Interculturality:** Affirming the inter-cultural model, no cultural feature is assimilated but respected so that within this meeting both could evolve. For this reason, Entreculturas – Between Cultures Office has been since 1991 developing an important program of intercultural education, using training activities and producing pedagogic materials.
- **Consensus:** Searching for a widened political and social consensus, it has been possible to alter the Nationality Law without a single vote cast against it. This consensus implies public awareness campaigns against stereotypes and preconceived false ideas, as, for example, initiatives in media such as Journalism for Tolerance Prize or the production of the television program Nós (We).

Results of MIPEX III report on Portugal Integration Policy

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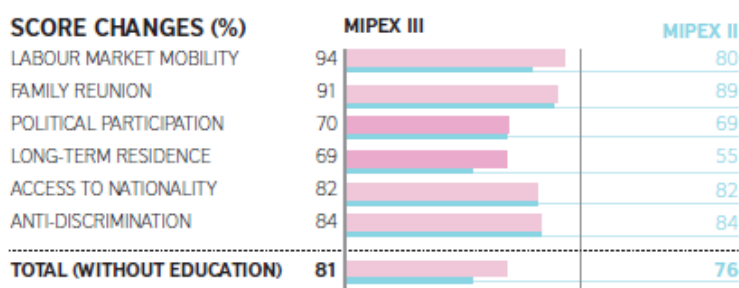
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The aforementioned areas of integration were divided into seven areas: Labor Market Mobility; Family Reunion; Education; Political Participation; Long Term Residence; Access to Nationality and Anti-Discrimination. In order to provide information more eloquently, we will give an insight on each of them and always in a comparative way, either with the former results on MIPEX II or with the results obtained by other countries with similar characteristics. In this case, these countries will be Spain, Greece and Italy.

To begin with, Portugal made some of the greatest progress overall (MIPEX III, 2011; 158). Among other features, Portuguese government improved long-term residence on immigrants (2007 Immigration Law) and targeted immigrants' specific employment situations.

Fig. 4: Comparison of results in 2007 and 2011



For this reason, it is of major importance to acknowledge the measures that resulted in such significant outcomes.

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Labor Market Mobility: Regarding this topic, Portugal improved more than any other country in addressing immigrants' specific job situations. The targeting and tackling of a number of specificities allowed the country to strive to put an end to "brain waste", by recognizing non-Portuguese residents' equal opportunities as Portuguese. The creation of Immigration Support Centre permitted immigrants to be aware of their rights regarding labor market, as it did when emphasizing the need of gender equality, recognizing that female immigrants are not just additionally vulnerable, but also full of potential as entrepreneurs.

Family Reunion: The objective of living in family is a starting point stated in the 2007-2009 Action Plan. According to MIPEX evaluation, Portugal provided within this period not only the second most secure and equal status, after Canada, but also a more inclusive definition of the family. Having a favored position towards family reunion, according to Ordinance No. 1563/2007, family reunion sponsors in Portugal are temporarily asked to prove lower levels of basic subsistence because of the crisis. This shows a great sense by the Portuguese government as far as during times of crisis everyone is forced to live with less and that should not be a reason to keep families separated.

Education: As there is no data available on 2007 MIPEX II, it is impossible to consider the improvements on this area. However, MIPEX III identifies several ongoing measures that need to go deeper on its focus. For instance, even though Portugal is highly-ranked along with UK on access to education, the country

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lacks on targeting new opportunities and needs that migrants bring to school. MIPEX suggest the country to take the example of Nordic Countries and to set obligatory quality standards for Portuguese courses and to teach more immigrant languages (e.g. Bilingual Cape Verdean and Mandarin schools).

Political Participation: Foreign residents in Portugal have the best Political Liberties of the new immigrant countries. Nonetheless, MIPEX suggests that the current system of voting at local level is ineffective towards integration of all residents. As any other proposal to change immigrant political status requires a constitutional reform, this topic is almost at standstill since 2007.

Access to Nationality: The modifications introduced by the 2006 Nationality Law gave to Portugal the first place on MIPEX III, as the most effective in 31 countries. Since the reform, which broadened the conditions once reserved for people from Portuguese-speaking countries to all residents speaking basic Portuguese, five times as many residents applied from 2006 to 2008.

Anti-Discrimination: Portuguese anti-discrimination laws are the strongest in Southern Europe despite less effective than in other countries, like Canada, Sweden, United Kingdom and United States (MIPEX III, 2011; 167). Potential victims have more difficulties to proceed with their requirements as procedures become complex and lengthy mainly because of the unsettled conceptualization of discrimination.

Overall, taking into account how recent is Portugal's path as immigrant country,

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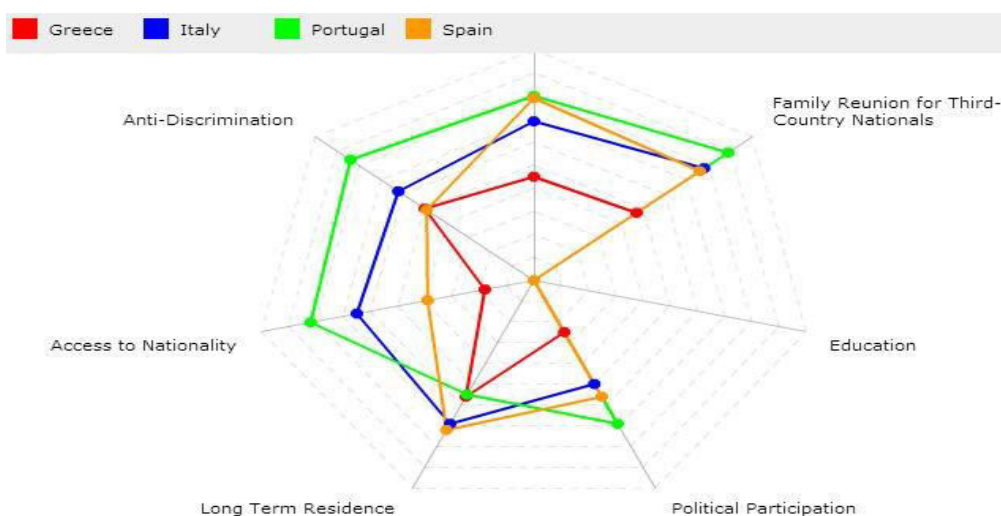
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the outcome is encouraging.

Figure 5 - MIPEX II Indicators in 2007



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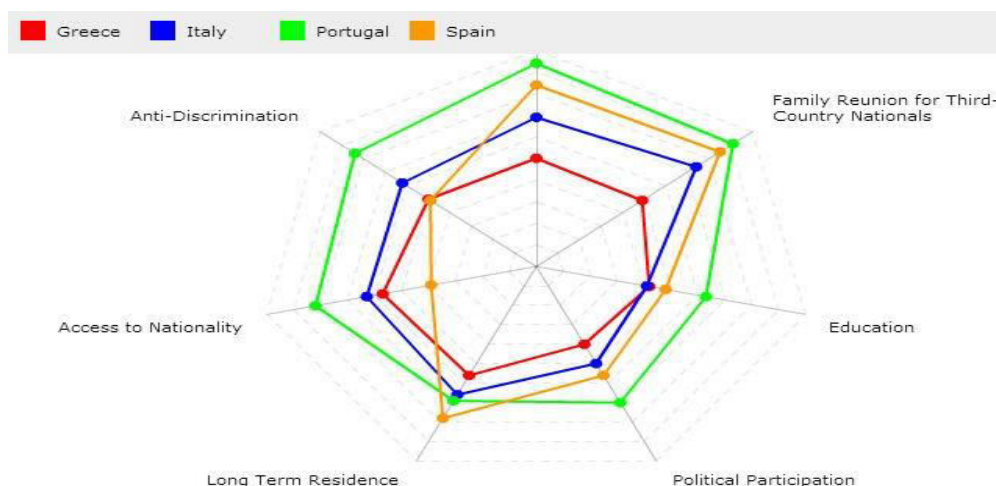


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Figure 6 – MIPEX III Indicators in 2011



For instance, comparing with countries whose late economic, social and migration history has been quite similar to the Portuguese, like Spain, Greece, or even Italy, Portugal achieved distinctive outcomes. As figure 5 and 6 point out, despite the long-term residence indicator in 2007 and, with less extent after the abovementioned 2007 immigration law updates, in 2011, Portuguese integration of immigrants was considered to be much more inclusive. The consecutive changes on legislation not only reinforced the political will and commitment but also resulted in effective improvements of the Portuguese immigrant's integration policy.

Since the definition of family and of the labor rights were expanded, Portuguese

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“Labor Market Mobility” and “Family Reunion for Third-Country Nationals” indicators achieved higher standards than those registered in 2007. One might say that while Spain provides basic rights and residence security in order to comply with EU directives in what relates with family reunion, Portugal try to set income or housing requirements based on what all residents are expected to meet, which makes sense in a country that allows to the foreigners the same rights as to the residents. Italy, on its side, assimilates non-EU workers on its labor-market ignoring their specific situation in it. Greece is the weakest of all four countries is this aspect. Alongside with providing non-EU residents unfavorable access to employment, Greece does little to address their specific job situation, there discouraging integration by keeping more family members apart for longer.

Portuguese “Education” indicator performs best comparing to the “new countries” of immigration. On the other three countries, all children, regardless of status, have favorable access to schools, but only in Portugal and Spain the education is intercultural. Thirteen years after its creation, the Choices Program – *Escolhas* Program, is nationally and internationally recognized as one of the most efficient and effective public policies in promoting the social inclusion of children and youth at risk, involving 780 partners and 81,695 beneficiaries.

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	2007				2010			
	Greece	Italy	Portugal	Spain	Greece	Italy	Portugal	Spain
OVERALL SCORE (WITH EDUCATION)	40	65	76	62	49	60	79	63
OVERALL SCORE (WITHOUT EDUCATION)	40	65	76	62	50	64	81	65
LABOUR MARKET MOBILITY	45	69	80	79	50	69	94	84
FAMILY REUNION FOR THIRD-COUNTRY NATIONALS	47	78	89	76	49	74	91	85
EDUCATION	N/A	N/A	N/A	N/A	42	41	63	48
POLITICAL PARTICIPATION	25	50	69	56	40	50	70	56
LONG TERM RESIDENCE	56	69	55	72	56	66	69	78
ACCESS TO NATIONALITY	18	65	82	39	57	63	82	39
ANTI-DISCRIMINATION	50	62	84	49	50	62	84	49

As for the “Political Participation”, in Portugal foreigners can stand as political candidates in municipal elections and vote in national ones. Italy and Spain remained almost with the same results on this indicator, reminding the need of constitutional changes in order to create more favorable frameworks in order to allow non-EU citizens to vote in local elections like EU citizens can (Italy), or to agree with immigrant representatives to lead and to be directly elected (Spain).

Furthermore, looking at the graphic above, it goes without saying that Portugal and Spain are offering to their “Long-Term Residents” better protection against deportation than Greece and Italy do. Geopolitical immigration emerges as an important cause for this discrepancy since it is becoming more and more difficult to

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fight illegal immigration in these countries while at the same time developing reasonable long-term residence measures. Especially for Greece, it is necessary to reduce the prerequisites to gain long-term residence like fees, basic income or language knowledge, while in Italy the number of categories of legal immigrants that are currently excluded should be reviewed.

Regarding “Access to Nationality”, all the countries improved their indicators, especially Greece, who had the 3rd weakest Access to Nationality rate. For this reason, new procedures for newcomers and Greek-born children to access nationality were developed. Spain, on his side, has the worst path to citizenship for all newcomers and descendants of all major countries of immigration, unlike reforming countries Greece and also Portugal who had to adapt to the new limits imposed by the economic crisis, either for indicators like access to nationality or to family reunion. In Portugal, favorable conditions once reserved for people from Portuguese-speaking countries were opened to all residents speaking basic Portuguese.

On the “Anti-Discrimination” indicator, Portuguese anti-discrimination laws are the strongest ones in Southern Europe although less effective than in other leading countries. In Portugal, potential victims have more difficulties to bring up cases and to get decisions and sanctions. In addition, Portugal was not that successful on implementing productive measures in areas like racism and discrimination while Spain is less prepared to fight discrimination. Whereas some EU standards to protect victims of ethnic, racial and religious discrimination are fulfilled, access to justice may be denied (Italy); nationality/citizenship discrimination is not explicitly prohibited in law (Greece); or equality bodies cannot represent victims in all proceedings (Portugal).

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Conclusion

Portugal integration of immigrant's policy may be described as a case of success. Although currently facing difficult challenges – when confronted with the most recent framework revealed by the EU – the forecast is encouraging. Having in mind that only very recently it became an immigration country, Portugal quickly understood the value of the immigrant. The country's achievement mainly derives from the firm political commitment on developing policy measures matters. As we could see when we compared the country results on MIPEX III with other Southern Europe countries whose late history is similar, Portugal leads in all indicators.

Despite some progresses previously achieved, the year 2002 is the landmark of the Portuguese integration of immigrant's policy. With a theoretical change towards a more inclusive and streamlined concept of integration, Portugal rasped the dissonant aspects of its integration policy and opened the course to develop an increasing and holistic approach between all stakeholders. Moreover, by launching the first Action Plan in 2007, not only the theoretical but also the practical guidelines were established, so that the aspired intercultural approach that came out from this modifications could be materialized by practical requirements consistent with the reality of those immigrating to Portugal. Notwithstanding, important issues continue to require improvement and further attention. For instance, qualifications recognition and competences certification are still important flaws. This fact is correlated with what is described as “brain-waste” because of the immigrants' difficulties to enter on the specific labor sectors for which they are qualified to work.

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