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**The ImPol Database: A New Tool to Measure
Immigration Policies in France, Italy and Spain since
the 1960s**

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INTRODUCTION

In this Working Paper we present a new database (ImPol) containing information that allows for the construction of quantitative indicators to measure the entry dimension of immigration policies that are comparable over time and across countries. The main goal of the paper is to document the dataset and to explain each of the steps we took in order to convert the qualitative information contained in various legal texts dealing with admission policies into quantitative data. The chosen approach, which relies on legal texts (policy inputs) rather than on policy outputs such as the number of visa applications¹, also represents a contribution to the methodological discussion about challenges in constructing policy measures that has already received considerable attention in the area of measuring migrant integration policies (e.g., Migration Integration Policy Index (MIPEX); Citizenship Rights (Koopmans et al., 2012); the Support and Opposition to Migration (SOM) project). There have also been previous efforts in the area of immigration policies. The work on the ImPol database builds on Mayda and Patel (2004) and Ortega and Peri (2009) who collected information on a limited number of laws for 14 OECD countries covering the period 1980 to 2005. While changes over time can be analysed with these indicators, policy restrictiveness cannot be compared across countries, and only major changes in laws were considered. More recently, a large-scale project based on the analysis of legal texts, the “International Migration Policy and Law Analysis” (IMPALA) database project, has been initiated by a consortium of universities. It is currently still in the pilot phase.

The ImPol dataset was originally conceived as a tool to complement the individual survey data collection carried out in the context of the MAFE-Senegal Project. For this reason, the information collected so far is limited to France, Italy, and Spain, which are the main destinations of Senegalese migrants in Europe, and focuses predominantly on the period from the 1960s until 2008. The legal texts consulted reflect the general policy regime in the three European countries and are hence of use for analyses addressing questions about immigration from a variety of origin countries. In addition, we collected texts (bilateral agreements) addressing the specific case of the Senegalese. The type of information contained in the ImPol dataset can be used for a wide range of both contextual and statistical analyses. In addition, the dataset largely remains as work in progress, since both new indicators and new destination countries can be added to the existing one.

The paper is organized as follows. Section 2 describes the data collection and main sources used; Section 3 lists the indicators included in the dataset and the reasons underlying their selection; Section 4 explains how we converted qualitative information in the consulted legal texts into quantitative indicators, dealing with issues of categorical scaling and coding. Section 5 provides examples for aggregation of individual indicators into variables capturing

¹ As this Working Paper focuses on providing technical information on the construction of the ImPol dataset, it does not discuss conceptual and methodological advantages and disadvantages of using legal texts for measurement of policies. However, this issue has already been discussed in detail in other works (e.g. Czaika and de Haas, 2011; Cornelius and Rosenblum, 2005; Mezger Kveder, 2012).

a selected dimension of immigration policies and presents some illustrative descriptive graphs. A multivariate application to the MAFE-Senegal data is discussed in Section 6. Both the descriptive and the multivariate examples have the purpose of illustrating the methodology employed and do not aim to provide an exhaustive analysis of the evolution of immigration policies or of the role of policies in determining first departures abroad. Finally, Section 7 examines the multiple methodological challenges involved in this type of exercise, with particular attention to the need to adapt the selection of the relevant indicators and the definition of the score thresholds to the specific subject of analysis.

DATA SOURCES AND DATA COLLECTION

Legal texts considered include international treaties, laws, decrees, circulars, instructions, and judgments dealing with the entry of foreigners into any of our three destination countries in Europe (France, Italy and Spain). We concentrated on national policies. European Union directives were considered when, and in the form, ratified by the member country. The data collected reflect the general legal conditions of entry into France, Spain and Italy. Moreover, given the focus of the MAFE-Senegal survey on Senegalese migration, conditions and requirements specific to Senegal on the basis of bilateral agreements were taken into account whenever applicable and to the best of our knowledge.

Texts were collected through different channels. More recent legal texts are generally accessible online. Moreover, libraries and archives were consulted, and experts were contacted to obtain information on specific aspects of policies and, especially, to get access to older legal texts. The data collection process for the current version of the database lasted from February 2011 to March 2012, and the lengthiness reflects our aim to use primary text sources instead of secondary references often providing only a selective overview of specific laws. Annex A includes a list of legal texts consulted by country, and main sources and data collection procedures per country are summarized in the following paragraphs.

France

Laws on immigration were introduced in France immediately after the end of World War II. The key text is the Ordonnance n. 45-2658 of 02/11/1945 on the entry and stay of foreigners in France, which was modified numerous times until being replaced in 2004 by the Code on entry and stay of foreigners and on asylum rights (Code de l'entrée et du séjour des étrangers et du droit d'asile, CESEDA). Given the long history of immigration and immigration legislation, documentation is extensive. Most relevant texts could be accessed via the "Légifrance" website, where initial as well as consolidated versions of texts published in the Official Gazette² from years as early as 1945 are available in digital form, including many ministerial circulars. For selected indicators related to residence, legal texts consulted also concern labour law and social security law. Given the colonial history between France and

² Legislative and regulatory texts are published in the "Journal officiel de la République Française", the Official Gazette. When no date is specified, the text enters into force the day after publication in the Official Gazette.

Senegal, moreover, it was important to account for bilateral agreements regarding conditions for entry and stay. Additional sources were the “Groupe d'information et de soutien des immigrés (gisti)”, in particular for the retrieval of information on bilateral agreements and judgements by the Council of State, and for secondary documents on policies the “Centre d'information et d'études sur les migrations internationales (CIEMI)”, and the association “Comité Inter-Mouvements Auprès Des Evacués” CIMADE. Moreover, a series of ministerial circulars not distributed on “Légifrance” and relevant secondary sources concerning the condition of entry for studies and the access of foreign students to the labour market in the 1970s and 1980s were provided to us by Serge Slama, lecturer of public law (Université Paris Ouest Nanterre and Université d'Evry). Table 1 provides an outline of types of legal texts and their rank in the legislative and regulatory hierarchy in the case of France, as well as examples of texts in the area of immigration.

Table 1: Types of legal texts in France and examples in the field of immigration policy

Type of norm	What is it?	Examples in the area of immigration
Normes constitutionnelles	Preamble and Articles of Constitution; Declaration of the Rights of Man and of the Citizen (1789) has constitutional value	Constitutional norms are relevant in the area of immigration, in particular with regard to human rights
Normes internationales	Arise from international commitments and introduced in domestic law; Includes legislation created by international organizations and the EU.	For instance, International Covenant on Economic, Social and Cultural Rights that France ratified in 1980, but with the following declaration/reservation: “[...](2) The Government of the Republic declares that articles 6, 9, 11 and 13 are not to be interpreted as derogating from provisions governing the access of aliens to employment or as establishing residence requirements for the allocation of certain social benefits. [...]”
Loi	Laws are adopted by the parliament. They “fix rules” and “determine fundamental principles” and impose themselves on regulatory norms	Laws implementing major changes to the legislative part of the Ordonnance 45-2658 include, for instance, the loi 81-973 du 29 octobre 1981 (Questiaux); loi 84-622 du 17 juillet 1984 (Dufoix) ; loi 86-1025 du 09 septembre 1986 (Pasqua) ; loi 89-548 du 02 aout 1989 (Joxe) etc. Informally, laws are often referred to by the name of a minister.
Ordonnance	According to Art.38 of the Constitution from 1958, the government can ask the Parliament to take during a fixed period, by means of “ordonnances”, measures that are usually in the domain of laws. They expire if not ratified within a fixed period of time. However, “ordonnances” that have been passed by the provisional government of the Republic between 1944 and 1946 have force of law.	Ordonnance 45-2658 du 2 novembre 1945 “Relative à l'entrée et au séjour des étrangers en France” and Ordonnance n° 2004-1248 du 24 novembre 2004 “Relative à la partie législative du code de l'entrée et du séjour des étrangers et du droit d'asile” represent the basis of French immigration legislation.

Convention bilatérale/accord bilatéral	Established between governments of two countries; published by decree in Official Journal	For instance : 21 janvier 1964, Convention entre la France et le Sénégal sur la circulation des personnes established specific conditions for admission of Senegalese in France and French in Senegal; 29 mars 1974, Convention d'établissement, France et Sénégal established conditions of settlement.
Code	By codification, laws in one subject area are regrouped to form a legal code.	For instance, Code de l'entrée et du séjour des étrangers et du droit d'asile.
Décret	Regulative orders issued by the government (signed by president; prime minister, depending on the type of decree); many decrees are so called "décret en Conseil d'Etat" (Art.37 of the constitution) that had to be submitted previously to the Council of State.	Important decrees include: Décret 76-383 du 29 avril 1976 introduced legal protection for family reunification; Décret 82-442 du 27 mai 1982 introduced the housing certificate as document for entry for short stays; Décret n° 2005-253 du 17 mars 2005 fixed family reunification procedures; or Décret n° 2006-1378 du 14 novembre 2006 established the regulatory part of the CESEDA (Code de l'entrée et du séjour des étrangers et du droit d'asile)
Arrêtés	Decisions taken by ministers in areas of their competence	Immigrant categories exempted from the "employment situation" clause are defined in "arrêtés" , e.g. Arrêté du 29 février 1976
Circulaire	Communications to expose the principles of a policy and comment/orientate the application of laws and regulations. They constitute a guideline for those whose responsibilities include the implementation of the law, such as border administrations or town officials, but have in principle no regulatory power	For instance, Circulaire 47-18 du 20 janvier 1947 explains in detail procedures for the introduction, reception, and settlement of immigrants and their families; or Circulaire 2000-114 du 28 février 2000 explains new procedures in the area of family reunification introduced by the law 98-349 du 11 mai 1998.

Source: <http://www.legifrance.gouv.fr/Droit-francais/Guide-de-legistique/I.-Conception-des-textes/1.3.-Hierarchie-des-normes>; ImPol database

Italy

The access to Italian legal documents was less straightforward, mainly due to the fact that immigration legislation before the 1990s is extremely fragmentary. Having been a country characterised by strong net emigration in the decades after the Second World War, the legislative framework was very slow to adapt to increases in immigration and the transition to net immigration in the 1970s. The relevant early laws date from fascist times and are mainly concerned with public security (Testo unico delle norme di pubblica sicurezza, r.d. n.773 from 18/06/1931; with regulations in r.d. 635 of 06/05/1940). While the need for an overhaul and extension of policies became evident early on, no law on immigration was passed until 1986 (Legge n. 943 of 30/12/1986). Even this law was very limited in scope, as it only

concerned workers, and focused in addition on the regularisation of foreigners already present in Italy. During the almost five decades between the two laws, Italian legal norms³ on entry were defined in a series of administrative circulars. This practice was widely criticised (e.g. Ricci, 1986; Calamia, 1980), as such documents should only explain the implementation of a law. They should not extend the law by defining new rules and standards, as it occurred in the Italian case. Moreover, the circulars were, until recently, considered to be internal documents and as such not easily accessible by the public. This was in particular the case for the so called “circulari riservate”, which were the most important and comprehensive texts with regard to the legal norms on entry and stay of foreigners in Italy. Visits to the libraries of the Ministry of Foreign Affairs, the Ministry of Labour as well as of the Chamber of Deputies and the Senate in Rome were necessary in order to access at least the most important texts. Of particular assistance was the book by Nascimbene (1988), which is out of print and available only in few libraries, as the author reproduced selected legal texts from the 1960s to 1980s in the Annex. During the visit to Rome, we also met with Sergio Briguglio, who maintains a comprehensive archive of documents on Italian immigration policy since the mid 1990s⁴, to discuss the sources and interpretation of more recent legislative texts. We were also able to access more recent legal texts via websites of various public institutions (Italian parliament, Official Journal, Ministries of Foreign Affairs and the Interior, Chamber of Deputies/Senate), universities (infoleges) and civil society associations (e.g. Associazione per gli Studi Giuridici sull’Immigrazione, ASGI). Table provides an outline of types of legal texts and their rank in the legislative and regulative hierarchy in the case of Italy, as well as examples of texts in the area of immigration.

Table 2: Types of legal texts in Italy and examples in the field of immigration policy

Type of norm	What is it?	Examples in the area of immigration
Convenzioni internazionali	International treaties and conventions	ILO Convention 143; Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (Entry into force: 09 Dec 1978; ratified by Italy on 10 April 1981)
Legge	Adopted by the parliament and promulgated by the President of the Republic	28 febbraio 1990, n. 39, Conversione in legge, con modificazioni, del decreto-legge 30 dicembre 1989, n. 416, recante norme urgenti in materia di asilo politico, di ingresso e soggiorno dei cittadini extracomunitari e di regolarizzazione dei cittadini extracomunitari ed apolidi già presenti nel territorio dello Stato. Disposizioni in materia di asilo.
Testo unico	Collection of various legislative texts dealing with the same matter with the aim of simplifying the	25 luglio 1998 , n. 286; Testo unico delle disposizioni concernenti la disciplina dell'immigrazione e norme sulla condizione dello straniero

³ We use the term “legal norm” as determining the rights and duties of subjects of legal relations; legal norms are encompassing rules, standards and principles.

⁴ For more information, see <http://www.stranieriinitalia.it/briguglio/immigrazione-e-asilo/>, last visited on 02/04/2012.

	reading of the legislation	
Decreto Legislativo	Adopted by the government on the basis of a “delegation law”; has force of law	25 luglio 1998 , n. 286, Testo unico delle disposizioni concernenti la disciplina dell'immigrazione e norme sulla condizione dello straniero
Decreto Legge	Adopted by the government/council of ministers and signed by the president in cases of urgency/necessity; enters in force immediately but has to be converted into law within 60 days	30 dicembre 1989, 416, Norme urgenti in materia di asilo politico, di ingresso e soggiorno dei cittadini extracomunitari e di regolarizzazione dei cittadini extracomunitari ed apolidi già presenti nel territorio dello Stato”
Regio Decreto	Decrees passed during the Kingdom of Italy, some of which remain in force	18 giugno 1931, n. 773, Approvazione del testo unico delle leggi di pubblica sicurezza
Decreto del Presidente della Repubblica	Decree issued by president after deliberation by the Council of Ministers that passes subsidiary legislation, e.g. the Testi Unici	31 agosto 1999, n. 394, Regolamento di attuazione del testo unico delle disposizioni concernenti la disciplina dell'immigrazione e norme sulla condizione dello straniero
Decreto del Presidente del Consiglio dei Ministri	Decree enacted by the prime minister	30 ottobre 2007, Programmazione transitoria dei flussi d'ingresso dei lavoratori extracomunitari non stagionali, nel territorio dello Stato, per l'anno 2007
Ordinanza del Presidente del Consiglio dei Ministri	Emergency measures passed by the prime minister	26 luglio 2011, n. 3955, Ulteriori disposizioni urgenti dirette a fronteggiare lo stato di emergenza umanitaria nel territorio nazionale in relazione all'eccezionale afflusso di cittadini appartenenti ai Paesi del Nord Africa
Direttiva ministeriale	Issued by ministry	Ministero dell’Interno 1 marzo 2000, Definizione dei mezzi di sussistenza per l'ingresso ed il soggiorno degli stranieri nel territorio dello Stato
Circolare (riservata)	Administrative texts issued by ministries, either to provide information on application of laws or as internal norms	Circolare riservata, Ministero degli Affari Esteri del 28 dicembre 1970, n.0007, Norme per l'ingresso, il soggiorno ed il transito degli stranieri in Italia

Sources: Lipari (2008), Consales and Laperuta (2011), ImPol database

Spain

Spain’s role as immigration country became increasingly apparent in the beginning of the 1990s. Similarly to the Italian case, immigration legislation at the rank of law did not exist before the end of the 1980s. The first Foreigners' Law (Ley de Extranjería) was approved in 1986 in the context of Spain’s admission to the European Community (Moreno Fuentes, 2004). Previous to that date, immigration was mainly regulated through decrees. More recent legislation (both laws and regulations) passed since are widely disseminated and easily accessible in the Official Journal (Boletín Oficial del Estado). In addition, the online dataset “iberlex” provides, apart from a digital copy of the texts, a detailed legal analysis of all

national, regional and EU legal norms published in Official Journals since 1960, 1980 and 1952, respectively. “Iberlex” also gives the exact legal reference of legal norms passed prior to these dates, if they were modified or derogated by more recent legal norms included in the dataset. Accordingly, some paper copies of the relevant texts were obtained from Law School libraries. By following this procedure, we were able to retrieve the texts of relevant laws and decrees over the entire period of interest; in addition, some ministerial circulars were also located through this procedure. The section of the REICAZ (Real e Ilustre Colegio de Abogados de Zaragoza) website devoted to legislation on immigration in Spain and the website “migrarconderechos” sponsored by the University of León, were also systematically consulted to fill in some gaps and improve our understanding of the practical implications of legal norms for the entry of foreigners into the country. Unlike the French case, Senegalese nationals have not had a differentiated treatment via bilateral agreements, as we were able to confirm through contacts with key informants working at the Spanish Immigration Department.⁵ Table provides an outline of types of legal texts and their rank in the legislative and regulative hierarchy in the case of Spain, as well as examples of texts in the area of immigration.

Table 3: Types of legal texts in Spain and examples in the field of immigration policy

Type of norm	What is it?	Examples in the area of immigration
Tratados Internacionales en materia de derechos y libertades fundamentales	<p>“Provisions relating to the fundamental rights and liberties recognized by the Constitution shall be construed in conformity with the Universal Declaration of Human Rights and international treaties and agreements thereon ratified by Spain.” (art. 10.2 Spanish Constitution)</p> <p>This constitutional paragraph strongly conditioned some aspects of the immigration laws and their application in Spain, as clearly illustrated by several judgments related to family reunification in periods when an individual’s right to reunify was still not explicitly granted to foreigners in Spanish legislation.</p>	<p>ARTICLE 8 European Convention of Human Rights. Right to respect for private and family life</p> <ol style="list-style-type: none"> 1. Everyone has the right to respect for his private and family life, his home and his correspondence. 2. There shall be no interference by a public authority with the exercise of this right except
Constitución Española	Approved on Oct 31th, 1978, and voted by the Spanish people in a referendum on Dec. 6th 1978	Art. 13.1. Los extranjeros gozarán en España de las libertades públicas que garantiza el presente Título en los términos que establezcan los Tratados y la Ley
Tratados Internacionales	According to the Constitution “International treaties concluded in a valid manner shall be part of the internal legal system once officially	Acuerdo Marco de cooperación entre el Reino de España y la República de Senegal. Firmado el 10 de octubre de 2006. Entra en vigor el 24 Junio 2008.

⁵ A recent exception is the bilateral readmission agreement that was signed in 2006 and came into force in 2009.

	published in Spain” (art. 96.1)	
Ley Orgánica	According to the Spanish Constitution, fundamental rights and public liberties have to be regulated by “ley orgánica”, which requires a special procedure to be passed and modified (absolute majority vote in Congress over the entire final legal draft)	Ley Orgánica 7/1985, de 1 de Julio, sobre derechos y libertades de los extranjeros en España
Ley Ordinaria	Ley ordinaria can be approved by simple majority and regulates issues not reserved to “ley organica”	Ley 29/1968, de 20 de junio, modificando las exacciones por expedición de permisos de trabajo a súbditos extranjeros
Norms adopted by members of the executive (commonly called “normas de rango reglamentario” or “reglamentos”		
Real Decreto-Ley (Often used by Governments with absolute majority in Congress to regulate issues for which there was no sign of urgency)	Adopted by the government/council of ministers in cases of urgency/necessity; it enters in force immediately but has to be converted into law within 30 days. If validated by Congress, it will keep its name and its legal rank-order; if not, it will become ineffective immediately. However, it has valid effects during the time it is in force.	Real Decreto-ley 4/2008, de 19 de septiembre, sobre abono acumulado y de forma anticipada de la prestación contributiva por desempleo a trabajadores extranjeros no comunitarios que retornen voluntariamente a sus países de origen
Real Decreto Legislativo	Adopted by the government on the basis of a “delegation law”; has force of law. It does not require situations of extraordinary need and urgency	None
Real Decreto	Norms to develop, clarify and make possible the practical application of the content of the law	Real Decreto 1119/1986, de 26 de mayo, por el que se aprueba el Reglamento de ejecución de la Ley Orgánica 7/1985, de 7 de julio, sobre derechos y libertades de los extranjeros en España
Órdenes Ministeriales	Administrative texts issued by ministries on issues within competences of their ministry	Orden de 22 de febrero de 1989 sobre Medios Económicos cuya posesión habrán de acreditar los Extranjeros para poder efectuar su entrada en España
Resolución	Administrative texts issued by authorities below the Minister on issues within competences of their ministry	Resolución de 18 Febrero de 1994. de la Subsecretaría, por la que se dispone la publicación del Acuerdo del Consejo de Ministros de 12 Noviembre de 1993 sobre tramitación de visados para la reagrupación familiar de extranjeros no nacionales de Estados miembros de la UE
Instrucción	Administrative texts issued by authorities below the Minister on issues within competences of their ministry	Instrucciones por el que se regulan los procedimientos de contratación y se fija el número y las características de las ofertas de empleo que se ofrecen para el año 2003 a extranjeros residentes legales en España y a extranjeros que no se hallen ni sean residentes en ella
Circular	Communications containing binding instructions and criteria sent by	Circular 7/1994, de 28 de julio, de la Secretaría de Estado de Interior, sobre

	superior to subordinates. Cannot contradict laws and instructions. Their content remains binding until new and/or contradictory instructions/criteria become effective	exenciones de visado para la obtención de permisos o tarjetas para permanecer en Territorio Español
Oficios	Documents aimed at communicating legal norms, requests, reports, etc.	Oficio de 24 de Octubre de 2006 sobre la capacidad de las empresas de trabajo temporal para presentar solicitudes de autorización de residencia y de trabajo por cuenta ajena a favor de trabajadores extranjeros

Sources: ImPol database

The diversity of immigration and immigration legislation histories of the three countries implies that the legal rank-order of texts used in the database is not identical over all years and across countries, as can be seen from comparison of Table 1, Table 2, Table 3. Circulars and decrees were often the only source for Italy and Spain, respectively, before the end of the 1980s, while laws and ordinances existed for the case of France at that time. In addition, particular types of legal norms were more frequently used in some countries than others. For example, in the Italian case it has been common to recur to Decreto-Legge as a short-cut procedure to regulate different aspects of immigration without going through parliamentary debates; in contrast, the equivalent Decreto-Ley was hardly used in Spain. Besides, bilateral agreements introducing a different treatment for Senegalese migrants were much more common in France than in the other two countries.

An additional difficulty that derives from comparing legal text over a long period of time has to do with modifications in the rank-order between different types of legal norms. The promulgation of constitutional texts and the signature of international agreements progressively interrupted the application of immigration rules previously in force. Moreover, in some cases court decisions annulled immigration rules that were judged unconstitutional or approved breaking the due procedure. All these type of circumstances were considered when constructing the database.

INDICATORS INCLUDED IN THE DATABASE

Indicators selected reflect the main legal channels of entry: entry for short-term stays; family reunification/marriage with a national; studies; and work. Moreover, we consider undocumented migration as an alternative strategy to the four legal channels mentioned. Asylum as separate channel was not considered, due to its limited relevance in the case of Senegalese migration.

For each broad policy area, we identified subgroups of indicators reflecting the conditions of entry. For legal entry channels these relate to the stipulated requirements. For entry for short stays, requirements are defined in terms of documents (passport, visa), economic resources, proof of adequate housing and health insurance, as well as some characteristics attached to these requirements. We consider, for instance, whether the proof of economic resources can be substituted through other means, in particular through invitations provided from nationals

or foreign residents in the country. In order to account to some extent for the discretion in visa procedures, an indicator reflecting the need for motivation of visa refusals is included in the database. Table 4 illustrates the type of information collected for the indicator “travel documents required for entry for short stays” in France for selected years.

Table 4: France, Travel documents required for entry for short stays (Senegalese case), list is not exhaustive

Legal document	Text citation
...	...
Convention relative à la circulation des personnes, 14 March 1964 ; Art.2	« Pour se rendre sur le territoire de la République française, les nationaux sénégalais, quel que soit le pays de leur résidence, doivent être en possession d’une carte nationale d’identité ou d’un passeport, même périmé depuis moins de cinq ans [...] »
Convention relative à la circulation des personnes, signed 29 March 1974, in force 1 September 1976, Art.2	« Pour se rendre sur le territoire de la République française les nationaux sénégalais, quel que soit le pays de leur résidence, doivent être en possession d’un passeport en cours de validité [...] »
Convention relative à la circulation et au séjour des personnes, signed 1 August 1995, in force 1 April 2002	« Les ressortissants français désireux de se rendre sur le territoire sénégalais et les ressortissants sénégalais désireux de se rendre sur le territoire français doivent être en possession d’un passeport en cours de validité revêtu du visa [...] »
Arrêté du 10 mai 2010, Art. 1	« Pour franchir les frontières du territoire européen de la France tout étranger doit être muni d’un document de voyage répondant aux critères définis à l’article 12 du règlement (CE) n° 810/2009 susvisé. [...] »
Règlement (CE) n° 810/2009, Art.12	« Le demandeur présente un document de voyage en cours de validité satisfaisant aux critères ci-après: a) sa durée de validité est supérieure d’au moins trois mois à la date à laquelle le demandeur a prévu de quitter le territoire des États membres [...] »

Source: ImPol database

Similar types of indicators are considered for entry through family reunification (economic resources, housing requirements). Moreover, family reunification is conditioned by the rules regarding the sponsor's residence duration and proofs of integration in the host country. A second set of indicators regarding family reunification reflect eligibility criteria, a third the conditions after arrival in terms of the type of permit, access to the labour market and consequences of being separated from the sponsoring spouse. These last indicators go at first sight beyond the notion of “entry”. However, family reunification has been considered in the political discourse as means of access to a different status, in particular work, and the indicators attempt to account for policy responses to this possibility. Similarly, we collect information on policies regulating residence permits through marriage to a national.

Table 5: Spain, Protection of family reunification, list is not exhaustive

Legal document	Text citation
Ley Orgánica 7/1985, de 1 de Julio, sobre derechos y libertades de los extranjeros en España	Art. 13, aptdo 3º: “El permiso de residencia se podrá conceder a los menores de dieciocho años y a los incapacitados. También podrá incluirse a unos y otros en el permiso correspondiente a la persona bajo

	cuya guarda se encuentren, si ésta así lo solicita”
REAL DECRETO 1119/1986, de 26 de mayo, por el que se aprueba el Reglamento de ejecución de la Ley Orgánica 7/1985, de 7 de julio, sobre derechos y libertades de los extranjeros en España	Art. 7.2: Podrán solicitar este visado por causa de reagrupación familiar: a) El cónyuge de español o de un extranjero residente en España. b) Los hijos menores de dieciocho años o mayores de edad, cuando dependan legal y económicamente de un español o de un extranjero residente en España. e) Los menores o incapacitados cuyo representante legal sea un español o un extranjero residente en España. d) Los extranjeros que sean ascendientes o descendientes de un español o de un extranjero residente en España. Los solicitantes deberán probar el grado de parentesco, así como la dependencia económica de los familiares o pupilos que pretendan reagrupar.
Vademécum administrativo que recoge normas reglamentarias para inmigrantes de enero de 1988	Se incluyen unas limitaciones no contempladas reglamentariamente y diferenciadas según la nacionalidad del solicitante, referidas al tiempo mínimo de residencia en España del reagrupante y la edad del reagrupado en determinados supuestos
Resolución de 15 de febrero de 1994 por la que se dictan Instrucciones generales y de procedimiento sobre la tramitación de visados para la reagrupación familiar de inmigratoria	Establece potenciales beneficiarios de visados de reagrupación familiar, requisitos y documentación necesaria y procedimiento a seguir. Quirós (2006): Gobierno recurre al tercer punto de la Proposición no de Ley relativa a la situación de los extranjeros en España, aprobada el 9 de abril de 1991 por el Congreso de los Diputados, por el que se instaba al Gobierno a «desarrollar la utilización del visado como instrumento de orientación de la política, para justificar el tratamiento de la reagrupación desde una perspectiva de discrecionalidad administrativa, alejada todavía del reconocimiento como derecho, puesto que además en la Proposición no se menciona en ningún momento el derecho a la reagrupación familiar.
Real Decreto 155/1996, de 2 de febrero, por el que se aprueba el Reglamento de ejecución de la Ley Orgánica 7/1985.	Art. 23. 2. 2. Los visados de residencia para reagrupación familiar podrán ser concedidos, previo informe favorable de la autoridad gubernativa competente, a los Extranjeros que se encuentren en alguno de los supuestos contemplados en el art. 54 de este Reglamento y que lo soliciten para reagruparse con un familiar residente en España...
LEY ORGÁNICA 4/2000, de 11 de enero, sobre derechos y libertades de los extranjeros en España y su integración social	Art 16.1. Los extranjeros residentes tienen derecho a la vida en familia y a la intimidad familiar en la forma prevista en esta Ley Orgánica y de acuerdo con lo dispuesto en los Tratados internacionales suscritos por España. Art. 16. 2. Los familiares de los extranjeros que residan en España a quienes se refiere el artículo siguiente, tienen derecho a la situación de residencia en España para reagruparse con el residente.
Ley Orgánica 8/2000, de 22 de diciembre, de reforma de la Ley Orgánica 4/2000, de 11 de enero, sobre derechos y libertades de los extranjeros en España y su integración social	Art. 16. 2. Los extranjeros residentes en España tienen derecho a reagrupar con ellos a los familiares que se determinan en el artículo 17.
LEY ORGÁNICA 14/2003, de 20 de noviembre, de Reforma de la Ley orgánica 4/2000, de 11 de enero, sobre derechos y libertades de los extranjeros en España y su integración social, modificada por la Ley Orgánica 8/2000, de 22 de diciembre	Art. 17. 2. Los extranjeros que hubieran adquirido la residencia en virtud de una previa reagrupación podrán, a su vez, ejercer el derecho de reagrupación de sus propios familiares, siempre que cuenten ya con una autorización de residencia y trabajo obtenidas independientemente de la autorización del reagrupante y acrediten reunir los requisitos previstos en esta ley orgánica.

Source: ImPol database

Policies affecting salaried work immigration are captured, for the time being, by a single indicator. It reflects the entry mechanism for work, accounting for the existence of a complete stop in work immigration, national employment clauses, and quotas. Quotas are only considered as such for years in which they did not represent de facto regularisations, as was the case in Italy in the beginning of the 1990s.

Table 6: Spain, work immigration, list is not exhaustive

Legal document	Text citation
RD 1870/1968 de 14 de Agosto, por el que se regulan el empleo, régimen de trabajo y establecimiento de los extranjeros en España.	Artículo noveno.-No se concederán permisos de trabajo a extranjeros cuando algún español manifieste el deseo de ocupar el puesto solicitado y acredite ante el Organismo al que corresponde otorgar el permiso reunir la competencia precisa para su desempeño. Se considerará que no existen trabajadores nacionales aspirants al puesto si en el plazo de un mes, a contar de la fecha de solicitud, ningún español hubiera pretendido la adjudicación del mismo.
RD 1874/1978 por el que se regula la concesión y renovación de permisos de trabajo a extranjeros.	Artículo primero.-Los extranjeros que pretendan realizar en España una actividad lucrativa por cuenta propia o ajena deberán solicitar simultaneamente, ante el Gobierno Civil de la Provincia, el permiso de trabajo y el correspondiente permiso de permanencia o autorización de residencia, Artículo segundo.- [...] La tramitación del expediente por la Delegación Provincial se sujetará a lo dispuesto en el Decreto mil ochocientos setenta/ mil novecientos sesenta y ocho, de veintisiete de Julio...
Ley Orgánica 7/1985, de 1 de Julio, sobre derechos y libertades de los extranjeros en España	Artículo dieciocho. 1. Para la concesión y renovación del permiso de trabajo, se apreciaran las siguientes circunstancias: a. La existencia de trabajadores españoles en paro en la actividad que se proponga desempeñar el solicitante.
REAL DECRETO 1119/1986, de 26 de mayo, por el que se aprueba el Reglamento de ejecución de la Ley Orgánica 7/1985, de 7 de julio, sobre derechos y libertades de los extranjeros en España	Art. 37. Requisitos para la concesión y denegación de permisos. 4. La autoridad laboral denegará el permiso de trabajo: a) Cuando lo aconseje la situación nacional de empleo, a juicio de la autoridad laboral, a salvo de lo previsto en el artículo 38.

Source: ImPol database

The indicators capturing policies on student migration include, as in the cases of short stays and family reunification, entry requirements (admission procedure, economic resources, health insurance). The possibilities of gaining work experience during studies and of transitioning to a work permit after the study period are also examined. Table 7 provides extracts of legal texts collected for the indicator on access to work during studies.

Table 7: Italy, possibilities to work during studies, list is not exhaustive

Legal document	Text citation
Circolare 559/443/225388/2/4/6- 19/8/1985	“Si conferma che rimane preclusa agli studenti extra comunitari la possibilità di svolgere in Italia attività lavorativa retribuita.”
Legge 1986-943, Art.6(3)	“Gli studenti che frequentano gli istituti di istruzione italiani pubblici e privati, di ogni ordine e grado, possono richiedere l’autorizzazione a prestare attività lavorativa a tempo determinato, durante i loro studi, per un tempo non superiore alle cinquecento ore annuali. Essi vengono avviati al lavoro dopo i lavoratori extracomunitari già legalmente residenti in Italia e i lavoratori di cui alla lettera d) dell’art. 5.”
Legge 1990-39, Allegato 1	“é comunque abolito per gli studenti il limite delle cinquecento ore annuali previsto dal comma 3.”
Decreto 1999-394, Art. 14	“Il permesso di soggiorno per motivi di studio o formazione consente, per il periodo di validità dello stesso, l’esercizio di attività lavorative subordinate per un tempo non superiore a 20 ore settimanali, anche cumulabili per cinquantadue settimane, fermo restando il limite annuale di 1.040 ore.”

Source: ImPol database

For undocumented migration, we selected indicators which reflect the immediate consequences of having entered/stayed without appropriate documentation, in terms of the period of administrative retention, the existence of readmission agreements, and, on the other hand, possibilities to transit to the documented status through permanent or extraordinary regularisation programmes or mechanisms. Table 8 provides an extract from the citations used to code the indicator on the period of retention in the Italian case.

Table 8: Italy, period of temporary retention in case of expulsion or at entry (max. duration), list is not exhaustive

Legal document	Text citation
Legge 1990-30	Not mentioned
Legge 1998-40, Art.12(5)	La convalida comporta la permanenza nel centro per un periodo di complessivi venti giorni. Su richiesta del questore, il pretore può prorogare il termine sino a un massimo di ulteriori dieci giorni, qualora sia imminente l’eliminazione dell’impedimento all’espulsione o al respingimento. Anche prima di tale termine, il questore esegue l’espulsione o il respingimento non appena è possibile, dandone comunicazione senza ritardo al pretore.
Legge 2002-189, Art.13	La convalida comporta la permanenza nel centro per un periodo di complessivi trenta giorni. Qualora l’accertamento dell’identità e della nazionalità, ovvero l’acquisizione di documenti per il viaggio presenti gravi difficoltà, il giudice, su richiesta del questore, può prorogare il termine di ulteriori trenta giorni.
	...

Source: ImPol database

The selection of indicators has also been guided by the requirement of validity across time and for all three countries. While starting with a more extensive list of indicators, several were dropped from the database throughout the data collection exercise. An example of an indicator omitted because of lack of temporal validity is the eligibility of cohabitating partners

for family reunification. While this aspect may be important nowadays, the absence of this criterion from the laws in the 1960s and 1970s is likely to reflect the low importance of cohabitation at that time rather than a restrictive policy. Also, lack of comparability across countries has motivated, amongst others, the decision not to include in the final version the indicator for access to residence by being mother or father of a national child. This indicator is less meaningful in countries where citizenship law is mainly governed by the *ius sanguinis* - Spain and Italy. The choice of indicators thus reflects the common denominator of immigration policy across the three countries.

Moreover, the level of detail in the list of indicators represents an attempt to capture diverse and sometimes contrasting evolutions in policies, which do not become evident in an overall evaluation of a new law as in Ortega and Peri (2009). In one and the same law, there may be elements restricting, for instance, the entry for short stays, while introducing regularisations or creating more favourable conditions for family reunification. An example for this case is the administrative circular by the Italian ministry of labour in 1982 (14194/IR/A; 02/03/1982), which stopped labour immigration by prohibiting the provision of work authorisations to non-European Community foreigners still abroad, but implemented at the same time a regularisation programme for those already in the country.

As said in the introduction, the selection also reflects the decision to focus in this version of the database on indicators primarily related to entry. A range of indicators first included in the list, such as access to the welfare state for short- and long-term permit holders, political rights, access to citizenship, requirements for accessing long-term or permanent permits and grounds for withdrawal of such residence permits, were thus not considered.

The list of indicators included in the current ImPol version is reproduced in Annex B.

CATEGORICAL SCALING AND CODING OF INDICATORS

In order to quantify the qualitative information from the legal texts, we define for each indicator an ordinal scale reflecting the restrictiveness of the policy in a given year, with three options: more restrictive (-1), neutral (0), and less restrictive (1). The definition of thresholds enables us not only to capture changes in restrictiveness of the policy over time for a given country, but also to compare levels across the three countries.

An example is provided below with the indicator for economic resource conditions in the context of family reunification policy.

Table 9: Example of indicator scale

	-1 (more restrictive)	0 (neutral)	1 (less restrictive)
Economic resources requirement, family reunification	At least the level of the minimum social income or specific amount	More open conditions (adequate resources); Flexible way of considering the requirement proven	No requirement

Source: ImPol database

In attributing the scores, we considered all legal texts available and thus different ranks of legal norms. Sometimes, laws provide rather broad guidelines and specify that implementation will be detailed in a decree. Circulars, moreover, provide more information about application of decrees. In these cases, we based the score on the text providing most detail on implementation. For instance, in the case of the previous example on economic resources, we coded the indicator as -1 if a circular specified minimum social income as amount, even if the law referred to 'sufficient economic resources'.

Most indicators with a qualitative underlying concept have more simple “yes/no” thresholds, often only with two instead of the three levels. Similarly to the selection of indicators to include in the database, the definition of thresholds was an iterative process. Starting usually with a definition which was meaningful for a specific country at a specific point in time, we adjusted the scales subsequently to capture all policy options in place at any time during the period considered, in any of the three countries. Some of the thresholds had to be simplified in this process, while more policy options had to be added to others. The limitation to three categories sometimes restricts the extent to which variation can be measured. However, more detailed scales are difficult to assign over the entire period we are considering, as the complexity of policies generally increased over time. The approach implies that thresholds reflect the diversity in legal situation in the three countries over time, without being able to establish an absolute reference point as “most restrictive” or “least restrictive”.⁶ The definitions of thresholds which will be translated into changes in the coding of quantitative variables remain thus to a certain extent subjective decisions. However, levels and changes should still be captured if applied consistently over time and across countries.

Moreover, as explained above, we tried to identify indicators which are valid for most of the time from the 1960s to 2008. Nonetheless, some years remain for which no information on specific indicators is contained in the legal texts which we were able to access, for instance, on the consequences of separation from the sponsoring spouse on permit status for years before 1998 in Italy. The most likely case is that no specific policy existed, and the question is thus how to account for discretion in decisions. We have tried to reduce the likelihood of the possibility of incomplete information from our side through exchanges with experts and the analysis of secondary sources on the topics. For now, we identify such missing information with a specific code (NEE, not explicitly established). When using the data, analysts can decide to attribute to a situation of discretion a missing value or consider it as either the most restrictive or least restrictive situation.

PREPARATION FOR ANALYSIS: EXAMPLES OF AGGREGATION AND VARIABLE CONSTRUCTION

Procedures for aggregation of selected indicators for inclusion in quantitative descriptive or multivariate analysis depend on the research question and hypotheses and should be guided

⁶ The Migration Integration Policy Index (MIPEX), for instance, attempts to identify as reference for most equal treatment of migrants the “highest standards [...] from Council of Europe Conventions or European Union Directives” (see <http://www.mipex.eu/methodology>, last accessed 07/10/2012).

by the chosen theoretical framework. The following discussion illustrates several aggregation examples. These can be plotted to discuss aspects of the evolution of policy areas. In a second example (section 6), we include policy measures in a multivariate analysis.

Given the research question underlying the analysis of determinants of first departure, we aggregated a subset of 27 indicators from the ImPol database into five variables:

- Variable 1: Immigration policy concerning irregular entry/residence:
 - Subset 1: Readmission agreements signed/in force with Senegal; readmission agreements signed/in force with main transit countries; maximum duration of stay in administrative retention centres
 - Subset 2: Extraordinary regularisation (application process ongoing); permanent regularisation
- Variable 2: Short stay entry policy:
 - Subset 1: Tourist visa exemptions; motivation of visa refusals
 - Subset 2: Requirements: economic resources requirements; housing requirements; health insurance requirements
- Variable 3: Family reunification policy
 - Subset 1: Legal protection of family reunification
 - Subset 2: Requirements: Duration of residence requirement; economic resources requirements; housing requirements
 - Subset 3: Eligibility: eligibility for family members in the ascending line; prohibition in case of polygamy; sequential reunification possible
- Variable 4: Policies on entry for study
 - Subset 1: Requirements in terms of admission; economic resources; health insurance
- Variable 5: Work immigration policy
 - Subset 1: Restrictions to work immigration (-1: national employment clause; 0: list of occupations, true quotas⁷, or authorisation necessary previous to entry; 0: more open conditions).

The first version of the work immigration policy variable is based on a single indicator and takes only values 0 and -1. We also considered a second version of this variable, which has as second subset indicators on the access to the labour market of immigrants who entered the country through family reunification procedures or as students. These indicators are listed in the database under family reunification and studies respectively.

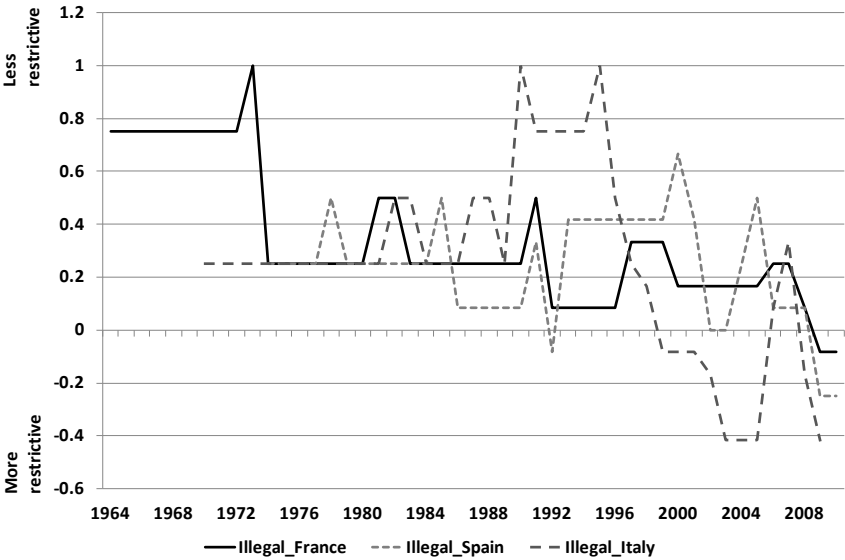
- Subset 2: access to the labour market for family members and students (during studies; after studies)

⁷ “True quotas” are defined in contrast to concealed regularisations, which would refer to years in which quotas are exhausted by individuals who are already in the country, not allowing for any new entries. This indicator thus takes into account to some extent the implementation characteristics.

The aggregation is made by first averaging indicators within each subset, and then across subsets, generating variables which can vary between -1 and 1. No further weights are applied in the process. Nonetheless, there is an implicit weighting given the varying number of indicators in each subset. Given the conceptual coherence of each subset, the current procedure seems appropriate. However, other aggregation methods including simple averages or explicit weights are possible and may impact considerably on the values obtained. It seems therefore preferable to disseminate this type of database without aggregated variables and to emphasise the need for a clear description of the method used in specific analyses.

Figure 1 to 6 plot the evolution of the five policy variables in France, Spain and Italy. Higher and positive scores on the y-axis reflect less restrictive policies, lower and negative scores reflect more restrictive policies.

Figure 1 : Immigration policy concerning irregular entry/residence



Source: ImPol-MAFE(SN) database, author’s data collection and computation

In all three countries, one can observe a tendency towards stricter policies with regard to irregular immigration over time (Figure 1). Still, there is considerable variation due to the different timing and extent of policies. Upward changes capture both extraordinary (one-off for a large group and with previously set application period) and permanent regularisation (ongoing, based on individual eligibility) procedures. France had its major extraordinary regularisation programmes in 1981/1982 and (with more targeted groups) in 1997/1998, and smaller ones in 1991 and 2006. A first extraordinary regularisation took place in 1973. At the same time, the previous habit of regularising immigrants on an individual basis once they were in France (“régularisation sur place”) was definitely made impossible. Spain (seven) and Italy (seven) passed considerably more large-scale extraordinary regularisations than France in the period considered. France and Spain have also been implementing permanent regularisation mechanisms at individual level, which have experienced variations regarding eligibility over time. Italy does not have such a mechanism. However, in certain years the flow decrees, which should specify quotas for entry, were effectively used to regularise

immigrants who were already in the country. Only France and Spain signed readmission agreements with Senegal, which were signed in 2006 and entered into force after the end of the observation period in 2009. In France, readmission agreements (with transit countries) were passed slightly later than in Spain and Italy. Moreover, while in France policies regarding retention centres started earlier (in the beginning of the 1980s), they have been less restrictive in terms of the maximum number of days irregular migrants can be detained (e.g. 32 days in France, 60 days in Spain, and 180 days in Italy in 2009).

Figure 2 : Short stay entry variable



Source: ImPol-MAFE(SN) database, author’s data collection and computation

The variable reflecting policies on entry for short stays shows, on the other hand, a clear downward pattern (Figure 2). Starting from a very open regime, reflected in visa exemptions for Senegalese in France (until 1986) and Italy (from 1966 until 1990), entry became increasingly difficult. Bit by bit, additional restrictions in terms of proofs of housing, economic resources, and health insurance requirements were introduced. The legislation regarding the non-motivation of visa refusals, which adds additional discretion to decisions taken by the destination country’s administration, also differs across the three countries, with a “no-motivation” rule in Spain for almost all years, and more variation for Italy and France.

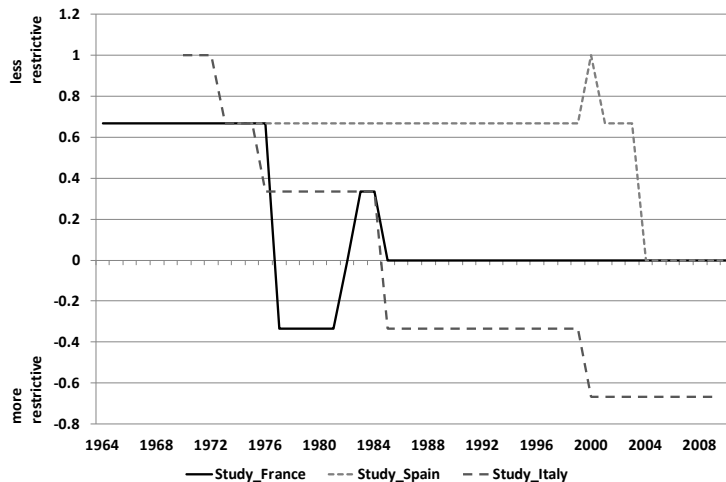
Figure 3 : Family reunification policy variable



Source: ImPol-MAFE(SN) database, author's data collection and computation

There is no such clear trend with regard to family reunification policies (Figure 3). The introduction of the right to family reunification in national law represented a positive change with regard to the years of no legal protection and limited possibilities of migrating as family member (in 1976 in France, 1986 in Italy and 1996 in Spain). The sharp fall in the 1970s in France is due to a temporary halt to family immigration. Spain and Italy have maintained more favourable eligibility criteria than France, for instance with regard to possibilities to sponsor relatives in the ascending line or bring family members at several instances rather than at once, which pushes their curves upwards. Also, requirements in terms of duration of stay of the sponsor are overall less restrictive in Italy than in Spain and France. In contrast, other requirements regarding economic resources and availability of housing compensate for this effect on the variable.

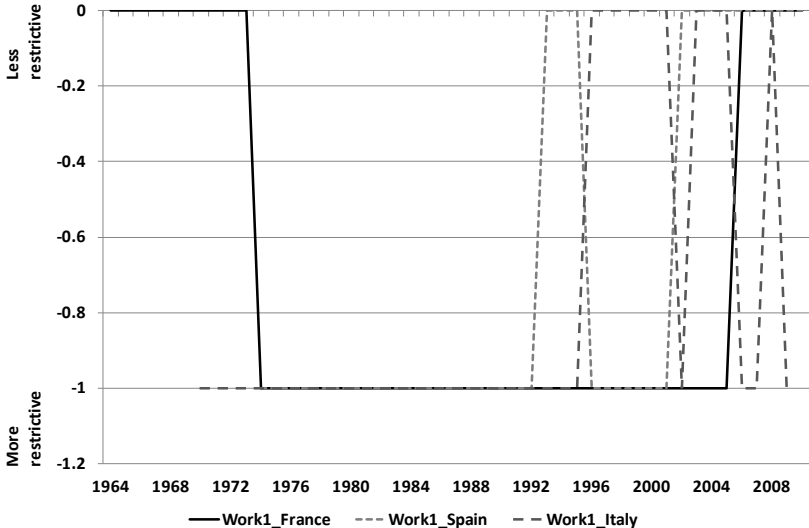
Figure 4: Policies on entry for studies



Source: ImPol-MAFE(SN) database, author's data collection and computation

Policies on requirements for entry to pursue university studies tightened in France in the end of the 1970s, with stricter controls of economic resources and a “pre-selection” procedure as part of the admission (Figure 4). With the change in government in the beginning of the 1980s, some of the restrictions were first relaxed, but again tightened after a few years. In the Italian case, more restrictive conditions were introduced along the entire observation period. There seems to have been less variation in the Spanish case. The change in 2004 reflects the introduction of a separate health insurance requirement.

Figure 5: Work immigration policy (version 1)

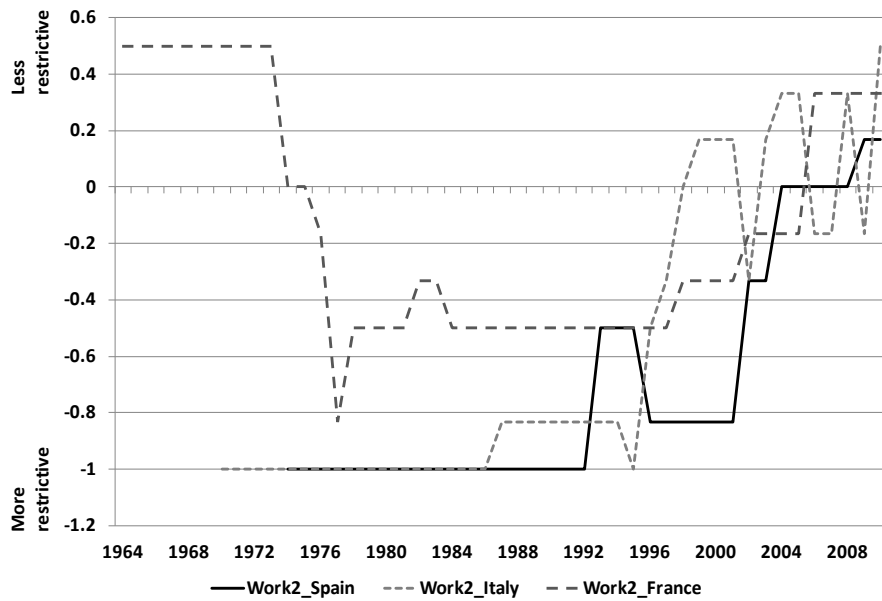


Source: ImPol-MAFE(SN) database, author’s data collection and computation

As said above, the first version of the work immigration policy variable is quite poor in terms of variation across countries and over time (Figure 4). The variation from -1 to 0 depicted for Spain and Italy reflect the years in which true quotas were established. France is characterised during most of the period by a policy accounting strictly for the national employment situation. Only more recently, a number of specific occupations have been excluded from this general treatment. A second version of the variable also incorporates information about the access of family members and students to the labour market, as well as on the possibility to change the status from student to worker (Figure 5).

The work immigration policy variable now shows considerably more variation, and, surprisingly, a positive tendency towards the end of the observation period. Work during studies was particularly restricted in all three countries in the mid-1980s to the mid/end-1990s, and policies became more favourable afterwards. Similarly, all three countries lived through periods when transition from a student permit to a work permit was prohibited. Although recently countries have again tried to limit these policies (such as France in 2011 with the Circulaire Guéant, 31 May 2011), there were periods when status change was, at least for certain groups, possible.

Figure 6: Work immigration policy (version 2)



Source: ImPol-MAFE(SN) database, author's data collection and computation

The construction of this variable illustrates how challenging it is to select the appropriate policy indicators relevant for the flow that is analysed, and how much the aggregate variable can vary. Integrating, for instance, also policies concerning seasonal work would further modify the aggregate variable.

EXAMPLE OF MULTIVARIATE ANALYSIS COMBINING DATA FROM IMPOL DATASET AND THE MAFE BIOGRAPHIC SURVEY

As we mentioned before, the type of information contained in the ImPol dataset can be used for a wide range of both contextual and statistical analyses. In this section, we illustrate with two empirical applications how we can (try to) measure the effect of changing admission policies on the probability to migrate from Senegal to France, Italy and Spain, by combining the aggregate policy variables we just described in the previous section and the individual micro-data from the MAFE biographical surveys in all these countries. The discussion aims to illustrate and to reflect on the results. The theoretical framework, relevant literature, and methods are discussed in detail in González-Ferrer et al. (2012).

Application 1: Determinants of first departure to Spain, France, or Italy

We examine how different factors, including age, gender, education, networks and policies, affect the probability of making a first (adult) trip from Senegal to France. Next we replicate the same basic multivariate model for the other two destinations in the MAFE-Senegal Survey, Italy and Spain. The results of these three time-discrete logit models are summarized in Table 10. The period of analysis ends in 2008 for the three models but starts in 1964 for France, in 1970 for Italy and 1974 for Spain.

Table 10. Time-discrete logit models of a first adult trip from Senegal to France, to Italy and to Spain

	FRANCE		ITALY		SPAIN	
	Odds Ratio	Std. Err.	Odds Ratio	Std. Err.	Odds Ratio	Std. Err.
Ref Less than 25						
25-35	0.75	0.16	1.32	0.32	0.84	0.25
35 & plus	0.42***	0.11	0.14***	0.05	0.26***	0.09
Female	0.79	0.14	0.15***	0.04	0.37***	0.09
Ref. Less than secondary						
Some secondary			1.18	0.29	1.83**	0.56
Ref. Primary or less						
Some secondary	3.39***	0.68				
Some tertiary	1.97**	0.65				
Ref. No						
Employed	0.83	0.16	0.90	0.20	1.41	0.46
Ref. Insufficient						
Suff. hh ec. resources	1.72***	0.33	0.76	0.21	0.63**	0.15
Ref. No network						
Migrant network at	12.24****	2.45	17.97***	4.02	14.61***	4.60
Short stay entry policy	1.43**	0.21	1.23	0.40	0.19**	0.13
Family Reunif. policy	1.34	0.37	1.89*	0.65	0.76	0.25
Work-related entry	0.40**	0.13	1.27	0.40	0.71	0.25
Irregular migration policy	4.25**	3.03	1.51	0.62	0.73	0.46
Study entry policy	1.75	0.68				
N° observ. (person-years)	28430		27641		26813	
Events	230		189		177	
Pseudo R2	0.17		0.2152		0.1852	

Source: MAFE-Senegal survey (2008). ***, **, *, denotes statistical significance at 0.1%, 1%, 5% and 10% respectively

As can be seen, according to these results, changes in admission policies for short stay over time have affected the probability of Senegalese to go to France in the expected direction: the more open this door of entry is, the more likely that migration took place. Similarly, in years when policy towards irregular migration was more lenient, the probability to migrate to France also increased. However, in years when entry to France for work-related reasons was easier, Senegalese people were less likely to migrate there. In the Italian case, the four variables measuring changes in immigration policy have the expected sign (the more open they were, the more likely for Senegalese to migrate to Italy), although only the one related to family-linked admissions is marginally significant. Finally, changes in policies regulating admission of foreigners to Spain seem to have had no significant impact on the individual propensity of Senegalese to migrate to this country, with the only exception of policies for short stays that displays a negative effect (the more open this policy, the less likely the Senegalese were to migrate to Spain). Although this and some other results may look a bit odd to the reader, it is important to emphasize two aspects here: first of all, policies do not necessarily have to display an effect on individual decisions to migrate (this is one of the first questions to be answered) and, secondly and most important, this is a very simple exploration that ignores some relevant elements like the potential cross-effect of the policies applied by neighbour countries/alternative destinations, which may be much more important in shaping the decision of Senegalese people about whether to migrate or not, and where to. A more complex set-up, considering jointly determinants of migration attempts and first departure

from Senegal to France, Spain or Italy, has been developed by Mezger Kveder (2012) and further applications, for instance to the case of family reunification, are currently being developed.

DISCUSSION AND FUTURE DEVELOPMENTS

The decision to provide an open database containing intermediate products (indicators and coded legal texts) instead of a numerical final index reflects our awareness of the multiple methodological decisions that need to be made in the process. The example provided in Section 5 on different ways to aggregate indicators measuring entry policies for work reasons clearly illustrates that selection of the relevant indicators and their aggregation must be adapted to each particular research question. There is no unique and fixed way of measuring one policy dimension. Thus, it is the researcher's responsibility to decide which indicators measure the relevant policy dimensions that would affect a particular outcome of interest. Also, as the multivariate application examples show, the construction of the variables as included in regression analyses often needs to be adjusted to the research question and the empirical approach.

In sum, the contribution of the ImPol database consists of providing researchers working in different areas a quite exhaustive catalogue of legal texts in the area of immigration over the last five decades in France, Italy and Spain. First of all, this systematized information can be used to guide qualitative analyses of legal texts in this area; secondly, it can also be a good base for descriptive analyses; and finally, it offers other researchers the possibility to create their own numerical indexes. These indexes can be based on the numerical coding provided in the current ImPol version but adjusting aggregation procedures to their own research needs. Moreover, researchers can also develop particular areas of the database further depending on the topic, the time period and the country they are focusing on. The developments could include:

1. Adding new indicators to enrich the current ImPol content, which seems particularly feasible when focusing on shorter and more recent periods of time. For instance, policies that differentiate entry requirements by migrants' skill levels might be incorporated.
2. Adapting the coding of the general case and the Senegalese case contained in the current version of ImPol to the specificities of policies applied to migrants from other countries of origin, by incorporating the information from additional bilateral and international agreements.
3. Replicating the existent structure for other receiving countries.
4. Extending the current number of indicators in order to better capture the individual expected return to migration. For instance, more indicators relating to the conditions of migrants' stay and their rights in the destination countries can be included.
5. Validating measures based on legal texts against output measurements of immigration policies such as amount of allocated budget to border control or border patrol stations, if they

are available. Similarly, changes in the policy discourses could be compared with changes suggested from the analysis of legal texts.

Finally, organizing the collected information in such a flexible and transparent way allows for integration of parts of the ImPol database with other ongoing projects in the area like International Immigration Policy and Law Analysis (IMPALA), the Social Reform Database collected by the Fondazione Rodolfo de Benedetti, or the Labour Migration Policy Index produced by Oxford Analytica for IOM.

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ANNEXES

A. List of legal texts

Table 11: French legal texts consulted

Year	Type	Date and Nr.	Title/Topic
1945	Ordonnance	45-2658 du 2 novembre 1945	Relative à l'entrée et au séjour des étrangers en France
1945	Ordonnance	45-2447 du 19 octobre 1945	Portant code de la nationalité française
1946	Décret	46-1574 du 30 juin 1946	Réglementant les conditions d'entrée et de séjour en France des étrangers
1947	Circulaire	47-18 du 20 janvier 1947	Introduction, accueil, implantation des immigrants et de leurs familles
1947	Circulaire	10 février 1947	Délivrance carte de séjour
1956	Décret	56-149 du 24 janvier 1956	Publication du code : code de la famille et de l'aide sociale
1960	Loi	60-752 du 28 juillet 1960	Modification du code de nationalité
1961	Loi	61-1408 du 22 décembre 1961	Modification du code de nationalité
1964	Convention	21 janvier 1964	Convention entre la France et le Sénégal sur la circulation des personnes
1968	Circulaire	29 juillet 1968	Relative à la régularisation de la situation des travailleurs étrangers immigrés
1971	Décret	71-376 du 13 mai 1971	Inscription des étudiants
1973	Loi	73-42 du 9 janvier 1973	Modification du code de nationalité
1974	Convention	29 mars 1974	Convention d'établissement, France et Sénégal
1974	Convention	29 mars 1974	Convention entre la France et le Sénégal sur la circulation des personnes
1974	Convention	29 mars 1974	Convention entre la France et le Sénégal sur la sécurité sociale
1974	Circulaire	9-74 du 5 juillet 1974	Stop immigration de travail
1974	Circulaire	30 novembre 1974	Conditions carte de séjour pour ressortissants de certains Etats d'Afrique noire entrés en France
1975	Décret	75-1088 du 21 novembre 1975	Relatif aux autorisations de travail
1976	Décret	76-56 du 21 janvier 1976	Relatif au séjour des étrangers en France
1976	Circulaire	76-3 du 24 février 1976	Autorisation provisoire de travail
1976	Arrêté	29 février 1976	Catégories d'étrangers auxquels la situation de l'emploi n'est pas opposable
1976	Décret	76-383 du 29 avril 1976	Relatifs aux conditions d'entrée et de séjour en France des membres des familles des étrangers autorisés à résider en France
1976	Arrêté	24 août 1976	Catégories d'étrangers auxquels la situation de l'emploi n'est pas opposable
1977	Arrêté	1 juillet 1977	Catégories d'étrangers auxquels la situation de l'emploi n'est pas opposable
1977	Décret	77-1239 du 10 novembre 1977	Suspendant provisoirement l'application des dispositions du décret 76-383
1977	Circulaire	77-524 du 12 dec 1977 (Bonnet)	Admission en France des étudiants étrangers

Year	Type	Date and Nr.	Title/Topic
1978	Arrêté	16 mars 1978	Catégories d'étrangers auxquels la situation de l'emploi n'est pas opposable
1978	Circulaire	78-213 du 30 mai 1978	Conditions d'entrée et de séjour en France des étrangers venant suivre des cours du second cycle de l'enseignement secondaire
1978	Conseil d'Etat	24 novembre 1978	Décision judiciaire de Conseil d'Etat, 24 novembre 1978
1979	Circulaire	79-3 du 12 mars 1979	Autorisation provisoire de travail
1979	Arrêté	22 mai 1979	Catégories d'étrangers auxquels la situation de l'emploi n'est pas opposable
1979	Arrêté	18 juillet 1979	Catégories d'étrangers auxquels la situation de l'emploi n'est pas opposable
1979	Décret	79-1214 du 31 dec 1979 (Imbert)	Inscription des étudiants
1980	Loi	80-9 du 10 janvier 1980 (Bonnet)	Prévention de l'immigration clandestine
1980	Circulaire	80-135 du 2 avril 1980 (Bonnet)	Admission en France des étudiants étrangers
1980	Circulaire	25 avril 1980 (Imbert)	Admission en France des étudiants étrangers
1980	Arrêté	10 juin 1980	Catégories d'étrangers auxquels la situation de l'emploi n'est pas opposable
1980	Accord	1er décembre 1980 (conv application 1987)	L'accord sur la formation en vue du retour et de l'insertion dans l'économie sénégalaise des travailleurs ayant émigré temporairement en France
1981	Arrêté	19 février 1981	Catégories d'étrangers auxquels la situation de l'emploi n'est pas opposable
1981	Circulaire	81-50 du 10 juillet 1981	Relative au regroupement des familles des travailleurs étrangers
1981	Circulaire	5 août 1981	Relative au contrôle de la circulation transfrontalière
1981	Arrêté	6 août 1981	Catégories d'étrangers auxquels la situation de l'emploi n'est pas opposable
1981	Circulaire	7 août 1981	Délivrance titre de séjour
1981	Circulaire	11 août 1981	Régularisation de la situation de certains étrangers
1981	Loi	81-941 du 17 octobre 1981	Relatives à l'emploi de travailleurs étrangers en situation irrégulière
1981	Loi	81-973 du 29 octobre 1981 (Questiaux)	Relative aux conditions d'entrée et de séjour des étrangers en France
1981	Décret	81-1221 du 31 décembre 1981	Accueil des étudiants étrangers
1982	Circulaire	82-001 du 4 janvier 1982	Relative à l'accueil des étudiants étrangers dans les universités
1982	Circulaire	82-41 du 5 mars 1982 (Grimaud)	Conditions d'entrée et de séjour en France des étudiants étrangers
1982	Circulaire	12 mars 1982	Relative à l'emploi de travailleurs étrangers en situation irrégulière
1982	Décret	82-442 du 27 mai 1982	Relative aux conditions d'entrée et de séjour des étrangers en France
1984	Arrêté	10 avril 1984	Relatif aux conditions d'entrée des étrangers sur le territoire
1984	Circulaire	84-246 du 16 juillet 1984	Modalités d'inscription des élèves étrangers
1984	Loi	84-622 du 17 juillet 1984 (Dufoix)	Relative aux étrangers séjournant en France et

Year	Type	Date and Nr.	Title/Topic
			aux titres uniques de travail et séjour
1984	Circulaire	84-250 du 17 sep 1984 (Joxe)	Conditions d'entrée et de séjour en France des étudiants étrangers
1984	Circulaire	84-394 du 8 oct 1984	Relative aux autorisations provisoires de travail délivrées aux étudiants étrangers
1984	Décret	84-1078 du 4 décembre 1984	Réglementant les conditions d'entrée et de séjour en France des étrangers
1984	Décret	84-1080 du 4 décembre 1984	Relatifs aux conditions d'entrée et de séjour en France des membres des familles des étrangers autorisés à résider en France
1984	Arrêté	14 décembre 1984	Catégories d'étrangers auxquels la situation de l'emploi n'est pas opposable
1984	Circulaire	84-24 du 21 décembre 1984	Relative aux titres uniques de séjour et travail
1984	Circulaire	84-337 du 31 décembre 1984	Conditions d'entrée et de séjour
1985	Circulaire	4 janvier 1985	Procédure d'introduction en France des membres de la famille des ressortissants étrangers
1985	Circulaire	85-196 du 1 aout 1985	Conditions d'entrée et de séjour en France des étudiants étrangers
1986	Loi	86-1025 du 09 septembre 1986 (Pasqua)	Relative aux conditions d'entrée et de séjour en France des étrangers - admission sur le territoire français
1987	Décret	87-645 du 30 juillet 1987	Relative aux conditions d'entrée et de séjour des étrangers en France
1987	Arrêté	30 septembre 1987	Catégories d'étrangers auxquels la situation de l'emploi n'est pas opposable
1989	Loi	89-548 du 02 aout 1989 (Joxe)	Relative aux conditions de séjour et d'entrée des étrangers en France
1989	Circulaire	89-247 du 2 août 1989	Application loi 89-548
1990	Loi	90-34 du 10 janvier 1990	Relative aux conditions d'entrée et de séjour des étrangers en France
1990	Circulaire	90-20 du 23 janvier 1990	Relative aux autorisations provisoires de travail
1991	Décret	91-829 du 30 août 1991	Relative aux conditions d'entrée et de séjour en France des étrangers - admission sur le territoire français
1991	Décret	91-902 du 6 septembre 1991	Portant publication de l'ordonnance no 45-2658 du 2 novembre 1945 modifiée relative aux conditions d'entrée et de séjour des étrangers en France
1991	Loi	91-1383 du 31 décembre 1991	Renforçant la lutte contre le travail clandestin et la lutte contre l'organisation de l'entrée et du séjour irréguliers d'étrangers en France
1992	Loi	92-190 du 26 février 1992	Relative aux conditions d'entrée et de séjour des étrangers en France
1992	Loi	92-625 du 6 juillet 1992	Sur la zone d'attente des ports et des aéroports
1993	Loi	93-1027 du 24 août 1993	Relative à la maîtrise de l'immigration et aux conditions d'entrée, d'accueil et de séjour des étrangers en France
1993	Loi	93-1417 du 30 décembre 1993	Portant diverses dispositions relatives à la

Year	Type	Date and Nr.	Title/Topic
			maîtrise de l'immigration
1993	Décret	93-1362 du 30 décembre 1993	Nationalité française
1994	Circulaire	94-50 du 8 février 1994	Application loi 93-1027
1994	Décret	94-513 du 20 juin 1994	Avenant n° 1 à la convention générale de sécurité sociale du 29 mars 1974 entre le Gouvernement de la République française et le Gouvernement de la République du Sénégal
1994	Décret	94-770 du 2 septembre 1994	Relative aux conditions d'entrée et de séjour en France des étrangers - admission sur le territoire français
1994	Décret	94-963 du 7 novembre 1994	Relatif au regroupement familial des étrangers
1994	Circulaire	7 novembre 1994	Relative au regroupement familial
1994	Loi	94-1136 du 27 décembre 1994	Relative aux conditions d'entrée et de séjour des étrangers en France
1995	Circulaire	95-11 du 17 février 1995	Maîtrise de l'immigration et aux conditions d'entrée et de séjour des étrangers en France et de ses décrets d'application
1995	Convention	1er août 1995 (in force only 2002)	Convention entre le Gouvernement de la République française et le Gouvernement de la République du Sénégal relative à la circulation et au séjour des personnes
1997	Loi	97-396 du 24 avril 1997	Portant diverses dispositions relatives à l'immigration
1997	Circulaire	24 juin 1997	Relative au réexamen de la situation de certaines catégories d'étrangers en situation irrégulière
1998	Loi	98-349 du 11 mai 1998	Relative aux conditions d'entrée et de séjour des étrangers en France
1998	Décret	98-502 du 23 juin 1998	Relative aux conditions d'entrée et de séjour en France des étrangers - admission sur le territoire français
1998	Circulaire	98-420 du 9 juillet 1998	Relative à la délivrance des autorisations provisoires de travail aux étudiants étrangers
1999	Décret	99-1 du 4 janvier 1999	Relatif à la motivation des refus de visas opposés aux étudiants étrangers
1999	Décret	99-352 du 5 mai 1999	Réglémentant les conditions d'entrée et de séjour en France des étrangers
1999	Décret	99-566 du 6 juillet 1999	Relatif au regroupement familial des étrangers
2000	Circulaire	2000-114 du 28 février 2000	Conditions d'entrée et de séjour
2000	Convention	25 mai 2000	Convention de co-développement entre la France et le Sénégal
2000	Convention	25 mai 2000	Convention d'établissement, France et Sénégal
2002	Circulaire	2002-25 du 15 janvier 2002	Relative à la délivrance et au renouvellement des autorisations de travail aux étudiants étrangers
2002	Circulaire	26 mars 2002	Conditions d'entrée et de séjour en France des étudiants étrangers et modalités de renouvellement des cartes de séjour "étudiant"

Year	Type	Date and Nr.	Title/Topic
2003	Loi	2003-1119 du 26 novembre 2003	Relative à la maîtrise de l'immigration, au séjour des étrangers en France et à la nationalité
2004	Ordonnance	2004-1248 du 24 novembre 2004	Relative à la partie législative du code de l'entrée et du séjour des étrangers et du droit d'asile
2004	Décret	2004-1237 du 17 novembre 2004	Conditions d'entrée et de séjour des étrangers en France; motivation des refus de visas opposés aux étudiants étrangers
2004	Circulaire	2004-135 du 23 novembre 2004	Attestation d'accueil
2005	Loi	2005-32 du 18 janvier 2005	De programmation pour la cohésion sociale
2005	Décret	2005-253 du 17 mars 2005	Regroupement familial des étrangers
2005	Décret	2005-1051 du 23 août 2005	Réglémentant les conditions d'entrée et de séjour en France des étrangers
2005	Circulaire	2005- NOR/INT/05/00097/C du 31 octobre 2005	Mesures à prendre à l'endroit des ressortissants étrangers dont le séjour en France est irrégulier et dont au moins un enfant est scolarisé depuis septembre 2005
2006	Circulaire	2006-26 du 17 janvier 2006	Relative au regroupement familial des étrangers
2006	Loi	2006-911 du 24 juillet 2006	Relative à l'immigration et à l'intégration
2006	Accord	23 septembre 2006	Accord relatif a la gestion concertée des flux migratoires entre la France et le Sénégal
2006	Circulaire	2006-446 du 10 octobre 2006	relative à l'immigration et à l'intégration concernant la procédure de naturalisation
2006	Décret	2006-1378 du 14 novembre 2006	Relatif à la partie réglementaire du code de l'entrée et du séjour des étrangers et du droit d'asile
2006	Circulaire	2006-INT/D/06/00117/C du 27 décembre 2006	Regroupement familial
2007	Circulaire	2007-75 du 22 février 2007	Regroupement familial
2007	Circulaire	2007-323 du 22 août 2007	Relative aux autorisations de travail
2007	Loi	2007-1631 du 20 novembre 2007	Relative à la maîtrise de l'immigration, à l'intégration et à l'asile
2008	Accord	25 février 2008	Avenant à l'accord relatif a la gestion concertée des flux migratoires entre la France et le Sénégal
2008	Décret	2008-1115 du 30 octobre 2008	Relatif à la préparation de l'intégration en France des étrangers souhaitant s'y installer durablement
2009	Circulaire	2009-51 di 7 janvier 2009	Regroupement familial-condition de ressources
2009	Circulaire	2009-55 du 30 janvier 2009	Relative à la maîtrise de l'immigration, à l'intégration et à l'asile
2009	Circulaire	24 novembre 2009	Admission exceptionnelle au séjour
2011	Circulaire	31 mai 2011 (Guéant)	Maîtrise de l'immigration professionnelle
2011	Loi	2011-672 du 16 juin 2011	Relative à l'immigration, à l'intégration et à la nationalité

Year	Type	Date and Nr.	Title/Topic
2012	Circulaire	12 janvier 2012	Accès au marché du travail des diplômés étrangers de niveau au moins équivalent au Master

Table 12: Italian legal texts consulted

Year	Type	Date and Nr.	Title
1912	Legge	13 giugno 1912, N.555	Sulla cittadinanza italiana
1931	R.D.	18 giugno 1931, n. 773	Approvazione del testo unico delle leggi di pubblica sicurezza.
1933	R.D.	31 agosto 1933, n. 1592	Approvazione del testo unico delle leggi sull'istruzione superiore
1940	R.D.	6 maggio 1940, n. 635	Approvazione del regolamento per l'esecuzione del testo unico 18 giugno 1931, n. 773 delle leggi di pubblica sicurezza
1947	Circolare del del Ministero degli Affari Esteri	8 settembre 1947, n.38	Norme relative all'ingresso ed al transito degli stranieri in Italia
1949	Legge	29 aprile 1949, n. 264	Provvedimenti in materia di avviamento al lavoro e di assistenza dei lavoratori involontariamente disoccupati
1955	D.P.R.	30 maggio 1955, n. 797	Testo unico delle norme sugli assegni familiari
1961	Legge	10 febbraio 1961, n.5	Abrogazione della legislazione sulle migrazioni interne e contro l'urbanesimo nonché disposizioni per agevolare la mobilità territoriale dei lavoratori
1961	Circolare del del Ministero degli Affari Esteri	31 ottobre 1961, n.48	Titolo di viaggio per stranieri
1962	Circolare del del Ministero degli Affari Esteri	5 aprile 1962, n.18	Ingresso, occupazione e soggiorno di lavoratori subordinati e delle loro famiglie negli Stati Membri della CEE
1963	Circolare del Ministero del lavoro	4 dicembre 1963, n.51/22/IV	Norme per l'impiego in Italia dei lavoratori subordinati stranieri
1965	D.P.R.	30 dicembre 1965, n. 1656 (1).	Norme sulla circolazione e il soggiorno dei cittadini degli Stati membri della C.E.E. (1/circ).
1966	Circolare riservata, Ministero degli Affari Esteri	07 aprile 1966, n.0003	Norme per l'ingresso, il soggiorno ed il transito degli stranieri in Italia
1966	Scambio di note (Senegal)	23 luglio 1966	Scambio di note in materia di regime dei visti

Year	Type	Date and Nr.	Title
1966	Circolare, Ministero degli Affari Esteri	17 settembre 1966, n.38	Regime dei visti tra l'Italia ed il Senegal
1970	Circolare riservata, Ministero degli Affari Esteri	28 dicembre 1970, n.0007	Norme per l'ingresso, il soggiorno ed il transito degli stranieri in Italia
1973	Circolare riservata, Ministero degli Affari Esteri	27 gennaio 1973, n.0002	Osservanza della regolamentazione in materia di visti d'ingresso e di transito
1973	Circolare, Ministero degli Affari Esteri	23 giugno 1973, n.30	Ammissione di studenti stranieri alle Università, Politecnici ed Istituti Universitari italiani
1975	Legge	19 maggio 1975, n. 151	Riforma del diritto di famiglia
1975	Legge	22 maggio 1975, n. 152	Disposizioni a tutela dell'ordine pubblico
1975	Decreto Ministeriale	5 luglio 1975	Modificazioni alle istruzioni ministeriali 20 giugno 1896 relativamente all'altezza minima ed ai requisiti igienico sanitari principali dei locali d'abitazione
1976	Circolare, Ministero degli Affari Esteri	28 dicembre 1976, n.31	Ammissione di studenti stranieri alle Università, Istituti universitari, Politecnici e Accademie di Belle Arti. Norme per l'anno accademico 1980-81
1978	Legge	23 dicembre 1978, n. 833	Istituzione del servizio sanitario nazionale
1979	Circolare, Ministero dell'Interno	4 gennaio 1979, n.443/225388	Disposizioni di massima sull'ingresso e soggiorno degli stranieri in Italia
1979	Circolare, Ministero degli Affari Esteri	12 febbraio 1979, n.3	Ammissione di studenti stranieri alle Università, Istituti universitari, Politecnici e Accademie di Belle Arti. Norme per l'anno accademico 1979-80
1979	Circolare, Ministero degli Affari Esteri	14 novembre 1979, n.25	Ammissione di studenti stranieri alle Università, Istituti universitari, Politecnici e Accademie di Belle Arti. Norme per l'anno accademico 1980-81
1980	Legge	29 febbraio 1980, n. 33	Finanziamento del Servizio sanitario nazionale
1981	Legge	10 aprile 1981, n.158	Ratifica ed esecuzione delle convenzioni numeri 92, 133 e 143 dell'Organizzazione internazionale del lavoro
1982	Circolare del Ministero del lavoro	2 marzo 1982, n.14194/IR/A	Accesso all'impiego di lavoratori extracomunitari
1982	Circolare del Ministero	24 marzo 1982, n.443/186378/5/11/3/1/2	Nuove disposizioni sull'accesso al lavoro in Italia di manodopera extracomunitaria

Year	Type	Date and Nr.	Title
	dell'interno		
1982	Circolare del Ministero del lavoro	14 maggio 1982, n.14677/IR/A	Accesso all'impiego di lavoratori extracomunitari
1982	Circolare del Ministero del lavoro	9 settembre 1982, n.15106/IR/A	Rilascio autorizzazioni a lavoratori stranieri
1982	Circolare del Ministero dell'interno	18 settembre 1982, n.443/186378/5/11/3/1/2	Nuove disposizioni sull'accesso al lavoro in Italia di manodopera extracomunitaria
1983	Legge	21 aprile 1983, n.123	Disposizioni in materia di cittadinanza
1985	Circolare, Ministero degli Affari Esteri	29 giugno 1985, n.12	Norme in materia di cittadinanza
1985	Circolare del Ministero dell'interno	19 agosto 1985, n.559/443/225388/2/4/6	Disposizioni di massima sull'ingresso e soggiorno degli stranieri in Italia: aggiornamento
1986	Circolari Ministero degli Affari Esteri	3 febbraio 1986, n. 4, 5, 6, 7	Introduzione del visto di ingresso (Algeria, Marocco, Tunisia, Kenya)
1986	Legge	30 dicembre 1986, n. 943	Oggetto: Norme in materia di collocamento e di trattamento dei lavoratori extracomunitari immigrati e contro le immigrazioni clandestine.
1987	Accordo di cooperazione (Marocco)	16 gennaio 1987	Accordo di cooperazione tra la Repubblica italiana e il Regno del Marocco nella lotta contro il terrorismo, la criminalità organizzata ed il traffico di droga
1987	Circolare del Ministero dell'interno	22 gennaio 1987, n.559/44//186378/5/11/3/1/2/Ia Div	Norme in materia di collocamento e di trattamento dei lavoratori extracomunitari immigrati e contro le immigrazioni clandestine.
1987	Circolare del Ministero del lavoro	1 aprile 1987, n.4608/IR/A-74	Studenti extracomunitari
1987	Decreto- legge	27 aprile 1987, n. 154	Proroga dei termini per la regolarizzazione dei lavoratori clandestini extracomunitari
1987	Decreto- legge	27 giugno 1987, n. 242	Proroga dei termini per la regolarizzazione dei lavoratori clandestini extracomunitari
1987	Decreto- legge	28 agosto 1987, n.353	Proroga dei termini per la regolarizzazione dei lavoratori clandestini extracomunitari
1988	Legge	16 marzo 1988, n. 81	Proroga dei termini per la regolarizzazione dei lavoratori clandestini extracomunitari
1989	Decreto-legge (cd. decreto MARTELLI)	30 dicembre 1989, 416	“Norme urgenti in materia di asilo politico, di ingresso e soggiorno dei cittadini extracomunitari e di regolarizzazione dei cittadini extracomunitari ed apolidi già presenti nel territorio dello Stato□”.

Year	Type	Date and Nr.	Title
1990	Legge	28 febbraio 1990, n. 39	Conversione in legge, con modificazioni, del decreto-legge 30 dicembre 1989, n. 416, recante norme urgenti in materia di asilo politico, di ingresso e soggiorno dei cittadini extracomunitari e di regolarizzazione dei cittadini extracomunitari ed apolidi già presenti nel territorio dello Stato. Disposizioni in materia di asilo.
1990	D.P.R.	15 maggio 1990, n. 136	Regolamento per l'attuazione dell'art. 1, comma 2, del decreto-legge 30 dicembre 1989, n. 416, conv., con modificazioni, dalla legge 28 febbraio 1990, n. 39, in materia di riconoscimento dello status di rifugiato
1990	Legge	7 agosto 1990, n. 241	Nuove norme in materia di procedimento amministrativo e di diritto di accesso ai documenti amministrativi
1991	Legge	2 dicembre 1991, n. 390	Norme sul diritto agli studi universitari
1992	Legge	5 febbraio 1992, n. 91	Nuove norme sulla cittadinanza.
1992	Decreto Legislativo	26 novembre 1992, n. 470	Attuazione delle direttive 90/364/CEE, 90/365/CEE e 90/366/CEE in materia di diritto di soggiorno dei cittadini comunitari, dei lavoratori salariati e non salariati che hanno cessato la propria attività professionale e degli studenti.
1993	Legge di ratifica	30 settembre 1993 n.388	Indice degli atti di adesione della repubblica italiana all'accordo Schengen e relativa intesa con la francia
1995	Decreto Legge (DINI)	18 novembre 1995, n.489	Disposizioni urgenti in materia di politica dell'immigrazione e per la regolamentazione dell'ingresso e soggiorno nel territorio nazionale dei cittadini dei Paesi non appartenenti all'Unione europea.
1996	Decreto Legge	19 marzo 1996 n. 132	Disposizioni urgenti in materia di politica dell'immigrazione e per la regolamentazione dell'ingresso e soggiorno nel territorio nazionale dei cittadini dei Paesi non appartenenti all'Unione europea.
1996	Decreto Legge	17 Maggio 1996, n. 269	Disposizioni urgenti in materia di politica dell'immigrazione e per la regolamentazione dell'ingresso e soggiorno nel territorio nazionale dei cittadini dei paesi non appartenenti all'unione europea
1996	Decreto Legge	16 luglio 1996 n. 376	Disposizioni urgenti in materia di politica dell'immigrazione e per la regolamentazione dell'ingresso e soggiorno nel territorio nazionale dei cittadini dei paesi non appartenenti all'unione europea
1996	Legge	9 dicembre 1996, n. 617	"Salvaguardia degli effetti prodotti dal decreto-legge 18 novembre 1995, n. 489, e successive decreti adottati in material di

Year	Type	Date and Nr.	Title
			politica dell'immigrazione e per la regolamentazione dell'ingresso e soggiorno nel territorio nazionale dei cittadini dei Paesi non appartenenti all'Unione europea"
1996	Protocollo aggiuntivo all'Accordo di cooperazione (Marocco)	16 dicembre 1996	Protocollo aggiuntivo all'Accordo di cooperazione firmato a Rabat il 16 gennaio 1987 fra la Repubblica italiana e il Regno del Marocco in materia di lotta al terrorismo, alla criminalità organizzata ed il traffico di droga
1998	Legge Turco-Napolitano	6 marzo 1998, n. 40.	Disciplina dell'immigrazione e norme sulla condizione dello straniero
1998	Testo unico	25 luglio 1998 , n. 286	Testo unico delle disposizioni concernenti la disciplina dell'immigrazione e norme sulla condizione dello straniero.
1998	Accordo (Marocco)	27 luglio 1998	Accordo fra Repubblica italiana e Regno del Marocco. Riaccompagnamento al confine dei cittadini e transito in vista dell'allontanamento (signed)
1998	Scambio di note	6 agosto 1998	Scambio di Note tra l'Italia e la Tunisia concernente l'ingresso e la riammissione delle persone in posizione irregolare
1998	Presidente del Consiglio dei Ministri, Decreto	16 ottobre 1998	Integrazione al decreto interministeriale 24 dicembre 1997 recante programmazione dei flussi di ingresso per l'anno 1998 di cittadini stranieri non comunitari
1998	Decreto Legislativo	19 ottobre 1998, n. 380	Disposizioni correttive al testo unico delle disposizioni concernenti la disciplina dell'immigrazione e norme sulla condizione dello straniero, a norma dell'articolo 47, comma 2, della legge 6 marzo 1998, n. 40.
1999	Decreto Legislativo	13 aprile 1999, n. 113	"Disposizioni correttive al testo unico delle disposizioni concernenti la disciplina dell'immigrazione e norme sulla condizione dello straniero, a norma dell'articolo 47, comma 2, dellalegge 6 marzo 1998, n. 40"
1999	D.P.R.	31 agosto 1999, n. 394	Regolamento di attuazione del testo unico delle disposizioni concernenti la disciplina dell'immigrazione e norme sulla condizione dello straniero.
1999	Accordo di cooperazione (Algeria)	22 novembre 1999	Terrorismo, criminalità organizzata, traffico illecito di sostanze stupefacenti e psicotrope e immigrazione illegale
2000	DIRETTIVA Ministero dell'Interno	1° marzo 2000	Definizione dei mezzi di sussistenza per l'ingresso ed il soggiorno degli stranieri nel territorio dello Stato.
2000	Circolare, Ministero della Sanità	24 marzo 2000	Disposizioni in materia di assistenza sanitaria
2000	Accordo (Algeria)	20 aprile 2000	Accordo di Riammissione (in force 18 oct 2006)
2000	Decreto	12 luglio 2000	Definizione delle tipologie dei visti

Year	Type	Date and Nr.	Title
	Ministero Affari Esteri		d'ingresso e dei requisiti per il loro ottenimento
2001	Circolare del Ministero dell'interno	8 gennaio 2001	Nuovi orientamenti interpretativi per le donne coniugatesi dopo il 1° Gennaio 1948 con stranieri
2002	Testo coordinato del decreto-legge	4 aprile 2002, n. 51	coordinato con la legge di conversione 7 giugno 2002, n. 106 concernente: "Disposizioni urgenti recanti misure di contrasto all'immigrazione clandestina e garanzie per soggetti colpiti da provvedimenti di accompagnamento alla frontiera".
2002	legge di conversione	7 giugno 2002, n. 106	
2002	Legge Bossi-Fini	30 luglio 2002, n. 189 (testo in vigore dal: 10-9-2002)	Modifica alla normativa in materia di immigrazione e di asilo
2002	Decreto-legge	9 settembre 2002, n. 195	"Disposizioni urgenti in materia di legalizzazione del lavoro irregolare di extracomunitari"
2002	Legge di conversione con modificazioni	9 ottobre 2002, n. 222	"Conversione in legge, con modificazioni, del decreto-legge 9 settembre 2002, n. 195, recante disposizioni urgenti in materia di legalizzazione del lavoro irregolare di extracomunitari"
2002	Presidente del Consiglio dei Ministri, Decreto	15 ottobre 2002	Programmazione transitoria dei flussi d'ingresso dei lavoratori extracomunitari nel territorio dello Stato per l'anno 2002
2003	Decreto Legislativo	7 aprile 2003, n. 87	"Attuazione della direttiva 2001/51/CE che integra le disposizioni dell'articolo 26 della Convenzione applicativa dell'Accordo di Schengen del 14 giugno 1985"
2003	Presidente del Consiglio dei Ministri, Decreto	19 dicembre 2003	Programmazione transitoria dei flussi d'ingresso dei lavoratori non stagionali extracomunitari nel territorio dello Stato per l'anno 2004.
2004	D.P.R.	27 luglio 2004, n. 242	Regolamento per la razionalizzazione e la interconnessione delle comunicazioni tra Amministrazioni pubbliche in materia di immigrazione.
2004	Decreto-legge	14 settembre 2004, n. 241	Disposizioni urgenti in materia di immigrazione.
2004	D.P.R.	18 ottobre 2004, n.334	Regolamento recante modifiche ed integrazioni al decreto del Presidente della Repubblica 31 agosto 1999, n. 394, in materia di immigrazione.
2004	Legge di conversione con modificazioni	12 novembre 2004, n.271	"Conversione in legge, con modificazioni, del decreto-legge 14 settembre 2004, n. 241, recante disposizioni urgenti in materia di immigrazione"

Year	Type	Date and Nr.	Title
2005	Decreto-legge	27 luglio 2005, n. 144	"Misure urgenti per il contrasto del terrorismo internazionale"
2006	Circolare D.G.I.E.P.M. Uff. VI -	Centro Visti del 29 novembre 2006 Ministero degli Affari Esteri	Visti d'ingresso per ricongiungimento familiare e familiare al seguito. Procedura di validazione Ministero dell'Interno: Dipartimento per le Libertà Civili e l'Immigrazione Roma
2007	Decreto Legislativo	8 gennaio 2007, n.3	Attuazione della direttiva 2003/109/CE relativa allo status di cittadini di Paesi terzi soggiornanti di lungo periodo.
2007	Decreto Legislativo	9 gennaio 2007, n.5	Attuazione della direttiva 2003/86/CE relativa al diritto di ricongiungimento familiare.
2007	Decreto Legislativo	9 gennaio 2008, n.17	Attuazione della direttiva 2005/71/CE relativa ad una procedura specificamente concepita per l'ammissione di cittadini di Paesi terzi a fini di ricerca scientifica.
2007	Testo coordinato del decreto-legge	15 febbraio 2007, n. 10 (GU n. 84 del 11-4-2007)	coordinato con la legge di conversione 6 aprile 2007, n. 46, recante: «Disposizioni volte a dare attuazione ad obblighi comunitari ed internazionali.».
2007	Circolare Ministero del Lavoro	24 febbraio 2009 , n. 4537	Nuove disposizioni in materia di ricongiungimento familiare
2007	Legge di conversione	6 aprile 2007, n. 46	
2007	Legge	28 Maggio 2007 , n. 68	Disciplina dei soggiorni di breve durata degli stranieri per visite, affari, turismo e studio.
2007	Decreto Legislativo	10 agosto 2007, n. 154	"Attuazione della direttiva 2004/114/CE, relativa alle condizioni di ammissione dei cittadini di Paesi terzi per motivi di studio, scambio di alunni, tirocinio non retribuito o volontariato "
2007	Decreto del Presidente del Consiglio dei Ministri	30 ottobre 2007	Programmazione transitoria dei flussi d'ingresso dei lavoratori extracomunitari non stagionali, nel territorio dello Stato, per l'anno 2007
2007	Protocollo	29 dicembre 2007	Protocollo tra la Repubblica Italiana e la Gran Giamahiria Araba Libica Popolare Socialista
2008	Decreto Legislativo	9 gennaio 2008, n.17	Attuazione della direttiva 2005/71/CE relativa ad una procedura specificamente concepita per l'ammissione di cittadini di Paesi terzi a fini di ricerca scientifica
2008	Decreto-Legge	23 maggio 2008, n. 92	Misure urgenti in materia di sicurezza pubblica
2008	Legge di conversione con modificazioni	24 luglio 2008, n. 125	Conversione in legge, con modificazioni, del decreto-legge 23 maggio 2008, n. 92, recante misure urgenti in materia di sicurezza pubblica.

Year	Type	Date and Nr.	Title
2008	Decreto legislativo	3 ottobre 2008, n. 159	Modifiche ed integrazioni al decreto legislativo 28 gennaio 2008, n. 25, recante attuazione della direttiva 2005/85/CE relativa alle norme minime per le procedure applicate negli Stati membri ai fini del riconoscimento e della revoca dello status di rifugiato.
2008	Decreto legislativo	4 ottobre 2008, n. 160	Modifiche ed integrazioni al decreto legislativo 8 gennaio 2007, n. 5, recante attuazione della direttiva 2003/86/CE relativa al diritto di ricongiungimento familiare.
2008	Trattato		Trattato di amicizia, partenariato e cooperazione tra la Repubblica italiana e la grande Giamahiria araba libica popolare socialista
2009	Circolare Ministero dell'Interno	17 febrero 2009, n.737	Nuove disposizioni in materia di ricongiungimento familiare
2009	Legge	15 luglio 2009, n. 94	Disposizioni in materia di sicurezza pubblica
2009	Messaggio del Ministero degli affari esteri	21 agosto 2009	Oggetto: Legge n. 94/09 – Modifiche al T.U. n. 286/98 - ricongiungimento familiare
2009	Circolare Ministero dell'Interno	18 novembre 2009, n.7170	Legge 15 luglio 2009, n. 94 Disposizioni in materia di sicurezza pubblica
2010	Circolare Ministero dell'Interno	27 luglio 2010	Oggetto: Legge 15 luglio 2009, n. 94 Disposizioni in materia di sicurezza pubblica
2010	Memorandum d'intesa	28 luglio 2010	Memorandum d'intesa tra il dipartimento di pubblica sicurezza italiano e la direzione generale della polizia nazionale senegalese per il rafforzamento della cooperazione di polizia
2011	Decreto-Legge	23 giugno 2011, n. 89	Disposizioni urgenti per il completamento dell'attuazione della direttiva 2004/38/CE sulla libera circolazione dei cittadini comunitari e per il recepimento della direttiva 2008/115/CE sul rimpatrio dei cittadini di Paesi terzi irregolari

Table 13: Spanish legal texts consulted

Year	Type	Date and Nr.	Title/Topic
1935	Decreto	4 de octubre 1935	Permanencia y circulación de los extranjeros en España
1954	Decreto	2 de julio 1954	Permanencia y circulación de los extranjeros en España
1968	Ley	20 de junio 1968; no. 29	Modificando exacciones por expedición de permisos de trabajo a súbditos extranjeros
1968	Decreto	27 de julio 1968; no. 1870	Por el que se regulan el empleo, régimen de trabajo y establecimiento de los extranjeros en España
1971	Decreto	23 de julio 1971, no. 2048	Por el que se modifica el artículo 25 del Decreto de 4 de octubre de 1935, sobre expedición de pasaportes a extranjeros que carezcan de nacionalidad o en quienes concurren determinadas circunstancias
1974	Decreto	14 de febrero 1974	Por el que se regula el régimen de entrada, permanencia y salida de los extranjeros en España
1978	Real Decreto	1 de junio 1978, no. 1817	Por el que se autoriza al Director general de Seguridad a delegar en los Gobernadores civiles las facultades que le corresponden en materia de entrada, permanencia y salida de extranjeros
1978	Real Decreto	2 junio 1978, no. 1874	Por el que se regula la concesión y renovación de permisos de trabajo a extranjeros
1979	Orden	8 de octubre 1979, no. 23872	Por la que se regula la concesión de permisos de trabajo de validez restringida a extranjeros.
1980	Real Decreto	3 de mayo 1980, no. 1031	Por el que se regula el procedimiento de concesión y prórroga de los permisos de trabajo y autorizaciones de residencia a extranjeros
1982	Orden	30 de abril 1982	Sobre extranjeros
1983	Orden	18 de abril 1983, no. 12476	Sobre expedición de títulos de viaje a extranjeros
1985	Ley orgánica	1 de julio 1985, no.7	Sobre derechos y libertades de los extranjeros en España
1986	Real Decreto	26 de mayo 1986, no.1099	Sobre entrada, permanencia y trabajo en España de ciudadanos de Estados Miembros de las Comunidades Europeas
1986	Real Decreto	26 de mayo 1986, no.1119	Por el que se aprueba el Reglamento de ejecución de la Ley Orgánica 7/1985, de 1 de julio, sobre derechos y libertades de los extranjeros en España.
1988	Circular	1 ed julio 1988	Circular conjunta de las Direcciones Generales de Asuntos Consulares, de la Policía y del Instituto Español de Emigración, de 1 de julio de 1988 sobre exención de visado

1988	Real Decreto	5 de febrero 1988, no. 116	Por el que se modifica el párrafo primero del apartado 4 del artículo 50 del Reglamento de ejecución de la Ley Orgánica 7/1985, de 1 de julio. Sobre Derechos y Libertades de los Extranjeros en España, aprobado por Real Decreto 1119/1986, de 26 de mayo.
1988	Resolución	10 de octubre 1988	De la Dirección General del Instituto Español de Emigración, sobre la tramitación de solicitudes de permisos de trabajo para realizar prácticas profesionales
1988	Vademecum		Vademecum para inmigrantes 1988
1989	Orden	22 de febrero 1989	Sobre medios económicos cuya posesión habrán de acreditar los extranjeros para poder efectuar su entrada en España
1989	Orden	26 de julio 1989	Por la que se fijan normas generales y de procedimiento en relación con el reconocimiento de situaciones de excepción a la obligación de obtener permiso de trabajo
1992	Acuerdo	13 de febrero 1992	Acuerdo entre el Reino de España y el Reino de Marruecos relativo a la circulación de personas, el tránsito y la readmisión de extranjeros entrados ilegalmente
1992	Ley orgánica	21 de febrero 1992, no.1	Sobre Protección de la Seguridad Ciudadana
1992	Real Decreto	26 de junio 1992, no.766	Sobre entrada y permanencia en España de nacionales de Estados miembros de las Comunidades Europeas
1994	Circular	28 de julio 1994, no.7	De la Secretaría de Estado de Interior, sobre exenciones de visado para la obtención de permisos o tarjetas para permanecer en Territorio Español. (BOE 193/1994 de 13-08-1994, pág. 26148)
1994	Resolución	15 de febrero 1994	Conjunta de las Subsecretarías de los Ministerios del Interior, de Trabajo y Seguridad Social y de Asuntos Sociales, por la que se dictan instrucciones generales y de procedimiento sobre la tramitación de visados para la reagrupación de familiares de extranjeros no nacionales de Estados miembros de la Unión Europea
1994	Resolución	18 de febrero 1994	De la Subsecretaría, por la que se dispone la publicación del Acuerdo del Consejo de Ministros de 12 de noviembre de 1993, sobre tramitación de visados para la reagrupación de familiares de extranjeros no nacionales de Estados miembros de la Unión Europea
1995	Circular	28 de agosto 1995, no.12	De la Secretaría de Estado de Interior, sobre entrada en territorio Español de escolares nacionales de países no miembros de la Unión Europea ni del Espacio Económico Europeo, que residan en alguno de los Estados miembros de la Unión Europea

1995	Real Decreto	5 de mayo 1995, no.737	Sobre entrada y permanencia en España de nacionales de Estados miembros de las Comunidades Europeas
1996	Orden	11 de abril 1996	Orden del Ministerio de Justicia e Interior sobre Exenciones de Visado
1996	Real Decreto	2 de febrero 1996, no.155	Por el que se aprueba el Reglamento de ejecución de la Ley Orgánica 7/1985
1997	Orden	7 de febrero 1997	Por la que se regula la Tarjeta de Extranjero
1997	Real Decreto	14 de noviembre 1997	REAL DECRETO 1710/1997 por el que se modifica parcialmente el régimen de entrada y permanencia en España de los nacionales de los Estados Miembros de la UE y de otros Estados parte en el Acuerdo sobre el EEE
1997	Orden	19 de noviembre 1997	Por la que se concreta el régimen de los permisos de residencia de extranjeros en España, por circunstancias excepcionales
1998	Orden	25 de febrero 1998	Orden de 25 de febrero de 1998 por la que se fijan los requisitos y procedimiento sobre concesión de autorizaciones para trabajar, aplicación de determinados supuestos de preferencias, modificación de los permisos de trabajo y compatibilidad de permisos de trabajo
1998	Resolución	4 de junio 1998	De la Subsecretaría, por la que se dispone la publicación del acuerdo entre el Ministerio de Asuntos Exteriores y el Ministerio del Interior sobre encomienda de gestión para la expedición de visados en frontera. (BOE 139/1998 de 11-06-1998, pág. 19436)
1999	Orden	22 de febrero 1999	Sobre normas de funcionamiento y régimen interior de los centros de internamiento de extranjeros
1999	Orden	8 de enero 1999	Por la que se establecen las normas generales y de tramitación de los expedientes de visado y de los permisos de residencia por reagrupación familiar, en desarrollo del Reglamento de Ejecución de la Ley Orgánica 7/1985
2000	Ley orgánica	11 de enero 2000, no.4	Sobre derechos y libertades de los extranjeros en España y su integración social
2001	Acuerdo	12 de noviembre 2001	Acuerdo entre el gobierno del Reino de España y el gobierno de la República Federal de Nigeria en materia de inmigración, hecho en Abuja el 12 de noviembre de 2001
2001	Real Decreto	20 de julio 2001, no.864	Por el que se aprueba el Reglamento de ejecución de la Ley Orgánica 4/2000, de 11 de enero, sobre derechos y libertades de los extranjeros en España y su integración social, reformada por Ley Orgánica 8/2000, de 22 de diciembre.
2002	Protocolo	31 de julio 2002	Protocolo entre el Gobierno de España y el Gobierno de la República Argelina Democrática y Popular sobre circulación de

			personas, hecho ad referéndum en Argel el 31 de julio de 2002.
2002	Resolución	23 de abril 2002	Resolución de la Dirección General de Ordenación de las Migraciones por la que se extiende por la que se concede validez de permiso de trabajo en todo el territorio nacional y para todos los sectores de actividad a determinadas autorizaciones para trabajar
2003	Acuerdo	4 de noviembre 2003	Acuerdo entre el Consejo general del notariado y la Comisaria general de extranjería y documentación de la dirección general de la policía sobre comunicación de documentos notariales en materia de inmigración
2003	Aplicación	7 de febrero 2003	Aplicación provisional del Acuerdo entre el Reino de España y la República de Guinea-Bissau en materia de inmigración
2003	Resolución	14 de enero 2003	Por el que se regulan los procedimientos de contratación y se fija el número y las características de las ofertas de empleo que se ofrecen para el año 2003 a extranjeros residentes legales en España y a extranjeros que no se hallen ni sean residentes en ella (BOE 16 Enero 2003)
2003	Real Decreto	14 de febrero 2003, no.178	Sobre entrada y permanencia en España de nacionales de Estados miembros de la Unión Europea y de otros Estados parte en el Acuerdo sobre el Espacio Económico Europeo
2003	Aplicación	1 de julio 2003	Aplicación provisional del Acuerdo entre el Reino de España y la República Islámica de Mauritania en materia de inmigración
2003	Ley orgánica	29 de septiembre 2003, no.11	De medidas concretas en materia de seguridad ciudadana, violencia doméstica e integración social de los extranjeros
2003	Tratado	11 de noviembre 2003	Tratado de amistad, buena vecindad y cooperación entre el Reino de España y la República Argelina democrática y popular
2003	Ley orgánica	20 de noviembre, no.14	Reforma de la Ley orgánica 4/2000, de 11 de enero, sobre derechos y libertades de los extranjeros en España y su integración social, modificada por la Ley Orgánica 8/2000, de 22 de diciembre; de la Ley 7/1985, de 2 de abril, Reguladora de las Bases del Régimen Local; de la Ley 30/1992, de 26 de noviembre, de Régimen Jurídico de las Administraciones Públicas y del Procedimiento Administrativo Común, y de la Ley 3/1991, de 10 de enero, de Competencia Desleal.
2003	Instrucción	19 de diciembre 2003	Instrucción consular común dirigida a las misiones diplomáticas y oficinas consulares de carrera (2003/c 310/01)

2003	Decisión del consejo	22 de diciembre 2003	Por la que se modifica el punto 1.2 de la parte II de la Instrucción Consular Común y se añade un nuevo cuadro a dicha Instrucción
2003	Decisión del consejo	22 de diciembre 2003	Por la que se modifica el punto 1.4 de la parte V de la Instrucción Consular Común y el punto 4.1.2 de la parte I del Manual Común en relación con la inclusión del requisito de posesión de un seguro médico de viaje entre los documentos justificativos para la expedición de un visado de entrada uniforme
2003	Decisión del consejo	22 de diciembre 2003	Relativa a la recalificación del anexo 5 de la Instrucción Consular Común y el correspondiente anexo 14b del Manual Común y a la desclasificación de los anexos 9 y 10 de la Instrucción Consular Común y los correspondientes anexos 6b y 6c del Manual Común
2004	Protocolo	12 de febrero 2004	Protocolo entre el gobierno de España y el gobierno de la República Argelina democrática y popular sobre circulación de personas
2004	Real Decreto	30 de diciembre 2004, no.2393	Por el que se aprueba el Reglamento de la Ley Orgánica 4/2000, de 11 de enero, sobre derechos y libertades de los extranjeros en España y su integración social
2005	Instrucción	23 de diciembre 2005, DGI/SGGCFM/02/2006	Por el que se regula el Contingente de trabajadores extranjeros de régimen no comunitario en España para el año 2006
2006	Acuerdo	10 de octubre 2006	Acuerdo Marco de Cooperación entre el Reino de España y la República de Senegal
2006	Acuerdo	5 de diciembre 2006	Acuerdo entre la República de Senegal y el Reino de España sobre cooperación en el ámbito de la prevención de la emigración de menores de edad senegaleses no acompañados, su protección, repatriación y reinserción
2006	Instrucción	2006, DGI/SGRJ/06/2006	Instrucción sobre autorización de residencia temporal por circunstancias excepcionales, por colaboración con la inspección de trabajo y seguridad social
		16 de febrero 2007, no. 240	Sobre entrada, libre circulación y residencia en España de ciudadanos de los Estados miembros de la Unión Europea y de otros Estados parte en el Acuerdo sobre el Espacio Económico Europeo
2007	Acuerdo	20 de marzo 2007	Acuerdo marco de cooperación en materia de inmigración entre el Reino de España y la República de Cabo Verde, hecho «ad referendum» en Madrid el 20 de marzo de 2007
2007	Orden	10 de mayo 2007, no.1282	Sobre medios económicos cuya disposición habrán de acreditar los extranjeros para poder efectuar su entrada en España

		10 de mayo 2007, no.1283	Por la que se establecen los términos y requisitos para la expedición de la carta de invitación de particulares a favor de extranjeros que pretendan acceder al territorio nacional por motivos de carácter turístico o privado
2007	Instrucción	26 de julio 2007	De la Dirección General de los Registros y del Notariado, sobre tramitación de las solicitudes de adquisición de la nacionalidad española por residencia
2007	Instrucción	28 de julio 2007	Instrucciones conjuntas de la Dirección General de la Policía y la Guardia Civil, la Dirección de Política Interior y la Dirección General de Inmigración, sobre tratamiento de polizones extranjeros
2008	Instrucción	2008, DGI/SGRJ/01/2008	Instrucción sobre la reagrupación familiar de menores o incapaces sobre los que el reagrupante ostenta la representación legal
2008	Recomendación	2008	Recomendación del Defensor del Pueblo sobre el procedimiento de tramitación y expedición de la carta de Invitación a favor de extranjeros que pretendan acceder al territorio nacional por motivos de carácter turístico o privado, pidiendo la modificación de la Orden de Presidencia 1283/2007 de 10 de mayo
2008	Resolución	10 de julio 2008	Resolución legislativa del Parlamento Europeo, de 10 julio de 2008, sobre la propuesta de Reglamento del Parlamento Europeo y del Consejo por el que se modifica la Instrucción consular común dirigida a las misiones diplomáticas y oficinas consulares de carrera en relación con la introducción de datos biométricos y se incluyen disposiciones sobre la organización de la recepción y la tramitación de las solicitudes de visado (COM(2006)0269 – C6-0166/2006 – 2006/0088(COD))
2009	Addenda	2 de febrero 2009	Addenda la Instrucción de la DGI/SGRJ/05/2007
2009	Real Decreto	10 de julio 2009, no.1162	Por el que se modifica el Reglamento de la Ley Orgánica 4/2000, de 11 de enero, sobre derechos y libertades de los extranjeros en España y su integración social, aprobado por el Real Decreto 2393/2004, de 30 de diciembre
2011	Instrucción	20 de abril 2011	Instrucción DGI/SGRJ12/2011, sobre la vigencia de instrucciones, circulares y oficios elaborados por la dirección general de inmigración. A partir de la fecha de entrada en vigor del reglamento de la ley orgánica 4/2000, sobre derechos y libertades de los extranjeros en España y su integración social, tras su reforma por ley orgánica 2/2009, aprobado por real decreto 557/2011, de 20 de abril

2011	Real Decreto	20 de abril 2011	Real Decreto 557/2011, de 20 de abril, por el que se aprueba el Reglamento de la Ley Orgánica 4/2000, sobre derechos y libertades de los extranjeros en España y su integración social, tras su reforma por Ley Orgánica 2/2009.
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B. List of indicators

Table 14: Indicators and scaling definitions in current ImPol version

	N°	Indicator	Scale		
			-1 (more restrictive)	0 (neutral)	1 (less restrictive)
Entry for short stays	1	Exemption from tourist visa	No		Yes
	2	Travel document (valid passport)	Yes, with additional requirements	Yes, valid passport	No
	3	Economic resources for stays of less than 3 months, in addition to repatriation guarantees	Yes	Taken into consideration in extreme cases	No
	3a	if yes: can be substituted by housing certificate or other proofs	No	Taken into consideration	Yes
	4	Proof of housing required	Yes		No
	4a	Control visits at sponsor's house if family visit	Yes		No
	4b	Responsibility of the host (economic responsibility or more)	Yes		No
	5	Health Insurance	Yes, separate from economic resources	Sufficient economic resources	No
	6	Other requirements: finger prints; verification of previous stays; return invitation letter at the border	Yes		No
	7	Visa rejection has to be motivated	No, never	Yes, but exceptions	Yes
Need of residence permit	8	Need of residence permit (Senegalese case)		Need	No need
Marriage with National	9	Automatic acquisition of the permit if marriage with a national	No, only after fulfilling some conditions		Yes
	10a	If conditions	Previous legal residence	Previous residence or previous length of marriage	Legal entry

	N°	Indicator	Scale		
			-1 (more restrictive)	0 (neutral)	1 (less restrictive)
	10b	Type of permit granted	1 Year (temporary)	Temporary btw. 1 & 5 years	More than 5 years or permanent (whatever length)
Family Reunification	11	Legal protection of family reunification	Procedure not contained in regulative or legislative texts; or no possibility	Procedure exists but not full protection	Full protection
	12	Eligibility for legal residents	>= 2 years of legal residence and/or holding a permit for >= 2 years	>1 year of legal residence and/or holding a permit for >1year & < 2 years	<= 1 year of legal residence and/or holding a residence permit for <= 1 year
	13	Eligibility for dependent relatives in the ascending line	not allowed	certain conditions apply (other than dependency)	allowed
	14	Explicit prohibition for polygamous spouses	Yes		No
	15	Economic requirements	Yes, at least the level of the minimum social income or specific amount	More open conditions (sufficient + indications but not binding) Flexible way of considering the proof of requirement	No requirement
	16	Housing requirement	Yes, rigid (list of conditions like n° sq. meters, number of rooms, etc)	Yes, flexible (adequate or comparable to nationals)	No requirement
	17	Health Insurance requirement	Yes		No
	18	Integration proofs for sponsors	Yes		No
	19	Sequence of reunification (for the same sponsor)	All at once		Staged possible
	20	Minimum duration of permit	Temporary Reunified relative needs to prove his/her own length of residence (5 years or whatever) to obtain permanent or > 2 years if the	With a waiting period of <=2 year before getting the permanent one in case the sponsor's is permanent	Permanent if the sponsor's is permanent

	N°	Indicator	Scale		
			-1 (more restrictive)	0 (neutral)	1 (less restrictive)
			sponsor's is permanent		
	21	Possibility of working	Not at all, only if they obtain an independent permit or national employment clause/ situation applies	After 1 year or more of residence or with limitations (e.g. part-time)	Immediately or less than 1 year
	22	Withdrawal if break-up	Previous cohabitation in destination country of 3 years or more	Less than 3 years of cohabitation in country of destination	No
	23	Withdrawal if death	Previous cohabitation in destination country of 3 years or more	Less than 3 years of cohabitation in country of destination	No
Work	24	Occupational restrictions	National employment clause, national employment situation or no work immigration	List of specific occupations or authorisation necessary, or true quotas	More open conditions
	25	Geographical restriction	Yes		No
Students	26	Admission at university requirement	Pre-selection	only language test	admission same as national students
	27	Economic resources requirement	Yes, clearly defined amount	yes, but not defined	no
	28	Health insurance	Yes		no
	29	Possibility of working during the studies	No or national employment clause/situation applies	Only part-time and with some time and salary limitations	Yes, no limitations

	N°	Indicator	Scale		
			-1 (more restrictive)	0 (neutral)	1 (less restrictive)
	30	Possibility of transitioning to a work permit	No	With conditions: e.g. more than one year of residence, good grades, no previous scholarship, or national employment situation	Yes or light conditions (work offer); also if restricted to specific academic degrees
	31	Time spent as student counts as legal residence towards application for citizenship; long-term residence or family reunification	Does not count	Does not count for certain procedures or is evaluated differently from other statuses	Counts
Irregular entry or stay	32	Extraordinary regularisations - ongoing application (limited to two years if criteria remain the same)		No	Yes
	33	Permanent mechanisms of regularisation exists	No, or only humanitarian or more 10 years residence	5-10 years residence; or on family grounds; or less than 5 but proof of effective incorporation to labour market for at least 1 year	Less than 5 years of residence or work offer (includes quotas which are de facto regularisations)
	34	Readmission agreement with SN	Yes	Signed but not in force	No
	35	Readmission agreement with transit countries	More than 1 in force	One or several signed but not in force or 1 in force	None
	16	Access to healthcare for illegal immigrants	Only emergency treatment or previous residence + income requirement	Either income, previous residence, empadronamiento ⁸	same as nationals

⁸ Registering in the municipality where one lives; constitutes possible proof of presence in Spain.

	N°	Indicator	Scale		
			-1 (more restrictive)	0 (neutral)	1 (less restrictive)
	37	Period of temporary retention in case of expulsion or at entry (max. duration)	More than 45 days	15 to 45 days	<15 days or no administrative retention

C. Selected secondary sources by country – SHALL WE KEEP THIS OR NOT FOR THE CONFERENCE PAPER?

France

Recurrent publications/reports :

- « Chronique de l’immigration », published in Population by different authors and covering immigration to France since 1950; 32 editions consulted
- “Législation” in Population (French Edition), various years
- Rapport au Parlement - Les orientations de la politique de l’immigration; since 2004
- Rapports d’information à l’Assemblée Nationale (e.g., Rapport d’information déposé en application de l’article 146 du Règlement par la commission des finances, de l’économie générale et du plan (1) sur les moyens des services des visas, et présenté par M. Yves Tavernier, Député. Enregistré à la Présidence de l’Assemblée nationale le 8 septembre 1999.)
- Rapports d’Information au Sénat (e.g., Rapport d’information n° 446 (2004-2005) de Mme Monique Cerisier-Ben Guiga et M. Jacques Blanc, fait au nom de la commission des affaires étrangères, déposé le 30 juin 2005)
- Reports by certain ministries, e.g. Ministère de l’économie, des finances et de l’industrie (2006), Immigration sélective et besoins de l’économie française

→ reports of this type often available through the website of the Documentation Française <http://www.ladocumentationfrancaise.fr>

Websites

<http://www.legifrance.gouv.fr/> for legal texts, JO.

<http://www.vie-publique.fr> : Provides summaries of main events/laws; chronology; but also on specific topics, such as voting rights; access to citizenship; family reunification; administrative retention centres

<http://www.campusfrance.org/fr>: for current procedures for study in France

<http://vosdroits.service-public.fr> for current practices.

<http://www.conseil-etat.fr/fr/base-de-jurisprudence/>, and recueil Lebon for decisions by the Conseil d'Etat.

Gisti, <http://www.gisti.org/index.php>: access to selected legal texts and a multitude of publications that provide guidance in interpreting the law. Only a few of those consulted are cited below.

CIMADE: <http://www.cimade.org/>

CIEMI: <http://www.ciemi.org/>

Selected documents, academic articles consulted

General/Work

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- Caritas - Dossier Statistico Immigrazione Caritas/Migrantes, since 1991

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Spain

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- REGINE (2009). Regularisations in Europe. Study on practices in the area of regularisation of illegally staying third country nationals in the Member States of the EU. Country Studies. Vienna.
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<http://datos.gob.es/datos/?q=node/1236&language=ca> for legal texts since 1960, including legal analysis of each norm.

<http://www.migrarconderechos.es/> for legal texts, judgements and academic references. Access to a multitude of publications that provide guidance in interpreting the law. Only a few of those consulted are cited below

<http://www.infomigrante.org/infomigrante/> for current practices

<http://www.intermigra.es> for legal texts, judgements and academic references. Access to a multitude of publications that provide guidance in interpreting the law. Only a few of those consulted are cited below

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