

ENTRY

To enter in Spain, you should: carry on with you your valid passport or travel document and not being subject to a ban on entry.

Entry requirements: travel purpose, accommodation conditions, economic means, health insurance

Visa: official document necessary for citizens of determined countries to enter and remain in Spain

- You must apply for it before your arrival in Spain at a Spanish Embassy or Consulate in the country of origin
- Pay a tax/fee

You have the right to a lawyer and interpreter

LEGAL STAY IN SPAIN: STAY AND RESIDENCE

Legal stay in Spain:

- With a visa: period stated in the visa
- Without a visa: 90 days maximum within a period of 180

Once this period is over, you must apply for a permit which entitles you to remain legally in Spain. Among them, you will find the following:

Permits:

- 1/ Study stay: remain in Spain more than 90 days for study activities
- 2/Exceptional circumstances: Social ties (see summary table), family roots, Job grounds, Humanitarian reasons

* The two abovementioned permits include work authorization. In other cases, it is mandatory to obtain in the country of origin the corresponding prior authorization to reside and work in Spain.

CAN I REGROUP MY FAMILY MEMBERS?

General foreigners: you can regroup your spouse or analogue partner, children (<18 or with any disability) and ascendants (>65 years old). Duration according to applicant family member's type of permit.

EU citizens : you can regroup your spouse or analogue partner, children (<21 or with any disability) and ascendants or other dependant family members. Duration: 5 years.

SOCIAL TIES PROCEDURE



YOU CAN APPLY FOR ASYLUM IF....

You are out of your country and have well-founded fear of being persecuted due to: Religion, Nationality, Political opinion, Belonging to a particular social group, Gender, Sexual orientation. OR YOU FEAR your life might be at risk

YOU CAN APPLY FOR ASYLUM at ..

Entry border controls within the Spanish territory, ports and airports; Refugee and asylum offices (Oficinas de Asilo y Refugio); Foreign Offices; Authorized Police Departments; Migrants Detention Centers (Centro Internamiento Extranjeros)

In MADRID: in person at the Provincial Brigade of Alien Affairs and Borders - Brigada Provincial de Extranjería y Fronteras (Avenida de los Poblados, 51, from 9:00 to 15:00 hours).

ASYLUM SEEKER'S RIGHTS:

- Stay in Spain until the resolution of the request
- Public legal aid
- Interpreter
- Being formally documented as international protection seeker
- Health care
- Access to social benefits provided for international protection seekers

IN CASE OF ADMISSIBILITY... exam phase:

6 months' period (or 3 when urgent). During the whole procedure, you are granted with a temporary residence & work permit (once you are issued the 2nd red card), which must be renewed every 6 months. If the final resolution is positive, international protection will be granted:

- **YOU WILL NOT BE ABLE TO** be deported nor expelled.

- **YOU WILL BE ABLE TO:** remain in Spain; reside and work permanently; access public services and social and public benefits


- **You will HAVE THE RIGHT TO** freedom of movement, travel and identity documentation, etc.

Entry into CIE

What is the maximum time of internment?
60 days

Who decides about entry into CIE?
The judge. Appeals may be filed within 5 days before the Provincial Court.

You can ask **Pueblos Unidos** and different **NGO's** to visit you.

 91 732 06 91

C/Mártires de la Ventilla 103.
M: Plza. Castilla or Ventilla

What information should you give to your lawyer?

- If you have requested political asylum.
- The amount of time that you have been in Spain.
- If you have requested work or residence authorization.
- Certificate of registration (empadronamiento) and a copy of your passport.
- If you have family in Spain and their status.
- If you are a victim of domestic violence or trafficking.
- If you have completed courses in Spain.
- If you belong to any associations.
- If you are sick.
- If you are pregnant.
- If you have work.
- If you have a previous deportation order.

Detention: for being "without papers"



Beginning of disciplinary proceedings

After a maximum period of **72 hours** you may...

Be released... but **the proceedings move forward**

They take you before a judge to **request your entry into the CIE**

(They open a period for arguments/claims)

15 days
if it's a **standard procedure**

48 hours
if it's a **preferred procedure**


(A maximum period of 6 months passes...)

There is a penalty


Deportation Order Fine

Administrative appeal must take place before 2 months since the notification

There is no resolution


End of the procedure

You ought to **request expiration of the procedure**. (Remember: you continue to be in an undocumented situation)



Fundación San Juan del Castillo
Pueblos Unidos

SJM aspiración
servicio jesuita a migrantes



Basic information on immigration, asylum procedure, disciplinary proceeding and Migrant Detention Centers ("CIE") for foreigners in Spain

 **Jesuitas social**

 **ILUSTRE COLEGIO DE ABOGADOS DE MADRID**

 **COMILLAS**
UNIVERSIDAD PONTIFICIA
ICADE Facultad de Derecho
Clínica Jurídica