



## Spanish Partido Popular (people's party) proposes new population growing scheme

*In the run up to the Spanish general elections (taking place on April, 28), the conservative right-wing party (Partido Popular, PP) has just proposed a law. This law, if adopted, would allow pregnant undocumented women, who are already within Spain and facing possible expulsion, to stay there until they give birth.*

### **April 9th, 2019**

Children born under this program will be allowed to stay in Spain, as long as they are given up for adoption while the mothers face the risk of near-immediate expulsion. This idea is part of a larger law proposal, called the “support for maternity law”. It is described as allowing women who “want to have their babies adopted” to stay in Spain during their pregnancy. The official objective is to resolve the Spanish “demographic winter”, according to Pablo Casado, the leader of the PP. According to him, “if we want to fund pensions and

healthcare we need to think about how to have more babies and not about how to have terminations.”<sup>1</sup>

At the present time, the PP is the main opposition group in the Spanish Parliament. If they decide to form a coalition with Ciudadanos and Vox, the liberal center-right and far-right parties respectively, they could gain a majority of seats in the Parliament at the next elections in April. In the case of such a victory in the next legislative elections, this party would be in a position to implement this proposal.

Presented in a context of an electoral campaign, this idea has received a lot of criticism by rival political parties and diverse associations in Spain. In efforts to respond to this criticism, Pablo Casado explained that this possibility was imagined “for pregnant mothers who decide to put their child up for adoption instead of abandoning it, to have their confidentiality and rights guaranteed”. He went further by explaining that he understands that “a high number of abortions are carried out among immigrant women who have no resources.”<sup>2</sup>

### **Proposal Challenges**

Some party sources have claimed that any personal or identifying information that would be gathered for the completion of adoption proceedings, would not be used against the mothers during expulsion procedures.<sup>3</sup> In their terms, “it would be an outrage to use the data that has to be supplied in the process of handing a child over for adoption as an excuse to process the expulsion of that woman. That is what we want to avoid for humanitarian reasons and for the protection of the minor and the mother.”<sup>4</sup>

However, the Spanish law on foreigners already protects pregnant women from being expelled. It states that an expulsion can not be carried out when it “affects pregnant women, when the measure could pose a risk to the pregnancy or to the health of the mother.”<sup>5</sup> What is more, there is no current practice of sharing information between different administrative services in order to assist the police in processing and expelling undocumented migrants.

This proposal marks another step in the process to dehumanize the migrant population and position them as a strategic “means” to counter the declining birth rate in Spain. In that sense, the PP is making political and normative links between migratory issues, national financial issues (namely, healthcare and pensions fundings) and demographic problems. In fact, that link was already made by

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<sup>1</sup> [https://elpais.com/elpais/2019/03/14/inenglish/1552551266\\_621264.html](https://elpais.com/elpais/2019/03/14/inenglish/1552551266_621264.html)

<sup>2</sup> [https://elpais.com/elpais/2019/03/14/inenglish/1552551266\\_621264.html](https://elpais.com/elpais/2019/03/14/inenglish/1552551266_621264.html)

<sup>3</sup> [https://www.huffpostmaghreb.com/entry/espagne-un-parti-propose-de-retarder-lexpulsion-des-migrantes-qui-confieraient-leur-bebe-a-ladoption\\_mg\\_5c8a41aae4b038892f4ac8f2](https://www.huffpostmaghreb.com/entry/espagne-un-parti-propose-de-retarder-lexpulsion-des-migrantes-qui-confieraient-leur-bebe-a-ladoption_mg_5c8a41aae4b038892f4ac8f2)

<sup>4</sup> [https://elpais.com/elpais/2019/03/14/inenglish/1552551266\\_621264.html](https://elpais.com/elpais/2019/03/14/inenglish/1552551266_621264.html)

<sup>5</sup> Ley Orgánica 4/2000, de 11 de enero, sobre derechos y libertades de los extranjeros en España y su integración social, Article 57§6 [http://noticias.juridicas.com/base\\_datos/Admin/lo4-2000.t3.html#a57](http://noticias.juridicas.com/base_datos/Admin/lo4-2000.t3.html#a57)

the United Nations.<sup>6</sup> It was explained that the demographic boom in Africa and Asia could be a necessary solution to address the European problem of ageing and diminishing populations.<sup>7</sup> That strategy can be observed in the European migration and asylum laws of the past years, and particularly in its tendency to “select” migrants according to national and regional economic needs<sup>8</sup> (e.g. the Blue Card Directive).<sup>9</sup>

### History of the practice

It was also said that this proposal is reminiscent of a practice from the Franco regime in Spain (1936-1977) and even after its end. That institutionalized system<sup>10</sup> consisted of taking the babies of detained Republican couples or single mothers, The children would then be offered to families close to the Franco regime in a way to “eradicate” the “red” population of the Spanish nation.<sup>11</sup>

This idea of taking children out of the cultures they were born into, in order to “erase” a particular political, ethnic or cultural group, can also be observed through the study of US history. Until the first half of the 20th century, the US authorities used to take Native American children from their families in order to put them into boarding schools. These schools aimed at “civilizing” Native American children in a way to radically modify their language, religion, culture, and way of living. That practice would later be called a “national tragedy” by the American Bureau of Indian Affairs (1969).<sup>12</sup> It was also revealed that many Native American children were placed in adoptive homes by State Child Welfare and private adoption agencies.

These types of infrastructure, i.e. the boarding schools, seem to be still used. Nowadays, migrant children are sometimes separated from their parents at the US border, thus becoming unaccompanied children. In some cases, they go to such facilities before being released to a sponsor or a foster family.<sup>13</sup> In that sense, although the PP political plan seems to be the first one proposed

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<sup>6</sup> "Migration de remplacement : est-ce une solution pour les populations en déclin et vieillissantes?" (2000), Nations Unies, Département des affaires économiques et sociales, Division de la Population, ESA/P/WP 160

<sup>7</sup> See the study of Xavier Chojnicki, Lionel Ragot (2012), “Immigration, vieillissement démographique et financement de la protection sociale”, *Revue économique* 2012/3, Vol. 63, pp. 501-512

<sup>8</sup> Xavier Chojnicki, Lionel Ragot (2012), “Immigration, vieillissement démographique et financement de la protection sociale”, *Revue économique* 2012/3, Vol. 63

<sup>9</sup> Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment

<sup>10</sup> <https://www.franceculture.fr/histoire/derriere-le-proces-des-bebes-voles-en-espagne-le-spectre-dune-eglise-mafieuse-et-tyranique>

<sup>11</sup> <https://www.franceculture.fr/emissions/le-magazine-de-la-redaction/les-enfants-perdus-de-lespagne>

<sup>12</sup> <https://www.npr.org/templates/story/story.php?storyId=16516865&t=1553769173013#16627573#16627573C>

<sup>13</sup> <https://www.sandiegouniontribune.com/news/immigration/sd-me-family-separation-20180618-story.html>

since the beginning of the “migrants crisis”, the United States’ policy towards undocumented families detained at the border is, in some ways, reminiscent of that practice of families separation.

The former head of the US Immigration and Customs Enforcement under the Obama administration, recognized that the separation of some migrant families can be permanent.<sup>14</sup> While the parents’ deportation is often quite a quick procedure, the child’s deportation is generally not a priority. And so they become “wards of the State” and be finally adopted by a US family, making the separation with their biological family permanent.

In 2018, a Guatemalan woman and her 12 year old daughter crossed the US Texas border to seek asylum based on the physical abuse they were subjected to by the mother’s husband . After being arrested for having illegally crossed the border, a Customs and Border Protection officer threatened to separate the woman from her daughter, unless she gave up her asylum claim and left the country voluntarily. If she had not accepted this offer, she would be put into jail while her daughter would be put up for adoption in the US. After rejecting this “proposal”, she was put into jail and still does not know where her daughter is.<sup>15</sup> That happened in the context of the “zero-tolerance” policy decided by President Trump, before he put an end to family separations at the border in June 2018.<sup>16</sup>

Another aspect of this migrant-related adoption US practice is the Vietnamese scandal that arose in 2010. Between 2006 and 2009, thousands of Americans adopted Vietnamese children who had been forcibly taken or bought from their parents, in order to send them to American families who, it is reported, were not aware of any of these practices. This scandal shed light on a nationwide corruption system involving Vietnamese political authorities, hospital administrations, adoption agencies, nurses, and police officers. Some reports made by the US embassy in Vietnam stated that some mothers were offered to live in “safe houses”, where they could get lodging, money and medical expenses in exchange for their child or newborn. Others had their children kidnapped by hospitals that refused to release them until they paid their medical bills. When parents had no money to pay, the children were declared abandoned and placed for adoption.<sup>17</sup>

#### A Dangerous Precedent?

These practices are endemic of a pervasive fear of ‘the other’, or more specifically the fear of cultural dilution. It is clear that the West is in need of more people, younger workers, new innovations and development, and is looking for ways to respond to the public finances deficits and to support a large aging population. This is instead of doing the hard work of building more inclusive systems with mutually beneficial plans when developing new systems of migration management. These policies represent the ways in which Western powers work to prosper from developing nations.

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<sup>14</sup> <https://www.nbcnews.com/storyline/immigration-border-crisis/former-ice-director-some-migrant-family-separations-are-permanent-n884391>

<sup>15</sup> <https://thehill.com/blogs/blog-briefing-room/394310-aclu-immigrant-woman-says-border-agent-threatened-to-put-her>

<sup>16</sup> <https://www.nbcnews.com/politics/immigration/trump-says-he-ll-sign-order-stopping-separation-families-border-n885061>

<sup>17</sup> <https://foreignpolicy.com/2010/09/12/anatomy-of-an-adoption-crisis/>

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### ABOUT THE AUTHOR



Ariane Gemander  
Outreach Department Intern



Kate Jackson  
Outreach Department Manager



/BICBrussels



@bicrh



@bicrhr

Avenue Louise, 89 - 1050 Brussels - Belgium

Tel: +32 02 725 84 66

[www.bic-rhr.com](http://www.bic-rhr.com)

[info@bic-rhr.com](mailto:info@bic-rhr.com)

