



EMN FOCUSSED STUDY 2013

Attracting Highly Qualified and Qualified Third-Country Nationals

<p><u>Top-line “Factsheet”</u> (National Contribution) <u>Executive Summary</u> (Synthesis Report)</p>
<p><u>National contribution (one page only)</u> Overview of the National Contribution – introducing the study and drawing out key facts and figures from across all sections of the Focussed Study, with a particular emphasis on elements that will be of relevance to (national) policymakers.</p>
<p><u>Synthesis Report (up three pages)</u> Executive Summary of Synthesis Report: this will form the basis of an EMN Inform, which will have EU and National policymakers as its main target audience.</p>
<p><u>Section 1</u> <u>National Policies and Measures</u> (Maximum 8 pages)</p>
<p>This section reviews the <u>national policies and measures</u> that Member States employ in order to attract highly qualified and qualified third-country nationals. Reference is made to the International Standard Qualifications as regards education (ISCED) and occupation (ISCO-08) and/or the respective salary threshold when outlining the target group of these policies and measures (see examples above).</p>
<p>1.1 Policies</p> <p><i>Q.1. Are there national policies in place for the attraction of highly qualified and qualified third-country nationals?</i></p> <p>[Yes/No]</p> <p><i>Q1.a. If Yes, please indicate the following:</i></p> <ul style="list-style-type: none"> ➤ <i>National definition of highly qualified third-country nationals, including references to relevant international standards such as ISCED/ISCO and/or salary thresholds;</i> <p>Insert Response here and please consider whether the following is included:</p> <ul style="list-style-type: none"> - Education level; - Salary; - Experience; - Other <ul style="list-style-type: none"> ➤ <i>National definition of qualified third-country nationals, including</i>



references to relevant international standards such as ISCED/ISCO and/or salary thresholds.

Insert Response here and please consider whether the following is included:

- Education level;
- Salary;
- Experience;
- Other

Q1.b. If Yes, do the policies distinguish between highly qualified and qualified third-country nationals?

[Yes/No]

Q1.c. If Yes, please indicate the rationale for their distinction.

[Insert Response here]

Q1.d. If Yes, what is the main rationale for these policies? What is the objective? Please consider whether this rationale is linked to circular, temporary or permanent migration.

[Insert response here]

Q1.e. If Yes, briefly outline the main features of the policies. Please consider whether the following exists:

- *Points-based system (i.e. a system that admits third-country nationals who have a sufficient number of qualifications and experiences from a list that typically includes language skills, work experience, education and age¹);*

[Yes/No plus brief description]

- *Employer-led system (i.e. a system that allows employers to select the workers they need, subject to, government regulations²);*

[Yes/No plus brief description]

- *Hybrid system (i.e. combination of points-based and employer-driven model³);*

[Yes/No plus brief description]

¹ Definition from: <http://www.migrationpolicy.org/pubs/rethinkingpointssystem.pdf>

² Ibid

³ Ibid



Q.2. Are other groups of third-country nationals included in the national policies on attracting (highly) qualified third-country nationals?

[Yes/No]

Q2.a. If Yes, please indicate what other groups are included (i.e. investors, entrepreneurs, international graduates, transferred workers etc.)?

Refer whenever possible to existing EMN studies covering relevant information on these groups.

[Insert response here]

Q.3. Do the policies in your Member State focus on specific areas of occupations?

[Yes/No]

If Yes, please briefly indicate the specific areas of occupations and their link with the policies.

[Insert response here]

Q.4. Has the transposition of EU Directives⁴ led to more favourable legislation/measures/conditions for specific groups of (highly) qualified third-country nationals?

[Yes/No]

Q4.a. If Yes, please indicate the relevant Directives and the more favourable legislation/measures/conditions which were created for these specific groups (i.e. EU Blue Card Directive and Researchers Directive).

[Insert response here]

Q.5. Are the national policies addressing the aspect of brain drain in the countries of origin?

[Yes/No]

Q.6. Are the national policies addressing the aspect of brain circulation with the countries of origin?

[Yes/No]

Q6.a. If Yes (to either of these questions), please briefly indicate how the national policies address these aspects, supporting your answers with reference

⁴ E.g. EU Blue Card Directive and Researchers Directive



to research or any other sources of information.

[Insert Response]

Q.7. Have your national policies been the subject of public debate?

[Yes/No]

Q7.a. If Yes, please briefly indicate the main features of the policies which were debated as well as the reasons for such debate and the level at which these occurred (e.g. Parliament, society, media). Please support your answer with reference to research or any other sources of information.

[Insert Response]

Q7.b. If Yes, please briefly indicate possible impacts of the debate on the national policies.

[Insert Response]

1.2 Measures

Refer to the legal framework in case relevant changes to labour migration legislation have occurred as compared to the information contained in the EMN Study on Satisfying Labour Demand through Migration.

Q.8. Does your Member State employ concrete measures in order to satisfy the policy goals?

[Yes/No]

Q8.a. If Yes, please indicate the measures that contribute to the implementation of the national policies and indicate their specific goals.

[Insert Response]

The listings below can be used as examples. Please support your answers with reference to research or any other sources of information.

- *Employer sponsorship and/or involvement in migration process;*
- *Free access to the labour market;*
- *Fast-tracking of procedures;*
- *Provision of information including information campaigns;*
- *Attendance of recruitment fairs abroad;*
- *Cooperation with institutions/organisations in third countries;*

Q8.b. If Yes, are there any measures aimed at facilitating the integration of (highly) qualified third-country nationals?

[Yes/No]



The listings below can be used as examples. Please support your answers with reference to research or any other sources of information.

- *Improvement of language proficiency;*
- *Provision of information and civic orientation;*
- *Social and legal guidance.*

Q.9. Do public policies exist in your Member State that specifically aim at positively influencing the immigration decision of (highly) qualified third-country nationals?

[Yes/No]

Q9.a. If Yes, please also indicate such incentives.

[Insert Response]

The listings below can be used as example. Please support your answers with reference to research or any sources of information

- *Family reunification rights*
- *Tax incentives*
- *Social security / other welfare benefits*
- *Equal treatment / anti-discrimination measures*

1.3 Relations with third countries and labour migration agreements

Q.10. Do the policies in your Member State focus on specific third countries?

[Yes/No]

Q10.a. If Yes, please list these third countries, providing a brief indication of the reasons for focusing on specific third countries?

[Insert response here]

Q.11. Has your Member State entered into labour migration agreements relating to attracting qualified and/or highly qualified third-country nationals to the national territory?

[Yes/No]

Q11.a. If Yes, what role do these labour migration agreements play in executing your Member State's policies?

[Insert response here]

Q11.b. If Yes, please fill out the following:



- Agreement No.1

Third country:

Date of agreement:

Purpose of agreement:

Number of third-country nationals who have benefited from this measure:

Was the agreement adopted in the framework of Mobility Partnerships?

[Yes/No]

- Agreement No.2:

Third country:

Date of agreement:

Purpose of agreement:

Number of third-country nationals who have benefited from this measure:

Was the agreement adopted in the framework of Mobility Partnerships?

[Yes/No]

- Agreement No.3:

[...]

Q.12. Has your Member State adopted legislations facilitating labour migration from specific third countries ('country-specific legislation')?

[Yes/No]

Q12.a. If yes, please elaborate concisely.

[Insert response here]

Q.13. Has your Member State entered into other more favourable arrangements with non-EU/EEA countries and/or regions relating to attracting qualified and/or highly qualified third-country nationals to the national territory?

[Yes/No]

Q13.a. If yes, please elaborate concisely.

[Insert response here]



This section reflects on the effectiveness of national measures as described in Section 1 and the methods used for evaluation. This analysis shall help to identify good practices and lessons learnt in Section 4.

2.1 Evidence of effectiveness based on statistics

A template table for statistics will be provided.

Please provide statistics that reflect the scale and scope of highly qualified and qualified labour immigration of third-country nationals using statistics provided by Eurostat and other relevant national statistics that are available⁵. Please present the following:

- The number of third-country nationals employed and self-employed in the respective Member State in the relevant ISCO groups (i.e. those related to qualified and highly qualified employment according to national definitions) over the last 5 years aggregated by sex and age group.
- The number of third-country nationals employed and self-employed in the respective Member State over the last 5 years aggregated by relevant ISCED level of education (i.e. those associated with qualified and highly qualified employment according to national definitions), sex and age group.
- The number of first residence permits issued for relevant reasons (e.g. highly skilled workers, EU Blue Card) over the past 5 years aggregated by sex and age group.

Q.14. Is there any evidence (quantitative and/or qualitative) of a link existing between the measures outlined in Section 1 and the immigration of highly qualified and qualified third-country nationals?

[Yes/No]

Q14.a. If yes, please elaborate concisely.

[Insert response here]

The listings below can be used as examples. Please support your answers with reference to statistics or any other sources of information.

- *Increase in the number of residence permits for the purpose of highly qualified employment since implementation of the measure(s);*
- *Faster filling of job vacancies corresponding to the domestic demand according to employer response survey;*
- *Qualification and occupation match (over/under-qualification).*

⁵ Please take into account the comments made under section V. Available Statistics.



Q.15. Is there a quota for highly qualified and qualified third-country nationals?

[Yes/No]

Q15.a. If Yes, is the quota exhausted?

[Insert response here]

Q.16. Is there any evidence (quantitative and/or qualitative) of a link existing between the labour migration agreements (also in the framework of Mobility Partnerships) outlined in Section 1 and the immigration of highly qualified and qualified third-country nationals?

[Yes/No]

Q16.a. If yes, please elaborate concisely.

[Insert response here]

If (statistical) evidence as requested above regarding concrete measures and labour migration agreements is not available, please outline and analyse any other statistics which may provide indications of the effectiveness of the national policies and measures.

[Insert response here]

2.2 National methods of evaluation

Q.17. Does primary research (using any methods) exist in your Member State evaluating the national policies, related practical measures and labour migration agreements (also in the framework of Mobility Partnerships) implemented to attract highly qualified and qualified third-country nationals?

[Yes/No]

Q17.a. If Yes, which methods have been used?

[Insert response here]

Q17.b. If Yes, what is the outcome regarding the effectiveness of these measures and labour migration agreements?

[Insert response here]

2.3 Policy makers' or other stakeholders' (i.e. academics, non-governmental or private sector representatives) experience

Q.18. If evidence (see 2.1 and 2.2) is not available, what is then the national policies makers' or other stakeholders' experience and assessment regarding the (perceived) effectiveness of measures (see also questions under 2.2)?



[Insert response here]

Section 3 Challenges and Barriers (Maximum 4 pages)

This section reflects on possible challenges and barriers that may affect the attractiveness of a Member State for highly qualified and qualified third-country nationals' immigration.

3.1 Possible challenges and barriers

Q.19. Have challenges and barriers in your country been identified based on previous research which affect the attractiveness of your Member State for (highly) qualified third-country nationals?

[Yes/No]

Q19.a. If Yes, please indicate these factors.

[Insert response here]

The listing below can be used as an example. Please support your answers with reference to statistics, research or any other sources of information (e.g. media debates, case-law, policy documents, practitioners' views, private sector and other stakeholders):

- *Salaries/Wages;*
- *Economic crisis;*
- *Language;*
- *Formal/Informal discrimination;*
- *Public discourse / debate;*
- *Bureaucracy;*
- *Monetary and non-monetary (time) costs;*
- *Lack of information;*
- *Working conditions;*
- *Small/weak academic/scientific community;*
- *Waiting time to process visa applications in the Member State*

Q.20. If such evidence is not available, what is then the national policies makers' or other stakeholders' experience and assessment regarding the challenges and barriers which affect the attractiveness of your Member State for (highly) qualified third-country nationals?



[Insert response here]

Section 4
Conclusions
(Maximum 2 pages)

The Synthesis Report will outline the main findings of the Study and present conclusions relevant for policymakers at national and EU level.

Q.21. What conclusions would you draw from your findings that are relevant to the aims of this Focussed Study? Can you identify good practices and lessons learnt with regard to attracting highly qualified and qualified third-country nationals? What is the relevance of your findings to (national and/or EU level) policymakers?

[Insert response here]