



IOM International Organization for Migration
OIM Organisation Internationale pour les Migrations
OIM Organización Internacional para las Migraciones



Recognition of Qualifications and Competences of Third-Country Nationals Challenges and Opportunities Expert Seminar, Brussels, 19 June 2012

- Report -

The IOM LINET¹ expert seminar on the *Recognition of Qualifications and Competences of Third-Country Nationals* was held on 19 June 2012 in Brussels to shed light on the existing pathways for assessing, validating and recognizing formal, non-formal and informal learning of migrants and to identify policy measures which could help to improve the outcomes of the recognition process, thus contributing to a better utilization of the skill-set of migrants in their receiving countries. It gathered 80 participants representing the various range of stakeholders involved in the issue, including representatives from national and EU institutions as well as International Organisations, employers' associations, trade unions, academia and the civil society.

The seminar had four main parts. An expert panel, gathering LINET researchers from EU Member States, Australia and Canada together with the LINET project manager, provided an overview of existing national practices for assessing, validating and recognizing formal, non-formal and informal learning of migrants in the LINET target countries. This introductory panel was followed by two thematic sessions. The first thematic session explored the new trends and practices in the recognition of formal as well as informal and non-formal learning worldwide. The second thematic session presented the perspectives of employers and social partners from the EU Member States on the challenges and opportunities of current recognition practices and on the role that the EU could play to improve such practices. The concluding panel gathered the representatives of different services of the European Commission and of International Organizations who shared their views on the issues involved.

Key issues discussed during the seminar:

- **Preliminary findings of the IOM comparative study on existing national practices for assessing, validating and recognizing formal, non-formal and informal learning;**
- **Global trends and new practices in the recognition of formal as well as informal and non-formal learning;**
- **Challenges and opportunities of current recognition practices from the perspectives of employers and social partners.**

¹ The Independent Network of Labour Migration and Integration Experts (LINET) was created in 2009 by the International Organization for Migration (IOM) in order to provide DG Employment, Social Affairs and Inclusion of the European Commission with expert analysis and advice on economic migration and labour market integration of third-country nationals. The network unites experts from 27 Member States of the European Union, Croatia, Norway and Turkey, and aims to support the European Commission in evidence-based decision-making and mainstreaming issues of labour market integration of migrants in achieving Europe-2020 goals.

- **The potential for increasing labour market integration of third-country nationals through recognition of formal, informal and non-formal learning as identified by different services of the European Commission**

Opening remarks

Bernd Hemingway, Regional Director at IOM Brussels, welcomed participants to the LINET expert seminar. He briefly presented the main objectives of the seminar on the Recognition of Qualifications and Competences of Third-Country Nationals, and introduced the representatives from the two key Directorates-General of the European Commission dealing with labour migration issues:

Constantinos Fotakis, Adviser, DG Employment, Social Affairs and Inclusion, European Commission stressed the relevance of this fifth conference co-organized by DG Employment, Social Affairs and Inclusion of the European Commission with IOM LINET in the context of the debate on the EU's growth. He pointed to the Recognition of Qualifications as a process of key importance for the improvement of immigrants' access to the labour market in the EU Member States, which is considered by the European Commission as an essential step to reach the headline employment target under the Europe 2020 Strategy (*i.e.* 75% of residents aged 20-64 in employment by 2020). Against a short- to medium-term scenario of shrinking workforce and of occupational changes leading to increasing demand for skilled workers in most EU Member States, tackling labour shortages counts among the key measures to ensuring that the qualification and competences of migrants are fully recognized and utilized in the labour market of their receiving countries.

Diane Schmitt, Head of Unit Immigration and Integration, DG Home Affairs, European Commission, echoed Mr. Fotakis on those issues. She added that Europe is not the only region in the world which will witness growing shortages of skilled labour in the next decade, stressing the need for the EU to increase its attractiveness for skilled migrants. She reported the initiatives already undertaken by the Commission in this respect – including the Blue Card Directive and the proposal for a Directive on Intra-Corporate Transfers. She also highlighted the issue of brain waste, with one third of non-EU immigrants in the EU being overqualified for their jobs according to CEDEFOP (European Centre for the Development of Vocational Training), and the necessity to address it. She reminded of the need to tap the full skills-potential of all migrant categories, including family migrants. Ms. Schmitt also emphasized the interest of DG Home Affairs of the European Commission on LINET activities.

Mr. Hemingway reported the conclusions of previous LINET work on migration and the economic crisis, which point to the key role of migrants in contributing to Europe's economic recovery in the medium-term, and identified the enhancement of the role of migration in promoting the competitiveness of EU economies as a key policy priority for EU Member States. He concluded by briefly presenting the seminar agenda, introducing the IOM expert panel and thanking DG Employment, Social Affairs and Inclusion of the European Commission for the fruitful cooperation on labour migration and integration issues in the context of IOM LINET activities.

Key aspects:

- **Recognition of Qualifications is a process of key importance for the improvement of immigrants' access to the labour market in the EU Member States, which is considered by the European Commission as an essential step to reach the headline employment target under the Europe 2020 Strategy (i.e. 75% of residents aged 20-64 in employment by 2020).**
- **With one third of non-EU immigrants in the EU being overqualified for their jobs, issues of brain waste have also to be taken into account.**

IOM Expert Panel: Findings of the IOM study on Recognition of Qualifications and Competences of Third-Country Nationals

Anke Schuster, Project Manager, Independent Network of Labour Migration and Integration Experts (LINET) at IOM Brussels opened the Expert Panel presenting the preliminary findings of the IOM comparative study on the Recognition of Qualifications and Competences of Third-Country Nationals. This study draws from the findings of eight country case studies conducted by IOM LINET experts for selected countries both within and outside the EU (Australia, Canada, Denmark, Germany, Italy, the Netherlands, Sweden and the United Kingdom), as well as from desk research, and analyzes the existing national practices for assessing, validating and recognizing formal, non-formal and informal learning of migrants.

According to CEDEFOP, formal learning is defined as learning that occurs in an organized and structured environment, is explicitly designated as learning and is intentional from the learner's point of view. It typically leads to validation and certification. Informal learning is the learning resulting from daily activities. It is not organized nor structured in terms of objectives, time or learning support and is, in most cases, unintentional from the learner's perspective. Non-formal learning is intended as learning which is embedded in planned activities not explicitly designated as learning and is intentional from the learner's point of view. While pathways for assessing, validating and recognizing formal qualifications acquired abroad exist in most EU and settlement countries, the issue of accreditation of non-formal and informal learning has received growing attention in recent years, and procedures for the accreditation of prior learning (APL) have been implemented in several EU Member States, also to facilitate labour mobility in the context of the economic crisis. The recognition of informal and non-formal learning is of particular significance for migrants. In many cases it is through methods such as biographical interviews and portfolios that the personal skills of migrants can be identified. This proves to be particularly useful where possibilities to validate formal qualifications acquired abroad do not exist, or where major discrepancies occur between formal learning in countries of origin and destination.

Recognition systems differ largely from one country to another due to variations in several areas. The definition of regulated and non-regulated professions and the type of recognition procedure applying in each case differ across countries. Diverse methods of accreditation of formal learning may apply. Some are based on the length of training, others on content and learning outcomes. Learning outcomes are gaining momentum in the design of national and overarching qualifications frameworks. The recognition system of the United Kingdom is a good example in this respect, as it blurs the distinction between formal, informal and non-formal learning, thus allowing for

accumulation or credit transfer between different types of qualifications. Variation also exists across countries with respect to the availability of paths for partial or conditional recognition, when full recognition cannot be granted. These may take the form of bridging courses (Australia) or workplace assessments (Canada). The authorities responsible for the recognition of foreign qualifications also vary widely both across and within countries. Differences within the same country are often related to the administrative structure of the state (with different Ministries, or local authorities involved), but it may also be a consequence of the existence of different paths for recognition according to the type of qualification or competence to be assessed. In some systems there are national and provincial professional recognition bodies (*e.g.* in Australia and Canada), in others employer-based recognition processes (Sweden) or coordination by one public authority in charge of regulated professions (Denmark and the UK). The involvement of the employers in the recognition process – in the design of assessment methods or in the assessment itself – ensures that recognition procedures are tailored to real needs, even though examples within the EU remain scarce. Specific paths for recognition may apply to nationals of partner countries under multilateral or bilateral agreements (*e.g.* automatic recognition of professional qualification within the EU based on the European Qualifications Framework and Professional Qualifications Directive), or for specific sectors.

The plethora of diverse and fragmented systems for recognition which may exist in one country translates into a high degree of complexity of the recognition process, which may discourage migrants from seeking to have their qualifications assessed in their receiving countries. Some LINET country studies have pointed out shortcomings in migrants' access to information on existing recognition pathways, mostly related to language barriers. Lack of awareness is also a major issue from the side of the employers. Generally employers tend not to be familiar with qualifications from third-countries, and with their possible equivalence with local diplomas. This information barrier is an important factor explaining the underutilization of immigrants' skills in their destination countries. The length of the procedure of recognition is also one issue which would need to be tackled, since there is evidence that early and timely recognition may improve the labour market outcomes of immigrants significantly.

There is currently limited availability of statistical information on recognition outcomes in terms of labour market integration. Improvements of migrants' employability have been reported for selected countries (Australia, Italy). However, broader datasets would need to be set up and analyzed in order to assess the relative role of recognition of qualifications and competences for labour market integration. Other factors – such as language barriers and discrimination – might interplay with the lack of recognition of foreign qualifications to explain the lower employment rates and the higher over-qualification rates of third-country nationals compared with other groups.

According to Eurostat, in 2010, the employment rate of third-country nationals aged 20-64 was ten percentage points lower than that of the total population in the same age group at the EU level. In 2009, the average over-qualification rate of non-EU born immigrants in the age group 20-64 stood at 36%, while the corresponding figures for natives and EU born were, respectively, 21 and 28%. Trends of shrinking workforce in the EU in the medium-term point to growing labour and skills shortages in the Member States in the next decade. Against this background, the improvement of the labour market outcomes of immigrants in their EU receiving countries is a central issue to address in order to meet the employment target under the Europe 2020 growth strategy.

Various measures could be taken to improve the systems of recognition of foreign qualifications and competences and, thus, to enhance the positive outcomes of the recognition process both in

terms of the labour market integration of immigrants and of matching unfilled labour and skills needs in receiving countries. These measures include the adoption of recognition procedures which combine an approach based on formal qualifications with one based on learning outcomes; the simplification of the recognition process, notably through the establishment of one-stop shops and through coordination among the different authorities involved in the process; increasing employers' involvement in the recognition process; promoting awareness on the recognition system and its outcomes both on the side of immigrants and entrepreneurs; encouraging early recognition of foreign qualifications, notably through pre-departure assessment or by embedding recognition procedures in the introduction programmes for newly arrived immigrants; the adoption of a holistic approach entrenching recognition measures in the broader set of integration actions, in order to benefit from synergies among different kinds of measures.

Key points from the IOM LINET comparative study on Recognition of Qualifications and Competences of Third-Country Nationals:

- **Recognition systems continue to differ largely from one country to another due to variations in several areas, such as the definition of regulated and non-regulated professions as well as the type of recognition procedures applying in each case, the methods for assessment and recognition of formal learning, procedures for partial recognition of formal learning and bridging courses, the development of practices for the recognition of informal and non-formal learning, and the involvement of employers in the recognition process.**
- **Various measures could be taken to improve the systems of recognition of foreign qualifications and competences and, thus, to enhance the positive outcomes of the recognition process both in terms of the labour market integration of immigrants and of matching unfilled labour and skills needs in receiving countries. These measures include:**
 - **The adoption of recognition procedures which combine an approach based on formal qualifications with one based on learning outcomes, in order to fully capture and recognize the whole skill set of immigrants;**
 - **Reducing the complexity of the recognition process through the creation of a one stop shop for recognition, and the coordination among all the different authorities involved in the process;**
 - **Increasing the involvement of employers in the recognition process;**
 - **Promoting awareness on the recognition system and its outcomes, both on the side of immigrants and entrepreneurs;**
 - **Encouraging early recognition of qualifications, ideally pre-departure**
 - **The adoption of a holistic approach for the full utilization of the skill-set of immigrants, embedding measures for recognition in the context of broader integration measures, with particular attention to language training.**

Shibao Guo, Associate Professor, University of Calgary, Canada, emphasized that the system for the recognition of foreign qualifications in Canada is highly fragmented, with a plethora of actors involved in the recognition process including federal authorities, provincial and municipal governments, more than 400 regulatory bodies dealing with the recognition process for above 50 regulated professions, post-secondary institutions, settlement agencies as well as employers. While immigration is a federal responsibility, the provincial and territorial governments have jurisdiction over skills trades and professions as well as higher education, and, consequently, are the main

Recognition of Qualifications of Third-Country Nationals – Challenges and Opportunities 5
IOM LINET Expert Seminar Report

actors on recognition. They delegate the assessment to various agencies and higher education institutions. While in the past immigrants were mainly heading to Montreal, Toronto and Vancouver, more and more smaller cities are receiving immigration, and, as a consequence, municipal governments are getting increasingly involved in recognition, in cooperation with the federal and provincial governments. Different methods for recognition apply depending on the assessing authority and the type of learning. The fragmentation of the system translates into lack of transparency and difficulties for migrants to go through the process.

Various initiatives have been implemented in the past ten years with the aim of reducing the complexity of the system for the recognition of foreign qualifications and making it more efficient. The *Pan-Canadian framework for the Assessment and Recognition of Foreign Qualifications* was adopted in 2009 to coordinate assessment practices adopted by different stakeholders. The framework introduced a Pan-Canadian commitment to timely service, for recognition statements to be issued within a maximum period of one year from application. Other initiatives adopted to facilitate the insertion of migrants with foreign qualifications in the local labour market include career bridging programmes, where immigrant service organizations play an important role. For example the ETIP (Edmonton Mennonite Centre for Newcomers-Engineers and Technologists) provides language training programmes to foreign educated engineers. These programmes have proven to be very effective in facilitating migrants' access to the labour market at a level corresponding to their qualifications.

Despite these promising initiatives, obstacles to labour market integration for immigrants holding foreign qualifications or having gained their work experience abroad continue to exist in Canada. The multiple layers of barriers facing immigrant professionals as a result of devaluation of their prior learning and work experience can be illustrated as a *triple glass effect* resulting from a *glass gate*, which denies immigrants' entrance to guarded professional communities, a *glass door*, which block immigrants' access to professional employment at high-wage firms, and a *glass ceiling*, which prevents immigrants from moving up to management positions.

Leslyanne Hawthorne, Professor, Associated Dean International Workforce, University of Melbourne, Australia stressed the growing diversification of skilled category source countries in Australia, which presents a new challenge for the process of accreditation of foreign qualifications and competences, and more broadly, with respect to the labour market integration of immigrants. India and China account together for around 40 per cent of the whole intake, and 14 out of top 20 permanent skilled category source countries are Asian countries. Evidence suggests that while most skilled immigrants originate from Asian countries, Australian employers show a hiring preference for migrants from OECD and English-speaking countries.

Pre-migration screening of credentials, together with English testing, has been a mandatory requirement for permanent skilled migration since 1999. Prospective skilled migrants are required to seek assessment of their foreign credentials around three months before lodging their skilled migration application to Australia. Qualifications assessment is conducted by peak national bodies in regulated fields or generic authorities in non-regulated professions. There is evidence of significant improvements in labour market outcomes of permanent skilled migrants as a result of the mandatory pre-migration screening of credentials and language knowledge. As from July 2012, pre-migration screening of credentials will be a precondition for immigration for all skilled migrants, including those entering under the employer-nominated temporary residence sub-stream. However, the system still misses the assessment of the competences and qualifications of migrants entering through other streams (family, humanitarian), as well as of the spouses of skilled migrants.

For the practice of some professional activities – namely regulated professions – pre-migration assessment of foreign credentials is not sufficient and recognition is required onshore. For some professions multiple pathways for registration have been introduced. For example, four different pathways exist for foreign qualified doctors, with fast-track procedures applying to immigrants from countries whose education institutions are trusted.

Initiatives taken to enhance the recognition and registration process include the elaboration of Country Education Profiles; the conclusion of bilateral and multilateral agreements for recognition both region-specific (such as the Trans-Tasman Travel Arrangement and Asian initiatives), and field-specific; the provision of field-specific bridging courses; and of competence-based assessment.

Another relevant trend in the context of Australia's strategy to attract skills through migration has been the growing importance in the study-migration pathway. By 2009-2010 students accounted for 35 per cent of permanent skilled migrants selected, most of them coming from China and India. The study-migration pathway has undergone several reforms in the past decade. It has the advantage of providing a pool of skilled migrants with onshore qualifications, thus reducing labour market integration barriers related to foreign qualifications and language knowledge.

Laura Zanfrini, Professor, Catholic University of Milan, Italy, pointed out that over-qualification is a distinctive pattern of the Italian model of labour market integration of immigrants. On the other hand, qualified migrants have higher levels of employability compared with those who are less educated. Evidence based on a survey carried out in 2005 suggests that obtaining full recognition of qualifications acquired in third-countries improves significantly the likelihood of immigrants of being employed or self-employed. However, the share of third-country nationals applying to have their qualifications recognized is dramatically lower compared with other EU countries (7 per cent compared with almost 27 per cent on EU average), and recognition rates are also below the EU average (less than 56 per cent compared with 64 per cent).

The Italian system for the recognition of foreign qualifications is fragmented, with different procedures applying and various authorities involved according to the level of qualification to be recognized, the content of the course of study, the purpose of recognition, and the country where the qualification was obtained. Bilateral agreements on recognition are in place with a number of non-EU countries. In addition, special rules apply for the holders of international protection. Key actors involved in the recognition process include universities and other education institutions, the Foreign Office and Italian Representations abroad, various Ministries as well as local authorities (Regions and Municipalities).

The plethora of actors and initiatives promoted at the local level for the recognition of qualifications from third countries and the lack of a national framework for recognition call for a simplification of the system. Better dissemination of information among migrants on the recognition process should also be promoted, together with data collection on labour market outcomes of migrants who get their qualifications recognized. The involvement of the employers in the recognition process should be encouraged, especially with regards to the recognition of non-formal and informal learning.

Wolfgang Bosswick, Director, European Forum for Migration Studies, Bamberg, Germany, emphasized that education is in the Länder domain in Germany. The recognition of foreign school and academic qualifications as well as study credits and degrees is implemented by the Center for

foreign education at the Conference of Länder Ministries of Education (ZAB). However, a relevant sector of the education system, primarily related to dual system vocational training (a peculiarity of the German education model, where both school-training and training on the job are provided) and professional education, is regulated by the Federal Law on dual system alternance training. As a result of this distribution of powers, some professions and/or trainings are subject to national law, while others are regulated by Länder legislation. Thus, the applicable law and procedures for recognition may differ within the same profession. There are around 450 institutions processing recognition procedures in Germany. Until March 2012, there was not a central authority on recognition in Germany, the ZAB acting as a coordination authority only for the procedures under the Länder's responsibility. However, an emerging trend of cooperation among the different actors can be observed.

A Federal Law on Recognition of Foreign Qualifications entered into force in April 2012. Among the main changes brought about by the new law are: the introduction of a legal claim to have qualifications recognized within a fixed period of time (three to four months depending on the procedure), the possibility of pre-departure assessment of recognition for prospective labour migrants and the creation of a database compiling the results of the recognition procedures. The recognition procedure is articulated in two different pathways: one for regulated and one for non-regulated professions. The procedure for non-regulated professions leads to equivalence instead of recognition. In addition, the new law has provided for supplementary measures in the recognition of non-regulated qualifications to consider work experience obtained outside of Germany for the purpose of granting equivalence.

The first round of detailed statistics on the new federal recognition process should be available in the third quarter of 2012. However, since there was no data collection on recognition procedures prior to the entry into force of the law, new data will not allow for an evaluation of the impact of the reform.

Elena Dingu-Kyrklund, Researcher, Stockholm University, Sweden highlighted that a new legislation on labour migration has been implemented in Sweden since December 2008, which has introduced an almost entirely demand-driven labour migration system where employers may recruit workers from abroad for any occupation, as long as they advertise the job and guarantee the respect of collective agreements on work conditions. This new system for labour migration is the most open in the OECD area. The majority of the migrants who are entering Sweden under the new system are not being recruited for occupations in shortage and an increase of migrants going into elementary occupations has been observed since the implementation of the new law. This may indicate a waste of immigrants' skills. More in general, a wide phenomenon of underutilization of the skills of immigrants who had been living in Sweden for several years had been observed already prior to the introduction of the new labour migration system.

The Swedish system for recognition of foreign qualifications has undergone several changes since the 80s. Traditionally, formal education was considered the only ascertainable qualifications criterion. The conceptual reasoning on the validation process has changed spectacularly within the last decades. The evaluation methodology and formulations have evolved from equivalence – requiring total correspondence among the foreign and the national diploma – during the 1980s to various forms of recognition during the 1990s – a relatively flexible form of acknowledgement, and further on to acceptance at the beginning of the 2000s. In addition, from the second half of the 1990s also informal and non-formal learning started to be evaluated. The introduction, in 2012, of a national validation model for the validation of non-academic knowledge and competences represents a further evolution towards a more comprehensive recognition system aimed at making

real competences visible. During the 80s and the 90s there were claims that employers did not trust the system of evaluation of third-country nationals. The 2012 reform also aims at getting employers more implied in the recognition process through the establishment of a closer link between the validation process and labour market insertion.

Inge van der Welle, Researcher, Regioplan, The Netherlands explained that migrants have easy access to the recognition system in the Netherlands. The approach adopted for the recognition of foreign qualifications allows for differences in the content and length of foreign curricula compared to the Dutch ones, rather than requiring strictly corresponding curricula. The evaluation of foreign qualifications is carried out based on four different criteria: formal criteria (*i.e.* international treaties, agreements, conventions, national regulations); functional criteria (*i.e.* goals of the specific foreign education); process criteria (*i.e.* preparatory training, selection criteria, content of education); preconditional agreements.

Two national centres of expertise for international credential evaluation exist in the country, Nuffic and SBB, dealing respectively with academic and secondary vocational education. These two centres work together. The Information Centre of Expertise for International Credential Evaluation (IcDW) acts as a central desk where all applications for credential evaluation can be submitted, providing guidance to applicants on the procedure to follow and the specific institution in charge of it. Nuffic also acts as the National Contact Point for Professional Recognition, running a website which provides information on regulated professions and contact details of the competent authorities. Different requirements apply depending on the profession. For example, the assessment procedure for dentists requires Dutch language knowledge at C1 level, a skills test and the proof of qualifications acquired abroad. Language requirements may constitute a difficulty in this specific process of recognition, C1 being a higher level of language knowledge compared with the level provided in the integration programme.

As far as accreditation of prior learning is concerned, the Dutch Knowledge Centre for APL – which was established in 2001 – is responsible for the knowledge management and the dissemination about APL and the quality standards for APL in the Netherlands. The infrastructure for accreditation is rather articulated at the regional and local level, with around 80 APL providers which are mainly educational institutions (for formal recognition) and social partners (for social recognition).

Since February 2012, pilot projects have been implemented for the evaluation of competences of refugees lacking proof of prior learning. The application form for this procedure – which does not involve costs for the refugees – is provided in eight languages and has to be cosigned by a trustful person/institution (*e.g.* the local Agency for refugees) who then acts as a guarantee for the truthfulness of the information stated by the refugee in the application.

In addition to the identification of competences, the APL procedure may also lead to the recognition of competences. In this respect a distinction is made in the Dutch system of accreditation of prior learning between social recognition – which is aimed at the re-insertion of workers at risk of displacement in the Dutch labour market and was introduced as a measure to alleviate the impact of the economic crisis – and formal recognition, aimed at encouraging ‘lateral entry’ (*i.e.* admission at an advanced step of the course of study) of teachers or medical doctors in the Dutch higher education system. However, a huge step separates the accreditation of prior learning from the formal recognition of a diploma. The responsibility of ensuring the quality of the

APL procedure lies with the government. Here, the challenge is to make the statement resulting from the APL procedure more precise and comparable through a standardized procedure.

Major bottlenecks in the Dutch recognition procedure and its capacity to ensure good job-skills matching for third-country nationals result from the fact that diploma and language knowledge are attributed greater importance compared with work experience.

Lucie Cerna, Research Associate, COMPAS, University of Oxford, United Kingdom outlined that the United Kingdom has been one of the frontrunners in recognition practices among European countries. Key players in the recognition process are the UK NARIC and the universities, regional governments, professional bodies, as well as employers. The latter play a bigger role in the recognition process in the United Kingdom, compared with other EU countries. There are four different methods for the recognition of foreign qualifications in the UK. The method applied by the UK NARIC for the recognition of formal qualifications is based on the collection of information on the foreign diploma, in cooperation with migrants' countries of origin, to figure out if the diploma is comparable with a diploma issued in the United Kingdom. The evaluation criteria taken into account by NARIC for the issuance of the statement of comparability (SoC) include: the status of the awarding institution, the standing of the qualification within the country's education system, the level to which the qualification has been benchmarked in the country of origin, entrance requirements in the country of origin and in the UK, the duration of the course of study, the course structure and content as well as the methods of examinations. The recognition process is constantly reviewed and evaluated. Data on SoC requests are collected. The three most important groups of applicants hold qualifications from India, Pakistan and the Philippines. The assessment method for National Vocational Qualifications (NVQs) is based on practical assignments and a portfolio of evidence. Accreditation of prior experiential learning (APEL) allows for the identification of the applicant's skills against an agreed set of outcomes and criteria both based on documentary evidence and on evidence assessments. In the past 20 years, 6 million APEL assessments were carried out in the UK. Finally, the Qualification and Credit Framework (QCF) is adopted for the recognition of specific steps of learning, thus enabling learners to build up qualifications over time.

The existence of different frameworks for the assessment of foreign qualifications in the United Kingdom leads to a highly flexible recognition procedure, where the distinction between formal, informal and non-formal learning is blurred.

Discussion

Constantinos Fotakis asked the national experts from EU countries if they have observed an issue of overlapping between the coordinated system of recognition of qualifications in the context of intra-EU mobility and the general rules applying in each country to third-country nationals. The Swedish and German experts both reported a progressive alignment of the general system for the recognition of foreign academic qualifications on the EU model. Another issue reported was the overlapping of rules for recognition for those applicants who are third-country nationals married to EU nationals who have enjoyed their right to free mobility.

A representative of the European Women's Lobby pointed to a specific pattern of deskilling for migrant women. Lucie Cerna reported this issue to be relevant in the United Kingdom. Lower recognition rates reported for female refugees might be related to the traditional distribution of roles in migrant families, but an issue of gender-biased discrimination in the recognition process cannot be excluded. The Swedish expert reported a more general higher "glass-ceiling problem"

for immigrant women compared with men, rather than a gender-biased discrimination in the process of recognition of qualifications.

The Dutch expert warned about generalizations on immigrant skills based on migration categories, providing an example for refugees. Currently refugees are the migrant category which displays the worst outcomes in terms of labour market integration. However, this is more related to the specific countries of origin of current refugee inflows than to the migration category. Thus, some groups of refugees coming to the Netherlands in the 80s, mainly from Iran, had higher educational attainment and better labour market integration outcomes compared to labour migrants.

Key points from the IOM Expert Panel:

- **Learning outcomes are gaining momentum in the design of national and overarching qualifications frameworks. The highly flexible recognition system of the United Kingdom is a good example in this respect, as it blurs the distinction between formal, informal and non-formal learning, thus allowing for accumulation or credit transfer between different types of qualifications.**
- **In Sweden, the introduction, in 2012, of a national validation model for the validation of non-academic knowledge and competences represents a further evolution towards a more comprehensive recognition system aimed at making real competences visible.**
- **Promising initiatives adopted to facilitate the insertion of migrants with foreign qualifications in the labour market in Canada include, for instance, career bridging programmes.**
- **In Australia, pre-migration screening of credentials, together with English testing, has been a mandatory requirement for permanent skilled migration since 1999. As from July 2012, pre-migration screening of credentials will be a precondition for immigration for all skilled migrants, including those entering under the employer-nominated temporary residence sub-stream.**
- **In Germany, a Federal Law on Recognition of Foreign Qualifications entered into force in April 2012 with the main changes being the introduction of a legal claim to have qualifications recognized within a fixed period of time, the possibility of pre-departure assessment of recognition for prospective labour migrants and the creation of a database compiling the results of the recognition procedures.**
- **Good practices with respect to the harmonization and coordination among the different actors dealing with recognition can be found in Denmark as well as in the Netherlands, where one agency (two in the case of the Netherlands) is responsible for the evaluation of foreign credentials.**

Thematic Session I: New Trends and tools in the recognition of formal, informal and non-formal learning

This session was chaired by **Göran Hultin, CEO of Caden Corporation S.A.** who runs a quarterly survey on the skills needs of employers.

Leslyanne Hawthorne clarified the role of International Cooperation and Mutual Recognition Agreements. She noted that in some countries, traditional approaches to recognition of foreign qualifications are inherited from legally based credential recognition practices laid down during the course of the 20th century. In many cases such traditional approaches do not seem to serve

smoothly the purpose of attracting highly skilled workers in the globalized economic context. In China, for example, the procedure for the recognition of foreign qualifications follows the national examination system and is in Mandarin, which undoubtedly presents a challenge in the context of huge numbers of nationals returning after having obtained qualifications abroad, and against the necessity to attract foreign professionals (*e.g.* architects, engineers etc.) to contribute to the country's economic boom. In the OECD member countries the mobility of the highly-skilled is increasingly managed through employer-sponsored temporary migration streams. Complex and lengthy national procedures for recognition are likely to represent a barrier to the recruitment of highly qualified immigrants under temporary migration streams.

In this context, bilateral and multilateral recognition agreements might represent an attractive solution to circumvent lengthy national recognition practices. There are a plethora of bilateral and multilateral recognition agreements in place, the latter being regional or field based. Examples of regional recognition agreements, allowing for various degrees of facilitation of the recognition process, include the Directive on the recognition of professional qualifications among the EU countries, and the Trans-Tasman Mutual Recognition Agreement (automatic recognition). An agreement on recognition was foreseen also under the NAFTA but facilitations are smaller in scope and NAFTA remains primarily a trade agreement. A relevant example of a multilateral field-specific agreement is that of the Washington & Sidney Accords on Engineering. Bilateral agreements include, among others, the France-Quebec agreement of mutual recognition for non-regulated professions and the one on the harmonization of requirements for some regulated professions (*e.g.* accounting).

One critical issue related to the proliferation of bilateral and multilateral recognition agreements is that, if on the one hand they simplify the recognition procedure for specific groups of nationals or professionals, on the other the multitude of special regimes for selected categories may aggravate the complexity of the national systems for recognition and the lack of transparency. Thus, in the EU, while a common framework applies for the recognition of the professional qualifications of EU nationals, there is a lack of common recognition standards for third-country nationals. This discrepancy of rules applying, respectively, to EU and non-EU nationals is reported to be a major confounding factor for employers. More in general, the various multilateral agreements do not concur to the creation of a global simplified system as each agreement was set up for different purposes. The degree of facilitation of recognition and the relevance of each agreement for enhancing the mobility of professionals also vary. The Washington Accords on engineering, for example, are rather complicated and focus on recognition institutions rather than on the individuals. In general, the existence of mutual agreements on the recognition of foreign qualifications does not ensure that migrants who get their qualification recognized, even automatically, are really able to practice their profession in the host countries. For example, in some EU countries, language barriers may be an obstacle for professionals from other EU Member States even when their qualifications are automatically recognized.

Despite the persisting policy challenges, however, bilateral and multilateral agreements on the recognition of foreign qualifications have a clear value in enhancing skilled mobility in the globalized economy. The bilateral agreement on reciprocal recognition between Canada and Australia provides a good example. Under this agreement, Canadian registered doctors get immediate supervised work in Australia prior to obtaining full registration and without having to pass examinations. Australian trained doctors (including Canadian medical students qualifying in

Australia) do have to pass an exam to access the medical profession in Canada, but their passing rate stands at 99 per cent.

Theodora Xenogiani, Senior Economist at the OECD International Migration Division gave a presentation on ‘Migrants’ skills: use, mismatch and returns’. In most OECD countries there is an unmet demand for skills, which calls for the promotion of skill development and for a better utilization of existing skills, including those of migrants. Migration is recognized as a potential source of skills and there is a competition among countries to attract and retain skilled migrants. In many OECD countries the share of highly educated is higher among foreign born compared with native born and this is particularly the case for recent migrants (*i.e.* with less than 5 years of residence). However, their skills are not rewarded in the host countries’ labour markets and immigrants have on average low returns to education and experience, especially if acquired abroad.

Recognition of qualifications is an important pre-condition for the full development and utilization of migrant skills. However, it is not easy to tell whether it is the non-recognition of degrees or other factors which explain the lower labour market outcomes of migrants in comparison with natives. Explanatory factors include, on the supply side: non-equivalence of skills acquired in different countries due to different quality of schooling or curricula; language difficulties; lack of formal recognition of degrees; on the demand side: the requirements for regulated professions in the host country; discrimination (including statistical discrimination). More and richer information on migrant skills is needed to improve understanding of this issue.

Current knowledge of skills of migrants in OECD countries is limited. Educational attainment and number of years of labour market experience are poor proxies for the skills actually used in the labour market. This is particularly true for immigrants, for whom measures of education and work experience present even greater challenges related, for example, to the equivalence of diplomas and the quality of education. Those measures of skills are seldom comparable, which hampers the possibility of cross-country comparisons.

A new OECD dataset on adult competences will be available early 2013 (the first results of the dataset analysis will be published in October 2013) in the context of the Programme for International Assessment of Adult Competences (PIAAC). The PIAAC survey includes a module on skills, which is expected to help shed more light on skills used in the labour markets of OECD and partner countries both by natives and immigrants. The module on skills will provide information on foundation skills (numeracy, literacy and problem solving in technology advanced environment); skills used at the workplace and in everyday life; highest education completed, country where the degree was acquired, field of study; years of education; on-the-job training. A labour force module will provide information on the characteristics of current and past jobs, including wages.

The value-added of using the PIAAC dataset for the analysis of the relative role played by the recognition of foreign qualifications for the labour market outcomes of immigrants lies in that it can allow to understand to what extent differences in usually unobserved skills (*i.e.* foundation and soft skills) can explain lower labour market outcomes for immigrants compared with natives. Interactions across skills can also be taken into account. Preliminary results from PIAAC Field Trial Data for 2010 point to an overrepresentation of foreign-born at the lowest levels of the foundation skills distribution. Lower levels of foundation skills persist even after controlling for the level of education.

OECD country studies on the labour market integration of immigrants have shown that immigrants who apply for the recognition of their foreign education have higher chances of being in jobs which match their level of education. Better job-skills matching for those immigrants may also be related to other reasons or the interaction of various factors. On the other hand, the studies have shown that only few migrants use the procedures for recognition.

Jane Watts, Coordinator of the IMPACT project within the National Institute of Adult Continuing Education (NIACE) in the United Kingdom gave her perspective on the ‘Training of public employment agencies, use of skills audits and bridging programmes for migrant integration’. The aim of the IMPACT (Integrating Migrants through the Provision of Adaptability and Competence Training) project is to address the problem of high rates of unemployment among particular groups of third-country nationals legally residing in the EU, a problem which has become particularly prominent in the context of the economic crisis. The project was carried out in the period 2008-2010 and was partly funded by the European Integration Fund. NIACE carried out the UK element of the IMPACT project, in partnership with the Leicester City Council. The core work of the project has consisted in developing methods to enable managers and practitioners in mainstream employment services to recognize and audit the skills and qualifications that migrants have acquired prior to their arrival in the UK, so that such services can better support the social and vocational integration of migrants. IMPACT activities have included research, skill assessments of 250 migrants, and training workshops with 100 participating officials from local employment services. Research and training activities were aimed at improving the intercultural competences of the staff working in the public employment services as well as their understanding of the specific needs of migrant jobseekers. Various shortcomings in current practices emerged, particularly with respect to the skills auditing. For example, skills auditing interviews last on average 15 minutes, which is too short to assess the skills of third-country nationals. Recommendations for employment services’ practitioners include: increasing the allocation of time that advisers can spend with clients with complex cases, including third-country nationals, to better assess their skills and offer a job-seeking service more flexible and tailored to their specific needs; providing basic information in the most common languages of third-country nationals; providing some specialist services and staff with in-depth knowledge of main origin countries of immigrants, particularly with regards to the level of education provided by local institutions. In Leicester, the IMPACT training module is being used as a part of introduction for new staff and as a part of continuous professional development for existing staff.

Sara-Julia Bloechle, Researcher at the Cologne Institute for Economic Research gave a presentation on ‘Networking among recognition bodies following the new German law’. In Germany there are about three million people holding foreign qualifications. Since the German labour market is highly certificate-based, the recognition of foreign professional qualifications has positive effects on labour market outcomes. However, prior to the implementation of the new Federal Law on the Recognition of Foreign Qualifications, access to recognition procedures for third-country nationals was particularly difficult in Germany. In addition, the lack of standardized procedures resulted in shortcomings in the assessment of qualifications of third-country nationals. In the absence of a common database compiling the results of the assessment procedures, recognition decisions were inconsistent and non-transparent, being based on the personal research of each employee of the assessment services. Information gathered by each employee would not be systematically transferred to new personnel.

The new Federal law on the Recognition of Foreign Qualifications has put an end to the previous time-consuming and inconsistent assessment procedure, providing for the creation of an Information Portal for Foreign Technical and Vocational Qualifications, referred to as the “BQ” portal (www.bq-portal.de). The BQ portal is aimed at bringing together the various actors involved in the recognition process, to promote sharing of information gathered on an individual basis for each recognition decision and the result of each procedure. As a growing database on foreign technical and vocational qualifications and foreign training systems, the BQ portal is expected to facilitate and accelerate assessment procedures thus contributing to better integration of people with foreign qualifications into the German labour market.

Discussion

Konstantinos Tomaras, Deputy Head of the Free Movement of Professionals Unit within DG MARKT of the European Commission provided complementary information on the EU Directive on the Recognition of Professional Qualifications, explaining that the Directive allows for language testing on a case-by-case basis. Language testing, which is different from but comes immediately after the Recognition of Qualifications, depends on the profession to be practiced and on the specific situation of the EU professional.

Key points from the Thematic Session on *New Trends and tools in the recognition of formal, informal and non-formal learning*:

- Whereas, on the one hand, bilateral and multilateral recognition agreements might represent an attractive solution to circumvent lengthy national recognition practices, on the other hand, the multitude of special regimes for selected categories may aggravate the complexity of the national systems of recognition and the lack of transparency. In the EU, while a common framework applies for the recognition of the professional qualifications of EU nationals, there is a lack of common recognition standards for third-country nationals constituting a confounding factor for employers.
- With the new Federal Law on the Recognition of Foreign Qualifications recognition decisions will become more consistent and transparent in Germany,. The so-called *BQ portal* tool brings together the various actors involved in the recognition process, promotes sharing of information gathered on an individual basis for each recognition decision and the result of each procedure.
- Given that current knowledge of skills of migrants in OECD countries is limited, a new OECD dataset on adult competences that will be available early 2013 (the first results of the dataset analysis will be published in October 2013) in the context of the Programme for International Assessment of Adult Competences (PIAAC) is expected to help shed more light on skills used in the labour markets of OECD and partner countries both by natives and immigrants.

Thematic Session II: What have we learnt from the European experience? Can the EU play a role in improving the accreditation of third-country qualifications?

The session was chaired by **Anna Platonova, Regional Labour Migration/Migration and Development Specialist at IOM Brussels.**

Pascal Kerneis, Managing Director of the European Services Forum provided an overview of the current framework for the mobility of service providers (both individuals and companies) within the EU/EEA. The European Services Forum (ESF) gathers service industries in a wide range of sectors including insurance, banking, business services, legal services, accountants, architects, engineers, construction services, distribution, audio-visual services, energy-related services, tourism, air and maritime transport. A number of horizontal federations – including *Businesseurope* and various national employer confederations – are also members of the ESF. The various ESF members are differently concerned by the EU rules on professional recognition.

The Directive 2005/36/EC on the Recognition of Qualifications is the core of such rules, which have EEA relevance. The directive sets out three systems for the recognition of qualifications in the EU internal market: automatic recognition for professions for which the minimum training conditions have been harmonized; the general system for other regulated professions; recognition on the basis of professional experience for certain professional activities. Automatic recognition currently applies for seven professions. These are: architect, dentist, doctor, midwife, nurse, pharmacist, veterinary and surgeon. The Professional Qualifications Directive is currently under review with the aim of making more efficient and expanding the automaticity of recognition.

The Directive on the Recognition of Qualifications does not constitute an obstacle to the possibility of Member States in recognizing, in accordance to their rules, the professional qualifications acquired outside the EU by third-country nationals. This allows, for instance, the UK to recognize automatically the qualifications of lawyers and accountants from Commonwealth countries, and France to recognize 60 different qualifications from Quebec. In addition, the Directive allows the holder of formal qualifications issued from a third-country, who had those qualifications recognized and has practiced for at least three years in the professional field of qualifications in one of the Member States, to practice the profession in any of the other Member States.

Facilitations to the mobility of third-country professionals in Europe have also been introduced in the context of trade agreements. Thus, the Mode 4 of the GATS provides for facilitations to the mobility of contract service suppliers in 22 sectors. However, those facilitations are very limited and apply only for the provision of a specific service. Under GATS Mode 4 the admission of a foreign national with foreign qualifications is facilitated if required for the provision of services by a company. But this is punctual and has nothing to do with migration *strictu sensu*. To provide professional services, in addition to the access to the market, the person needs to have qualifications recognized. Furthermore, the provision of services by a professional is allowed only if the company itself has been granted labour market access in the country (GATS Mode 3).

Facilitations to the international mobility of service professionals are foreseen in the context of the EU-Canada Free Trade Agreement (CETA). The European Commission and the Canadian federal government have agreed on a Framework Agreement that will be an annex to the CETA. It describes the modalities through which mutual recognition agreements on sector specific professional qualifications – once concluded by the private sector together with the licensing bodies – will be transformed into a binding international treaty. All the competent authorities in the Member States and the Provinces have been involved in the negotiations for this unprecedented framework agreement.

Ian Pritchard, Secretary General Architects' Council of Europe (ACE), presented the EU framework for architects' mobility. In the context of the two different regimes for professional

recognition, architects fall under the sectoral regime, *i.e.* automatic recognition for licensing. In 2005, architects were brought together with the other professions of the general system, providing for assessment, adaptation periods and aptitude tests. As a result, architects holding a non-listed diploma who are unable to benefit from automatic recognition are able to apply through the general system to have their credentials assessed.

The purpose of the Professional Qualifications Directive is to facilitate professional mobility within the EU. While it is aimed at EU nationals, there are provisions that relate to third country diplomas, such as Recital 10 and Art. 3.3. Other Directives that support mobility and establishment in one way or another are the Services in the Internal Market Directive (2006), the Internal Market Information System (IMI), which has been developed to assist competent authorities with the secure exchange of information relating to the credentials of applicants, and the Public Procurement Directive (currently under review), which requires that public contracts are advertised in the EU Official Journal to allow professionals from all Member States to bid for work. The Services Directive is particularly useful as it provides for points of single contact, given the importance of having a one-stop shop. The EU has tried to establish this in terms of assisting cross-border service suppliers with business establishment.

Mr. Pritchard continued by highlighting the Architects' Council of Europe's involvement in international discussions. The International Union of Architects (IUA), which has the status of advisory body at UNESCO, developed an Education Charter as well as adopting an Accord on International Standards for Professionalism (in 1999). The Accord, and its amplifying Guidelines, define a range of issues such as education, validation, practices, licensing etc. Prevailing international training requirements are defined in terms of 5 years of academic study, supplemented by 2 years of professional practical experience. Finally, a set of Disciplines on Domestic Regulations was drafted, following the basic tenants of the GATS. These international standards were then to be deployed in a number of Mutual Recognition Agreements (MRA). Early negotiations focused on countries with which the EU was negotiating a Free Trade Agreement and followed an approach based on broad equivalence rather than forensic examination of qualifications. Most significantly, a compensatory measure expressed in terms of a period of 5 years of post-license experience was agreed upon. The first MRA was with Mexico, which was, however, never enacted (following differences of view between DG Trade and DG Internal Market of the European Commission); another MRA was developed with South Korea. There are currently negotiations on-going with Canada in the context of the Canada-Europe Trade Agreement (CETA); negotiations with the USA have also started. Whereas in the latter case the EU has encountered difficulties in aligning appropriate interlocutors, negotiations with Canada look more promising – a political agreement is likely by the end of the year. The Canadian trade negotiators have produced an MRA template to be used for all professional MRAs, which is largely similar to the ACE's one, and encouraged progress of the MRA even ahead of political talks.

Mr. Pritchard concluded that the ACE's experience has been mostly positive. The profession of architects is regulated in most jurisdictions of the world. The ACE accepts that regulation is important for consumer protection and is keen to ensure that it is both appropriate and proportionate, so as not to constitute a barrier to free movement.

Jan van der Putten, Secretary General of the European Federation of Engineering Consultancy Associations (EFCA) gave a presentation on recognition-related issues for the international mobility of consulting engineers

The European Federation of Engineering Consultancy Associations encompasses professional associations of consulting engineers (*i.e.* engineers by education operating as consultants) from 25 countries and is the representative federation for the promotion of European engineering consulting industries to the European institutions.

The profession of consulting engineers is regulated differently across Europe. For example, while it is a regulated profession in Austria, it is totally unregulated in Belgium. In the absence of mutual recognition agreements, the engineering card can help stimulate the mobility of engineers across Europe. So far, this card has been introduced in two countries but others are taking steps for its implementation. The engineering card gives an indication of the level of education and the type and sector of work experience – in the public, private or self-employed sector – of the holder. Engineering cards are tied up to a database, which the employer can access with the consent of the employee. The implementation of this tool is expected to facilitate employers in the future in the assessment of competences of engineers from abroad. In fact, the complexity resulting from the huge variety of curricula which are encompassed under the title of engineer in different countries (more than 10 000 curricula) seem to be a more important factor hampering international mobility compared with other factors – including language knowledge, which is not such an important issue for engineers considering the wide use of English in the profession.

Annalisa Silvestro and Cecilia Sironi, Italian National Federation of Nurses Colleges (IPASVI) gave a presentation on behalf of the Federation of IPASVI Colleges as the national juridical body that represents Italian nurses. Its external aim is to protect patients who have the right to receive health-care services by qualified personnel holding a specific fitness-to-practice title. The internal aim is to ensure the level of competence and compliance with the code of ethics of registered nurses. The certification of qualifications in the case of nurses falls under the competence of the Ministry of Health and is different for EU and non-EU foreign citizens. According to IPASVI's experience, recognition to EU citizens cannot be denied even though perceived shortcomings in required competences may occur. **Ms. Silvestro** put forward that in order to guarantee citizens qualified health care, recognition should be based on competence. So far, there is no indication that over-qualification among third-country nationals is substantial in the field of nursing. Ms. Silvestro stressed the Federation's concerns regarding the quality of health care and potential patient safety issues if the validation of non-formal and informal learning for migrant nurses was introduced.

Ana Carla Pereira, Head of Unit for Skills and Qualifications, DG Education and Culture of the European Commission, presented different initiatives taken by the European Commission that have an impact within the scope of the recognition of non-formal and informal learning. In 2008, the European institutions agreed upon a European Qualifications Framework (EQF), *i.e.* a common reference framework that assists in comparing the national qualifications systems, frameworks and their levels. At its core are eight levels of European qualifications describing what an individual knows, understands and is able to do. It thereby refrains from a traditional system emphasizing "learning inputs" and focuses more on "learning outcomes". Having initially been developed in light of mobility within the EU, many countries are currently developing national qualifications frameworks looking at the European experience. In the context of the Europass initiative, in addition to the *curriculum vitae* and the language passport, a supplement certificate

and a diploma for the description of acquired knowledge and skills are provided. More broadly, the European Commission is currently preparing a proposal for a Council Recommendation on the validation of non-formal and informal learning, which is supposed to be discussed at the Education, Youth, Culture and Sport Council Meeting in November 2012. It would require all EU Member States to have a system of validation of non-formal and informal learning by 2015.

After a brief discussion, Anna Platonova concluded the session stressing the crucial role of the short-term mobility of workers and of provision of services for economic growth.

Key points from the Thematic Session on *What have we learnt from the European experience?*:

- Experiences with the recognition of qualifications vary among different professions. For engineers, for instance, the huge variety of curricula which are encompassed under the title of engineer in different countries is the most important factor hampering international mobility. For architects, it took more than a decade to agree on joint international standards. For nurses in Italy, concerns regarding the validation of non-formal and informal learning arise with the protection of the patient being of utmost importance.
- The purpose of the EU Directive on the Recognition of Qualifications is to facilitate professional mobility within the EU, yet it does not constitute an obstacle to the possibility of Member States in recognizing, in accordance to their rules, the professional qualifications acquired outside the EU by third-country nationals (e.g. the UK automatically recognizing the qualifications of lawyers and accountants from Commonwealth countries, and France recognizing 60 different qualifications from Quebec).
- Facilitations to the international mobility of service professionals are also foreseen in the context of the EU-Canada Free Trade Agreement (CETA) that is currently in the process of negotiation.
- The European Commission is currently preparing a proposal for a Council Recommendation on the validation of non-formal and informal learning, which would require all EU Member States to have a system of validation of non-formal and informal learning in place by 2015.

CONCLUDING PANEL DISCUSSION: Increasing labour market integration of third-country nationals through recognition of formal, informal and non-formal learning

This panel was chaired by **Filip Jasiński, First Counselor, responsible for JHA issues, at the Permanent Representation of the Republic of Poland to the EU**. He resumed the key points which had emerged during preceding discussions. He further stressed the importance of keeping the debate on how to improve the systems for the recognition of qualifications of third-country nationals high on the EU agenda, even in the context of the current economic crisis. Against a medium term scenario of growing labour and skills shortages in Europe, the capacity to attract skilled migrants will be a key tool to help the economic recovery. Despite progress made recently (the implementation of Blue Card Directive, the creation of the EU immigration portal), the pathways towards immigration into the EU for highly skilled remain very complex and can discourage those with top skills. Attractive measures to be implemented would include allowing intra-EU mobility of highly skilled coming temporarily to work in an EU country and more liberal

family reunification measures. However, these are issues for which political consensus seems difficult to obtain in the short term.

The chair then invited the panelists to express their views on two policy questions.

1. *What should be the role of the public sector, and, notably, of the EU institutions in identifying and promoting comprehensive methods for recognition of third country nationals' qualifications and competences based on national good practices?*

Fiona Kinsman, Deputy Head of the Immigration and Asylum Unit within DG Home Affairs of the European Commission stressed the prominent role of employers. Employers know exactly what their needs are in terms of skills. However, there is an important role to play for the public sector too, in order to make the recognition process more flexible. Some countries have progressively moved from an approach to recognition requiring full equivalence in education paths to a more flexible one accepting the difference among education systems. This way seems more promising to help both migrants get their foreign qualifications and competence rewarded in the EU labour markets and the EU to fully tap the potential of immigrants for its economic growth.

Constantinos Fotakis, Adviser within DG Employment, Social Affairs and Inclusion of the European Commission highlighted the role of the public sector. In the context of demand-driven migration systems, where the employer is the key actor in the process of labour migration – like in Sweden – the involvement of the public sector in the issue of the recognition of qualification is less important than in supply driven systems. However, the involvement of public actors at the national or supra-national level seems to be a key guarantee, particularly for regulated professionals, to ensure that the persons who practice a certain profession have the right skills to do it. Indeed national and supra-national regulations should become smoother and more transparent, in order not to represent an obstacle to the attraction of qualified professionals into the EU. More broadly, migration policy has the capacity to become more effective when it integrates other dimensions. Economic growth in Europe can only be sustained if migration, education and economic policies are strongly coordinated for the promotion of employment and productivity.

2. **Jean-Pierre Garson, Former Head of the OECD International Migration Division**, pointed to persisting skills-shortages during the current economic crisis, also in those countries (including EU countries) which are experiencing labour emigration of their nationals. Some EU countries are currently losing highly qualified nationals, who are venturing abroad for better job opportunities. In this situation, it is not surprising that those countries have difficulties to attract highly qualified third-country nationals and to offer them jobs matching their skills. During an economic crisis, over-qualification tends to increase both for natives and immigrants. On the other hand, many studies have shown that immigrant women fared better than men in the labour markets of their host countries during the crisis. This was in part related to the fact that sectors which traditionally employ immigrant women were less affected by the crisis than sectors such as construction. At the same time, an increase in the employment levels of immigrant women was observed. Migrant women admitted through categories other than labour migration are generally supposed to be unskilled, since nothing is known about their skills level. Their entry into the labour market during the crisis to compensate for their partners' job loss nuanced this picture. This example demonstrates the need to change some aspects of migration policies in the EU countries, notably with respect to family migration. In recent years, various countries have tightened the requirements for family migration, but this may

be counterproductive in the context of the global competition to attract skilled migrants. Mr. Garson also expressed concern about some contradictions in migration policies in the EU, arguing that the emphasis on circular migration presents a challenge for the labour market outcomes of immigrants in their receiving countries, which tend to improve - together with their recognition of their skills and qualifications - with the length of residence. Mr. Garson then stressed the crucial role of employers in the migration process and the necessity that migration policies take into account employers' needs. *Can EU policy-makers afford to keep the status quo and do nothing?*

Fiona Kinsman, while recognizing that reaching consensus on migration-related issues among the EU Member States is a lengthy, difficult process which can discourage the most talented people from third countries to bring their skills to Europe, underlined the importance of a continuous effort to try to bridge the gap among the different regulations in the EU Member States which hamper the international mobility of the highly skilled. Ms. Kinsman expressed her interest in the Australian-Canadian joint agreed system of examinations for medical doctors, as a good practice which could serve as a model for the EU Member States. Ms. Kinsman also highlighted that the improvement of the systems for the recognition of foreign qualifications and competences of immigrants, while contributing to better labour market outcomes, will not remove all the obstacles to the labour market integration of immigrants in the EU countries. Attention should also be paid to the issue of discrimination.

Jean-Pierre Garson echoed Fiona Kinsman in stressing the urgent need for policy action against the discrimination of immigrants in the labour markets of their receiving countries. He then expressed the point of view that, while the design of fine-tuned immigration systems is an important task for policymakers and is essential for a good migration process, policymakers in Europe should also pay more attention to the status that they accord to migrants admitted to their countries. Facilitating the access to permanent residence and nationality as well as family reunification (as it is done in some settlement countries like in Canada) would undoubtedly increase the attractiveness of the EU countries for highly skilled migrants.

Constantinos Fotakis expressed the concern that Europe lacks attractiveness for highly-skilled immigrants due to the complexity of the system. The introduction of the EU Blue Card has only partially addressed the issue, since migrants entering under this scheme have to reside 18 months in a Member State before being authorized to establish themselves in another Member State. EU policymakers cannot afford to do nothing on this issue, stated Mr. Fotakis, unless they want to see more and more cases of immigrants claiming for equal treatment in courts. There is an urgent need to progress on the question of intra-EU mobility of skilled third-country nationals.

Key points from the Concluding Panel:

- **Given the persisting skills shortages also during the current economic crisis, there is an urgent need to raise Europe's attractiveness for immigrants and to progress on the question of intra-EU mobility of skilled third-country nationals.**
- **The role of employers in the migration process is crucial. However, the involvement of public actors at the national or supra-national level seems to be a key guarantee, particularly for regulated professionals, to ensure that the persons who practice a certain profession have the right skills to do it. Indeed, national and supra-national regulations should become smoother and more transparent, in order not to represent an obstacle to the attraction of qualified professionals into the EU.**

- **Yet, the improvement of the systems for the recognition of foreign qualifications and competences of immigrants, while contributing to better labour market outcomes, will not remove all the obstacles to the labour market integration of immigrants in the EU countries. Attention should also be paid to the issue of discrimination.**

Closing remarks

In his concluding remarks **Constantinos Fotakis** thanked all presenters and highlighted the need for further analyses on the topic. He recalled that the importance of informal learning is increasing as technology progresses. The difficulty is to find ways how to measure the arising gap. Moreover, and with a view to increasing the contribution of migrants in employment productivity and growth, it is important to establish the link between labour market outcomes and the role of accreditation. Finally, Constantinos Fotakis pointed to another area that cannot be dissociated from the debate and needs to be explored further, namely the important question of discrimination.

Bernd Hemingway reiterated his acknowledgments to DG Employment of the European Commission for the cooperation with IOM LINET and announced the next LINET seminar, on *Improving Access to Labour Market Information by Migrants and Employers* to be held on 8 November 2012.

The next LINET seminar on *Improving Access to Labour Market Information by Migrants and Employers* will be held on 8 November 2012 (indicative date).

ANNEX I

Agenda

- 08.30 Registration
- 09:00 – 09:20 **Opening Remarks**
Constantinos Fotakis, Adviser, DG Employment, Social Affairs and Inclusion of the European Commission
Diane Schmitt, Head of Unit Immigration and Integration, DG Home Affairs of the European Commission
Bernd Hemingway, Regional Director, Regional Mission to the European Economic Area, International Organization for Migration (IOM) Brussels
- 09:20 – 11:30 **Findings of the IOM study on Recognition of Qualifications and Competences of Third-Country Nationals**
Anke Schuster, Project Manager, Independent Network of Labour Migration and Integration Experts (LINET), IOM Brussels
Interventions by the IOM Country Expert Team:

Canada: **Shibao Guo**, University of Calgary
Australia: **Leslyanne Hawthorne**, University of Melbourne
Italy: **Laura Zanfrini**, Catholic University of Milan
Germany: **Wolfgang Bosswick**, European Forum for Migration Studies Bamberg

Sweden: **Elena Dingu-Kyrklund**, Stockholm University
Netherlands: **Inge van der Welle**, Regioplan
UK: **Lucie Cerna**, COMPAS, University of Oxford
- Discussion
- 11:30 – 11:45 Coffee break
- 11.45 – 13.00 **THEMATIC SESSION I: New trends and tools in the recognition of formal, informal and non-formal learning**
Chair: Göran Hultin, Caden Corporation S.A.

International Cooperation and Mutual Recognition Agreements
Leslyanne Hawthorne, Professor - International Workforce, University of Melbourne

Migrants' skills: use, mismatch and returns
Theodora Xenogiani, Senior Economist, International Migration Division, OECD

Training of public employment agencies – use of skills audits and bridging programmes
Jane Watts, IMPACT Project Coordinator, National Institute of Adult Continuing Education UK

Networking among recognition bodies following the new German Recognition Act

Sara-Julia Bloechle, Researcher, Cologne Institute for Economic Research

Iлона Riesen, Deputy Team Leader, Cologne Institute for Economic Research

Discussion

13:00 – 14:00 Lunch (provided by the organizers)

14:00 – 15:20 **THEMATIC SESSION II: What have we learnt from the European experience? Can the EU play a role in improving the accreditation of third-country qualifications?**

Chair: Anna Platonova, Regional Labour Migration/Migration and Development Specialist, IOM Brussels

Pascal Kerneis, Managing Director, European Services Forum

Ian Pritchard, Secretary General, Architects' Council of Europe

Jan van der Putten, Secretary General, European Federation of Engineering Consultancy Associations (EFCA)

Annalisa Silvestro, Director, Italian National Federation of Nurses Colleges (IPASVI)/

Cecilia Sironi, President, Italian National Federation of Nurses Colleges (IPASVI)

Discussion

Ana Carla Pereira, Head of Unit for Skills and Qualifications, DG Education and Culture of the European Commission

15:20 – 15:40 Coffee break

15:40 – 17:10 **CONCLUDING PANEL DISCUSSION: Increasing labour market integration of third-country nationals through recognition of formal, informal and non-formal learning**

Rapporteur/Chair: Filip Jasiński, First Counsellor (JHA), Permanent Representation of the Republic of Poland to the EU

Fiona Kinsman, Deputy Head of Unit Immigration and Asylum, DG Home Affairs of the European Commission

Constantinos Fotakis, Adviser, DG Employment, Social Affairs and Inclusion of the European Commission

Jean-Pierre Garson, Migration Expert, former Head of International Migration Division, OECD

Discussion

17:10 – 17:30 **Closing Remarks**

Constantinos Fotakis, Adviser, DG Employment, Social Affairs and Inclusion of the European Commission

Bernd Hemingway, Regional Director, Regional Mission to the European Economic Area, International Organization for Migration (IOM) Brussels

ANNEX II

List of Participants

EUROPEAN COMMISSION

DG Employment, Social Affairs and Inclusion

Constantinos Fotakis, Adviser

Bianca Petschl, Policy Officer

Ioanna Sikiardi, Trainee

DG Home Affairs

Fiona Kinsman, Deputy Head of Unit Immigration and Asylum

Diane Schmitt, Head of Unit Immigration and Integration

DG Education and Culture

Ana Carla Pereira, Head of Unit for Skills and Qualifications

DG Markt

Konstantinos Tomaras, Deputy Head of Unit Free Movement of Professionals

Alix Zelli, Trainee

DG Justice

Mauro Miranda, Legislative Officer

COUNCIL OF THE EUROPEAN UNION

Lisa Petzold, Trainee

EUROPEAN ECONOMIC AND SOCIAL COMMITTEE

Barbara Walentynowicz, Administrator, Directorate Consultative Work, Employment, Social Affairs and Citizenship Unit

EUROPEAN TRAINING FOUNDATION (ETF)

Ummuhan Bardak, Senior Labour Market and Migration Expert

Michel Aribaud, Qualification Specialist – Country Manager

REPRESENTATIVES OF THE NATIONAL GOVERNMENTS

Austria

Victoria E. Tschiedl, Credential Evaluator, Austrian Federal Ministry of Science and Research
ENIC NARIC Austria

Bulgaria

Tatiana Gueorguieva, Senior Expert, Ministry of Labour and Social Policy

Czech Republic

Zuzana Rašková, National Coordinator for Recognition of Professional Qualifications, Ministry of Education, Youth and Sports

Věra Kolmerová, Director of the Tertiary Professional and Adult Education Department, Ministry of Education, Youth and Sports

Denmark

Tanja Jensen, Danish Agency for Labour Retention and Recruitment

Tina Kristensen, JHA Counselor, Permanent Representation of Denmark to the EU

Annette Ramsøe, Advisor, Ministry of Children and Education

Estonia

Liis Reiter, Chief Specialist, Ministry of Social Affairs

Finland

Sinikka Tamminen, Senior Advisor, Finish National Board of Education

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