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Legal Migration Policy and Law

European Added Value Assessment

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EPRS work and «European Added Value» Assessments



- The EPRS is the internal research service of the European Parliament
- European Added Value Unit
 - Cost of non-Europe reports
 - European Added Value Assessments
- 2021 Resolution on legal migration policy and law
 - Drafted by Committee on Civil Liberties, Justice and Home Affairs
 - Voted in Plenary in November 2021

Steps of a European Added Value Assessment

- Step 1: What is the status quo?
 - › Key problems, issues and challenges
 - › Generated impacts
- Step 2: Can the EU act?
 - › Legal basis
 - › Subsidiarity/proportionality
 - › «Enabling factors»
- Step 3: How can the EU act?
 - › Policy options
 - › Potential impacts of the policy options (qualitative and quantitative analysis)

Step 1a: What are the key issues in legal migration policy and law?

- Lack of legal pathways
- Barriers to equal treatment and poor protection of workers' rights
- Lack of pathways for integration and social mobility
- Fragmentation of current framework
- Lack of a holistic approach

Step 1b: What are the impacts of the status quo?

- Discrimination in the labour market and risk of exploitative situations
- Structural needs of EU economy are not met
- Lost productivity, innovation and tax revenues
- Gaps in the protection of fundamental rights
- Missed cooperation and solidarity with third countries

Three key considerations

- Migrants are disproportionately represented among essential and vulnerable workers
- Systematic overqualification of migrant workers in the EU
- Labour migration receives comparatively less attention in EU policies and funds

Step 3a: Possible EU-level policy options

Policy option	Policy sub-options
1. Promote the recognition of professional qualifications	
2. Facilitate access to regular work for TCNs already present in the EU	2a. Students 2b. Family members 2c. Asylum seekers and refugees
3. Introduce new legal channels for migrants to enter into the EU	3a. Mobility schemes for entrepreneurs 3b. Skilled refugees' mobility scheme 3c. Support skill mobility partnerships 3d. Promote youth mobility schemes Complementary instrument: EU Talent Pool
4. Improve worker rights and work conditions for TCNs	4a. Align rights of TCNs with EU nationals 4b. Strengthen enforcement of TCN workers' rights 4c. Reduce uncertainty with respect to obtaining long-term residence status

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Supporting skill mobility partnerships

- Defined as migration pathways that connect migration and training programs
- We focus on a specifically promising model: Global Skill Partnerships
 - Legal migration channel
 - Strong training component and skill development: vocational training in the countries of origin, not only for people who want to migrate, but also for potential workers who plan to stay in the country
 - Different skill levels, not only focus on high skilled

Step 3b: Assessment of EU added value: benefits

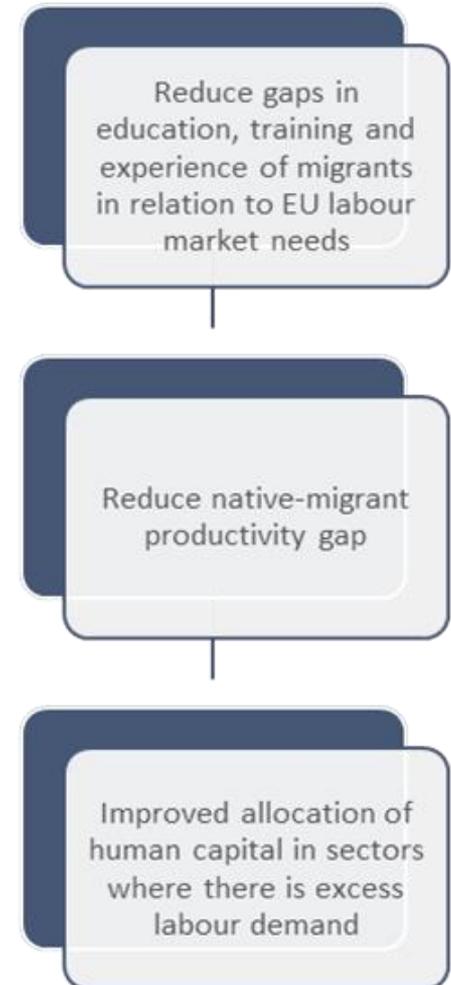
- Improve legal pathways for different skill levels
 - by this, could reduce irregular migration
- Via skill enhancement, possible improvement of fair treatment
- Could help address the structural needs of the EU economy
- Could offer a more balanced approach to migration management
 - by this, improve relationships with Third Countries

Step 3: Assessment of EU added value: costs

- Costs of implementation
 - fixed costs of setting up the program
 - variable costs for training
- Possible risks
 - Risk of excessive power of sponsor companies on workers
 - Risk of conditional use of mobility partnerships

Step 3: Macroeconomic assessment of net benefits

- Net positive effect of 0.02% of EU GDP or €2.78 billion per year
- Positive effect on real wage of native and migrant workers (0.03% and 0.05%, respectively)
- NB: this estimate incorporates the costs



How could the EU **support and scale-up** SMPs?

- Sharing of information and good practices through networks and reflection groups
- Identify sectors and professions in which SMPs would be especially beneficial
- Provide financing
- Support the 'europeanization' of the schemes and promote economies of scale
- Promote multilateral rather than bilateral partnerships

What EU could do to **monitor risks** that could hinder SMPs?

- Avoid weak position of migrants on the labour market
 - Enforce strong wage and labour standards
 - Facilitate the involvement of diaspora organizations and trade unions in the development of the programs
- Avoid conditionality on other aspects of the migration agenda
 - increase the potential of Skill Mobility Partnerships to improve fundamental rights protection, lead to economic benefits and build a holistic approach

EU action on SMPs could be complementary and reinforced by other policy options

- Policy option 1: Promotion of the recognition of qualifications
 - Need for a fair assessment of skills, competences, previous learning achievements
 - Promote optimal skills-job matching and reduce overqualification
- Policy option 4: Improve worker rights and work conditions for third-country nationals
 - To promote equal treatment
 - To monitor against risks of exploitation

Possible EU-level policy options

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Recognition of qualifications and impacts on migrants

- Beneficial for TCNs overall as well as for SMP beneficiaries
- *Evidence from Germany*: migrants were 25 % more likely to be in employment and earned 20 % higher wages after having their professional qualifications recognized (Brucker et al, 2021)
- Possible EU actions:
 - Develop common rules - on a sectoral basis - for the recognition of qualifications, education and skills.
 - Extend the Directive on professional qualifications to migrants.
 - Establish a system led by the European Training Foundation and supported by a network of national bodies to facilitate 'certificates of equivalency'

Overall benefits of the policy options

- Important benefits net of the costs
- gains are substantially larger when several barriers are addressed, i.e. several policy options are jointly implemented.
- Aggregate long-run GDP gains
 - up to 0,53% (€74.0 billion) per year in the case of supply-side frictions
 - up to 0,27% (€37.55 billion) per year in the case of demand-side barriers
- The impact on wages of both migrant and native workers is also positive.
- Greater fundamental rights protection, coherence with EU goals and international standards
- more balanced relation with Third Countries

Main sources

- Navarra C., Fernandes M., Legal migration policy and law. European added value assessment. EPRS, European Parliament, 2021
- 2 annexes to the European Added Value Assessment:
 - CEPS, 2021, Added value of EU legislation in the area of legal migration policy and law' (legal and labour market analysis)
 - Kancs d., Navarra C., Fernandes M., 2021, European legal migration policy and law: An assessment of the potential macro-economic impacts of EU-level policy options, EPRS and JRC.
- W. van Ballegooij and E. Thirion, The Cost of non-Europe in the Area of Legal Migration, EPRS, European Parliament, 2019.

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