

# **EU immigration is broken. Brussels is unlikely to be able to fix it**

Brussels wants to create more legal pathways for skilled migrants to move to the European Union in order to curb illegal migration, but experts are sceptical about whether it goes far enough.

Between two and three million third-country nationals (TCNs) settle annually in the EU to work or study while up to 200,000 people arrive in the 27-country bloc illegally, according to the Commission.

Yet Europe struggles with severe labour shortages which have been growing over the past decades and are expected to be exacerbated further as the population continues to trend older and as the bloc seeks to transform its economy to become greener and more digital.

According to an assessment commissioned by the European parliament and released in September 2021, “labour shortages are noted for high-skilled and low-skilled work”.

That’s partly because most of the valid permits emitted are done so for family reunification with less than one in five residence permits issued for work reasons.

Additionally, just 1.6 % of first-time residence permits issued in 2019 to third-country nationals were under the Blue Card Directive — an EU-wide scheme to attract highly-qualified workers

The sectors forecast to struggle the most in the future include health care, agriculture, forestry and fishery, and information and communications technology, according to a 2020 public consultation.

‘A solid way forward’

Ylva Johansson, the EU Commissioner for Home Affairs, unveiled Brussels’ plans last week, stressing that “legal migration is essential to our economic recovery, the digital and green transition and to creating safe channels to Europe, while reducing irregular migration.”

"I am confident we are putting in place a solid way forward to attract new talent into the EU for today and tomorrow," she added.

Under the commission's proposals, non-EU citizens settling in the EU will be able to acquire the long-term resident status after five years in the bloc regardless of whether they move between member states or change employers when both scenarios currently reset the clock.

The plans also aim to facilitate the process of obtention of a long-term work and residence permit directly from prospective migrants' countries of origin, reduce processing times and simplify family reunification.

Brussels wants to create a bloc-wide platform where non-EU nationals can upload their CV to help European companies look for people with the skills they need. The commission wants the platform to be up and running by summer 2023 although it hopes that a pilot initiative will be rolled out by this coming summer to facilitate the labour market integration of Ukrainian refugees.

Russia's invasion of Ukraine, which started on February 24, has upended migratory figures across the EU. More than 5.5 million people, mostly Ukrainian women and children, have now fled to safety in neighbouring countries and other EU member states.

Brussels has activated its Temporary Protection Scheme, granting Ukrainian refugees access to the labour market as well as healthcare and education for at least three years.

Most Ukrainian refugees hope for a quick resolution to the war that would enable them to return home as soon as possible but the longer Russia's war drags on, the more likely it is that some will permanently settle in the EU.

EU bureaucracy, differences and discrimination

For Silvia Carta, Policy Analyst at the European Policy Centre (EPC) think tank, "the legal migration package has been awaited for long, and not only as a way to frame migration more positively, moving away from a securitized approach."

"If anything, these proposals should have been presented earlier. However, we need to recognize that the commission has worked hard to also address the labour market inclusion of displaced Ukrainians."

Still, she told Euronews, “these initiatives have the potential to help increasing legal migration” and provide “concrete opportunities for the admission and the labour market integration of non-EU nationals, strengthen their rights and prevent exploitation.”

She warned of a potential caveat: bureaucracy.

The proposals will first need to be negotiated between the parliament and the council and once adopted, the legislation may not be uniformly transposed across member states and/or lack visibility.

“All the previous legal migration instruments (legislative and non) suffered from major gaps in transposition and implementation at the member states level. For example, as for the Long-Term Residents Directive in its current form, member states continued issuing national permits granting a lower set of rights,” Carta explained.

“In addition, non-EU nationals often had little awareness of their rights, so this is an aspect that should be definitely improved. As for the Talent Pool, the Commission will also have to find ways to make it appealing to employers and to raise awareness about its existence. This will be extremely complex as it will be an EU-wide initiative, covering all member states,” she flagged.

Difficulty having their qualifications recognized in the EU as well as discrimination could also be hurdles to plug the skills gap.

According to the same parliament report, highly educated third-country nationals are more likely to work in low- or medium-skilled jobs than EU citizens (48 % versus 20 % in 2019).

“Male TCNs who entered the EU as asylum seekers are especially at risk of overqualification, the fact that many TCNs end up doing jobs for which they are overqualified may be due to a number of barriers, the most critical ones being related to language skills and the limited recognition of professional credentials and experience, although legal restrictions and discrimination are also noteworthy,” the report states.

Finally, whether the proposals will also reduce illegal migration is also up in the air.

“I am skeptical that the Commission’s proposals will reduce illegal migration, at least in the short term. There will always be people who don’t neatly fit into a skill category but still want to migrate, or who are in the EU already but with an expiring visa and wish to stay but have no legal way to do so,” Luigi Scazzieri, Senior Research Fellow at the Centre for European Reform (CER) told Euronews.

“Some of the Commission’s plans relate to building ‘talent partnerships’ with third countries. The idea is to offer legal migration routes to then secure co-operation from third countries in tackling legal migration. But I doubt that these schemes will be large enough in terms of numbers to make a real impact,” he said.

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