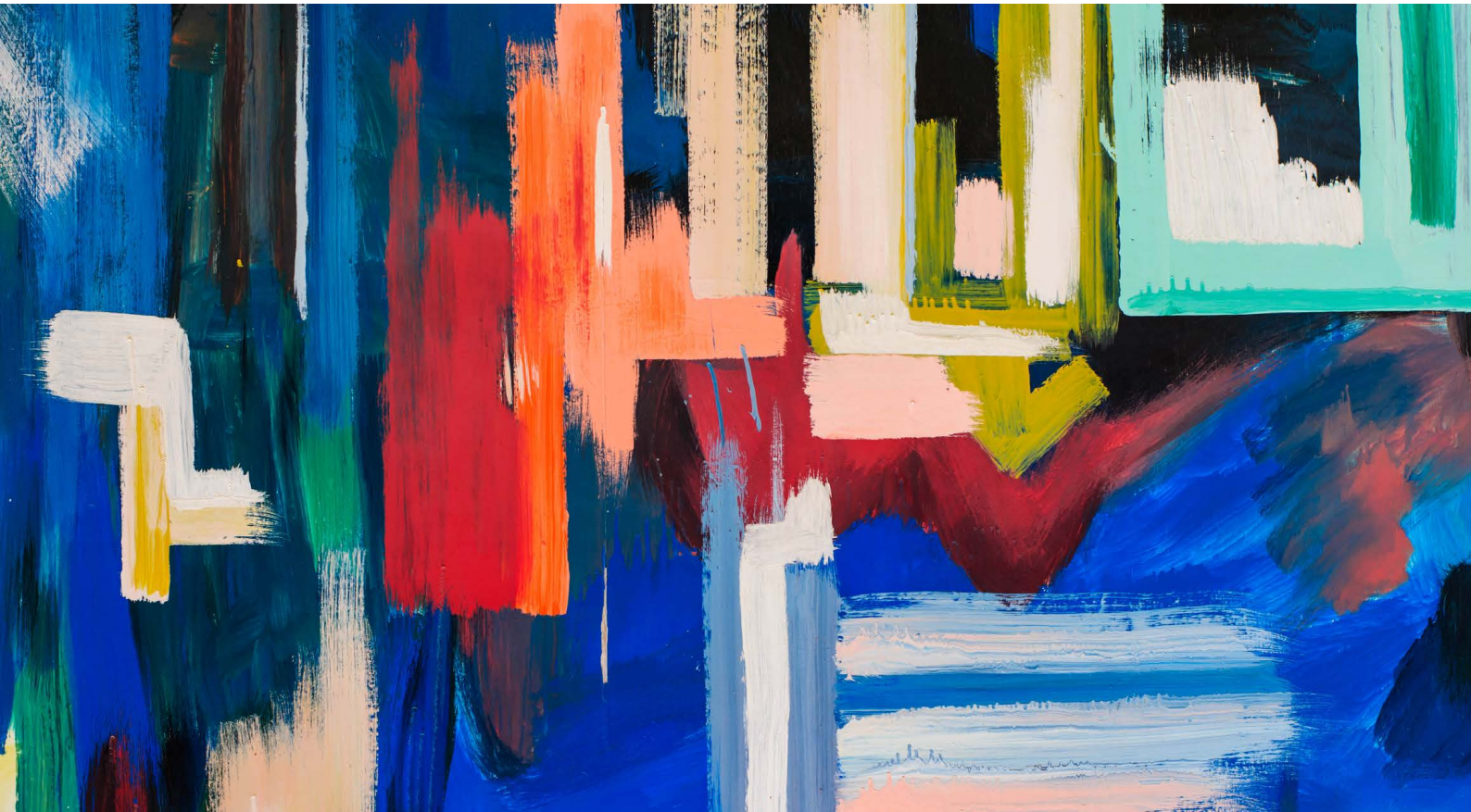




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# Integration of applicants for international protection in the labour market

European Migration  
Network

October 2023

## Disclaimer

This study has been produced by the European Migration Network (EMN), which comprises the [EMN National Contact Points \(EMN NCPs\)](#) in the EMN Member (EU Member States except Denmark) and Observer Countries (NO, GE, MD, UA, ME, AM, RS), the European Commission and the EMN Service Provider (ICF). The study does not necessarily reflect the opinions and views of the European Commission, the EMN Service Provider (ICF) or the EMN NCPs, nor are they bound by its conclusions. Similarly, the European Commission, the EMN Service Provider (ICF) and the EMN NCPs are in no way responsible for any use made of the information provided.

## Explanatory note

This study was prepared on the basis of national contributions from 24 EMN NCPs (AT, BE, BG, CY, CZ, DE, EE, EL, ES, FI, FR, HR, HU, IE, IT, LT, LU, LV, MT, NL, PL, SE, SI, SK) collected via a Common Template developed by the EMN NCPs to ensure, to the extent possible, comparability. The information contained in this study refers to the situation in the abovementioned EMN Member Countries until the end of 2022.

National contributions were largely based on desk analysis of existing legislation and policy documents, reports, academic literature, internet resources, reports and information from national authorities rather than primary research. Statistics were sourced from Eurostat, national authorities and other (national) databases.

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# EXECUTIVE SUMMARY



## KEY POINTS TO NOTE

- **The length of the waiting period before applicants for international protection can access the labour market was the main topic of debate across European Migration Network (EMN) Member Countries.** Those debates centred either on reducing the time period to promote quicker access or lengthening the time period to prevent abuse of the asylum system. Most EMN Member Countries have waiting periods of six months or less in place, with only three implementing the nine-month waiting period set out in the Reception Conditions Directive (2013/33/EU).
- **All EMN Member Countries permit applicants for international protection to access the labour market.** However, there are differences in how this access is granted.
- **The majority of EMN Member Countries require applicants for international protection to have either a work permit or a certificate before they can effectively access the labour market at the end of the waiting period.** Almost half of the countries requiring a work permit also conduct labour market tests. **Some EMN Member Countries offer automatic access to the labour market once the requisite waiting period is met.**
- **Most EMN Member Countries allow applicants for international protection to be self-employed,** in most cases applying the same conditions and procedures as for regular employment.
- **None of the EMN Member Countries reported a specific policy solely focusing on the labour market integration of applicants for international protection.** Most do not have a particular policy or strategy for incorporating third-country nationals into their labour market, but instead integrate this element into a broader policy or strategy on integration. A minority of countries then make specific mention of the integration of applicants for international protection in these policies/strategies.
- **Between 2017 and 2022, most EMN Member Countries implemented changes to their policy framework on integration of third-country nationals into the labour market, impacting applicants for international protection.** Changes that specifically impacted applicants for international protection included measures to facilitate access to the labour market, such as broadening the range of sectors in which they can work and reducing the waiting period for labour market access. However, changes also saw the restriction of access to the labour market for all third-country nationals, such as higher language requirements.
- **Eleven EMN Member Countries identified good practices in integrating applicants for international protection in the labour market.** The measures typically focus on vocational education, language training, and skills assessment.
- **In the majority of EMN Member Countries, applicants for international protection encountered practical challenges when attempting to access the labour market.** In the vast majority of countries, the language barrier was reported as the main practical challenge, followed by difficulties in recognising qualifications. Applicants for international protection encountered practical difficulties in some countries due to the complexity and/or uncertainty of certain aspects of the administrative procedures to gain access to the labour market. **In some EMN Member Countries, applicants also encountered legislative challenges,** such as requiring more documentation than stipulated in national legislation, and discrepancies in the wording defining the waiting period in national legislation.

## SCOPE AND AIMS OF THE STUDY

This EMN study documents the labour market access of applicants for international protection between 2017 to 2022, complementing an earlier (2019) EMN study on labour market integration of third-country nationals excluding asylum seekers.<sup>1</sup> This involves an up-to-date and in-depth analysis of legislation, policies and practices in EMN Member Countries on integration of applicants for international protection into the labour market, and the key actors involved in that implementation. It also provides examples of challenges and good practices.

This study understands the minimum required ‘access to the labour market’ as regulated under the recast Reception Conditions Directive (2013/33/EU), which ensures that “applicants have access to the labour market no later than nine months from the date when the application for international protection was lodged, if a first instance decision by the competent authority has not been taken and the delay cannot be attributed to the applicant”.<sup>2</sup>

## METHOD AND ANALYSIS

The information for the study came primarily from secondary sources provided by 24 EMN Member Countries. National contributions were based on desk analysis of existing legislation and policy documents, reports, academic literature, internet resources, media reports and information from national authorities. In

some EMN Member Countries, this was complemented by an analysis of primary data, including data on the labour market access of applicants for international protection (e.g. work permit applications granted, number of applicants for international protection in employment), as well as interviews with national stakeholders.

## CONTEXT

For applicants for international protection, access to the labour market is regulated under the **recast Reception Conditions Directive** (2013/33/EU). The Directive has been transposed into national law, resulting in variations in the level of access to the labour market.<sup>3</sup> Article 15(1) of the recast Reception Conditions Directive requires Member States to ensure that applicants have access to the labour market no later than nine months from the date on which the application for international protection was lodged. Article 15(2) determines that Member States shall decide the conditions for granting access to the labour market for the applicant in accordance with their national law, while ensuring that applicants have *effective access* to the labour market. The recast Directive also allows Member States to give priority to European Union (EU) citizens, nationals of the

State Party to the Agreement on the European Economic Area (EEA) and legally residing third-country nationals. A new proposal for a recast Reception Conditions Directive (COM(2016) 465 final) proposes some changes to these requirements, such as reducing the waiting period to six months and encouraging access after three months. Co-legislators came to an agreement on this proposal for a recast in December 2022.

**Other relevant EU policy instruments** include: 1) The Pact on Migration and Asylum, proposing a fresh start on migration, asylum, integration and border management; 2) EU Action Plan on Integration and Inclusion 2021-2027, fostering equality and social cohesion to ensure participation and inclusion of all migrants in European societies; and 3) EU Anti-Racism Action Plan 2020-2025.

## APPLICANTS FOR INTERNATIONAL PROTECTION IN THE EU

Between 2017 and 2022, there were a total of 3 161 600 applicants for international protection in EU Member States, of which 89% were first-time applicants. Most first-time applications were lodged in 2022 (26%), with a significant dip in first-time applications in 2020, likely due to the movement restrictions and border closures in response to the COVID-19 pandemic. The large majority of first-time applicants were male (71%) and of working age (18-64) (90%). The most common countries

of origin of applicants for international protection were the Syrian Arab Republic, Afghanistan, Venezuela, Pakistan and Turkey.

Several EMN Member Countries collect statistics and/or monitor the (un)employment situation of applicants for international protection.<sup>4</sup> Some collect data on the numbers of applicants for international protection who are employed and/or numbers of unemployed.<sup>5</sup> More EMN Member Countries collect data on the number of applications

1 European Migration Network, ‘EMN study on labour market integration of third-country nationals in EU Member States’, 2019, [https://home-affairs.ec.europa.eu/news/emn-study-labour-market-integration-third-country-nationals-eu-member-states-2019-02-14\\_en](https://home-affairs.ec.europa.eu/news/emn-study-labour-market-integration-third-country-nationals-eu-member-states-2019-02-14_en), last accessed on 4 August 2022.

2 Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast) OJ L 180, 29.6.2013, pp. 96-116.

3 Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast) OJ L 180, 29.6.2013, pp. 96-116.

4 BG, CY (only data on approved employment contracts), CZ, EE, ES, HR, IE reported collecting some data on the employment/unemployment situation of applicants.

5 BG, CZ, EE, IE.

to access the labour market that were submitted, granted and refused.<sup>6</sup> In most EMN Member Countries, the public employment authority<sup>7</sup> and/or competent immigration authority<sup>8</sup> are the main stakeholders producing/collecting data, followed by the Ministry of Labour and Social Affairs,<sup>9</sup> Unemployment Insurance Fund,<sup>10</sup> and the Department of Justice.<sup>11</sup>

In most EMN Member Countries,<sup>12</sup> national debates on the integration into the labour market of applicants for international protection focused on time limits and other restrictions to access the labour market. Other key topics of debate included appropriate measures to promote effective access to the labour market,<sup>13</sup> and concerns about potential abuse of the asylum system through excessively facilitated access.<sup>14</sup>



## LEGISLATIVE AND POLICY BACKGROUND

Access to the labour market is stipulated in national legislation, in most cases supplemented by national policy or strategy. The type of legislation that regulates applicants' access to the labour market falls into two categories: migration law<sup>15</sup> (covering either all third-country nationals or applicants for international protection specifically) and/or employment law (or a combination of both).<sup>16</sup> Policies fostering access to the labour market are general integration policies,<sup>17</sup> specific policies for third-country nationals,<sup>18</sup> or a mainstreaming approach.<sup>19</sup> None of the EMN Member Countries reported any specific policy on the integration of applicants for international protection.

The majority of EMN Member Countries adopted a waiting period of six months<sup>20</sup> or less.<sup>21</sup> Two operate the waiting period of nine months from lodging an application, as set in the Reception Conditions Directive<sup>22</sup>

Several EMN Member Countries offer automatic access to the labour market once the waiting period has lapsed,<sup>23</sup> although the majority require applicants for international protection to obtain either a work permit<sup>24</sup> or a certificate verifying their access to the labour market.<sup>25</sup> The application process for a work permit typically requires more documentation than other types of authorisation to access the labour market (e.g. application for a certificate/automatic access) and is usually initiated by the employer,<sup>26</sup> who submits it to the relevant authority for evaluation. This requirement typically applies to all third-country nationals.<sup>27</sup> Five EMN Member Countries that require a

permit also carry out labour market tests, which usually assess whether the position cannot be filled by national workers, EU citizens or legally residing third-country nationals.<sup>28</sup>

Some EMN Member Countries apply other conditions and restrictions on the type and form of employment that can be accessed,<sup>29</sup> limiting the hours that applicants can work in a given year,<sup>30</sup> verifying whether the position and the employer are in compliance with employment-related legislation,<sup>31</sup> and limiting the category of applicants for international protection who can apply (e.g. only from certain 'safe countries of origin').<sup>32</sup> Some EMN Member Countries also offer applicants for international protection access to employment services (e.g. counselling sessions on how to find employment).<sup>33</sup>

Most EMN Member Countries allow applicants for international protection to be self-employed.<sup>34</sup> In the majority of EMN Member Countries those wishing to become self-employed must comply with the same conditions and undergo the same procedures as required for regular employment.<sup>35</sup> They also have to comply with the conditions and requirements applied to any individual wanting to set up a business or pursue another independent status, regardless of their nationality and residence status. Four EMN Member Countries apply different conditions and procedures for applicants for international protection wishing to access self-employment, compared to employment.<sup>36</sup>

6 AT, BE, CY, CZ, FR, IE, LU, NL.

7 AT, BE, BG, CZ, HR.

8 BG, ES, FR, LU, SE.

9 CY, CZ, NL.

10 EE.

11 IE.

12 BE, BG, CZ, DE, EE, FI, FR, HR, IE, LT, LU, LV, NL, SE, SI, SK.

13 AT, BE, DE, EL, IE, NL, SI.

14 FI, FR, NL, SE.

15 BG, CY, EE, EL, ES, FI, FR, HR, IE, IT, LU, LV, PL, SE, SI.

16 AT, BE, BG, CZ, DE, FR, LU, NL, SK.

17 AT (only applicable to applicants with a high likelihood of being granted international protection), EE, HR, HU, IT, LT, LU, LV, MT, PL.

18 BE, BG, CY, CZ, DE, EL, ES, FI, FR, NL, SE, SI, SK.

19 IE, SE.

20 CZ, EE, EL, FR, IE, LT, LU, NL, PL, SK.

21 AT, BE, BG, CY, DE, FI, HR, IT, LV, SE.

22 HR, SI.

23 BE, EE, ES, FI, IT, SI, SK.

24 AT, CY, CZ, DE, FR, HU, LU, NL.

25 BG, EL, HR, IE, LT, LV, PL.

26 AT, CY, FR, HU, NL.

27 AT (foreign nationals who do not have free access to the labour market generally need a work permit to take up employment), CZ, FR.

28 AT, CY, FR, HU, LU.

29 CY, FI, FR, IE.

30 NL.

31 AT, FR, NL.

32 DE.

33 AT (only applicable under certain conditions to applicants with a high likelihood of being granted international protection and applicants who are entitled to benefits from the PES due to previous employment in Austria that was covered by unemployment insurance), CY, CZ, EE, HR, IT, LT.

34 AT, BE, BG, EE, ES, HR, IE, IT, LT, LV, MT, NL, PL, SE, SI.

35 BG, EE, ES, IE, IT, LT, LV, NL, PL, SI.

36 AT, BE, HR, SE.

The majority of EMN Member Countries<sup>37</sup> reported adopting new or revised policies between 2017 and 2022 to support the labour market integration of third-country nationals, which also impact applicants for international protection. These included changes to facilitate labour migration of third-country nationals to the country,<sup>38</sup> as well as policy changes to facilitate access<sup>39</sup> to the labour market. Some policy changes directly targeted applicants for international protection, typically increasing the sectors of the labour market to which they have access<sup>40</sup> and decreasing the length of the waiting period.<sup>41</sup>

EMN Member Countries<sup>42</sup> reported governance structures to support third-country nationals' labour market integration, with 13<sup>43</sup> reporting no such structures. In existing governance structures, competence is shared between national, regional and local level. The key stakeholders are ministries (interior/employment)<sup>44</sup> and agencies responsible for integration.<sup>45</sup> Other important actors are public employment services (PES),<sup>46</sup> social partners (employers'/sectoral associations),<sup>47</sup> reception centres<sup>48,49</sup> and non-governmental organisations (NGOs).<sup>50</sup>



## SUPPORT MEASURES TO ENHANCE LABOUR MARKET INTEGRATION AND SELF-EMPLOYMENT

EMN Member Countries put forward a total of 28 good practice measures in integrating applicants for international protection in the labour market. Twenty specifically target applicants for international protection, while eight are available to all third-country nationals.<sup>51</sup> The study considered all of these good practices but focusing primarily on the measures impacting access to the labour market for applicants for international protection (i.e. targeted measures, as well as measures applicable to all third-country nationals and jobseekers).

The majority of these good practice measures are voluntary and free of charge for applicants for international protection and were developed in response to emerging needs (rise in applications in 2015/2016; COVID-19 in 2020). Measures are typically in the areas of vocational education and training (VET)<sup>52</sup> (including reskilling schemes), support for language acquisition<sup>53</sup> (courses covering different levels/labour market requirements) and skills assessment<sup>54</sup> (to validate prior (non-accredited) learning and experience). Other measures include support for the recognition of qualifications<sup>55</sup> (e.g. programmes where regional/national systems evaluate foreign qualifications, supported by education institutions) and civic integration courses<sup>56</sup> (providing basic information on national law, employment processes, cultures and

customs), as well as initiatives to incentivise employers to hire applicants for international protection or to support their self-employment,<sup>57</sup> information and counselling<sup>58</sup> (labour market orientation, job application training, tailored advice, etc.). EMN Member Countries also reported measures providing indirect support to access the labour market, such as childcare<sup>59</sup> and travel allowances.<sup>60</sup> Six EMN Member Countries<sup>61</sup> reported measures to foster cooperation between relevant stakeholders organising the employment of applicants for international protection.

Applicants for international protection primarily faced practical challenges in effectively accessing the labour market. National authorities highlighted: language barriers,<sup>62</sup> difficulties in recognising qualifications,<sup>63</sup> discrimination,<sup>64</sup> risk of exploitation and undeclared work,<sup>65</sup> and costs associated with accessing the labour market (e.g. transport).<sup>66</sup> Some EMN Member Countries reported practical challenges arising as a result of complexity, uncertainty and/or ineffectiveness of some aspects of the administrative procedure to obtain access to the labour market.<sup>67</sup> Several<sup>68</sup> identified legislative challenges, including requests for additional documentation (e.g. from employers) beyond what is stipulated in law, and discrepancies in understandings of the waiting period start date.

37 AT, BE, BG, CY, DE, EE, EL, FI, FR, IT, LT, LV, NL, SE, SI.

38 BE, BG, DE, EL, FI, FR, LT, LV, SI.

39 AT, CY, FR, LT, LV.

40 AT.

41 CY, FR, LT, LV, SK.

42 AT, BE, BG, DE, EE, EL, ES, FI, HR, IT, SE.

43 CY, CZ, FR, HU, IE, LT, LU, LV, NL, PL, SI, SK.

44 AT, BG, CY, CZ, DE, EL, ES, FI, FR, IE, IT, PL, SE, SI.

45 AT, BE, DE, EL, FI, LV, NL, SE.

46 AT, BE, BG, CY, CZ, DE, FR, HR, IE, IT, LV, PL, SE, SI.

47 AT, BE, DE, SI.

48 The term 'reception centres' refers generally to all facilities providing accommodation and other support to applicants for international protection, with the exception of detention centres and other forms of independent housing.

49 EE, ES, FI, HU, NL, SK.

50 AT, BE, BG, CY, DE, EE, ES, FI, HR, IE, NL, LU, LV, SE, SK.

51 BE, BG, ES, FI, IE, IT, LV, NL, SE, SI.

52 CY (1), DE (2 good practices for VET), IT (2), NL (1), SE (1), SI (2).

53 BE, CY, IT, MT, SE (1 good practice reported per country for language training), SK.

54 FI (3 good practices for skills assessments).

55 AT, BE, BG, DE, EE, EL, ES, FI, FR, HU, IE, LV, PL, SE, SI.

56 AT, BE, EE, EL, ES, FI, IE, IT, LU, LV, MT, PL, SE, SI, SK.

57 BE, BG, CY, DE, EE, ES, HR, SE, SI (recruitment support and on-the-job training only).

58 AT, BE, BG, CY, CZ, DE, EE, EL, ES, FI, HU, IE, IT, LT, LU, LV, NL, SE, SI, SK.

59 BE, DE, ES, FI (based on individual assessments), IE (although access can be a challenge), IT, LT, LV, SE.

60 DE, ES, IT, LV, SE, SK (through an NGO project).

61 BE, DE, EL, FI, NL, SE.

62 AT, BE, BG, CY, DE, EE, FI, FR, IE, IT, LT, LU, LV, NL, SE, SK.

63 AT, BE, BG, DE, EE, FI, IE, LU, SE, SK.

64 CY, FI, IE, LV.

65 AT, CY, FI, SK.

66 BE, IE, NL, SK.

67 AT, BE, DE, FI, FR, HU, IE, IT, LV, SK.

68 EL, FI, IE.

# 1. INTRODUCTION



## 1.1. BACKGROUND

This report presents the main findings of the European Migration Network (EMN) study on the integration of applicants for international protection in the labour market.<sup>69</sup>

Research has shown that labour market integration is one of the key elements of migrant integration and successful participation in society. For many migrants, building a new life entail finding appropriate work that not only contributes to their economic independence, but also influences their health and overall well-being.<sup>70</sup>

In the European Union (EU), integration and inclusion of third-country nationals is addressed in the EU Action Plan on Integration and Inclusion 2021-2027, which outlines that “The EU’s work on integration and inclusion is underpinned by a shared set of principles and values, which should also guide the work of Member States when they design, implement or review their strategies for integration.”<sup>71</sup> The importance of integration in the labour market is coupled with the increased prominence of labour and skills shortages across Member States. Following a decline during the COVID-19 pandemic, 2022 saw the highest employment rate in the EU since 2009 (when Eurostat first began publishing statistics), together with an unemployment rate of just 6%. At the same time, however, approximately six million jobs in the EU were unfilled. Labour shortages affect almost all Member States and sectors. In 2021, there were shortages in 28 occupations, including construction, healthcare, engineering,

and information technology (IT).<sup>72</sup> According to the 2023 Eurochambres economic survey, labour and skills shortages are a major issue for European companies, which may lead to an increased reliance on third-country nationals to address the projected shortages.<sup>73</sup> Amid these developments, the integration of third-country nationals, including applicants for international protection, into the labour market is of growing importance for policy makers.<sup>74</sup>

The EU experienced an unprecedented increase in the number of applicants for international protection between 2014 and 2016,<sup>75</sup> which, in addition to placing immense pressure on Member States’ asylum systems, led to changes in the integration programmes and activities offered to applicants for international protection. According to a 2018 EMN study,<sup>76</sup> access to the labour market was a key area of change, with various measures taken to improve access after 2015. These included shortening the waiting period for granting labour market access, skills matching, and facilitating recognition of applicants’ qualifications. The integration of applicants for international protection into the labour market repeatedly emerged in discussions on the 2016 recast Reception Conditions Directive Recast proposal,<sup>77</sup> as laws and practices differed from one EU Member State to another.

A 2019 EMN study<sup>78</sup> explored the labour market integration of all categories of third-country nationals (excluding applicants for international protection) in EMN Member Countries and identified several common obstacles:

- 69 It is crucial to recognise that applicants for international protection are primarily seeking protection in the EU. Although they may also be interested in seeking employment, their ability and willingness to do so is contingent on their capacity to work, and whether or not it is within their field of expertise. Meeting labour market needs is a secondary consideration for these individuals.
- 70 Dustmann, C., Fasani, F., Frattini, T., Minale, L., Schönberg, U., Sunde, U., and Trigari, A., ‘On the economics and politics of refugee migration’ (2017), *Economic Policy*, 32, p. 497; de Vroome, T. and van Tubergen, F., ‘The employment experience of refugees in the Netherlands’ (2010), *International Migration Review*, 44 (2), p. 376; Ager, A. and Strang, A., ‘Understanding integration: A conceptual framework’ (2008), *Journal of Refugee Studies*, 21, p. 166; Dagevos, J., Jongen, E. and Muns, S., ‘Promising policies for integration on the labour market: summary’ (2020), *CPB Netherlands Bureau for Economic Policy Analysis*, The Hague.
- 71 Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Action plan on Integration and Inclusion 2021-2027, COM(2020) 758 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020DC0758&from=EN>, last accessed on 28 July 2022.
- 72 McGrath, J., ‘Report on Labour Shortages and Surpluses - November 2021’, 2021, <https://www.ela.europa.eu/sites/default/files/2021-12/2021%20Labour%20shortages%20%20surpluses%20report.pdf>, last accessed on 17 January 2023 (report covers EU Member States, Norway and Switzerland).
- 73 Eurochambres, ‘Eurochambres Economic Survey’, 2023, <https://www.eurochambres.eu/wp-content/uploads/2022/11/EES-2023-Eurochambres-Economic-Survey-Report.pdf>, last accessed on 17 January 2023.
- 74 See, for example: Cedefop, ‘Creating lawful opportunities for adult refugee labour market mobility: a conceptual framework for a VET, skills and qualifications-based complementary pathway to protection’, 2019, Luxembourg, Publications Office of the European Union; Astrov, V., Grieseson, R., Hanzl-Weiss D., Leitner, S., Mara, I., Vidovic, H., and Zavorska, Z., ‘How do economies in EU-CEE cope with labour shortages? Study update from wiiw research report 452’ (2022), Vienna, The Vienna Institute for International Economic Studies.
- 75 Eurostat figures show a total of 431 095 first-time applicants for asylum in 2013 and 626 960 in 2014 in the EU. In 2015 and 2016, more than 1.2 million first-time applicants for international protection were registered.
- 76 EMN, ‘Changing influx of asylum seekers 2014-2016’, 2018, [https://ec.europa.eu/home-affairs/system/files/2020-09/00\\_eu\\_changing\\_influx\\_study\\_synthesis\\_final\\_en.pdf](https://ec.europa.eu/home-affairs/system/files/2020-09/00_eu_changing_influx_study_synthesis_final_en.pdf), last accessed on 28 July 2022.
- 77 Proposal for a Directive of the European Parliament and of the Council laying down standards for the reception of applicants for international protection (recast) COM(2016) 465 final 2016/0222 (COD), <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016PC0465&from=EN> (Reception Conditions Directive Recast).
- 78 EMN, ‘EMN Study on labour market integration of third-country nationals in EU Member States’, 2019, [https://home-affairs.ec.europa.eu/news/emn-study-labour-market-integration-third-country-nationals-eu-member-states-2019-02-14\\_en](https://home-affairs.ec.europa.eu/news/emn-study-labour-market-integration-third-country-nationals-eu-member-states-2019-02-14_en), last accessed on 4 August 2022.

- Accreditation of job qualifications and assessment of skills and prior experience of those arriving from outside the EU;
- Tackling discrimination within recruitment processes;
- Managing varying levels of language skills in integration measures.

These difficulties were more pronounced among migrant women and vulnerable groups.<sup>79</sup> The 2022 EMN study on the integration of migrant women highlighted similar issues, including recognition of qualifications, language difficulties, and limited awareness of labour market rights and/or incentives for education and work. The study also reported other challenges, including discrimination, limited social networks, and family constraints, including child-care.<sup>80</sup> It is likely that applicants for international protection experience similar difficulties in trying to access the

labour market, given their increased vulnerability by virtue of their status. A briefing<sup>81</sup> by the European Parliamentary Research Service (EPRS) on labour market integration of asylum-seekers and refugees highlighted that although relevant national asylum rules have become more harmonised since 2013 (due to legislative regulation as described in section 1.2), differences in the approach to granting such access persist across the EU.

This study provides an up-to-date and in-depth analysis of EMN Member Countries<sup>82</sup> legislation, policies and practices on integration of applicants for international protection into the labour market.<sup>83</sup> It examines labour market access in the EMN Member Countries, including conditions, restrictions and processes, such as labour market tests and restrictions, qualification recognition procedures, and social security arrangements that may impact access.



## 1.2. EU LEGAL AND POLICY CONTEXT

For applicants for international protection, access to the labour market is regulated under the recast Reception Conditions Directive (2013/33/EU). As the Directive is transposed into national law, the level of access to the labour market varies across Member States.<sup>84</sup> Permitting access to employment is connected to the aims of promoting self-sufficiency among applicants for international protection and limiting wide discrepancies in access rules between Member States.<sup>85</sup> This also contributes to creating better prospects for the eventual integration of those who will ultimately be granted protection.

Article 15(1) of the recast Reception Conditions Directive (2013/33/EU) requires Member States to “ensure that applicants have access to the labour market no later than nine months from the date when the application for international protection was lodged, if a first instance decision by the competent authority has not been taken and the delay cannot be attributed to the applicant”. Some Member States grant such access at the maximum nine months set in the recast Reception Conditions Directive (2013/33/EU), others grant access directly after the application is lodged, and most sometime in between.

According to Article 15(2) of the Directive, EU “Member States shall decide the conditions for granting access to the labour market for the applicant, in accordance with their national law, while ensuring that applicants have *effective access* to the labour market”. When it comes to

ensuring access to the labour market for applicants for international protection, EU “Member States may give priority to EU citizens and nationals of State parties to the Agreement on the European Economic Area (EEA), and to legally resident third-country nationals” for labour market policy reasons. According to Article 15(3), “access to the labour market for applicants for international protection shall not be withdrawn during appeals procedures, where an appeal against a negative decision in a regular procedure has suspensive effect, until such time as a negative decision on the appeal is notified”.

In the proposal for a Reception Conditions Directive Recast (COM(2016) 465 final),<sup>86</sup> the European Commission proposed to further reduce the time limit for access to the labour market from no later than nine months to no later than six months from the lodging of the application. It also encouraged Member States to grant access to the labour market no later than three months from the lodging of the application where the application is likely to be well-founded, and not to grant access where a Member State has accelerated the examination on the merits of an application for international protection (e.g. due to the applicant being from a safe country of origin). The proposal also detailed when Member States may provide or limit equal treatment with nationals of the Member State, including equal treatment for employment, vocational training, and recognition of qualifications. According

79 Confirmed by other studies, e.g. European Commission and Joint Research Centre (JRC), ‘Gaps in the EU labour market participation rates: an intersectional assessment of the role of gender and migrant status’, 2020, <https://publications.jrc.ec.europa.eu/repository/handle/JRC121425>.

80 EMN, ‘EMN Study on integration of migrant women in the EU: policies and measures’, 2022, [https://home-affairs.ec.europa.eu/system/files/2022-09/EMN\\_STUDY\\_integration-migrant-women\\_23092022.pdf](https://home-affairs.ec.europa.eu/system/files/2022-09/EMN_STUDY_integration-migrant-women_23092022.pdf), last accessed on 3 April 2023.

81 European Parliament, ‘Briefing on the labour market integration of asylum-seekers and refugees’, 2022, [https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/690651/EPRS\\_BRIE%282021%29690651\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/690651/EPRS_BRIE%282021%29690651_EN.pdf), last accessed on 4 August 2022.

82 The listing of EMN Member Countries in the study following the presentation of synthesised information indicates the availability of relevant information provided by those in their national contributions, where more detailed information may be found and it is strongly recommended that these are consulted as well.

83 See previous ad hoc query results: EMN, ‘Ad Hoc Query on residence permit and labour market needs’, requested by the Commission on 11 December 2020, [https://ec.europa.eu/home-affairs/system/files/2021-02/202075\\_residence\\_permit\\_and\\_labour\\_market\\_needs\\_en.pdf](https://ec.europa.eu/home-affairs/system/files/2021-02/202075_residence_permit_and_labour_market_needs_en.pdf), last accessed on 25 May 2023; EMN, ‘Ad Hoc Query on access of international protection applicants to the labour market’, requested by LU EMN National Contact Point (NCP) on 19 July 2016, [https://ec.europa.eu/home-affairs/system/files/2020-09/2016.1091b\\_lu\\_access\\_of\\_international\\_protection\\_applicants\\_to\\_the\\_labour\\_market.pdf](https://ec.europa.eu/home-affairs/system/files/2020-09/2016.1091b_lu_access_of_international_protection_applicants_to_the_labour_market.pdf), last accessed on 25 May 2023; EMN, ‘Ad Hoc Query on access to the labour market for asylum seekers’, requested by AT EMN NCP on 23 January 2015 (compilation produced on 3 June 2015), [https://ec.europa.eu/home-affairs/system/files/2020-09/654\\_emn\\_ahq\\_access\\_to\\_the\\_labour\\_market\\_for\\_asylum\\_seekers\\_wider\\_dissemination.pdf](https://ec.europa.eu/home-affairs/system/files/2020-09/654_emn_ahq_access_to_the_labour_market_for_asylum_seekers_wider_dissemination.pdf), last accessed on 25 May 2023; EMN, ‘Ad Hoc Query on the rules of access to labour market for asylum seekers’, requested by FR EMN NCP on 25 October 2010 (compilation produced on 10 December 2010), [https://ec.europa.eu/home-affairs/system/files/2020-09/269\\_emn\\_ad-hoc\\_query\\_rules\\_of\\_access\\_to\\_labour\\_market\\_for\\_asylum\\_seekers\\_25oct2010\\_wider\\_dissemination\\_en.pdf](https://ec.europa.eu/home-affairs/system/files/2020-09/269_emn_ad-hoc_query_rules_of_access_to_labour_market_for_asylum_seekers_25oct2010_wider_dissemination_en.pdf), last accessed on 25 May 2023.

84 Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast) OJ L 180, 29.6.2013, pp. 96–116.

85 Recital 23 of Directive 2013/33/EU.

86 Proposal for a Directive of the European Parliament and of the Council laying down standards for the reception of applicants for international protection (recast) COM(2016) 465 final 2016/0222 (COD), <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016PC0465&from=EN> (Reception Conditions Directive Recast).

to the Commission, such equal treatment helps to prevent labour market distortions. However, the proposal allows Member States to limit equal treatment, for example by excluding grants or loans related to vocational training or social security benefits unrelated to employment.<sup>87</sup>

In December 2022, the two co-legislators confirmed the political agreement reached in 2018, but it remains linked to other New Pact on Asylum and Migration files that will be addressed once other Pact files reach their final stages. The agreement is therefore pending adoption, along with the other Pact files.<sup>88</sup>

Other relevant EU policy instruments include:

- New Pact on Migration and Asylum,<sup>89</sup> proposed by the European Commission on 23 September 2020. This includes proposals by the Commission from 2016,
- EU Action Plan on Integration and Inclusion 2021-2027.<sup>90</sup> The Action Plan promotes an integrated approach to migrant inclusion and aims to create close synergies with existing and upcoming EU strategies to foster equality and social cohesion to ensure that everyone is fully included and participates in European societies.
- EU Anti-Racism Action Plan 2020-2025,<sup>91</sup> published by the European Commission on 18 September 2020 to step-up action against racism in the EU.

### 1.3. STUDY AIM AND SCOPE

The overall aim of the study is to inform the target audience (practitioners, policy officers, decision makers at EU and national level, including the European Commission and the European Union Agency for Asylum (EUAA), academic researchers, civil society organisations and the general public) on labour market access for applicants for international protection. It identifies and compares existing laws, policies and measures on the labour market integration of applicants for international protection, as well as good practices and challenges.

The study covers the period 2017 to 2022, i.e. after the high migration flows in 2015-2016 and after the 2016 European Commission proposal for a recast Reception Conditions Directive.

The study's main objectives are:

- To map EMN Member Countries' current national legal and policy frameworks on providing access to the labour market for applicants for international protection.<sup>92</sup>
- To map EMN Member Countries' current national measures<sup>93</sup> to support effective access to the labour market for applicants for international protection, as well as obstacles potentially hindering that access.
- To identify the key actors, including at local/regional level in the EMN Member Countries, responsible/involved in the design and implementation of support measures to facilitate labour market integration of applicants for international protection.
- To provide examples of EMN Member Countries' good practices and challenges in relation to the measures adopted at national, regional or local level to facilitate access to the labour market for applicants for international protection.

The study addresses third-country nationals who have applied for international protection in EMN Member Countries and who are eligible to access the labour market under Article 15 of the Reception Conditions Directive Recast (2013/33/EU) or under any other equivalent national act regulating access to the labour market for applicants for international protection.

### 1.4. KEY QUESTIONS

The study asks four key questions:

- What do the available data suggest about the situation of applicants for international protection in the labour markets of EMN Member Countries?
- To what extent are applicants for international protection specifically addressed in national labour market integration policies in EMN Member Countries (e.g. strategies, action plans and government programmes)?
- How is access to employment and self-employment regulated and ensured in practice for applicants for international protection in the EMN Member Countries?
- To what extent/and what kind of targeted labour market integration measures (if any) are available in

87 Slingenbergh, L., 'Political compromise on a Recast Asylum Reception Conditions Directive: dignity without autonomy?' (2021), <https://eumigrationlawblog.eu/political-compromise-on-a-recast-asylum-reception-conditions-directive-dignity-without-autonomy/>, last accessed on 1 February 2023.

88 European Parliament, 'Asylum: deal on reception conditions for applicants to international protection', Press release, <https://www.europarl.europa.eu/news/en/press-room/20221214IPR64716/asylum-deal-on-reception-conditions-for-applicants-to-international-protection>, last accessed on 6 April 2023.

89 Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on a New Pact on Migration and Asylum, COM/2020/609 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020DC0609>, last accessed on 25 May 2023.

90 Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Action plan on Integration and Inclusion 2021-2027, COM/2020/758 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020DC0758&qid=1632299185798>, last accessed on 25 May 2023.

91 European Commission, 'EU Anti-Racism Action Plan 2020-2025', [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/eu-anti-racism-action-plan-2020-2025\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/eu-anti-racism-action-plan-2020-2025_en), last accessed on 4 August 2022.

92 Taking into account Article 15 of the Reception Conditions Directive Recast (2013/33/EU).

93 EMN definition of 'measures' includes systematic initiatives (multi-year/long-term), projects (ad hoc) and legislative (structural) measures used to implement integration policies (including those funded by governments but implemented by NGOs on behalf of governments).

the EMN Member Countries, (specifically) addressing

applicants for international protection, and what good practices/challenges have been identified?



## 1.5. METHODOLOGY

This study is a synthesis of national reports prepared by the EMN NCPs using an agreed template.

The identification of a measure as a ‘good practice’ is based on the European Website on Integration definition as “effective, efficient, sustainable and/or transferable, and that reliably lead[s] to a desired result”. The measure should be selected by a field expert (e.g. policymaker, service provider, civil society organisation, migrant organisation) or based on studies or evaluations.<sup>94</sup>

The terms ‘laws’, ‘policies’ and ‘measures’ are defined as follows:

- ‘Laws’ refer to the legislative frameworks that provide access to the labour market for applicants for international protection;
- ‘Policies’ refer to targeted integration strategies and action plans, as well as broader policy instruments relevant to integration in the labour market;
- ‘Measures’ refer to systematic initiatives (multi-year/long-term), projects (ad hoc) and legislative (structural) measures used to implement the (labour market) integration policies (e.g. loans granted to applicants for international protection to start a business). It also includes measures funded by governments but implemented by NGOs on their behalf.



## 1.6. STRUCTURE OF THE REPORT

In addition to this introduction, the Synthesis Report contains the following sections:

- Section 2: Applicants for international protection in the EU;
- Section 3: Legislative and policy background;
- Section 4: Support measures to enhance labour market integration and self-employment;
- Section 5: Conclusions.

94 European Commission, ‘European Website on Integration – What are “good practices”’, 2014, [https://ec.europa.eu/migrant-integration/page/what-are-good-practices\\_en](https://ec.europa.eu/migrant-integration/page/what-are-good-practices_en), last accessed on 4 August 2022.

## 2. APPLICANTS FOR INTERNATIONAL PROTECTION IN THE EU



### 2.1. APPLICANTS FOR INTERNATIONAL PROTECTION IN THE EU – OVERVIEW

The following section presents an overview of the profile of applicants for international protection (e.g. age, sex, citizenship), and the key debates in EMN Member Countries on their access to the labour market, in order to set out the context in which applicants for international protection access employment. The varying structures of the (limited) data collected complicate the assessment of the situation of applicants for international protection in the labour markets of EMN Member Countries.

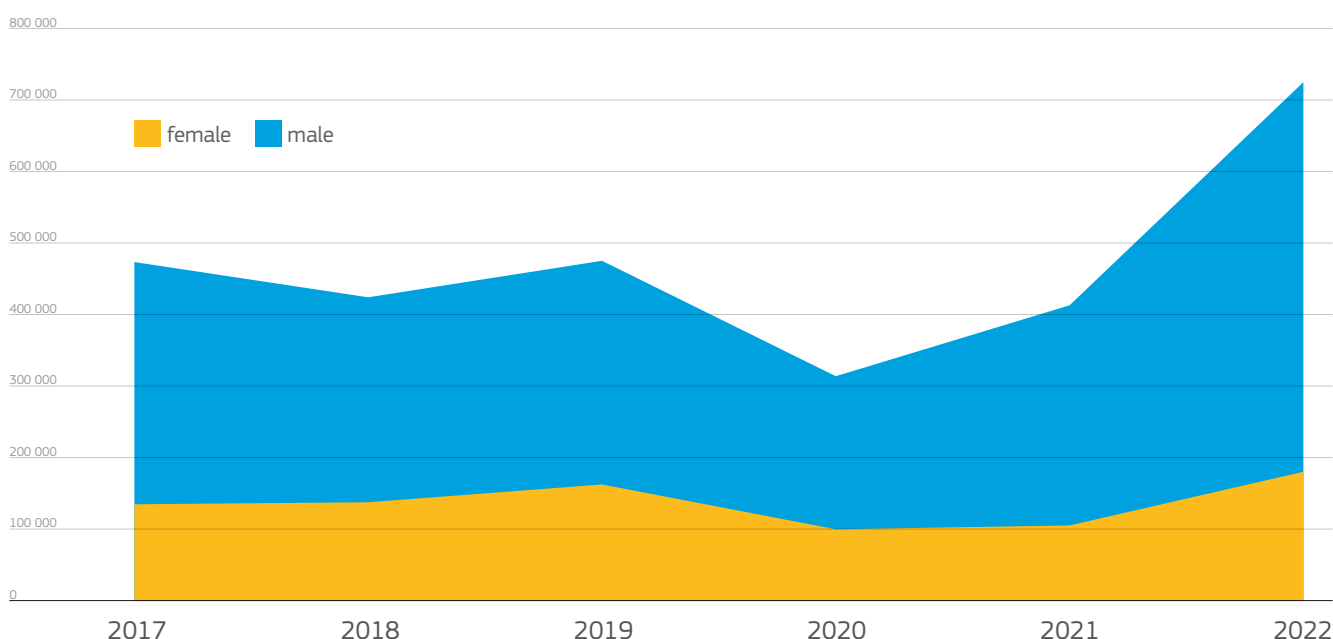
#### First-time applicants

Between 2017 and 2022, there were a total of 2 817 205 first-time applicants<sup>95</sup> to the 27 EU Member

States (EU-27), representing 89% of the total applications for international protection registered in that period (3 161 600). Most first-time applications were lodged in 2022 (26%), with a decrease in 2020 (11%), likely due to the movement restrictions and border closures in response to the COVID-19 pandemic. In 2022, the number of applications rose significantly (722 925), surpassing the average total yearly applications during 2017-2021 (418 856), with a 72% increase.

Figure 1 shows that between 2017 and 2022, the large majority of first-time applicants for international protection were male (71%), with the female population accounting for 29% of the total.

**Figure 1: Number of first-time applicants in EU27, by sex, 2017-2022**



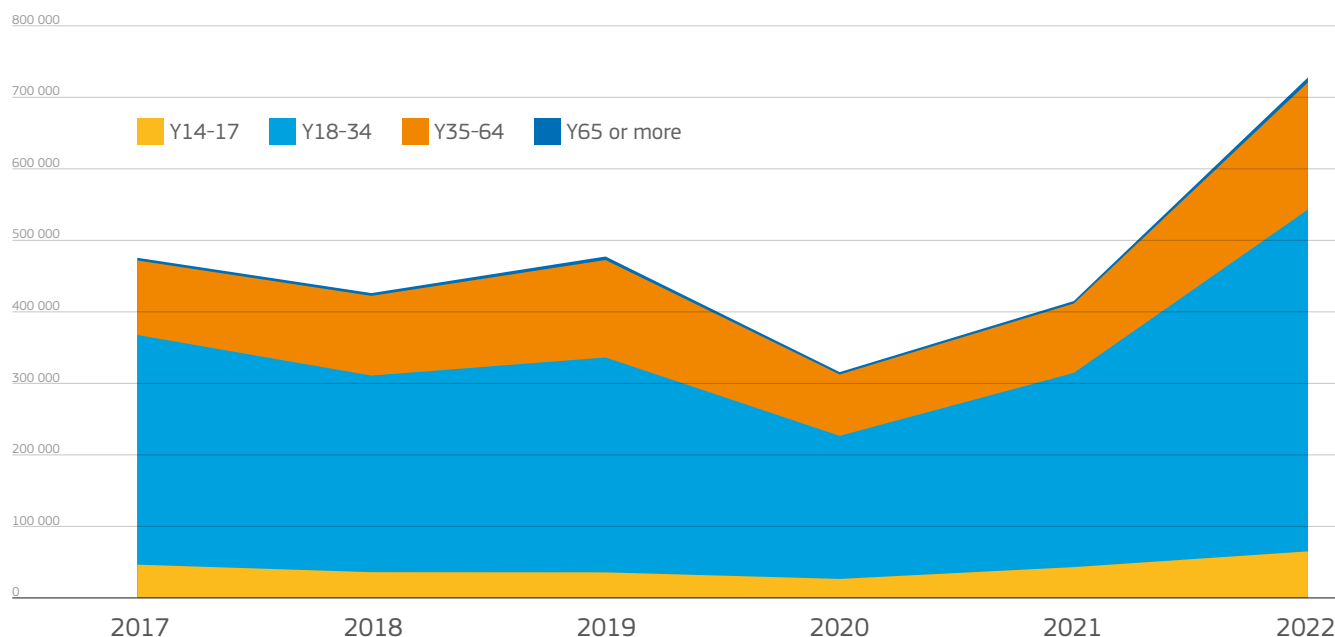
Source: Eurostat database (MIGR\_ASYAPPCTZM). 2017-2021 data extracted on 17 September 2022 and 2022 data extracted on 19 March 2023.

<sup>95</sup> Definition of 'first-time applicant for international protection' reported from Eurostat: "First-time asylum applicants for international protection (as defined by Article 2(h) of Qualification Directive 2011/95/EU) are persons who lodged an application for asylum for the first time in a given Member State during the reference period. The term 'first-time' implies no time limitation and therefore a person can be recorded as a first-time applicant only if they had never applied for international protection in the reporting country in the past, irrespective of the fact that he is found to have applied in another Member State of the European Union".

First-time applicants for international protection constitute a young population, with most aged between 18 and 34 years (65%) and the vast majority between 18 and

64, thus of working age and with potential to be integrated in the labour market (Figure 2).

**Figure 2: Number of first-time applicants in EU27, by age, 2017-2022**

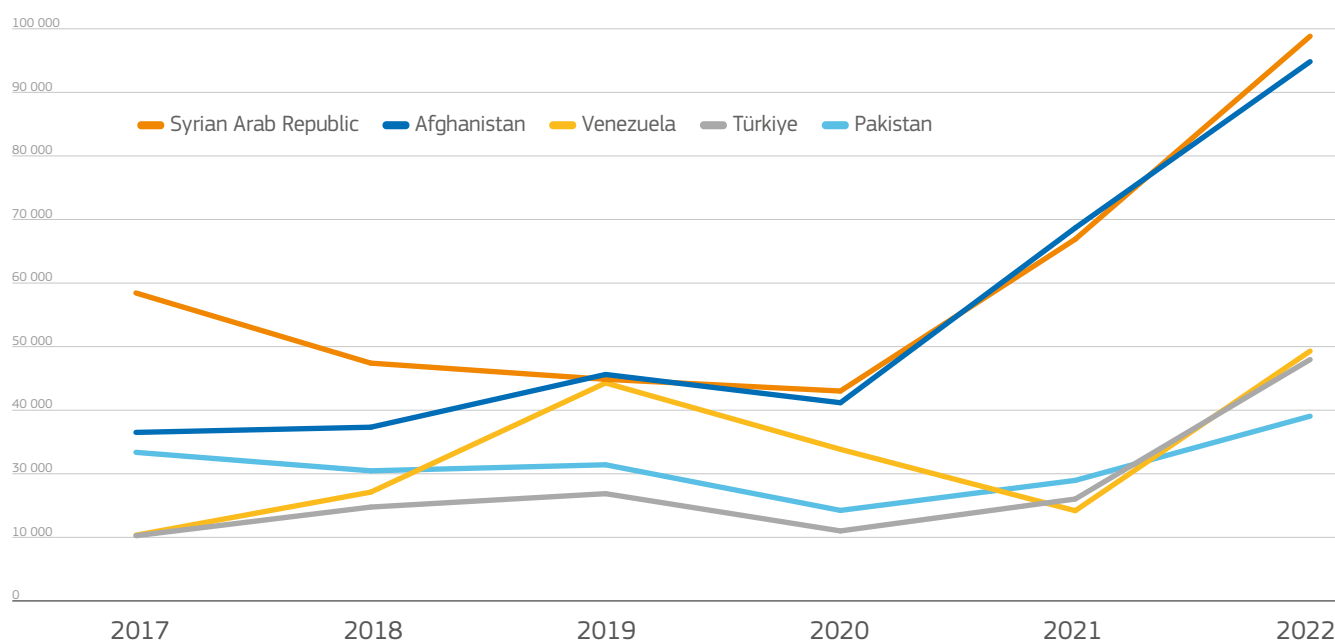


Source: Eurostat database (MIGR\_ASYAPPCTZM). 2017-2021 data extracted on 17 September 2022 and 2022 data extracted on 19 March 2023.

Figure 3 shows that from 2017 to 2022, the highest numbers of first-time applications were lodged by

nationals from the Syrian Arab Republic, Afghanistan, Venezuela, Pakistan, and Turkey.

**Figure 3: Number of first-time applicants in EU27, by citizenship (top 5 countries). 2017-2022**



Source: Eurostat database (MIGR\_ASYAPPCTZM). 2017-2021 data extracted on 17 September 2022 and 2022 data extracted on 19 March 2023.

## Employment data on applicants for international protection

Some EMN Member Countries<sup>96</sup> collect statistics and/or monitor the employment/unemployment situation of applicants for international protection (to varying extents). Three collect data on employed applicants for international protection,<sup>97</sup> two have data on unemployment rates among applicants for international protection registered as jobseekers,<sup>98</sup> and one has data on applicants for international protection registered with the unemployed insurance fund.<sup>99</sup> In Belgium, data are collected on the employment situation of applicants for international protection, but the data only cover those residing in reception centres and are not public.<sup>100</sup>

Sweden does not officially monitor the labour market situation of this group, but administrative data give some indication of the employment rates of applicants for international protection. Employers are required to report any hires who are applicants for international protection to the Swedish Migration Agency, and report again when the

employment contract is terminated. Twelve EMN Member Countries reported not collecting data and/or monitoring the labour market situation of applicants for international protection.<sup>101</sup>

In eight EMN Member Countries, applicants for international protection cannot access the labour market directly but must first apply for a work permit (see section 3).<sup>102</sup> Austria,<sup>103</sup> France<sup>104</sup> and Ireland<sup>105</sup> reported collecting statistics on the **applications submitted (with a job contract/offer) to access the labour market, applications granted, and applications refused**. The Austrian PES keeps statistics on all three categories and the data also contain more detailed information on age distribution, gender ratio, applications for permits for apprenticeships, and sectors. Six EMN Member Countries indicated that these statistics were available only partially,<sup>106</sup> e.g. only for applications that were granted, while one indicated that these statistics are only available in an aggregated form.<sup>107</sup>

**Table 1: EMN Member Countries collecting statistics on applications to access the labour market: submitted, granted, and refused**

| EMN Member Country | Submitted                                                                         | Granted                                                                                                                          | Refused                                                                          |
|--------------------|-----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| AT <sup>108</sup>  | <b>12 158</b><br>(2017-2022)                                                      | <b>7 249</b><br>(2017-2022)                                                                                                      | <b>2 707</b><br>(2017-2022)                                                      |
| BE                 | DATA UNAVAILABLE                                                                  | <b>41 415</b><br>(2017-December 2018, also include categories other than applicants for international protection) <sup>109</sup> | DATA UNAVAILABLE                                                                 |
| CY                 | DATA UNAVAILABLE                                                                  | <b>5 895</b><br>approved employment contracts for applicants for international protection (until September 2022)                 | DATA UNAVAILABLE                                                                 |
| FR <sup>110</sup>  | <b>6 526</b><br>(6 April 2021-December 2021 and 1 January 2022-14 September 2022) | <b>2 425</b><br>(6 April 2021-December 2021 and 1 January 2022-14 September 2022)                                                | <b>888</b><br>(6 April 2021- December 2021 and 1 January 2022-14 September 2022) |

96 BG (number of applicants for international protection registered with the Employment Agency), CY (approved employment contracts only), CZ, EE, ES, HR, IE reported collecting some data on the employment/unemployment situation of applicants.

97 BG (data on applicants for international protection registered with the Employment Agency, who started work), CZ (data on applicants for international protection who hold a work permit and who are employed), IE (labour market situation of applicants for international protection is not monitored with official data, but information is collected on applicants for international protection who apply for labour market access permissions or who are in employment, although not all forms are returned to the relevant government unit).

98 HR (labour statistics for applicants for international protection registered within the Croatian Employment Service; however, HR did not provide such data), BG (applicants for international protection registered with the Employment Agency as unemployed jobseekers).

99 EE (registered with the Estonian Unemployed Insurance Fund).

100 In September 2022, the Federal Agency for the reception of asylum seekers (Fedasil) had access to the Crossroads Bank for Social Security (CBSS) for the first time. This allows Fedasil to cross-check data and identify how many applicants for international protection who are receiving material assistance from Fedasil are currently working in BE.

101 BE (see footnote 100 above), EL, FI, FR, HU, IT, LT, LV, NL, PL, SI, SK do not collect data and/or monitor the labour market situation of applicants for international protection; MT did not report any information.

102 AT, CY, CZ, DE, FR, HU, IE, LU, NL. As BE no longer requires a work permit, data are only available for the period before December 2018 (when the work permit was required).

103 AT reported data for the period between 2017 and July 2022 and updated the reporting with data from August–December 2022.

104 FR reported data for the period between 6 April 2021 and December 2021 and between 1 January 2022 and 14 September 2022.

105 IE reported data for the period between 30 June 2018 and 31 August 2022.

106 BE (no recent data on numbers of applications submitted/granted/refused to access the labour market, as applicants for international protection were not required to apply for a work permit after December 2018), CY (an approved contract of employment is needed; the employer is required to submit an application to the Department of Labour), CZ (reported the number of applicants for international protection employed and with a work permit), LT (data on the applicants for international protection who acquired the right to take up employment during the examination of their application for international protection; applicants have to explicitly request that this right be indicated in their foreigner's registration certificate), LU (data on applications granted) and NL (data on applications refused and granted).

107 DE indicated that data are not available for the category of applicants for international protection, although they are in aggregated form (in a larger category of 'refugees'). HU did not report (although a work permit is required).

108 In AT, a not inconsiderable proportion of applications (2017-2022: 2 202 applications) are withdrawn before a decision is reached.

109 Brussels-Capital: 1 859 in 2017 and 1 759 in 2018; Wallonia: 4 268 in 2017 and 3 763 in 2018; Flanders: 13 571 in 2017 and 16 195 in 2018 (including renewals, but these numbers also include categories other than applicants for international protection).

110 These data apply to all third-country nationals, including applicants for international protection.

| EMN Member Country      | Submitted                                                                                                                          | Granted                                                                                                                                            | Refused                                                                                                                        |
|-------------------------|------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| <b>IE<sup>111</sup></b> | <b>First-time permits: 15 135</b><br>(30 June 2018–31 December 2022)<br><b>Renewals: 12 310</b><br>(30 June 2018–31 December 2022) | <b>First-time permits: 12 181</b><br>(30 June 2018–31 December 2022)<br><b>Renewals: 11 551</b><br>(30 June 2018–31 December 2022)                 | <b>First-time permits: 2 954</b><br>(30 June 2018–31 December 2022)<br><b>Renewals: 759</b><br>(30 June 2018–31 December 2022) |
| <b>LT</b>               | DATA UNAVAILABLE                                                                                                                   | <b>154</b><br>applicants for international protection who acquired the right to take up employment<br>(1 January 2020–30 June 2022) <sup>112</sup> | DATA UNAVAILABLE                                                                                                               |
| <b>LU</b>               | DATA UNAVAILABLE                                                                                                                   | <b>80</b><br>(2018–2021, first permit and renewals combined)                                                                                       | DATA UNAVAILABLE                                                                                                               |
| <b>NL</b>               | DATA UNAVAILABLE                                                                                                                   | <b>1 500</b><br>(2017–2021)                                                                                                                        | <b>520</b><br>(2017–2021)                                                                                                      |

Some EMN Member Countries that collect statistics on the employment/unemployment rate of applicants and/or on the applications submitted/granted/refused to access the labour market indicated that these are produced/collected by public authorities (see Table 2). In some cases, data on the labour market situation of applicants for international

protection is not collected regularly, but at the request of certain authorities.<sup>113</sup> For instance in Estonia, the data are exclusively extracted on request from the Police and Border Guard Board, and the Estonian Unemployment Insurance Fund.

**Table 2: Authorities producing/collecting data on (un)employment and access to the labour market of applicants for international protection**

| Authorities producing/collecting data | EMN Member Countries                             |
|---------------------------------------|--------------------------------------------------|
| Ministry of Labour and Social Affairs | CY, CZ, NL                                       |
| Department of Justice                 | IE                                               |
| Public employment authority           | AT, BE (access to the labour market), BG, CZ, HR |
| Unemployment insurance fund           | EE                                               |
| Authority for immigration/refugees    | BG, ES, FR, LU, SE                               |
| Reception authorities                 | BE (un/employment)                               |



## 2.2. KEY DEBATES IN EMN MEMBER COUNTRIES

National debates in EMN Member Countries on the integration of applicants for international protection to the labour market featured the following key issues: 1) time limits and restrictions to access the labour market; 2) promoting effective access; 3) abuse of the asylum system; and 4) precarious work conditions.

In a majority of EMN Member Countries,<sup>114</sup> **the length of the waiting period for applicants for international protection to access the labour market was a prominent topic in public debate.** It usually centred on

whether it was appropriate to reduce the waiting period from the maximum of nine months set by the recast Reception Conditions Directive (see section 1). In some EMN Member Countries, these discussions previously led to reductions in the national time limits (see section 3),<sup>115</sup> with discussions ongoing in a further five EMN Member Countries, focusing on possible reductions and quicker access to the labour market.<sup>116</sup> France reported that faster labour market entry would enhance the professional integration of applicants for international protection, reducing public spending and increasing participation in covering

111 Permits were initially issued only nine months after lodging an application, but this was reduced to six months in February 2021. The length of validity of permits was extended from six months to 12 months in February 2021.

112 Data available only for 1 January 2020 and 30 June 2022; prior to 2020, applicants for international protection were not allowed to access the labour market and therefore no statistics are available.

113 BE (in September 2022, Fedasil had access to the CBSS for the first time. An initial check by Fedasil showed that of the approximately 16 000 applicants for international protection who were staying in the reception network and who were authorised to work on 21 September 2022, about 10 000 had worked at least one day in the period 2021–September 2022), CZ, EE.

114 BE, BG, CZ, DE, EE, FI, FR, HR, IE, LT, LU, LV, NL, SE, SI, SK.

115 The waiting period was reduced: in BE to four months; in CY to one month; in CZ, EE, EL, IE, LU, SK to six months.

116 In FI, FR (time limit already reduced from nine to six months in 2018), HR, LU, SI, the debate on whether to reduce the time limit is ongoing.

the financial expenses for this group.<sup>117</sup> In the context of the COVID-19 pandemic, legislative amendments with temporary effects were introduced in Belgium<sup>118</sup> and Finland<sup>119</sup> to eliminate the waiting periods related to the right to work, giving applicants for international protection immediate direct access to the labour market.

**Public debates also discussed the appropriateness of other restrictions/requisites towards applicants' access to the labour market, such as requiring an authorisation form to work, imposing a labour market test** (an assessment of whether the position cannot be filled by national workers, EU citizens or legally residing third-country nationals), **and/or restricting access to certain sectors** (see section 3 for the conditions/requirements). In some EMN Member Countries, there were calls to simplify the procedure to obtain a work permit,<sup>120</sup> remove the labour market test,<sup>121</sup> abolish restrictions on the number of weeks applicants for international protection are allowed to work,<sup>122</sup> and extend the period of validity of work permits.<sup>123</sup> In Cyprus, **the public debate centred on the potential extension of the specific market sectors where applicants for international protection can work**. More specifically, it discussed the right of applicants for international protection to work in tourism or the hotel industry.

In seven EMN Member Countries, public debates focused on **how to promote effective access to the labour market**.<sup>124</sup> In Germany, the debate focused on access to language courses, as mastering the language is usually a pre-condition to successfully joining the labour market. In Greece, policy debates focused on promoting the integration of applicants for international protection into the country's workforce to strengthen crucial sectors of

the economy, such as agriculture, manufacturing, tourism and construction. In some EMN Member Countries, the debate focused on the benefits of promoting more effective access, particularly in tackling current and potential labour/skills shortages.<sup>125</sup> In Estonia, debates covered the need for highly skilled specialists, in particular in information and communications technology (ICT). In some EMN Member Countries,<sup>126</sup> public debates discussed **concerns about the potential abuse of the asylum system through excessively facilitated access to the labour market**. In Finland, the waiting period before accessing the labour market was viewed as necessary to prevent the use of the asylum system purely for the purpose of obtaining (albeit temporarily) the right to work. France and the Netherlands considered access (or faster access) to the labour market as a potential pull factor for applicants for international protection.

**Public debates addressed the potentially precarious work conditions of applicants for international protection and, more generally, the discrimination they may face at the workplace** (see section 4.3).<sup>127</sup> Labour exploitation and illegal employment of applicants for international protection was denounced in Italy, where the public debate focused on the need to combat labour exploitation and especially '*caporalato*' (a form of illegal hiring and exploitation of farm day workers through an intermediary),<sup>128</sup> and how to address this phenomenon through increased inspections, encouraging migrants to report their situation, and raising awareness among migrants and trade associations. In Finland, it was pointed out that making employment more difficult might create added pressure on applicants for international protection to work (partially) undeclared, which could increase the risk of work-related exploitation and crime.<sup>129</sup>

117 FR: Information report on the professional integration of asylum seekers and refugees filed on 23 September 2020 at the French National Assembly by rapporteurs, Mr Barrot and Ms Dupon.

118 In BE, the measure targeted applicants for international protection whose application was submitted before 8 December 2020 and whose employer was providing (for) their housing.

119 In FI, the suspension was temporary (from 29 June 2020 to the 31 October 2020) and intended for applicants for international protection working in certain sectors, such as agriculture, forestry, horticulture and fisheries.

120 FR, LU, NL.

121 FR, LU.

122 NL.

123 IE.

124 AT, BE, DE, EL, IE, NL, SI.

125 EL, IT, NL, SI.

126 FI, FR, LU (concerns raised at the time of transposing the recast Reception Conditions Directive), NL, SE.

127 FI, FR, IT, IE, SE.

128 Definition of '*caporalato*' reported from [Cambridge.org](https://www.cambridge.org/core/terms)

129 FI: Valtioneuvosto, *Ulkomaalaislain ja sen soveltamiskäytännön muutosten yhteisvaikutukset kansainvälistä suojelua hakeneiden ja saaneiden asemaan*, 2021a, <https://julkaisut.valtioneuvosto.fi/handle/10024/162850>, last accessed on 25 May 2023.

# 3. LEGISLATIVE AND POLICY BACKGROUND

This section outlines the legislative (see section 3.1) and policy background (see section 3.2) for access to the labour market and labour market integration of applicants for international protection.

In most cases, **access to the labour market is stipulated in national legislative** frameworks (i.e. the fact that applicants for international protection can access employment after a certain waiting period). National policies or strategies supplement such legislation, including policies on effective labour market access. In Belgium, access to self-employment (namely process and eligibility criteria) differs between the regional laws and practices.

The **type of legislation** governing labour market access for applicants for international protection in the EMN Member Countries can be employment law or migration law, or both. Where it is part of migration law, access can be covered in the general Aliens Act applying to all third-country residents in the EMN Member Country, in specific legislation pertaining to applicants for international protection, or in both. Thirteen EMN Member Countries provide for labour market access within their international protection legislation,<sup>130</sup> while six specify applicants for international protection's access to the labour market

in general legislation that applies to all third-country nationals on the territory.<sup>131</sup> For example, in Belgium, Czech Republic, France, and the Netherlands, this includes employment/labour law that lays down the rules for employing third-country nationals (either through legislative acts or standalone legislation). In six EMN Member Countries, while access to the labour market for applicants for international protection is established in asylum legislation or legislation on basic care, how this access takes place (e.g. the procedure) is stipulated in relevant (foreign) employment/labour law.<sup>132</sup>

**Policies** fostering access to the labour market can be part of general integration policies,<sup>133</sup> specific labour market integration policies for third-country nationals (thus covering applicants for international protection),<sup>134</sup> or addressed through a mainstreaming approach.<sup>135</sup> None of the EMN Member Countries reported specific policies solely targeting labour market integration of applicants for international protection.

Table 3 provides an overview of the conditions, procedures and policies applied across EMN Member Countries (see sections 3.1 and 3.2).

**Table 3: Overview of the conditions, procedures and policies for applicants for international protection to access the labour market in EMN Member Countries<sup>136</sup>**

| Condition/procedure                                                           | EMN Member Country                                                                                                                                                                                                                                                            |
|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Waiting period for applicants to (request) access to the labour market</b> |                                                                                                                                                                                                                                                                               |
| Immediately after the application is lodged                                   | SE<br>(applicable to all applicants in possession of identity documents, or, in the absence of these, who cooperate with the Swedish Migration Agency to establish their identity, and who are not subject to a Dublin transfer, accelerated procedures or security concerns) |
| 1 month                                                                       | CY                                                                                                                                                                                                                                                                            |
| 2 months                                                                      | IT                                                                                                                                                                                                                                                                            |

<sup>130</sup> BG, CY, EE, EL, ES, FI, HR, IE, IT, LU, PL, SE, SI.

<sup>131</sup> BE, CZ, FR, LT, LV, NL.

<sup>132</sup> AT, BG, DE, LU, SI, SK.

<sup>133</sup> AT (only applicable to applicants with a high likelihood of being granted international protection), DE, EE, HR, HU, IT, LT, LU, LV, MT, PL.

<sup>134</sup> BE, BG, CY, CZ, DE, EL, ES, FI, FR, NL, SE, SI.

<sup>135</sup> IE, SE.

<sup>136</sup> When a Member State acronym is succeeded by 'access to employment', this means in this Member State the respective measure applies only to access employment, rather than self-employment.

| Condition/procedure                                                         | EMN Member Country                                                                                                                                                                  |
|-----------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3 months                                                                    | AT<br>(employed: after admission to the asylum procedure; self-employed: after filing an asylum application), BG, DE, FI <sup>137</sup> (applicants with a travel document), HR, LV |
| 4 months                                                                    | BE (access to employment) <sup>138</sup>                                                                                                                                            |
| 6 months                                                                    | CZ, EE, EL, ES, FI (applicants without a travel document), FR, IE, LT, LU, NL, PL, SK                                                                                               |
| 9 months                                                                    | HU, SI                                                                                                                                                                              |
| <b>Requirements</b>                                                         |                                                                                                                                                                                     |
| Work permit                                                                 | AT (access to employment), CY, CZ, DE, FR, HU, LU, NL                                                                                                                               |
| Labour market test                                                          | AT (access to employment), CY, FR, HU, LU                                                                                                                                           |
| Certificate confirming they can access the labour market <sup>139</sup>     | BG, EL, HR, IE, LT, LV, PL, SE                                                                                                                                                      |
| Automatic access                                                            | BE (access to employment), EE, ES, FI, IT, SI, SK <sup>140</sup>                                                                                                                    |
| <b>Average duration of process to authorise access to the labour market</b> |                                                                                                                                                                                     |
| >1 week                                                                     | CY, EE (3 days), HR, SE (2017 average: 6 days)                                                                                                                                      |
| 1-2 weeks                                                                   | FR (12.5 days <sup>141</sup> ), HU (time limit is 10 days), LT                                                                                                                      |
| 2-4 weeks                                                                   | AT (average duration for issuance of work permit is 2-4 weeks), IE, LV                                                                                                              |
| 4-6 weeks                                                                   | AT (time limit for issuance of work permit is 6 weeks) CZ and PL (time limit 30 days), NL (time limit 5 weeks), SE (2021 average duration 40 days <sup>142</sup> )                  |



### 3.1. CONDITIONS AND PROCEDURES FOR EMPLOYMENT AND SELF-EMPLOYMENT

This section outlines how applicants for international protection can access the labour markets of EMN Member Countries, as well as enter self-employment.

#### Employment

Two EMN Member Countries<sup>143</sup> operate a waiting period of nine months from lodging an application until applicants for international protection can access the labour market, the maximum period set by the recast Reception Conditions Directive. All other countries reporting on the matter have adopted a **waiting period of six months<sup>144</sup> or less<sup>145</sup>**. Sweden is the sole EMN Member Country to offer access immediately after the lodging of the application, provided the Swedish Migration Agency confirms the applicant's exemption from the work permit requirement. The length of the waiting period after which applicants can access the labour market was subject to much discussion and change between 2017 and 2022 (see section 2.2).

The **main reason for using a shorter waiting period than the nine months established in the recast Reception Conditions Directive** is that earlier integration into the labour market could help applicants for

international protection to be more self-sufficient and better integrated into society when (if) they are granted international protection.<sup>146</sup> Germany and Cyprus noted that earlier access to the labour market helps to address national labour shortages. The Slovak Republic reported that a shorter waiting period helps the mental health (and consequently social adjustment) of applicants for international protection, which might otherwise deteriorate when waiting for an asylum decision.

In Ireland, the waiting period was reduced from nine months to six months in 2021, with the Minister for Justice stating that this change will help people to integrate and prepare for their future if they receive a positive decision.

Conversely, **some EMN Member Countries reported that the main reason to maintain their current waiting period** of six months was to avoid third-country nationals not eligible for international protection applying solely to gain (at least temporary) access to the labour market.<sup>147</sup> In Hungary, the maximum waiting period set in the Reception Conditions Directive (nine months) is imposed because the labour market integration of applicants for international protection is not a priority.

<sup>137</sup> The temporary measure reducing this time period during the COVID-19 pandemic lapsed on 31 October 2020.

<sup>138</sup> The temporary measure reducing this time period during the COVID-19 pandemic lapsed on 30 June 2021.

<sup>139</sup> Applicants for international protection can request/receive a certificate from competent authorities attesting to their access to the labour market. This certificate can be shown to employers.

<sup>140</sup> There is no legislative requirement to issue any kind of permit or confirmation. In practice, applicants for international protection may need confirmation from the Migration Office of the Ministry of the Interior that they can work to show their employer.

<sup>141</sup> Average duration applies to all work permit applications, not specifically to asylum seekers' applications.

<sup>142</sup> The increase is largely explained by the fact that the decision to grant access to the labour market was pushed back to the date of the personal interview for asylum.

<sup>143</sup> HU, SI.

<sup>144</sup> CZ, EE, EL, FR, IE, LT, LU, NL, PL, SK.

<sup>145</sup> AT, CY, DE, BE, BG, FI, HR, IT, LV, SE.

<sup>146</sup> BE, DE, FR, IE, IT, LV, SK.

<sup>147</sup> CZ, EE, PL.

## Work permits and other authorisations to work

### Several EMN Member Countries require applicants for international protection to obtain a work permit in order to access the labour market.<sup>148</sup>

In the majority, only the employer can submit an application for a work permit to the competent authority, on behalf of the applicant for international protection.<sup>149</sup> In Germany and Luxembourg, only the applicant for international protection themselves can submit an application for a work permit. In the Czech Republic, both can submit the application, but the employer must first obtain written authorisation from the applicant for international protection to do so. In some countries, an applicant for international protection can only apply for a work permit for a vacancy registered by the competent authority.<sup>150</sup>

The period of validity of the work permit varies across EMN Member Countries, from six months in Luxembourg to up to two years in the Czech Republic. In Cyprus and France, the validity of the work permit is linked to the length of the work contract, and, in France, to the six-month validity of the asylum application certificate issued to applicants for international protection once an application is lodged. Permits can be renewed ahead of their expiry date, or in the case of Cyprus, and France, when a new work contract is considered. In the Czech Republic the permit can be reviewed ahead of time and when a new work contract is considered.

Typically, an application for a work permit requires, as a minimum, the submission of an (online) application form<sup>151</sup> and/or proof of the application for international protection.<sup>152</sup> In addition, EMN Member Countries request that work permit applications include some form of identification of the applicant for international protection (e.g. identity document or personal identification number),<sup>153</sup> certificate(s) of necessary qualifications,<sup>154</sup> and in some cases a (preliminary) employment contract/ job offer.<sup>155</sup> In Cyprus, the employer has the option to submit a declaration of temporary employment first in order to immediately start the employment, and then submit the required application. Luxembourg also asks applicants for international protection to provide their CV and a cover letter from their employer. Austria requests, for example, that – where applicable – applicants for international protection submit proof of their spouse's and/or parents' employment in Austria.

Other EMN Member Countries do not require an official work permit but ask **applicants for international protection to apply for a certificate that confirms that they can access the labour market.**<sup>156</sup> Unlike the work permit, this procedure does not involve the employer and is instead a statement to the competent authority that the applicant intends to access the labour market. Here, applicants for international protection notify the

competent authority that they wish to access the labour market, and in turn the authority provides them with a certificate validating their right to work. In Sweden, the Swedish Migration Agency automatically checks if an applicant is exempt from the work permit requirement (see section 2.2). From January 2022, this information is entered into an 'asylum seeker card' (LMA card), which has a QR code enabling the employer to directly verify the individual's right to work. In most cases, the certificate does not need renewal, as it is valid until the asylum decision is made.<sup>157</sup> In Sweden, applicants awaiting an asylum decision do not need to replace their LMA card. However, they are required to visit the Swedish Migration Agency regularly to extend the card's validity period after three months. The exceptions are Greece, Ireland, and Latvia: in Greece, the certificate is valid for six months, and in Ireland and Latvia for one year, after which the applicant for international protection can apply to the competent authority to renew their certificate.

Greece repealed its requirement for asylum applicants to obtain a work permit in 2016, introducing a requirement to obtain a certificate ('applicant for international protection's card') instead. However, applicants for international protection can only apply for vacancies registered on the competent authorities' website (through the Ministry of Labour, Welfare, and Social Insurance's ERGANI business service information system), and those deemed to originate from certain safe countries may be denied the certificate by the Director of the Asylum Service.

**Finally, seven EMN Member Countries offer applicants for international protection automatic access to the labour market once the requisite waiting period is met** (i.e. with no further requirements).<sup>158</sup> There, it is the responsibility of the competent authority to issue applicants for international protection a certificate proving that they have access to the labour market, once the waiting period has lapsed and they have complied with the key criteria (as per the Reception Conditions Directive recast).<sup>159</sup> Generally, this access lasts until an asylum decision is reached and does not require any renewal on the part of the applicant for international protection.<sup>160</sup> In Estonia alone, a new certificate of confirmation of the right to work is reissued by the Police and Border Guard Board to applicants for international protection every six months. In Slovakia, although it is not a requirement for applicants to have a certificate to access the labour market, it is common for applicants to request a written proof of access to the labour market from the competent authority. This is because employers often ask for it, as they may not be familiar with employing applicants who are seeking international protection.

In 2021, the **average duration of the process to authorise access to the labour market** ranged from three days in Estonia to 40 days in Sweden. Ten EMN

148 AT, CY, CZ, DE, FR, HU, LU, NL.

149 AT, CY, FR, HU, NL.

150 CZ, LU.

151 AT, FR, HU.

152 CY, DE, FR, LU.

153 AT, CY, HR, NL.

154 AT, CZ, FR, LU.

155 CY, CZ, FR, HU, LU.

156 BG, EL, HR, IE, LT, LV, PL.

157 BG, CY, EL, LT, PL.

158 BE, EE, ES, FI, IT, SI, SK.

159 EE, SE, SI.

160 BE, ES, FI, IT, SE, SI, SK.

Member Countries<sup>161</sup> reported the average duration of the process, while five<sup>162</sup> reported time limits on the maximum duration of the process (see Table 3). Sweden (in 2017) and Ireland highlighted that the average duration was significantly impacted by the competent authority's workload. In Sweden, in 2017, the average duration was six days, increasing to 40 days in 2021, up to the point of the personal interview that forms part of the asylum application. This was to allow more time to examine documentation, due to indications of misuse and exploitation by applicants and/or employers. In the Czech Republic, Hungary and Poland, the average duration to authorise access to the labour market is not monitored, but there is a time limit for the duration of the procedure (Czech Republic and Poland: 30 days; Hungary: 10 days). In Germany, the average duration differs significantly depending on the authority and/or federal state (*Land*).

## Labour market tests

In five of the nine EMN Member Countries that require a work permit, the procedure involves a **labour market test**,<sup>163</sup> which consists of an assessment as to whether the position could be filled by national workers, EU citizens or legally residing third-country nationals. In Luxembourg, the labour market test is applied prior to the application for the work permit. As the work permit is issued for one specific job position with one specific employer applicants for international protection can only apply to those jobs that are posted on the website of the National Employment Agency (ADEM). In Austria and France, employers must also prove that they have made sufficient effort to find another individual to fill the vacancy in question. In Austria, France and Luxembourg, this means that employers must check a list of potential substitute workers<sup>164</sup> I), and/or that the vacancy must have been previously published for at least three weeks and not been filled.

## Other conditions

**EMN Member Countries have placed other conditions and restrictions on applicants for international protection entering the labour market.** These range from restricting the type and form of employment that can be accessed<sup>165</sup> and limiting the hours that applicants can work in a given year,<sup>166</sup> to verifying whether the position and the employer are in compliance with employment-related legislation<sup>167</sup> and limiting the category of applicants for international protection who can apply.<sup>168</sup>

Most EMN Member Countries (except Cyprus) do not restrict applicants for international protection's access to the labour market to entire sectors,<sup>169</sup> but many limit regulated occupations, subject to conditions of citizenship (e.g. civil service) or require a specific (national) diploma/ qualifications (e.g. medical/ legal practices), as for all other residents on the territory. In Austria, limitations in specific sectors were in place between 2004 and June 2021, but have since been repealed.<sup>170</sup> Cyprus restricts access to the following broad sectors: 1) agriculture-livestock and fishing (including animal shelters and caregivers), 2) manufacturing, 3) waste management, 4) provision of services (car repair, porter, gardener, pest extermination, laundry), and 5) hospitality. In Ireland, applicants for international protection are not allowed to work in any public service position, nor in organisations that are primarily publicly funded.

While not placing restrictions on the type and form of employment, the Netherlands restricts the period that applicants for international protection can work during the year to a maximum of 24 weeks in a 52-week period. Technically, those working in the creative sector (i.e. artist, musician, film staff, or technical support to musicians or artists) are limited to 14 weeks in a 24-week period, but this is not implemented in practice and a legal amendment on this rule is foreseen.

Some EMN Member Countries restrict the form of employment that applicants for international protection can pursue. For instance, two EMN Member Countries do not allow applicants to take part in internships and apprenticeships.<sup>171</sup> By contrast, some allow applicants for international protection to access voluntary work.<sup>172</sup> In Austria, applicants for international protection accommodated in a federal or provincial reception centre can perform voluntary work for a recognition fee. This includes activities directly related to the accommodation and voluntary work for the Federal State, province or municipality. The work must serve the common good and be of a social nature, or be event or project-specific, and not replace or threaten existing jobs.<sup>173</sup>

In several EMN Member Countries, the competent authorities verify whether the job offer to an applicant for international protection meets the minimum wage, and whether the employer complies with legislation on work and social protection.<sup>174</sup> In Germany, applicants for international protection from 'safe countries of origin'<sup>175</sup> cannot apply for a work permit, even after the waiting period has passed.

161 BE, CY, EE, FI, FR, HR, IE, LT, LV, SE.

162 AT, CZ, HU, NL, PL.

163 AT, CY, FR, HU, LU.

164 In Austria this includes job seeking Austrians, foreign nationals entitled to unemployment insurance benefits, European Economic Area (EEA) citizens, Swiss nationals, Turkish association workers, and foreign nationals with unrestricted access to the labour market.

165 CY, FI, FR, IE.

166 LU, NL.

167 AT, CY, FR, NL.

168 DE.

169 AT, BE, CZ, EE, EL, ES, FI, HR, HU, IT, LT, LU, LV, NL, PL, SE, SI, SK.

170 The decree was adopted on 11 May 2004 by then-Federal Minister for Labour and Economy (hence 'Bartenstein Decree'), and restricted access to work permits for asylum seekers to the seasonal and harvest work sectors, <http://archiv.asyl.at>, last accessed on 25 May 2023. It was repealed by the Constitutional Court on 23 June 2021, [www.vfgh.gv.at](http://www.vfgh.gv.at).

171 CY, FR.

172 AT, BE, IE, NL.

173 Including activities in administration, landscape conservation, social affairs, health, environment, culture and recreational facilities. Auxiliary activities do not constitute an employment relationship and the recognition fee paid for them is tax-free (Federal Ministry of the Interior (Moi), *Leistungskatalog für gemeinnützige Hilfstätigkeiten von Asylwerberinnen und Asylwerbern für Bund, Land oder Gemeinde im Sinne von § 7 Abs. 3 Z 2 GVG-Bund*, [www.bmi.gv.at](http://www.bmi.gv.at), last accessed on 25 May 2023).

174 AT, CY, FR, NL.

175 A country where, on the basis of the legal situation, the application of the law within a democratic system, and the general political circumstances, it can be shown that there is generally and consistently no persecution as defined in Article 9 of Directive 2011/95/EU (Recast Qualification Directive), no torture, or inhuman or degrading treatment or punishment, and no threat by reason of indiscriminate violence in situations of international or internal armed conflict.

In other countries, applicants for international protection's access to the labour market is restricted to a single employer.<sup>176</sup> Applicants for international protection must have already found a work opportunity when they apply for a permit to access the labour market, therefore their work permit is approved only for the employer named in the application. In seven EMN Member Countries,<sup>177</sup> a new application for a work permit has to be submitted if the applicant wishes to change employer.

**Some EMN Member Countries offer additional support beyond the minimum requirements set by the recast Reception Conditions Directive, providing applicants for international protection with access to employment services.**<sup>178</sup> Eight EMN Member Countries<sup>179</sup> reported that applicants for international protection can access all employment services, such as assistance to find employment (e.g. individual counselling sessions). In others, applicants for international protection have more restricted access to employment services. In Austria, for example, they can only register as jobseekers with the PES and access jobseeker support services if they already worked in Austria and are therefore entitled to unemployment benefits. In Lithuania, applicants for international protection only have access to selected employment services.

### Self-employment

**Most EMN Member Countries allow applicants for international protection to be self-employed.**<sup>180</sup> In Lithuania, they can apply to become self-employed as of August 2022. Nevertheless, nine EMN Member Countries reported that applicants for

international protection are excluded from self-employment opportunities.<sup>181</sup>

Ten of the 15 EMN Member Countries that allow applicants for international protection to be self-employed apply the same conditions and procedures as for regular employment.<sup>182</sup> In practice, applicants for international protection must comply with the same conditions (e.g. waiting period to access the labour market) and procedures (e.g. applying for a certificate to validate their access to the labour market) in order to become self-employed. Applications to become self-employed are more likely to require proof of qualifications and registering their trade, which are required of anyone setting up a business or other independent status, regardless of their nationality and residence status. In Ireland, an applicant for international protection who is self-employed cannot employ/undertake a business partnership with another person. Five EMN Member Countries apply different conditions and procedures for applicants for international protection wishing to access self-employment, compared to employment.<sup>183</sup> In Croatia, for an applicant for international protection to become self-employed they must be registered unemployed in the Croatian Employment Services (CES). In Sweden, they only need to apply for corporation tax and register with the Swedish Tax Agency, without the Swedish Migration Agency issuing any decision or certificate. In the Belgian Walloon region, applicants need to submit additional documents to become self-employed, including a valid business plan, proof that the business will be economically viable, and proof that they do not have a criminal record. In the Belgian Flanders region since January 2022 applicants for international protection can no longer be self-employed.



## 3.2. OVERVIEW OF LABOUR MARKET INTEGRATION POLICIES

This section describes the EMN Member Countries' policies on labour market integration and how these address international protection applications. It also addresses changes to policies over the period covered by the study and the governance structures to support labour market integration of third-country nationals.

Most EMN Member Countries<sup>184</sup> **do not have a specific policy or strategy for the labour market integration of third-country nationals**, but, rather, embed this aspect in a wider policy or strategy addressing their overall integration. Ten EMN Member Countries<sup>185</sup> reported **specific strategies or policies targeting the labour market integration** of third-country nationals.

### policies/strategies on labour market integration of applicants for international protection

Four EMN Member Countries<sup>186</sup> reported that their strategies for labour market integration of third-country nationals **encompass applicants for international protection**.

However, ten Member Countries<sup>187</sup> reported that **applicants for international protection are not addressed in their integration or employment-focused strategies, or are covered only to a certain extent**.

In Austria, integration policy primarily addresses a specific group of applicants for international protection, i.e. those who, in light of the empirical data available, are very likely

176 AT, CY, CZ, DE, LU.

177 AT, CY, CZ, DE, FR, HU, LU.

178 AT, BG, CY, EE, HR, IT, LT.

179 BE, BG, CY, CZ, EE, ES, HR, LV.

180 AT, BE, EE, ES, HR, IE, IT, LT, LV, MT, NL, PL, SE, SI.

181 BG, CY, CZ, DE, EL, FI, FR, HU, LU, SK.

182 BG, EE, ES, IE, IT, LT, LV, NL, PL, SI.

183 AT, BE, HR, NL, SE.

184 AT, CY, CZ, EE, FR, HR, HU, IE, IT, LT, LU, LV, MT, PL.

185 BE, BG, DE, EL, ES, FI, NL, SE, SI, SK.

186 BE, BG, EL, ES.

187 AT, CZ, EE, FI, IT, LT, NL, PL, SI, SK.

to be granted international protection.<sup>188</sup>

Two EMN Member Countries<sup>189</sup> follow a **mainstreaming approach**, whereby the labour market integration of third-country nationals is included within broader integration and employment policies, through specific objectives or priorities. In Ireland, applicants for international protection who have labour market access permissions are eligible for the labour market integration supports available to all clients of the PES (Intreo). Sweden has a hybrid approach, with both mainstreaming and targeted measures.

## Policy changes

The majority of EMN Member Countries<sup>190</sup> reported **adopting new or revised policies** to support the labour market integration of third-country nationals within the timeframe of the study (2017–2022). In 2017, Austria adopted an extensive integration package, including language courses, orientation and values courses, and programmes to support individuals entering the labour market. That integration policy was adopted via the phased implementation of the Integration Act, which aims to enhance and speed up the integration of third-country nationals, and the Integration Year, which aims to assist their preparation for entering the labour market.

EMN Member Countries<sup>191</sup> reported policy changes aiming to further **facilitate labour migration** to their respective countries, which (indirectly) support access to employment for applicants for international protection already on the territory. For example, in Bulgaria, amendments to the Law on Labour Migration and Labour Mobility (LLMLM) in 2018 reduced the administrative burden for employers to hire migrant workers. In Slovenia, the Labour Market Regulation Act introduced an obligation for unemployed third-country nationals to be proficient in the Slovene language, which they must prove by obtaining a publicly valid certificate of successful completion of an entry-level examination in the Slovene language (level A1<sup>192</sup>) no later

than 12 months after registering as unemployed persons.

In Germany, in 2019, the Federal Parliament (*Bundestag*) passed a 'migration package' of eight laws to modify existing regulations on immigration and integration, aiming to ease access for skilled labour migrants (i.e. with certified professional education or vocational training) to Germany.

EMN Member Countries<sup>193</sup> reported **changes to labour market access that specifically concern applicants for international protection**. In 2021, Austria's Constitutional Court revoked two decrees. The first was a decree adopted in 2004 that had restricted applicants for international protection's access to seasonal and harvest work, subject to quotas (Article 5 Act Governing the Employment of Foreign Nationals).<sup>194</sup> The second was a 2018 decree that had banned applicants for international protection from accessing apprenticeships.<sup>195</sup> The Federal Ministry of Labour instructed the PES to perform a labour market test on all work permit applications and to check for substitute workers (see section 3.1).<sup>196</sup> As of October 2021, employers in Cyprus can hire applicants for international protection immediately and then submit the necessary application.

In France, the waiting time to access the labour market for applicants for international protection was reduced from nine to six months in 2018, in line with the Parliament's desire to promote and broaden access to the labour market. Similarly, Latvia and Lithuania reduced their waiting periods to three and six months in 2021 and 2020, respectively. Cyprus reduced the waiting period to one month in 2018. Lithuania further amended the Law on Legal Status of Foreigners in June 2022 and introduced provisions related to the right of asylum applicants to take up employment states of emergency, or extreme situations declared due to a large increase in the number of asylum applicants.



## 3.3. GOVERNANCE STRUCTURES, INCLUDING THE ROLE AND RESPONSIBILITIES OF DIFFERENT ACTORS

EMN Member Countries<sup>197</sup> reported their **governance structures to support the labour market integration of third-country nationals**. Two have a specific governance structure to support the labour market integration of applicants for international protection.<sup>198</sup> In 2021, Belgium created a new department within Fedasil, which developed a specific strategy targeting the labour market integration of applicants for international

protection (*Asielzoeker zoekt Match*).<sup>199</sup> In Spain, the International and Temporary Protection Reception System was revised in 2017 to incorporate new entities that develop employment support programmes.

Over half of the EMN Member Countries have no specific governance structure in place to support the labour market integration of applicants for international protection.<sup>200</sup>

188 The Federal Ministry of the Interior informs the PES and the Austrian Integration Fund of the countries of origin that are of quantitative significance and where the likelihood of being granted international protection is particularly high based on statistics on asylum from the previous year. A high likelihood of being granted international protection is generally assumed in cases where there is an asylum acceptance rate of over 75% for nationals of a given country of origin and other factors (see Asylum Act, Article 68 para 1, 1a and 2).

189 IE, SE.

190 AT, BE, BG, CY, DE, EE, EL, FI, FR, IT, LT, LV, NL, SE, SI, SK.

191 BE, BG, DE, EL, FI, FR, LT, LV, SI.

192 As per the Common European Framework of Reference for languages (CEFR).

193 AT, CY, EL, ES, FI, FR, IE, LT, LV, SE, SI, SK.

194 Federal Ministry of Economy and Labour, Decree on EU Enlargement Adjustment Act; Implementing Decree, 11 May 2004, BML-435.006/6-III/7/04, <http://archiv.asyl.at>, last accessed on 25 May 2023.

195 Constitutional Court, 23 June 2021, V95/2021 ua (V95-96/2021-12), p. 2, [www.vfgh.gv.at](http://www.vfgh.gv.at), last accessed on 25 May 2023.

196 Federal Ministry of Labour, Decree on admission of asylum seekers to employment, 14 July 2021, BMA-2021-0.502.591, [www.asyl.at](http://www.asyl.at), last accessed on 25 May 2023.

197 AT, BE, BG, DE, EE, EL, ES, FI, HR, IT, SE, SI.

198 BE, SE.

199 Fedasil, Mise à l'emploi des demandeurs d'asile, <https://www.fedasil.be/fr/mise-emploi-des-demandeurs-dasile>, last accessed on 13 June 2023.

200 CY, CZ, FI, FR, HU, IE, LT, LU, LV, NL, PL, SI, SK.

In most, general employment services and other support services were made available once employment was legally possible.

In 11 EMN Member Countries,<sup>201</sup> competences for labour market integration are typically shared between national, regional and local level. EMN Member Countries also reported cooperating with PES, trade unions, employers' associations, police and border guards, and NGOs as part of the institutional framework supporting the labour market integration of applicants for international protection. In Greece, the 'Community Centres' of municipalities also host 'Migrant Integration Centres' (KEM), financed by the European Social Fund (ESF). Among other things, these centres focus on labour market integration of third-country nationals, including applicants for international protection. The Swedish government launched the 'Early measures for asylum seekers' programme in 2016, which came into effect from 1 February 2017.<sup>202</sup> It aimed to facilitate integration into Swedish society, encompassing labour market integration, by taking advantage of the period when applicants are waiting for a decision. Within this framework, municipalities and civil society organisations can apply for funding and organise projects for applicants. Activities related to labour market integration include opportunities for skills assessment and Swedish language learning.

**Ministries are the primary stakeholders driving labour market integration processes** (e.g. ministries of the interior; ministries of employment),<sup>203</sup> together with (specific) agencies responsible for integration.<sup>204</sup> For example, even though applicants for international protection are not a direct target group of Austrian integration policy, the Federal Minister for Women, Families, Integration and Media provides integration assistance for those with a high likelihood of being granted international protection. In Sweden, 'Early measures for asylum seekers' are funded by the government, coordinated by county administrative boards (regional state agencies), and offered mainly by civil society organisations or, in some cases, municipalities. Early measures include language courses and social activities, such as sports and language cafes. They are open to all applicants for international protection but are not mandatory. The Central Agency for the Reception of Asylum Seekers (COA) is a key stakeholder in the Netherlands, responsible for accommodating applicants for international protection. It is partially involved in the integration process. Once a residence permit is granted, the municipalities take over the integration task after housing is provided in the municipality. Until then the COA provides a voluntary programme for beneficiaries of international protection (permit holders) called Preparation for Integration (*Voorinburgering*) and language classes.

**PES** at national or regional level are also important stakeholders.<sup>205</sup> In Croatia, the PES plays an active role in matching employers with unemployed applicants for international protection (among others). In Belgium, applicants for international protection who have access to the labour market can register as jobseekers at the regional employment services and are then entitled to their assistance.

Several EMN Member Countries<sup>206</sup> reported the role of **social partners**, including employers' associations and sectoral associations. In Belgium, information sessions jointly organised by the Flemish employers' organisation (VOKA), the Chamber of Commerce of the Province of Limburg (*KvK Limburg*), the Confederation of the construction sector in Limburg (*Confederatie Bouw Limburg*) and individual employers, aim to recruit applicants for international protection. In Germany, employers' associations advocate for a more open labour migration policy to overcome labour shortages. Since 2015, they strongly support the inclusion of applicants for international protection and refugees in the German labour market.<sup>207</sup>

Several EMN Member Countries<sup>208</sup> reported the role of **reception centres** in promoting access to employment. In Finland, reception centres organise work and study activities for applicants for international protection, provide advisory services pertaining to employment, and conduct skills assessments. Reception centres may engage in local cooperation with educational institutions, for example, but this is on a case-by-case basis. In Estonia, accommodation centres organise different activities to maintain residents' working skills and habits via community projects. In Spain, the International and Temporary Protection Reception System comprises a State Reception Network consisting of Refugee Reception Centres (CAR), intended for applicants and beneficiaries of international protection, subsidised by the Ministry of Inclusion, Social Security and Migration, and managed by non-profit entities. Reception centres develop personalised itineraries for supporting labour market integration. The itineraries include diagnosis, pre-training, guidance, vocational training, self-employment promotion and social support, with the aim for successful labour market integration.

Finally, **NGOs play an important role** in almost all EMN Member Countries,<sup>209</sup> often in collaboration with other actors and focusing specifically on applicants for international protection. For example, the Austrian organisation 'Asylum Coordination Austria' (*Asylkoordination Österreich*) provides support for various other actors, including organisations, initiatives and volunteers offering advice and assistance to refugees.

201 BE, BG, CY, DE, EE, EL, ES, FI, IE, IT, SE.

202 Government Offices of Sweden, <https://www.regeringen.se/artiklar/2017/01/tidiga-insatser-for-asylsokande/>, last accessed on 31 October 2022. The government's website has a Q&A page on 'Early action for asylum seekers', <https://www.regeringen.se/artiklar/2017/01/fragor-och-svar-om-tidiga-insatser-for-asylsokande/>, last accessed on 25 May 2023. The page contains links to the legal basis of the reform (ordinances issued in 2016).

203 AT, CY, DE, EL, ES, FI, FR, IE, IT, PL, SE, SI, SK.

204 AT, BE, BG, DE, EL, FI, LV, NL, SE.

205 AT, BE, BG, CY, DE, HR, IE, IT, LV, PL, SE, SI.

206 AT, BE, DE, SI.

207 DW, 'Industrie macht Flüchtlingen Hoffnung auf Arbeit', <https://www.dw.com/de/industrie-macht-fl%C3%BChtlingen-hoffnung-auf-arbeit/a-18696370>, last accessed on 23 January 2023.

208 BE, EE, ES, FI, HU, NL, SK.

209 AT, BE, BG, CY, DE, EE, ES, FI, HR, IE, NL, LU, LV, SE, SK.

# 4. SUPPORT MEASURES TO ENHANCE LABOUR MARKET INTEGRATION AND SELF-EMPLOYMENT

This section provides an overview of integration measures that support applicants for international protection to enter the labour market, including challenges and good practice examples provided by EMN Member Countries. The measures examined cover a wide range of areas,

including VET, language acquisition, civic integration, recognition of qualifications, skills assessment, information and counselling, incentives for employers, support for self-employment, and measures providing indirect support.



## 4.1. OVERVIEW OF INTEGRATION MEASURES AND GOOD PRACTICES

This sub-section reviews the national integration measures identified by the reporting EMN Member Countries. The term ‘measures’ in this context refers to systematic initiatives (multi-year/long-term), projects (ad hoc) and legislative (structural) measures used to implement integration policies (including those funded by governments but implemented by NGOs on behalf of those governments). The measures are organised by thematic area, assessing cases where applicants for international protection are the target group or whether services are available to them through programmes available to migrants or jobseekers more generally. Examples of good practices are presented for each thematic area; these were proposed by national experts (e.g. policy makers, service providers, civil society organisations, migrant organisations) or drawn from relevant studies or evaluations.

Figure 4 highlights 20 good practices identified in the EMN Member Countries<sup>210</sup> that **specifically target applicants for international protection**. While it does not show all good practices available in EMN Member

States, it provides an overview of those measures identified by EMN NCPs for this study. An additional eight good practices that are available to broader categories were reported and are discussed within the text but are not shown in Figure 4.<sup>211</sup> The 28 good practice integration measures are predominantly in the areas of: VET,<sup>212</sup> language training,<sup>213</sup> and skills assessment.<sup>214</sup> Many of the good practices identified were developed over 2015/2016, or in 2020, in response to emerging needs.

The good practices were reported in addition to a breadth of other measures available in EMN Member Countries to broader categories of migrants or to broader categories of jobseekers, to which applicants for international protection may also have access. The number of overall measures is not counted, as policies or programmes are mentioned as a whole, and often comprise multiple measures. Instead, the study reports the number of EMN Member Countries that have measures available for each area (language training, VET, skills assessment, etc.). Frequently, the measures are **voluntary and free of charge**.<sup>215</sup>

210 BE, BG, CY, ES, FI, IE, IT, LV, NL, SE.

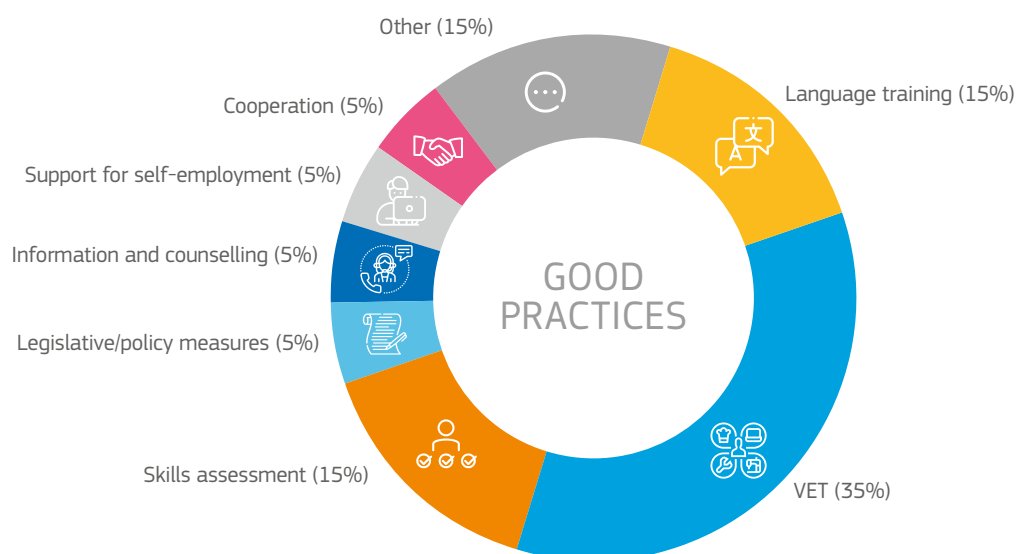
211 DE, EE, EL, FI, LV, MT, SI.

212 CY (1), DE (2 good practices for VET), IE (1), IT (2), NL (1), SE (1), SI (2).

213 BE, CY, IT, MT, SE (1 good practice per country for language training), SK.

214 FI (3 good practices for skills assessment).

215 DE (3 good practices voluntary and free of charge), EL (1), ES (1), FI (2), IE (1), IT (2), LV (2), NL (2), SE (1), SI (1), SK.

**Figure 4: Good practices targeting applicants for international protection**

## Language acquisition

EMN Member Countries reported that knowledge of the national language remains a key element in quicker integration and greater access to the labour market. Indeed, the highest number of measures for applicants were identified under language acquisition, with 21 EMN Member Countries reporting measures focused on language learning.<sup>216</sup> Of those, seven reported language programmes specifically targeting applicants for international protection,<sup>217</sup> two of which were highlighted as good practices.<sup>218</sup>

Across EMN Member Countries, official language courses are provided by reception centres and/or asylum facilities,<sup>219</sup> provincial/ regional authorities,<sup>220</sup> competent ministries,<sup>221</sup> government bodies in coordination with public and/or private entities,<sup>222</sup> and/or through NGOs.<sup>223</sup> In some EMN Member Countries, language courses implemented on behalf of the government may only be available for applicants who are considered likely to be granted international protection,<sup>224</sup> while others are compulsory for all those residing in a reception centre and who receive a reception allowance,<sup>225</sup> or they target applicants for international protection who have little or no knowledge of the national language.<sup>226</sup>

Seven EMN Member Countries specified that applicants are expected to reach a basic language acquisition level that allows them to be self-sufficient on a day-to-day basis, with countries generally aiming for the completion of beginner language levels (e.g. A1 or A2 courses).<sup>227</sup> In Poland, language classes for adults are conducted in all centres for foreigners, in the territory of Warsaw and online. The course curriculum was developed at A1 level,

at the request of the Office for Foreigners, with elements from more advanced language classes (A2 and B1 language elements). In Germany, integration courses aim for a higher language level (B1), although this is not always achieved by participants in their final tests. The courses offered predominantly target recognised refugees, but most also include applicants for international protection, especially when vacancies are available. Specific courses are offered to prepare individuals for linguistic labour market demands, where more advanced levels (nearing proficiency) are needed (e.g. B2, C1, or C2). See Box 1 for an example of language courses offered in Sweden.

### Box 1: Good practice example: complementary language courses for applicants for international protection in reception centres, awaiting a decision

**Country:** Sweden.

**Measure:** 'Swedish from day one' and 'Everyday Swedish'.

**Description:** The complementary language courses are tailored to adult applicants for international protection registered in the reception system pending settlement in a municipality. 'Swedish from day one' combines language learning with civic integration and training for job opportunities. In parallel, the language needed for everyday situations, communication with authorities and educational institutions is taught through 'Everyday Swedish' courses.

These courses are free-of-charge, offered online or in-person and have travel costs reimbursed. They reach approximately 40% of applicants for international protection. The programmes were

<sup>216</sup> AT, BE, BG, CY, CZ, EE, EL, ES, FI, FR (under certain conditions for those with a language level lower than A1), HU, IE, IT, LT, LU, LV, MT, NL, SE, SI, SK.

<sup>217</sup> BE, ES, IE, IT, NL, SE, SK.

<sup>218</sup> BG, SE.

<sup>219</sup> BE, BG, ES, FI, IE, IT, NL, SK.

<sup>220</sup> AT, BE, DE, IE, IT, SE.

<sup>221</sup> BG, CY, DE, EE, EL, IE, IT, LU, MT.

<sup>222</sup> AT, CZ, DE, IE, IT, LU, LV, PL, SI.

<sup>223</sup> BE, BG, CY, CZ, DE, ES, HU, IE, IT, LU, SE, SK.

<sup>224</sup> AT, NL.

<sup>225</sup> FI.

<sup>226</sup> FR.

<sup>227</sup> AT, CY, DE, IT, NL (voluntary), PL, SE.

implemented with the intention of providing a meaningful activity as applicants for international protection await a decision, and facilitating integration in working life and in society for those granted a residence permit.

**Good practice selected by:** Swedish Agency for Public Management; Swedish National Council of Adult Education.

**Selection criteria:** The courses were selected based on the evaluation and progress reports from the National Council of Adult Education.

**Duration:** 2015 – ongoing

## Vocational education and training (VET)

While VET, including reskilling schemes, was not the most frequent integration area addressed by EMN Member Countries to support labour market integration, it had the greatest number of good practices. Seventeen EMN Member Countries reported on relevant VET measures.<sup>228</sup> Twelve good practices were reported,<sup>229</sup> four of which specifically focus on applicants for international protection.<sup>230</sup>

When describing their VET measures, eight EMN Member Countries<sup>231</sup> highlighted that certain conditions or requirements applied before people could access the education or training offered. In Austria and Finland, applicants may be required to meet certain admission criteria. In Austria, applicants may participate, subject to funding, given that they meet requirements such as if they are considered to have high likelihood of being granted international protection, the date they submitted their application, have a basic knowledge of the German language, and are fit for work. In Finland, the admission criteria is the same for all applicants and may be dependent on criteria of individual educational institutions so it is difficult to generalise. In France and Ireland, applicants can benefit from continuous vocational training only once they have been granted permission to access the labour market (although such access is quite limited in practice in France). In Sweden, particular focus is often placed on applicants with medical and nursing degrees, or other highly skilled professions, where training is provided on an ad hoc basis and in conjunction with language acquisition.

In eight EMN Member Countries, vocational training measures concern applicants for international protection as part of a larger group of migrants.<sup>232</sup> Here, the vocational training is often part of wider national action plans or strategies on integration and are delivered through a variety of measures. Other EMN Member Countries also reported that applicants were included in vocational training measures that address jobseekers registered as unemployed with the PES, thus covering both nationals and migrants.<sup>233</sup> Boxes 2 and 3 highlight examples of labour market integration through skilled crafts in Germany and the PERCORSI training programme in Italy.<sup>234</sup>

### Box 2: Good practice example: long-term inclusion in the labour market through skilled crafts

**Country:** Germany.

**Measure:** Integration Project Vocational Training in Skilled Crafts for Refugees and Asylum Seekers (*Integrationsprojekt Handwerkliche Ausbildung für Flüchtlinge und Asylbewerber*). Regional, tailored programme in the federal state (*Land*) of Lower Saxony (*Niedersachsen*).

**Description:** Through an established network of actors, the programme offers training on skilled crafts where there are labour market shortages, information on job opportunities and individual counselling. It also provides information to potential employers about the new target group. In order to access the programme, applicants need to have a basic to intermediate knowledge of the German language (preferably level A2 or B1). Since February 2019, 5 646 companies sought advice and 933 companies were visited by groups of applicants for international protection, recognised refugees and rejected applicants for international protection with a tolerated status.

**Good practice selected by:** Chambers of Craft in Lower Saxony (*Niedersachsen*).

**Selection criteria:** 1) Provides long-term inclusion in the German labour market; 2) Programme renewed twice, following systematic evaluations; and 3) Successful experience-sharing at local level to facilitate improvements based on lessons learned.

**Duration:** 2015–2023, with possible further extension.

### Box 3: Good practice example: spotlight on young migrants

**Country:** Italy.

**Measure:** PERCORSI programme.

**Description:** The programme focuses on young migrants' training, employment and integration, including (former) unaccompanied foreign minors. Managed by the Ministry of Labour and Social Policies, the programme involves employment services, reception centres, and employers in the provision of tailored integration pathways that include job orientation, grants, and participation in a six-month internship.

**Good Practice selected by:** European Commission.

**Selection criteria:** In 2020, it was selected by the European Commission as a promising practice for labour market integration.

**Duration:** 2016–ongoing.

<sup>228</sup> AT, BE, BG, CY, DE, EL, ES, FI, FR, HU, IE, IT, LU, PL, SE, SI, SK.

<sup>229</sup> CY (3 good practices), DE (2), IE (1), IT (2), NL (1), SE (1), SI (2).

<sup>230</sup> IT (2 good practices), NL (1), SE (1).

<sup>231</sup> AT, EL, ES, FI, FR, IE, SE, SK.

<sup>232</sup> AT (under certain conditions, available to applicants with a high likelihood of being granted international protection), BG, CY, DE, EL, ES, HU, IE.

<sup>233</sup> BE, CZ, IT, PL.

<sup>234</sup> Regarding the selection of the PERCORSI Programme in Italy, please see the European Commission's Database of labour market practices: <https://ec.europa.eu/social/main.jsp?catId=1080&langId=en&practicId=74>, last accessed on 23 June 2023.

## Skills assessment

Fourteen EMN Member Countries provided examples of skills assessment measures to validate prior (non-accredited) learning and experience.<sup>235</sup> In Austria and the Netherlands, skills assessment may be offered specifically to applicants for international protection who have a high likelihood of having their application accepted.

Frequently, these measures target all migrants, or wider categories of migrants.<sup>236</sup> In some EMN Member Countries, skills assessment is available to applicants provided they are registered as unemployed, whereby they have the same access to these services as all unemployed citizens and legally-residing migrants (see section 3.1).<sup>237</sup> Box 4 presents one of the three good practices presented by Finland, which specifically focuses on applicants for international protection.

### Box 4: Good practice example: skills assessments for applicants conducted in close cooperation with the private sector

**Country:** Finland.

**Measure:** The project 'Recognising the skills of applicants for international protection and residence permit holders and supporting their preparedness for working life,' and the follow-up project, 'Supporting the employment of applicants for international protection and beneficiaries of temporary protection' in 2022.

**Description:** The first project was initiated in 2015 and the follow-up project was launched in 2022. The first project ran in reception centres operated by the Finnish Red Cross, and it included finding suitable businesses for work practice periods and conducting skills assessments for applicants. The second project aimed to identify challenges and come up with solutions, such as the business mentoring concept, to support the employment of applicants.

**Good practice selected by:** Ministry of the Interior; Ministry of Economic Affairs and Employment.

**Selection criteria:** The project was selected as a good example for promoting employment-related capabilities and opportunities for applicants for international protection.

**Duration:** 2015-2022.

## Support for the recognition of qualifications

Sixteen EMN Member Countries described measures to support the recognition of diplomas, certificates and other evidence of formal qualifications, including those formal qualifications that cannot be documented (e.g. lost or destroyed in the context of existing procedures for recognition of foreign qualifications).<sup>238</sup> The formal recognition of foreign qualifications remains a challenge in many EMN Member Countries (see section 4.3), which may hamper the extent to which third-country nationals can access employment opportunities aligned with their professional and educational qualifications.

The measures are usually offered to applicants for international protection through programmes that are available to migrants more generally.<sup>239</sup> Foreign qualifications are evaluated through regional or national systems,<sup>240</sup> while educational institutions and employers may support skill assessments.<sup>241</sup>

Spain reported that NGOs participating in the management of the International and Temporary Protection Reception System sometimes provide financial aid for issuing and processing documentation accrediting academic or professional training.

## Civic integration courses

Fifteen EMN Member Countries reported measures that support civic integration to facilitate entry into the labour market for applicants for international protection.<sup>242</sup> In most cases, civic integration measures are made available to migrants more generally, with applicants for international protection included as part of a wider group.<sup>243</sup>

Belgium,<sup>244</sup> Bulgaria,<sup>245</sup> Germany,<sup>245</sup> Finland, Poland,<sup>246</sup> Spain and the Slovak Republic offer civic integration courses specifically for applicants for international protection in reception centres. The courses provide basic information on national law, employment processes, history, social order, culture and customs.

Several EMN Member Countries provide courses for specific sub-categories of applicants for international protection, for example those with a high likelihood of being granted international protection, if resources permit and certain requirements are met (Austria), or specifically tailored to the needs of young applicants (Sweden).<sup>247</sup> In Sweden, a civic orientation course organised by the Swedish Migration Agency is mandatory for all applicants for international protection over 15 years of age. Box 4 presents a good practice example from Finland, where applicants complete civic integration courses in reception centres.

<sup>235</sup> AT, BE, BG, DE, EE, EL, ES, FI, HU, IE, IT, LV, NL, SE.

<sup>236</sup> AT, BE, DE, EE, EL, HU, IE, IT, LV, SE.

<sup>237</sup> EE, IT.

<sup>238</sup> AT, BE, BG, CZ, DE, EE, EL, ES, FI, FR, HU, IE, LV, PL, SE, SI.

<sup>239</sup> AT, BE, DE, EE, EL, FI, FR, HU, IE, LV, PL, SE, SI.

<sup>240</sup> BE, DE, EE, EL, ES, IE, PL, SI.

<sup>241</sup> FI, FR, HU, LV, PL, SE.

<sup>242</sup> AT, BE, EE, EL, ES, FI, IE, IT, LU, LV, MT, PL, SE, SI, SK.

<sup>243</sup> BE, DE, EE, EL, ES, IE, IT, LU, LV, MT, SI.

<sup>244</sup> In BE, civic integration courses are only available in the Walloon region through public integration agencies and reception centres operated by the Red Cross; applicants for international protection are not included in civic integration courses organised by the public integration agencies in its other two regions (the Brussels-Capital and Flemish regions).

<sup>245</sup> In DE, civic integration courses are given as an additional part of language courses.

<sup>246</sup> In PL, civic integration courses are also organised at the Office for Foreigners in centres dedicated to applicants for international protection.

<sup>247</sup> AT, BE, SE.

## Measures to incentivise employers or to support self-employment

Nine EMN Member Countries reported specific incentives for employers to hire applicants for international protection, such as tax reductions, labour matching services, and recruitment support.<sup>248</sup> For instance, Bulgaria's Employment Agency implements a programme to train and support the employment of applicants for international protection and beneficiaries of international protection, where the Labour Bureau pays employers who employ this group part of their monthly remuneration. Sweden has a platform called 'Jobskills', targeting applicants for international protection and other third-country nationals, where employers can register and advertise their hiring needs.

Germany highlighted multiple measures to incentivise employers, including assisted vocational training subsidised by the Federal Employment Agency. The measures are tailored to the needs of an individual apprentice or company, such as giving an allowance to follow a vocational training programme specifically for applicants for international protection. Additionally, Germany reported a matching programme between beneficiaries of international protection and companies. All those who can access the labour market are eligible for the programmes.

In some of the EMN Member Countries that put forward measures to incentivise employers,<sup>249</sup> applicants for international protection are addressed within a larger group of migrants. In Finland, 'Startup Refugees' created a network of over 1 500 businesses, communities, public sector entities, educational institutions, and individuals. Startup Refugees provides services to all migrants for finding work, although when the organisation was established in 2015, the majority of the users were applicants for international protection. Finland does not allow applicants for international protection to be self-employed, but it was nevertheless found to be a good example of promoting their employment-related capabilities and opportunities.

Support for self-employment was reported in nine EMN Member Countries.<sup>250</sup> Supports include preferential taxation and social security contributions, administrative support with establishing a company or business plan development, advice and counselling on self-employment options, provision of training and support tailored to entrepreneurship, or support to apply for residence permits for entrepreneurs. Financial support is also available under certain conditions. These vary by country of reception, but include providing proof of initiated entrepreneurial projects, registering as a jobseeker, length of time in the country, or providing financial support for defined period of time (e.g. for up to two years).

Box 5 highlights a good practice example from Spain, where applicants are brought through various phases of integration, including support for self-employment.

### Box 5: Good practice example: providing comprehensive support for civic and labour market integration to applicants, including self-employment

**Country:** Spain.

**Measure:** Dispositivo AMPARA project.

**Description:** The 'Dispositivo AMPARA project' provides specific support for labour market integration of applicants for international protection and beneficiaries of international and temporary protection, with the intention of promoting their autonomy. Measures differ from employment programmes aimed at other groups. The applicants' needs and skills are initially assessed through a personalised interview and a profile is developed that also considers the needs of the labour market. The pre-training that follows combines skills development with civic integration. Topics covered include socio-labour contextualisation, gender perspectives, environmental training to raise awareness of sustainability (e.g. recycling), job search techniques, and employment exchanges (e.g. mediation actions with companies to promote entry into the labour market and allay employers' fears). Vocational training opportunities are presented to the applicants, and support to register and prepare for entry exams is provided when needed.

Applicants are also provided with information, motivation, and advice on self-employment. Financial support is given throughout the phases, paying attention to basic needs, childcare, transportation costs, obtaining documentation for qualification recognition, and monthly payments for professional training courses.

The measure is provided on arrival to the reception system in the first phase and for up to a maximum of 30 months. Participants can access resources directly after being referred to a host device of the APIP ACAM entity in the Autonomous Community of Aragon. The rejection of their international or temporary protection application excludes them from the project from the moment of notification, as does repeated non-attendance at scheduled appointments or other training actions agreed in their itinerary.

**Good practice selected by:** Social Work Unit of the Sub-Directorate General for International Protection Programmes.

**Selection criteria:** The project was verified as a good practice after comparing the results obtained by other projects: 90% of applicants involved with the project were successfully integrated into the labour market.

**Duration:** 2017-ongoing.

248 BE, BG, CY, DE, EE, ES, HR, SE, SI (recruitment support and on-the-job training only).

249 BE, FI, SI.

250 BE, CY, EE, ES, HR, IE, IT, MT, SE.

## Information and counselling and indirect support

The majority of EMN Member Countries (20) reported official measures that provide information and counselling services on labour market orientation, job application training, or tailored advice to the individual's career needs.<sup>251</sup>

Five EMN Member Countries described providing information specifically tailored to applicants for international protection to support their labour market integration.<sup>252</sup> Reception centres in Finland can provide information on employment to applicants, including information on wages, how to obtain a tax card, how wages affect the reception allowance, etc. In Luxembourg, information on possibilities to access the labour market is offered through the social workers of the National Reception Office (ONA) to all applicants for international protection who are of working age.

Four EMN Member Countries restrict some official information and counselling services to applicants for international protection who have a high likelihood of their application being granted,<sup>253</sup> who are above a certain age,<sup>254</sup> who are residing in reception facilities,<sup>255</sup> or where a minimum length of time has elapsed since their application was submitted.<sup>256</sup>

In other EMN Member Countries, official information and counselling services are available through programmes and initiatives targeting third-country nationals or job-seekers in general.<sup>257</sup> Such services provide concrete support to access the labour market, including legal support to understand work contracts and work permits, detailed and tailored guidance on submitting job applications, and psychological counselling to support continued efforts to find employment. Box 6 outlines one such service in Latvia.

### Box 6: Good practice example: tailored support from social workers and mentors

**Country:** Latvia.

**Measure:** Support is provided under Caritas Latvia, funded and coordinated by the State Employment Agency.

**Description:** Additional tailored support is provided by social workers and mentors. Applicants for international protection may receive services of a social worker and social mentor for three months from the day of their arrival to Latvia until they receive a decision on their application. Once refugee or subsidiary protection status has been granted, the services are prolonged for an additional 12 months. Social workers and mentors develop individual plans for socioeconomic inclusion (e.g. support with opening bank accounts), help people to access their place of study or work, and initiate employment relations. Funded by the Society Integration Foundation, the project will continue under Caritas Latvia in 2022.

**Good practice selected by:** EMN Latvia, in collaboration with relevant stakeholders.

**Selection criteria:** based on interim/progress reports every six months and interviews with relevant stakeholders (Caritas Latvia, Society Integration Foundation, officials from the Office of Citizenship and Migration Affairs).

**Duration:** 2016-ongoing.

Thirteen EMN Member Countries<sup>258</sup> reported indirect measures to support access to the labour market, typically including childcare<sup>259</sup> or travel allowances.<sup>260</sup> In Belgium, travel costs and childcare costs can be partially or fully covered by PES for all persons following VET courses, including applicants for international protection once they have access to the labour market. In Bulgaria, transportation costs are covered for applicants attending school, as well as for their parents, in the form of public transportation cards. In Finland, municipalities can provide childcare for child asylum applicants whose guardian is working, studying, or for a similar necessity. While the provision of childcare services is not an obligation for reception centres, special attention is generally given to single parents of small children. Reception centres in Spain provide similar educational aid to facilitate parents' attendance at training courses, such as providing their children with nurseries, school canteens, or teaching materials.

Indirect support measures are often made available to migrants more generally rather than specifically for applicants for international protection.<sup>261</sup>



## 4.2. GOOD PRACTICES IN COOPERATION BETWEEN ACTORS

Six EMN Member Countries<sup>262</sup> highlighted the importance of stakeholder cooperation and coordination in the employment of applicants for international protection. This includes creating synergies between:

- State agencies for refugees and (regional) public employment agencies/PES;
- Employment and economic development offices cooperating with integration services at local level;

251 AT, BE, BG, CY, CZ, DE, EE, EL, ES, FI, HU, IE, IT, LT, LU, LV, NL, SE, SI, SK.

252 BG, ES, FI, LU, LV.

253 AT (as part of the Integration Year).

254 SE.

255 SK.

256 LV.

257 BE, CY, DE, EE, EL, ES, HU, IE, IT, LT, NL, SE, SI.

258 BE, BG, DE, EL, ES, FI, HU, IE, IT, LT, LV, SE, SK.

259 BE, DE, ES, FI (based on individual assessments), IE (access can be a challenge), IT, LT, LV, SE.

260 DE, ES, IT, LV, SE, SK (NGO project).

261 BE, DE, EL, IT, LT, LV, SE.

262 BE, DE, EL, FI, NL, SE.

- Coordination between relevant ministries;
- Coordination between local stakeholders.

Four EMN Member Countries reported specific and formalised coordination structures or methods to facilitate synergies between relevant actors.<sup>263</sup> In Belgium, Fedasil established a department called 'Participation in society', which focuses on increasing cooperation with PES and removing administrative obstacles to employment. In Germany, 'Integration through Skill-Building (IQ-Network)' has been in operation since 2005 and is funded by the government and the ESF. It provides training for coaches and supports measures for labour market integration for all those with a migration background, including applicants for international protection. In Sweden, specific thematic working groups in the Cooperation Delegation, an inter-agency cooperation forum between government agencies and other stakeholders responsible for the reception and integration of applicants for/beneficiaries of international protection, focus on early integration measures and civil orientation for applicants.

In Latvia, social workers at accommodation centres are tasked with supporting cooperation between relevant stakeholders and reporting to the Society Integration Foundation, which provides everyday support to applicants for/beneficiaries of international protection on practical issues.

Boxes 7 and 8 highlight two of those supports in more detail.

#### **Box 7: Good practice example: structural change to increase the labour market participation of applicants for international protection**

**Country:** Belgium.

**Measure:** Dedicated policy, and creation of a specific department within Fedasil on labour market integration of applicants for international protection.

**Description:** A specific department was established within Fedasil to focus on labour market integration of applicants for international protection and to increase cooperation with PES. The 'Participation in Society' department focuses on stimulating, implementing, and coordinating policy and actions in the field of activation and skills development of applicants for international protection. This sits within a broader perspective on 'future orientation' (voluntary return and legal migration). The department has set the following priorities: establish a network of coaches for reception centres to provide information and guidance to applicants; create targeted partnerships

with civil society and companies; remove obstacles such as public transportation costs and lengthy qualification recognition processes; IT development and data processing; and exchange of good practices with other countries in the EU.

**Good practice selected by:** EMN Belgium, in agreement with stakeholders interviewed (Fedasil and PES (Actiris, Forem, VDAB)).

**Selection criteria:** Selected as a good practice in actively responding to recognised obstacles preventing many applicants from working in Belgium. As it is relatively recent, results cannot yet be assessed.

**Duration:** 2022-ongoing.

#### **Box 8: Good practice example: 'Integration through Skill-Building' (Integration durch Qualifizierung – IQ-Network)**

**Country:** Germany.

**Measure:** Integration through Skill-Building – IQ-Network.

**Description:** Integration through Skill-Building (the IQ-Network) has been the most important relevant network in Germany since it was set up in 2016. The Network is decentralised, funded by the Federal Ministry for Labour and Social Affairs (BMAS) and the ESF, and supports more than 400 measures for labour market integration and qualification. It provides training for coaches and is a hub for exchanging practical knowledge. The IQ-Network supports the broader category of all those with a migration background, including applicants for international protection.

**Good practice selected by:** There is no national classification system for good practices – EMN Germany chose it as an illustrative example.

**Selection criteria:** Evaluations have shown that the IQ-Network is highly efficient in integrating migrants into the labour market and has also facilitated good cooperation between actors through diversity management and the intercultural opening of institutions in both the private and public sector. The IQ-Network also provides transferable approaches to develop and implement similar measures in other national contexts.

**Duration:** 2016-ongoing.



## **4.3. CHALLENGES RELATED TO LABOUR MARKET INTEGRATION**

EMN Member Countries reported a range of legislative and practical challenges faced by applicants for international protection in effectively accessing the

labour market. Most reported that those challenges were of a **practical nature**.<sup>264</sup>

<sup>263</sup> BE, DE, LV, SE.

<sup>264</sup> AT, BE, BG, DE, EE, FI, FR, IE, LT, LV, NL, SE, SK.

■ **Language barriers.** The vast majority of EMN Member Countries highlighted the importance of language skills for entering the labour market and the challenges caused by language barriers.<sup>265</sup> Belgium reported that long waiting lists made it impossible to enrol newcomers in a language course quickly. In addition, although more jobs were available on the Flemish labour market, most applicants for international protection in Brussels opted to learn French instead. In Germany, many job positions require German to at least B1 level,<sup>266</sup> and integration courses typically run longer than decisions about asylum applications. Lithuania reported that while there were no restrictions on the type of employment in which applicants for international protection could engage, many only spoke their mother tongue, negatively impacting their chances of getting a job.

■ **Difficulties with recognition of qualifications.** Ten EMN Member Countries noted ongoing difficulties with the recognition of qualifications acquired in third countries.<sup>267</sup> In most cases, the main issues related to the length of the procedure.<sup>268</sup> In practice, this means that applicants often have no choice but to access jobs requiring little or no qualifications, which are often well below their level of education or experience. Related issues identified include where applicants are unable to provide their original diplomas or cannot afford the fee for diploma conversion. Poland points to its participation in the European Qualification Passport for Refugees (EQPR) programme, an international tool co-ordinated by the Council of Europe to assess refugees' qualifications when there is insufficient or missing documentation.<sup>269</sup>

■ **Discrimination.** Four EMN Member Countries identified discrimination as an obstacle for applicants for international protection to access the labour market (see section 2.2).<sup>270</sup>

■ **Risk of exploitation/undeclared work.** Four EMN Member Countries drew attention to the risks of exploitation of applicants for international protection<sup>271</sup> due to their dependence on an employer for a work permit and the fact that people in asylum procedures have little opportunity to assert their employment rights and often do not know their rights and obligations (see section 2.2). In Austria, this was based on evidence from NGOs, social partners and international organisations,<sup>272</sup> as well as research collected during the COVID-19 pandemic, which showed that applicants for international protection were often subjected to exploitative employment contracts or undeclared work.<sup>273</sup>

In the Slovak Republic, interviews for this study with State social workers and NGO cultural mediators in reception centres noted potential risk factors for labour exploitation, including a lack of social housing and a lack of identity documents, hindering access to financial means, such as opening a bank account.

■ **Costs associated with accessing the labour market.** Childcare, transportation, and administrative costs can create barriers to accessing the labour market for applicants for international protection, or act as a deterrent.<sup>274</sup> Ireland noted that the remote location of many reception centres, combined with limited access to public transport, can exacerbate the challenges faced. Austria, Belgium and the Netherlands noted that applicants for international protection receiving income from employment had to contribute to their costs of reception, which may be demotivating for those receiving only a small part of their income for personal use. In Austria, a certain allowance is deducted from the income and the remaining amount is offset against benefits under basic care. Depending on the amount of income, this may lead to repayment claims or benefit freezes under basic care and the entitlement to accommodation in organised accommodation can also lapse. In Belgium, there are significant additional costs in accessing self-employment, although the main barrier is that access is not automatic and the eligibility criteria are unclear.

Some EMN Member Countries reported practical challenges arising as a result of the **complexity** and **ineffectiveness of administrative procedures** to obtain access to the labour market, or the uncertainty of the authorisation to work.<sup>275</sup> These challenges included:

■ **Complex nature of the requirements and lack of understanding/awareness of those requirements.** The procedures for applicants for international protection to obtain authorisation to work impose a large administrative burden on applicants for international protection and employers alike – there is a significant number of requirements and length of total procedure, while the authorisation granted may be relatively short. In four EMN Member Countries, employers may find these complex administrative requirements too burdensome or difficult to understand, deterring them from hiring applicants for international protection.<sup>276</sup> According to Ireland, Italy and Lithuania, employers' lack of knowledge of the requirements to hire applicants for international protection often dissuades them from recruiting from this group. Similarly, two EMN Member Countries reported that the administrative

265 AT, BE, BG, CY, DE, EE, FI, FR, IE, IT, LT, LU, LV, NL, SE, SK.

266 Under the CEFR, a B1 level language acquisition refers to an 'independent user' who 'can understand the main points of clear standard input on familiar matters regularly encountered in work, school, leisure, etc. Can deal with most situations likely to arise whilst travelling in an area where the language is spoken. Can produce simple connected text on topics which are familiar or of personal interest. Can describe experiences and events, dreams, hopes and ambitions and briefly give reasons and explanations for opinions and plans', <https://www.coe.int/en/web/common-european-framework-reference-languages/table-1-cefr-3.3-common-reference-levels-global-scale>, last accessed on 25 May 2023.

267 AT, BE, BG, DE, EE, FI, IE, LU, SE, SK.

268 BE, BG, DE, EE, FI, LU, SE, SK.

269 Council of Europe, *European Qualifications Passport for Refugees*, <https://www.coe.int/en/web/education/recognition-of-refugees-qualifications>, last accessed on 2 March 2023.

270 CY, FI, IE, LV.

271 AT, CY, FI, SK.

272 Klaffenböck, K. and Schuster, N., *Arbeitsbedingungen in der Ernte – Zunahme von Ausbeutung und Menschenhandel im Zeichen von Corona?* 2020, [www.vidc.org](http://www.vidc.org), last accessed on 25 May 2023; *Anlaufstelle zur gewerkschaftlichen Unterstützung Undokumentiert Arbeitender (UNDOK)* Drop-in centre for trade union support for undocumented workers (*Arbeit ohne Papiere, aber nicht ohne Rechte! Tätigkeitsbericht – 5 Jahre UNDOK Anlaufstelle*), 2019, <https://undok.at>, last accessed on 10 March 2023.

273 Kohlenberger, J., Zilinskaite, M., Hajro, A., Vafiadis, I. and Bikic, S., 'Systemrelevant, aber unsichtbar: Arbeitsbedingungen migrantischer und geflüchteter Amazon Zusteller\*innen während der COVID-19-Pandemie' 2021, Vienna University of Economics and Business, Vienna, <https://wien.arbeiterkammer.at>, last accessed on 2 March 2023.

274 BE, IE, NL, SK.

275 AT, BE, DE, FI, FR, HU, IE, IT, NL, SK.

276 AT, BE, FR, IT.

burden for applicants for international protection to apply to access the labour market disincentivises them.<sup>277</sup> Belgium reported that only a small number of applicants for international protection opt to be self-employed, due to the stringent requirements.

- **Uncertainty about the length of time an applicant may be able to work, as a negative asylum decision immediately terminates their access to the labour market.** Nine EMN Member Countries pointed out that the uncertainty of applicants for international protection's legal right to work in the Member State pending the outcome of asylum decision discouraged employers from hiring these individuals.<sup>278</sup> This is because a negative decision on an asylum application results in immediate termination of their right to work, and thus of their respective employment. Finland and the Slovak Republic also reported that when an applicant wished to re-apply for international protection after a negative decision, they were once again subjected to all relevant procedures and conditions to access the labour market (e.g. the waiting period). In Sweden, an individual whose application for international protection has been rejected can receive a temporary residence permit for work purposes, if they fulfil certain conditions, such as having been in employment for at least four months with the same employer, which will continue for at least one year. In the Netherlands, from an employer's perspective it can be unattractive to hire applicants for international protection due to the remote locations of the reception centres and the uncertainty how long the applicant for international protection will live there, (transfers between centres are possible). In the case of a positive decision, housing may be available in a distant municipality and commuting to work can become a problem.
- Additional administrative challenges stem from **co-ordination between ministries, regions, between public and private sectors, or between other relevant stakeholders.**<sup>279</sup> In Belgium and Germany, where regional competence plays a large role in authorising applicants for international protection's

access to the labour market, there may be significant regional differences in approaches within reception facilities and regional PES. The two countries noted that coordination between stakeholders across different levels of government sometimes proves challenging. Belgium will assess the impact of the newly established Inter-Ministerial Conference of Migration and Integration and various initiatives undertaken by Fedasil to increase coordination efforts. Germany highlighted existing programmes that increase close interaction of counselling services in relation to labour market access, such as migration counselling (*Migrationsberatung für erwachsene Zuwanderer* and *Jugendmigrationsdienst*), labour administration counselling (Federal Employment Agency), and other specific programmes.

Finally, some EMN Member Countries reported that applicants for international protection can face **legislative challenges**. These reportedly relate to inconsistencies and misunderstandings in the legislative, regulatory and policy frameworks (see section 3). The main challenges identified were:

- **Potential additional documentation that can be requested of applicants for international protection in order to access their right to work:** Three EMN Member Countries reported a lack of clarity on the documentation that can be requested.<sup>280</sup> In Finland and Greece, employers can request additional documentation beyond what is legally required. In Finland, employers can enquire about their employees' right to work free of charge by contacting the Finnish Immigration Service, but the legislative framework does not specify how and how often the employer should request this. In Ireland, while the application procedure is relatively straightforward, some NGOs reported that there is a lack of clarity about identity requirements. In turn, the Labour Market Access Unit in the Department of Justice stated that difficulties in establishing the identity of an applicant was a challenge in itself.

277 BE, FR.

278 AT, BE, FI, FR, HU, IE, LU, NL, SK.

279 BE, DE, SK.

280 EL, FI, IE.

# 5. CONCLUSIONS

The study provides an overview of labour market access for applicants for international protection in the 24 EMN Member Countries. This includes the conditions, restrictions and processes (e.g. labour market tests, limitations on the sectors in which applicants can work, recognition of qualification procedures, and social security arrangements) that may impact access. It also offers examples of good practice integration measures to facilitate labour market integration for applicants for international protection.

The following conclusions can be drawn from the study:

- **Data indicated that the majority of applicants for international protection in the EU were first-time applicants of working age. This suggests that they have the potential to contribute to the labour market.**

From 2017 to 2022, more than three million applications for international protection were lodged, with the highest number in 2022. Most applicants were of working age, indicating a potential workforce for the labour markets of EMN Member Countries. As yet, however, there are only limited data available on their employment and self-employment statuses.

- **EMN Member Countries collect statistics and/or monitor the employment situation of applicants for international protection to varying degrees. This makes it difficult to measure the extent to which applicants for international protection enter the labour market once they are allowed to work.**

Only some EMN Member Countries collect data on the employment situation of applicants for international protection. While some collect data on employment status, others collect data on the numbers of applications to access the labour market that are submitted, granted, and refused. These limited data make it challenging to evaluate the situation of applicants for international protection on EMN Member Countries' labour markets.

- **Public debates on the integration of applicants for international protection in the labour market have focused on fostering access to the labour market, but also on concerns for potential abuse or discrimination.**

Public debates have focused on the waiting period for applicants to access the labour market, with some EMN Member Countries reducing the waiting period

and others considering further reductions. Debates also addressed restrictions on access, such as authorisations, labour market tests, and restrictions on certain sectors. Some countries aimed to promote effective access through language courses and integration into various sectors of the economy. Concerns were raised about abuse of the asylum system and the potential for precarious work conditions and discrimination against applicants for international protection in the workplace.

- **Most EMN Member Countries have a shorter waiting period to enter the labour market than that stipulated by the recast Reception Conditions Directive.**

Most EMN Member Countries currently operate a shorter waiting period than the nine months stipulated in the recast Reception Conditions Directive before applicants for international protection can access the labour market. This is primarily to allow applicants for international protection to become self-sufficient and integrated more quickly if and when they are granted international protection. This is in line with the shorter waiting period outlined in the proposal for the recast Reception Conditions Directive (2013/33/EU).

- **Most EMN Member Countries require applicants for international protection to obtain a work permit or other form of authorisation in order to access the labour market, and some apply a labour market test.**

Several EMN Member Countries require work permits for all third-country nationals, while others require them exclusively for applicants for international protection. In some, applicants have to obtain a certificate before accessing the labour market. Some EMN Member Countries apply labour market tests and employment access may be subject to various conditions and restrictions, such as limitations on employment type, duration, and compliance with employment laws. Additionally, some restrict the category of applicants for international protection who can apply. The documentation required differs considerably between countries. Most EMN Member Countries allow self-employment, which in most cases follows the same conditions and procedures as regular employment. However, applicants may be required to provide proof of qualifications and register their trade, which is standard practice for any individual setting up a business or seeking independent status, regardless of their nationality or residence status.

■ **Very few EMN Member Countries focus specifically on applicants for international protection in their labour market integration policies.**

Most EMN Member Countries have a wider policy or strategy addressing integration, and almost half have specific strategies or policies in place for the labour market integration of third-country nationals. Very few include applicants for international protection in their integration strategies, while others follow a mainstreaming approach, including labour market integration within broader integration and employment policies.

■ **New or revised policies adopted between 2017 and 2022 chiefly focused on support for the labour market integration of third-country nationals in general. Those policies that focused on applicants for international protection showed a trend towards fostering their access to the labour market.**

Policies often have a wider aim to facilitate integration of third-country nationals and only indirectly support access to employment for applicants for international protection already on the territory. Changes to labour market access specifically addressed applicants for international protection, such as reducing waiting times for access to the labour market and revoking decrees that restricted their access to certain types of work. These policy changes show a trend towards more inclusive and supportive measures for third-country nationals seeking employment in EMN Member Countries.

■ **There are limited governance structures in place directly supporting the labour market integration of applicants for international protection, with most structures encompassing all third-country nationals.**

Competence for labour market integration of third-country nationals is generally shared between national, regional and local level, and there is cooperation with various stakeholders such as PES, trade unions, employers' associations, police and border guards, and NGOs. The key stakeholders driving labour market integration processes are primarily the ministries and agencies responsible for integration.

Social partners, such as employers' associations and sector associations, as well as reception centres and NGOs, also play important roles in some EMN Member Countries.

■ **Support measures proposed by EMN Member Countries primarily addressed all third-country nationals. Where applicants for international protection were addressed directly, these measures mainly focused on VET, language training and skills assessment.**

Measures for applicants for international protection focus overwhelmingly on supporting labour market access via VET, followed by language training, skills assessment and other measures, including provision of information and counselling, incentives for employers, and support for self-employment. Good practices include complementary language courses in reception centres, training in skilled crafts, or skills assessment in cooperation with employers (see section 4).

**Key challenges in labour market access for applicants for international protection are of practical nature, with limited legislative issues**

The main practical barriers reported related to language, recognition of qualifications, discrimination, risk of exploitation, and costs associated with accessing the labour market. Complexity, uncertainty, and/or ineffectiveness of some aspects of the administrative procedure to obtain access to the labour market also presented significant practical challenges. There are only limited legislative challenges, including a lack of clarity on additional documentation requested by employers and misunderstandings about the waiting period to access the labour market.

Overall, EMN Member Countries are taking steps to promote labour market integration for applicants for international protection, including shortening waiting periods and implementing integration support measures. However, there are significant barriers to accessing the labour markets, including practical issues such as language proficiency or difficulties in recognition of prior qualifications. Facilitating the access for applicants for international protection to the labour market could improve their integration and help to address labour shortages in EMN Member Countries.



## For more information

EMN website: <http://ec.europa.eu/emn>

EMN LinkedIn page: <https://www.linkedin.com/company/european-migration-network>

EMN Twitter account: <https://twitter.com/emnmigration>

EMN YouTube channel: <https://www.youtube.com/@EMNMigration>

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Bulgaria [www.emn-bg.com](http://www.emn-bg.com)

Croatia <https://emn.gov.hr/en>

Cyprus [www.moi.gov.cy/moi/crmd/emnncpc.nsf/home/home?opendocument](http://www.moi.gov.cy/moi/crmd/emnncpc.nsf/home/home?opendocument)

Czechia [www.emncz.eu](http://www.emncz.eu)

Denmark [www.justitsministeriet.dk/](http://www.justitsministeriet.dk/)

Estonia [www.emn.ee/](http://www.emn.ee/)

Finland <https://emn.fi/en/>

France [www.immigration.interieur.gouv.fr/Europe-et-International/Le-reseau-europeen-des-migrations-REM3/Le-reseau-europeen-des-migrations-REM2](http://www.immigration.interieur.gouv.fr/Europe-et-International/Le-reseau-europeen-des-migrations-REM3/Le-reseau-europeen-des-migrations-REM2)

Germany <https://www.bamf.de/EN/Themen/EMN/emn-node.html>

Greece <http://emn.immigration.gov.gr/en/>

Hungary [www.emnhungary.hu/en](http://www.emnhungary.hu/en)

Ireland [www.emn.ie/](http://www.emn.ie/)

Italy [www.emnitalyncp.it/](http://www.emnitalyncp.it/)

Latvia [www.emn.lv/en/home/](http://www.emn.lv/en/home/)

Lithuania [www.emn.lt/en/](http://www.emn.lt/en/)

Luxembourg <https://emnluxembourg.uni.lu/>

Malta <https://emn.gov.mt/>

The Netherlands <https://www.emnnetherlands.nl/>

Poland <https://www.gov.pl/web/europejska-siec-migracyjna>

Portugal <https://rem.sef.pt/>

Romania <https://www.mai.gov.ro/>

Spain <https://www.emnspain.gob.es>

Slovak Republic <https://emn.sk/en/>

Slovenia <https://emnslovenia.si>

Sweden <http://www.emnsweden.se/>

Norway <https://www.udi.no/en/statistics-and-analysis/european-migration-network---norway>

Georgia [https://migration.commission.ge/index.php?article\\_id=1&clang=1](https://migration.commission.ge/index.php?article_id=1&clang=1)

Republic of Moldova <http://bma.gov.md/en>

Ukraine <https://dmsu.gov.ua/en-home.html>

Montenegro <https://www.gov.me/en/mup>

Armenia <https://migration.am/?lang=en>

Serbia <https://kirs.gov.rs/cir>