

Recommendation on the recognition of qualifications of third-country nationals¹

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Policy document summary

This Recommendation provides guidance on streamlining and accelerating the recognition of skills and qualifications of third-country nationals by Member States. The goal is to enhance the attractiveness of the Union's labor market for these individuals and to support their integration into the workforce in alignment with the requirements of the Union's economy and society. It highlights that the processes for recognizing the skills and qualifications of third-country nationals should be integrated into comprehensive, "whole-of-government" strategies that encompass upskilling and reskilling initiatives, labor market activation, mobility within the Union, working conditions, and efforts to attract talent from outside the Union.

Disclaimer

This brief overview is intended to summarize the essential points from the EU institutions' policy document that are relevant for research performing and innovation institutions, without providing the full extent of information available in the original document. The focus of the overview is put on initiatives regarding circulation of highly qualified staff, especially researchers, relevant to the European Research Area. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or the European Commission.

- The Recommendation encourages Member States to leverage legal migration to attract skilled third-country nationals to help alleviate labor and skills shortages. To achieve this, they should:
 1. **Enhance Attractiveness:** Systematically improve their appeal as destinations for third-country nationals across all skill levels, particularly by enhancing recognition systems for skills and qualifications, aiming to significantly boost their OECD talent attractiveness indicator for highly educated workers.
 2. **Utilize Skills Effectively:** Fully integrate the skills and qualifications of third-country nationals into their labor markets, with the goal of significantly narrowing the overqualification gap between third-country nationals and local citizens by 2030.

Overall, the focus is on optimizing the potential of skilled migration to meet labor market needs.

- This Recommendation is relevant in cases where third-country nationals are either in the process of obtaining a visa or work and residence permit in a Member State or are already legally residing in the Union. It specifically applies when the recognition of skills and qualifications is necessary to grant rights to a third-country national, including:

Access to Regulated Professions: Recognition of professional qualifications to allow entry into a regulated profession in a Member State.

Access to Learning Programs: Academic recognition for enrollment in a learning program.

Visa and Work Permits: Recognition of skills and qualifications as part of the process for obtaining a visa or work and residence permit for employment in the Member State.

¹ You can access the original document here: [European Commission. \(2023, November 15\). Commission recommendation on the recognition of qualifications of third-country nationals \(C\(2023\) 7700 final\).](#)

Principles for the Recognition of Skills and Qualifications of Third-Country Nationals

These principles highlight the importance of recognizing the skills and qualifications of third-country nationals within the broader framework of labor migration and labor market policies.

Reducing Barriers: Member States should actively work to eliminate barriers related to the recognition of skills and qualifications that hinder third-country nationals from legally migrating, securing employment that matches their skills and experience, and successfully integrating into the local labor market. This effort aims to address skills and labor shortages in the Member State.

Adopting a 'Skills First' Approach: National procedures for recognizing skills and qualifications should prioritize a 'skills first' approach, focusing on an individual's overall talent and potential while reducing the risk of over-qualification. Assessments should not rely solely on qualifications but should also consider skills and experiences whenever feasible.

Monitoring Labor Market Needs: Member States that implement labor market tests should regularly assess labor market needs and skill availability. They may consider exempting certain occupations or sectors facing skill shortages from these tests, particularly for small and medium-sized enterprises (SMEs). When labor market tests are necessary, they should be conducted swiftly, with minimal administrative burden for employers and third-country nationals, and be transparent in their application. Special support should be provided to SMEs.

Mitigating Brain Drain: National strategies for attracting global talent, including the recognition of skills and qualifications, should be designed to prevent brain drain from countries of origin. This can be achieved through collaboration for knowledge sharing and skill development in those countries, ongoing research to monitor potential negative impacts, and support for circular migration, allowing both the countries of origin and the Union to benefit from legal migration.

Exempting Non-Regulated Professions: Recognition of skills and qualifications should not be necessary for recruitment in non-regulated professions. In such cases, transparency tools and information can help compare the qualifications of third-country nationals to facilitate recruitment when needed.

Organisation of the Recognition of the Skills and Qualifications of Third-Country Nationals

Member States are encouraged to invest in enhancing the capacity of their relevant authorities, specifically the European National Information Centres and National Academic Recognition Information Centres (ENIC-NARIC), to improve the recognition processes for third-country nationals' skills and qualifications. This involves:

Staff Development

- Providing training for personnel to develop essential skills, including foreign language proficiency, to effectively inform and assist both employers and third-country nationals.

Data Management

- Systematic recording and analysis of application data from third-country nationals, including processing times and outcomes, to monitor recognition procedures.

- Adoption of the European Learning Model for data structuring to enhance interoperability and information sharing.
- Utilization of the ESCO classification for consistent recording of occupations and qualifications, facilitating information exchange.
- Inclusion of the European Qualifications Framework (EQF) levels in data on third-country qualifications to improve transparency and comparability.

Knowledge Development

- Development of reliable information sources on third-country qualifications, education systems, and regulated professions.
- Creation of interoperable national databases for comparing third-country qualifications, enabling the issuance of comparability statements and enhancing the transparency of recognition processes.

These initiatives aim to streamline the recognition of skills and qualifications, fostering better integration of third-country nationals into the workforce.

Stakeholder Engagement

- Member States should engage in dialogue with social partners and relevant stakeholders to address barriers to recruiting third-country nationals, including insufficient understanding and recognition of their skills and qualifications.
- National authorities should develop contacts and working relationships with other authorities and stakeholders, including in other Member States, to exchange information on the recognition of third-country qualifications.

Cooperation with Third Countries

- National authorities should cooperate with third countries to facilitate simplified and expedited recognition of third-country nationals' skills and qualifications.
- Where cooperation exists, authorities should offer pre-arrival access to recognition procedures, develop knowledge on relevant qualifications and education systems, organize exchanges, and establish processes to authenticate documents and reduce administrative burdens.

Information and Support for Third-Country Nationals

- Member States should offer targeted support on recognition of skills and qualifications as part of pre-departure processes, employment services, lifelong learning opportunities, and upon return to the country of origin.
- Information and support services should be provided in national languages, English, and languages frequently spoken by migrants, in user-friendly and accessible formats.
- Member States should coordinate their approaches to information provision and support services at national, regional, and local levels, including through comprehensive online tools and centralized development of information that can be disseminated by various authorities.

These initiatives aim to enhance cooperation, information sharing, and support services to facilitate the recognition of third-country nationals' skills and qualifications.

Member States are encouraged to provide clear information to third-country nationals regarding the recognition procedures they may need to follow, including:

Access to Information

- Regulated Professions: Guidance on accessing regulated professions, including contact points for recognition of professional qualifications.
- Learning Programs: Information on academic recognition and studying opportunities within the Member State.
- Legal Migration: Details on legal migration procedures and relevant authorities.
- Unregulated Professions: Resources for transparency in skills and qualifications, including online services for obtaining advice or comparability statements.

Facilitating Recognition

Member States should ensure that third-country nationals can obtain evidence of their learning and validate skills acquired through non-formal and informal learning. Administrative support should be provided to assist with recognition processes.

User-Friendly Procedures

Recognition procedures should be simplified to minimize the administrative burden. National authorities should utilize machine translation tools to reduce translation requirements for applicants.

Authentication and Trust

Efforts should be made to verify the authenticity of qualifications from third countries without placing undue burden on applicants. Digital credentials should be processed more efficiently to expedite recognition.

Cost Transparency

National authorities must publish clear information about costs associated with recognition procedures, ensuring they are reasonable and comparable to those for EU citizens.

Application Processing

Third-country nationals should have access to online tools for submitting applications, receive instant acknowledgments, and notifications regarding their application status within a reasonable timeframe. These measures aim to enhance the recognition of skills and qualifications for third-country nationals, facilitating their integration into the labor market.

Recognition Of Professional Qualifications

Facilitating Recognition of Qualifications

Member States should simplify processes for recognizing professional qualifications of third-country nationals and align them with Directive 2005/36/EC.

Documents and Formalities

Competent authorities should request similar documents from third-country nationals as required of EU citizens for authorization to access a regulated profession.

Language requirements should not exceed what is necessary and proportionate for practicing the profession.

Recognition Decisions

- Assessments should be based on rules equivalent to Article 13(1) of Directive 2005/36/EC.

- Evidence of formal qualifications from a third country can be accepted if the applicant has 3 years of professional experience in another Member State that previously recognized the qualification.
- Compensation measures should only be applied in situations equivalent to Article 14 of Directive 2005/36/EC.
- The option of choosing between an adaptation period and aptitude test should be available.
- Previous recognition decisions from other Member States should be considered to enable faster recognition.
- The recognition procedure should be completed as quickly as possible, within 2 months of a complete application.

Priority Regulated Professions

- Member States should use skills intelligence to identify priority regulated professions for attracting third-country nationals.
- Competent authorities should establish fast-track work streams, minimize processing times to 4 weeks, and reduce application requirements for priority professions.
- Mechanisms should be explored to give third-country nationals faster access to practice priority professions while their application is pending.
- Language training should be offered to facilitate access to practicing priority regulated professions.

Recognition Of Skills And Qualifications For Labour Migration

Streamlining Labour Migration Processes

- National authorities involved in recognition of skills/qualifications, migration and employment should cooperate closely to streamline labour migration processes.
- Member States should communicate clearly where recognition of skills/qualifications is required as part of obtaining a visa or work/residence permit.

Early Recognition of Skills and Qualifications

- Member States should facilitate early recognition of skills/qualifications as part of pre-departure assessments from the country of origin, so third-country nationals can enter the labour market without delay.

'Skills First' Approach

- National authorities should follow a 'skills first' approach to mitigate the risk of overqualification in labour migration.
- Procedures should prioritize assessment of skills and experiences to identify the full potential of third-country nationals and support their integration into the labour market in roles matching their skills.
- Assessments should avoid basing decisions solely on qualifications.