



POLICY BACKGROUND

In this section

Adult refugee legal cross-border mobility for work: a paradox



Adult refugee legal cross-border mobility for work: a paradox

On 20 June 2021, the UN Refugee Organisation, UNHCR, reminded us on the occasion of World Refugee Day that the numbers of people forcibly displaced from their homes had increased yet again to 82 million globally. A significant number of those displaced (25 million) sought protection outside their country of origin as refugees (1). The majority of these (86%) are hosted by developing countries (UNHCR, 2021, p.2), while only a fraction (less than 500 000 in 2020) moves to countries of the European Union (EASO, 2021).

Refugees enjoy a number of guarantees according to international law, including the protection from refoulement (protection from return to a country where refugees face persecution) and a number of social rights, including access to employment, education and other services. Traditionally, refugees are meant to find one of the following (classical) durable solutions: return to their country of origin if the situation allows to do so;

(¹) A refugee is, according to Article 1A Geneva Refugee Convention a person who 'owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence, is unable or, owing to such fear, is unwilling to return to it.' local integration in the host country; or resettlement to another destination country (meant for the most vulnerable people). However, ever-protracted conflicts (such as more than four decades in Afghanistan and a decade in Syria) prevent refugees from returning, and low numbers (only 34 400 in 2020) (UNHCR, 2021, p.3) of resettlement places are offered by countries farther afield. This leaves refugees with integration in the country of arrival as the only realistic option. For those in first EU countries of arrival (Greece, Spain, Italy, Cyprus and Malta), local integration is also often the only real possibility, as relocation has been small in scale and beneficiaries of international protection (referring to both people granted refugee and people granted subsidiary protection status) are not allowed to move to another Member State for several years.

Immigration policies of high-income countries do not allow refugees to choose their country of destination and strictly divide between people in need of international protection, who were forced to flee, and migrants who moved voluntarily. However, recent attempts at the global level (particularly the Global compact on refugees (UNHCR, 2018)) have started to embrace the option for high-income countries to provide alternative or complementary pathways, including those based on refugees' skills. The EU and its New pact on migration and asylum (European Commission, 2020) also foresees

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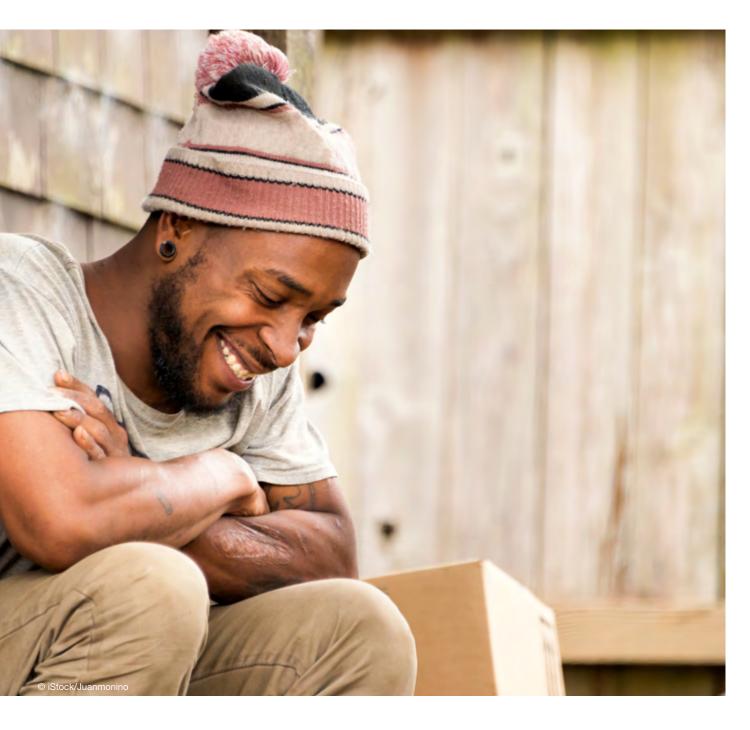
...in 2021 people forcibly displaced from their homes had increased yet again to **82 million globally**...



...25 million of forcibly displaced people sought protection outside their country of origin as refugees...



...86% of refugees are hosted by developing countries while **less** than 500 000 in 2020 moves to countries of the EU...



this policy option; additionally it caters for the intra-EU relocation of applicants and beneficiaries of international protection as a show of EU solidarity with Member States along the external borders, where most people in search of international protection arrive.

Despite these attempts to trigger refugee mobility based on factors other than protection needs (such as employment), adult refugee mobility based on skills is considered a paradox, a reality that contradicts the usual binary understanding of voluntary migration as opposed to forced migration (flight). One consequence of this is that employers are a little-explored actor in asylum, despite their reported and documented need for labour. This is an angle that the European Centre for Development of Vocational Training (Cedefop) has further explored in the project Adult refugee mobility based on vocational education and training (VET), skills and qualifications with the support of the International Centre for Migration Policy Development (ICMPD).

This policy brief provides some insights into the findings of WA 3.2 on the example of the pilot skills-based relocation between Greece and Portugal and proposes six ways to make progress on relocation. The pilot had the support of the Portuguese High Commission for Migration (ACM) and the Greek Asylum Service.



Cedefop project in brief

The Cedefop project Adult refugee mobility based on vocational education and training (VET), skills and qualifications explored how skills-based solutions to protection could work in practice, both from theoretical and practical points of view. The central element of a skills-based solution is matching refugees' skills and qualifications with labour market needs in a potential receiving country that offers adult refugees a clear perspective of employment and a clear route to self-reliance. Such skills-based solutions to protection would offer an additional pathway to refugees to move legally from third countries to the EU, as well as within the EU. This type of solution was also tested in the intra-EU mobility context of relocation based on skills and labour market needs.

The project was composed of the following four work assignments (WAs):

- WA 1 explored what such a skills-based solution to protection entails from a theoretical point of view and resulted in a conceptual framework, (Cedefop, 2019);
- WA 2 explored how (and if at all) VET, skills and qualifications were used in the context of the EU Relocation Programme, which lasted from September 2015 until September 2017;
- WA 3.1 sought to engage with a variety of stakeholders in selected EU Member States to identify the potential and interest of countries

- in further work on this skills-based solution to protection, and ultimately to pilot it in practice;
- WA 3.2 aimed at testing the skills-based solution to protection in practice and developing the evidence base on the potential of skills-based mobility for refugees from a third country to an EU country, as a form of complementary pathway, or from one EU country to another in the form of intra-EU relocation.

More specifically, WA 3.2 piloted intra-EU relocation between Greece and Portugal based on skills of refugees in Greece and employer workforce needs in Portugal. The pilot was based on a bilateral agreement between Greece and Portugal on the relocation of applicants and beneficiaries of international protection from Greece to Portugal. In cooperation with the Greek and Portuguese authorities, a limited number of places was reserved to test a purposeful relocation based on the available skills, among beneficiaries of international protection residing in Greece without access to employment, and labour market demand in Portugal. The potential beneficiaries of the pilot are recognised refugees, staying in Greece but out of employment.

The project formally concluded in August 2021 but cooperation between Greece and Portugal continues, facilitated by ICMPD.

Source: Cedefop.



In this section

Intra-EU relocation based on skills:
Greece and Portugal

Refugee talent

The role of the employers



Intra-EU relocation based on skills: Greece and Portugal

People seeking international protection in the EU are not free to choose their country of destination but are required to remain (mainly) in the first EU country they entered, mostly countries at the EU external border. A consequence of this asylum responsibility determination system regulated in the Dublin Regulation (Regulation (EU) No 604/2013) is that applicants must remain in first EU arrival countries, like Greece, while awaiting the outcome of their asylum procedure. This requirement persists even after people are granted international protection status; beneficiaries of international protection are required to remain for 5 years in the country that granted them protection. Given the high number of applicants for and beneficiaries of international protection residing in Greece, many do not have access to the already scarce labour market opportunities in Greece. Thus, they are rarely able to make use of their skills and resources and they become completely dependent on aid or the State social support services.

To explore ways to serve both refugees staying in Greece who are seeking job opportunities and employers in Portugal who seek to fill job openings, the pilot identified ways to make skills of refugees residing in Greece available and known to employers in Portugal, through the option of relocation based on refugees' skills. As part of the pilot, in Portugal, a national expert established a network of employers who showed

interest in hiring refugees from abroad. In Greece, the NGO Solidarity Now identified refugees from among their clients who are interested in relocating to Portugal to take up employment there.

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...refugees in Greece face significant challenges in accessing the labour market...they become completely dependent on aid or the State social support services...



...question that is raised by Portuguese employers willing to fill job openings with untapped refugee talent in Greece, is about the **profiles and the talents** of refugees..



...refugees' social and professional **resources** are often **ignored and seldom assessed** upon arrival...

Refugee talent

Refugees are primarily viewed and portrayed in public media as recipients of State aid and social benefits. In this framing, their social and professional resources are often ignored and seldom assessed upon arrival. During the initial arrival period, the focus of States is the asylum procedure, which clarifies whether a person can stay (and is eligible for international protection) or not. Integration pathways, and particularly integration into the labour market is - at this stage - only of secondary concern. In addition, most countries do not provide access to the labour market for applicants for international protection upon arrival, granting this only after a waiting period of several months. The EU Reception Conditions Directive (Directive 2013/33/EU from 26 June 2013; Article 15) allows Member States to introduce a maximum waiting period of nine months (from the point the applicant lodged an application) before applicants have access to the labour market. Once recognised, beneficiaries of international protection can also enter the labour market. It is only from this point onwards that their skills identification usually takes place. The recognition of qualifications (if they have the documentation), while important, is cumbersome; it takes time and it comes after the skills identification.

In Greece, applicants for international protection have formal access to the labour market after six months. Once applicants get international protection status, they are entitled to employment. However, applicants for, and beneficiaries of, international protection in Greece face significant challenges in accessing the labour market. Institutional barriers, difficulties getting qualifications recognised or making their skills visible and accessible for employers, and the weak Greek economy after years of austerity and the COVID-19 pandemic, make it difficult for Greek citizens to find jobs, let alone refugees. This also makes it difficult for refugees to find sustainable living conditions.

What talents do refugees bring?

Despite the challenges of accessing the Greek labour market, refugees possess skills and resources (UNHCR, 2021b). While these may (currently) not be in demand in Greece, they could be well needed in other EU countries such as Portugal. Consequently, one primary question that is raised by employers willing to fill job openings with untapped refugee talent in Greece, is about the profiles and the talents of refugees.

The NGO SolidarityNow, which supports, among others, applicants and beneficiaries of international protection to find employment in Greece, selected from its client database 67 CVs of beneficiaries of international protection residing in Greece (48 male and 19 female) who had no access to employment and were open for

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...67 refugees without access to employment in Greece were selected and agreed to possibly be relocated to Portugal in view of employment as long as they keep the status and are protected against refoulment...



...roughly one-third (35% of men and 37% of women) had **tertiary education**...



...about 50% of men and 37% of women had upper secondary or post-secondary education...



relocation. They came from 20 different countries of origin, such as Afghanistan, Cameroon, Democratic Republic of Congo, Iran, Iraq Pakistan and Syria. Roughly one-third (35% of men and 37% of women) had tertiary education. About 50% of men and 37% of women had upper secondary or post-secondary education. The remaining 15% of men and 26% of women had lower secondary or primary education. Most have a knowledge of English, although they have different levels of proficiency.

This group held various occupations before arriving in Greece. Table 1 provides an overview of the occupations held by the 67 selected people, categorised according to the European skills, competences, qualifications and occupations classification (ESCO, the European multilingual classification of skills, competences and occupations).

How can refugees' talents be made accessible to employers?

While refugees possess skills and resources, they often lack the necessary connections and networks to make use of these on their own. To make their talents visible and accessible to employers, intermediary organisation support is crucial to refugees to document their education and professional skills, advise them in drafting their curricula vitae, store and distribute the CVs among employers, and identify and liaise with interested employers.

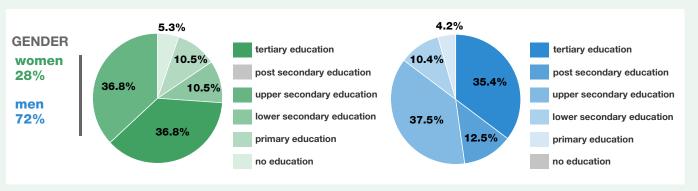
In many EU countries, civil society organisations have created networks at the national level to connect refugees with employers, such as Startup refugees in Finland, Mygrants in Italy, More than one perspective in Austria and Workeer in Germany. At the national level, some

initiatives, such as the TENT partnership for refugees, have begun to build employer networks to facilitate the labour market integration of refugees who were already present where they operated. Some NGOs also raised interest in supporting transnational networks for refugee mobility, including Startup refugees, or are already building such transnational networks, including moveurope!. All these are important initiatives to make refugee talent known and available to employers and facilitate refugee labour market integration.

In the framework of Cedefop's project, Solidarity Now identified and pre-selected potential relocation candidates from their client database. The pre-selection criteria, as defined by the Portuguese employers, were broad and covered beneficiaries of international protection who have not found employment in Greece, had basic English language skills and were willing to relocate to Portugal. Solidarity Now also consulted with each of the pre-selected candidates: assess their skills: collect information on their qualifications, if available; assess their willingness and ability to participate in relocation (including their family status); and prepare their CV in English, in the Europass format. After preselection, an anonymised list of profiles of interested participants was shared with employers in Portugal so they could identify possible good fits for their vacancies. After screening the anonymised list, the employers would ask for the full CVs of their candidates of interest, review them, and select candidates for one or two job interviews. SolidarityNow also supported the job interview process by preparing candidates for the interviews and hosting video conferences with employers in Portugal.



Figure 1. Overview of education of the preselected 67 profiles of beneficiaries of international protection



Source: Cedefop.

Table 1. Overview of the occupation categories (ESCO codes) represented in the group of potential beneficiaries

ESCO CATEGORY	CATEGORY DESCRIPTION	PEOPLE IN THE GROUP
ESCO 2	Professionals encompassing graphic designer, marketing assistant, interpreters or construction engineers or different teaching professionals	26
ESCO 3	Technicians and associate professionals like care service or commercial representatives	5
ESCO 4	Clerical support workers such as hotel receptionists, tour guides, secretaries or customer service representatives	4
ESCO 5	Services and sales workers with professions like housekeepers, waiters, cleaners or sales workers	20
ESCO 6	Skilled agriculture, forestry and fishery workers, mainly farmers	1
ESCO 7	Craft and related trades workers encompassing professions like bakers, carpenters or tailors	5
ESCO 9	Elementary occupations like gardening, factory workers and cookery assistants	5
N/A	Information not available	1
SUM	TOTAL NUMBER OF APPLICANTS	67

Source: Cedefop.

The role of employers

The private sector is an important yet little-explored actor in asylum. Employers and businesses are key stakeholders in the integration of beneficiaries of international protection. However, migration and asylum authorities in EU Member States rarely see the private sector as an integral partner for refugee integration; this typically only arises once an international protection status has been granted and beneficiaries have full access to the labour market. While this may bear some logic, as a rejected asylum applicant needs to leave the country, it has the consequence of minimising private sector involvement in integration policies at earlier stages. The responsibility thus rests on public employment services, who are often overburdened and seldom have the capacity to provide specific services for refugees and even less bandwidth to explain to employers the specific situations that refugees face. Employers and the private sector are thus an essential but neglected partner. Above all, employers miss an intermediary link between them and potential refugee hires.

Why are employers interested in hiring refugees?

In the course of the pilot skills-based relocation between Greece and Portugal, around 90 employers in Portugal were contacted to gauge their interest in offering jobs to refugees. Around 20 employers established closer ties with the network established by Cedefop, among them diverse organisations such as Siemens, BNP Paribas (an international bank), CUF (care sector) and Groupo Portugalia (restaurant chain) and more.

Employers showed an overall interest in knowing more about the project but were not necessarily willing to commit fully to being part of it or integrating such activities into a corporate social responsibility (CSR) strategy. In 2020 and 2021 most employers were particularly cautious as they were uncertain about the effects of the COVID-19 pandemic and, therefore, committing to a project whose objective is related to recruiting personnel. Participating in the pilot was not something they seemed willing to do (at least) at that time.

Some of the companies that were hesitant to cooperate during the pilot (in 2020-21) referred to the consequences of the pandemic, which has hit them hard, resulting in the need to reduce costs. Others mentioned that they usually recruit candidates with a

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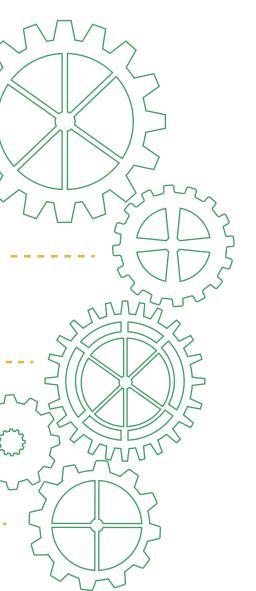


...employers miss an **intermediary link** between them and potential refugee hires..



...employers in Portugal are seeking staff of basically all skill levels and showed openness to hiring refugees if and when they have job openings...

SKILLS IN DEMAND



very specific set of skills and fluency in both English and Portuguese.

A number of employers embrace CSR strategies. Siemens Portugal, for instance, has developed a Diversity and inclusion initiative, with the aim of raising awareness and becoming an organisation representing and supporting minorities from various perspectives. In this context, the inclusion of refugees in this programme may become one of their priorities.

However, all of the companies showed openness to hiring refugees if and when they have job openings. Most were also willing to accommodate any specific needs that refugees might have in order to be recruited, such as waiting for a lengthy transfer process (most of employers said it would be possible to wait for around two months between the job offer and the arrival of the new employee).

What skills are in demand?

Employers in Portugal are seeking staff of basically all skill levels. Low-skilled workers are mainly sought for civil construction, such as bricklayers, bricklayer helpers and machine operators. For these positions, a minimum of intermediate knowledge of Portuguese is often required. Medium-skilled workers may not necessarily need to possess formal education, but knowledge of one or two languages is commonly requested. Some employers, such as Altran, have openings for customer service support, in which the main requirements are

knowledge of English or French and soft skills such as diligence and motivation. Other common positions are more administrative or operational and are related to sales, visiting with clients, and dealing with suppliers. In these cases, knowledge of Portuguese may be essential. High-skilled workers in demand mainly refers to engineers and information technology (IT) specialists. Companies such as Siemens and BNP Paribas hire for diverse positions, for which higher education, regardless of the area of studies, and an advanced knowledge of English is required, while Portuguese knowledge is not so essential.

What do employers need?

It became clear during the pilot that informing employers about fundamental issues related to asylum, the status of applicants and beneficiaries of international protection and the associated rights with different protection statuses was essential for collaboration. Employers also expressed the need for a mediating organisation to which employers and refugee staff could turn to in case of questions and mediate any sort of issues that may arise during employment. They were also interested in learning about accompanying integration activities, such as cultural orientation and language courses. Particularly for higher skilled job openings skills recognition remained a concern for employers alongside security concerns, though the latter was checked in the process of relocation.



CONCLUSIONS

In this section

Putting the pieces together

Six ways to make progress on relocation



Putting the pieces together

Governance in relocating countries

In its evaluation report on the EU relocation process from 2015 to 2017, which was based on two Council Decisions (Council Decision (EU) 2015/1523 of 14 September 2015 and Council Decision (EU) 2015/1601 of 22 September 2015), the European Court of Auditors identified, among others, two decisive reasons for low relocation rates that lie with the relocating countries (Greece and Italy). First, the auditors found that the information provided to potential beneficiaries of relocation was not effective enough to gain their trust and convince them that the schemes were attractive. Second, the authorities in relocating countries lacked sufficient capacity to identify and reach out to all potentially eligible candidates on their territory (European Court of Auditors, 2019, p.23-24).

A sustainable relocation policy requires the trust of potential beneficiaries, who start their future in a new – mostly unknown – country. This logically triggers a number of concerns, doubts and insecurity. Applicants for and beneficiaries of international protection in Greece, for example, showed concerns regarding whether they would remain protected from return (refoulement), whether their status would remain the same, whether they could also bring along their family

members or what conditions would await them there. Lone women in particular showed reluctance, as they were not familiar with the situation in Portugal and preferred to remain in Greece, even if the situation was not good: they preferred living somewhere known and predictable, without employment, to a completely unknown future.

Outsourcing the identification of people willing to relocate and the provision of consultations to specialised NGOs could readily accommodate the criticisms of the Court of Auditors. This approach can ease the time pressure on the Greek asylum service, as they would not need to identify relocation candidates themselves. At the same time, NGOs could provide more thorough counselling for beneficiaries of relocation, and could walk them through the relocation process, starting with recruitment and the pre-departure period. NGOs can better establish a relationship of trust and thus transfer better understanding of the relocation process or the destination country. They might also be positioned to reach potential beneficiaries better, as they are rooted in their communities.

Several NGOs in Greece support applicants and beneficiaries of international protection to find employment in Greece, and they have already established contacts with many employers. These relationship and counselling tasks can be expanded to include employment op-

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...a sustainable relocation policy requires the **trust of potential beneficiaries**, who start their future in a new country...



...networks make visible the human and social capital of refugees and connect them with employers in countries of relocation...



...NGOs can better establish a relationship of trust and transfer better understanding of the relocation process or the destination country...



portunities in other EU Member States cooperating with Greece on relocation. As described above, it proved essential that Solidary Now should provide this service in the Cedefop pilot on skills-based relocation between Greece and Portugal.

Governance in relocation Member States

Creating an enabling environment for relocation reguires, above all, a commitment to relocation by countries of relocation (in this case, Portugal). A special agreement with relocating countries at the EU external borders (e.g. Greece), such as the bilateral agreement between Greece and Portugal, or a commitment to ad hoc relocation in the general framework of the Dublin Regulation, are two options for national authorities to step in and show intra-EU solidarity. Linking relocation with purposeful selection of relocation beneficiaries promises, in turn, to be an added value for Member States of relocation: selected refugees already meet labour market demand, promising economic advantages with less investment for integration. Even if relocation is conducted without a direct job offer in the Member State of relocation, receiving countries could better and earlier prepare the integration of relocation beneficiaries if they know more about their background, particularly about professional, language and other soft skills.

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The importance of networks

Refugees possess human and social capital in the form of skills and social and/or professional networks. However, their networks may be weak, and refugees often lack both the means to make their skills visible and access mobility schemes that would help them unleash their potential (Wagner and Katsiaficas, 2021).

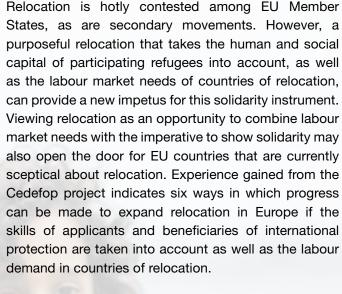
Networks, in this scenario, make visible the human and social capital of applicants and beneficiaries of international protection, allowing employers in countries of relocation to access and capitalise on them easily. They also enable employers to get the information they need to participate in a skills-based relocation scheme, and to do so effectively. The German Western Balkans Regulation demonstrated both the potential of networks for legal third-country solutions. A courageous, but still limited, annual upper ceiling for such skills-based relocation could provide an orientation for States and reflect the labour market situations of countries of relocation.

The German Western Balkans Regulation

German Western Balkans Regulation (Bundesagentur für Arbeit, n.d.), introduced in 2016, enabled access to the labour market for citizens of the six western Balkan countries without proof of professional or academic qualifications. This regulation originally had the aim of reducing nonfounded asylum applications from the region. This example shows two valuable lessons for intra-EU relocations based on skills. An evaluation of its first five years showed that the majority of those who arrived in Germany from the western Balkans under this scheme relied on professional and social networks, underlining the importance of networks as enablers for legal mobility (Brücker et al., 2020). Second, it showed the potential of providing a legal pathway alternative to stem unfounded applications which can provide valuable lessons for facilitating the intra-EU mobility of beneficiaries of international protection as a means to prevent uncontrolled secondary movements. The first Western Balkans Regulation ended at the end of 2020 and has been extended through 2023, with a yearly upper limit (quota) of 25 000 places.

Source: Cedefop.

Six ways to make progress on relocation



01

A purposeful relocation that is based – among other factors – on the human and social capital of applicants and/or beneficiaries of international protection, may lead to better results than random relocation approaches.

02

Relocation based on skills could additionally provide a new and purposeful relocation, taking the human and social capital of beneficiaries of international protection into account by, at the same time, considering the labour market needs in countries of relocation. Equally, it may open an incentive-based measure to prevent secondary movements, as it would offer beneficiaries of international protection a legal alternative for mobility to seize employment opportunities in other EU Member States.

03

A focus on beneficiaries of international protection may relieve the time pressure that is inherent if relocation concentrates on applicants for international protection. For relocating countries along the external borders, this could free up some integration capacities and relieve some pressure on the (un)employment system, while beneficiaries would be guaranteed to have the same status in the country of relocation as they had in the relocating country.

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...a **purposeful relocation** may lead to better results than random relocation approaches...



...a purposeful relocation that takes the human and social capital of refugees into account, as well as the labour market needs of countries of relocation, can provide a new impetus for this solidarity instrument...



...viewing the **private sector** as a valuable partner can help policy-makers to identify **labour market demands** and the capacity to provide **relocation places** for refugees...

04

Understanding networks as key ingredients for smooth relocation, and working to strengthen these, can lead to better – and more sustainable – relocation results, as it caters to the information needs of relocation candidates and prospective employers, among other key actors. Examples from the Cedefop project underline the need for supporting networks for refugees in relocating countries as well as employer networks in countries

of relocation. Such networks can trigger synergies and lead to more purposeful relocation. While the inclusion of employers in the selection process is often time-intensive, it is invaluable in offering direct entry into the labour market upon relocation.

05

Providing funds for identifying and counselling refugees in relocating countries, along with funds to establish networks of employers, are critical areas for investment. The employer network could be placed within the migration authority responsible for refugee integration, as engagement with employers naturally leads to synergies in identifying employment opportunities for refugees already residing in the country.

06

Viewing the private sector as a valuable partner can help policy-makers to identify labour market demands and the capacity to provide relocation places for beneficiaries of international protection. Involving the private sector, however, requires facilitation through a network or, at minimum, a point of contact, to raise awareness and answer questions.



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POLICY BRIEF

Relocation 2.0: tying adult refugee skills to labour market demand

This Cedefop policy brief is based on an empirical piece of work carried out in Greece and Portugal. The work tested if, and under what conditions, intra-EU relocation of refugees based on skills and labour market needs in countries of relocation may work. Experience gained indicates six ways in which progress can be made to expand relocation in Europe based on refugees' skills and labour market needs.

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