

Feasibility Study on the Development of an EU Talent Pool



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Final Report

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Executive Summary

The OECD conducted a feasibility study for the development of an EU Talent Pool allowing “Expression of Interest” by qualified third-country candidates in migrating to the EU for work and access to these profiles by employers and Member States. No such platform currently exists in the EU. Three scenarios previously identified by the OECD were chosen by the European Commission for further exploration. Based on these scenarios, options and key choices were identified and discussed with stakeholders and public and private sector actors at the EU and national level. There was agreement among stakeholders on the potential added value of an accessible and selective platform.

An EU-wide Talent Pool, at least in a simple form, could be achieved with limited changes to the current legislative framework. Depending on the ambition of the platform and the instruments on which it is constructed, varying degrees of legal measures appear necessary. While developing a common IT platform, collecting individual profiles and providing to users specific information and guidance would involve little legal efforts, significant legislative changes would be necessary to extend or replicate the existing EURES Job Mobility Platform to target third-country nationals not resident in the EU. By contrast, a model of cooperative framework (e.g. EURAXESS, with optional participation and support services) would require fewer adjustments.

Based on these analyses, the OECD developed a single revised scenario for the Talent Pool, incorporating elements of the different scenarios identified by the Commission. The revised scenario is a Talent Pool collecting profiles of candidates meeting individual criteria for the EU Blue Card as a starting point. Initially, registration would include few fields, but with the possibility to upload documents or link to external job-seeker profile platforms. The Talent Pool would be held and managed at the EU level. Consultation and search of profiles would be mediated by national contact points identified in each participating Member State. This mirrors the approach currently used in New Zealand. Job vacancies could be posted for viewing by candidates in the pool; here, too, the national body would be responsible for deciding which vacancies would be visible to the pool. AI matching could then be added. A number of additional services to bolster use and effectiveness of the Talent Pool were identified, including reconstruction of the EU immigration portal, a European shortage occupation list, and actions in origin countries to develop or assess skills of candidates.

The feasibility study also conducted a cost-benefit analysis for different versions of the Talent Pool. Creating a Talent Pool with only profiles would bring benefits at relatively low costs in terms of investment and legislative change. However, adding job vacancies increases the benefits of the Talent Pool significantly at a relatively limited additional cost. Even greater benefits could be achieved from a link to the migration procedure, but this is legislatively arduous to achieve, with efforts outweighing benefits at present. Simpler initiatives such as standardisation of forms would be less difficult to realise and could bring benefits in the medium to long term, but are not essential for the Talent Pool.

Recommendations on the actions required to develop and implement the most appropriate scenario(s)

Create an EU level “pool” of qualified third-country nationals interested in working in the EU

- Define basic eligibility criteria based on those commonly acknowledged by all Member States.
- Align these criteria with admission criteria for labour migration to foster international recruitment.
- Introduce a flexible mechanism to review and revise eligibility criteria according to the evolving needs of the labour market, based on EU indicators (e.g. Cedefop’s European skills forecasts) and on monitoring and evaluation of the Talent Pool.
- Provide a simple registration process, a user-friendly interface and a web platform interactive and responsive.

Engage Member States while giving them flexibility

- Allow Member States to decide how to use the Talent Pool, through a National Contact Point.
- Member States should decide which body is best positioned to be their national contact point, depending on their needs, specificities or constraints.
- Designated national contact points should act as intermediaries, ensuring access of employers and cooperating with the competent authorities at national level as well as with their counterparts in other Member States.
- Allow Member States to choose to grant Talent Pool recruits access to national fast-track schemes or streamlined procedures.

Actively promote the Talent Pool both inside and outside the EU

- Create an EU “Talent Attraction Portal”, building on the existing EU Immigration Portal.
- Encourage employers, recruiters and companies of all sizes to use the Pool to recruit foreigners and/or publish vacancies.
- Launch information and awareness campaigns (through social media, national/regional portals and actions in origin countries) and events and workshops.

Ensure coherence and cooperation with related instruments, tools and initiatives at the EU and national level

- Ensure consistency and complementarity between the Pool and other EU labour migration instruments (e.g. EU Blue Card), policies or initiatives (e.g. MPF, Talent Partnerships).
- Link the Talent Pool to EU-level developments in mechanisms for assessing occupational skills and qualifications (Europass tools, integrating future ENIC-NARIC cooperative measures).
- Whatever the Talent Pool governance structure, include policy areas beyond migration and employment, such as education, innovation, and international relations, for strategic orientations.

1 Introduction

The European Union is not achieving its potential as a destination for highly qualified migrants. Destinations such as Australia and Canada have greater per capita inflows of highly qualified migrants than the EU as a whole. Inflows of skilled labour migrants to the EU are comparable to inflows of skilled labour migrants to the United States. Yet the US has strict limits on skilled migration, with demand exceeding available spaces, while most EU Member States impose few limits on admission of highly qualified third-country nationals with a job offer in a skilled occupation. This suggests that low skilled migration is due to less demand – even if demand for skilled workers in the EU is high. Employers are not using international recruitment. They have difficulty identifying appropriate candidates in third countries. There is also a supply-side limit: highly qualified potential migrants rarely cite the EU – or individual EU Member States – as their preferred destination.

In September 2020, the European Commission announced a New Pact on Migration and Asylum, including a commitment to explore how to support legal migration pathways to the EU. The Pact commits to explore the development of an “EU talent pool, an EU-wide platform for international recruitment. The platform will allow skilled non-EU workers to express their interest in migrating to the EU, and could be identified by EU migration authorities and employers based on their needs.”

A Talent Pool could raise the profile of the EU as a migration destination and give EU employers improved access to highly qualified third-country nationals. Migrants that are interested in coming to the EU must currently research the permit conditions of each Member State and attempt to gain the attention of EU employers through national recruitment channels. Many employers throughout the EU that are willing to employ migrants to fill vacancies do not have the resources or expertise to conduct far reaching recruitment activities. The EU Talent Pool would offer a single window for migrants to express interest in coming to the EU, not just a single member state. Profiles of high-potential migrants – those with education, skills and experience of interest to EU employers – would be provided directly to employers throughout the EU. This offers a significant simplification for both migrants and employers in the recruitment process.

The Talent Pool is a form of “expression of interest”, although it differs significantly from the “Expression of Interest” (EOI) systems implemented in Australia, Canada and New Zealand, (OECD, 2019^[1]). The latter were developed to manage high volumes of applications from potential independent migrants (those without a job offer). Candidates who meet certain criteria including education, age and experience enter a “Pool”, and the EOI system ranks them using a points based system and selects those who will be invited to apply for a permanent residence permit. The volume of independent migrants is determined by each country through a migration planning process which considers a range of factors including social and economic trends and workforce forecasting. The migration planning levels are not directly tied to immediate vacancies in the economy and a job offer from an employer in the destination country is not necessary for selection, although it may factor into ranking. The candidates “expressing interest” are hoping to be chosen for admission by the migration authorities in the destination country. The Talent Pool would rather allow candidates to be chosen first by employers and then admitted by the migration system in the Member State of employment.

The Talent Pool is meant to increase attractiveness. It is important to note that EOI systems outside the EU are not drivers of talent attraction. Countries (Australia, Canada, and New Zealand) that have established EOI systems already had a long history of high volume migration before the EOI systems were put in place. These countries are attractive due to high standards of living, high levels of social inclusion and good economic opportunities, among other factors. These attractive qualities are also shared by EU member states. However, Australia, Canada and New Zealand have built a significant reputation as countries that are open to migration. An EU Talent Pool may assist in building a similar reputation and send important market signals that the EU is open to skilled migration.

The heart of the Talent Pool is facilitation of the match between candidate and employer. The EOI pools in Australia, Canada and New Zealand are not designed as a means for facilitating matching with an employer in the destination country. Nonetheless, in practice, these countries have tried to facilitate matching between candidates and employers by means of gateways between the pool and existing vacancy databases. Canada introduced its EOI with a link between the pool and the national PES job vacancy platform and Australia (until 2018) allowed employers to search for candidates in the pool. Yet even in these cases, most matching between employers and candidates occurred outside the pool, rather than through employers consulting profiles or candidates applying for vacancies in the linked vacancy database. However, these government administered matching platforms were competing directly with national level private sector recruitment sites. There is currently no such matching platform focused on the EU labour market as a whole. The EU Talent Pool, unlike matching services in Australia, Canada and New Zealand, would be operating at a supra-national level and would not be competing directly with national level recruitment platforms.

This is where the Talent Pool focuses. The EOI model of Australia, Canada or New Zealand cannot be directly transferred to the EU context. Issuance of visas and permits is the competence of Member States, subject to their decision. An EU body could not offer candidates a residence permit, even if the person meets individual eligibility requirements for legal migration channels. Further, Member States admit third country nationals for the purpose of employment almost exclusively on the basis of a job offer from an employer in that Member State – ranking migrants at the EU level would provide little benefit to employers at the national level, who must make the final hiring determination based on the needs of their firm.

The EOI platform is still of great relevance to the EU for its capacity to centralise large numbers of interested high potential candidates and provide these profiles to employers for review. In the EU context, with multiple destination countries, a matching platform may be effective as a unified gateway for migrants to reach employers and countries that they had not previously considered or for employers to reach migrants in countries where they have not engaged in recruitment activities.

The EU talent pool would not constitute a new legal migration pathway, but rather a gateway to recruitment - noting that a key requirement for most economic pathways for migration in the EU is a confirmed job offer. Use of the Talent Pool would not be mandatory for admission purposes, as legal migration pathways are already in place and operative without a matching component in every Member State. The Talent Pool would support existing tools and instruments, both European and national.

In light of these objectives, the Report contains a comprehensive analysis on the feasibility of the EU Talent Pool and on the concrete measures to be taken to develop it. The first section of the report explains the general concept of a Talent Pool and introduces several scenarios, identifying the different questions related to each scenario. The second section summarises the results of the consultation with different stakeholders. The third section analyses the adaptability of EU platforms and matching systems, including legislative and regulatory implications. The next section presents a revised possible scenario taking into account the consultations and analysis and also presents possible options for further exploration. The Report also includes a cost-benefit analysis of the revised scenario.

2 Initial Scenarios

This chapter presents the different scenarios with which the feasibility study began. The options and the related issues are presented below in detail. The key issues raised under this section guided the discussion with different stakeholders and contributed to draw up a provisional scenario for the development of an EU-wide Talent Pool

2.1. What is a Talent Pool?

The focus on the Talent Pool component of the EOI system in a European context comes out of an identified need to improve Europe's attractiveness for talent and to improve the access of European employers to profiles of skilled third-country nationals abroad who are potentially interested in coming to work in Europe. Therefore, it would not primarily be intended to include investors or entrepreneurs but only employees or workers looking for a job within the European Union or the European Economic Area (EEA).

A Talent Pool for the EU could take different forms. However, the interest of EU policy makers has focused on those most compatible with current competences and capacities.¹ Among the scenarios and variants proposed in the study, the Commission deemed the following options as the most suitable/realistic in the medium term:

Option 1: an EU-wide pool of highly skilled migrants, eligible for an EU Blue Card or a *similar* national migration scheme.

Option 2: an EU-wide pool tailored for skilled migrants (e.g. IT or health sector) due to pre-identified shortages or labour market needs at the EU level in a specific sector.

Option 2b: a skill development component implemented through EU-coordinated actions/partnerships with targeted third countries, aimed at upskilling, assessing and/or validating candidates before their admission to the pool.

Each of these options implies many choices of policy focus and therefore implementation dimensions. Since admission is related to a job offer, either the demand side (job offer) and the supply side (job-seeker), or both, can constitute the main focus of the criteria. The approach can range from concentrating on the candidate eligibility for legal migration channels through verification of requirements (e.g. qualifications) – conditional on finding a qualifying job offer – to focusing on eligible vacancies by ensuring that job postings are authentic and meet requirements (e.g. salary threshold, labour market test etc.) – with the condition of finding a candidate meeting qualifying criteria.

None of these options are meant to involve major legislative change.

The scenarios (and variants) are assessed against the following objectives:

- Boost the EU's attractiveness to highly-skilled workers and talents from abroad;

¹ The European Commission pre-identified three scenarios and sub-scenarios (out of six in (OECD, 2019_[1])) for the adaptation of the EOI model – or elements of it – in the European context.

- Address skills shortages and labour market needs across the EU;
- Facilitate international matching for employers and EU companies of all sizes;
- Increase awareness of legal migration channels in the EU for skilled workers;
- Improve migration management (by increasing transparency of procedures, reducing backlogs and administrative burden)

2.2. Option 1: Basic Scenario – A Talent Pool for Qualified Candidates

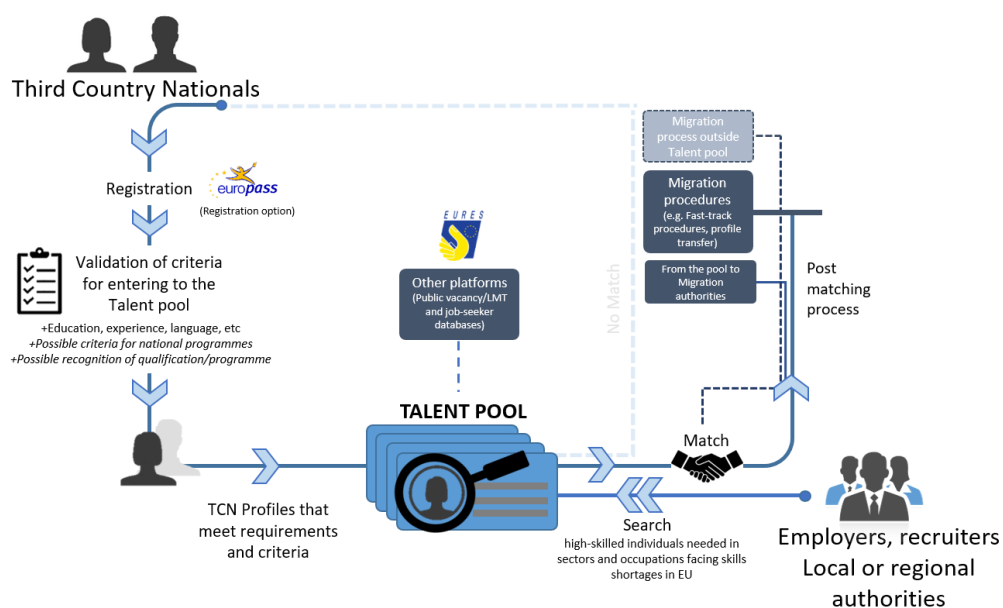
The first scenario foresees the creation of an EU-wide pool of highly-skilled migration candidates whose admission is based on basic credentials and migration requirements, which would serve existing schemes (EU and/or national) for skilled labour migration. Candidates outside the EU would complete an online profile (Figure 2.1). If they meet a certain threshold of eligibility, they would be admitted to the Talent Pool. Admission to the Pool provides no right to enter the EU nor does it grant a right to any national or EU legal migration status.

Once admitted, their profile would stay in the pool for a certain period of time, during which other actors – employers, but possibly intermediaries and governments – would be able to consult the profiles. Candidates could potentially consult all or a selection of job vacancies on existing vacancy platforms or through a specific vacancy platform. The employer or intermediary can contact the candidate. Candidates can contact employers directly noting that they are in the Talent Pool, or can use the linked vacancy database to contact employers through pool instruments to signal that they are in the pool. Contact between potential employers and employees could occur outside the pool or through tools included in the pool. In the case of a match, the applicant and employer would proceed to the request of issuance of a residence permit.

The 2019 OECD study indicates that this option could be implemented without a direct link to legal migration channels; third country nationals identified in the pool and/or employers would thus need to apply separately for a visa or a permit under the qualifying legal migration scheme. However, substantial added value of an EU Talent Pool would arise from involving immigration authorities, at some point, in the process, in order to facilitate the submission of applications (see below Link with the legal migration channel).

Figure 2.1. Option 1. The Talent Pool

Graphic representation of how the pool works



Source: Adapted from “Building an EU Talent Pool” (OECD, 2019^[1]).

2.2.1. Grounds for admission to the pool

All Talent Pool options involve an initial screening for candidates for admission to the pool. To make the pool selective, it is necessary to impose standard eligibility criteria.

Criteria for admission would have to be clear and relevant, neither too restrictive nor too broad. One option is to use the minimum EU Blue Card education requirements (tertiary education equivalent to ISCED 2011 levels 6, 7 and 8)². Indeed, in addition to having a work contract of at least one year (reduced to six months by the 2021 Revision), the third-country national who applies for an EU Blue Card must provide proof of higher education qualifications. By way of derogation, a candidate’s qualifications may be attested by at least five years of professional experience of a level comparable to higher education qualifications and which is relevant in the profession or sector specified in the work contract or binding job offer.³ By 2019, only six Member States allowed EU Blue Card candidates to prove that they are highly qualified *only* with professional experience (European Commission, 2019^[2]). Admission to the pool based on sole educational credentials *de facto* excludes potentially eligible candidates for an EU Blue Card in several countries, with relevant professional experience.

If the objective is to meet labour market needs, a strict education requirement only may not reflect actual demand: migrant labour needs often do not target graduate workers at large (who already suffer from high levels of unemployment in several Member States) but rather specialized professionals in highly sought-after occupations (Kalantaryan and Martín, 2015^[3]). Requiring higher education qualifications also

² ISCED 2011 is used in the Revised Blue Card Directive (Directive (EU) 2021/1883 of 20 October 2021). The original Blue Card directive referred to ISCED 1997 code 5A or 6.

³ The 2021 Blue Card Revision established a list of occupations where higher *professional* qualifications shall substitute education qualifications.

excludes highly skilled professionals with vocational education, training degrees or specific certificates (“microcredentials”) rather than ISCED level 6 or higher certificates.

A further requirement, not mentioned in the EU Blue Card Directive, could be sufficient mastery of at least one **EU language**. Indeed, candidates who have no ability to communicate in any EU language are unlikely to be of interest for EU employers. In practice, however, few Member States currently require national language knowledge for initial permit issuance under national schemes. Demonstrating sufficient language skills to perform the job for which the permit is issued may be required in this context.

In summary, some threshold for admission is necessary. Basic educational requirements as set out in the Blue Card, professional experience, and language proficiency are relevant and objective criteria to be used as standards, likely to qualify a foreign candidate as a talent or a highly skilled professional. However, within the EU legal framework in force, they still might fall short of the requirements applied under the existing migration channels, both European and national. It is important to note that admission to the pool is not proof that all criteria for admission have been satisfied.

2.2.2. *The candidate profile*

The basic information on each candidate in the pool should comprise at least personal data – name, date of birth, contact details etc. All data collection and use on the platform must comply with EU data protection rules.

Since the pool is meant to facilitate matching, it must include more profile elements than just basic identity information. Typical matching sites include education and employment experience, professional credentials and skills such as spoken languages and digital competences, as well as publications and social media references. The expectations of the candidate could also be included: the type of position sought and the availability of the candidate.

Given the EU nature of the pool, it would also be important to include a number of additional elements in the profile. First of all migration intention, indicating any specific Member State of interest or priority. Again, since the Talent Pool is meant to facilitate use of legal migration channels, migration history may also be useful, especially to signal prior residence periods outside the origin country – especially in the EU – and any past visas or permits received. Any links with EU Member States, including cultural or family links, may also be useful for potential employers as a signal of interest.

Existing EU instruments for profile building and matching

There are many existing public and private models of job-seeker profile platforms. The platform could potentially draw on existing European profile-building tools. The Europass platform developed by the European Commission and Cedefop could serve as a model, as it contains freely accessible online tools and information to build a profile. Europass is a profile building tool and admits users of any nationality and country of residence. Europass assists users to describe themselves and to identify specific competences of potential interest to employers. EURES, the European public employment service, on the other hand, does not serve third country nationals abroad, although its Job mobility portal acts as a gateway to Europass and vice-versa, allowing job seekers (including non-EU citizens) to generate, share and upload job profiles and CVs, based on prefilled fields. In its current form, the EURES Job mobility portal might be not suited to act as the main matching platform for highly-skilled third country nationals. The PES Network, however, considering its expertise and ties with key stakeholders at various levels, could play a more active role in attracting third country talents and raising awareness of, and information about, the problem of structural high-skill shortages (Molnár, Krekó and Scharle, 2020^[4]). Another platform, EURAXESS, aimed at supporting researcher mobility, allows users to create a profile in only a few minutes as Europass CVs can be uploaded directly. A further example is the multilingual EU Skills profile tool for Third Country Nationals. Initially intended for use by organisations assisting (vulnerable) migrants, it represents a model

for standardisation of assessment of certain skills which might be of interest for some categories of Talent Pool users, although it is not aimed at providing an assessment to employers, nor is it designed for self-assessment or export to a job-seeker platform.

The target group: outside the EU or residing in the EU?

To meet the objective of trying to attract foreign talents, the Talent Pool must be open to – and target – third country nationals outside the EU. The Talent Pool should also serve – or even target – third country nationals already resident in one EU Member State. Potentially, these could include persons seeking protection, persons with EU mobility rights granted by their current residence permit (EU Blue Card, Long Term Residents), or persons holding a national residence permit, including graduates of higher education institutions in one EU Member State.

A Talent Pool's accessible to all third country nationals, outside and inside the EU, would be consistent with the EU Skills and Talent package as it aims at developing complementary pathways and fully integrate migrants already residing in the EU into the labour market. As stated in the 2021-27 Action Plan on Integration and Inclusion, "above a quarter of migrants are highly educated. They offer resources, ambition and motivation but they often are not able to put their skills to use. Almost 40% are overqualified for the job they do". The Talent Pool would be accessible to this category of potential workers. Regarding refugees, the Talent Pool could take the approach of EURAXESS, which is also a gateway to Science4Refugees, a Commission's initiative helping refugee researchers find suitable job opportunities within the EU.

2.2.3. Qualifications assessment

Under Option 1, admission to the EU Talent Pool would be based on education criteria (or, by derogation, on significant professional experience).

The least demanding form of proof of qualifications is self-declaration with no verification. Self-declaration without verification is already common practice in EU platforms but it risks undermining the credibility of the pool (whose access is supposed to be restricted). One of the major obstacles to international recruitment is employer uncertainty about the genuineness, quality and nature of foreign qualifications. A claim to hold qualifications does not address this uncertainty, unless the applicant indicates a qualification in a familiar field of study credibly issued by a third-country institution known to the employer.

Slightly more demanding is to require candidates to upload the document indicating their education – a diploma, certificate or transcript, for example – without requiring any verification or validation, or even a translation into an EU language where applicable. Here, too, without an assessment of the veracity of the document, it is not clear whether the qualifications would be considered in any way credible or even intelligible.

Recognition of Qualifications

Validation and assessment by a trusted third-party could change the situation. Recognition procedures exist in all Member States, although these vary considerably, and third-country nationals are not always guaranteed a right to access these procedures (OECD, 2017^[5]). The 2013 Recognition of Professional Qualifications Directive (PQD)⁴ facilitates recognition of foreign qualifications among EU and EEA member countries, but is limited to regulated professional qualifications and does not cover non-EU qualifications, except for those already recognised in another EU/EEA country when their holder has worked at least three years in the other EU/EEA country. Specific groups of non-EU/EEA migrants, such

4 Directive 2013/55/EU of the European Parliament and the Council of 20 November 2013 on the Recognition of Professional Qualifications.

as scientific researchers, EU Blue Card holders, long-term residents and refugees, enjoy the same rights as EU nationals with regard to the recognition of diplomas, certificates and other professional qualifications. However, the rights apply only to qualifications obtained in the EU/EEA and do not apply to third country nationals outside the EU.

Recognition of qualifications is usually conducted for the purposes of further education or as part of the recognition process for regulated professions, rather than to reassure employers or to satisfy immigration requirements. Assessment involves verifying if the issuing institution is accredited, if the document is authentic and its correspondence to a level of qualification in the destination country. All of these verifications may be of interest to both employers and immigration authorities.

Indeed, while the EU Blue Card requires qualifications, neither the original nor the revised Directive specify any means of proof. The majority of Member States offering an EU Blue Card require a proof of qualifications for both regulated⁵ and unregulated⁶ professions. Recognition of foreign diplomas is a widespread but not universal condition for admission under this scheme. For most alternative national statuses, no recognition is required⁷. Recognition processes vary among Member States but are usually long, burdensome and involve a number of agencies (academic information centres, professional chambers etc.) and public authorities. They are excluded from the statutory limit on processing times for the Blue Card.

Mutual recognition of foreign credentials and professional qualifications is not possible under the current EU framework. If the EU Blue Card requirement is taken as the threshold for admission to the Pool, for a candidate in the pool to be considered eligible for recruitment in any Member State, the corresponding national procedure required of EU Blue Card applicants would have to be satisfied – in each and every Member State.

Recognition decisions issued by some Member States could to a certain extent make up for the lack of transferability of recognition decisions across the EU. It is indeed possible to request and obtain a recognition decision (at least of a higher education qualifications acquired in a third country) while still residing outside the EU. Nonetheless, acquiring multiple recognitions is not an efficient or attractive solution for candidates, not the intended use of the recognition framework, and may in any case be insufficient to allay concerns over the veracity and quality of qualifications. Alternatives could be considered at this point. Candidates can decide whether they start a qualification recognition process with a specific Member State, which can be costly and time consuming but increasing probabilities of success. The Talent Pool could also integrate information on qualifications and programmes already recognised by Member States and automatically flag candidates with similar credentials, even if these have not yet been formally validated in that Member State. Information on whether the qualification has been recognised in at least one Member State may be valuable (or reassuring) for employers from other Member States.

The existing EU Framework for recognition

Recognition is the competence of individual Member States and cannot be decided at the EU level. In the absence of the national recognition procedure, the pool could at least rely on common standards for the recognition of qualifications. The Convention on the Recognition of Qualifications concerning Higher Education in the European Region, otherwise known as the Lisbon Recognition Convention, remains the key legal instrument for recognition of qualifications across UNESCO's Europe and North America Region. Additionally, non-binding instruments, such as best practice guidelines on certifications and/or credentials

5 Except HU, IT, ES.

6 Except DE, ES, SE.

7 (European Commission, 2019^[2]), p. 32.

assessment provide one possible example. Existing collaborative frameworks (ENIC-NARIC) could provide inputs and share experience on a coordinated approach. ENIC-NARIC centres operate at the national level, but share guidelines⁸. Equivalency documents in one Member State should follow the same guidelines and, while not formally transferable, may represent a common standard.

Stronger cooperation and exchange of information between national contact points could also be encouraged under the aegis of the Commission, with the support of the European Labour Authority (ELA).

Involvement of Member State ENIC-NARIC centres would already be a first step to reassure Member States and potential employers that a qualification is assessed, but does not amount to a proper “recognition” of educational credentials and does not cover professional qualifications in the broad sense (vocational training, professional experience abroad and/or informal learning, neither in regulated nor unregulated professions). An equivalency statement, however valuable, might thus appear insufficient.

In addition to ENIC-NARIC, credential assessment is also being developed in other ways at the EU level. Cedefop provides analytical and coordination support for the implementation of the European Qualification Framework (EQF), allowing it to play a role, together with professional associations, local authorities, regulatory bodies, in exploring new possibilities “for the development and application of criteria and procedures to enable the comparison of third-countries’ national and regional qualifications framework with the EQF”⁹. In its programming document 2020-22, Cedefop undertakes to continue to provide conceptual support to working groups looking into international qualifications and comparing third countries’ national and regional qualifications frameworks.

As EU-level databases and frameworks develop, it may be possible to integrate correspondence grids into the Pool to allow automatic issuance of equivalency assessments – with no legal value – for many qualifications obtained in third countries. Some Member States have created self-service assessment interfaces; such an approach could be applicable.

Third-party assessment may include actors beyond the official recognition procedure. Some existing private talent pool/private recruitment agencies offer to pre-selected candidates, a personalized support service (call, videoconference, regular meetings, chats etc.) aimed not only at better targeting applicants’ aspirations, coaching them for interviews but also indirectly, further evaluating self-declared knowledge and skills and issuing an assessment. Introducing third-party assessment to reinforce the profiles of candidates admitted to the pool would involve costs to be borne by the applicant and decisions about retention in the pool of candidates who turn out not to meet the requirements of the pool.

Public sector solutions – where the public employment services support the RFQ process - could also be foreseen, although these are relatively rare in Member States (OECD, 2017^[5]). If the EURES regulation were extended (through a distinct instrument) to cover third-country nationals seeking jobs, EURES advisers could be mobilized to provide orientation for RFQ, along with other forms of orientation. At present, this is not possible. In parallel, the EU might engage in new MRA (mutual recognition agreements) processes with targeted third countries deemed particularly strategic. However, the negotiations of these agreements usually take quite some time, are limited to certain sectors, and require in any case a strong involvement of professional associations, national and subnational governments departments, fostered by a strong EU political leadership.

⁸ For example, the EAR manual, developed in 2014 as part of the European Area of Recognition project, contains standards and guidelines on all aspects of the recognition of foreign qualifications and aims to provide credential evaluators with a practical tool for assessments, and increase transparency of recognition procedures to all stakeholders involved in recognition (e.g. higher education institutions and policy officers). The 2020 European Recognition Manual is meant specifically for higher education institutions, providing evaluators and admission officers with practical recommendations on “fair and flexible” recognition of foreign degrees and studies abroad.

⁹ cf. Council recommendation of 22 May 2017 on the EQF.

Solutions exist, based on existing frameworks or soft coordination measures, to increase convergence of national recognition practices. Users would benefit from a centralised source of information on the recognition framework for third-country nationals with third-country qualifications. The existing regulated professions database (under DG GROW) is for now limited to qualifications obtained in Member States. In the mid- to long-run development of this database, coverage could be extended or technically replicated for foreigners as an additional source of information. The database could then be linked with the EU Immigration Portal to provide better information on regulated professions and recognition procedures for potential migrants.

Recognition of language skills

In addition to recognition of qualifications, the pool may include a language ability requirement. The situation for recognition of language ability is not uniform across the EU, even if most MS have national assessment frameworks referring to the CEFR, and administer publicly-accepted language tests – directly or under license or agreement with third-parties including higher-education institutions. There is no EU-wide accreditation system for language tests.

Most language tests currently are designed for access to education. However, these assessments are sometimes referenced in national legislation on permits, especially for acquisition of permanent residence status, but also for issuance or renewal of certain temporary permits.

For the Talent Pool, it may make sense to require uploading a certificate of language proficiency in at least one EU language. A third party assessment may be useful, although the Talent Pool does not judge the authenticity of documents.

One existing EU approach to self-assessment is the ERASMUS+ Online Linguistic Support (OLS) tool. It offers a self-assessment in most official EU languages. It does not verify identity or supervise the self-assessment. Numerous third party assessors exist, including private and non-profit providers, offering nationally recognized certificates.¹⁰

2.2.4. Selection process

Once candidates are admitted into the pool, they could be able to interact or **participate in matching with employers**. Their profiles remain active for a certain period before dropping out of the pool.

Selection under option 1 could apply passively in the EU Talent Pool, as a reserve of pre-selected and trustworthy candidates picked out by interested recruitment agencies, employers, regional and local authorities etc. In this scenario, candidates would not be able to see and apply to specific vacancies (as is done for recruitment for the EC Blue Book Traineeships) but could indicate country and/or company preferences, update and export their profiles and choose between various job offers across the EU published outside the Pool. Little effort would be expected from them, which might increase the tool's attractiveness, although they remain free to use existing vacancy databases in parallel. EU recruiters, for their part, would access the pool and search for the most suitable candidate according to their needs, with some confidence that recruits can meet migration procedures in the host country (as some eligibility criteria are already met).

¹⁰ A number of public and private language testers in the EU belong to the Association of Language Testers in Europe (ALTE). ALTE promotes “the fair and accurate assessment of linguistic ability”. It organises courses and conferences on language assessment and conducts a quality auditing system of European language examinations.

Access to vacancy databases

Candidates could have access to different vacancy databases, including existing national and EU PES vacancy databases. Most of the job listings on PES databases, however, have lower skill requirements. Some of them are not even accessible to third country nationals. If vacancies posted in these databases are open to the Talent Pool, the question arises of whether there should be specific filters or conditions. If so, there are several considerations to take into account: employer willingness to hire from outside the EU; the suitability of the job offer for existing legal migration regulations; and the need to undergo a labour market test.

A review of current EU PES activity to recruit third-country nationals noted the potential to play an extensive role in talent recruitment, but also that in most countries their current role is limited to implementing regulations (Molnár, Krekó and Scharle, 2020^[41]). Some vacancy databases already indicate willingness of the employer to hire from outside the EU and undertake the migration procedure. In some Member States, employers listing vacancies can already indicate or request that the vacancy be posted on the EURES platform.

Linking the EU Talent Pool with existing vacancy databases (European, national, regional, public or private) would be complex especially if the objective is to achieve intuitive, simple and frictionless recruitment processes for both candidates and employers. In the hypothesis where EURES is extended to third-country nationals outside the EU or duplicated through a protocol with (automatic) importation of vacancies, there would need to be technical improvements to make the platform more intuitive, easier to access and to use.

An EU Blue Card vacancy database?

If the threshold of inclusion in the pool is to meet the EU Blue Card qualification requirement, the question arises of whether a bundle of vacancies that meet EU Blue Card requirements should specifically be created, in addition to a pool of candidates. The EU Blue Card requires indeed that the third-country national present a contract paying the minimum salary and meeting a minimum duration of 12 months (6 months in the 2021 Revision). The salary threshold is 1.5 times the average gross annual salary in the Member State concerned (under the Revision, 1.0 to 1.6). Differences in calculation methods and salary distribution mean that this threshold is very restrictive in some Member States and very easy to achieve in others. Salary thresholds are often too high for SMEs, who consequently favour equivalent national statuses with lower or no income thresholds.¹¹ The Blue Card allows a lower threshold for ISCO 1-2 professions considered in particular need of migrant workers, but few Member States have used this option so far. Besides the salary threshold, Blue Card vacancies target sectors or occupations requiring a minimum level of skills/qualifications. Vacancies eligible for a Blue Card could therefore be flagged or marked, as already the case in some Member States.¹² As an option, vacancies with lower salary thresholds or for occupations qualifying for “less demanding” national schemes could also be posted in the Pool and be made available to Talent Pool users - otherwise any firm unable to offer contracts meeting the minimum duration and national Blue Card salary threshold would be discouraged from using the platform.

If the choice is made to place the vacancy database at the core of the Talent Pool, rather than the pool of applicants, only eligible job offers would be visible, and could be consulted by any job seeker who declares to meet threshold criteria. Yet even here, there would have to be a minimum pre-screening of candidates, to ensure that only candidates capable of completing a full profile, and who declare they meet national

¹¹ (European Commission, 2019^[2]), p. 27.

¹² Czech Republic PES already distinguishes vacancy listings according to whether or not they meet criteria for the EU Blue Card.

requirements, can apply for these vacancies. In addition, national labour market tests, as described below, could be integrated into the Talent Pool.

The labour market test and Community Preference

Most EU Member States impose a labour market test (LMT) on requests by employers to recruit third-country nationals from outside the EU (Robin-Olivier, 2016^[6]). The LMT aims to ensure that authorisation to recruit a non-EU worker is only granted after employers have opened the vacancy to national workers, EU citizens or legally residing third country nationals with access to the labour market. When long, restrictive or burdensome, it may deter an employer with urgent needs from considering recruitment from abroad.

A patchwork of national LMT exemptions do exist, but no harmonized EU-wide exemption for highly skilled workers. Some Member States eliminated or loosened LMT requirements for candidates eligible for the EU Blue Card schemes or alternative national programmes. In the 2016 revision proposal, the Commission suggested to limit LMTs for EU Blue Card holders to cases of “serious disturbance” in the labour market, but the 2021 Revision maintains the option to impose a labour market test at entry and during the first 12 months of legal employment (art. 7(2)a)¹³. From a legal point of view, there is currently no binding way to ensure a faster access for highly-skilled workers to all national labour markets (including when entering a second Member State) or impose generalized exemptions for shortage occupations.

Any LMT could be integrated into the Talent Pool matching mechanism – either actively or passively. The active means would be to allow employers to publish their vacancies on the EU job-matching platform explicitly indicating the date from which third-country nationals may submit their applications. Vacancies would be visible immediately, to all candidates (including third-country nationals in the pool), but effectively opened to applications after a certain period of time (the minimum possible under national legislation, or subject to human intervention in the form of approval by the labour market testing authority). Alternatively, recruiters/employers could consult the pool or receive applications from third-country nationals (with restricted access or in the form of alerts or “expression of interests” only) and immediately engage in the selection process once the testing is completed.

A further variation on this would be to integrate the LMT into extractions from the existing EURES vacancy platform: listings meeting EU Blue Card criteria in the MS of posting (occupation category, education level required, salary etc.) would be automatically scraped and made visible to candidates in the pool after the labour market test period expires. This would require integrating the information on LMT durations into the system, and updating this information whenever durations or modalities change. In Member States where the LMT requires individual review of the vacancy, a more complex system for noting that the vacancy has been labour market tested would have to be included.

In any case, a Talent Pool or recruitment platform integrated or merged into an existing vacancy database opened to EU nationals allows for compliance with the principle of community preference while limiting the steps to be taken by the employer or the PES. Community preference is ensured since applications from third-country nationals outside the EU will only be considered in a second phase, while the employer only has to post the vacancy once to reach both EU residents and third-country nationals abroad.

Employer and intermediary access to the Talent Pool

The Talent Pool is not open to consultation without registration. The clear risk in granting unrestricted access to the Talent Pool to potential employers, beyond the issue of protection of personal data, is the risk that spurious or unscrupulous actors fraudulently contact candidates to offer visas or to take rents.

¹³ In the event that Member States decide to make use of that possibility, they should communicate this in a clear, accessible and transparent way to applicants and employers, including through online media (Rec. 40).

The question therefore arises of which actors are authorised to consult profiles in the Pool. Several solutions exist based on existing practices. One option is to allow any registered business to sign up, using verification procedures which currently vary at the Member State level. A second is to require employers to post a vacancy and to receive profiles based on that vacancy, using skills profiling and other matching tools. However, as seen above, such vacancies would have to be vetted. The EURES platform, for example, only contains vacancies which have been vetted by a PES employee in a Member State. A third possibility, more onerous, is to require employers to undergo a registration procedure with the body operating the Talent Pool, submitting a request for approval reviewed through automatic and human intervention before issuance of access codes or an export of profiles.

In addition to employers, matching can also be driven by intermediaries such as recruitment agencies, employer associations and even regional development boards. Some Member State PES already work with these bodies to establish lists of candidates. Outside the EU, the New Zealand Talent Pool (SkillFinder) achieves matches through vacancy listing by recruitment agencies, mediated and monitored by the immigration agency itself (Box 2.1).

Box 2.1. New Zealand's publicly run candidate pool and matching service

New Zealand has an Expression of Interest system for selecting candidates who will be invited to apply for permanent residence. The EoI does not serve employers directly; employers cannot review the candidates in the EoI pool.

Since 2012, New Zealand's Ministry of Business, Innovation & Employment (MBIE) has run a platform allowing foreign candidates to submit their profiles and New Zealand employers with eligible vacancies to contact potential matches. The platform uses the New Zealand Now immigration portal to direct candidates to register, and an interface – SkillFinder – for employers. SkillFinder is unrelated to the immigration process and the visa for which the candidate will apply.

New Zealand Now

Through its promotional site, "[New Zealand Now](#)", foreigners can register their interest and provide basic information on occupation, experience and education. There is no guarantee that candidates will be contacted. There were more than one million "e-mailable prospects" in 2021. New Zealand actively promotes "New Zealand Now", through social media, search engine advertisement and job fairs. It intercepts active job seekers and activates passive job seekers, with a focus on candidates with highly-sought profiles. People registering with New Zealand Now also receive a wider range of immigration-related information.

SkillFinder

Employers or recruiters can query SkillFinder to see how many "New Zealand Now" profiles match their requirements. Employers and recruiters may search the database by occupation, academic qualifications, residence and work experience. If they wish to contact registered profiles, they must submit specific vacancy details to MBIE, which reviews them. Vacancies must be for skilled positions or meet Accredited Employer requirements. MBIE then sends an e-mail inviting candidates to apply for the position.

In 2016, for example, about 1 000 vacancies were broadcast to about 1 million contacts. Open rates were between one-third and half of all e-mails; click rates were between 5 and 7%, and application rates ranged from 1-5%. This meant that employers generally received between 10 and 50 applications for each vacancy. It is the employer responsibility to examine applicant credentials.

The system was designed primarily to serve individual employers with vacancies, rather than to allow employers to scrape and bundle leads for later use. The system continues to serve individual employers, although recruiters are more likely to convert SkillFinder leads into concrete job offers. In some cases, a lead is not hired for the vacancy to which they respond, but the employer or recruiter later contacts them for another vacancy. Recruiters can also provide feedback to MBIE that a candidate does not have the claimed qualifications; SkillFinder then excludes them from future contact.

At least two years were necessary before the system reached a critical mass of profiles and users. The platform benefits from heavy traffic on New Zealand Now – more than 5 million visits annually – and ongoing promotion. Use by employers and recruiters varies with the business cycle, hiring seasons and other factors, so the workload for MBIE is not constant. Nonetheless, the staff requirements are about one-fourth of a full-time equivalent official to run the platform.

Source: Ministry of Business, Innovation & Employment, New Zealand

To reduce risk, the design of the Talent Pool may also conceal the identity of the candidate until the candidates themselves authorise release of this personal data. The Europass profile tool, for example,

allows the profile owner to share information with external users by generating a time-restricted and content-specific link. The advantage of this Europass-type system is that it captures initial contacts between candidates in the Talent Pool and possible recruiters in terms of statistics on link generation and usage.

2.2.5. *Link with the legal migration channel*

Under the TFEU, the EU and its Member States share competence in the area of migration. Whereas EU-wide common rules on labour migration and visa policy are set out in various directives and regulations, Member States remain competent to issue long stay-visas, work and residence permits and to define volumes of foreign workers admitted to enter their territory for work purposes. In other words, the EU is neither able to issue an “EU residence permit” valid in all Member States nor to require a Member State to admit on its territory a third-country national for employment.

Despite these legal constraints, the EU Talent Pool under option 1 could be linked with corresponding labour migration channels (e.g. the EU Blue Card scheme). That would either mean that admission to the Pool is a first step of the permit issuance process (i.e. no need for subsequent application once a job offer is confirmed) or that such permit(s) would only be issued to highly qualified candidates selected from the Pool. Both options would require significant legislative changes to formally integrate the Pool and its selection mechanism into EU existing channels.

The clear added value of a Talent Pool linked to the migration channel is that *only* a public sector matching platform can offer this (OECD/European Union, 2016^[71]). The link to the migration channel is advantageous for both parties because it accelerates the recruitment process and reduces the administrative burden. However, the Talent Pool is not mentioned in the 2021 EU Blue Card revision. Requiring use of the Talent Pool to issue a Blue Card would be counterproductive at this stage, complicating access to an already underutilised instrument. It would also be poorly aligned with the current use of the EU Blue Card, most commonly obtained by those already in the EU, changing status from a national permit issued for work, research or even study.

Even without a “formal” link to the migration channel, an EU Talent Pool can however incorporate the main admission criteria. Such a Pool would, of course, compete with public and private job-seeker platforms. The potential added value of the Talent Pool relative to other pools would only lie in its focus on candidates who meet criteria for legal migration channels and its potential to integrate the labour market test into vacancies made visible to candidates.

In any case, entry into the Pool is not equivalent to issuance of a permit, nor does it guarantee entry into any Member State territory. Nevertheless, Member States would remain free to decide to streamline processes at national level for sponsored or recruited candidates from the Talent Pool.

Pre-filtering candidates according to eligibility for national schemes

In this regard, the EU Talent Pool could act as a first “filter”. Based on the candidates’ profile, occupation, level of qualifications, professional experience, family situation etc. a search engine could identify one or several countries (e.g. in the form of an interactive map) where the person is likely to be admitted as he or she already fulfils a certain number of admission requirements – assuming that a qualifying job offer is in hand. This first selection step could either be *indicative* or *constraining*. In the first case, the candidate could choose to privilege the recommended migration scheme(s) and only apply for vacancies posted by employers from these particular countries. The applicant could choose to disregard the recommendation and still apply in countries where the Talent Pool indicates that admission thresholds are unlikely to be met. In the second case, the Pool would exclude these profiles from employer searchers in Member States where the candidate does not meet eligibility. The first case is relevant only where vacancies are included

in the Talent Pool, while the second case is relevant even if the Talent Pool only consists of a collection of profiles.

Filtering would have the advantage to promote national attractive skilled migration schemes by making them more visible to undecided or uninformed candidates. It could also contribute to facilitate international matching (as employers would be confident that selected applicants are probably eligible for migration). Member States could also benefit from this pre-assessment, without however encroaching on their competences, as the pre-filter would help employers find candidates who meet entry criteria and reduce the number of inadmissible applications.

“Tell us only once”: information transfer, data export and standardised forms

Information, personal data provided by the candidate when entering the pool could be transferred from the platform to migration authorities to begin the process of authorization of a residence permit or visa. The same could apply to supporting documents (e.g. diplomas, certifications, birth certificates etc.) uploaded to the candidate’s profile, documents which might be also required for subsequent visa or permit applications. This process does not encroach on Member States’ competence. The final evaluation of the documents would still be at the Member State level. The advantage of information transfer is a reduction in administration.

Such transfer from a central EU registry to national processing systems is not currently possible. For instance, at present, neither the information fields nor the application forms for residence permits in different EU Member States are standardized, preventing an EU platform from being easily interoperable.

When applying for a long-stay visa and/or a subsequent work or residence permit in the same Member State, a candidate usually has to fill out different forms for each procedure. Only eight Member States provide for standardised application forms, but even there to varying degrees. Whereas residence permits in the EU are issued in a uniform format, according to Regulation (EC) No 1030/2002, there is no standard application form for residence permits in the EU.

An example of standardisation can be found in the Schengen visa application, which follows a uniform format as established by the Schengen Visa Code (Annex I¹⁴). This approach could be copied for long-stay visa and residence permit application forms, even as EU Member States remain competent for issuance and definition of the requirements. Member States would have to agree on standardised application forms and fields, valid for specific migration schemes. The standard form could apply only to the EU Blue Card, to all residence permits subject to the Single Permit Directive, or to all residence permits. The characteristics of the employment contract/job offer, required under the EU Blue Card scheme and under contract-contingent residence permits issued for employment, could also be subject to harmonization or a simplified form.

When a highly skilled worker in the pool is offered a job by an employer, the relevant information would be exported to the Member State of competence for the application for the separate visa (if applicable) and corresponding residence permit. In the absence of an electronic transfer, the system would generate a pdf document following the standard application form and indicating that the document is exported from the Talent Pool.

There are several potential benefits of standardisation of forms. Such a solution would have the advantage of easily identifying applications from candidates who successfully used the EU Talent Pool. It would ensure that application forms are complete, sufficiently clear and legible for candidates and employers. A certain level of harmonisation across the EU (format, language, common glossary etc.) might also simplify

¹⁴ Similarly to Annex II of the visa Code, a list of the most frequently requested supporting documents (here for highly skilled migration) could also be drawn up at the European level in order for candidates to better prepare their (future) applications while in the pool or after receiving a job offer.

multiple and subsequent requests, either in one or several Member States. Online forms are processed faster than paper forms in Member States offering both. If priority processing is introduced, use of online forms could provide eligibility.

The technical aspect of the transfer of information could take place in many ways – ranging from interoperability to export (e.g. in xml) to simple generation of an application form.

An active role of business and investment agencies

A direct link between the Talent Pool and the migration system would require the platform to have a direct connection to the national competent authorities responsible for assessing applications for the relevant residence permit. An **additional possibility** would be a **direct link with other public actors playing a role in the visa or permit issuance process**, as is the case in many Member States. In some strategic economic areas (trade, finance, innovation) there is a role accorded to business or investment agencies in promoting and sometimes determining eligibility for fast-track or special admission procedures. The Talent Pool could build on the existing role of such bodies within national procedures.

These agencies are under the authority of different Ministries (Foreign Affairs, Trade, Investment, Economy and Finance) – rarely the same ministries responsible for dealing with issuance of residence permits – and have global networks of private and public partners. In addition to actively promoting investment, innovation and supporting national businesses and companies abroad, they are often assigned the role of favouring innovative businesses and helping domestic enterprises remain competitive. Further, it would fall under their mandate to support the fast-track or facilitated processing of applications of certain skilled foreign workers. Indeed, many already play a significant role in attracting talents, facilitating job matching and ensuring effective admission (See Box 2.2).

Box 2.2. Examples of national fast-track or flagging procedures

In several Member States, agencies provide for fast-track programs at national level either flagging potential candidates or priority processing requests from recognized firms or sponsors. In the Netherlands (Invest in Holland) or in Denmark (Danish Agency for International recruitment and Integration), firms formally recognized as sponsors benefit from fast-track migration schemes every time they wish to hire foreign workers. Obtaining a work visa or a permit for highly skilled employment is streamlined, enabling accredited companies to bring talents from abroad. CzechInvest, the national Investment and Business Development Agency, based on employers' requests, flags the applications for specific individuals whose profiles qualify with fast-track admission procedures. In France, the public operator Business France, together with La French Tech, promotes the French Tech Visa - a simplified, fast-track scheme for non-EU start-up employees, founders or investors to obtain a residence permit in France, fully digitalised since May 2021.

The agency would be a bridge between the Talent Pool and the national immigration services, collecting the profiles of matched candidates and responsible for passing them on to migration services for fast-track or priority processing. The agency could also have access to profiles in the pool to identify potential candidates, similar to the access granted to national Public Employment Services.

One advantage of involving an intermediating agency as the bridge between the Talent Pool and national migration systems would be to avoid a direct link with national services handling visa or permit applications, which may be barred through mandate, practice or preference from cooperation with a Talent Pool. It could also better track highly-skilled candidates and contribute to greater involvement of multinational companies, which rarely resort to public channels (such as the PES) to recruit talent. The identification of

an additional or alternative contact for the Talent Pool in the Member State – one directly charged with supporting the competitiveness of businesses – would work around this.

The Job-Search Invitation

While the creation of an EU job search visa has been explored in the 2016 and 2019 OECD reports, it is not considered under the pre-identified scenarios for the Talent Pool. The importance of in-person interviews may also be declining, due to a shift to videoconference and on-line interviewing, including through recorded structured questionnaires. A “job-search visa”, already little used in the few Member States where it is available, may be relevant only for specific cases.

A job search visa could for instance be granted as a temporary invitation to a restricted number of Talent Pool candidates a year, based on criteria commonly agreed between Schengen States. Such an invitation could act as a special incentive for highly qualified workers whose profile matches job opportunities across Member States.

By way of derogation, the candidate who secures a job offer within the validity of the invitation could be entitled to apply for a residence or work permit without having to go back to his/her country of origin. This option is already allowed under the revised Blue Card (art. 10(3)) and could become a widespread practice for Talent Pool recruits. Here again, the digital application tools and platforms, established at national and/or EU level¹⁵, might allow greater flexibility while ensuring appropriate security safeguards.

2.2.6. Attracting candidates into the pool

Attracting candidates to the Pool is essential to achieve a critical mass of quality candidates (OECD, 2019^[11]). Once it has achieved a critical mass, it can be self-sustaining. Posting vacancies also increases attraction to the pool. There is evidence that online vacancy postings and online recruitment not only increases the number of applicants and the share of suitable candidates per vacancy, but also induces employers to post more vacancies (Gürtzgen et al., 2021^[8]).

The Talent Pool would have to be promoted, both with potential candidates and with potential employers. Similar Member State initiatives have taken many different forms but share some common approaches to content and marketing. One is a single portal to promote skilled migration. Some Member States also developed online information tools and digital portals, not necessarily dedicated to highly skilled TCNs but as part of a comprehensive strategy of attractiveness (user-friendly web sites, self-assessment tools, job boards, personalized assistance, links with social media accounts etc.). Candidates (and employers) have access to detailed information on immigration rules and working conditions, support services and/or personalized assistance, including on integration and “aftercare”. See for instance workinlithuania.lt; welcometofrance.com; workindenmark.dk; make-it-in-germany.com; workinestonia.com; work-luxembourg.public.lu. Branding and attraction strategies are also widespread at regional level or even across metro areas (see europeantalentmobilityforum.com/partners). The Talent Pool would have to have such a portal.

The EU Immigration Portal

In the case of the EU, there is already an EU Immigration Portal. Launched in 2011, the website is a key communication instrument of EU legal migration policy. In its current form, the EU Immigration Portal provides semi-customised information for third-country nationals interested in moving to the EU – or those

¹⁵ The Commission intends to fully digitalise the visa procedure (online applications and digital visas) by 2025. It is unclear for now if this initiative will be limited to short-stay visas or cover, to a certain extent, long-stay visas (equivalent to temporary residence permits).

already in the EU, wishing to move from an EU State to another. Intended as a first information point, the platform aims to provide “solid and easily accessible information” about migration procedures in all 27 Member States. In practice, it is based on information provided by Member State authorities and often sends users to national websites and portals for additional information.¹⁶

Unlike most national portals, the EU portal does not have its own top-level domain name, but resides on the europa.eu domain (ec.europa.eu/immigration). The Portal is managed by DG HOME, with limited resources, and relies on Member States to provide updated information. There is no specific funding for Member States to provide updates.

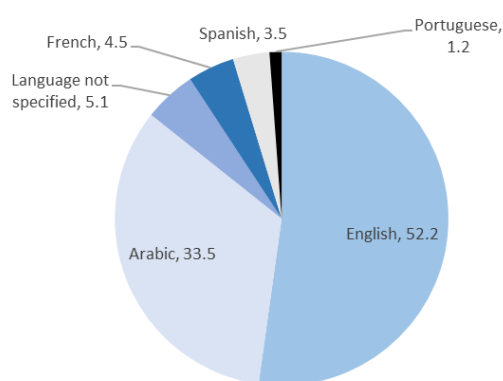
The EU Immigration Portal had about one million page views in 2021. This is far fewer than most national immigration information websites. Make it in Germany, for example, had 2.7 million users in 2013, its first full year of operation.

Some information is out of date or entirely absent. The Portal is primarily a link to Member State resources, some of which are inactive or broken links. The search function uses the general europa.eu search site.

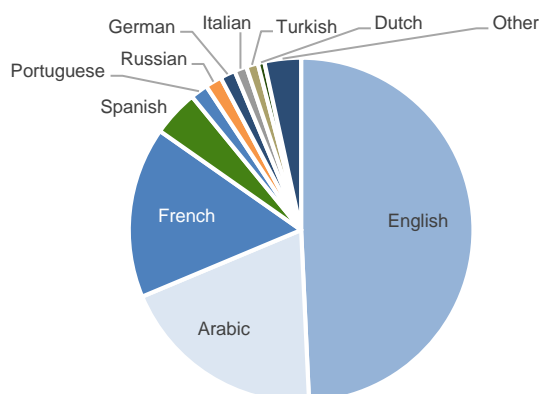
The site is available in principle in five languages (EN, FR, ES, PT, AR) but many of the pages are not complete in languages other than English. While more than half (52%) of users visit pages in English, one-third visit the Arabic language pages (33%), showing a strong interest among Arabic-speakers (Figure 2.2, Panel A). About half of all visitors in 2021 used an English-language browser, while 19% used an Arabic-language browser and 16% a French language browser (Figure 2.2, Panel B).

Figure 2.2. Most visitors to the EU Immigration Portal use the English and Arabic language pages

A. Language of page visited, January 2020-April 2021



B. Site Visitor Browser Language, 2021



Note: Content is limited in languages other than English

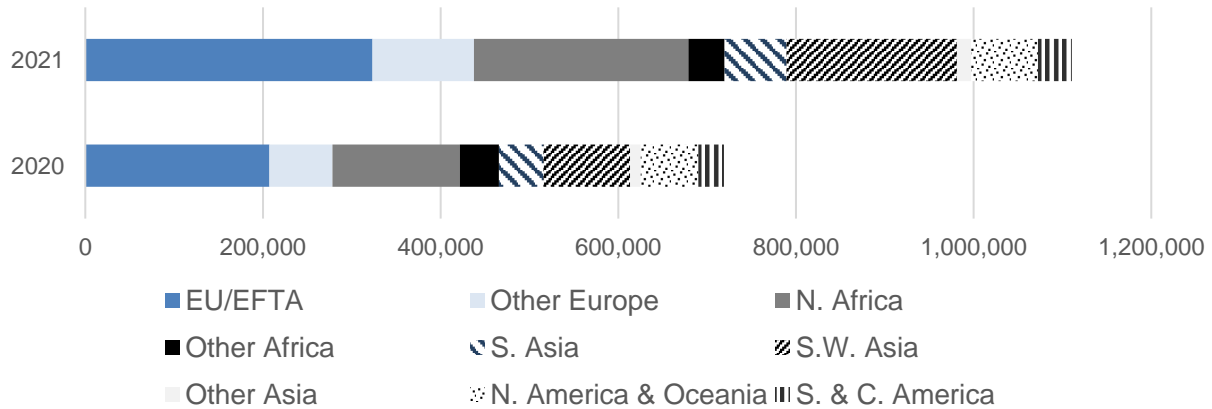
Source: OECD analysis of EU Immigration portal data traffic - <https://ec.europa.eu/immigration/>

The Immigration Portal attracts visitors primarily from within the EU (29%) and from North Africa (22%) (Figure 2.3). Southwest Asia – primarily Arabic-speaking countries – is third (17%). The availability of an Arabic-language interface may contribute to this large share from North Africa and Southwest Asia. Visitors from Sub-Saharan Africa and from Asia are far fewer. The total increased sharply between 2020 and 2021, with largely the same distribution.

¹⁶ European Commission, Press release, 18 November 2011.

Figure 2.3. The main origins of visitors to the Immigration Portal are Europe and North Africa

Site visitors, by origin, 2020-2021

Source: OECD analysis of EU Immigration portal data traffic - <https://ec.europa.eu/immigration/>

For each Member State, the Portal provides 12 categories of migrant from which to choose. The Portal is more useful when visitors actually know *where they want to go* or *which category of migrants they belong to* (e.g. “am I a highly-qualified worker or an ‘employed’ worker?”). As Table 2.1 shows, a high proportion (78%) of visitors to the EU Immigration Portal go to pages on the Blue Card or highly qualified workers profiles for specific countries.

Table 2.1. EU Immigration Portal visitors are seek information on the Blue Card or highly qualified workers profile for specific countries.

Country-specific or generic page visits, January 2020-April 2021

	Unique Page views		Of which, to “Blue Card” or “Highly qualified workers”	
	Number	%	Number	%
Country specified	488,045	48.6	392,005	77.8
Not specified	515,274	51.4	111,987	22.2
Total Unique page views	1,003,319	100.0	503,992	100.0

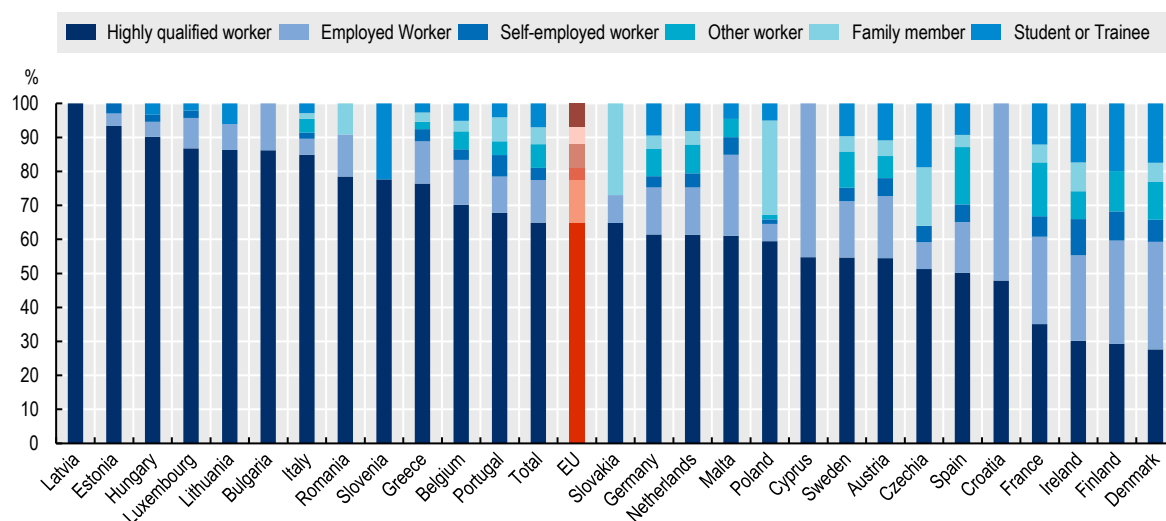
Source: OECD analysis of EU Immigration portal data traffic - <https://ec.europa.eu/immigration/>

The Portal also provides information on the EU legal migration framework for six categories of users, including highly-qualified workers, although this is generic. The Portal provides information on the EU Blue Card, including salary requirements and any lower thresholds, duration of permits, fees and requirements for application and issuance, and links for national information.

The Immigration Portal gives high visibility to the EU Blue Card and many visitors view pages related to highly qualified workers. Figure 2.4 shows that even if most of immigration portal visitors choose “high-skilled worker” as their migration profile, traffic varies substantially per country of interest. Visitors viewing pages for Baltic countries, Hungary and Luxembourg primarily view pages for highly qualified workers. Many visitors who show interest in Denmark, Finland and Ireland, instead, also choose “Employed worker” and “Student or Trainee” as migration profiles.

Figure 2.4. Most Portal visitors choose “Highly qualified worker” as their migration profile.

Distribution of unique page views by immigration profile category and country of interest, January 2020-April 2021



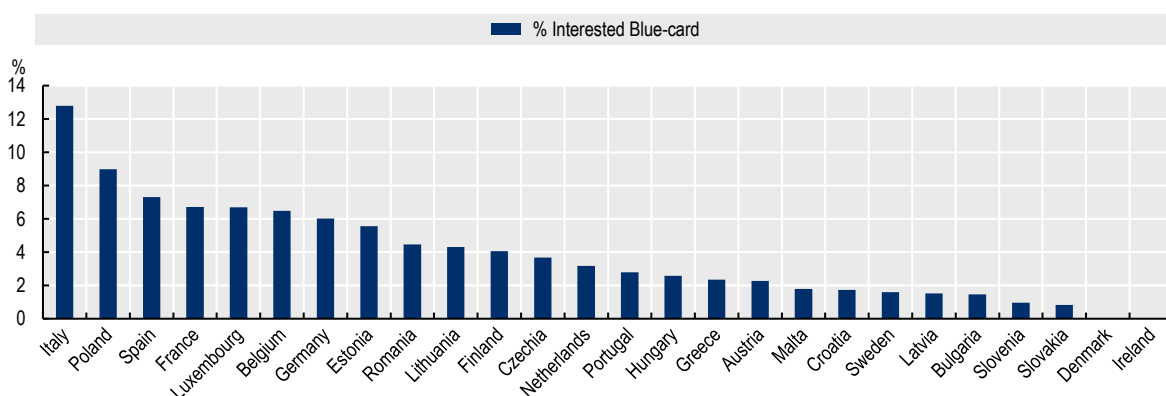
Note: "Other worker" include categories other worker, seasonal workers, volunteer, intra-corporate transfer and international service provider. Highly qualified workers also include researchers.

Source: EU Immigration portal data traffic - <https://ec.europa.eu/immigration/>

Seven destinations of interest comprised more than half of page views for visitors to the Immigration Portal viewing country information on Blue Cards (Figure 2.5). Italy, Poland, Spain and France are the top four, even if they are not among the Member States issuing large numbers of EU Blue Cards. There is interest in all EU Blue Card destinations.

Figure 2.5. Immigration portal visitors interested in the EU Blue Card are mostly interested in information on Blue Cards in Italy, Poland and Spain.

Distribution of immigration portal visitors interested in Blue Card information by country of interest, January 2020-April 2021.



Note: The percentage is calculated out of all visitors who specified a country of interest by clicking on the map on the Portal homepage. 66.3% of visitors click in a specific country on the map. Denmark and Ireland do not have EU Blue Cards and have no associated page on the Portal. Source: EU Immigration portal data traffic - <https://ec.europa.eu/immigration/>

If used to support the EU Talent Pool, the EU Immigration Portal would have to be redesigned and modernised. A new version of the portal (if merged with the Talent Pool) could contain specific functionalities such as a “self-assessment” questionnaire (with percentages or presumed chances of eligibility), accurate/real time labour market information and forecasts (to orient candidates’ choices), additional success stories, etc.

The added value of the Portal currently lies in informing about EU schemes and in directing users to the most suitable national labour migration schemes. A revision related to the Talent Pool could better guide visitors based on their profiles, qualifications and even the specificities of domestic labour markets. This would imply technical improvements and more efficient algorithms allowing for targeted and personalised information.

2.2.7. Governance and EU management

The Talent Pool would require an institutional location (responsible body or agency) and a technical home (ownership of the IT infrastructure). The European identity of the Talent Pool suggests that European entities or bodies should be in charge of managing the platform. However, it touches upon issues related to both migration and employment policies, requiring co-ordination or multi-level governance. In addition, as the outcome of the Talent Pool is meant to be the issuance of a residence permit by Member States, and the employers using the Pool would be located in Member States, decision-making processes would need to involve different actors representing Member States.

Technical and operational management would also have to be addressed. There are specialized EU agencies (e.g. ELA¹⁷ or EU-Lisa) under the supervision of competent DGs of the European Commission already operating. Strategic guidelines as well as key settings and parameters would have to be defined in close co-operation with the Member States served. Among the issues to address are employer accreditations, eligibility criteria, certified skills and qualifications or possible standardised forms and applications.

Participation of Member States and associated countries could either be optional or, to a certain extent, mandatory. Minimum tasks or services might be expected from designated bodies or national entities, such as providing assistance to users or regularly exchange relevant data and information. Whereas the EURES network is subject to enforceable obligations, the EURAXESS platform is run at the EU level in a more flexible manner, on a cooperative and voluntary basis (see Box 2.3) At a higher level, a multi-stakeholder body could be created to provide strategic guidance, on the model of existing national networks – such as “Cindex”, an inter-company club on strategies and policies of international mobility in France. This sort of “Forum on International Mobility” would convene on a regular basis, and gather decision-makers, influential companies, HR experts and employer representatives, in order to better address regulatory barriers or inefficiencies that traditionally hamper foreign recruitment.

¹⁷ The European Labour Authority recently took charge of the EURES European coordination office (ECO). This includes, among other things, the management of the EURES job mobility portal.

Box 2.3. EURAXESS Service Network

Launched in 2004, EURAXESS is a pan-European initiative delivering information and support services to professional researchers. Backed by the European Union, Member States and associated countries, it supports researcher mobility and career development, while enhancing scientific collaboration between Europe and the world.

Main features

Researchers of any nationality can register at EURAXESS free of charge, fill out and manage their profiles, provide personal data and upload a Europass CV. Research performing organisations can publish job, funding or hosting offers, searchable by candidates. By default, users are visible to all registered organisations, but can choose to hide their names, e-mail addresses, and even entire profile. Profiles expire after five years from the last activity (as required by the GDPR), or can be deleted earlier by the user.

Selection and recruitment processes occur outside the platform. EURAXESS does not perform background checks of applicants or employers.

Structure and Governance

The EURAXESS Network was first established through a European Commission call for a network of Mobility Centres. Participating members sign a Declaration of Commitment (DoC) as a statement acknowledging the objectives and the functioning of the Network. Each country designates a Bridgehead Organisation (BHO) acting as coordinator at national level and liaising with the European Commission. BHOs appoint, coordinate and support EURAXESS Service Centres, EURAXESS contact points and Career Development Centres. A European Charter and a Code of Conduct for the Recruitment of Researchers, adopted in 2005, lays down general principles and requirements to be endorsed by employers and/or institutions offering scholarships and grants. So far, 1329 organisations have endorsed the Charter & Code principles, either voluntarily or, in some countries, as a prerequisite to access funding.

In 2022, after 18 years operation, there are 43 national portals and approximately about 200 000 registered users, 11 900 job positions available and more than 650 EURAXESS support centres.

Source: <https://euraxess.ec.europa.eu> and OECD Secretariat.

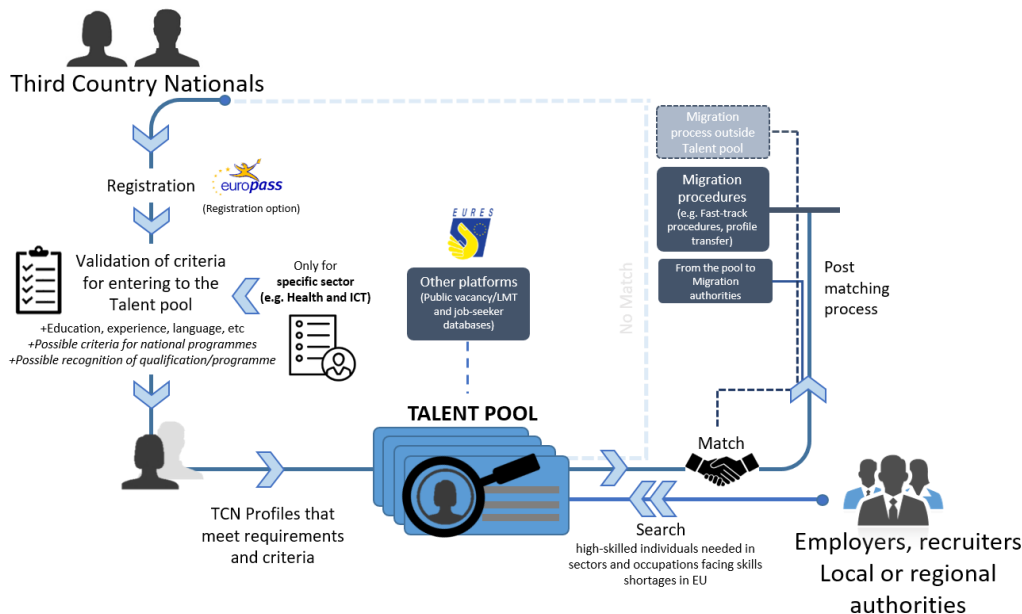
2.3. Option 2: a pool based on a sector approach

The second scenario is a variation on the basic option, focusing on specific sectors. Admission is based on sector-specific credentials and migration requirements, which would satisfy the requirements of existing schemes (EU and/or national) for skilled labour migration (Figure 2.6). Sector-specific criteria vary. For regulated professions such as nursing, recognition would be required. For non-regulated professions, industry criteria could apply.

One example is the ICT sector. The EU Blue Card revision requires Member States to accept experience as a substitute for education. Equivalence between professional experiences (3 years in the previous 7 years) is mandatory for ICT managers and professionals. Admission to the pool for those who do not have tertiary qualifications would thus require meeting and demonstrating this specific threshold of experience.

Figure 2.6. Sector-Specific Talent Pool

Talent Pool focused on a specific sector



Source: Building an EU Talent Pool (OECD, 2019^[1]).

A further difference with Option 1 is that the standardised sector criteria allow for more explicit ranking of candidates within the Pool, to signal to employers which candidates are the most qualified.

The sector-specific Talent Pool would have to be designed with the representatives of the industry, where industry associations and specialised recruitment agencies would likely be the target users along with employers. Vacancy databases for specific sectors would also be of greater interest to candidates in this scenario.

The marketing of a sector-specific Talent Pool would take a different form from the approach used for a general education-based Talent Pool under Option 1.

The development of shortage occupation lists at the EU level – through such measures as the revised Blue Card Directive – could be reflected in the design of the labour market test under the Talent Pool scenario.

2.4. Option 2b: a skill development component through talent or mobility partnerships

The third scenario is a variation on the sector approach, but includes active management of the candidates who enter the Talent Pool. Under this scenario, admission is limited to candidates who have undergone training or selection by a third-party trainer or validator operating on the mandate of one or more EU Member States or an EU body (Figure 2.7). Occupation or sector-specific criteria would be established within the framework of a specific training or recognition regime. While each training would yield candidates for a specific sector or occupation, the Talent Pool could cover an unlimited number of sectors, depending on the demand for skills and the types of training offered in origin countries.

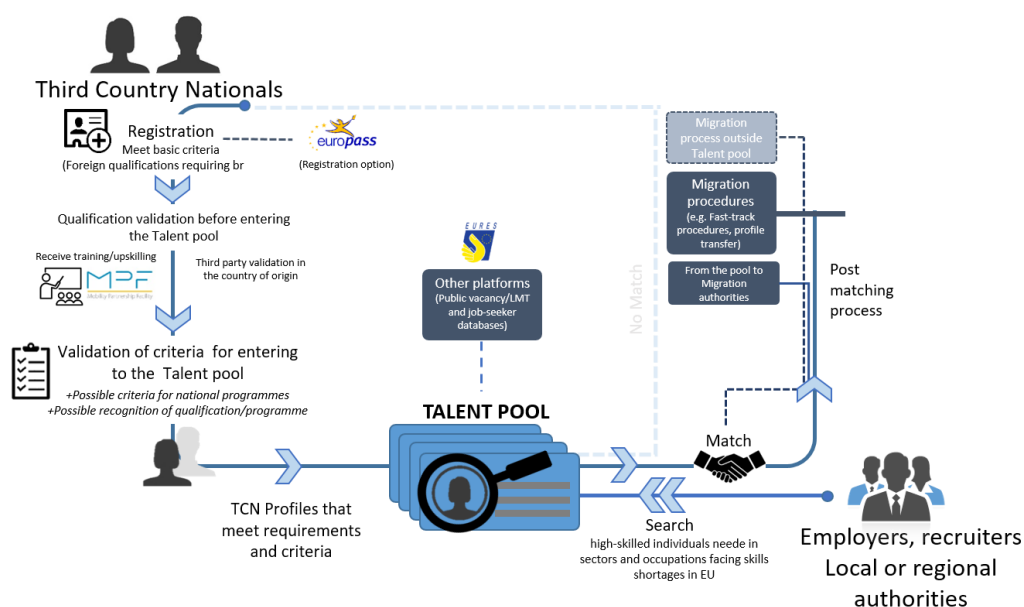
This version of the Talent Pool would be much smaller in scope than under Option 1, as only those candidates who had participated in a training programme would be admitted. The quality of the candidates

would be less in doubt, and the recognition of foreign qualifications would have already been addressed through the training process. This could also accelerate the migration procedures. Some Member States already have national migration frameworks to favour the admission of third-country nationals who have participated in training courses organised by actors from the Member State abroad (notably, Italy).

The skills threshold under this option could be detached from the EU Blue Card education requirements. Indeed, the potential for training in origin countries includes higher-educated candidates but is more easily applied to vocational training.

Figure 2.7. Actively Managed Admission to the Talent Pool

Mediated Talent Pool



Source: Building an EU Talent Pool (OECD, 2019^[1]).

This scenario is designed to build on training efforts in origin countries. Training in origin countries has been conducted by certain Member States on a small scale and sporadically for decades. More recently, the Mobility Partnership Facility (now the *Migration Partnership Facility*) launched pilot projects to train third-country nationals in origin countries for labour migration – temporary or longer-term – in a number of EU Member States. One issue in such training programmes is the matching component – not all the persons trained find employers. Further, the training programmes are usually linked to a specific destination Member State. The Talent Pool would be a means for employers outside the project itself – and the intended destination Member State – to view profiles of candidates who have successfully completed the training as well as those who have completed employment in the participating Member State.

Talent Partnerships have involved post-recruitment support, such as mentoring and on-the-job training as well as welcome packages. The Talent Pool scenarios described above do not offer any such post-recruitment support. In this scenario, such support, to the extent that it can be provided to candidates rather than to participating employers, could make candidates in the pool more attractive to employers. It may also, however, raise scepticism about the quality of the candidates and suggest workplace integration challenges, downgrading the perception of candidates.

Training under the partnerships is not the only way to consider admission to the Talent Pool under this scenario. Another approach would be to build on the concept of third-party validation, inherent in the

training scenario, to use an assessment in the country of origin to actively approve inclusion in the Talent Pool, without requiring participation in any specific training programme. This would be done through conducting interviews and skills-testing in the country of origin, for example. A number of actors in EU countries – including PES, employers and regional development boards – already conduct outreach initiatives in origin countries such as job fairs. Candidates who have been vetted by such bodies could be included in the pool, along with any relevant supporting documentations. This variant on the option would depend on the credibility of the third-party validator.

3 Results of the Consultations

The different scenarios were discussed with a wide range of stakeholders in technical workshops, bilateral meetings, and consultations under the aegis of the European Commission, between March and October 2021. Discussions included relevant public and private sector actors, at the European, national and regional level, as well as academics and experts. Stakeholders consulted covered a range of actors likely to be directly or indirectly affected by the development of the Talent Pool. Public sector actors included relevant ministries, regional entities, national talent attraction initiatives, and employment services. Private sector actors included employer representatives, multinational enterprises, unions, recruitment agencies. European Commission services, competent EU agencies and entities managing or contributing to European existing pools, mobility portals and job matching platforms were also consulted, as were international organisations managing related projects.

The List of stakeholders consulted is included as an Annex to the report (p. 105).

Since there was no definition of the Talent Pool beyond what was contained in the Pact, the idea was still nebulous for most actors although most had preconceptions – of varying nature – about the proposal. Even following a presentation of the concept as a selective matching platform, a number of actors continued to consider the Talent Pool as designed to serve specific bilateral corridors (recruitment from certain origin countries) or to target candidates currently ineligible for labour migration channels. To focus discussion, the consultations posed a number of explicit questions about design of the Talent Pool. This section indicates the questions and the responses.

Overall, actors likely to be involved would support a Talent Pool that would not be disruptive for their current activities. For public authorities and administrations, the Talent Pool should respect their existing competences and align with their own policy priorities. Businesses and private recruitment agencies appear willing to engage as long as the Pool responds to real market needs and demand. Existing platforms and regional initiatives would similarly support a complementary approach, i.e. a platform with an inclusive dimension taking into account local economic interests.

3.1. Added Value

The stakeholders consulted have a different perception of **the platform's added value**, according to their respective roles and needs. Member States' representatives mainly see a positive impact of a Talent Pool that would “push” potential candidates to their labour markets, especially when the country is hardly visible from abroad or mostly attracts low- and medium-skilled profiles. For some of them, an additional benefit could be the reduced role for various intermediaries *“who do not always respect ethical recruitment principles or who do not always seek genuine job opportunities for potential migrants”*. Civil society representatives also would like to see fair recruitment, although their focus is less on outcompeting private intermediaries and more on regulating the exclusion from the Talent Pool of all unethical companies with abusive practices. For recruitment agencies, who already conduct matching and are not interested in public sector competition in this role, the added value of the Talent Pool would lie not in matching but in any initiative that promotes regular labour migration and facilitates international recruitment processes, especially in sectors facing serious shortages.

For the Commission, the added value of the Talent Pool would lie in its ability to attract applications from a wider pool of candidates than recruitment pools operating at national level. A **European benefit that would go along with some competitiveness** among Member States.

A risk of an EU Talent Pool that worries some countries, as well as business agencies actively involved in talent attraction, is the potential for “poaching”. The concern is that leading EU countries (e.g. Germany, Netherlands or the Scandinavian region) might attract candidates through the Talent Pool who would otherwise have gone to, or remained in, countries which are currently less competitive for highly-qualified qualified third-country nationals. Similarly, EU Member States currently satisfied with the effectiveness of their national talent attraction strategies question the added value of an EU Talent Pool likely to redirect potential candidates to other Member States (i.e. “spill-over” effect).

With a Talent Pool, the EU would contribute to create a **level playing field for European employers**, through easier recruitment process and access to foreign talents; an initiative supported by SMEs representatives as long as it doesn't result in an additional burden for companies and users.

For several stakeholders, a **guiding tool** would be of particular interest. The EU Talent Pool should be as “smart” as possible, user-friendly and automated. Third-country nationals who are willing and ready to relocate in Europe should be oriented and informed on the whole ecosystem prior and post-arrival. This would amount to a soft management of expectations from the EU and its Member States to interested migrants. Automation of processes (including in subsequent migration procedures) would be key for the platform's success.

3.2. Main concerns and expectations

Since even the most advanced automated matching platform would require, to a certain extent, **human resources and management**, some concern over the cost and burden of the Talent Pool was raised. Several Member States expressed some doubts regarding the costs and dedicated resources, at EU and national level, implied by the development of a Talent Pool. Others also wonder if this initiative will lead to substantial legal changes and if so, to which extent and within which timeframe (ES).

The European Commission itself, through its Secretariat-General, acknowledges the fact that **the new platform needs to be agile, especially for employers** who shouldn't have to undertake long recruitment processes in sectors already facing serious labour shortages.

More generally, some Member States insisted on the **voluntary and subsidiary nature** of the Talent Pool: some stressed the need to primarily focus on skills and education of the local/national labour force, before considering international recruitment. According to most respondents, the use of the Talent Pool should be optional and complementary to other portals and instruments.

Another widespread concern, especially among stakeholders involved in development cooperation, relates to the possible risk of **brain drain**. Although the Talent Pool would be country-agnostic under scenario 1 and 2 (and thus, indistinctly attract candidates from countries where such a risk is limited, e.g. OECD), scenario 2b would build on existing bilateral agreements or labour mobility partnerships with specific third countries. Stakeholders underlined the importance of taking into account partner countries' perspectives and interests when developing and implementing the Talent Pool. One concern was that *“brain drain severely affects sending countries' economies and labour markets and must be avoided”*.

This objection was made even when it was clear in the Talent Pool concept note that the Pool does not represent a new channel for migration nor would it target specific countries, suggesting that the “brain drain” objection would apply to any legal labour migration channel open for skilled workers. Attraction initiatives targeting specific countries can take into account any concerns about “poaching” qualified workers. The most acute concerns regard the health sector, where however an existing WHO Code of

Conduct is already in place to guide policies targeting health workers. In fact, within the framework of specific projects or partnerships with targeted countries, the Talent Pool could contribute to foster cooperation in the area of legal migration with a view of stability as well as social and economic development in the countries of origin. One possible solution would be to focus on education and upskilling by means of training modules: skills and qualifications acquired within or in view of entering the Talent Pool not only benefit to workers but also, subsequently, to third countries, when the person returns. Efficient matching tools and targeted information also help reduce the “brain waste” phenomenon, i.e. the skill underutilisation, affecting large number of highly-skilled third country nationals legally present in EU Member States.

As stated above, some stakeholders involved in existing talent attraction programmes expect the Talent Pool to bridge not only with national portals and platforms but also with **regional and local initiatives**. Opening the Talent Pool to local authorities and making it accessible to regional boards and administrations for hiring foreign talents is not the primary objective (and remains to be technically assessed). Yet nothing prevents the pool from addressing and relaying regional needs as well as connecting to decentralised public databases.

Finally, there are other expectation of what a Talent Pool should do. In particular, the idea that the Talent Pool continues to play a role beyond matching and supporting applications for residence. **Aftercare and integration** is seen as a key component by many respondents, especially public authorities. The Commission also advocates for proper integration and inclusion programmes as part of the Talent Pool. This is primarily about information and orientation. For some actors, country-specific information on aftercare and integration (e.g. housing, schools, social security benefits, living standards and working conditions) should be provided and integrated somehow into the platform. Particular attention should be paid to the integration of spouses and partners as an additional factor for the talent attraction and retention in the country of destination. To some extent, this expectation reflects a conflation of the EU Immigration Portal and the future Talent Pool. It also reflects the current absence of an interactive European site which can provide country- and profile-specific orientation to users.

3.3. Selection criteria

Should the EU Blue Card requirements be used for the pool? If so, should the pool also allow applicants with 5 years of professional experience, even if this option for the Blue Card has not been applied in all MS?

Should the pool admit candidates who do not meet EU Blue Card requirements? If so, what should the basic threshold be? For example, could it be an occupation-based (e.g., ISCO 1-3) threshold?

The issue of selection criteria elicited a large number of reactions from consulted stakeholders. No one contested the idea of a “selective” Talent Pool. None of the respondents questioned the principle of an entry into the Pool conditional on compliance with certain criteria. Opinions mainly differ on the type and number of conditions to take into account.

Whether or not the **Blue Card requirements** should be used as a reference or as the lowest common denominator for eligibility is a controversial issue. Some stakeholders consider that the skills threshold (tertiary education level) negotiated in the Blue Card (original and revised) would be too restrictive if used as the only eligibility criterion. The threshold is seen by some as disconnected from employers’ needs, many of whom are more interested in skills and less in qualifications. Referring to the diversity of national schemes, some respondents suggested using more parameters than just education. Among the examples cited were a comprehensive labour force selection system, modelled after New Zealand’s EoI system; and a complex scoring system taking into account Member States’ and regional specificities or competence-

based criteria serving specific priority sectors in need (e.g. domestic care). However most stakeholders argued for a relatively simple and easy-to-understand eligibility threshold.

Many actors expressed a preference for an **inclusive Talent Pool**, targeting not only highly-skilled third-country nationals but also medium (and even, for some of them, low-) skilled profiles, where circumstances warrant. Some stakeholders amongst social partners and European institutions call for a broad focus, primarily based on employer needs rather than on “certain minimum skill levels”. Employer representatives expect the Pool to address the differing needs in each labour market through a more demand-driven approach. In addition, distinguishing “Talent” or a “skilled” worker from other categories of workers is seen as challenging, especially in the absence of a common definition. In its latest own initiative report on legal labour migration, the European Parliament explicitly recommended that the Talent Pool cover “all sectors of employment for low-, medium- and highly-skilled workers, and salaried and self-employed labour, including in small and medium-sized enterprises and start-ups” (European Parliament, 2021^[9]). Focusing only on highly-skilled workers, in the SG COM’s view, might limit “the potential of the Talent Pool to focus on labour market needs” [when these are for medium or less qualified workers], and thus distance it from one of its stated purposes.

The focus of the Talent Pool on facilitating matching for employment was seen as a limit by a few stakeholders, who would like to also see the Talent Pool cover entrepreneurs. In particular, there was interest in including potential start-up founders. How this could be integrated into a Talent Pool for matching was not explained, especially since there is no EU framework of reference for this category, nor do any of the scenarios contemplate admission without employment.

By contrast, some Member States and stakeholders considered it important for such an EU initiative to focus only on highly-qualified labour migration, targeting only “the best of the best”. Noting the Talent Pool’s stated rationale and aim to provide value, lowering the skills threshold to that of the least demanding Member States (i.e., no qualification or education requirement) would create confusion and undermine the initiative.

Additional observations and suggestions were made about the need for a “**global approach**” to labour migration, i.e., linked to co-operation of third countries in fighting irregular migration. This was raised even if its relevance would be limited to cases where there is a bilateral component privileging recruitment from specific origin countries (as possible under scenario 2b). The call for a link between co-operation of origin country governments and the Talent Pool also reflected a mistaken perception of many stakeholders that the Talent Pool would be a special channel for access granted to nationals of specific third countries.

A number of Member States raised the question of whether there would be **further security checks and requirements** (i.e. absence of criminal record) before admitting candidates to the Pool, even if the Talent Pool scenario does not propose to substitute any of the checks normally applied to third-country nationals receiving a long-stay visa or residence permit.

The language requirement, compared to education and/or professional experience, elicited few reactions, even if it is in addition to requirements in the original and revised EU Blue Card Directive. Some Member States consider that candidates could provide their classification in the Common European Framework of Reference for Languages. The language requirement is also seen as an opportunity for pre-enrolment support: international organisations call for the development of a language approach and a training component according to Member States’ needs (in particular in scenarios 2 and 2b), indicating an expectation or hope of actions in third countries to qualify candidates for enrolment, including development of language skills.

3.4. Candidate profile

What characteristics of the applicant should be included? Only education, or a full detailed history of past experience, additional training, soft skills, family or social ties with one or several Member State(s), occupational or geographical preferences etc.?

Apart from the above-mentioned findings, consulted stakeholders had no particular view on the candidates' profiles and the **breadth of information to be submitted**. The reliability or trustworthiness of information appeared more important than the quantity of information provided and the depth of the profile. Stakeholders directly involved in recruitment noted that employer requirements often focus on a few specific qualifications, and that existing commercial job-matching profiles already contain information. Requiring candidates to submit detailed profiles to a new platform could discourage participation and an excess of information could overwhelm potential recruiters. Some actors support more broadly the idea of a "multi-phase" approach, similar to non-EU EoI models, where candidates first provide minimum information and, when automatically matched with potential employers or schemes, are required to provide additional elements and documentation, subject to human review.

Should third-country nationals already residing in the EU be granted an easier access to the pool?

There is a consensus that the EU faces challenges in **retention of talents, and more particularly international students**. As many university graduates leave the EU after completion of their studies, some stakeholders would like to see the EU Talent Pool play a role in retaining (potential) talents already present in EU Member States and support their intra-EU mobility. Retention is seen as a political priority by various stakeholders. In this respect, the SG Commission also highlights the importance of supporting labour matching *within* the EU, between the different Member States, by alleviating the obstacles faced by third-country nationals when changing employers and moving to another country. There is no support for statutory exclusion from the Talent Pool of third-country nationals already resident in the EU. However, some stakeholders from Member States with lower salary levels or smaller economies worry about the Talent Pool increasing mobility to other EU Member States of Talents who have been attracted or educated in their country ("poaching").

Besides workers and foreign students, should beneficiaries of international protection and/or family members benefit from a personalized assistance or targeted information campaigns?

There was strong interest among some stakeholders – particularly from civil society – to ensure that the Talent Pool serves people in need of protection. One proposal was to grant them easier access to the platform, although more in terms of *facilitation of access* rather than lower eligibility criteria. Targeted information campaigns for refugees and **beneficiaries of international protection** should be ensured, as many of them are overqualified. Private sector engagement is increasingly focused on attracting and recruiting skilled refugees to address labour market shortages (e.g. some business in favour of complementary pathways and work-related admission schemes) but generally through small specific schemes. Several think tanks and IOs also suggest to "incorporate a designated Refugee Track into the envisioned Talent Pool" outlining possible links with complementary pathways (Rasche, 2021^[10]).

The potential drawback of focusing on persons in need of protection, however, is that it may shift the perception of the Talent Pool as being primarily about competences. The Talent Pool should not exclusively or principally serve vulnerable categories, but rather be open to those in need of protection who can meet eligibility criteria.

3.5. Existing tools and platforms

Can this build on existing platforms? If so, which ones (EURES, Europass, etc.) and to what extent?

Opinions are divided on the question of a **possible adaptability of existing EU platforms and portals performing similar tasks**. While recruitment of third-country nationals is currently out of the scope of EURES, some Member States' and IO representatives were in favour of an extension of the EURES mandate. Indeed the hope that EURES could serve as the Talent Pool platform was expressed by a number of stakeholders who were frustrated that a separate Talent Pool matching platform is necessary. Creating a new and distinct platform would, in their views, bring confusion and complexity while both platforms have the same ultimate objective of facilitating matching between jobseekers and EU employers. Some countries would welcome a platform linked to or replicating the "EURES" model, with which employers are already familiar (e.g. in Denmark, employers tick a box when they wish that the vacancy - published or not on the Danish Jobnet – appear on EURES. If so, it is automatically transferred, without any manual posting). Others are neutral on the method (either replacing EURES or merging both systems into one single platform) as long as it avoids duplication and additional burden for users and public authorities. Some were clear that the current EURES mandate is correct and it should not be changed to support the recruitment of third-country nationals.

For DG EMPL, which managed the EURES Portal until June 2021 and is still competent for the political steering of the Network, integration of a Talent Pool into the existing EURES portal **would bring very limited added value, while requiring a complex IT development and a revision of mandate**. The EURES Unit also stresses that EURES currently serves a different pool of employers: a large share of PES vacancies published on EURES target low- and medium-skilled profiles. Further, employers don't have direct access to the EURES portal (although they can benefit from the EURES advisers' support). Private recruitment agencies, entitled since 2016 to join the EURES Network, have in practice faced bureaucratic hurdles, which discouraged them from taking part in these public initiatives and sharing vacancies on EU portals. Migration authorities are not linked at all to EURES. Expanding the scope of EURES for further involvement of these actors would substantially change the very concept of EURES.

In addition, some Member States rightly **question the compliance of any extension of EURES to cover third country nationals with the European Labour Authority's mandate**. It is also noted that in practice, EURES covers only a fraction of job seekers and vacancies in the EU labour market and works with a limited number of staff. Linking EURES to a Talent Pool would likely require extensive legal and technical development.

Faced with the impossibility of using EURES directly for the Talent Pool, it was however agreed that the Talent Pool should definitely draw on the experience and good practices of the EURES Network (job matching component, communication tool, gateway to Europass, customised information etc.). Europass was little known among stakeholders consulted – outside of the Commission itself – and its relevance for building profiles received little attention or consideration.

Besides EURES (and Europass), some stakeholders suggested to build on existing, well-known and functioning **private platforms primarily used for professional networking and career development**. Candidates in many countries are familiar with these tools - which are sometimes the only profiles and online CVs they update on a regular basis. LinkedIn links are already used or even required by some regional talent attraction initiatives although its use is not universal, and some countries and professional sectors favour other private platforms. Further, it was clear that private platforms do not contain key information for the Talent Pool: interest in coming to work in the EU, and possession of minimum criteria of eligibility for legal labour migration channels.

3.6. Qualifications assessment and recognition

What proof of qualifications should be required for admission to the pool and at which stage?

Certification and recognition of professional qualifications, especially credentials, are often required by migration authorities. One reason why most Member States did not use the derogation provided by the Blue Card Directive to attest higher professional qualifications by at least five years of professional experience is that the genuineness, quality and relevance of experience cannot be verified as easily as for education.

By contrast, most employers and firms usually give little interest in recognition processes, except for regulated professions, as long as the candidate's skills fit the job description. Some employers (such as public sector employers) expect recognition of academic qualifications, even when such recognition is generally offered only for academic purposes. Consequently, some Member States would accept flexibility in the Talent Pool eligibility criteria and allow professional experience or alternatives to formal qualifications. This would not exempt candidates from obtaining recognition later if required by the migration authorities or in order to start employment. Recruitment agencies also recommend taking into account “underlying” skills (deduced from professional experience) and to refer to a taxonomy of skills rather than academic or other certificates. An alternative to levels of education (proven by diplomas and certificates) could be **tests of skills and competence** for admission to the pool. This idea was supported by some of the stakeholders representing the ICT industry and regional attraction initiatives. Such tests could be prepared by PES in collaboration with European advisors and employers' representatives – although the PES themselves did not show any interest in conducting such assessment. **Third-party assessment and personalised assistance** (even performed by private agencies) could also be considered, possibly as a fee-based option.

None of the respondents questioned the fact that a proof of qualifications (and/or specific skills) is required at some point. **Questions mostly arise with regard to the stage at which it should be submitted and the way it should be assessed.** According to the European Parliament, “the EU could play an important role in pre-screening candidates' qualifications, language levels and skills”. However, anticipating (“front-loading”) checks and verifications has pros and cons. On one hand, it is costly and time-consuming for candidates to engage in national recognition processes at an early stage. There is no European body with the ability to provide any attestation or certification, nor is there any plan to create one. On the other hand, verification obtained before the matching phase can avoid later delays and speed up recruitment. One possible option could be to **leave the choice (and therefore the cost/benefit assessment) to users**, classifying profiles according to the different levels of verification. Candidates can decide how to reinforce their profile and employers can see whether the candidate holds any official recognition. Starting a recognition process in one or several Member States may be cumbersome and costly, with unpredictable outcomes and no transferability among destination Member States. However, it can also send a positive signal to European employers who wish to recruit quickly (i.e. candidate's reliability, ability to produce documents for review, and potential eligibility for admission).

What existing frameworks (e.g., ENIC-NARIC) should be integrated into the recognition process and if so how? How to benefit from convergence and coordination between MS recognition processes when it comes to professional qualifications (and not only educational credentials)?

At present, the **EU lacks a comprehensive framework for the assessment and the recognition of foreign professional qualifications**. Without a proper legal basis, an EU Talent Pool couldn't be tasked with assessing the qualifications and credentials of third-country nationals, valid for all Member States, although such a possibility would represent a real asset. The maximalist approach consists of developing a new mechanism for the validation of professional experience, non-formal and informal learning within the EU. By implementing accelerated procedures and facilitating access to information, the assessment, mutual recognition and certifications of qualifications and skills would be made easier, quicker, fairer and more streamlined across Member States. A “softer” option is to rely on, and strengthen the cooperation of, the **ENIC-NARIC Network**. Launched by the Commission in 1984, the NARIC Network is supported by DG EAC. The ability of the national centres to exchange information, cooperate with their counterparts, including in third-countries, and assess foreign credentials and diplomas is an important asset for the

Talent Pool. It has however some shortcomings as comparability statements issued by these entities don't always amount to binding recognition decisions, and are not automatically transferable to other Member States. Increasing the acceptance of comparability statements by different ENIC-NARIC centres could save time for applicants and assessors.

In a complementary way, strengthening the relations with **VET providers in third-countries** could contribute to improve transparency of qualifications for European employers. However, VET programmes are not harmonised within the EU, which significantly limits the scope and the added value of such programmes, unless it becomes a necessary condition under scenario 2b (see below).

Even in the absence of harmonisation and/or binding standards, the Talent Pool could still **provide clearer and transparent information** about the procedures and requirements to be met in EU Member States for the recognition of qualifications, e.g. for certain key sectors and professions. This would require substantial initial investment and require regular updates from national centres and authorities but could also increase uptake and awareness of users.

As for the proper assessment of qualifications, the first key component, in Cedefop's view, should be a reference point to identify the qualification level of the foreign qualification. **An approximation is more relevant than an exact conversion of the qualification to the EQF.** The Talent Pool could therefore work as a signalling device of the qualification level, rather than actual recognition or conversion of the foreign qualification. Indeed, although not legally binding, the EQF, ESCO and Europass are acknowledged by all Member States, contributing to greater convergence between recognition processes and comparability between national classifications systems. The Pool could also draw from the experiences and methodology of the UNESCO Qualifications Passport for Refugees and Vulnerable migrants when assessing prior learning and qualifications acquired outside the EU. Finally, Europass digitally-signed credentials, currently being deployed, could facilitate the recognition and understanding of learning *achievements* (including but not limited to qualifications) by employers and other institutions, although these are little known today.

Should language skills be required and if so how should they be demonstrated? Certified proof of language knowledge, or self-assessment?

As noted above, candidates should indicate their mastery of European languages according to the CEFR. The importance of certification varies among employers. So does mastery of the language in the destination country: depending on the job offer or the occupational sector, English proficiency may be required or needed. However, there was only limited insistence that the Talent Pool should require proof of language mastery, since it mainly matters for cultural and social integration purposes.

3.7. Selection process

How long do candidates stay in the pool before they are discarded? Are they able to update their profiles while in the pool?

For some actors ensuring that candidates in the Talent Pool continue to update their profile is crucial and contributes to the platform's effectiveness and success. CVs and profiles should regularly be updated and automatic rules discarding inactive candidates should apply. The guarantee of a Pool with **responsive, available and "new" candidates** (e.g. six months in the Pool or less) would be a real incentive for employers, according to some countries. One possibility which was raised was for candidates in the Pool to receive indications on further training and/or working experience which might make their profile more attractive.

Who gets to look in the pool and how are they regulated? E.g. recruitment agencies, PES, employers? Should there be a bridge to the PES vacancy platform, allowing candidates to consult vacancies?

The Pool would be of no use if no one looks at the profiles it contains. There was agreement that the PES should be able to consult the Pool but little expectation that this would lead to matching in large volumes. **Consultation of profiles by firms and companies** is considered useful as long as 1) candidates can still actively search for job opportunities outside the Pool; 2) it is neither time-consuming nor burdensome for employers 3) it complies with GDPR provisions. Indeed, to optimise the chances of a match, both sides (candidates and employers) must be active and responsive. The Talent Pool could “scrape” vacancies from existing vacancy databases (public or private) rather than requiring employers or PES to manually post vacancies on the portal.

The **involvement of employers and companies** (of all sizes) from the outset is seen by many stakeholders as a key factor of the Pool’s attractiveness. Employer representatives offered to contribute to the development of the Pool, e.g. by defining the modalities of access or the matching process. Some of them expressed concerns about the participation of large firms and doubt that such firms would shift to use a PES or existing public databases instead of private recruitment agencies or marketplaces. Others are more worried about the limited use by SMEs, which are usually not familiar with international recruitment, have limited resources and sometimes don’t even publish or advertise their vacancies online. Some of these companies are neither able nor trained to recruit third-country nationals. One request was that the Talent Pool project consider **inclusion of programmes to promote international recruitment of talent**, offering support and training (including on applicable migration rules and procedures in the country of employment) to SMEs, upon request. Such orientation on international recruitment was noted as potentially beneficial particularly in Member States where SMEs are relatively new to the process, such as Slovakia, Romania and Poland.

Several stakeholders expressed doubts about the necessity and the potential added value of a **newly-created matching platform at EU level** for foreign talents. Highly-skilled candidates already use existing channels and networks with which they are familiar to find a job in Europe. Inversely, big firms and multinational companies rely on private recruitment agencies and intermediaries to find the candidate(s) they need, inside or outside Europe and are unlikely to go to a new platform. For these private actors, sourcing and matching are generally not an issue. Additionally, some stakeholders, already active in attracting and matching foreign workers with potential employers, warn about the **limits of an automatic algorithm** performing matching when it comes to skills and competence assessment. Others consider on the contrary that the EU Talent Pool *should* emphasise the matching component. National PES noted that past experience with national platforms for identifying third-country candidates saw little use by employers.

On the contrary, some Member States, who no longer have a matching tool for international recruitment, would welcome an EU Talent Pool with a matching component, as long as profiles are up-to-date, dynamic and easily searchable by employers and recruiters, and cover in-demand skills and qualifications.

None of the respondents supported the creation of **an EU-wide pool of pre-screened vacancies** instead of a pool of candidates.

However, some actors would like to see the Talent Pool lead to a fresh approach to labour market tests, including stronger co-ordination and mutual learning opportunities among Member States to ensure a consistent approach to tests across the EU. In particular, certain employer representatives hoped that the Talent Pool and associated identification of labour shortages could lead to EU-wide exemptions from labour market testing, by occupation, sector or category of permit.

3.8. Link with migration procedures

There was widespread recognition that the Talent Pool would be of interest to candidates and employers if it could **simplify or accelerate migration procedures**. If a candidate in the Talent Pool is treated better (e.g., given priority or benefits from a reduced evidentiary requirement), this would make the Talent Pool

of interest for both the employer and the candidate. Indeed, for some recruiters and employers, the current barrier to highly skilled migration is not identifying interested candidates to fill vacancies, but the complexity, length, uncertainty and cost of migration procedures. However, there was also concern that if the Talent Pool were connected to the migration procedure, it might further complicate processes rather than simplify them.

Could a link between the pool and the migration procedures be established through simplified administrative processes?

The initial reaction of a number of stakeholders was **perplexity or scepticism about bringing migration procedures** into the Talent Pool. In part, this may have been due to the lack of precision on the exact nature and extent of such a link. Even when the option of creating additional legal pathways was explicitly excluded, the possible “risk” of this occurring was still raised (e.g., during the CGLM meeting). Some participants in the EGEM meeting also raised concerns about the compatibility of any link between an EU Talent Pool and national schemes and regulations.

Some Member States are opposed to a link between the Talent Pool and the national migration schemes if it leads to a mandatory system which doesn’t take into account the diversity of migration systems or seeks to harmonise Member States’ practices and procedures.

By contrast, actors from the private sector and business representatives consider this dimension as a real added value. Migration procedures in EU Member States are overall cumbersome, long and complex. While fast-track schemes and programs already exist in some Member States, companies need systematic support from public authorities. Companies in Germany, for example, are already benefiting from fast-track procedures for skilled workers (Federal Ministry of Justice, 2020^[11]). **A Talent Pool providing clear and concise information about individual eligibility for admission and pre-screening candidates** (*a priori* eligible for subsequent migration) would be a significant benefit for employers and recruiters, regardless of the companies’ size or sector. Even further, for the Secretariat-General of the Commission, the Pool should contribute to facilitate and accelerate the issuance of permits (not only the submission of applications). For some on the business side, the Pool would *only* be meaningful if it leads in practice to simplified and accelerated procedures.

What scope is there for standardised fields and forms with export to national migration systems?

The scenarios presented raised the possibility of a link with the migration system primarily through transfer of information directly from the Talent Pool to migration authorities. The first step in this direction could be standardisation of fields and transfer protocols.

Regarding possible **standardisation of application fields and forms**, some actors are doubtful on the principle and on the potential benefit of standardisation, as the point is to avoid duplication of evidence requests, not to have them equal across Member States. Similarly, some Member States seem reluctant to support any form of harmonisation, even superficial, and prefer non-binding standards and guidelines.

On the contrary, some actors could see some benefit, for instance, of providing standardised forms to ensure that translations are available. **Digitalisation of processes**, in this context, appears to be a major issue. Some institutional actors argue for a more explicit “digitalisation angle” of legal migration channels, as it is meant to facilitate the submission of applications for visas and residence permits and help reduce financial costs for administrative authorities.

Would exceptional possibilities for visas for face-to-face interviews be considered? Could this lead to derogation of requirements to apply for visas or permits from abroad?

There was limited interest in integrating a job search visa; this was not seen as a priority.

One issue raised are the post-matching rights and obligations of the parties, i.e. in case of withdrawal or of a breach of contract between the employer and the candidate while the admission procedure is ongoing.

This situation appears quite theoretical as the worker's consent is needed and the legal criteria have to be met to pursue the admission procedure and goes beyond the scope and responsibility of the Talent Pool. Bad-faith employers can also be excluded from access to consultation of the Talent Pool based on guidelines.

3.9. Outreach and marketing activities

Which bodies should undertake to market the Talent Pool? What outreach and marketing activities should accompany the Talent Pool?

The Talent Pool's success will largely depend on marketing and outreach. **Targeted information campaigns, job fairs, collaboration with regional organisations and talent attraction initiatives** should contribute to raise employers and (potentially eligible) candidates' awareness and encourage them to use the Pool for international recruitment. A supporting website should be set up, alongside large-scale marketing activities through social media and networks. While targeted campaigns ("pushing" candidates through newsletters and alerts or "pulling" extracted profiles and CVs, passed on to employers) are particularly efficient and useful, they are also labour- and information-intensive and require significant human management and monitoring.

Similarly, information dissemination and close **co-operation with competent entities in third countries** should be ensured in order to promote the Talent Pool in a concerted and responsible manner. This is all the more important within the context of Talent Partnerships and bilateral agreements between EU Member State(s) and non-EU partners.

More fundamentally, the **Talent Pool should maximise EU visibility**, especially for smaller and less internationally known Member States, or those where foreign workers have traditionally had lower skill profiles. For the Talent Pool to be the main point of entry (the "one-stop shop" for talents), the multiplication of national or regional portals and initiatives, with similar tasks and purposes, should be avoided. Some actors consider, on the contrary, that the Talent Pool should bridge to national portals and regional talent attraction initiatives rather than replace them.

3.10. Governance and management

Where should the Talent Pool reside institutionally?

The question of the "institutional location" of the Talent Pool gave rise to some discussions. Depending on which policy objective was given primacy by actors, expectations varied regarding which part of the Commission should take the leading role when setting up the EU Talent Pool. Actors who saw the Talent Pool as mainly aiming to attract foreign workers and guide them to the most suitable labour migration schemes expected DG HOME to lead. Those who saw the platform as primarily intended to address labour market shortages, without an explicit link to migration policies, expected DG EMPL to administer the Pool.

Overall, according to the European Parliament, the EU should be entitled to "set up, monitor and oversee the platform; put in place an harmonised framework at EU level for applications in order to reduce bureaucracy". But as the Talent Pool is meant to serve both employment (i.e. addressing labour market shortages) and migration (i.e. attracting highly-qualified migrants) objectives, some actors consider that the relevant EU entities, namely DG HOME and DG EMPL, should closely cooperate on this matter. As both dimensions are inextricably linked, the Pool could serve these policies equally rather than choose between the two. For some Member States, even if the Talent Pool initiative is launched by DG HOME, strong coordination involving ELA, DG EMPL and Cedefop is needed, especially if the platform is built on the EURES portal. **DG EMPL**, however, considers that the Talent Pool is a parallel stand-alone system for third-country nationals and therefore **should not fall under its remit** but remain primarily under the

responsibility of DG HOME. Nonetheless, lessons could be drawn from experience, methodology, processes, data exchange standards etc. of existing EU IT tools. EURES, by contrast, noted that whichever EU actor has the ownership of the platform needs to make sure it is reliable and sustainable in the long run.

Besides the institutional framework, some stakeholders insist on the importance of **involving relevant civil society organisations, economic and social partners, diaspora networks and TCN workers themselves, as well as local authorities and international organisations**. This co-operation is seen as particularly important in discussions on the definition of skills, which should include on-the-job training, informal qualifications and work experience. The EURAXESS network, whose profiling tool is a potential model for the Talent Pool, would also be ready to cooperate with the authorities in charge of the Talent Pool, as it already does with Europass and Cedefop.

EU governance and management should however leave a certain **flexibility and discretion to Member States** when adapting their labour market policies and addressing their national needs. One proposed solution was to build on relevant bodies and tools, and have the Pool governed by a “back office” at the European level, with the “appropriate involvement of public and private actors”. It should also comply with the Member States’ competence with regard to volumes of admission and implementation of labour market tests, if any.

3.11. A sector-based approach

What sectors should the Talent Pool focus on? How should industry representatives be involved?

According to several stakeholders, **skills intelligence and forecasts** should help identify the sectors facing the most serious skills shortages and occupations in high demand, within the EU. This would be an important tool not only to address current needs but also to anticipate the future labour market situations. In addition, real-time data on vacancies and skills needs by country, region, sector or occupation might contribute to improve and foster matching processes. The discussion around “sector shortages” was in most cases a discussion around occupations in shortage, even if these occupations were primarily associated with a specific sector (e.g., programmers and computer systems analysts).

Some business representatives therefore advocate for a **European skills shortage list** (SSL) to be used as a reference aimed at better informing users but also raising awareness of countries about the situation in their respective labour markets. A SSL would also have the advantage of signalling easier access to immigration schemes, as well as greater likelihood for candidates to find a job. According to SG COM, this idea of an EU list should be elaborated further, with options set out in concertation with DG EMPL. One option to consider might be the use of a **specialised committee that provides evidence-based recommendations**, like the UK’s Migration Advisory Committee.

Additionally, some existing tools could be relevant, such as The **Skills Panorama** and the big-data driven “**Skills Online Vacancy Analysis Tool for Europe**” (OVATE). There are plans to integrate skills demand information into Europass and provide each user with a personalised dashboard. Skills Panorama and OVATE also provide guidance for career decisions and investment in skills based on accurate information on regional level and/or specific occupations.

Many consulted stakeholders expressed a **preference for a sector-based approach**, rather than a “generic” Talent Pool. Focusing the Talent Pool on sectors or occupations with real skills gaps would lead to greater interest from employers; more broadly, it would help better respond to the need for skills and competences among EU Member States. The EU could decide to focus on a specific sector, to better take into account the sector’s particularities through a dedicated environment and/or as a first step or pilot in developing the Talent Pool. An incremental approach could be considered, starting with Scenario 2, and later on opening up the pool to more sectors (until reaching scenario 1). Other stakeholders see a potential

downside to taking a sector focus, noting that **it might be difficult to clearly define sector boundaries, especially for evolving sectors** like ICT with a transversal dimension, where ICT workers might work in different sectors. One suggestion for dealing with this is for the Talent Pool to target “job roles” or skills set instead, through dedicated and periodic campaigns.

Industry representatives are generally interested in **participating in any decisions on priority sectors** for the Talent Pool, even if they are not all convinced that the Talent Pool should be sector-limited. Either way, respondents call for a **flexible and responsive tool, adaptable to changes** and circumstances (e.g. crisis or evolving skills). This opinion is shared by DG EMPL who considers that a sector-based Talent Pool would be conditional on clear stakeholder support and transparent process of definition of sectoral demands of Member States.

For unregulated professions, what standards should be imposed?

A focus on unregulated professions would be easier as the recognition of qualifications in this field is more flexible and common values and standards already shared by European countries. Limiting the Talent Pool to regulated professions would be an excessively restrictive condition.

3.12. Link with talent mobility partnerships

Does it make sense to link Talent Partnerships to the Talent Pool?

Scenario 2b (see 2.4 above) is based on an approach which is still relatively unfamiliar to many stakeholders. Some stakeholders wonder how and to what extent such a variant could be combined with other scenarios. An exclusive approach, based on agreements or partnerships with a few third countries only, might lead to a Talent Pool with a limited scope and a too small scale to meet the overall objective of making the EU more competitive in attracting the best talents. Similarly, for DG EMPL, scenario 2b appears to have the **least potential in terms of contribution for the EU labour market**, beyond the existing Talent Partnerships. Within these mobility frameworks, employers need to commit upfront; there are only a few involved so far, and have well-identified needs. The question is therefore whether they would need a Talent Pool and whether it would be cost-effective.

On the contrary, **maintaining a generic Talent Pool**, open to all, and using the same platform to develop dedicated pools of candidates from certain sectors covered by Talent Partnerships, could make more sense and benefit a larger number of beneficiaries. Employers could also have the possibility to look into the Talent Pool for candidates who participated in training provided by EU-funded projects. In practice, however, training courses for labour migration purposes are usually Member State-specific. The Talent Pool could still enrol participants in projects, in the hope that their training would also be relevant for employers in Member States other than the ones participating in the partnership. Some participants in pilot projects, however, note that they would not want to see the trained candidates “poached” by other Member States which have not invested in the project.

Some Member States expressed some doubts about the political feasibility of scenario 2b. Some states participated in several pilot projects on labour migration and pre-departure training and stressed the importance of **preserving trust among the partners** to shape bilateral cooperation around common interests. Training candidates for inclusion in a Talent Pool – without pre-arranged partners in destination countries – might undermine the trust of different partners.

At the very least, the Talent Pool could play an informative role, raising awareness of potential candidates and companies on existing Talent Partnerships in specific sectors implemented in Europe.

Which actors would need to be involved in the Talent Pool to draw on partnerships in origin countries?

Pre-selection processes in the countries of origin would require the **involvement of various actors**. The EU Member State PES in the first place, as they are already familiar with matching processes and

sometimes, international recruitment. They also have an accurate knowledge of the labour market trends and needs. For some IOs, the Talent Pool actions in origin countries cannot follow a single model. The current pilot projects show a diversity of approach depending on the targeted audience and the sector concerned.

Could third-party validators in origin countries interview and approve admission to the pool, in addition to offering training?

One suggestion which was raised by a number of stakeholders was the idea that the Talent Pool would validate the skills of candidates, through interviews and tests. Under this idea, bodies supervised and commissioned by the Talent Pool would hold recruitment drives in origin countries, soliciting interest, and individually vet applicants for inclusion in the Talent Pool. This was seen as costly and complex.

Another related idea was to **expand the list of third-party validators**. Based on field experience, some Member States also suggest to also involve private actors through private-public partnerships for third-party validations and review of candidates. Industry could review candidates, especially when the Talent Pool focuses on – or runs a recruitment campaign – for a specific industry. One example cited was “Move Green”, a bilateral project between local actors in Spain and Moroccan authorities, where identification was performed by Spanish renewable energy bodies. However, most stakeholders agreed that it would be difficult to achieve reciprocal or universal acceptance of the judgement of validators in origin countries. Employers in one Member State would be unlikely to accept the assessment of validators sent by another Member State, whether these were public or private, industry or government.

While collaborating with PES is essential, **professional associations or private specialised partners** can however play a significant role in selection processes. Unlike PES, they do not face institutional constraints and often have a particular expertise for identifying skills and qualifications, including highly-skilled profiles, in key sectors. Some private employment agencies intervene in recruitment processes of large groups of people (i.e. bundled vacancies) especially medium-skilled profiles. Good practices and lessons could be drawn from former and ongoing projects. There is no incentive for private partners to share their profiles with the Talent Pool, however, so any use of this approach would require compensation – even if the Talent Pool is meant to be without direct costs for users.

3.13. Conclusions of the consultations

The limited detail contained in the reference to the EU Talent Pool in the 2020 Pact meant that many stakeholders projected their own priorities and concerns onto the concept, even when reviewing detailed scenarios. Nonetheless, most stakeholders welcome a European policy tool aimed at better managing labour migration and improving the access of European employers to skills. Many stakeholders wished to see a Talent Pool capable of accelerating migration procedures – but the policy actors responsible for national procedures did not see political space for an EU Talent Pool to impose conditions for fast-tracking applications or providing exemptions from existing requirements in national permit issuance procedures.

The main added value of the Talent Pool is therefore seen to lie in its ability to attract and retain foreign talents in sectors, occupations and countries where they are most needed. To ensure the platform’s efficiency and usefulness, a balance must be struck between a necessary European approach and flexibility left to Member States and market players to address employment and admission challenges. National authorities should be involved in both operational management and political governance of the Talent Pool, even if the Pool is hosted by a designated European entity.

Regarding platform design and key components, stakeholders’ contributions can be summarised as follows:

- **A pool of candidates based on predefined selection criteria** is a key component of the system. The Pool should focus on “talents” and on individuals who qualify for existing legal migration channels on the basis of their individual characteristics. Most respondents favour a pool covering a wider spectrum of talents than those specified by the first EU Blue Card Directive. Most respondents, irrespective of their status or activity, advocate for a pool serving not only highly-skilled profiles but also, to a certain extent, qualified candidates with specific skills in demand.
- Registration should be open to **third-country nationals regardless of their country of residence**, as long as they meet the criteria. Certain categories of migrants could be encouraged to register by offering assistance (e.g. guidance to beneficiaries of international protection through dedicated support schemes or targeted campaigns), but the Talent Pool should not be designed to primarily support vulnerable groups.
- **Registration to the Pool** should be simple, quick and user-friendly. While users should be able to create an initial profile without providing documentation, the ability to upload or link documents was seen as important to allow intermediaries to screen profiles. The ability to retrieve and share personal information from existing platforms (Europass, LinkedIn etc.) would be beneficial.
- While **certification or recognition of professional qualifications** is an important step in most migration procedures, employers usually assign greater importance to effective skills and competences in selecting and recruiting a candidate for a specific job. Opinions differ as to whether candidates’ skills should be tested and validated as a condition for enrolment in the Talent Pool or whether such verification should take place at a later stage, according to formal certification requirements imposed by national authorities as part of the migration procedure. In balancing the burden of pre-qualification with the advantages it offers, most stakeholders supported a lighter evidentiary requirement for the Talent Pool.
- The demand side needs to be integrated. **Active engagement of employers and companies** (of all sizes) appears to be crucial. Candidates’ profiles should at the very least be visible and searchable by the Member State PES, although this is likely not enough to yield matches except in the rare cases where these PES are active in international skilled recruitment. Employers, recruiters, and private agencies could be granted access, as long as they comply with ethical international standards and good practices. The decision about which employers can view profiles should not be managed at the EU level, but rather at the Member State level. There was interest in the use of the Talent Pool by PES and other actors to identify candidates for specific skilled positions or talent recruitment campaigns.
- The added value of vacancy posting and a **job-matching component** was noted. It was not clear that employers would see the benefit in posting vacancies for the Talent Pool unless there was a clear benefit in accelerating migration procedures. Linking labour market testing and skilled migration criteria to vacancy posting appears beyond the capacity of an EU platform, also taking into account the complexity of labour market testing in the Member States, although it might be done at the Member State level. Using the EU Blue Card salary requirements as a threshold for vacancies was seen as impractical and excessively restrictive, especially if national legal channels allow skilled migration without such a salary threshold.
- **Protection of personal data** was cited as a concern, but not an insurmountable barrier to realisation of the Talent Pool. The risk of malicious actors defrauding candidates was raised but was considered manageable.
- The current absence of an EU source for clear, accurate and concise **information on national migration procedures** (EU Blue Card and/or national schemes) was noted. Such information would be an added value. The existing EU Immigration Portal could be revised. Guidance based on individual characteristics would be an added value for applicants, foreign candidates and employers acting as sponsors. Fast-track admission schemes and simplified processes should be supported and promoted, in accordance with the Member States’ competences. Member States

would require additional resources in order to provide continuously updated detailed information, especially if site users receive orientation based on individual characteristics.

- **Focusing on sectors** appeared important, but **without limiting** the Talent Pool to specific sectors. Despite improved labour market information, it remains difficult to identify and monitor which sectors or occupations should be the focus at the EU level, also in light of the absence of an agreed methodology for determining an EU shortage occupation list. While many stakeholders would welcome a sector-based approach, this could be covered through the generic Talent Pool by integrating specific sectors or occupations either temporarily or permanently. Some civil society representatives ask to consider the risk of “brain drain” in third countries when defining sectors and occupations.
- **Skills mobility partnerships should not be excluded, but the Talent Pool should not be limited to them.** Talent or Skills mobility partnerships reduce the risk of brain drain and upskill foreign talents through various professional and skills development schemes and programmes. The benefits of linking these partnerships to the Talent Pool was seen as limited in terms of volume. Concerns about possible “poaching” were also raised by Member States who have close bilateral relations with key third countries. Talent Pool actions in origin countries could go beyond Skills Partnerships to integrate some form of trusted validation in origin countries, especially in conjunction with specific recruitment campaigns.

Finally, the EU Talent Pool **governance and management** should be carefully defined since it touches migration and employment domains, and therefore different legal division of competences between the EU and its Member States. What was important to stakeholders was the capacity of the Commission to play a role of coordination of national entities that would co-manage use of the Talent Pool and regulate access. In addition, a multi-level political governance could take place, involving all competent stakeholders, from the public, the private sector and the civil society.

Current similar initiatives have taken years to develop the necessary awareness and number of users to become fully functional. A **Talent Pool will require time** to populate with candidates and will likely require some adjustment in eligibility criteria based on performance and use. However, no such platform currently exists and its introduction would address a gap in the overall policy framework.

4

Adaptability of EU and Member State matching systems including legislative and regulatory implications

4.1. Introduction

The feasibility study also includes an analysis on how the Talent Pool could fit into the existing institutional and legislative landscape. This analysis examines the suitability and legal feasibility of developing a Talent Pool in light of existing databases and platforms that perform similar tasks but in a different context (e.g. the EURES portal, Europass, EURAXESS or the EU Immigration Portal). Talent Pool features and functionalities considered in the scenarios under review above are in many cases comparable to existing initiatives, instruments and IT tools already managed by public entities (whether at European, national and even regional level) or by private stakeholders. The Talent Pool could potentially be linked to, built upon or merged into such existing initiatives while avoiding substantial legal changes, duplication or further complexity.

The first section of this chapter outlines the main building blocks and components of the Talent Pool. Although its final shape is not yet defined, the Talent Pool is expected to encompass some basic features to comply with the Commission's guidance and aspirations. The second section focuses on adaptability of existing and comparable European tools and instruments (4.2). More particularly, it assesses the compatibility of their respective mandate, scope and activities with an EU-wide Talent Pool. It also describes some of the means by which Talent Pool (in its various possible scenarios) could be developed as well as the legal implications this might require. The final section focuses on the main findings and conclusions on adaptability (4.3).

In addition to the compatibility with existing structures, there is the question of situating the Talent Pool institutionally. The EU Talent Pool has several objectives: attracting (highly-) qualified workers from abroad; addressing labour market shortages in the EU; and supporting the effective functioning of existing legal labour migration channels. This means that it straddles a number of policy domains. Immigration and employment are the main domains, but the Talent Pool also extends into the internal market, education and the EU's external action.

Depending on the policy area, the EU competence for setting up and managing the pool can vary greatly, from legally binding instruments to soft coordination and support of Member States' actions.

4.1.1. *EU immigration policy*

As set out in the Treaty on the Functioning of the European Union (TFEU) Article 79(1), the ultimate objective of the EU is to develop a common immigration policy aimed notably at managing migration flows, efficiently and *at all stages*, as well as ensuring fair treatment of third-country nationals residing legally in the EU. In this area, the EU has a shared normative competence.¹⁸ It may adopt legislative acts (regulations, directives or decisions), in accordance with the ordinary legislative procedure¹⁹, in the spheres listed in Article 79(2)(a)(b).²⁰ In practice, EU harmonisation in the field of labour migration is rather limited in scope and in “intensity”. The EU Directives adopted between 2009 and 2016 govern the admission and stay of specific categories of workers but leave a wide margin of discretion to Member States when implementing them. In addition, Article 79(5) TFEU introduces a reservation of State competence on volumes of admission of third-country nationals coming to seek work in the EU. Consequently, the EU can neither grant permits to third-country nationals for employment purposes nor oblige Member States to do so.²¹ In the field of integration, the Treaties exclude any harmonisation of national laws and regulations. The EU can however provide incentives and support measures with a view to enhance the integration of legally residing third country nationals.²²

4.1.2. *EU employment policies*

One of the main objectives of the EU is to promote “a high level of employment through the development of a coordinated strategy, particularly with regard to the creation of a skilled, trained, and adaptable workforce”.²³ This objective has a transversal dimension and should be taken into account when defining and implementing other European policies. In the field of employment and social affairs, the EU has a special competence of coordination, as laid down in Article 5 TFEU. EU legislative acts may be adopted in a few areas, but the responsibility for employment and social policy primarily lies with national governments. Council recommendations and other policy initiatives issued by the Commission are the most frequently used measures.²⁴

In all cases, as its competence is not exclusive, the EU must comply, when adopting legal acts, with the principles of **subsidiarity** and **proportionality** as enshrined in Article 5 TEU. It shall act “only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by Member States, either at central, regional or local level, but can rather, by reason of the scale or effects of the proposed action, be better achieved at the Union level”. An EU-wide Talent Pool established by a legal act will be subject to the scrutiny of national parliaments (under the *ex ante* early warning mechanism) and of the Court of

¹⁸ In the absence of EU action, Member States remain competent to legislate, including on aspects for which the EU has ceased to act.

¹⁹ Art. 294 TFEU.

²⁰ See Protocol (No 25) on the exercise of shared competence.

²¹ In 2019, Member States issued more than 3 million first residence permits to third country nationals, of which over 1 million were for employment purposes. Of these 1 million permits, only a small part were issued in categories created by the different Directives on legal migration.

²² Pursuant to Article 79(4), the EU may only coordinate and complement national actions on the integration of third-country nationals residing legally in the Union, without affecting the normative competence of the Member States in this area.

²³ Article 145 TFEU.

²⁴ See for instance the Council recommendation on the integration of the long-term unemployed into the labour market (2016/C 67/01) or the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the regions, a New Skills Agenda for Europe, Working together to strengthen human capital, employability and competitiveness (COM(2016) 381 final)).

Justice, if adopted. The EU action in both policies also needs to be proportionate and not going beyond what is necessary to achieve the objectives of the Treaties.

4.1.3. **Building blocks, key features and components**

The Talent Pool take the form of a single EU-wide online platform gathering the profiles of skilled third-country nationals interested in a job in an European country, linking this with employers and companies interested in recruiting talents from abroad, subject to the applicable legislation in the country of employment.

There is no clear definition of “talent”, while a core issue. Unless stated otherwise, it can be taken from the Commission’s description of the Talent Pool in the New Pact on Migration and Asylum: the system is primarily designed for **workers and job seekers with skills**. This definition would, a priori exclude investors, business entrepreneurs, students and free-lancers.

It has also become clear from the Commission’s previous announcements and subsequent discussions that **some options shall not be considered**, due to significant political, legal or technical constraints they may imply. The Talent Pool on its own will not amount to a new legal migration pathway. It will not be a required channel for use of existing EU labour migration schemes (see section 5, below). It will mainly follow the demand-driven approach of the current framework. Finally, the Talent Pool will primarily focus on talent attraction and/or job matching and therefore play a limited role in aftercare and integration issues.

The platform will be accessible to all skilled third-country nationals in need of protection, although it is not intended to serve them exclusively.

Among the guiding principles, the Commission attaches great importance to flexibility, simplicity and agility for all potential users. It expects only limited and targeted changes to the current EU legal migration framework and seeks to avoid any additional burden for administrative authorities. Consistency should also be ensured with the other actions and components of the “Skills and Talent” package, i.e. the revision of the Long-Term Residents and Single Permit Directives, Talent Partnerships, the initiatives aimed at enhancing legal pathways to Europe and the ones supporting integration and inclusion into local communities.

Table 4.1 indicates which features of the Talent Pool (functioning and design) were defined for the purposes of the analysis of adaptability. One question that transcends the three scenarios under examination is: what will a Talent Pool at the EU level look like? In all scenarios, the Talent Pool should comprise the following **building blocks**, either alternatively or complementarily:

- Block 1 - A roster/pool of pre-screened candidates;
- Block 2 - Access to filtered job vacancies appropriate to the scenario identified (with or without a matching function);
- Block 3 - A mechanism providing information, regularly updated and comprehensible, on applicable labour migration rules in different EU States, based on the profile of the user.

Table 4.1. Adaptability analysis: Defined and as-yet undefined features of the EU Talent Pool

Defined	To be defined
Online platform for profiles of candidates	Level of detail of collected profiles; synergies with Europass or LinkedIn etc.
Country-specific information	Level of detail and scope of the information provided (migration and labour market trends (Skills OVATE), bespoke assistance or guidance etc.).
Target: skilled third-country nationals	Threshold for skills (e.g., tertiary-educated, highly skilled occupation, etc.) Location (outside EU and/or already residing in an EU MS) Measures for specific categories (e.g. beneficiaries of international protection, post-graduates)
Pre-screening and selection of candidates	Selection criteria for inclusion in the Pool Gatekeeper (at EU and/or national level) Additional checks and requirements
Accessible to employers in EU MS	Companies only, recruitment agencies, public authorities and public employment agencies, regional talent initiatives, etc. A regulated access for active management (e.g. posting vacancies) or consultation only? Possible bridges with national migration schemes. If so, in what form?

Source: OECD Secretariat

4.2. Adaptability and legal implications at the EU and national level

4.2.1. Block 1 - An EU-wide pool of pre-screened candidates

The Talent Pool would screen candidates and only include those meeting certain criteria. Examples of existing EU-level pre-screening pools are quite limited. The only EU-level pool which currently pre-screens candidates for inclusion is the European Commission Blue Book Traineeship programme. It relies on eligibility criteria for the selection of EU citizens wishing to apply for a 5-month paid traineeship within its Directorate-Generals, agencies and bodies.²⁵ This, however, is a programme for recruitment by the Commission itself. An EU Talent Pool, on the contrary, would be accessible to non-EU citizens and employers of all sizes and types in different sectors.

As such, nothing prevents the European Commission from creating a pool of pre-selected candidates with a wider scope. Since it would no longer be for internal recruitment, selection criteria would need to take on an EU-wide dimension. The pool could either rely on an **existing benchmark** already included in EU legislation or use **new criteria, commonly agreed** by EU Member States.

Under scenario 1, the EU Talent Pool would essentially target highly skilled third-country nationals while scenario 2, based on a sectoral approach, could cover a smaller target group but with more flexibility in the threshold for skills, based on skills and qualifications which satisfy the requirements of specific occupational sectors.

Existing benchmarks are present in the EU legal migration framework. So far **the only skills threshold negotiated at the EU level in legal migration law is the one used by the EU Blue Card.**²⁶ Although the

²⁵ Only candidates with a bachelor degree, no prior work experience in the EU institutions and a proof of language knowledge are entitled to apply. Additional points are granted to applicants who demonstrate a strong motivation, an international profile or who already published papers in academic journals or reviews.

²⁶ The Student and Researchers Directive (Directive (EU) 2016/801) also sets a skills threshold for researchers, i.e. a doctoral degree or an appropriate higher education qualification which gives that third-country national access to doctoral programmes, which is even more demanding.

Blue Card is a logical EU criteria (particularly for scenario 1), relying on its sole requirements (including the disparate salary thresholds) would be restrictive and, to a certain extent, counterproductive.²⁷ Unless the EU decides to focus first on the ICT sector (possible under scenario 2 and 2b); then, the newly revised version of the Blue Card introducing more flexible admission conditions in this area might be seen as a relevant instrument.²⁸ Another possible selection criterion, already agreed upon at the EU level in migration law, is the one used for intra-corporate transferees (ICTs), who need to show “evidence of professional qualifications and experience needed in the host entity to which the third-country national is to be transferred as manager or specialist or, in the case of a trainee employee, the university degree required”.²⁹ But unlike the Blue Card, the ICT Directive doesn’t set any threshold or minimum level of education.

Alternatively, instead of defining selection criteria, the EU Talent Pool could only perform an **authenticity pre-check of profiles and/or relevant documents**, required by most labour migration schemes.³⁰ However, such a pre-check would have different legal implications according to the type of document assessed. For instance, authenticity checks of travel documents could not replace border management procedures performed in the first place by national authorities.³¹ Furthermore, even the existing standardised profile tools and documents (e.g. the Europass portfolio or the European Qualifications Passport for Refugees) do not amount to formal certification and offer no guarantee of authenticity/veracity to employers or public authorities. For such an EU pre-check to have any legal value (e.g. create any additional obligation for Member State), a revision of the Europass decision would certainly be needed.³²

These selection criteria would only “reflect” the ones required for skilled migration purposes. In the absence of any legal impact on national admission procedures, the adoption of an EU binding instrument based on Article 79 (1) TFEU, which gives the EU competence to develop a common immigration policy aimed at ensuring the ‘efficient management of migration’ at all stages,³³ doesn’t appear necessary.

²⁷ The EU Blue Card is a currently underutilised legal pathway (only 36 806 blue cards issued in 2019, most of them in Germany, and most to applicants already in the Member State of issuance rather than recruited from abroad). The Blue Card often competes with more favourable or accessible national schemes for skilled or highly skilled workers. In addition, it is not applied in Denmark or Ireland according to the Treaties. Although it could make sense, politically to link the Talent Pool to the EU Blue Card, the recently revised Blue Card Directive does not foresee the use of a Talent Pool as a necessary first step of the issuance process nor is a revision of this Directive to integrate the Talent Pool feasible in the near future.

²⁸ Directive (EU) 2021/1883 of the European Parliament and of the Council of 20 October 2021 on the conditions of entry and residence of third-country nationals for the purpose of highly qualified employment, and repealing Council Directive 2009/50/EC (*OJ L 382 du 28.10.2021, p. 1–38*). According to the new text, applicants in the field of technology and communication can now attest their qualifications through proof of relevant work experience instead of higher education qualifications. Concretely, non-graduates with three years’ equivalent experience in the high-tech field are now entitled to apply for a Blue card and Member States have an option to apply the Directive more broadly to non-graduates with five years’ equivalent experience.

²⁹ Directive 2014/66/EU of the European Parliament and of the Council of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer.

³⁰ Valid travel documents, birth certificates, diplomas, job offers or contracts, when issued etc.

³¹ In addition, border checks carried out in accordance with the Schengen Borders Code and the EES regulation take place in principle at border crossing points, not prior arrival. The future self-service system for the pre-enrolment of data set out in the EES regulation will only allow third-country nationals who had already travelled to Europe to use automated kiosks, instead of stationary border control desks, not to have their document pre-assessed from their country of origin.

³² The Europass Decision (EU) 2018/646 yet states that the framework shall support authentication services for any digital documents or representations of information on skills and qualifications (Article 4(6)). On this basis, the future Talent Pool could make use of the future digitally-signed credentials (EDCI), which will enjoy a legal presumption of authenticity across the EU, including for TCNs.

³³ Cf. (European Parliamentary Research Service, 2021^[24]).

Moreover, the EU could decide to act within the framework of the employment policy rather than within the area of Freedom, Security and Justice, i.e. “decouple” the selection criteria from the migration dimension. Even in that case, any criteria or threshold, should be defined in coordination with Member States. Such a Pool of candidate profiles could for instance be achieved through incentive measures designed to encourage cooperation between Member States and support their actions (Article 149 TFEU). Similarly, if situated in the education area, the Talent Pool could build on existing web-based platform already processing and collecting personal data and information, including the ones of third-country nationals (e.g. Europass³⁴, based on Article 165 TFEU).

Furthermore, candidates could be admitted to the pool on the basis of **a shortage occupation list (SOL)**. The SOL could be used as the sole criteria (as under the sector-specific option discussed below) or to extend eligibility for inclusion in the Talent Pool to skilled candidates not necessarily covered by the first two categories (education or occupation thresholds). SOLs are drawn up using different methodologies according to the purpose and context of use. For the Talent Pool, a SOL would have to have an EU dimension and draw on information available at the EU level, such as forecasts of skill supply and demand currently produced by Cedefop. In addition, Eurofound surveys EU firms on a regular basis. These existing data collection and analysis exercises could form the basis of a benchmark indicator or threshold used for an EU SOL. Within this context, the list of occupations for which relevant professional experience is recognised for the issuance of a Blue Card might be seen as a starting point.³⁵ The methodology used to assess the labour market needs could be extended - or replicated - beyond the scope of the Blue Card to draw a broader EU SOL (i.e. a targeted revision of a list annexed to a regulation). Another option would involve a political agreement and approval of the SOL on a regular basis; this would possibly require a political commitment of Member States to endorse the SOL through a Council recommendation or conclusions.

None of these options (see Table 4.2) would lead to the automatic issuance of permits or to the immediate access to Member States’ labour markets. Member States would also remain free to admit talents on a national basis, including on broader criteria (lower skills or salary thresholds, self-employed, entrepreneurs, investors etc.) than the ones laid down in the EU-wide Talent Pool.³⁶

³⁴ Decision (EU) 2018/646 of the European Parliament and of the Council of 18 April 2018 on a common framework for the provision of better services for skills and qualifications (Europass) and repealing Decision No 2241/2004/EC (OJ L 112, 2.5.2018, p. 42–50).

³⁵ Art. 26, Annex I of Directive (EU) (EU) 2021/1883 of the European Parliament and of the Council of 20 October 2021 on the conditions of entry and residence of third-country nationals for the purpose of highly qualified employment, and repealing Council Directive 2009/50/EC.

³⁶ Countries that use more elaborate definitions (like France, Germany, Czech Republic, Austria or Belgium) within their labour migration schemes targeting *talents, experts, employees or skilled workers* could continue to do so as part as their national strategies.

Table 4.2. EU Pool of pre-screened candidates - Assessment of the policy options

Options	Description	Legal changes required	(Legislative) process
EU legal migration framework	Newly-created pool based on selection criteria only <u>reflecting</u> EU labour migration benchmarks (Blue Card and/or ICTs)	None or targeted revision of existing networks mandates (e.g. EMN or BC NCPs)	None or ordinary legislative procedure in accordance with Art. 294 TFEU ³⁷
Document check	Newly created pool limited to authenticity pre-check of profiles and/or documents. No selection criteria.	e.g. Directive or Regulation based on Article 79 TFEU (giving competence to the EU to perform such a prior check with legal effects)	Ordinary legislative procedure in accordance with Art. 294 TFEU
Skills-based using benchmark	Newly-created pool based on skills-based criteria in accordance with international standards (ESCO, ISCED)	EU measure based on Article 149 TFEU or revision of the Europass decision	Ordinary legislative procedure (after consultation of EESC and Committee of Regions). (harmonisation excluded)
EU SOL (benchmark)	Eligibility based on European Shortage Occupation List based on agreed benchmark	Revision of Annex I of the Blue Card directive (but limited to highly skilled professionals eligible for a Blue Card)	EC Legislative proposal in accordance with Art. 26(2) of the BCD.
SOL (MS-approved)	Eligibility based on Shortage Occupation List periodically approved by MS	Poss. Council recommendation or Conclusions (political statement)	Procedure in accordance with Article 292 and 148(2) TFEU

4.2.2. Block 2 – a job search portal or matching component

Currently there is **no EU-level matching platform** allowing third-country nationals without residence rights in any EU Member State to submit their profile for consideration by employers.

Only a few Member States have developed anything similar to a pool of skilled third-country nationals at the national level for consideration by employers. Some Member State public employment services operate national job-seeker platforms which allow third-country nationals to register their profiles, and some encourage this through English-language interfaces, although not always with a skills criteria.³⁸ Some Member States select and post vacancies suitable for international recruitment. However, these initiatives are few in number, limited in scope and often developed at the regional level.³⁹

At the EU level, several options could be explored to set up an online platform for international recruitment, modelled on existing portals or networks (Table 4.3).

The **EURES portal** is a reference model in the field of cross-border job matching. The Portal, launched in 1994, enhances workers' access to intra-EU mobility support services and, more generally, facilitates their free movement under Art. 45 TFEU. While cooperation between PES of Member States and the European Commission started in the early 90s, the Regulation 492/2011⁴⁰ established the "clearance" of vacancies and applications as a general obligation for all the parties involved. It required from then on, regular sharing of information concerning living and work conditions as well as the state and trends of the labour markets.

³⁷ (joint adoption by the European Parliament and the Council on the basis of a proposal from the Commission)

³⁸ DK, EE, LT, DE, FI or SE. As of 21 June 2021, Denmark no longer hosts a CV bank for foreigners (of all nationalities) on its dedicated website www.workindenmark.dk, citing limited use by employers. It now exclusively refers candidates and companies to the EURES job portal, although EURES is only accessible to EU citizens and TCNs with working rights in the EU. Work in Denmark however continues to scrape and post English-language skilled job vacancies in "Denmark online".

³⁹ Regional initiatives include e.g. Greater Copenhagen Career portal, Bizkaia Talent, Jobs in Helsinki, Berlin Partner.

⁴⁰ Regulation (EU) No 492/2011 of the European Parliament and of the Council of 5 April 2011 on freedom of movement for workers within the Union Text with EEA relevance (OJ L 141, 27.5.2011, p. 1).

In 2012, the Commission adopted an implementing Decision⁴¹ that reinforced the role of the EURES network, as the main support of this clearance. The EURES Charter, in its consolidated version, offers guidance and technical standards for the implementation of the abovementioned Regulation and Decision.⁴² Revised in 2016, the EURES Regulation (still in force) fosters better matching between labour supply and demand and modernises the EURES network. More concretely, **it establishes a common IT platform with automated matching between CVs and job vacancies**, interoperability between national systems and the European classification (ESCO) and provides workers and employers (free or charge or at reasonable cost) assistance and support services. Additionally, EURES provides to intra-EU labour migrants “post-placement assistance” to prevent exploitation of workers and ensure decent working conditions.

Behind the EURES platform lies a human network of more than 900 “EURES advisers”. These trained specialists provide assistance, information, guidance and placement to job seekers and employers across Europe on a daily basis. They work either within the PES of each Member country or within other “partner organisations” in the EURES network. The growing number of staff involved in EURES services shows how much **human management** is needed for the proper functioning of the online Job Mobility portal.

Option 1: Expanding the scope of EURES

As explicitly stated in the EURES Charter and in recital 4 of the EURES Regulation, **only citizens of the Union “who have a right to take up an activity as a worker”**, as well as their family members, can benefit from the assistance and the mobility services offered by EURES. The term “workers” refers to individuals who have the right to exercise, or benefit from, the freedom of movement of workers as enshrined in Article 45 TFEU. Legally residing third-country nationals may exceptionally fall into this category if, in accordance with national and EU law, they benefit from free movement when they exercise an economic activity. Some categories of non-EU/EEA citizens benefit from equal treatment with nationals of the host Member States through specific European or national rules (e.g. long-term residents, EU citizens’ family members) and, theoretically, are entitled to work in another Member State.⁴³ **Third-country nationals who do not have such rights fall therefore out of the scope of the EURES Regulation.** Until 2020, the EURES Portal was not configured to exclude third-country nationals without work rights from submitting their profile; this function was added and the profiles of such job seekers were purged from the rolls in 2020. While it is no longer possible for such job seekers to register with EURES and benefit from matching, it is still possible for unregistered users to search vacancies manually.

EURES is the result of a solid and highly harmonized legal framework.⁴⁴ It introduces concrete obligations for Member States as well as for EEA countries. The European provisions are also legally binding for the European Commission, National Coordination offices, each PES or any other organisations who joined

⁴¹ Commission Implementing Decision 2012/733/EU of 26 November 2012 implementing Regulation (EU) No 492/2011 of the European Parliament and of the Council as regards the clearance of vacancies and applications for employment and the re-establishment of EURES (OJ L 328, 28.11.2012, p. 21).

⁴² EURES Charter (consolidated version as published in Official Journal C 311 of 16.11.2010, p. 6).

⁴³ This is however without prejudice to the rules governing the access of third-country nationals to national labour markets.

⁴⁴ Besides the abovementioned legal acts, between 2017 and 2018 the Commission adopted six implementing decisions addressing specific legal entities related to the Regulation (EU) 2016/589 on EURES, worker’s access to mobility services and the further integration of labour markets. See for instance, the Commission Implementing Decision (EU) 2018/1021 of 18 July 2018 on the adoption of technical standards and formats necessary for the operation of the automated matching through the common IT platform using the European classification and the interoperability between national systems and the European classification. The Regulation, which is now the main reference document, follows on from previous legal binding acts, which made up the EURES legal basis, along with a Charter and dedicated guidelines for 2010-2013.

EURES. This is mainly because the EU action is justified here to pursue the effective functioning of the internal market and to abolish any obstacle to the free movement of workers, as set out in the TFEU. In this area, Article 46 TFEU allows for the adoption of legally binding regulations or directives under the ordinary legislative procedure.

As providing third-country nationals a common set of support services through a job-matching platform is not the primary mission of EURES, its scope of application should be extended to include them as beneficiaries. Substantial changes should be made to the EURES legal framework, since it would no longer fit with the primary objective of achieving the completion of the internal market. In such a case, article 48 TFEU would no longer be an appropriate legal basis. Similarly to other instruments, a distinct regulation extending EURES to third-country nationals could be adopted pursuant to Article 79(2) TFEU.⁴⁵ A more flexible approach would be to duplicate the EURES platform in parallel, with certain vacancies transferred through a protocol from the EURES job portal to the Talent Pool. But any involvement of EURES would also require agreement with national PES, many of which do not address third-country nationals abroad.

While enhancing intra-EU mobility is not the Talent Pool's primary objective, a first step could be to widen the access to EURES through a greater **alignment of the rights of third-country nationals already residing in the EU with those of EU nationals**⁴⁶, which would implicitly expand the personal scope of EURES to broader categories of third-country nationals. This could be achieved either through a revision of the relevant Directives in the field of labour migration with regard to equal treatment or by extending the personal scope of Article 1(1) of Regulation (EU) 492/2011 on the free movement of workers.⁴⁷ This would only affect the eligibility of TCNs already legally resident in the EU, although it could potentially extend coverage to TCNs legally resident but without work rights.

In parallel, in order to facilitate their intra-EU mobility, a broader interpretation could be given to the principle of "Community preference", as suggested in 2005 by the Commission in its Green Paper on an EU approach to managing economic migration (European Commission, 2005^[12]). Although non-legally binding as such, the 1994 Council resolution (in which this principle is defined) could be amended to include not only the third-country nationals *lawfully resident on a permanent basis* in the Member State of employment but more generally all third-country nationals already present in the territory.⁴⁸ Going even further, preference could be granted to third-country nationals residing in a Member State *different from the one where the labour shortage arises*⁴⁹. This approach would contribute to support PES efforts in administering and implementing labour market tests, and more broadly, to strengthen the "coordinated strategy" for promoting labour markets responsive to economic changes, as set out in the Treaties.

Option 2: A new common IT platform designed for third-country nationals for labour migration management purposes

If not on EURES, on what grounds would a job mobility portal, primarily designed for third-country nationals outside the EU, be created? The legal implications would vary according to the platform's objectives, functioning and key features. If the Talent Pool amounts to a mandatory network, with obligations for Member States to exchange information on labour migration, enhance interoperability, clear job vacancies for TCNs and provide minimum support services to users, one possibility is for the EU to adopt measures

⁴⁵ See for instance Regulation (EU) 1231/2010 of the European Parliament and the Council of 24 November 2010 extending Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009 to nationals of third countries who are not already covered by these Regulations solely on the ground of their nationality.

⁴⁶ See in this regard (Navarra and Fernandes, 2021^[23]), policy option 4a, Sept. 2021.

⁴⁷ I.e. opening to "*right to take up available employment in the territory of another Member State with the same priority as nationals of that State*" to all third-country nationals already residing in the EU, and not only to the ones who already have the right to work in another EU/EEA country.

⁴⁸ "Permanence" is not defined in the 1994 Resolution. The definition precedes the Long Term Residents Directive.

⁴⁹ For an in-depth analysis of the Community Preference Principle, see (Robin-Olivier, 2016^[6]).

in accordance with Article 79 TFEU, as stated above, advocating for the need of a new instrument “aimed at ensuring, at all stages, the efficient management of migration flows”. Bearing the legal constraints in mind (e.g. the right of each Member State to determine volumes of admission of non-EU workers on their territory) and provided that its action complies with the principle of subsidiarity, nothing prevents the EU from acting in accordance with the ordinary legislative procedure, clearly defining the aim, the role, the functionalities and the governance of the EU Talent Pool.

Alternatively, Article 74 TFEU which gives the Council competence to adopt measures to ensure administrative cooperation between the relevant departments of the Member States (in the area of freedom, security and justice) as well as between those departments and the Commission, might be considered as a relevant legal ground. The Council decision of 14 May 2008, establishing the European Migration Network (EMN), has been adopted on this basis. Among its tasks, the EMN runs an internet-based information exchange system and provide on-going support to the EU Immigration Portal. However, it remains unclear whether such a Council decision (even subject to a targeted revision) would be sufficient to set up and host a Talent Pool with advanced features such as pre-vetted vacancies or a job-matching component.

Option 3: An optional EU job matching tool initiated and supported by the EU PES Network

In a more flexible way, a distinct job mobility portal could also be **initiated by the EURES PES Network, on a cooperative and voluntary basis**. Established by Decision 573/2014/EU, the enhanced cooperation between Public Employment Services at the EU level primarily focuses on employment policies and, only incidentally, on the free movement of workers.⁵⁰ In this regard, as laid out in Article 3, the PES network supports and encourages, within the area of PES responsibility:

“(c) the better functioning of the labour markets in the EU; (d) the identification of skills shortages and the provision of information on their extent and location, as well as the better matching of the skills of job seekers with the needs of employers; (e) the better integration of the labour markets; (f) the increased voluntary and occupational mobility on a fair basis to meet specific labour market needs”.

In performing these non-cumulative tasks, especially (d) and (e), the European PES Network could possibly play a greater role in facilitating the recruitment of skilled third-country nationals by EU employers, by means of (existing or newly-created) inclusive matching tools and mechanisms. This could possibly be achieved without revising the establishing Decision although, unlike EURES, no clearance of job vacancies/applications or development of common support services could be expected or required from national PES on this basis.⁵¹ Furthermore, relying only on national PES might indirectly undermine the Talent Pool’s main objective (i.e. attract foreign “talents” and highly skilled profiles) while the PES clientele in most countries mainly consists of low-skilled or mid-skilled jobseekers,

More fundamentally, any introduction of an EU-level initiative to recruit TCNs from outside the EU would have to have **an “institutional” home in the Commission and be properly managed by a competent European entity**. The institutional home would mainly depend on the legal basis of the platform.

Would the European Labour Authority (ELA) be able to perform this task? This is questionable in view of its current mandate. Since 2021, ELA coordinates the EURES network.⁵² EURES and ELA share a common mission: ensuring that workers’ rights are recognised, when they move to another EU/EEA

⁵⁰ Decision No 573/2014/EU of the European Parliament and of the Council of 15 May 2014 on enhanced cooperation between Public Employment Services (PES) (OJ L 159, 28.5.2014, p. 32–39).

⁵¹ The use of such ad hoc platform would be optional, like for the updated EU skills profile tool for third country nationals. National PES which are entitled or willing to engage in international recruitment of skilled workers would be the beneficiaries of the platform.

⁵² The Commission remains competent for the political steering of the EURES network, including legislation, reporting, evaluation and grant management.

country and alleviating the barriers for recruitment between these countries. In parallel, ELA performs other activities (e.g. cross-border cooperation with regard to undeclared work, support of digital and technical innovative solutions, carry out labour market analysis and risk assessment etc.) likely to strengthen EURES. Compared to EURES, Recital 13 of the ELA Regulation defines more precisely its personal scope of application: besides EU citizens, the Authority should cover “third country-nationals who are legally resident in the Union, *such as* posted workers, long-term residents, intra-corporate transferees, as well as their family members, in accordance with EU law regulating their intra-EU mobility”.

Having regard to these elements, **a coordination by ELA of a new version of EURES, for other third-country nationals**, would require a revision in its mandate substantially extending its material and personal scope.

Option 4: EU mapping of current PES cooperation and initiatives in the field of international recruitment

Instead of creating its own Talent Pool, the EU could create a hub collecting and sharing information on all Member State bilateral and multilateral talent recruitment initiatives. In fact, many PES of Member States already actively engage in alleviating skills shortages through foreign talent recruitment on a bilateral or multilateral basis. Surveyed in 2020, most – but not all – responding European PES reported to be entitled, legally or institutionally, to engage in the recruitment of high-skilled workers in third countries.⁵³ Therefore, instead of creating a single job matching platform, the EU could provide visibility and access to matching platforms and tools created by national PES in collaboration with other actors (employers, and employers’ organisations, private employment agencies, Universities, migrations authorities etc.) at national level, and in even in some cases, with PES and authorities of other Member States and/or third-countries.⁵⁴

The level and intensity of these agreements and networks vary from loose forms of cooperation (exchange of information, share of good practices, regular meetings and discussions on topics of mutual interest) to tighter partnerships involving commitment, responsibilities and joint decisions, based on a formal (but not necessarily legally-binding) agreement.⁵⁵ On a bilateral basis, some PES from Member States work closely with PES and authorities of sending countries when (or before) recruiting potential candidates.⁵⁶

Under this option, the Talent Pool would be limited to **mapping and supporting existing partnerships and initiatives**, within and outside the European area. This option could be realised through a mere tender or through a programme similar to Erasmus Mundus, with a network and potentially additional funding to support the development of these initiatives.

⁵³ (Molnár, Krekó and Scharle, 2020^[4]) p. 38 (see 5.1.10. Institutional constraints to PES actions). In practice however, limited resources, capacity or policy support may prevent them from developing a real strategy for international mediation outside Europe.

⁵⁴ Regional networks of PES, such as [CPESSEC](#), in South-East Europe, could represent a relevant initiative to include.

⁵⁵ CPESSEC, for instance, is based on operating guidelines, implementing a Protocol of Partnership signed in 2007 by Bosnia & Herzegovina, Bulgaria, Croatia, Macedonia, Montenegro, Romania, Serbia, Slovenia and Turkey. No real obligations derive from it and signatories remain free to “*alter the established procedures by consensus*”. With regard to EURES, some authors also suggested to link the network to the labour market information systems of Public Employment Services in partner countries (to facilitate recruitment) or to extend the EURES portal to third countries, in particular neighbourhood countries in the framework of Mobility Partnerships.

⁵⁶ For example, the BA in Germany and the VDAB in the Belgian region of Flanders.

Option 5: a Talent platform modelled on the EURAXESS network

EURAXESS is another EU-wide initiative aimed at supporting mobility of researchers and career development within Europe and beyond, from which lessons could be learnt, and which may be illustrative of legislative and institutional solutions available to the Talent Pool.

Designed as a comprehensive set of tools, the EURAXESS initiative (launched in 2004 by the Commission as part of the European Research Area) consists of a jobs platform where researchers can find funding and job opportunities offered by hundreds of research institutions across Europe; 650 support centres helping researchers free of charge with a wide range of services facilitating mobility and integration⁵⁷; and 43 national portals providing country-specific information and practical advice on working and living abroad.

Unlike EURES, **EURAXESS is also accessible to third country nationals**. Pursuant to Article 165 TFEU, the Commission adopted a Recommendation establishing a European Charter for researchers, alongside a Code of Conduct for their recruitment.⁵⁸ In the fields of Education and Training, the EU competence is indeed more limited, confined to support actions and incentives measures, and excluding any harmonisation of the laws and regulations of the Member States. Whereas EURES is legally binding for all Member countries, explicitly requiring their active participation (contributing to the pool of job vacancies, job applications and CVs, providing support services to job seekers and employers, designate national contact points, exchanging information on mobility flows and labour shortages etc.), the EURAXESS Network works more as a “cooperative instrument”.⁵⁹

The 2005 Recommendation provides Member States, employers, funders (i.e. Universities, private companies, research centres) and, of course, researchers, with a valuable “global support tool” to “undertake, on voluntary basis, further initiatives for the improvement and consolidation of researchers’ career prospects in the European Union and for the creation of an open labour market for researchers”.⁶⁰ By signing the Charter and the Code, organisations employing or funding researchers voluntarily commit to implementing the common objectives outlined in both documents. The areas covered include recognition of qualifications, career development, value of mobility, recruitment principles and selection criteria. With 200 000 registered members, 11 900 job positions available and 19 644 undersigning universities and organisations (against 900 in 2008), EURAXESS can be seen as a successful pan-European initiative.⁶¹

Over the past 18 years, the EURAXESS network has gradually expanded to non-EU countries and regional organisations (ASEAN, Australia, New Zealand, Latin America and the Caribbean, China, India, Japan, Korea and North America). It contains a wide range of functionalities, similar to what an EU Talent Pool might include: bringing together job vacancies, EU and non-EU third-country nationals entitled to create a profile or upload a CV; providing personalized assistance and country-specific information about moving,

⁵⁷ EURAXESS centres provide free individual assistance, guide researchers in their choices and hands-on help with paperwork but without formally interfering within the administrative processes conducted by public authorities and decision-makers.

⁵⁸ Commission Recommendation of 11 March 2005 on the European Charter for Researchers and on a Code of Conduct for the Recruitment of Researchers (OJ L 75, 22.3.2005, p. 67–77).

⁵⁹ The EURAXESS network was first established through an EC call for a network of Mobility Centres. When the initial grant period ended, some countries voluntarily continued to support the Centres with direct funding, while others maintained the service by allocating staff on a part-time basis. These Centres then evolved into the current EURAXESS services network.

⁶⁰ Commission Recommendation of 11 March 2005 on the European Charter for Researchers and on a Code of Conduct for the Recruitment of Researchers, Recital 17.

⁶¹ Although there is limited pre-screening of candidates (i.e. researchers can freely register on the portal without any check or control) and no proactive matching.

living and working conditions, outreach and promoting campaigns worldwide; focusing on a specific sector/professional area.⁶²

An EU Talent Pool with features comparable to EURAXESS could therefore be rooted in a cooperative framework meant to achieve certain ends related to migration and/or employment policies, without imposing any mandatory legal framework. In the case of EURAXESS, there is no other commitment from participating Member States but signing a Declaration of Commitment (DoC) to officially join the network managed by DG RTD, and benefit from its advantages (visibility, training materials, events, workshops etc.) on a flexible and voluntary basis. Personal data related to the EURAXESS account (including mandatory and optional information) are collected and stored (for up to 5 years) in the European Commission/service provider's data centre in the EU. Within the current framework, EURAXESS users are entitled to register, create and update their CVs and profiles, and make them visible/searchable to registered partners or employers.

Option 6: A distinct pool of eligible vacancies

Whether it is decided to “replicate” an existing model or to create a new one, vacancies collected on the EU platform could either be actively posted by users or automatically extracted or scraped from existing vacancy databases, public or private. Either way, most scenarios in which the Talent Pool brings added value through posting vacancies require that it post **only vacancies which comply with Member States' eligibility** for use of labour migration channels.

One means to do this is to create a platform which collects vacancies which are eligible for international recruitment based on meeting national requirements including requirements of national schemes (e.g., salary thresholds (if any), occupational skill thresholds, language knowledge etc.) and satisfaction of applicable labour market test (LMT).⁶³ Filtering these, or vacancies scraped from national listings, would require assessing each vacancy for general eligibility to recruitment. Since conditions vary not only by job characteristic but also by employer (in cases where employers may be authorised), defining such an-EU wide list of **“eligible vacancies”** would require the involvement of competent national authorities (either through detailed and accurate information sharing or systematic validation). This might be simple enough with key actors (e.g., labour offices, PES already posting the vacancy for a LMT in MS where their mandate allows them to support international recruitment), but less so if other intermediaries unfamiliar or uninterested in eligibility requirements are involved. If such concerns were addressed, vacancies meeting national requirements could be posted on the Talent Pool for consultation by potential migrants.

An EU action in this field would probably be part of the DG EMPL strategy to address skills and occupation shortages. It could also be part of a broader initiative aimed at boosting economic growth and innovation at the EU level. Either way, for this pool of vacancies to be efficient and in line with the EU's competence, it should be limited to collecting filtered vacancies based **either on filters that Member States would be required to provide**, or collecting **vacancies submitted by Member States specifically to the Talent Pool** on the basis of their eligibility for labour migration under national criteria. The Talent Pool could publish these vacancies also provided that employers have given prior consent or at least haven't objected to their publication.

Regardless of a distinct pool of vacancies, employers, recruiters and any other actor should be able to access and consult profiles in the pool under certain conditions. Access to the pool of candidates could either be granted/authorised on a case-by-case basis by each Member State in accordance with national

⁶² In its current form, the EURAXESS platform also targets entrepreneurs and start-up founders. An EU dedicated study on the implementation of EURAXESS is ongoing, aimed at revamping the Charter and Code towards a new ERA Talent Platform.

⁶³ In practice however, more than half of the EU Member States exempt high-skilled migrants (as defined under national criteria) from such a requirement (Molnár, Krekó and Scharle, 2020^[4]).

requirements or be subject to the endorsement of standards and principles contained in a non-legally binding Charter of Code of Conduct on fair and ethical international recruitment enacted at the EU level.

Table 4.3. EU job matching component – building on existing platforms. Policy options

Option	Description	Legal changes required	(Legislative) process
1	<i>EURES extended to all legally residing third country nationals (including the ones who do not have yet the right to work in another MS)</i>	Revision of several legal acts in the field of free movement of workers + (poss.) revision of 1994 Council resolution	Ordinary legislative procedure for legally binding acts only (Council resolutions are political acts).
2	<i>A distinct legally binding act for TCNs (not covered by EURES) providing concrete obligations (exchange of information, vacancies and job applications)</i>	<ul style="list-style-type: none"> • Directive or Regulation based on Art. 79 TFEU • Or Revision of the EMN Council decision (developing and coordinating the TP as an additional task) 	<p>Ordinary legislative procedure in accordance with Art. 294 TFEU⁶⁴ + poss. implementing or delegated acts.</p> <p>Procedure in accordance with Article 74-76 TFEU.</p>
3	<i>An optional EU job matching tool for third country nationals initiated or supported by the EU PES Network (simple form with no clearance of vacancies or common support services)</i>	<ul style="list-style-type: none"> • Soft-law pursuant to Art. 292 TFEU • Poss. revision of the EU PES Decision; • Poss. Revision of the ELA mandate (if managing entity of a newly-created job matching platform) 	<p>No legislative process.</p> <p>Ordinary legislative procedure in accordance with Art. 294 TFEU.</p>
4	<i>An EU mapping tool of PES cooperation framework and initiatives in the field of international recruitment</i>	N/A (dedicated programme or EU funded action as part of the employment policy)	No legislative process.
5	<i>Replicate the EURAXESS network for (highly-) skilled foreign professionals</i>	<ul style="list-style-type: none"> • Recommendation providing for a Charter, guiding principles and/or a Code of Conduct for employers and recruiters. 	<ul style="list-style-type: none"> • No legislative process • Non-binding framework – cooperation of MS and third countries on a voluntary basis • Signing process and DoC • GDPR compliance (privacy statement)
6	<i>A (separate) pool of eligible vacancies</i>	N/A	No legislative process but compliance with MS LMTs system + consent of employers needed.

4.2.3. Block 3 - A Talent Attraction Portal providing Guidance and Information

An online portal with customised information could be another “building block” of the Talent Pool. To do so, the existing **EU Immigration Portal**, under the responsibility of DG HOME, could be upgraded and modernised (Table 4.4).

⁶⁴ Joint adoption by the European Parliament and the Council on the basis of a proposal from the Commission.

Since it is a communication tool, this portal is not based on a legal act. According to the EMN multiannual work programme, all EMN National Contact Points may be requested by the Commission to verify that the content for their Member State on the Immigration Portal website is correct, reliable and up-to-date and inform those responsible for updating the portal on any changes that may be required.

The EU Talent Pool could incorporate and **modernise the existing Immigration Portal**. Functionalities could also be inspired by Member States' initiatives and good practices (see 2.2.6). Information could either be directly or indirectly provided, through hyperlinks and references to national or regional web-portals. However, in order ensure the accuracy of the Portal, Member States should be required to provide full, updated and clear country-specific information on a regulatory basis. One solution for this is for the EU to adopt a Regulation comparable to the 2007 Regulation on immigration statistics, establishing clear and common rules for the **collection and compilation of information on immigration rules** at national level.⁶⁵ Another possibility could be to strengthen the tasks of the European Migration Network (EMN) national contact points to include this ongoing update⁶⁶, or to create a new similar network funded expressly to ensure accurate and detailed information.

Table 4.4. EU Talent Portal - Assessment of the policy options

Option	Description	Legal changes required	(Legislative) process
1	EU Immigration Portal upgraded and modernised – <i>with no legally-binding effects</i>	N/A (communication tool)	N/A
2	EU Immigration Portal upgraded and modernised – <i>with legal obligations for MS to update and provide standards information</i>	EU measure possibly adopted on Article 74 TFEU (administrative cooperation between MS and the Commission) or targeted revision of EMN Decision, requiring NCP to provide specific information and data in an interoperable format	Commission proposal endorsed by the Council after consulting the EP. Ordinary legislative procedure in accordance with Art. 294 TFEU.

4.2.4. Further options to explore

Option 1: A supply-driven component?

Unlike existing EoI systems in non-EU OECD countries, none of the pre-identified scenarios for the development of the EU-wide Talent Pool foresee a supply-driven component. In other words, in no scenario does the Talent Pool serve as the decision-making mechanism for authorisation of entry and stay of a third-country national in the absence of a job offer. **Primarily serving demand-driven labour migration systems of EU Member States, all the scenarios presented presume a job offer or employer sponsorship** as a condition at least to contemplate admission. While some Member States (e.g. Germany, Netherlands and Norway) currently issue temporary **job search visas** to highly skilled migrants for very specific professions,⁶⁷ an **attempt at European harmonisation** of such practices (through specifying the grounds for issuance of a Schengen visa) is not considered by the Commission in scenarios identified in the feasibility study. Annual quotas of visas or permits issued by Member States to candidates,

⁶⁵ (EC) No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community statistics on migration and international protection and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers (Text with EEA relevance) (OJ L 199, 31.7.2007, p. 23–29).

⁶⁶ Council Decision (2008/381/EC) of 14 May 2008 establishing a European Migration Network (OJ L 131, 21.5.2008, p. 7–12), Art. 5 and/or by revising the corresponding EMN work programme.

⁶⁷ (Molnár, Krekó and Scharle, 2020_[4]).

automatically selected from the Talent Pool, as suggested in the OECD 2019 study, would also require changes in national migration laws and regulations.

The EU could however encourage Member States **to follow the same approach as for the admission of students and researchers within the EU**. While an application for a residence permit is usually not admitted for third-country nationals holding a Schengen visa, the Directive (EU) 2016/801 introduces an optional derogation according to which, a Member State may accept, in accordance with its national law, an application lodged by a foreign student or researcher who is not in possession of a valid residence permit or long-stay visa but is legally present in its territory. This optional derogation could also apply to Talent Pool candidates.

Schengen visa holders (as well as exempted third-country nationals present in the EU for a short-stay) could be **allowed to register – if meeting eligibility requirements – in the Talent Pool** and be visible to potential employers “as already in the EU and eligible for in-country employment”. Member States could derogate and allow individuals included in the TP and holding a visa to start employment without returning to the country of origin. This derogation would be an “Opt-In”.

Citizens from 62 countries (including OECD countries) can enter the Schengen area without a Schengen visa. For the third-country nationals subject to a Schengen visa, the abovementioned “optional derogation” could be limited to travellers holding a business visitor visa for any Schengen country.⁶⁸ This possibility offered to potential recruits, would carry limited risk in terms of security or irregular migration.⁶⁹

Option 2: A link with labour migration schemes?

Substantial added value of an EU Talent Pool would arise from involving immigration authorities, at some point, in the process, in order to facilitate the submission and processing of applications. In this respect, several options may be considered (Table 4.5). Other key actors, such as business and investment agencies could also be involved. Indeed, in many Member State business and investment agencies provide **fast-track programmes or flagging procedures for international hiring**, usually initiated by employers, through recognised sponsor schemes or on an individual basis.⁷⁰

The EU Talent pool aims to **support the current legal and policy migration framework**. It is not intended to create additional legal pathways for skilled/highly skilled third-country nationals. The Talent Pool cannot ensure automatic issuance of visas or permits as Member States remain competent to admit labour migrants on their territory. Despite these legal constraints, there is a range of intermediate possibilities for the EU to consider, from legally binding instruments to minimum standards and soft-law coordination.

One option would have been to **link formally the Talent Pool to the EU Blue Card scheme** (e.g. requiring the use of the pool as a necessary first step and/or processing in priority applications from “pool-selected” candidates). The Commission, for political and legal reasons, has discarded this option, as it would require revising the Blue Card Directive once again in an extremely short period of time.

⁶⁸ Broadly interpreted, the business trip to be proved by any “documents which show the existence of trade relations or relations for work purposes” (Annex II, *non-exhaustive list of supported documents*) could also be attested by letters of intent or invitations issued by interested potential employers (interviews, on-site visits of the premises etc.)

⁶⁹ As it would exclude travellers holding a Schengen visa for tourism or family purposes, the Member State of first entry, issuing the business trip visa, would become a gatekeeper. This is also without prejudice to the competence of Member State to admit, or not, these third-country nationals in the first place, or to grant, them, subsequently, a long-stay permit for employment purposes. Additionally, digital application tools and platforms established or foreseen in many Member States might allow greater flexibility in setting up this option, while ensuring appropriate security safeguards.

⁷⁰ E.g. CzechInvest, French-tech visas for start-up employees, Talent Boost (Business Finland) or the Danish Agency for international recruitment and integration (SIRI).

A second option is to **link the Talent Pool to all EU/national migration schemes** opened to (highly-)skilled workers. In addition to the EU Blue Card scheme (now implemented in most Member States), several countries have long-standing specific procedures for admission of (highly) qualified migrants which are faster or simpler than procedures for migrant workers in less qualified occupations.⁷¹ Other Member States have more recently introduced preferential measures to simplify procedures for highly skilled migration. The EU could act on basis of Article 79, 2(a) TFEU, **requiring from Member States** fast-track or simplified migration procedures for candidates who successfully made use of the Talent Pool. This would imply a certain level of harmonisation among Member States' regulations and practices (and, for most of them, significant legal changes).

Alternatively, the EU action in this field could be limited to **(minimum) standards with regard to application fields and forms**. With the view of simplifying further migration procedures, the EU could require the use of “comparable”, clear and legible forms across the EU. Minimum standards (e.g. limited number of fields, or of supporting documents, common EU glossary, available English version etc.) could only apply to long-stay visas (when required), residence/work permits or both. Council regulation (EC) No 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals could be an adequate model or vehicle to do so. Legal changes implied by these EU requirements would be less substantial than in the previous options, as visas and permits application forms are usually governed by secondary legislation or administrative acts. Increasing digitalisation of procedures could also greatly facilitate this process.

Another possibility, related to the standardisation and taking advantage of digitalisation processes underway, could be to **extract and share, to a certain extent and under specific conditions, documents, data and information** provided by the candidate when entering and using the Talent Pool. Migration authorities would be able to receive, or access and retrieve, documents uploaded on the EU Talent Pool platform, as relevant for administrative procedures (e.g. travel documents, ID pictures, birth certificates, health insurance, job offers or contracts, diplomas and associated equivalency or notification certificates). Transfer of data and files between EU and migration authorities would avoid duplication and additional paperwork for users, especially the employers who are often responsible for lodging permits requests. While timesaving and likely useful, this option would raise a certain number of legal and technical issues (interoperability of databases, RGPD compliance, accreditation of staff etc.).

Table 4.5. Linking the Talent Pool with labour migration – Policy options

Option	Description	Legal changes required	Length/intensity of the process
1	<i>Formal link between the TP and corresponding EU/national migration schemes, requiring fast-track processing of TP applicants</i>	<ul style="list-style-type: none"> Legally binding act (Directive or Regulation) based on Art. 79, 2 (a) TFEU substantial legal changes in national laws 	Ordinary legislative procedure.
2	<i>Standardisation of field and forms (visa and/or permits application forms)</i>	<ul style="list-style-type: none"> Targeted revision of Regulation 1030/2002 or similar legal act. +format changes of national laws/administrative acts. 	Ordinary legislative procedure.
3	<i>Data transfer and documents export from the TP to national authorities</i>	To be defined. Interoperability and compliance with RGPD should be ensured.	

⁷¹ DE, FR, NL, ES, AT, CZ.

Option 3: A sectoral and/or country-based approach (scenarios 2 and 2b)?

Scenarios 2 and 2b of the Talent Pool would add specific features to the above mentioned “building blocks”. The Talent Pool, which under scenario 1, is generic and country-agnostic, would here more particularly focus on a specific sector (facing serious shortages within the EU) and/or strategic partners in third-countries.

At national level, several Member States have concluded bilateral agreements or developed **assisted recruitment programmes**, initially to support recruitment and/or temporary migration of low/medium skilled workers from specific third countries. More recently, these schemes are increasingly used in some Member States **for recruiting high-skilled migrants**, including in regulated professions.⁷² The European Commission supported the launch of a number of pilot projects for international mobility starting in 2019. In June 2021, the Commission launched a new initiative to address EU skills shortages and improve migration cooperation with partner countries. These “**Talent Partnerships**” follow on the MPF funded pilot projects, with the aim of reinforcing legal migration channels from countries such as Egypt, Moldova, Morocco, Nigeria, Senegal, and Tunisia.

As it involves non-EU actors, not subject to EU laws and nonetheless participating in pre-selection processes, scenario 2b might raise additional legal challenges. Depending on the objectives and the identified third-country partners, a Talent Pool and/or a job matching platform built on existing partnerships or bilateral agreements may also have a different institutional location. If the main purpose of the partnership is to ensure development co-operation, eradicate poverty and promote security and stability in the country or region concerned, then (co-)management of DG INTPA might be considered. If the countries targeted for labour mobility partnerships are part of the European Neighbourhood then DG NEAR could also be involved. This may be especially relevant when mobility partnerships contemplate a significant part of the Talent Pool remaining in, or returning to, the country of origin rather than being employed in the EU.

Option 4: Assessment/recognition of foreign qualifications

The main legal issue raised by linking such initiatives to an EU-wide Talent Pool lies in the **recognition of foreign qualifications**, especially if the sector of focus is regulated at national level (e.g. healthcare).

At present, the EU lacks a comprehensive framework for the assessment and the recognition of foreign professional qualifications. Yet different measures could be adopted to further increase the convergence between national recognition/assessment practices (Table 4.6).

The 2005 Recognition of Professional Qualifications Directive (PQD)⁷³ facilitates recognition of qualifications but only among EU and EEA countries. Recognition is limited to regulated professions (doctors, nurses, architects, midwives, teachers, translators etc.) and does not cover non-EU qualifications, except for those already recognised in another EU/EEA country when their holder has worked at least three years in the other EU/EEA country. Third-country nationals who enjoy equal treatment with nationals of the host Member State (family member of EU citizens, long-term residents, Blue Card holders, etc.) benefit from the Directive’s provisions as long as qualifications have been acquired in another EU/EEA

⁷² Examples include the German “Triple Win” Pilot launched in 2013 based on PES/GIZ collaboration with PES of Bosnia-Herzegovina, Philippines, Serbia and Tunisia to (train and) recruit nurses as well as a similar scheme for engineers from the Philippines, Georgia, Tunisia and Vietnam. Another example are the Pilots in Finland (2019) supporting international recruitment of senior specialists in the field of ICT (gaming, imaging) from India, Korea, Russia and Turkey) as well as start-up entrepreneurs from India, Korea, Russia and Ukraine.

⁷³ Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications (*OJ L 255, 30.9.2005, p. 22–142*), amended by Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013 on administration cooperation through the IMI system.

Member State. The other TCNs generally struggle with having their diplomas recognized, both in the Member State of entry and when exercising intra-EU mobility.

Regarding the latter, although the **Directive** is primarily based on free movement of persons, legal adjustments could be made (e.g. Article 3(3)) in order to lower (or even remove) the condition required (i.e. three years of practice) to get foreign professional qualifications recognized by a second Member State.⁷⁴ However, this does not solve the issue of the recognition of foreign qualifications in the first Member State.

As reported in the 2019 Legal Migration Fitness Check,⁷⁵ TCNs face significant barriers in having their qualifications recognized, especially when applying for a job in a Member State where they do not reside. Unlike EU citizens, they must undertake costly and time-consuming recognition processes, often required to fulfil conditions of migration schemes. In the absence of automatic EU-wide recognition of academic diplomas obtained in third countries,⁷⁶ the **Lisbon Recognition Convention** constitutes an important reference framework.⁷⁷

In 2018, the Council adopted a Recommendation in which Member States made a political commitment towards “achieving automatic mutual recognition of higher and upper secondary education qualifications and the outcomes of learning periods abroad” by 2025. This would already be a first step towards automatic recognition of EU qualifications among Member States, possibly paving the way for the recognition of foreign qualifications.⁷⁸

The latest European Added Value Assessment (EAVA) in the area of legal migration explored several policy options to better promote the recognition of third-country nationals’ professional qualifications. Among them, the paper considers the possibility for the EU to adopt **common rules for the recognition of qualifications and skills on a sectoral basis**, as it did in the revision of the EU Blue Card Directive (for the ICT sector). The authors argue that Article 79 and 79(2)(b) TFEU would be a relevant legal basis (governing the rights of third-country nationals residing legally in a Member State) both upon entry and for the purpose of subsequent intra-EU mobility. It also explores the possibility to set up an EU-wide system led by the European Training Foundation and **supported by ENIC-NARIC Network to facilitate the assessment of qualifications obtained in (some) third countries** (e.g. “one-stop shops” for the submission of applications and centralised information). This would not amount, however, to a portability of *recognition* decisions across the EU.

⁷⁴ Extending some of the benefits of the Directive to foreign qualifications would not go against the spirit of the directive that “does not create an obstacle to the possibility of Member States recognising, in accordance with their rules, the professional qualifications acquired outside the territory of the European Union by third country nationals”. Recognition shall however respects minimum training conditions for certain professions. (Rec. 10). The latest EAVA considers that such a revision, leading *de facto* to immediate recognition between Member States, might imply a change of legal basis.

⁷⁵ (European Commission, 2019, p. 57_[2])

⁷⁶ The labour migration directives provide specific provisions on recognition of qualifications for each category. Article 11(1)(c) Directive 2003/109/EC (Long-term residents), Article 14(1)(d) Directive 2009/50/EC (EU Blue Card), Article 12(1)(d) Directive 2011/98/EU (Single Permit), Article 23(1)(h) Directive 2014/36/EU (Seasonal workers), Article 18(2)(b) Directive 2014/66/EU (Intra-corporate transfers), and Article 22(1)(3) and (4) Directive 2016/801/EU (Researchers, students et al).

⁷⁷ The CoE/UNESCO Convention on the recognition of qualifications concerning higher education in the European region, adopted on 8-11 April 1997 and since then ratified by all EU Member States.

⁷⁸ Council Recommendation of 26 November 2018 on promoting automatic mutual recognition of higher education and upper secondary education and training qualifications and the outcomes of learning periods abroad, ST/14081/2018/INIT (OJ C 444, 10.12.2018, p. 1–8).

Alternatively, the Europass framework, which already includes third-country nationals within its scope⁷⁹ may contribute, especially through its **newly digitally-signed credentials initiative**, to greater transparency of skills and foreign qualifications for employment and migration purposes.

Table 4.6. Assessment and recognition of professional foreign qualifications – Policy options

Option	Description	Legal changes required	Length/intensity of the process
1	<i>Enhancing intra-EU mobility: Simplified or faster access to recognition procedures in the second Member State</i>	Targeted revision of the EU PQD	Ordinary legislative ordinary procedure (Art. 294 TFEU)
2	<i>Establishing common rules for the recognition of qualifications and skills on a sectoral basis (other than the ICT) for labour migration purposes</i>	New legal act based on Art. 79(2) TFEU and/or revision of an existing labour migration directive to include specific provisions for defined shortages occupations.	Ordinary legislative ordinary procedure (Article 294 TFEU)
3	<i>Set up an EU-wide system led by the European Training Foundation and supported by ENIC-NARIC Network to facilitate the recognition of qualifications obtained in (some) third countries (one-stop shops, fast-track procedure and/or access to EUROPASS tool).</i>	Poss. a legally binding act (Directive) based on Article 79 or Articles 46, 53 and 62 TFEU (as for EU PQD).	Ordinary legislative ordinary procedure (Article 294 TFEU)

4.3. Conclusions: main findings on adaptability

As described above, the Talent Pool could presumably consist of three “building blocks”, either cumulative or alternative. For each possible building block, the analysis reviews different legislative and institutional solutions.

More fundamentally, there is a cross-cutting issue of situating the Talent Pool within the relevant EU policy area. Immigration and employment are the main domains, but the Talent Pool also extends into the internal market, education and even the EU’s external action. The EU Talent Pool has indeed several objectives: attracting (highly-) qualified workers from abroad; addressing labour market shortages in the EU; and supporting the effective functioning of existing legal labour migration channels. This means that it straddles a number of policy domains falling within different areas of Union competence. When examining the feasibility of each possible building block, the analysis considers the legal consequences stemming from the choice of one legal basis over another.

The first building block of the Talent Pool is **an EU-wide pool of pre-screened third-country national workers**. At present, no such a selective pool exists at the EU level.

- Whereas the **EURES Job mobility portal collects profiles for matching purposes**, it is designed exclusively to foster **free movement of workers and achieve the completion of the internal market**. Using the EURES Mobility Pool for third country nationals with no work rights in any EU Member State would thus be out of the EURES and ELA mandate.

⁷⁹ Decision (EU) 2018/646 of the European Parliament and of the Council of 18 April 2018 on a common framework for the provision of better services for skills and qualifications (Europass) and repealing Decision No 2241/2004/EC (OJ L 112, 2.5.2018, p. 42–50).

- Other tools and platforms, under the EU education policy, are available to third-country nationals (Europass, EURAXESS) but mainly consist of voluntary frameworks, indirectly related to international recruitment.
- From a legal perspective, setting up a new common IT platform comprising a pool of pre-selected third-country nationals (whose profiles and personal data are contained in a centralised database) would presumably require a legal basis. To that end, nothing prevents the EU from acting in the field of legal migration or even education, depending on the selection criteria applied or the overall objectives pursued. In this regard, both the EMN Council decision and the Europass decision provide for a web-based platform respectively collecting information on migration and candidates' profiles or qualifications. For the purpose of legal certainty, a targeted revision of these instruments might be needed to explicitly include the Talent Pool as part of their tasks or mandate.

The second building block of the Talent Pool is a **list of cleared vacancies** and an automated **matching tool**, as within the EURES Mobility Portal.

- Any vacancy (whether posted or automatically extracted) published in the Talent Pool for the purpose of international recruitment should at the very least comply with the principle of community preference. This means that vacancies should meet the relevant national labour market test requirements, if any. Further, vacancies should also be eligible for recruitment of third-country nationals under the legal channels in place in the Member State of employment. This could be easily achieved without a legislative process (e.g. modelled on EURAXESS, where registered members are entitled to publish vacancies for researchers on a voluntary basis).
- In the case where Member States are required to provide support with vacancy clearance for recruitment of third-country nationals or to provide common support services to third-country workers and/or their potential employers in the EU, a legally binding instrument should be adopted (to replicate or extend the EURES model to TCNs). Other options, such as developing an ad hoc job-matching platform for TCNs managed directly by the EU PES network, have been considered without however being further explored due to legal uncertainty and variation across national PES' roles and activities.

The third building block is a "Talent Attraction Portal". The analysis found that a Talent Pool providing bespoke orientation to skilled third-country nationals based on their main characteristics could be part of - or linked to - the existing **EU Immigration Portal** without any legal changes. However, obliging Member States (e.g. through a designated national contact point) to provide minimum services and perform a wider range of activities might possibly require further adjustments to the current EMN legal framework (either by revising its work programme or the Council decision on which it is based).

In addition to these building blocks, the analysis reviewed a number of options, likely to increase the Talent Pool's value.

While formally linking the Talent Pool to existing migration schemes or procedures would require a substantial revision of the current EU labour migration laws, other options have been considered, such as:

- Introducing a European job-search visa (or permit) for eligible Talent Pool candidates or, in a more flexible way, promoting the possibility (e.g. for all Talent pool users already present) to apply for a residence permit within the Member State of employment, once the conditions are met. The former would require an EU legislative process (to revise the Schengen visa Code or further harmonise the labour migration rules); the second, by contrast, would mainly involve adaptations of national legislations.
- For greater clarity and transparency, EU standardisation of application forms for visas/residence permits could be achieved by means of a regulation establishing minimum common standards (based on the model of the uniform format for residence permits for third-country nationals).

Finally, the analysis examined whether the Talent Pool could include an **assessment of the skills and qualifications of candidates**, knowing that there is no current EU-wide framework for assessment or recognitions of skills or qualifications. Integrating self-assessment tools and self-declared skills (e.g. Europass) to the Talent Pool would be “legally costless”. However, if the intention for the Talent Pool was to issue formal statements or skills certificates, perform (pre-) check of authenticity or even recognize professional qualifications, substantial legal changes should be made to the current EU education regulatory framework. These could range from a targeted revision of the Europass decision, a reinforcement of the ENIC-NARIC network’s cooperation to a revision of the EU Directive on the recognition of professional qualifications.

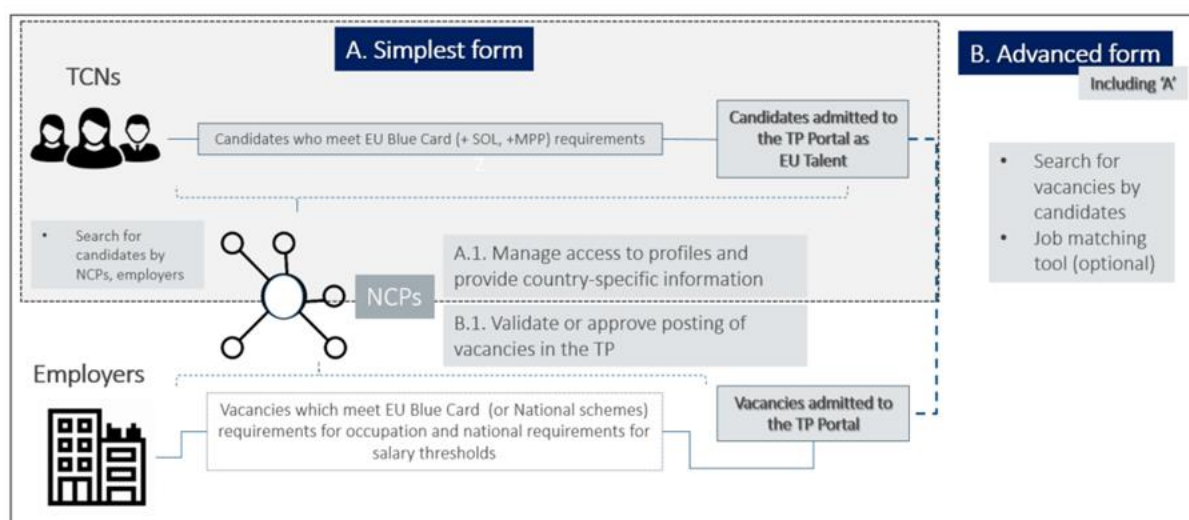
5 Provisional Scenario

From the consultation with different stakeholders and the analysis of the adaptability of the legal framework, a **revised scenario was developed which contains elements of all initial scenarios considered**. The Talent Pool would be complementary and compatible with existing migration schemes and talent initiatives in Member States. It would offer potential candidates and EU employers an additional instrument to engage in international recruitment while receiving clear and reliable information and guidance on migration eligibility.

The Talent Pool requires a repository of profiles of third-country nationals interested in working in the EU, on which a job vacancy and matching component can be added (Figure 5.2). Adding vacancy posting and job matching would greatly increase the added value of the Talent Pool. Even in its simplest form, however, employers would be able to consult profiles, through mediation of a national contact point. In the advanced form, candidates could also consult and apply for vacancies.

Figure 5.1. EU Talent Pool Elements

Base and additional model for the Talent Pool



5.1. Eligibility

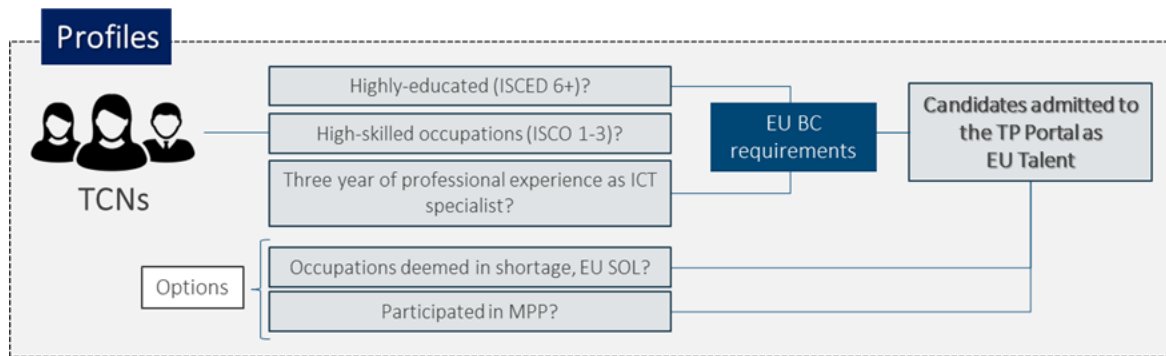
Highly skilled third country-nationals willing to work in the EU may sign up for the Talent Pool provided they meet certain conditions (Figure 5.2). **EU Blue Card requirements** (education and Blue Card occupational derogations for experience) would be the baseline. Two other eligibility conditions could be considered: **shortage occupations at the EU level** and participation in a **labour migration partnership project in the origin country**. An additional possible criteria would be knowledge of an EU language. Eligibility requirements are set at the EU level.

Third-country nationals who do not meet the Talent Pool criteria would not be admitted.

Developing the Talent Pool will take time: initially, the pool will be empty, and only becomes useful once a sufficient number of profiles are included.

Figure 5.2. Requirements to admit candidates in the EU Talent Portal

Different criteria of eligibility for the Talent Pool



5.2. Profile management

For applicants meeting eligibility criteria, registration is automatic. Profiles are stored in the Talent Pool at the EU level. Anyone who satisfies the selection criteria can register and no discretionary assessment is needed. Basic information is sufficient to screen for eligibility (education, occupation, experience) while additional information is necessary for filtering searches (nationality, place of residence, (languages), preferred destinations) (Figure 5.3).

At the initial registration, no documentation or proof of qualification is required. However, to allow users could decide to strengthen their profiles by providing additional information. Users could potentially link to profiles in third-party databases with more detailed information (e.g. LinkedIn) or use existing EU profile platforms to export their profiles into the Talent Pool (Europass). They could also choose to upload supporting documents to assist in matching and selection (see below).

The Talent Pool could also integrate existing and planned self-testing platforms at the EU level for attesting alleged skills and knowledge (language, computer literacy, other soft skills etc.).

Such self-testing platforms aim to attest skills aligned to European standards or the CEFR levels. Candidates who make use of these tools usually receive a summary report of their skills level and in some cases a digital certificate, which could be uploaded as a document into the Talent Pool profile. Certificates do not represent recognition, but certification of specific skills has the merit of strengthening candidates' profiles and increasing matching opportunities. To draw on current self-assessment tools, the Talent Pool could for instance use the Europass Digital skills self-assessment tools. For language certification, there is a wide range of existing language examinations offered by accredited test providers but no EU-level self-testing platform or EU-wide accreditation of private tests. The Talent Pool may allow users to upload such language certificates, but without guarantee of their authenticity or value.

Figure 5.3. Information requested to set up profile

Possible fields for initial enrolment

Information

1. Basic information stage	2. About interest to EU	4. EU Talented Candidate Filters stage
First Name* <input type="text"/> Last Name* <input type="text"/> Email* <input type="text"/> Date of Birth* <input type="text"/> <input type="text"/> <input type="text"/> Gender* <input type="radio"/> Female <input type="radio"/> Male Citizenship on your passport* <input type="text"/> Country where you live* <input type="text"/>	In which EU countries are you interested? <input type="checkbox"/> Austria <input type="checkbox"/> Germany <input type="checkbox"/> Poland <input type="checkbox"/> Belgium <input type="checkbox"/> Greece <input type="checkbox"/> Portugal <input type="checkbox"/> Bulgaria <input type="checkbox"/> Hungary <input type="checkbox"/> Romania <input type="checkbox"/> Croatia <input type="checkbox"/> Ireland <input type="checkbox"/> Slovakia <input type="checkbox"/> Cyprus <input type="checkbox"/> Italy <input type="checkbox"/> Slovenia <input type="checkbox"/> Czech Republic <input type="checkbox"/> Latvia <input type="checkbox"/> Spain <input type="checkbox"/> Denmark <input type="checkbox"/> Lithuania <input type="checkbox"/> Sweden <input type="checkbox"/> Finland <input type="checkbox"/> Luxembourg <input type="checkbox"/> All countries <input type="checkbox"/> France <input type="checkbox"/> Netherlands	What is the maximum level of education attained? <input type="text" value="Master"/> What is your main occupation? <input type="text" value="Nursing professionals"/> How many years of experience can you certify on the role mentioned above?* <input type="text" value="5 years of experience"/>
	3. Language What language(s) do you know? <input type="text" value="English"/> What level in this language in the Common European Framework (CEF)?* <input type="text" value="A1"/>	Have you participated in a Migration Partnership Project? <input type="text" value="Yes"/> Select the country and MPP you participated to: Country <input type="text" value="Azerbaijan"/> MPP <input type="text" value="MOBILAZE 2"/>

Note: Fields and interface are purely indicative and should not be taken as the final user interface or selection of fields.

Profiles would remain active for a fixed period (either 6 or 12 months) and would expire unless renewed. In a stricter version, users still in the system after 6 or 12 months would have to upgrade their profile with more evidence in order to renew it.

Compliance with the General Data Protection Regulation (GDPR) would be managed similarly to any other web-based platform (e.g. Europass, EURAXESS and EURES). As for any tool processing personal data, the European Commission (and more particularly the DG or Unit designated as “Data controller”) shall release an online privacy statement explaining the reason for the processing as well as the way personal data are collected, handled and protected by the institution. Such a commitment would apply regardless of the type of act or legal basis on which the Talent Pool is based, Users would be able to provide different forms of consent, access to their personal data and even opt in/out of having their profiles accessible to other users, partners or employers. User may tick boxes under various profile sections, indicating which personal information to hide or disclose.

5.3. Employer access and posting of vacancies

The Talent Pool relies on National Contact Point (NCP) in each MS, designated by the MS. This could be a public body (PES, investment agency, talent attraction initiative, labour or migration offices etc.) or any other relevant entity involved in international recruitment, admission or talent attraction. The NCPs have access to profiles. If the NCP is a public employment service or a national talent attraction body, it may decide to manage access entirely on its own. The NCP also governs access to the pool by actors in the Member State of competence. NCPs can decide whether to grant employers or recruiters in the Member State concerned access to **consult profiles in the Pool** (Figure 5.4). At the same time, the possibility of searching the Pool for anonymised results (e.g. the number of profiles corresponding to a given search criterion) could be publicly available.

The process by which NCPs authorise actors to consult specific profiles in the Talent Pool or enable contacting their owners would be decided at the national level. For example, employers or recruiters might initially register to the Talent Pool (endorsing general principles or a Code of Conduct or principles on labour standards and ethical recruitment) without any prior approval from NCPs.

NCPs would then be automatically notified and able to validate or deny the access in accordance with national law. NCPs could also identify and contact a set of profiles based on a request made by any other entity, as part of a national or regional campaign to attract qualified workers in a specific sector, industry or region. NCPs would be responsible for proper use of the Talent Pool by those granted access. In addition, potential employers could also be directed to contact their relevant NCP in order to request access to the profiles identified based on an anonymised search.

Figure 5.4. Searching for candidates in the Talent Pool

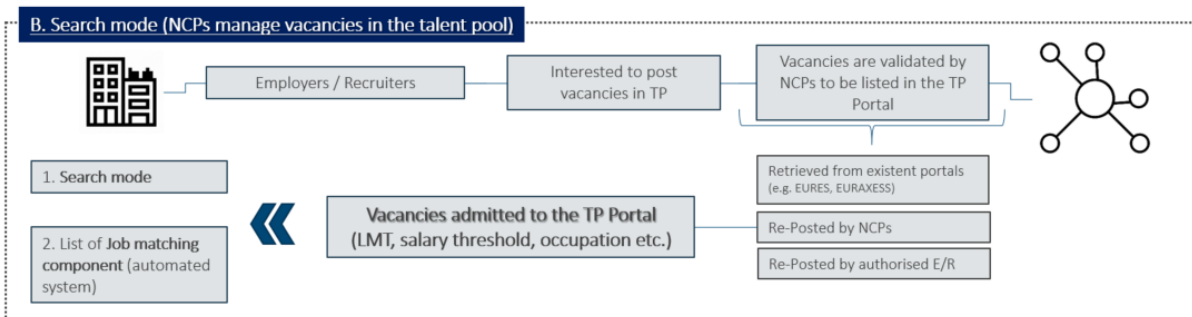
Mediated access to the Talent Pool for actors in Member States



If **vacancies are** included in the Talent Pool (either automatically uploaded from existing databases or manually posted by recruiters/employers), they would also be approved at some point by NCPs (Figure 5.5). Vacancies published in the Talent Pool should correspond to the admission criteria agreed for the Talent Pool. They may also be required to meet any national salary, minimum duration and occupation requirements for an EU Blue Card or any other national labour migration scheme. NCPs would verify, beforehand or ex post, compliance with national requirements to ensure that the vacancy can be offered to a third-country national (e.g. that any labour market test requirements or employer sponsorship rules have been met). Vacancies would expire after a fixed period; NCPs can also set a mechanism to clear vacancies from the Talent Pool before expiration.

Figure 5.5. Posting vacancies in the Talent Pool

Process for publishing job vacancies in the Talent Pool (indicative)



5.4. Matching

An (optional) matching component could be added to the basic search engine provided by the platform. Under this option, the job matching system would connect candidates' profiles with the most suitable job offers, based on information provided on both sides. Both parties could see a ranked shortlist of matches generated by the Talent Pool (e.g. as already done by EURES). Contact details would be requested or made through the Talent Pool; recruitment would occur outside of the Talent Pool.

This would however require more advanced technical features, similar to the matching motor used under license by EURES.

5.5. Link with migration system

The Talent Pool is not directly linked to migration procedures. Links with the national migration system are up to the discretion of the individual Member States. They may decide to designate NCPs already involved in these processes (e.g. migration authorities or business agencies providing fast-track schemes).

Talent Pool users (applicants and employers acting as sponsors) could at the very least be informed by NCPs of any existing fast-track or streamlined schemes in the country of destination once a match occurred or a job offer is secured.

5.6. Governance and technical management

The European Commission would host the Talent Pool platform itself as well as an EU Coordination Office. The Coordination Office would facilitate the network of NCPs (Figure 5.6). Politically, a multi-level governance could take place, involving competent DGs and Units from various policy areas (employment, external relations, education, Research & Innovation etc.), national authorities as well as private actors and social partners.

As noted, all Member States would have to designate a Talent Pool NCP. NCPs could take various forms and, depending on the Member State, could comprise different types of entities. Regardless of the type of body designated as the NCP, it would be responsible for a minimum set of tasks. NCPs would receive financial support for performance of the tasks related to participation in the Talent Pool (with a legislative basis) to ensure engagement and participation. However, the Talent Pool operation should ideally overlap with the mandate of the designated NCPs.

The Coordination Office would conduct training of NCP staff in use of the Talent Pool, promote the Talent Pool to potential users or represent the Talent Pool within the Commission. It would ensure that NCPs operate within the guidelines or recommendations forming the legal basis of the Talent Pool network. It would work to link to developing assessment and standardisation initiatives at the EU level, as well as Talent Partnerships and engagement with origin countries.

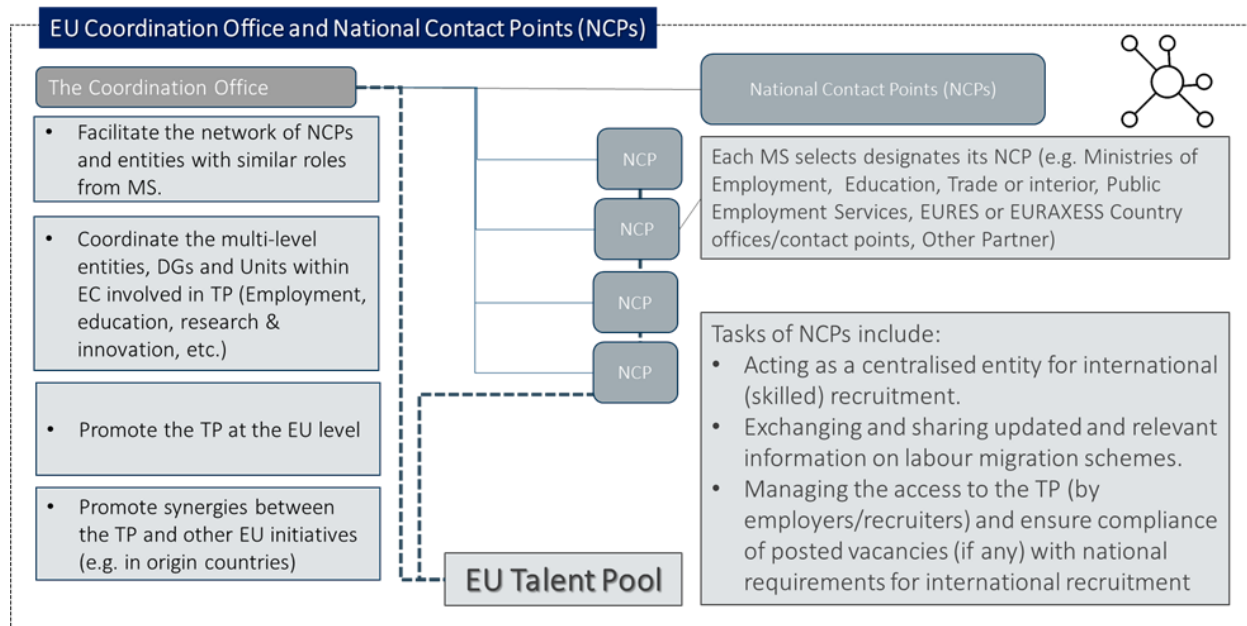
The Coordination Office would also be responsible for monitoring and evaluation of the Talent Pool as well as the activities of the network, and proposing relevant modifications to the Talent Pool and the operation of the network. A performance measurement system, similar to the one used by EURES, would collect data on outputs and outcomes according to defined indicators. The Coordination Office would be responsible for defining the performance dimensions to be measured, indicators and data sources inside and outside the platform itself. Periodic reports on performance and implementation would be prepared for review by the different bodies involved in multi-level governance.

Based on monitoring and evaluation reports and consultation with the network, elements of the Talent Pool would be adjusted. These include, for example, changes to the eligibility criteria, required documents and formats of these documents, expiration of profiles.

Besides structured reporting and monitoring, regular information exchange and cooperation between NCPs and relevant stakeholders would be expected to respond, in a flexible and timely manner, to changing labour market conditions and circumstances (i.e. amending the EU SOL).

Figure 5.6. Governance of National Contact Points (NCPs)

Roles and relation to the Talent Pool of the Coordination Office and National Contact Points



5.7. Optional features

Rebuild the EU Immigration Portal

The EU Immigration portal is an important tool of the EU migration policy. While the website has been recently revamped (e.g. adding an interactive map, updated country-specific information), further technical improvements should be made. At the very least, clear, concise and accurate information on migration procedures and relevant visas or permits in each Member State should be provided to all users.

The EU Immigration Portal should become a gateway to the future Talent Pool. Technically, the two platforms could merge into one single website or remain separate. If they are merged, the Portal would contain a private area for registered Talent Pool eligible candidates.

The next level of upgrade of the Portal could be to develop an interactive system. Users present their basic characteristics (nationality, occupation, education) without registration or personal identifying information and receive orientation towards legal migration channels based on a visa and entry requirements API. Those with characteristics suggesting eligibility for the Talent Pool would pass to the Talent Pool

registration phase. Ineligible third-country nationals would be oriented towards those channels for which they qualify, with a list of national legal migration channels for which they meet individual criteria. They would not however be able to submit their personal information for inclusion in any Talent Pool.

As part of this automated individual feedback, the Portal could indicate whether the user's profession is a regulated profession in certain Member States and/or provide further indications on current labour market trends in different Member States, to help guide users, highlighting occupations in demand which are eligible for legal labour migration channels.

A richer information base for the Immigration Portal could also be integrated into the Talent Pool AI job matching system (see 5.4 above) so that job matches would not only provide automatic ranking on match with skills and preferences but also indicate eligibility for labour migration schemes or permits based on the individual, employment and job characteristics. For example, the match could also indicate whether both job and candidate meet eligibility for an EU Blue Card.

These developments would require substantially expanding the currently available information on migration schemes and applicable procedures. Provision of such information, organised in a uniform way to enable automated matching of personal characteristics with relevant schemes would require a significant work on the part of the NCPs and substantial IT developments.

Standardisation of residence permits/visa application forms

Under a basic option, standardisation of documentation uploaded from the Pool (e.g. profile user, CVs, skills certificates, digital credentials) might be achieved through soft coordination between competent NCPs and the EU Coordination Office. Files and data could then be easily exportable in a format interoperable with national tools and systems.

A significantly more advanced option would be establishment of a uniform format for national visa/residence permit application forms for work purposes, with standard fields. This regulatory change would go beyond the Talent Pool, but would enable a user to generate a standard application form for different destinations and procedures. As mentioned above, such a development would, however, require an EU level legal basis and necessary adjustments at national level.

Dedicated support and training for employers wishing to recruit from abroad

Firms, especially SMEs, are often unfamiliar with international recruitment processes or face specific challenges and difficulties in accessing them. Some of them might need further information or assistance before or while using the Talent Pool. Further, NCPs may establish certain requirements for employers and intermediaries as a condition for accessing the Talent Pool. Dedicated training, online courses or public events could either be mandatory or optional. Support for employers to qualify for use of the Talent Pool could be offered by NCPs or other actors such as regional talent initiatives, depending on each Member State's priorities, resources and needs. Additionally or alternatively, EU-wide training modules and technical workshops could be provided (or co-hosted) by competent EU DGs and bodies.

A supply driven component

A European job-search permit (or visa) could be linked to the Talent Pool as the basis of an expression of interest system, but would require a substantial revision of the current EU legal framework.

Under the current framework, there are two possible uses of the Talent Pool for job-search. First, Member States may currently allow job-seekers legally present in the EU territory (including for a short stay) to apply for a residence permit, once the conditions are met, without necessarily returning to the home country. This is already a "may" clause in several legal migration instruments (EU Blue Card, Researchers

and Students). Use of this practice could be promoted or encouraged by the Commission through soft coordination (e.g. a Communication).

The second possibility is to encourage the use of the Talent Pool to identify candidates for existing job-search and supply-driven residence permit schemes in those Member States which already offer them. NCPs can identify potentially eligible applicants from the Talent Pool and reach out to them directly.

A European shortage occupation list (SOL)

Under the revised scenario (Figure 5.2), occupations deemed in shortage at the EU level would be considered as an additional eligibility condition to access the Talent Pool. There is currently no shortage occupation list defined at the EU level. The revised EU Blue Card directive introduces an annex with a list of occupations, commonly agreed by Member States, for which qualifications may be attested by a number of required years of relevant experience rather than higher education. While this list only relates to the EU Blue Card, it is subject to periodic assessment (and possible revision) based, notably, on Member States' labour market needs.

The EU Blue Card shortage list is not scheduled for review until at least 2026. However, future review will require an analysis of the changing needs of the labour market “drawn up after consulting national authorities, on the basis of a public consultation which shall include the social partners”. This exercise could be a starting point for development of a European SOL which could also determine occupations granting eligibility for registration in the Talent Pool. While the methodology is yet to be developed, it could follow most national SOL procedures – in EU and in non-OECD countries – and start with an initial empirical analysis on EU-wide labour shortages to identify a long-list of occupations, to be reviewed by Member States for inclusion in a SOL allowing the Talent Pool to include migrants in those occupations. The initial analysis could be based on skills demand analysis from Cedefop.

Gateway for qualified refugees and vulnerable categories of migrants

The Talent Pool does not exclude vulnerable migrants who meet the existing criteria for admission under legal labour migration channels. However, non-exclusion may not be enough to ensure that the Talent Pool also effectively serves persons who may be in states of temporary vulnerability. Existing European tools and platforms already provide dedicated support to beneficiaries of international protection or registered asylum seekers (e.g. the EU Science4refugee initiative, the Council of Europe's European Qualifications Passport for Refugees). Similarly, to ensure that the Talent Pool should be accessible to all skilled third-country nationals who meet the admission criteria, regardless of their background or country of origin, additional efforts may be necessary. Following on similar initiatives, projects could include targeted campaigns launched in collaboration with the private sector as well as European initiatives aimed at increasing job matching opportunities or EU-funded actions promoting work-related complementary pathways for people in need of international protection.

Promotion of the Talent Pool through outreach and marketing activities

While the Talent Pool does not represent a new legal channel for migration, it is meant to attract potential candidates to existing channels. In order to achieve this, it can use proven promotion techniques already in place for national talent attraction initiatives. These include large-scale or targeted promotion campaigns launched by the EU on social media; presence of EU Talent Pool representatives at relevant job fairs or events in origin countries and in Member States; and links with training institutions. In addition, NCPs can hold information and promotion events in their Member State to inform employers' representatives, talent attraction initiatives, civil society and decision-makers and organise direct outreach to most relevant national partners.

6 Cost-Benefit Analysis

6.1. EU Talent Portal

The scenario considered for this analysis is described as an EU-wide pool of migrants, identified on the basis of eligibility for an EU Blue Card, accessible to employers in EU. The basic model is shown in Figure 5.1, above.

While the criteria for inclusion of profiles is primarily the EU Blue Card, additional admission criteria for talented migrants are considered such as experience on occupations deemed in shortage (EU SOL) or participation in Migration Partnerships (MPP). In its simplest form, the EU Talent Pool only includes candidate profiles managed by National Contact Points (NCPs). NCPs can decide whether and how to grant employers or recruiters to search and consult profiles. In its more advanced form, the EU Talent Pool also consider posting vacancies that meet the minimum requirements by NCPs (EU Blue Card or any other additional national labour migration scheme). In this scenario, candidates can search vacancies and NCPs (or employers and recruiters directly) can search profiles. As option, the platform can include a Job matching component aiming to better connect candidate's profile with the most suitable job offers based on information provided by both sides. Additionally, the EU Talent Pool can include extra components aiming to increase the added value of the platform.

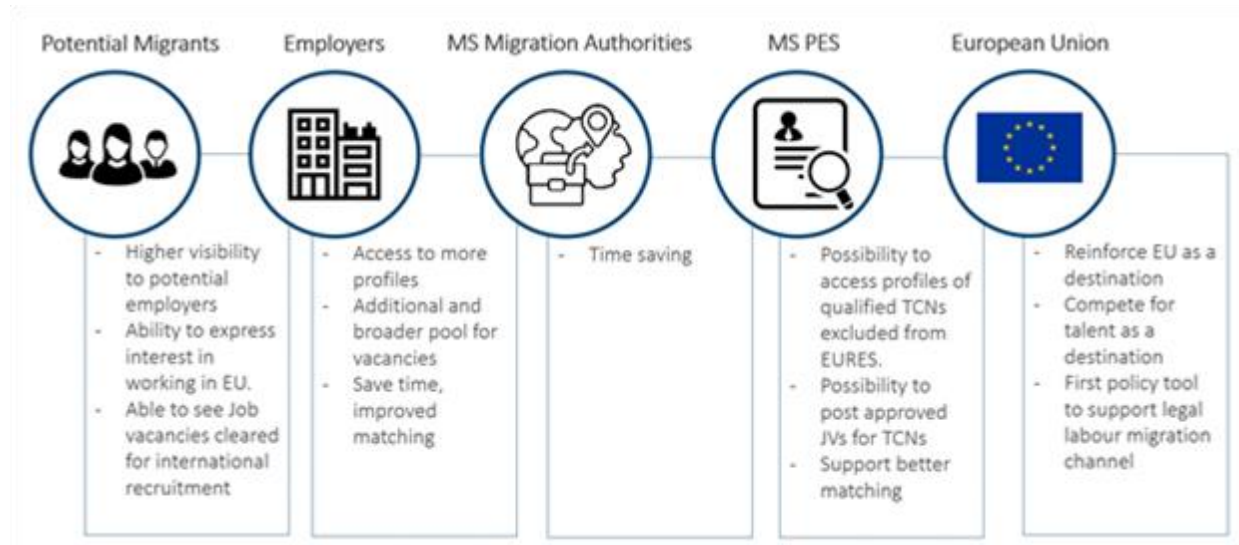
Based on consultations and discussion with relevant stakeholders it is possible to depict more clearly the aim of the EU Talent Pool which can be summarised in two main objectives. First, the EU Talent Pool should serve as attracting tool for (highly-) skilled workers from abroad, by centralising in one platform talented candidates interested to move to EU. Second, the EU Talent pool aims to contribute on the expansion of highly skilled labour force in order to address labour market shortages in the EU.

6.2. General approach for assessing the benefits and estimating the potential cost of The EU Talent Pool

Identifying the main stakeholders and components of the EU Talent Pool is key for estimating the potential impacts and benefits, as well as the costs and expenses for developing and implementing it. Figure 6.1 shows the main stakeholders connected directly or indirectly to EU Talent Pool.

Figure 6.1. Benefits of the EU Talent Pool by stakeholder

Summary of the benefits measured as added value.



Source: OECD elaboration

On the demand side, employers including SMEs and multinational companies as well as private and public intermediaries (recruitment agencies and public employment services) can benefit from a list of candidates that can meet human resources needs, especially in the context of high occupations/skills shortages.

On the supply side, there are skilled third country nationals (TCNs) who express their interest, and based on the information provided, can be admitted to the pool for consideration in recruitment processes.

EU Member States operate migration management authorities and public employment services whose operation could be impacted by the development of the EU Talent Pool platform. More broadly, Member States' growth and development is affected by their ability to fill skills needs.

The European Union has a goal of providing added value to Member States. There is a benefit in ensuring that the European Union is more attractive as a whole than the sum of its Member States individually. Benefits can also accrue from a greater convergence between Member States' systems and practices through common policies and shared initiatives in domains where European action brings added value. This results from the principle of subsidiarity, laid down in the Treaty on the European Union, governing the exercise of EU competence in circumstances in which it is preferable for action to be taken by the Union, rather than the Member States.

For the purposes of the cost-benefit analysis, the Talent Pool can be divided into two main components: the platform itself and the network of entities coordinating and using the platform.

Three scenarios (or phases) are considered for conducting the cost-benefit analysis. These scenarios are not mutually exclusive and can be implemented consecutively. Table 6.1 describes the main characteristics and features of the platform and the network in 3 phases or levels. Phase 1 focuses on developing a platform in its simplest form (as shown in Figure 5.1). The platform only integrates profiles, so contains a basic website and limited features. The main function is to collect detailed information from skilled TCNs through an online application form. Based on the information provided, the platform admits or excludes profiles from the Pool. The platform also integrates an interface for the National Contact Point to search and contact profiles, and an interface for employers (or recruiters) to use basic search criteria to verify the number of matching profiles in the Pool.

In the next phase, the platform includes job vacancies in addition to the pool of profiles, integrating additional features to allow employers, recruitment agencies or any other authorised party, as well as NCPs, to upload job postings or export or share them from existing platforms. The addition of job vacancies to the Talent Pool requires an expansion of the TCN interface to include searching and applying to job vacancies. Complementarily, the platform with vacancies can include an automated matching tool (Phase 3). This involves software for automation of procedures including retrieving job postings from external sources, matching profiles and vacancies, and potentially even linking matches to eligibility for current migration schemes. The main website would require additional changes to include the matching tool.

In addition to the three scenarios shown, additional potential components for the Talent Pool are assessed and benefits and costs are estimated.

Table 6.1. Main characteristics of the platform and network in each phase.

	Platform	Network
Phase 1: Only profiles	<ul style="list-style-type: none"> - Basic webpage with an online application form for Skilled TCNs (Front-end). - Basic webpage for employers or recruiters to verify presence of candidates matching simple search criteria in the pool (anonymised results) (Front-end) - Basic webpage for NCPs (or validated employers or recruiters) to access the pool of applicants (filter features, etc.) (Front-end) - Basic internal webpage for updating Talent Pool portal content such as information and guidelines (Back-end) - Information storage. - Software for data security and data protection. 	<ul style="list-style-type: none"> - NCPs in each Member States with personnel (1-2 people). Tasks include managing the search for TCNs by employers and recruiters, and promoting the use of the Talent Pool among employers and recruiters. - EU Central office with personnel (2-3). Tasks include coordinating the NCPs, harmonising protocols and assessment, carrying out outreach activities to promote Talent Pool in the EU and in third countries.
Phase 2: Profiles + job postings	<p>In addition to the above:</p> <ul style="list-style-type: none"> - Expansion of TCNs webpage with access to Job postings and with application-to-job features (activation of the search mode for TCNs). - Expansion of NCPs and Employers (or recruiters) webpage to include job posting form and a possibility of importing or retrieving vacancies from other relevant portals. - Expansion of information storage. - Expansion of the scope of data security software. 	<p>In addition to the above:</p> <ul style="list-style-type: none"> - NCPs in each Member States with personnel (1-2 people) in charge of centralising the information on job postings, verifying compliance of vacancies with regulations on international recruitment (e.g., labour market testing) and/or admission criteria to the Talent Pool, promoting the use of the Talent Pool among employers and recruiters for posting job vacancies.
Phase 3: Profiles, job postings and automated matching tool	<p>In addition to the above:</p> <ul style="list-style-type: none"> - Matching tool (Query) - Adjustment of the Talent Pool Portal for better integration of the information needed for the matching tool. - Adjustment of the front-end of TCNs and NCPs portal to make visible the output of the matching tool 	<p>In addition to the above:</p> <ul style="list-style-type: none"> - NCPs in each Member State may release some of the tasks assigned to the Staff that will be performed by the automated tool. - EU Central Office expands the staff required for maintenance and data and technical support.

Source: OECD Analysis

Based on the information collected from consultations, the benefits and impacts of the EU Talent Pool are assessed qualitatively and the analysis is presented by stakeholder for each phase. Since the information regarding benefits is limited, the analysis relies on discussing the potential added value the Talent Pool would have for stakeholders. However, through the qualitative assessment it is possible get the order of magnitude of such benefits. The estimation of the cost relies on multiple inputs: suitable benchmark, market research and information provided during consultation.

6.3. Analysis of potential impacts and benefits (Added value)

This section describes – where relevant – the potential impacts and benefits of the development of a Talent Portal, in its basic scenarios and in combination with additional components. The various policy options described above in Table 6.1 do not enlarge the scope of the expected impact, but rather affect their magnitude.

Potential impacts and benefits are discussed in terms of the added value, which is defined as an increase in the value (or availability) of a resource, product or services as the result of a particular change (e.g. incorporating a Talent Pool of profiles only). For the case of the Talent Pool, the added value for each stakeholder is assessed in terms of multiple potential outcomes depending on the stakeholders, including information availability and access, provision (receipt) of support, and time saved.

The Talent Pool can have direct and indirect impact on multiple parties. In this analysis, the added values are discussed only for five policy-relevant stakeholders directly impacted by the development of the EU Talent Pool, in light of the main potential outcomes and based on its objectives. Table 6.2 shows for each stakeholder the potential added value every phase and additional component may bring. In the following section, more detailed information is provided.

Added value for potential migrants

The Talent Pool has a direct effect for potential migrants, especially among high-skilled third-country nationals interested to move to the EU for employment. Regardless of the phase, an immediate and concrete added value of the Talent Pool is to allow high-skilled potential migrants to express interest in working in the EU and submit their profiles for consideration by employers in multiple Member States. Under the current situation, there is no mechanism to centralise the interest in working in the EU for third country nationals. EURES does not allow enrolment. There are Member State initiatives which operate in isolation, but with a limited scope, strategy and funding.

Likewise, potential migrants can benefit from accessing to a pool of candidates that are searchable by employers across the EU. This increases the likelihood of being seen, invited to participate in a job hiring process and eventually receiving an employment offer. With a single unique Talent Pool profile, TCNs benefit from visibility in multiple Member States and through different language interfaces.

When job vacancies are added to the Talent Pool (phase 2), TCNs would be able to apply for vacancies. In addition, the vacancies included in the Talent Pool would be validated for international recruitment, preventing them from applying for jobs which do not meet national criteria for hiring third-country nationals. Access to vacancies also signals to candidates which skills and competences are in high demand and more likely to lead to successful recruitment. Third, by reducing the asymmetry of information, TCNs are better able to decide in which recruitment process to participate. Adding an automated matching tool (phase 3) reduces the efforts necessary to identify appropriate job vacancies and increases matching likelihood (e.g. time, lack of information), reducing job-search frictions (Faccini and Yashiv, Forthcoming, 2021^[13]).

If the Talent Pool is adapted with additional components, there are clear benefits for TCNs (see Table 6.2). Creating a ‘Job search visa’ linked to the Talent Pool gives TCNs an additional legal channel for coming to the EU to explore labour opportunities. Similar instruments have been implemented in Australia (Wright and Constantin, 2015^[14]) and positive results in terms of labour outcomes from TCNs side (e.g. employability), employers (e.g. Hiring times) and the labour market as whole (e.g. reduction of labour hiring frictions) have been found. Some EU Member States such as Germany and the Netherlands, as well as Norway, have already introduced job search visas allowing specific groups of potential labour migrants to come to the country to search for a job (OECD, 2019^[1]).

A rebuilt EU Immigration Portal would provide clearer orientation towards legal channels, informing potential migrants of the routes for which they might qualify. The information base for the rebuilt migration portal could also supplement the matching tool, providing Talent Pool profiles with information on residence permit conditions and requirements for each match with a job vacancy. This would further enable candidates to assess job vacancies not only in terms of the job quality but also in terms of the complexity of the associated immigration procedure and benefits they might enjoy from the different possible residence permits for employment associated with the match.

The standardisation of forms and the offer of fast track from high-skilled TCNs included in the Talent Pool would reduce the time spent by potential migrants in labour migration procedures. A standardised form would allow the Talent Pool to generate and export forms and information on behalf of the candidate. Offering labour migration fast tracks for the talent in the pool would accelerate hiring times.

Added value on Employers (SMEs and Multinationals)

Facilitating the search for highly qualified candidates can be a particular benefit for employers at the intensive and extensive margin. The Talent Pool is free to use, unlike almost all current market offers (intensive margin). Private suppliers of vacancy posting services can charge between EUR 3 000 and 15 000 per year (Recruitee, 2020^[15]). The Talent Pool has important added value in reducing the barrier of entries for companies that can allocate financial resources for international recruitment, especially among Small and Medium Enterprises (SMEs).

Employers also gain access to profiles attracted to opportunities in other Member States, who they might never see through national platforms and outreach. By expanding the supply of candidates or profiles to be screened, employers who did not previously consider international recruitment may do so (extensive margin).

Including job vacancies in the Talent Pool allows employers to reach more applicants, since online vacancy postings and online recruitment increases the number of applicants and the share of suitable candidates per vacancy – which in turn induces employers to post more vacancies (Gürtzgen et al., 2021^[8]). Since Talent Pool candidates meet baseline individual requirements for legal migration channels (e.g., education or occupation levels), the Talent Pool offers some degree of reassurance to employers that candidates will satisfy migration requirements if hired.

A matching tool saves time for employers - as it does for TCNs - searching for the right candidate to fill a position, and will improve the likelihood of better matching. Job boards and labour matching tools increase the efficiency with which workers are matched to jobs. This may be due to an increase of potential matches (at higher rate), and an increase in the quality of matches (i.e. minimum productivity an employer will tolerate, or equivalent, the minimum wage of worker will accept – both rise) (Autor, 2001^[16]) (Autor, 2019^[17]).

Other components that can be added to the Talent Pool may also have an effect on employers besides reducing the job-search frictions (see Table 6.2.). In particular, a 'job search visa' would increase the supply of qualified candidates ready to start employment immediately. Incorporating 'assessment of credentials and qualifications' would reduce the job-candidate mismatch by receiving a clearer indication and validation of the set of skills and qualification TCNs hold.

As it is expected for TCNs, offering fast tracks for national labour migration procedures would significantly impact employers since they bear most of the financial and opportunity cost of long migration procedures.

Added value for Member State Migration Management Authorities

Any impact of the Talent Pool on migration procedures will have consequences for the authorities managing migration in Member States – those handling applications for residence permits. The idea of a

Talent Pool springs from an analysis of the Expression of Interest model (OECD, 2019^[11]) which is primarily designed to support migration management. Scenarios for the EU Talent Pool, on the other hand, largely focus on improving matching and information. Consequently, the different Talent Pool options bring limited added value to the authorities responsible for managing migration. Nonetheless, some components integrated in the Talent Pool can bring benefits. Better information can serve to reduce incomplete and ineligible applications. The inclusion of job vacancies in the Talent Pool can help streamline the process of communicating to migration authorities that a labour market test has been satisfied, since any vacancy published for the Talent Pool has been judged compliant. Standardised forms can accelerate processes to some extent. Choices by Member States to use the Talent Pool to determine eligibility for existing national fast-track procedures or job-search visas may help support the operation of these Member State mechanisms. Such benefits are contingent on policy decisions taken at the Member State level.

Added value on MS Public Employment Services

The EU Talent Pool concentrates on matching and complements existing matching conducted by public employment services (PES), who are engaged to varying extent in talent recruitment (Molnár, Krekó and Scharle, 2020^[4]). For PES in Member States where the mandate includes supporting international recruitment, the Talent Pool brings a clear added value in providing an instrument to access profiles of qualified third-country nationals – something currently not possible through the EURES mobility platform. Similarly, adding the possibility of publishing job vacancies introduces in many cases a new functionality for the PES, one which in some Member States is beyond the financial capacity of the current budget. A matching tool would reduce the workload on PES to participate in the Talent Pool. Other elements which could be associated with the Talent Pool have no additional benefit for PES.

European Union

In its simplest form, the EU Talent Pool reinforces the perception of the EU as a destination for talent – filling a gap. It allows the EU to compete as a collective destination, a single labour market. It would also be the first tool in place to support the supply side of the EU legal labour migration framework – specifically, the perception of the EU Blue Card by potential applicants. The addition of a job vacancy element would also promote the EU Blue Card, since vacancies would be published partly on the satisfaction of national EU Blue Card salary and occupation criteria. A matching tool would allow the EU to better monitor the coherence between supply and demand in the domain of international recruitment for highly qualified employment.

Reconstructing the Immigration Portal would improve public information on the EU legal migration framework, and help orient potential applicants towards the EU Blue Card. Standardised forms would lay the groundwork for increased interoperability among systems. Integrating the fledgling tools for assessment and qualifications would spur development of standards and cooperation in this area. An EU Job Search Visa would boost the attractiveness of the EU as a whole.

Table 6.2. Added Value of different elements of the Talent Pool for different actors

	Profile Pool	+ Job Vacancies	+ Matching	+ Renovated EU Immigration Portal	+ Standardised Forms	+ Assessment of credentials and qualifications	+ Fast Track	+ Job Search Visa
Potential Migrants	(Free) visibility to potential employers in multiple MS Ability to express interest in working in EU Single profile for multiple destinations/languages	Able to see JVs cleared for international recruitment	Save time, improved matching	Clearer orientation towards legal channels	Save time	Increased chance of matching	Faster procedures	Additional possibility to come to the EU through legal channel
Employers	(Free) access to more profiles	Additional and broader pool for vacancies Small degree of reassurance that candidates meet eligibility for migration	Save time, improved matching	Clearer indication of eligibility of candidates for legal channels	Minimal, except for prefilled forms in procedures	Clearer indication of eligibility for migration	Faster procedures	Increased supply of qualified candidates ready to start employment immediately
MS Migration Management Authorities	Limited added value, unless MS opts into standard info (time saving)	Limited value, unless Fast Tracked through LMT pre-approval	No	No, except for possible reduction in queries through better information	Save time	Small benefit from greater likelihood of complete applications where assessment is required	No, unless choice is made to use TP rather than national criteria for fast tracking	No, unless JSV / supply-driven migration already in place
MS Public Employment Services	Possibility to access profiles of qualified TCNs excluded from EURES	Possibility to post approved JVs for TCNs, where currently not possible	Support matching, where mandate includes filling JVs with TCNs	No	No	No	No	No
European Union	First policy tool to support legal labour migration channel Reinforce EU as a destination Compete for talent as a destination	Promote EU Blue Card Help fill JVs for skilled shortage occupations	Can analyse match between profiles and vacancies (statistical monitoring)	Employers, migrants and public better informed on EU legal migration framework Better awareness of eligibility for EU Blue Card and its advantages	Support EU standards and development of interoperability	Support and spur development of EU standards Support MPPs focused on assessment	No	Make the EU more attractive

Note: MS: Member States. JV: Job Vacancies. TCNs: Third-Country Nationals.

6.4. Analysis of the potential financial cost

Besides the legal efforts and coordination, developing the EU Talent Pool involves a financial investment which depends on several components:

- the characteristics of the platform;
- the extent to which it can be integrated and interoperable with current vacancy and labour migration management systems at the EU level⁸⁰ and Member State initiatives⁸¹;
- the stakeholders and bodies participating in the network.

This section aims at describing the main costs for developing the EU Talent Pool. The cost model is first introduced highlighting the main components of the platform and the network (NCPs). Secondly, the scenarios, the different options and their financial implications are presented to set up the scope of the analysis. The main assumptions of the cost model and their implication for the analysis are then explained, as well as the benchmark or reference cost ranges. Finally, the results are discussed.

The cost model

The cost structure presented in this document follows the same structure used in the Second biennial report for EURES (European Commission, 2021_[18]), and is divided into two main components, the **platform** and the **network** (see Table 6.3). For each heading the cost is estimated for the three different phases/scenarios. Phase 1 includes TCN profiles only, along with interfaces to consult them. Phase 2 includes job vacancies postings in addition to the profiles. Phase 3 adds an automated matching tool. For each phase, the development and operating costs are estimated following the cost model implemented in the impact assessment for similar technological developments (e.g. the Entry/Exit System (EES) (European Commission, 2016_[19])). The development cost is presented in total, while the operating cost is an average estimate per year.

Table 6.3. Cost structure for the cost analysis of the EU Talent Pool

EU Talent Pool platform
(1) Platform (Technical development cost - Web developer)
(2) Software (Automated matching development and license fee)
(3) Help desk and Technical support
(4) Translations
Subtotal
Network - NCPs
(5) Human resources (CO)
(6) Human resources (MS)
(7) Common Training Programme and Protocols
(8) Network meetings
(9) Support to the network activities and promotion
Subtotal
Total

Note: Following the structure used by EURES in the Second Biennial EURES report - (European Commission, 2021_[18])

⁸⁰ e.g. EURES, EURAXESS

⁸¹ e.g. Work in Lithuania, Make it in Germany, Talent Boost Finland, Work in Estonia, etc.

Source: OECD elaboration

There is no identical portal or platform with the same characteristics and objectives developed at EU level, limiting the information available to establish a comparable benchmark and reference for estimating the costs. However, some of the features of the EU Talent Pool have already been put in place in different EU initiatives or country specific projects – albeit with some important differences in terms of the scope and the targeted population. For example, EURES includes a job-matching platform for EU nationals and EU residents, which can provide a benchmark.

Additionally, since the specifications and characteristics of the platform and the network cost can vary significantly based on their characteristics, cost estimations are presented in ranges. The lower bound is based on the information available for costs of running EURAXESS, a simple model. The upper bound uses the information cost from the most complex existing model, EURES, taking into consideration differences in regard the scope and structure of the network (e.g. Member State bodies participating in EURES), and the complexity of the platform (e.g. size of profiles and job postings features) for sizing.

The source of the funding and the nature of the cost has implications on how the cost analysis is presented and structured and how it should be interpreted. For instance, the costs for development and operation of the platform may be funded at the central level (under the EU coordination office). However, the human resources in each NCP as well as the activities for promoting the platform among employers may be funded directly by Member States. Similarly, some costs depend on the number of Member States participating in the EU Talent Pool. Therefore, the total cost of the Talent Pool is estimated as well as the total cost assumed per Member State, separate from the total fixed cost independent on the number of participating Member States.

To assess the potential cost of the platform, the network (MS NCPs and EU coordination office of NCPs) and additional components, the cost model relies on broad general assumptions presented below:

- The Talent Pool upper bound costs are based on EURES, which operates an extensive network. It is assumed that EURES user profile management, based on the structure of its website, involves approximately one-third of EURES' operation. Thus, for Phase 1, all direct costs regarding the platform extracted from the EURES budget report is weighted by one-third. Likewise, it is assumed that the EURES profile and job postings together correspond to two-third of EURES' operation. Therefore, phase 2 takes two-thirds of all direct costs regarding the platform extracted from EURES budget report.
- The Talent Pool lower bound cost is based on the EURAXESS cost structure. However, the only information available for EURAXESS is the total operating cost of the platform and the network. The cost per each line (e.g. platform, help desk and technical support, etc.) is computed by applying the shares of the distribution of the costs of EURES to the total EURAXESS cost.
- It is assumed that 27 Member States will participate in the EU Talent Pool.
- There is no timeline defined for the estimation of the cost. However, it is assumed that development of the platform, which involves designing, building and testing the different interfaces, requires approximately one year. Depending on the phase, additional developments may require more time for incorporating adjustments related to job postings and a matching tool in the case of the advanced form of the EU Talent Pool. Operating cost is estimated on an annual basis.

Additional assumptions are considered for some specific cost headings. These are described more in detail in the following section.

The platform

As shown in Table 6.6, the platform cost includes the following elements:

- technical development cost of the website (line 1);
- software and additional technical development for the automated matching tool if applicable (line 2);
- help desk and technical support provided to users (TCNs and employers) and NCPs respectively (line 3);
- translations of the website and the internal documents and protocols (line 4).

Regardless of the phase, the platform requires a list of essential components to operate, such as a content management system, a reliable web hosting service, user experience (UX), search engine optimisation (SEO), analytics tools, email campaigns, social media links and integration to existing relevant platforms, etc. These basic features are included in the estimation of the cost for developing the front- and back-end of the website (Platform cost, line 1).

Depending on the scope of the Talent Pool – whether it is limited to profiles or includes profiles and job vacancies – there are additional features which affect platform cost. Including job vacancies in the platform requires more advanced features than a simple registration tool for centralising profiles, but does not represent a much greater increase in the complexity of the platform. Nonetheless, some existing national platforms have required significant outlay. “Make it in Germany”, for example, cost 1.43 million euros to develop (European Commission, 2018^[20]), in four languages and with vacancy posting and search. While “Make it in Germany” does not allow registration of profiles, it does provide individual counselling.

The automated matching tool (line 2) is estimated separately based on similar existing platforms providing job matching services. These tools generally involve an initial development cost and an annual licensing fee, sometimes in relation to the volume of cases handled.

The cost of matching tools also depends on the complexity of the automation process and the range of services automated (e.g. retrieving job vacancy information for external platforms to link them to potential TCNs profiles). This has implications for the cost range since the matching tool options, features and complexity can vary substantially. Not all private matching platforms even include a matching tool: it may still cost millions of euro to develop a labour matching platform without the tool due to elevated marketing costs. The platforms in Table 6.4 all include a matching tool. Based on the experience of EURES, the assumption is that the tool itself accounts for about one-third of the total development cost for these platforms. The lower and upper bound in the estimate were defined based on the second lowest and highest cost among the platforms listed, respectively.

Table 6.4. Matching tool benchmark cost comparison

List of labour matching platforms with matching tools.

Company / Start-up	Description	Total Cost (M EUR)	Approximate cost of the matching tool (M EUR)
GrabJobs	Online-Job matching platform	1.8	0.6
Broadstone	Job matching platform for private security industry	2.6	0.9

Headstart	AI-based matching platform	7.0	2.3
Kalibr	Online job-matching platform	8.8	2.9
Celential	AI-based job matching	8.8	2.9
Ripple Match	Job matching and internship search platform	29.9	10.0
Pymetrics	AI-based talent matching platform	53.7	17.9

Note: It is assumed the matching component cost is one-third of the total cost of the platform. The second least and most expensive values are highlighted and taken as reference as lower and upper bound respectively for the cost analysis. EUR is converted from USD at a rate of 0.88.

Source: Top Job matching platform start-ups - <https://tracxn.com/d/trending-themes/Startups-in-Job-Matching-Platforms>

A matching tool, however, also automates some of the work of the actors who would normally filter profiles for this purposes. Line 2 therefore implies a negative cost (“-“) for human resources where the tool is assumed to reduce the workload of NCPs. The reduction in staff cost is assumed to drop by as much as 35% depending on the characteristics of the matching tool. The matching tool, in fact, cannot entirely eliminate the need for some human intervention in the matching process.

Staff costs directly linked to the operation of the platform are included (line 3). These include staff in the development phase, and help desk and technical support in the operational phase. In operation, it is expected that one or two full-time equivalent (FTE) staff would be necessary to run the network. Costs are estimated using the help desk and technical support costs of EURES and EURAXESS as a benchmark and therefore assume that the Talent Pool is fully populated with profiles and in use by NCPs and employers. Neither EURES nor EURAXESS quantify human resources in FTE in their cost reports. However, other analyses (European Commission, 2018_[21]) estimate FTE costs for a Commission official at EUR 143 000. This benchmark is used for calculating the expected FTE at the EU level where only total staff costs are available. During operation of the platform, the technical support cost includes the cost related to maintenance, support in data processing and data management, which increases the operating cost for the matching tool.

Translation costs for the platform depend on the number of languages and the complexity of the interfaces. The costs shown in line 4 are estimated differently for the lower bound and the upper bound. If the platform is run in one language (e.g. in English) the cost is lower, comparable to the costs for EURAXESS. If the Talent Pool follows the same multilingual approach as EURES (i.e. the platform is translated into multiple official languages) the cost increases for each language the platform uses. Decisions to translate only some of the interfaces (for example, the registration interface) would reduce translation costs. The costs could vary beyond this range according to the amount of text.

In addition to the main technical component of the platform, there are additional costs related to the operation of the platform. Technical support and a help desk should be available to provide support to the main users, including NCPs, TCNs, and employers. This support involves technical assistance to the platform and direct help to the final user for navigating the Talent Pool platform.

The network

An additional main component of the EU Talent Pool is the network, which includes the EU coordination office and the NCPs or assigned body in each Member States. The cost headings listed in this section also follow the structure used by EURES and mainly relate to the

coordination and operation of all stakeholders in the network and the services provided to TCNs and employers.

The cost of the network includes the cost of the human resources at the central level (line 5). This comprises the staff involved in the operation and coordination of the network. It is also assumed that cost varies between EUR 300 and 500 000 euros depending on the number of FTE staff (lower and upper bound respectively) – again based on EURES. In practice, this is the equivalent of two to three FTE staff to support activities and promotion.

In addition to the human resources required at the central level, it is assumed that on average each Member State will require between staff to operate the NCP (line 6). Staff in the NCP are responsible for mediating between employers and recruiters and the Talent Pool. They are also responsible for reviewing vacancies for posting to the Talent Pool, where relevant. If the Talent Pool is used heavily for recruitment, additional staff may be necessary beyond this estimate. As noted, the cost of human resources is sensitive to the complexity of the Talent Pool and the tools at disposal. For example, adding job vacancies increases the workload and the need for additional staff to operate and coordinate with employers and recruitment agencies for jobs posting. Even if job postings are retrieved from an existing platform, this work may still involve significant amount of manual efforts for review of eligibility for inclusion in the Talent Pool vacancy database.

It is possible to envisage lower costs than those assumed in this estimation. New Zealand operates SkillFinder with limited staff resources (only 0.25 FTE). This work mainly consists in reviewing vacancies for authenticity and compliance and sending the vacancy announcement e-mails to potential leads. In 2021, the system handled about 1 000 vacancies. Staff workload has been reduced in the decade since introduced through greater automation. Outreach costs have diminished with greater familiarity with the system among target employers and recruiters.

Automating job vacancy posting could be done at the Member State level – for example, through identifying PES job listings which meet EU Blue Card criteria and national labour market testing requirements - reducing the staff costs for reviewing vacancies. Such a decision would be taken at the Member State level and is not considered here. Further, developing the automated matching tool can reduce partially the workload required for managing the job vacancies and profiles. The reduction of the workload will depend on the features of the automated matching tool.

Some of the additional cost rows are based on activities in the EURES and EURAXESS network (lines 7-9). They are calculated assuming that 27 Member States will join the EU Talent Pool. The cost of holding network meetings is based on the current frequency of meetings of the EURES and EURAXESS network and associated budget. Depending on the costs for interpretation and facilities rental, these costs can vary significantly beyond the range shown. The coordination office provides training and protocols to provide a more harmonised service across NCPs (line 8), including meetings where cost varies according to the number of participating Member States.

Line 9 shows the cost associated with the support provided to the network activities and promotion. This includes expenditures related to marketing, mainstreaming and Talent Pool promotion. The cost of marketing and promotional campaigns varies depending on its characteristics and targeted audience.

The potential cost of the EU Talent Pool

In all the EU Talent Pool scenarios considered, regardless of the characteristics of the platform and the network, human resources (staff costs) and the technical developments of the platform

and software account for the lion's share of the provisional indicative cost (see Table 6.5 and Table 6.7). According to the estimates for the basic EU Talent Pool (phase 1), the cost is driven significantly by the expenses related to consolidation of the network. These account for between 70 and 90% of the potential total investment (see Table 6.4). Within the network cost, human resources account for 50-70% of total cost, including staff hired at the central office and in each NCP. The cost of human resources per Member State is roughly estimated between EUR 60 000 and 120 000 euros (line 6b) during development and for each operational year. The latter is about 1-2 FTE using the average cost of an EU official cited above. Within the cost related to the Platform, except translation which depends on the number of languages included (26 in this case), the technical development and operation of the website accounts for most of the platform cost, 30% during development and 40% during operation.

Including job vacancies in the Talent Pool (phase 2) requires more advanced features than a simple registration tool for centralising profiles, but does not represent a much larger increase in the complexity of the platform, nor higher additional cost. The maximum increase is estimated to be between 50-60% of the upper bound development and operating cost respectively.

The additional cost for integrating a job matching tool (phase 3) is relatively high compared to the scenario where only profiles and job vacancies are considered (phase 2). Such a high increase can be explained by three factors. First, a job matching tool only makes sense if job vacancies are included in the Talent Pool, so phase 3 is dependent on phase 2. Second, matching tools can be very costly depending on characteristics and features. Based on simple market research, developing an entire private job matching platform may cost between EUR 1.8 million to as much as 54 million. Assuming that one-third of the total development cost goes for covering an automated matching tool, its cost can range between EUR 600 000 and 18 million (see Table 6.4). Third, automated matching tools imply possible additional expenses related to maintenance, data processing, data hosting and help desk, and support for users to submit profiles and vacancies which can be processed correctly.

Despite the significant potential cost to incorporate a matching tool, there are potential efficiency gains that are important to take into account. As mentioned, an automated matching tool may reduce the workload for managing job vacancies and profiles in several ways. Job postings can be automatically retrieved or exported from existing platforms (e.g. EURES, LinkedIn, etc.). Based on the profiles and job vacancy information, job matches can be automatically assigned or flagged. For instance, Talent Pool candidates might see a label on job postings indicating the probability of matching. Likewise, employers can see the same match probability for profiles based on the vacancy job description.

The automated matching tool could go beyond the profile-job match to provide supplementary information on the labour migration permit schemes applicable given the characteristics of the candidate and the vacancy. Based on the information on national legal labour migration schemes – requisites of the migrant and occupation and salary of the vacancy – the system would indicate the permits which might be requested. For each applicable permit, the employer and candidate would view associated procedures and required documentation. For example, along with the probability of match, users would also see for example whether an EU Blue Card could be requested, and if the associated residence permit requires recognition of foreign qualifications. This would provide additional information to employers and job-seekers to evaluate the match not only in terms of meeting the job requirements but also in terms of the complexity of satisfying requirements of the migration procedure.

As more tasks are automated through the automated matching tool, the less the Talent Pool relies on human resources to operate the platform. However, the matching tool cannot completely substitute the staff intervention needed to operate the network and the platform.

Table 6.5. Provisional Indicative Cost Analysis for the Talent Pool - Additional cost.

Additional cost relative to previous phase. In Million Euros, range from lower to upper bound.

	Additional cost relative to previous phase											
	Profiles Only				Profiles + Job vacancies				Profiles + Job vacancies + Matching Tool			
	Development cost		Operating annual cost		Development cost		Operating annual cost		Development cost		Operating annual cost	
	Lower	Upper	Lower	Upper	Lower	Upper	Lower	Upper	Lower	Upper	Lower	Upper
EU Talent Pool platform												
(1) Platform (Technical development and operation)	0.09	1.08	0.06	0.75	0.99	1.66	0.69	0.77	0.00	0.00	0.00	0.00
(2) Software (Automated matching development and license fee)	NA	NA	NA	NA	NA	NA	NA	NA	0.90	10.00	0.15	2.26
(3) Staff costs (Development, Help Desk and Technical support)	0.18	0.36	0.10	0.20	0.11	0.21	0.07	0.13	0.00	0.00	0.25	2.67
(4) Translations	0.09	2.64	0.04	1.17	0.05	1.53	0.04	1.26	0.00	0.00	0.00	0.00
Average cost per language	0.00	0.10	0.00	0.04	0.00	0.06	0.00	0.05	0.00	0.00	0.00	0.00
Subtotal	0.36	4.08	0.20	2.13	1.15	3.40	0.80	2.16	0.90	10.00	0.40	4.93
Network - NCPs												
(5) Human resources (CO)	0.17	0.29	0.15	0.25	0.05	0.08	0.05	0.08	0.00	0.00	0.00	0.00
(6) Human resources (MS)	1.85	3.69	1.63	3.27	0.54	1.08	0.54	1.09	-0.27	-1.08	0.01	-1.09
(6b) Staff, average cost per MS	0.07	0.14	0.06	0.12	0.02	0.04	0.02	0.04	-0.01	-0.04	0.00	-0.04
(7) Common Training Programme and Protocols	0.16	1.28	0.05	0.42	0.13	1.46	0.05	0.55	0.14	1.29	0.05	0.49
(7b) Average cost per participating MS	0.01	0.05	0.00	0.02	0.00	0.05	0.00	0.02	0.01	0.05	0.00	0.02
(8) Network meetings	0.02	0.61	0.01	0.27	0.01	0.18	0.00	0.09	0.00	0.00	0.00	0.00
(8b) Average cost per participating MS	0.00	0.02	0.00	0.01	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00
(9) Support to the network activities and promotion	0.23	1.79	0.20	1.26	0.07	0.52	-0.07	-0.21	0.00	0.00	0.22	-0.09
(9b) Average cost per participating MS	0.01	0.07	0.01	0.05	0.00	0.02	0.00	-0.01	0.00	0.00	0.01	0.00
Subtotal	2.43	7.65	2.05	5.47	0.79	3.32	0.58	1.60	-0.13	0.21	0.28	-0.69
(10) Total (assuming 27 Member States participating)	2.79	11.74	2.25	7.60	1.94	6.72	1.38	3.76	0.77	10.21	0.68	4.24
(11) Total fixed cost	0.53	4.37	0.35	2.38	1.20	3.48	0.85	2.24	0.90	10.00	0.40	4.93
(12) Total cost per MS	0.08	0.27	0.07	0.19	0.03	0.12	0.02	0.06	0.00	0.01	0.01	-0.03

Source: OECD elaboration

The total cost for each phase is shown in Table 6.6. All associated Member State costs are assigned to the Talent Pool. The most basic version of the Talent Pool is estimated as potentially costing EUR 2.46-10.44 million for development, and in the range of 2.25-7.6 million euros when fully operative with all Member States participating. Developing the Talent Pool with the most advanced scenario including a matching tool will potentially cost between EUR 5.17 and 27 million with a potential operating annual cost estimated to be between EUR 4.31 and 15.6 million. Some of these costs fall on Member States, therefore, the magnitude of the total cost of the EU Talent Pool is directly correlated to the number of Member States. For instance, the total operating cost of human resources required for each NCP (line 6) is estimated to be between EUR 1.63 and 3.27 million for the most basic version of the Talent Pool (Phase 1), assuming that the 27 Member States will participate in the Talent Pool. For the same cost heading the average cost per Member State (line 6b) is estimated to be between EUR 130 and 260 thousand. In the lower estimate, Member State staff costs comprise about half the total cost of operation of the fully developed Talent Pool. The same logic applies for the costs under the headings “Common Training Programme and Protocols” (line 7 and line 7b for the cost per Member State), “Network meetings” (line 8 and line 8b for the cost per Member State) and “Support to the network activities and promotion” (line 9 and line 9b for the cost per Member State).

The total cost can be also separated into fixed cost (line 11) and the cost per Member States (line 12). The former does not depend on the number of Member States participating in the Talent Pool. Fixed costs include those related to the platform, software and staff providing technical support. Conversely, the latter is directly correlated to the number of Member States in the Talent Pool. For the most basic scenario each Member State will potentially add costs estimated between EUR 70-240 thousand for development and 70-190 thousand for annual operating or the most advanced scenario including a matching tool each Member State will potentially add costs estimated at EUR 100-370 thousand for development and 100-220 thousand for annual operating costs. This excludes the cost of translations for the platform and different interfaces.

In order to put the estimated costs in perspective and calibrate their magnitude, the total operating cost for the most advanced scenario (Phase 3, upper bound) can be compared with the current operating cost of existing and relatively similar platforms such as EURES. The total upper bound operating cost for the Talent Pool for the most advanced scenario (Phase 3) is equivalent to about one-quarter (27%) of EURES' 2019 operating cost (EUR 58.2 million). The differences can be due to several factors including the size of the targeted population, scope of each platform, the additional features, components and programmes that EURES already has integrated in their budget (e.g. “Your First EURES Job”), and the complexity of its network (see Table 6.11).

Another comparison can be made between the operating cost of the Talent Pool under the scenario that includes profiles and job vacancies (Phase 2, lower bound) and the EURAXESS 2021 annual operating cost (EUR 500 thousand). The Talent Pool estimated operating costs in this simpler scenario are five times greater than for EURAXESS. However, EURAXESS is a significantly less complex and ambitious platform, focusing on one narrow segment of skill mobility, without a profile management system allowing candidate searches.

Table 6.6. Provisional Indicative Cost Analysis for the Talent Pool - Total Cost

Cost, in Million Euros, range from lower to upper bound.

	Total cost											
	Profiles Only				Profiles + Job vacancies				Profiles + Job vacancies + Matching Tool			
	Development cost		Operating annual cost		Development cost		Operating annual cost		Development cost		Operating annual cost	
	Lower	Upper	Lower	Upper	Lower	Upper	Lower	Upper	Lower	Upper	Lower	Upper
EU Talent Pool platform												
(1) Platform (Technical development and operation)	0.09	1.08	0.06	0.75	1.08	2.73	0.75	1.52	1.08	2.73	0.75	1.52
(2) Software (Automated matching development and license fee)	NA	NA	NA	NA	NA	NA	NA	NA	0.90	10.00	0.15	2.26
(3) Staff costs (Development, Help Desk and Technical support)	0.16	0.32	0.10	0.20	0.27	0.53	0.17	0.33	0.27	0.53	0.42	3.00
(4) Translations	0.08	2.32	0.04	1.17	0.14	3.85	0.09	2.43	0.14	3.85	0.09	2.43
Average cost per language	0.00	0.09	0.00	0.04	0.00	0.15	0.00	0.09	0.00	0.15	0.00	0.09
Subtotal	0.33	3.72	0.20	2.13	1.48	7.12	1.01	4.28	2.38	17.12	1.41	9.21
Network - NCPs												
(5) Human resources (CO)	0.15	0.25	0.15	0.25	0.20	0.33	0.20	0.34	0.20	0.33	0.20	0.34
(6) Human resources (MS)	1.62	3.24	1.63	3.27	2.16	4.32	2.17	4.36	1.89	3.24	2.18	3.27
(6b) Average cost per MS	0.06	0.12	0.06	0.12	0.08	0.16	0.08	0.16	0.07	0.12	0.08	0.12
(7) Common Training Programme and Protocols	0.14	1.12	0.05	0.42	0.27	2.58	0.10	0.97	0.41	3.87	0.15	1.46
(7b) Average cost per participating MS	0.01	0.04	0.00	0.02	0.01	0.10	0.00	0.04	0.02	0.14	0.01	0.05
(8) Network meetings	0.02	0.53	0.01	0.27	0.03	0.71	0.01	0.36	0.03	0.71	0.01	0.36
(8b) Average cost per participating MS	0.00	0.02	0.00	0.01	0.00	0.03	0.00	0.01	0.00	0.03	0.00	0.01
(9) Support to the network activities and promotion	0.20	1.57	0.20	1.26	0.26	2.09	0.13	1.05	0.26	2.09	0.35	0.96
(9b) Average cost per participating MS	0.01	0.06	0.01	0.05	0.01	0.08	0.00	0.04	0.01	0.08	0.01	0.04
Subtotal	2.13	6.72	2.05	5.47	2.92	10.04	2.62	7.07	2.79	10.24	2.90	6.38
(10) Total (assuming 27 Member States participating)	2.46	10.44	2.25	7.60	4.40	17.16	3.63	11.36	5.17	27.36	4.31	15.60
(11) Total fixed cost	0.48	3.97	0.35	2.38	1.68	7.45	1.21	4.62	2.58	17.45	1.61	9.55
(12) Total cost per MS	0.07	0.24	0.07	0.19	0.10	0.36	0.09	0.25	0.10	0.37	0.10	0.22

Source: OECD elaboration

Further options to explore

Beyond the Talent Pool platform described above, additional features may be added, with the same aim of increasing EU attractiveness and addressing skills shortages in the EU labour market (see the Provisional Scenario for the description of each of options considered in this feasibility study). Each of these additional features would facilitate the operation of the network and complement the functionality of the platform.

For some of these features, it is feasible to estimate their potential cost based on very specific assumptions and by using non-systematic sources of information (i.e. publicly available price lists). For others, it is more difficult. For example, there is limited benchmark information to calculate the cost of introducing standardised forms. In the case of fast track or job search visas, the cost estimation requires valuation of non-marketable goods and services techniques).

The estimations for some options also need to be separated into development and operation. Creating a 'Revamped EU Immigration Portal' would have a development cost and annual operating cost, since the Portal would have to be adjusted in structure, content and functionality, with implications for current operations.

Table 6.7 summarises the provisional indicative cost for the additional components. The development of the '**Revamped EU Immigration Portal**' (line 1) is a one-time cost and is directly correlated to the changes required for redesigning the EU Immigration Portal. Development costs for the portal range between EUR 10 000 and 150 000, based on online generic quotes and assuming a single interface language. A similar investment was made to develop the 'Work in Lithuania' platform, which cost approximately EUR 160 000. The 'Work in Lithuania' portal, unlike "Make it in Germany", does not contain job vacancies. It is assumed that human resources are required for operating the new portal. Central-level staff would be tasked with reviewing the information on labour migration schemes provided by Member States. It is assumed that 0.5-1 FTE are hired centrally for the operation of the new EU Immigration Portal (so EUR 65-130 000). Member State correspondents would be tasked with continuously updating the national information underlying the Immigration Portal, with a staff contribution of between 0.125 and 0.5 FTE. Using as a basis the estimation for operation of the Talent Pool, the human resource cost for the portal lies between EUR 500 000 and 1.9 million depending on the level of human resources devoted at the national level. Development and operation costs would be higher if the Immigration Portal were available in multiple languages.

Table 6.7. Provisional indicative cost for the additional components

In million Euros

	Development cost		Operating cost (annual)	
	Lower bound	Upper bound	Lower bound	Upper bound
<u>Components</u>				
(1) Revamped EU Immigration Portal	0.01	0.15	0.50	1.89
(2) Standardised Forms	NA	NA	NA	NA
(3) Assessment of credential and qualifications	0.02	0.50	NA	NA
(4) Fast track	NA	NA	NA	NA
(5) Job search visa	NA	NA	NA	NA
(6) Outreach activities in third countries	0.04	4.80	NA	NA

Source: OECD's elaboration

An additional component is to add an **assessment of credentials and qualifications** (line 2). This feature allows the EU Talent Pool to assess the level of skills of applicants and validate the skills required for

specific positions. Developing an add-in or application for skills assessment is a one-time cost, but requires regular updates depending on changes in the content of the assessment and the skills to be assessed. The cost of this add-in includes developing the skill assessment interface that can be embedded in the EU Talent Portal. The estimation of the cost is based on market research of similar platforms. As a rough estimate, the cost to develop add-in assessment of credential and qualifications could be between EUR 20 000 and 500 000 depending on the features, characteristics and the range and depth of skills assessments offered. Additional costs for maintenance can be added.

Table 6.8 shows options to establish the lower and upper bound of the cost of the assessment tool. The detailed description is also provided as reference for the technical requirements. The estimation of this cost only takes into account the technological development. However, additional financial efforts may be needed. For instance, assessment for skills validation would have to be recognised by each Member State participating in the Talent Pool. Similarly, assessment would have to comply with existing instruments for skills harmonisation such as ESCO.

Table 6.8. The potential cost of an add-in to assess credentials and qualifications.

Company/Start-up	Description	Approximate cost of Skill assessment add-in (in million Euros)
iSpring Suite Max	Mainly designed for creating eLearning content, but is also a skills assessment tool for recruiters. It allows creation of interactive online courses and for building tests.	0.25
eSkill	Skills assessment tool for screening large numbers of candidates. It offers a broad range of test types – including behavioural, pre-employment, and video-response questions.	0.45
Interview Mocha	Library of readymade, role-related tests. Specialized in remote tech workers, it offers AI-enabled proctoring to ensure integrity of test scores.	0.02
Skillmeter	Designed more for hiring teams rather than individuals, tests potential employees' knowledge and skills. It is customizable and allows creation of tests in any format. It runs in the cloud.	0.50
Wonderlic	Offers platforms and tests using different techniques (e.g., industrial-organizational (I-O) psychology, AI, and machine learning) to score users according to 3 types of assessments: cognition, personality, and motivation	0.33

Source: "Estimating the financial value of staffing assessment tools" - <https://workforce.com/uk/news/estimating-the-financial-value-of-staffing-assessment-tools> - "The best skills assessment tools" - <https://www.ispringsolutions.com/blog/skills-assessment-tools>

The exact cost of developing **standardised national visa/residence permit application forms** is difficult to estimate, since changes will require mostly regulatory efforts. Financial costs will include human resources in charge of obtaining information for protocols implemented in each Member states and coordinating the standardisation at the central level. This is not expected to require substantial financial investment.

A **fast track for labour migration process** for high-skilled TCNs admitted to the pool, as well as the provision of a job search visa for Third Country job-seekers, are options that mainly require legal efforts and coordination between Member States migration authorities (See Provisional Scenario and discussion of Adaptability). The financial costs related to these options, if any, are difficult to estimate. The potential cost will include human resources for processing additional applicants, while savings might spring from exemption from certain administrative steps. In any case, this cost will be assumed by Member States.

Outreach activities in third countries is an additional component that can be added to the EU Talent Pool as part of strategies to increase the attractiveness of the EU. The outreach activities aims at promoting the platform among TCNs based in their home country, thus increasing the likelihood of platform take-up by

potential migrants. Similar activities for educational and health programmes were taken into consideration to obtain a rough estimate of the cost of such activities for the EU Talent Pool (e.g. the marketing/outreach budget of the “Connect for Health” programme in the United States (Connect for Health, 2016^[22])). The cost shown in the Table 6.7 is the per origin country expenses for a massive campaign. It includes several cost headlines containing Talent Pool awareness campaigns, targeted campaigns for high skilled migrants, traveling expenses, migrant testimonials, and additional activities. Depending on the outreach activities, the content and scope of campaigns, and the targeted audience the cost can vary between 2.5 and 4.8 million euros per country to be reached.

Smaller scale and focused initiatives may cost less than the broad campaign shown above. As part of the “Make it in Germany” launch in 2012, the German Corporation for International Cooperation (GIZ) was entrusted with pilot projects in three countries (India, Indonesia and Viet Nam) to promote Germany as a destination for STEM professionals. The pilots cost EUR 114 000 and involved contact with 22 000 candidates over the course of two years (European Commission, 2018^[20]).

6.5. Comparison of the different scenarios and phases and policy options

Effectiveness and Efficiency of the EU Talent Pool

The comparison of the phases and the different policy options is done against the core criteria of:

- Effectiveness, i.e. meeting an specific number of stated objectives for the EU Talent Pool,
- Efficiency, the extent to which objectives of the EU Talent Pool can be achieved for a given cost (cost-effectiveness)
- Coherence: assessing whether the coherence and contribution of the EU Talent Pool is related to EU objectives in regard migration policies and migration at home affairs and in the area of employment and social policy.

The assessment is mainly qualitative based on the benefit and the cost analysis presented above. The benefit analysis primarily relies on the potential added value that the Talent Pool has on each relevant stakeholder. The indicative cost analysis provide a cost estimate range given a defined benchmark, platform and network characteristics and for each scenario/phase of the EU Talent Pool.

The effectiveness has been evaluated in the light of the objectives of the EU Talent Pool. These objectives can be summarised as follow:

- Increasing the attractiveness of the EU for qualified third-country nationals,
- Helping to fill EU labour needs in occupation facing shortages,
- Allow skilled non-EU workers to express their interest in migrating to the EU,
- Allow EU migration authorities and employers to identify candidates based on their needs.

The efficiency is assessed in terms of the cost, legislative effort and the benefits of the Talent Pool in each phase and for each component. The cost efficiency is analysed separately including the financial and legislative efforts. The benefits are analysed in terms of the added value. In terms of efficiency, costs calculated according to required efforts are measured against benefits.

The principal elements in the provisional scenario are identified and associated benefits and costs scored, according to a scale from ----- (highest cost) through 0 (neutral) to +++++ (highest benefit) (See Table 6.9)

Table 6.9. Scale of impact

Symbol	Description
----	Highest negative impact/cost
---	Significant negative impact/cost
--	Medium negative impact/cost
-	Small negative impact/cost
0	No impact / Neutral
+	Small positive impact/benefit
++	Medium positive impact/benefit
+++	Very significant impact/benefit
++++	Highest positive impact/benefit

Source: OECD elaboration

Legislative efforts considered focus on EU legal implications only, without taking into consideration any further additional changes which might be required at the national level. The score for legal changes is as follows: no change at all (0); possible adoption of non-legally binding instruments (soft law, no legislative process required, “-”); revision of existing decisions or incentive measures (either simplified legislative process or ordinary legislative procedure but no harmonisation, “--”); revision of an existing directive or regulation (ordinary legislative procedure but targeted/limited amendments, “---”) and finally the necessary adoption of a new directive or regulation (ordinary legislative procedure, i.e. whole negotiation process from scratch, “----”). In some cases, several legislative options are possible and more than one score is shown.

Comparative Analysis

The key results are presented in Table 6.10 where a comparison of policy options according to effectiveness and efficiency is provided.

Based on the benefits and cost analysis, as well as the efficiency, effectiveness and coherence of each policy option and possible component, the final section of this report focuses on summarising the findings by assessing the options in blocks.

Policy option 1: No new action

Under this option no changes are put in place. The current Immigration Portal remains the only EU access point for information on how to come to the EU for high-skilled third country nationals. Users can select a country of interest and choose one of the predetermined profiles in the website. Depending on the country and profile selected the users receive information on the conditions and procedures to follow for international mobility. Information remains incomplete.

Additionally, as reported during consultations, there are current initiatives taken place at the country level. Some Member States have developed portals aiming to attract high-skilled workers from abroad (both EU and non-EU citizens) such as ‘Working in Lithuania’ from Lithuania and ‘Talent Boost’ from Finland. However, some of these initiatives are not necessarily well aligned with EU Talent Pool objectives.

This is a relatively low financial cost, since the Immigration Portal is run without its own budget. It brings no benefits.

Policy option 2: Phase 1 - A pool of profiles (Only)

This option aims at developing a basic platform which only includes profiles. In terms of the effectiveness, the basic form of the Talent Pool is relatively more effective on increasing EU attractiveness, helping to fill

EU labour need in occupation shortage and allowing EU migration authorities and employees to identify candidates based on their needs in comparison to the current scenario (baseline). Additionally, there are high gains in terms effectiveness (very significant impact/benefit) compared to the baseline (current situation) regarding allowing skilled TCNs to express their interest in migrating to the EU.

In terms of efficiency, which is based on the relative benefits given the costs and efforts involved, the Talent Pool at this first phase overall has small gains compared to the baseline. These small gains may be due to two reasons. On one hand, under this scenario the benefits are positive but to a medium degree. All stakeholders enjoy positive outcomes, to a medium extent (e.g. ability to express interest by TCNs, increase access to high-skilled candidates for employers, etc.). Financial costs are outweighed by benefits. The legislative effort necessary would be limited to a revision (--) of existing decisions (EMN or Europass) to integrate a restricted pool of third-country national candidate profiles into the corresponding web-based platforms.

Policy option 3: Phase 2 - Profiles and vacancies

Under the scenario/phase 2 the platform includes job vacancies. There are significant effectiveness gains. As discussed above, the EU becomes more attractive and engagement increase. Including vacancies will also have a positive impact on helping to fill EU labour needs in occupations in shortage and allowing EU migration authorities and employers to identify candidates based on their needs. These gains in effectiveness are relatively higher than those from the EU Talent Pool with only profiles.

Including vacancies to the Talent Pool brings also important efficiency gains. Although the funds and technical efforts for developing and operating a more complex platform are higher, the total cost in proportion of the potential added value are substantially lower than in phase 1. A more complex platform and higher workload and network requires more coordination. Legally speaking, posting vacancies can be achieved with no (0) or limited legal changes, depending on whether clearance or approval is required from national authorities. In the latter case, such an obligation should be explicitly set out in the NCPs' mandate (--). Additionally or alternatively, as for vacancies posted in EURAXESS, employers and recruiters could be requested to endorse a Charter or a Code of conduct (e.g. on fair international recruitment) before registering and publishing job offers (-). Adding vacancies brings very significant benefit to different relevant stakeholders at relatively limited cost.

Policy option 4: Profiles and vacancies with a job-matching tool

Phase 3 adds a matching tool to the Talent Pool that includes profiles and vacancies. As for inclusion of vacancies, an automated matching tool also brings significant gains in term of its effectiveness. Matching is better than under Phase 1 and Phase 2.

The efficiency gains are driven mainly by the added value that the matching tool brings to all stakeholders. Financial costs are high. Legislative effort might either be inexistent (0) or limited (--), depending on whether semantic interoperability of data coming from national job vacancy systems is required. The EURES regulation indeed obliges Member States to ensure full interoperability according to technical standards and format between national systems and the European portal, defined as a uniform system. A similar legally binding provision might also be needed for a Talent Pool with a job matching component⁸².

⁸² In such a case, Member States should rely on the technical standards and formats necessary for the operation of the automated matching provided by the Commission implementing decision comparable to Decision (EU) 2018/1021 of July 2018 on the adoption of through the common IT platform using the European classification and the interoperability between national systems and the European classification.

However, the benefits are significantly higher and positive compared to previous phases.

Measuring effectiveness against efficiency, a Talent Pool containing only profiles can be achieved efficiently and brings a clear, if limited benefit, especially in achieving the goal of allowing third-country nationals to express interest. Including vacancies and matching represents more effort, but with higher returns and greater overall effectiveness of the Talent Pool across different objectives. Additional support measures can further increase the effectiveness of the Talent Pool.

Table 6.10. Comparison of policy options

	Baseline (Current)	Talent Pool			Additional components				
		Profiles Only	Profiles + Vacancies	Profiles + Vacancies + Matching	Job- Search Visa	+ Interactive EU Immigration Portal	+ Standardised forms	Assessment of credentials / qualifications	+ Link to National Migration Procedures
Effectiveness		+	+++	+++	++	++	+	+	+
Increased EU Attractiveness	0	+	+++	+++	+++	+++	0/+	-	++
Help fill EU labour needs in occupations in shortage	0	+	++	++	+	+	0	+	+
Allow skilled non-EU workers to express their interest in migrating to the EU	0	+++	+++	+++	+++	++	++	-	0
Allow EU migration authorities and employers to identify candidates based on their needs	0	+	++	+++	+++	0	0	++	0
Efficiency	0	+	++	++	+	+	+	-	++
Cost (Required efforts)	0	-	--	---	0	--	-	--	----
Legislative efforts (EU)	0	--	0/--	0/--	---(-)	0/--	---(-)	0/--/----	---(-)
Benefits (Added value)	0	++	++++	+++++	+++	+++	++	++	++++
Coherence with EU objectives in migration and employment	0	++	++	++	+	++	++	+	+

Note: Scoring for *legislative efforts*: no change at all (0); non-legally binding instruments -; revision of existing decisions or incentive measures --; revision of existing directive or regulation "---"; adoption of a new directive or regulation "----".

Table 6.11. Brief description of EURES portal and Network

Channels for service delivery	Description	Structure	Location	Main activities
EURES portal	The EURES portal delivers free self-service for jobseekers and employers who register to find a job or a candidate. Both employers and jobseekers can set up accounts allowing use of search and match functions on the portal, to create and store search profiles, and to receive email alerts.			
EURES Staff network across Europe	A network of over 1 000 EURES staff from the 32 EURES member countries. Delivers tailored career and recruitment advice, support for job search and hiring, and information on relevant rules such as social security and tax arrangement in other EURES member countries, as well as post-recruitment assistance (e.g., training and language courses).	National Coordination Office (CNO)	Generally linked to either PES or the Ministry of Labour	<p>General support services for workers and employers (Matching and placement activities, information and guidance)</p> <p>Specific support services (Support services in cross-border regions, post-recruitment assistance, support to youth - apprenticeships and traineeships, EURES-related targeted mobility schemes)</p> <p>Resources and governance (Human resources, financial resources and IT infrastructure, governance and stakeholder cooperation, communication, monitoring and evaluation of activities)</p>
		European Coordination Office (ECO)	Hosted by the Directorate General for Employment, Social Affairs and Inclusion of the European Commission (DG EMPL). It provides horizontal support to NCOs.	<p>Coordination and governance support.</p> <p>Operation and development of the EURES Portal and related IT Service.</p> <p>Training and professional development.</p> <p>Help desk</p> <p>Networking, exchange of best practice and mutual learning</p> <p>Information and communication activities</p> <p>Analysis of geographic and occupational mobility</p> <p>Development of an appropriate cooperation and clearance structure for apprenticeships and traineeships</p> <p>Financial resources</p>

Source: OECD Analysis

7 List of stakeholders consulted

Organisation	Country
<i>European Commission, Directorate-General for Employment, Social Affairs and Inclusion (DG EMPL)</i>	EU
<i>European Commission, Directorate-General Education, Youth, Sport and Culture, (DG EAC)</i>	EU
<i>European Commission, Directorate-General for Research and Innovation (DG R&I)</i>	EU
<i>European Commission, Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR)</i>	EU
<i>European Commission, Secretariat-General (SG)</i>	EU
<i>European Commission, Joint Research Centre (JRC-ISPRA)</i>	EU
<i>European University Institute, Migration Policy Centre (RSCAS, MPC)</i>	EU
<i>European Centre for the Development of Vocational Training (Cedefop)</i>	EU
<i>Europass Digital Credentials Infrastructure (EDCI)</i>	EU
<i>European Commission, DG HOME, Expert Group Economic Migration, 14 April 2021.</i>	EU
<i>European Commission, DG HOME, Civil society representatives, 20 April 2021.</i>	EU
<i>European Commission, DG HOME, Legal practitioners, 29 April 2021.</i>	EU
<i>European Commission, DG HOME, Economic and Social Partners meeting, 5 May 2021.</i>	EU
<i>European Commission, DG HOME, Contact Group on Legal Migration, 18 May 2021.</i>	EU
<i>European Parliament, LIBE Committee</i>	EU
<i>European Parliament, Parliamentary Research Services</i>	EU
Work in Estonia	EE
<i>German Federal Employment Agency (Bundesagentur für Arbeit)</i>	DE
Business France	FR
<i>Administration Numériques pour les Étrangers en France (ANEF)</i>	FR
<i>La French Tech, Welcome to France</i>	FR
<i>Hungarian Ministry of Innovation and Technology, Department of Labour Market Regulation</i>	HU
<i>Lithuanian Ministry of Economy and Innovation,</i>	LT
<i>Finnish Talent boost, Ministry of Economic Affairs and Finance</i>	FI
<i>Czech Republic, Ministry of Labour and Social Affairs (MOLSA)</i>	CZ
<i>Spain, Ministry of Inclusion, Social Security and Migration</i>	ES
<i>Immigration New Zealand</i>	NZ
Work in Denmark, Danish Ministry of Employment	DK
<i>International Organisation for Migration (IOM)</i>	
<i>International Centre for Migration Policy Development (ICMPD)</i>	
<i>Confederation of European Business (BusinessEurope)</i>	
<i>Association of Crafts and SMEs in Europe, (SMEunited)</i>	
<i>Labor Mobility Partnerships (LaMP)</i>	
<i>Talent Mobility Forum</i>	DK, ES, FI, DE
<i>Cognizant</i>	
<i>Randstad NV</i>	
<i>Adecco Group</i>	
<i>VisaDB</i>	

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Feasibility Study on the Development of an EU Talent Pool

Final Report

April 2022

This document was prepared by the OECD Secretariat as part of the Study assessing the feasibility of different scenarios for developing an “Expression of Interest” model at EU level – “Talent Pool” with funding from the European Commission (HOME/2020/AMIF/AG/OECD/4).

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Executive Summary

The OECD conducted a feasibility study for the development of an EU Talent Pool allowing “Expression of Interest” by qualified third-country candidates in migrating to the EU for work and access to these profiles by employers and Member States. No such platform currently exists in the EU. Three scenarios previously identified by the OECD were chosen by the European Commission for further exploration. Based on these scenarios, options and key choices were identified and discussed with stakeholders and public and private sector actors at the EU and national level. There was agreement among stakeholders on the potential added value of an accessible and selective platform.

An EU-wide Talent Pool, at least in a simple form, could be achieved with limited changes to the current legislative framework. Depending on the ambition of the platform and the instruments on which it is constructed, varying degrees of legal measures appear necessary. While developing a common IT platform, collecting individual profiles and providing to users specific information and guidance would involve little legal efforts, significant legislative changes would be necessary to extend or replicate the existing EURES Job Mobility Platform to target third-country nationals not resident in the EU. By contrast, a model of cooperative framework (e.g. EURAXESS, with optional participation and support services) would require fewer adjustments.

Based on these analyses, the OECD developed a single revised scenario for the Talent Pool, incorporating elements of the different scenarios identified by the Commission. The revised scenario is a Talent Pool collecting profiles of candidates meeting individual criteria for the EU Blue Card as a starting point. Initially, registration would include few fields, but with the possibility to upload documents or link to external job-seeker profile platforms. The Talent Pool would be held and managed at the EU level. Consultation and search of profiles would be mediated by national contact points identified in each participating Member State. This mirrors the approach currently used in New Zealand. Job vacancies could be posted for viewing by candidates in the pool; here, too, the national body would be responsible for deciding which vacancies would be visible to the pool. AI matching could then be added. A number of additional services to bolster use and effectiveness of the Talent Pool were identified, including reconstruction of the EU immigration portal, a European shortage occupation list, and actions in origin countries to develop or assess skills of candidates.

The feasibility study also conducted a cost-benefit analysis for different versions of the Talent Pool. Creating a Talent Pool with only profiles would bring benefits at relatively low costs in terms of investment and legislative change. However, adding job vacancies increases the benefits of the Talent Pool significantly at a relatively limited additional cost. Even greater benefits could be achieved from a link to the migration procedure, but this is legislatively arduous to achieve, with efforts outweighing benefits at present. Simpler initiatives such as standardisation of forms would be less difficult to realise and could bring benefits in the medium to long term, but are not essential for the Talent Pool.

Recommendations on the actions required to develop and implement the most appropriate scenario(s)

Create an EU level “pool” of qualified third-country nationals interested in working in the EU

- Define basic eligibility criteria based on those commonly acknowledged by all Member States.
- Align these criteria with admission criteria for labour migration to foster international recruitment.
- Introduce a flexible mechanism to review and revise eligibility criteria according to the evolving needs of the labour market, based on EU indicators (e.g. Cedefop’s European skills forecasts) and on monitoring and evaluation of the Talent Pool.
- Provide a simple registration process, a user-friendly interface and a web platform interactive and responsive.

Engage Member States while giving them flexibility

- Allow Member States to decide how to use the Talent Pool, through a National Contact Point.
- Member States should decide which body is best positioned to be their national contact point, depending on their needs, specificities or constraints.
- Designated national contact points should act as intermediaries, ensuring access of employers and cooperating with the competent authorities at national level as well as with their counterparts in other Member States.
- Allow Member States to choose to grant Talent Pool recruits access to national fast-track schemes or streamlined procedures.

Actively promote the Talent Pool both inside and outside the EU

- Create an EU “Talent Attraction Portal”, building on the existing EU Immigration Portal.
- Encourage employers, recruiters and companies of all sizes to use the Pool to recruit foreigners and/or publish vacancies.
- Launch information and awareness campaigns (through social media, national/regional portals and actions in origin countries) and events and workshops.

Ensure coherence and cooperation with related instruments, tools and initiatives at the EU and national level

- Ensure consistency and complementarity between the Pool and other EU labour migration instruments (e.g. EU Blue Card), policies or initiatives (e.g. MPF, Talent Partnerships).
- Link the Talent Pool to EU-level developments in mechanisms for assessing occupational skills and qualifications (Europass tools, integrating future ENIC-NARIC cooperative measures).
- Whatever the Talent Pool governance structure, include policy areas beyond migration and employment, such as education, innovation, and international relations, for strategic orientations.

1 Introduction

The European Union is not achieving its potential as a destination for highly qualified migrants. Destinations such as Australia and Canada have greater per capita inflows of highly qualified migrants than the EU as a whole. Inflows of skilled labour migrants to the EU are comparable to inflows of skilled labour migrants to the United States. Yet the US has strict limits on skilled migration, with demand exceeding available spaces, while most EU Member States impose few limits on admission of highly qualified third-country nationals with a job offer in a skilled occupation. This suggests that low skilled migration is due to less demand – even if demand for skilled workers in the EU is high. Employers are not using international recruitment. They have difficulty identifying appropriate candidates in third countries. There is also a supply-side limit: highly qualified potential migrants rarely cite the EU – or individual EU Member States – as their preferred destination.

In September 2020, the European Commission announced a New Pact on Migration and Asylum, including a commitment to explore how to support legal migration pathways to the EU. The Pact commits to explore the development of an “EU talent pool, an EU-wide platform for international recruitment. The platform will allow skilled non-EU workers to express their interest in migrating to the EU, and could be identified by EU migration authorities and employers based on their needs.”

A Talent Pool could raise the profile of the EU as a migration destination and give EU employers improved access to highly qualified third-country nationals. Migrants that are interested in coming to the EU must currently research the permit conditions of each Member State and attempt to gain the attention of EU employers through national recruitment channels. Many employers throughout the EU that are willing to employ migrants to fill vacancies do not have the resources or expertise to conduct far reaching recruitment activities. The EU Talent Pool would offer a single window for migrants to express interest in coming to the EU, not just a single member state. Profiles of high-potential migrants – those with education, skills and experience of interest to EU employers – would be provided directly to employers throughout the EU. This offers a significant simplification for both migrants and employers in the recruitment process.

The Talent Pool is a form of “expression of interest”, although it differs significantly from the “Expression of Interest” (EOI) systems implemented in Australia, Canada and New Zealand, (OECD, 2019^[1]). The latter were developed to manage high volumes of applications from potential independent migrants (those without a job offer). Candidates who meet certain criteria including education, age and experience enter a “Pool”, and the EOI system ranks them using a points based system and selects those who will be invited to apply for a permanent residence permit. The volume of independent migrants is determined by each country through a migration planning process which considers a range of factors including social and economic trends and workforce forecasting. The migration planning levels are not directly tied to immediate vacancies in the economy and a job offer from an employer in the destination country is not necessary for selection, although it may factor into ranking. The candidates “expressing interest” are hoping to be chosen for admission by the migration authorities in the destination country. The Talent Pool would rather allow candidates to be chosen first by employers and then admitted by the migration system in the Member State of employment.

The Talent Pool is meant to increase attractiveness. It is important to note that EOI systems outside the EU are not drivers of talent attraction. Countries (Australia, Canada, and New Zealand) that have established EOI systems already had a long history of high volume migration before the EOI systems were put in place. These countries are attractive due to high standards of living, high levels of social inclusion and good economic opportunities, among other factors. These attractive qualities are also shared by EU member states. However, Australia, Canada and New Zealand have built a significant reputation as countries that are open to migration. An EU Talent Pool may assist in building a similar reputation and send important market signals that the EU is open to skilled migration.

The heart of the Talent Pool is facilitation of the match between candidate and employer. The EOI pools in Australia, Canada and New Zealand are not designed as a means for facilitating matching with an employer in the destination country. Nonetheless, in practice, these countries have tried to facilitate matching between candidates and employers by means of gateways between the pool and existing vacancy databases. Canada introduced its EOI with a link between the pool and the national PES job vacancy platform and Australia (until 2018) allowed employers to search for candidates in the pool. Yet even in these cases, most matching between employers and candidates occurred outside the pool, rather than through employers consulting profiles or candidates applying for vacancies in the linked vacancy database. However, these government administered matching platforms were competing directly with national level private sector recruitment sites. There is currently no such matching platform focused on the EU labour market as a whole. The EU Talent Pool, unlike matching services in Australia, Canada and New Zealand, would be operating at a supra-national level and would not be competing directly with national level recruitment platforms.

This is where the Talent Pool focuses. The EOI model of Australia, Canada or New Zealand cannot be directly transferred to the EU context. Issuance of visas and permits is the competence of Member States, subject to their decision. An EU body could not offer candidates a residence permit, even if the person meets individual eligibility requirements for legal migration channels. Further, Member States admit third country nationals for the purpose of employment almost exclusively on the basis of a job offer from an employer in that Member State – ranking migrants at the EU level would provide little benefit to employers at the national level, who must make the final hiring determination based on the needs of their firm.

The EOI platform is still of great relevance to the EU for its capacity to centralise large numbers of interested high potential candidates and provide these profiles to employers for review. In the EU context, with multiple destination countries, a matching platform may be effective as a unified gateway for migrants to reach employers and countries that they had not previously considered or for employers to reach migrants in countries where they have not engaged in recruitment activities.

The EU talent pool would not constitute a new legal migration pathway, but rather a gateway to recruitment - noting that a key requirement for most economic pathways for migration in the EU is a confirmed job offer. Use of the Talent Pool would not be mandatory for admission purposes, as legal migration pathways are already in place and operative without a matching component in every Member State. The Talent Pool would support existing tools and instruments, both European and national.

In light of these objectives, the Report contains a comprehensive analysis on the feasibility of the EU Talent Pool and on the concrete measures to be taken to develop it. The first section of the report explains the general concept of a Talent Pool and introduces several scenarios, identifying the different questions related to each scenario. The second section summarises the results of the consultation with different stakeholders. The third section analyses the adaptability of EU platforms and matching systems, including legislative and regulatory implications. The next section presents a revised possible scenario taking into account the consultations and analysis and also presents possible options for further exploration. The Report also includes a cost-benefit analysis of the revised scenario.

2 Initial Scenarios

This chapter presents the different scenarios with which the feasibility study began. The options and the related issues are presented below in detail. The key issues raised under this section guided the discussion with different stakeholders and contributed to draw up a provisional scenario for the development of an EU-wide Talent Pool

2.1. What is a Talent Pool?

The focus on the Talent Pool component of the EOI system in a European context comes out of an identified need to improve Europe's attractiveness for talent and to improve the access of European employers to profiles of skilled third-country nationals abroad who are potentially interested in coming to work in Europe. Therefore, it would not primarily be intended to include investors or entrepreneurs but only employees or workers looking for a job within the European Union or the European Economic Area (EEA).

A Talent Pool for the EU could take different forms. However, the interest of EU policy makers has focused on those most compatible with current competences and capacities.¹ Among the scenarios and variants proposed in the study, the Commission deemed the following options as the most suitable/realistic in the medium term:

Option 1: an EU-wide pool of highly skilled migrants, eligible for an EU Blue Card or a *similar* national migration scheme.

Option 2: an EU-wide pool tailored for skilled migrants (e.g. IT or health sector) due to pre-identified shortages or labour market needs at the EU level in a specific sector.

Option 2b: a skill development component implemented through EU-coordinated actions/partnerships with targeted third countries, aimed at upskilling, assessing and/or validating candidates before their admission to the pool.

Each of these options implies many choices of policy focus and therefore implementation dimensions. Since admission is related to a job offer, either the demand side (job offer) and the supply side (job-seeker), or both, can constitute the main focus of the criteria. The approach can range from concentrating on the candidate eligibility for legal migration channels through verification of requirements (e.g. qualifications) – conditional on finding a qualifying job offer – to focusing on eligible vacancies by ensuring that job postings are authentic and meet requirements (e.g. salary threshold, labour market test etc.) – with the condition of finding a candidate meeting qualifying criteria.

None of these options are meant to involve major legislative change.

The scenarios (and variants) are assessed against the following objectives:

- Boost the EU's attractiveness to highly-skilled workers and talents from abroad;

¹ The European Commission pre-identified three scenarios and sub-scenarios (out of six in (OECD, 2019_[1])) for the adaptation of the EOI model – or elements of it – in the European context.

- Address skills shortages and labour market needs across the EU;
- Facilitate international matching for employers and EU companies of all sizes;
- Increase awareness of legal migration channels in the EU for skilled workers;
- Improve migration management (by increasing transparency of procedures, reducing backlogs and administrative burden)

2.2. Option 1: Basic Scenario – A Talent Pool for Qualified Candidates

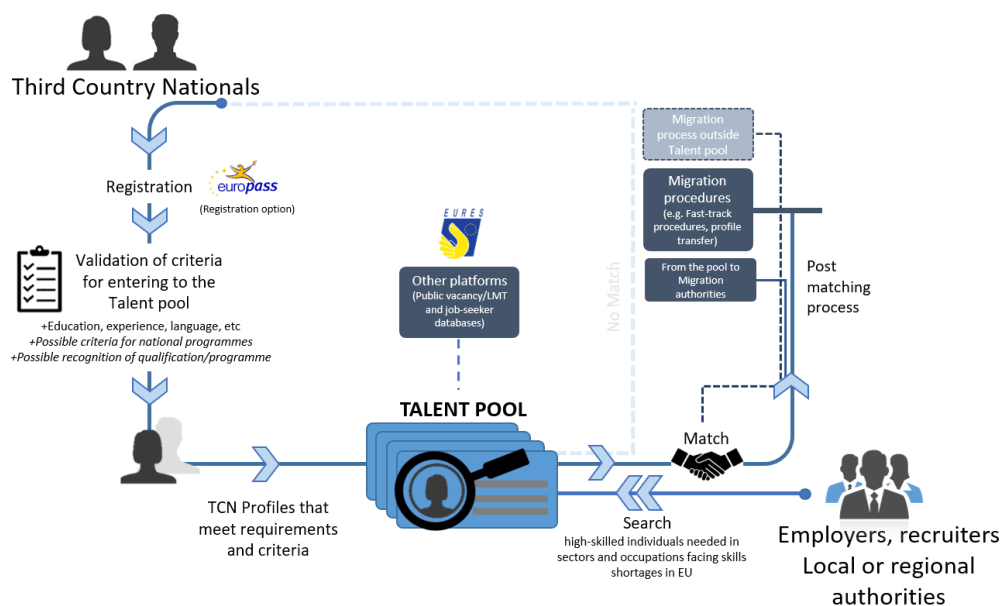
The first scenario foresees the creation of an EU-wide pool of highly-skilled migration candidates whose admission is based on basic credentials and migration requirements, which would serve existing schemes (EU and/or national) for skilled labour migration. Candidates outside the EU would complete an online profile (Figure 2.1). If they meet a certain threshold of eligibility, they would be admitted to the Talent Pool. Admission to the Pool provides no right to enter the EU nor does it grant a right to any national or EU legal migration status.

Once admitted, their profile would stay in the pool for a certain period of time, during which other actors – employers, but possibly intermediaries and governments – would be able to consult the profiles. Candidates could potentially consult all or a selection of job vacancies on existing vacancy platforms or through a specific vacancy platform. The employer or intermediary can contact the candidate. Candidates can contact employers directly noting that they are in the Talent Pool, or can use the linked vacancy database to contact employers through pool instruments to signal that they are in the pool. Contact between potential employers and employees could occur outside the pool or through tools included in the pool. In the case of a match, the applicant and employer would proceed to the request of issuance of a residence permit.

The 2019 OECD study indicates that this option could be implemented without a direct link to legal migration channels; third country nationals identified in the pool and/or employers would thus need to apply separately for a visa or a permit under the qualifying legal migration scheme. However, substantial added value of an EU Talent Pool would arise from involving immigration authorities, at some point, in the process, in order to facilitate the submission of applications (see below Link with the legal migration channel).

Figure 2.1. Option 1. The Talent Pool

Graphic representation of how the pool works



Source: Adapted from “Building an EU Talent Pool” (OECD, 2019^[1]).

2.2.1. Grounds for admission to the pool

All Talent Pool options involve an initial screening for candidates for admission to the pool. To make the pool selective, it is necessary to impose standard eligibility criteria.

Criteria for admission would have to be clear and relevant, neither too restrictive nor too broad. One option is to use the minimum EU Blue Card education requirements (tertiary education equivalent to ISCED 2011 levels 6, 7 and 8)². Indeed, in addition to having a work contract of at least one year (reduced to six months by the 2021 Revision), the third-country national who applies for an EU Blue Card must provide proof of higher education qualifications. By way of derogation, a candidate’s qualifications may be attested by at least five years of professional experience of a level comparable to higher education qualifications and which is relevant in the profession or sector specified in the work contract or binding job offer.³ By 2019, only six Member States allowed EU Blue Card candidates to prove that they are highly qualified *only* with professional experience (European Commission, 2019^[2]). Admission to the pool based on sole educational credentials *de facto* excludes potentially eligible candidates for an EU Blue Card in several countries, with relevant professional experience.

If the objective is to meet labour market needs, a strict education requirement only may not reflect actual demand: migrant labour needs often do not target graduate workers at large (who already suffer from high levels of unemployment in several Member States) but rather specialized professionals in highly sought-after occupations (Kalantaryan and Martín, 2015^[3]). Requiring higher education qualifications also

² ISCED 2011 is used in the Revised Blue Card Directive (Directive (EU) 2021/1883 of 20 October 2021). The original Blue Card directive referred to ISCED 1997 code 5A or 6.

³ The 2021 Blue Card Revision established a list of occupations where higher *professional* qualifications shall substitute education qualifications.

excludes highly skilled professionals with vocational education, training degrees or specific certificates (“microcredentials”) rather than ISCED level 6 or higher certificates.

A further requirement, not mentioned in the EU Blue Card Directive, could be sufficient mastery of at least one **EU language**. Indeed, candidates who have no ability to communicate in any EU language are unlikely to be of interest for EU employers. In practice, however, few Member States currently require national language knowledge for initial permit issuance under national schemes. Demonstrating sufficient language skills to perform the job for which the permit is issued may be required in this context.

In summary, some threshold for admission is necessary. Basic educational requirements as set out in the Blue Card, professional experience, and language proficiency are relevant and objective criteria to be used as standards, likely to qualify a foreign candidate as a talent or a highly skilled professional. However, within the EU legal framework in force, they still might fall short of the requirements applied under the existing migration channels, both European and national. It is important to note that admission to the pool is not proof that all criteria for admission have been satisfied.

2.2.2. *The candidate profile*

The basic information on each candidate in the pool should comprise at least personal data – name, date of birth, contact details etc. All data collection and use on the platform must comply with EU data protection rules.

Since the pool is meant to facilitate matching, it must include more profile elements than just basic identity information. Typical matching sites include education and employment experience, professional credentials and skills such as spoken languages and digital competences, as well as publications and social media references. The expectations of the candidate could also be included: the type of position sought and the availability of the candidate.

Given the EU nature of the pool, it would also be important to include a number of additional elements in the profile. First of all migration intention, indicating any specific Member State of interest or priority. Again, since the Talent Pool is meant to facilitate use of legal migration channels, migration history may also be useful, especially to signal prior residence periods outside the origin country – especially in the EU – and any past visas or permits received. Any links with EU Member States, including cultural or family links, may also be useful for potential employers as a signal of interest.

Existing EU instruments for profile building and matching

There are many existing public and private models of job-seeker profile platforms. The platform could potentially draw on existing European profile-building tools. The Europass platform developed by the European Commission and Cedefop could serve as a model, as it contains freely accessible online tools and information to build a profile. Europass is a profile building tool and admits users of any nationality and country of residence. Europass assists users to describe themselves and to identify specific competences of potential interest to employers. EURES, the European public employment service, on the other hand, does not serve third country nationals abroad, although its Job mobility portal acts as a gateway to Europass and vice-versa, allowing job seekers (including non-EU citizens) to generate, share and upload job profiles and CVs, based on prefilled fields. In its current form, the EURES Job mobility portal might be not suited to act as the main matching platform for highly-skilled third country nationals. The PES Network, however, considering its expertise and ties with key stakeholders at various levels, could play a more active role in attracting third country talents and raising awareness of, and information about, the problem of structural high-skill shortages (Molnár, Krekó and Scharle, 2020^[4]). Another platform, EURAXESS, aimed at supporting researcher mobility, allows users to create a profile in only a few minutes as Europass CVs can be uploaded directly. A further example is the multilingual EU Skills profile tool for Third Country Nationals. Initially intended for use by organisations assisting (vulnerable) migrants, it represents a model

for standardisation of assessment of certain skills which might be of interest for some categories of Talent Pool users, although it is not aimed at providing an assessment to employers, nor is it designed for self-assessment or export to a job-seeker platform.

The target group: outside the EU or residing in the EU?

To meet the objective of trying to attract foreign talents, the Talent Pool must be open to – and target – third country nationals outside the EU. The Talent Pool should also serve – or even target – third country nationals already resident in one EU Member State. Potentially, these could include persons seeking protection, persons with EU mobility rights granted by their current residence permit (EU Blue Card, Long Term Residents), or persons holding a national residence permit, including graduates of higher education institutions in one EU Member State.

A Talent Pool's accessible to all third country nationals, outside and inside the EU, would be consistent with the EU Skills and Talent package as it aims at developing complementary pathways and fully integrate migrants already residing in the EU into the labour market. As stated in the 2021-27 Action Plan on Integration and Inclusion, "above a quarter of migrants are highly educated. They offer resources, ambition and motivation but they often are not able to put their skills to use. Almost 40% are overqualified for the job they do". The Talent Pool would be accessible to this category of potential workers. Regarding refugees, the Talent Pool could take the approach of EURAXESS, which is also a gateway to Science4Refugees, a Commission's initiative helping refugee researchers find suitable job opportunities within the EU.

2.2.3. Qualifications assessment

Under Option 1, admission to the EU Talent Pool would be based on education criteria (or, by derogation, on significant professional experience).

The least demanding form of proof of qualifications is self-declaration with no verification. Self-declaration without verification is already common practice in EU platforms but it risks undermining the credibility of the pool (whose access is supposed to be restricted). One of the major obstacles to international recruitment is employer uncertainty about the genuineness, quality and nature of foreign qualifications. A claim to hold qualifications does not address this uncertainty, unless the applicant indicates a qualification in a familiar field of study credibly issued by a third-country institution known to the employer.

Slightly more demanding is to require candidates to upload the document indicating their education – a diploma, certificate or transcript, for example – without requiring any verification or validation, or even a translation into an EU language where applicable. Here, too, without an assessment of the veracity of the document, it is not clear whether the qualifications would be considered in any way credible or even intelligible.

Recognition of Qualifications

Validation and assessment by a trusted third-party could change the situation. Recognition procedures exist in all Member States, although these vary considerably, and third-country nationals are not always guaranteed a right to access these procedures (OECD, 2017^[5]). The 2013 Recognition of Professional Qualifications Directive (PQD)⁴ facilitates recognition of foreign qualifications among EU and EEA member countries, but is limited to regulated professional qualifications and does not cover non-EU qualifications, except for those already recognised in another EU/EEA country when their holder has worked at least three years in the other EU/EEA country. Specific groups of non-EU/EEA migrants, such

4 Directive 2013/55/EU of the European Parliament and the Council of 20 November 2013 on the Recognition of Professional Qualifications.

as scientific researchers, EU Blue Card holders, long-term residents and refugees, enjoy the same rights as EU nationals with regard to the recognition of diplomas, certificates and other professional qualifications. However, the rights apply only to qualifications obtained in the EU/EEA and do not apply to third country nationals outside the EU.

Recognition of qualifications is usually conducted for the purposes of further education or as part of the recognition process for regulated professions, rather than to reassure employers or to satisfy immigration requirements. Assessment involves verifying if the issuing institution is accredited, if the document is authentic and its correspondence to a level of qualification in the destination country. All of these verifications may be of interest to both employers and immigration authorities.

Indeed, while the EU Blue Card requires qualifications, neither the original nor the revised Directive specify any means of proof. The majority of Member States offering an EU Blue Card require a proof of qualifications for both regulated⁵ and unregulated⁶ professions. Recognition of foreign diplomas is a widespread but not universal condition for admission under this scheme. For most alternative national statuses, no recognition is required⁷. Recognition processes vary among Member States but are usually long, burdensome and involve a number of agencies (academic information centres, professional chambers etc.) and public authorities. They are excluded from the statutory limit on processing times for the Blue Card.

Mutual recognition of foreign credentials and professional qualifications is not possible under the current EU framework. If the EU Blue Card requirement is taken as the threshold for admission to the Pool, for a candidate in the pool to be considered eligible for recruitment in any Member State, the corresponding national procedure required of EU Blue Card applicants would have to be satisfied – in each and every Member State.

Recognition decisions issued by some Member States could to a certain extent make up for the lack of transferability of recognition decisions across the EU. It is indeed possible to request and obtain a recognition decision (at least of a higher education qualifications acquired in a third country) while still residing outside the EU. Nonetheless, acquiring multiple recognitions is not an efficient or attractive solution for candidates, not the intended use of the recognition framework, and may in any case be insufficient to allay concerns over the veracity and quality of qualifications. Alternatives could be considered at this point. Candidates can decide whether they start a qualification recognition process with a specific Member State, which can be costly and time consuming but increasing probabilities of success. The Talent Pool could also integrate information on qualifications and programmes already recognised by Member States and automatically flag candidates with similar credentials, even if these have not yet been formally validated in that Member State. Information on whether the qualification has been recognised in at least one Member State may be valuable (or reassuring) for employers from other Member States.

The existing EU Framework for recognition

Recognition is the competence of individual Member States and cannot be decided at the EU level. In the absence of the national recognition procedure, the pool could at least rely on common standards for the recognition of qualifications. The Convention on the Recognition of Qualifications concerning Higher Education in the European Region, otherwise known as the Lisbon Recognition Convention, remains the key legal instrument for recognition of qualifications across UNESCO's Europe and North America Region. Additionally, non-binding instruments, such as best practice guidelines on certifications and/or credentials

5 Except HU, IT, ES.

6 Except DE, ES, SE.

7 (European Commission, 2019^[2]), p. 32.

assessment provide one possible example. Existing collaborative frameworks (ENIC-NARIC) could provide inputs and share experience on a coordinated approach. ENIC-NARIC centres operate at the national level, but share guidelines⁸. Equivalency documents in one Member State should follow the same guidelines and, while not formally transferable, may represent a common standard.

Stronger cooperation and exchange of information between national contact points could also be encouraged under the aegis of the Commission, with the support of the European Labour Authority (ELA).

Involvement of Member State ENIC-NARIC centres would already be a first step to reassure Member States and potential employers that a qualification is assessed, but does not amount to a proper “recognition” of educational credentials and does not cover professional qualifications in the broad sense (vocational training, professional experience abroad and/or informal learning, neither in regulated nor unregulated professions). An equivalency statement, however valuable, might thus appear insufficient.

In addition to ENIC-NARIC, credential assessment is also being developed in other ways at the EU level. Cedefop provides analytical and coordination support for the implementation of the European Qualification Framework (EQF), allowing it to play a role, together with professional associations, local authorities, regulatory bodies, in exploring new possibilities “for the development and application of criteria and procedures to enable the comparison of third-countries’ national and regional qualifications framework with the EQF”⁹. In its programming document 2020-22, Cedefop undertakes to continue to provide conceptual support to working groups looking into international qualifications and comparing third countries’ national and regional qualifications frameworks.

As EU-level databases and frameworks develop, it may be possible to integrate correspondence grids into the Pool to allow automatic issuance of equivalency assessments – with no legal value – for many qualifications obtained in third countries. Some Member States have created self-service assessment interfaces; such an approach could be applicable.

Third-party assessment may include actors beyond the official recognition procedure. Some existing private talent pool/private recruitment agencies offer to pre-selected candidates, a personalized support service (call, videoconference, regular meetings, chats etc.) aimed not only at better targeting applicants’ aspirations, coaching them for interviews but also indirectly, further evaluating self-declared knowledge and skills and issuing an assessment. Introducing third-party assessment to reinforce the profiles of candidates admitted to the pool would involve costs to be borne by the applicant and decisions about retention in the pool of candidates who turn out not to meet the requirements of the pool.

Public sector solutions – where the public employment services support the RFQ process - could also be foreseen, although these are relatively rare in Member States (OECD, 2017^[5]). If the EURES regulation were extended (through a distinct instrument) to cover third-country nationals seeking jobs, EURES advisers could be mobilized to provide orientation for RFQ, along with other forms of orientation. At present, this is not possible. In parallel, the EU might engage in new MRA (mutual recognition agreements) processes with targeted third countries deemed particularly strategic. However, the negotiations of these agreements usually take quite some time, are limited to certain sectors, and require in any case a strong involvement of professional associations, national and subnational governments departments, fostered by a strong EU political leadership.

⁸ For example, the EAR manual, developed in 2014 as part of the European Area of Recognition project, contains standards and guidelines on all aspects of the recognition of foreign qualifications and aims to provide credential evaluators with a practical tool for assessments, and increase transparency of recognition procedures to all stakeholders involved in recognition (e.g. higher education institutions and policy officers). The 2020 European Recognition Manual is meant specifically for higher education institutions, providing evaluators and admission officers with practical recommendations on “fair and flexible” recognition of foreign degrees and studies abroad.

⁹ cf. Council recommendation of 22 May 2017 on the EQF.

Solutions exist, based on existing frameworks or soft coordination measures, to increase convergence of national recognition practices. Users would benefit from a centralised source of information on the recognition framework for third-country nationals with third-country qualifications. The existing regulated professions database (under DG GROW) is for now limited to qualifications obtained in Member States. In the mid- to long-run development of this database, coverage could be extended or technically replicated for foreigners as an additional source of information. The database could then be linked with the EU Immigration Portal to provide better information on regulated professions and recognition procedures for potential migrants.

Recognition of language skills

In addition to recognition of qualifications, the pool may include a language ability requirement. The situation for recognition of language ability is not uniform across the EU, even if most MS have national assessment frameworks referring to the CEFR, and administer publicly-accepted language tests – directly or under license or agreement with third-parties including higher-education institutions. There is no EU-wide accreditation system for language tests.

Most language tests currently are designed for access to education. However, these assessments are sometimes referenced in national legislation on permits, especially for acquisition of permanent residence status, but also for issuance or renewal of certain temporary permits.

For the Talent Pool, it may make sense to require uploading a certificate of language proficiency in at least one EU language. A third party assessment may be useful, although the Talent Pool does not judge the authenticity of documents.

One existing EU approach to self-assessment is the ERASMUS+ Online Linguistic Support (OLS) tool. It offers a self-assessment in most official EU languages. It does not verify identity or supervise the self-assessment. Numerous third party assessors exist, including private and non-profit providers, offering nationally recognized certificates.¹⁰

2.2.4. Selection process

Once candidates are admitted into the pool, they could be able to interact or **participate in matching with employers**. Their profiles remain active for a certain period before dropping out of the pool.

Selection under option 1 could apply passively in the EU Talent Pool, as a reserve of pre-selected and trustworthy candidates picked out by interested recruitment agencies, employers, regional and local authorities etc. In this scenario, candidates would not be able to see and apply to specific vacancies (as is done for recruitment for the EC Blue Book Traineeships) but could indicate country and/or company preferences, update and export their profiles and choose between various job offers across the EU published outside the Pool. Little effort would be expected from them, which might increase the tool's attractiveness, although they remain free to use existing vacancy databases in parallel. EU recruiters, for their part, would access the pool and search for the most suitable candidate according to their needs, with some confidence that recruits can meet migration procedures in the host country (as some eligibility criteria are already met).

¹⁰ A number of public and private language testers in the EU belong to the Association of Language Testers in Europe (ALTE). ALTE promotes “the fair and accurate assessment of linguistic ability”. It organises courses and conferences on language assessment and conducts a quality auditing system of European language examinations.

Access to vacancy databases

Candidates could have access to different vacancy databases, including existing national and EU PES vacancy databases. Most of the job listings on PES databases, however, have lower skill requirements. Some of them are not even accessible to third country nationals. If vacancies posted in these databases are open to the Talent Pool, the question arises of whether there should be specific filters or conditions. If so, there are several considerations to take into account: employer willingness to hire from outside the EU; the suitability of the job offer for existing legal migration regulations; and the need to undergo a labour market test.

A review of current EU PES activity to recruit third-country nationals noted the potential to play an extensive role in talent recruitment, but also that in most countries their current role is limited to implementing regulations (Molnár, Krekó and Scharle, 2020^[41]). Some vacancy databases already indicate willingness of the employer to hire from outside the EU and undertake the migration procedure. In some Member States, employers listing vacancies can already indicate or request that the vacancy be posted on the EURES platform.

Linking the EU Talent Pool with existing vacancy databases (European, national, regional, public or private) would be complex especially if the objective is to achieve intuitive, simple and frictionless recruitment processes for both candidates and employers. In the hypothesis where EURES is extended to third-country nationals outside the EU or duplicated through a protocol with (automatic) importation of vacancies, there would need to be technical improvements to make the platform more intuitive, easier to access and to use.

An EU Blue Card vacancy database?

If the threshold of inclusion in the pool is to meet the EU Blue Card qualification requirement, the question arises of whether a bundle of vacancies that meet EU Blue Card requirements should specifically be created, in addition to a pool of candidates. The EU Blue Card requires indeed that the third-country national present a contract paying the minimum salary and meeting a minimum duration of 12 months (6 months in the 2021 Revision). The salary threshold is 1.5 times the average gross annual salary in the Member State concerned (under the Revision, 1.0 to 1.6). Differences in calculation methods and salary distribution mean that this threshold is very restrictive in some Member States and very easy to achieve in others. Salary thresholds are often too high for SMEs, who consequently favour equivalent national statuses with lower or no income thresholds.¹¹ The Blue Card allows a lower threshold for ISCO 1-2 professions considered in particular need of migrant workers, but few Member States have used this option so far. Besides the salary threshold, Blue Card vacancies target sectors or occupations requiring a minimum level of skills/qualifications. Vacancies eligible for a Blue Card could therefore be flagged or marked, as already the case in some Member States.¹² As an option, vacancies with lower salary thresholds or for occupations qualifying for “less demanding” national schemes could also be posted in the Pool and be made available to Talent Pool users - otherwise any firm unable to offer contracts meeting the minimum duration and national Blue Card salary threshold would be discouraged from using the platform.

If the choice is made to place the vacancy database at the core of the Talent Pool, rather than the pool of applicants, only eligible job offers would be visible, and could be consulted by any job seeker who declares to meet threshold criteria. Yet even here, there would have to be a minimum pre-screening of candidates, to ensure that only candidates capable of completing a full profile, and who declare they meet national

¹¹ (European Commission, 2019^[2]), p. 27.

¹² Czech Republic PES already distinguishes vacancy listings according to whether or not they meet criteria for the EU Blue Card.

requirements, can apply for these vacancies. In addition, national labour market tests, as described below, could be integrated into the Talent Pool.

The labour market test and Community Preference

Most EU Member States impose a labour market test (LMT) on requests by employers to recruit third-country nationals from outside the EU (Robin-Olivier, 2016^[6]). The LMT aims to ensure that authorisation to recruit a non-EU worker is only granted after employers have opened the vacancy to national workers, EU citizens or legally residing third country nationals with access to the labour market. When long, restrictive or burdensome, it may deter an employer with urgent needs from considering recruitment from abroad.

A patchwork of national LMT exemptions do exist, but no harmonized EU-wide exemption for highly skilled workers. Some Member States eliminated or loosened LMT requirements for candidates eligible for the EU Blue Card schemes or alternative national programmes. In the 2016 revision proposal, the Commission suggested to limit LMTs for EU Blue Card holders to cases of “serious disturbance” in the labour market, but the 2021 Revision maintains the option to impose a labour market test at entry and during the first 12 months of legal employment (art. 7(2)a)¹³. From a legal point of view, there is currently no binding way to ensure a faster access for highly-skilled workers to all national labour markets (including when entering a second Member State) or impose generalized exemptions for shortage occupations.

Any LMT could be integrated into the Talent Pool matching mechanism – either actively or passively. The active means would be to allow employers to publish their vacancies on the EU job-matching platform explicitly indicating the date from which third-country nationals may submit their applications. Vacancies would be visible immediately, to all candidates (including third-country nationals in the pool), but effectively opened to applications after a certain period of time (the minimum possible under national legislation, or subject to human intervention in the form of approval by the labour market testing authority). Alternatively, recruiters/employers could consult the pool or receive applications from third-country nationals (with restricted access or in the form of alerts or “expression of interests” only) and immediately engage in the selection process once the testing is completed.

A further variation on this would be to integrate the LMT into extractions from the existing EURES vacancy platform: listings meeting EU Blue Card criteria in the MS of posting (occupation category, education level required, salary etc.) would be automatically scraped and made visible to candidates in the pool after the labour market test period expires. This would require integrating the information on LMT durations into the system, and updating this information whenever durations or modalities change. In Member States where the LMT requires individual review of the vacancy, a more complex system for noting that the vacancy has been labour market tested would have to be included.

In any case, a Talent Pool or recruitment platform integrated or merged into an existing vacancy database opened to EU nationals allows for compliance with the principle of community preference while limiting the steps to be taken by the employer or the PES. Community preference is ensured since applications from third-country nationals outside the EU will only be considered in a second phase, while the employer only has to post the vacancy once to reach both EU residents and third-country nationals abroad.

Employer and intermediary access to the Talent Pool

The Talent Pool is not open to consultation without registration. The clear risk in granting unrestricted access to the Talent Pool to potential employers, beyond the issue of protection of personal data, is the risk that spurious or unscrupulous actors fraudulently contact candidates to offer visas or to take rents.

¹³ In the event that Member States decide to make use of that possibility, they should communicate this in a clear, accessible and transparent way to applicants and employers, including through online media (Rec. 40).

The question therefore arises of which actors are authorised to consult profiles in the Pool. Several solutions exist based on existing practices. One option is to allow any registered business to sign up, using verification procedures which currently vary at the Member State level. A second is to require employers to post a vacancy and to receive profiles based on that vacancy, using skills profiling and other matching tools. However, as seen above, such vacancies would have to be vetted. The EURES platform, for example, only contains vacancies which have been vetted by a PES employee in a Member State. A third possibility, more onerous, is to require employers to undergo a registration procedure with the body operating the Talent Pool, submitting a request for approval reviewed through automatic and human intervention before issuance of access codes or an export of profiles.

In addition to employers, matching can also be driven by intermediaries such as recruitment agencies, employer associations and even regional development boards. Some Member State PES already work with these bodies to establish lists of candidates. Outside the EU, the New Zealand Talent Pool (SkillFinder) achieves matches through vacancy listing by recruitment agencies, mediated and monitored by the immigration agency itself (Box 2.1).

Box 2.1. New Zealand's publicly run candidate pool and matching service

New Zealand has an Expression of Interest system for selecting candidates who will be invited to apply for permanent residence. The EoI does not serve employers directly; employers cannot review the candidates in the EoI pool.

Since 2012, New Zealand's Ministry of Business, Innovation & Employment (MBIE) has run a platform allowing foreign candidates to submit their profiles and New Zealand employers with eligible vacancies to contact potential matches. The platform uses the New Zealand Now immigration portal to direct candidates to register, and an interface – SkillFinder – for employers. SkillFinder is unrelated to the immigration process and the visa for which the candidate will apply.

New Zealand Now

Through its promotional site, "[New Zealand Now](#)", foreigners can register their interest and provide basic information on occupation, experience and education. There is no guarantee that candidates will be contacted. There were more than one million "e-mailable prospects" in 2021. New Zealand actively promotes "New Zealand Now", through social media, search engine advertisement and job fairs. It intercepts active job seekers and activates passive job seekers, with a focus on candidates with highly-sought profiles. People registering with New Zealand Now also receive a wider range of immigration-related information.

SkillFinder

Employers or recruiters can query SkillFinder to see how many "New Zealand Now" profiles match their requirements. Employers and recruiters may search the database by occupation, academic qualifications, residence and work experience. If they wish to contact registered profiles, they must submit specific vacancy details to MBIE, which reviews them. Vacancies must be for skilled positions or meet Accredited Employer requirements. MBIE then sends an e-mail inviting candidates to apply for the position.

In 2016, for example, about 1 000 vacancies were broadcast to about 1 million contacts. Open rates were between one-third and half of all e-mails; click rates were between 5 and 7%, and application rates ranged from 1-5%. This meant that employers generally received between 10 and 50 applications for each vacancy. It is the employer responsibility to examine applicant credentials.

The system was designed primarily to serve individual employers with vacancies, rather than to allow employers to scrape and bundle leads for later use. The system continues to serve individual employers, although recruiters are more likely to convert SkillFinder leads into concrete job offers. In some cases, a lead is not hired for the vacancy to which they respond, but the employer or recruiter later contacts them for another vacancy. Recruiters can also provide feedback to MBIE that a candidate does not have the claimed qualifications; SkillFinder then excludes them from future contact.

At least two years were necessary before the system reached a critical mass of profiles and users. The platform benefits from heavy traffic on New Zealand Now – more than 5 million visits annually – and ongoing promotion. Use by employers and recruiters varies with the business cycle, hiring seasons and other factors, so the workload for MBIE is not constant. Nonetheless, the staff requirements are about one-fourth of a full-time equivalent official to run the platform.

Source: Ministry of Business, Innovation & Employment, New Zealand

To reduce risk, the design of the Talent Pool may also conceal the identity of the candidate until the candidates themselves authorise release of this personal data. The Europass profile tool, for example,

allows the profile owner to share information with external users by generating a time-restricted and content-specific link. The advantage of this Europass-type system is that it captures initial contacts between candidates in the Talent Pool and possible recruiters in terms of statistics on link generation and usage.

2.2.5. *Link with the legal migration channel*

Under the TFEU, the EU and its Member States share competence in the area of migration. Whereas EU-wide common rules on labour migration and visa policy are set out in various directives and regulations, Member States remain competent to issue long stay-visas, work and residence permits and to define volumes of foreign workers admitted to enter their territory for work purposes. In other words, the EU is neither able to issue an “EU residence permit” valid in all Member States nor to require a Member State to admit on its territory a third-country national for employment.

Despite these legal constraints, the EU Talent Pool under option 1 could be linked with corresponding labour migration channels (e.g. the EU Blue Card scheme). That would either mean that admission to the Pool is a first step of the permit issuance process (i.e. no need for subsequent application once a job offer is confirmed) or that such permit(s) would only be issued to highly qualified candidates selected from the Pool. Both options would require significant legislative changes to formally integrate the Pool and its selection mechanism into EU existing channels.

The clear added value of a Talent Pool linked to the migration channel is that *only* a public sector matching platform can offer this (OECD/European Union, 2016^[71]). The link to the migration channel is advantageous for both parties because it accelerates the recruitment process and reduces the administrative burden. However, the Talent Pool is not mentioned in the 2021 EU Blue Card revision. Requiring use of the Talent Pool to issue a Blue Card would be counterproductive at this stage, complicating access to an already underutilised instrument. It would also be poorly aligned with the current use of the EU Blue Card, most commonly obtained by those already in the EU, changing status from a national permit issued for work, research or even study.

Even without a “formal” link to the migration channel, an EU Talent Pool can however incorporate the main admission criteria. Such a Pool would, of course, compete with public and private job-seeker platforms. The potential added value of the Talent Pool relative to other pools would only lie in its focus on candidates who meet criteria for legal migration channels and its potential to integrate the labour market test into vacancies made visible to candidates.

In any case, entry into the Pool is not equivalent to issuance of a permit, nor does it guarantee entry into any Member State territory. Nevertheless, Member States would remain free to decide to streamline processes at national level for sponsored or recruited candidates from the Talent Pool.

Pre-filtering candidates according to eligibility for national schemes

In this regard, the EU Talent Pool could act as a first “filter”. Based on the candidates’ profile, occupation, level of qualifications, professional experience, family situation etc. a search engine could identify one or several countries (e.g. in the form of an interactive map) where the person is likely to be admitted as he or she already fulfils a certain number of admission requirements – assuming that a qualifying job offer is in hand. This first selection step could either be *indicative* or *constraining*. In the first case, the candidate could choose to privilege the recommended migration scheme(s) and only apply for vacancies posted by employers from these particular countries. The applicant could choose to disregard the recommendation and still apply in countries where the Talent Pool indicates that admission thresholds are unlikely to be met. In the second case, the Pool would exclude these profiles from employer searchers in Member States where the candidate does not meet eligibility. The first case is relevant only where vacancies are included

in the Talent Pool, while the second case is relevant even if the Talent Pool only consists of a collection of profiles.

Filtering would have the advantage to promote national attractive skilled migration schemes by making them more visible to undecided or uninformed candidates. It could also contribute to facilitate international matching (as employers would be confident that selected applicants are probably eligible for migration). Member States could also benefit from this pre-assessment, without however encroaching on their competences, as the pre-filter would help employers find candidates who meet entry criteria and reduce the number of inadmissible applications.

“Tell us only once”: information transfer, data export and standardised forms

Information, personal data provided by the candidate when entering the pool could be transferred from the platform to migration authorities to begin the process of authorization of a residence permit or visa. The same could apply to supporting documents (e.g. diplomas, certifications, birth certificates etc.) uploaded to the candidate’s profile, documents which might be also required for subsequent visa or permit applications. This process does not encroach on Member States’ competence. The final evaluation of the documents would still be at the Member State level. The advantage of information transfer is a reduction in administration.

Such transfer from a central EU registry to national processing systems is not currently possible. For instance, at present, neither the information fields nor the application forms for residence permits in different EU Member States are standardized, preventing an EU platform from being easily interoperable.

When applying for a long-stay visa and/or a subsequent work or residence permit in the same Member State, a candidate usually has to fill out different forms for each procedure. Only eight Member States provide for standardised application forms, but even there to varying degrees. Whereas residence permits in the EU are issued in a uniform format, according to Regulation (EC) No 1030/2002, there is no standard application form for residence permits in the EU.

An example of standardisation can be found in the Schengen visa application, which follows a uniform format as established by the Schengen Visa Code (Annex I¹⁴). This approach could be copied for long-stay visa and residence permit application forms, even as EU Member States remain competent for issuance and definition of the requirements. Member States would have to agree on standardised application forms and fields, valid for specific migration schemes. The standard form could apply only to the EU Blue Card, to all residence permits subject to the Single Permit Directive, or to all residence permits. The characteristics of the employment contract/job offer, required under the EU Blue Card scheme and under contract-contingent residence permits issued for employment, could also be subject to harmonization or a simplified form.

When a highly skilled worker in the pool is offered a job by an employer, the relevant information would be exported to the Member State of competence for the application for the separate visa (if applicable) and corresponding residence permit. In the absence of an electronic transfer, the system would generate a pdf document following the standard application form and indicating that the document is exported from the Talent Pool.

There are several potential benefits of standardisation of forms. Such a solution would have the advantage of easily identifying applications from candidates who successfully used the EU Talent Pool. It would ensure that application forms are complete, sufficiently clear and legible for candidates and employers. A certain level of harmonisation across the EU (format, language, common glossary etc.) might also simplify

¹⁴ Similarly to Annex II of the visa Code, a list of the most frequently requested supporting documents (here for highly skilled migration) could also be drawn up at the European level in order for candidates to better prepare their (future) applications while in the pool or after receiving a job offer.

multiple and subsequent requests, either in one or several Member States. Online forms are processed faster than paper forms in Member States offering both. If priority processing is introduced, use of online forms could provide eligibility.

The technical aspect of the transfer of information could take place in many ways – ranging from interoperability to export (e.g. in xml) to simple generation of an application form.

An active role of business and investment agencies

A direct link between the Talent Pool and the migration system would require the platform to have a direct connection to the national competent authorities responsible for assessing applications for the relevant residence permit. An **additional possibility** would be a **direct link with other public actors playing a role in the visa or permit issuance process**, as is the case in many Member States. In some strategic economic areas (trade, finance, innovation) there is a role accorded to business or investment agencies in promoting and sometimes determining eligibility for fast-track or special admission procedures. The Talent Pool could build on the existing role of such bodies within national procedures.

These agencies are under the authority of different Ministries (Foreign Affairs, Trade, Investment, Economy and Finance) – rarely the same ministries responsible for dealing with issuance of residence permits – and have global networks of private and public partners. In addition to actively promoting investment, innovation and supporting national businesses and companies abroad, they are often assigned the role of favouring innovative businesses and helping domestic enterprises remain competitive. Further, it would fall under their mandate to support the fast-track or facilitated processing of applications of certain skilled foreign workers. Indeed, many already play a significant role in attracting talents, facilitating job matching and ensuring effective admission (See Box 2.2).

Box 2.2. Examples of national fast-track or flagging procedures

In several Member States, agencies provide for fast-track programs at national level either flagging potential candidates or priority processing requests from recognized firms or sponsors. In the Netherlands (Invest in Holland) or in Denmark (Danish Agency for International recruitment and Integration), firms formally recognized as sponsors benefit from fast-track migration schemes every time they wish to hire foreign workers. Obtaining a work visa or a permit for highly skilled employment is streamlined, enabling accredited companies to bring talents from abroad. CzechInvest, the national Investment and Business Development Agency, based on employers' requests, flags the applications for specific individuals whose profiles qualify with fast-track admission procedures. In France, the public operator Business France, together with La French Tech, promotes the French Tech Visa - a simplified, fast-track scheme for non-EU start-up employees, founders or investors to obtain a residence permit in France, fully digitalised since May 2021.

The agency would be a bridge between the Talent Pool and the national immigration services, collecting the profiles of matched candidates and responsible for passing them on to migration services for fast-track or priority processing. The agency could also have access to profiles in the pool to identify potential candidates, similar to the access granted to national Public Employment Services.

One advantage of involving an intermediating agency as the bridge between the Talent Pool and national migration systems would be to avoid a direct link with national services handling visa or permit applications, which may be barred through mandate, practice or preference from cooperation with a Talent Pool. It could also better track highly-skilled candidates and contribute to greater involvement of multinational companies, which rarely resort to public channels (such as the PES) to recruit talent. The identification of

an additional or alternative contact for the Talent Pool in the Member State – one directly charged with supporting the competitiveness of businesses – would work around this.

The Job-Search Invitation

While the creation of an EU job search visa has been explored in the 2016 and 2019 OECD reports, it is not considered under the pre-identified scenarios for the Talent Pool. The importance of in-person interviews may also be declining, due to a shift to videoconference and on-line interviewing, including through recorded structured questionnaires. A “job-search visa”, already little used in the few Member States where it is available, may be relevant only for specific cases.

A job search visa could for instance be granted as a temporary invitation to a restricted number of Talent Pool candidates a year, based on criteria commonly agreed between Schengen States. Such an invitation could act as a special incentive for highly qualified workers whose profile matches job opportunities across Member States.

By way of derogation, the candidate who secures a job offer within the validity of the invitation could be entitled to apply for a residence or work permit without having to go back to his/her country of origin. This option is already allowed under the revised Blue Card (art. 10(3)) and could become a widespread practice for Talent Pool recruits. Here again, the digital application tools and platforms, established at national and/or EU level¹⁵, might allow greater flexibility while ensuring appropriate security safeguards.

2.2.6. Attracting candidates into the pool

Attracting candidates to the Pool is essential to achieve a critical mass of quality candidates (OECD, 2019^[11]). Once it has achieved a critical mass, it can be self-sustaining. Posting vacancies also increases attraction to the pool. There is evidence that online vacancy postings and online recruitment not only increases the number of applicants and the share of suitable candidates per vacancy, but also induces employers to post more vacancies (Gürtzgen et al., 2021^[8]).

The Talent Pool would have to be promoted, both with potential candidates and with potential employers. Similar Member State initiatives have taken many different forms but share some common approaches to content and marketing. One is a single portal to promote skilled migration. Some Member States also developed online information tools and digital portals, not necessarily dedicated to highly skilled TCNs but as part of a comprehensive strategy of attractiveness (user-friendly web sites, self-assessment tools, job boards, personalized assistance, links with social media accounts etc.). Candidates (and employers) have access to detailed information on immigration rules and working conditions, support services and/or personalized assistance, including on integration and “aftercare”. See for instance workinlithuania.lt; welcometofrance.com; workindenmark.dk; make-it-in-germany.com; workinestonia.com; work-luxembourg.public.lu. Branding and attraction strategies are also widespread at regional level or even across metro areas (see europeantalentmobilityforum.com/partners). The Talent Pool would have to have such a portal.

The EU Immigration Portal

In the case of the EU, there is already an EU Immigration Portal. Launched in 2011, the website is a key communication instrument of EU legal migration policy. In its current form, the EU Immigration Portal provides semi-customised information for third-country nationals interested in moving to the EU – or those

¹⁵ The Commission intends to fully digitalise the visa procedure (online applications and digital visas) by 2025. It is unclear for now if this initiative will be limited to short-stay visas or cover, to a certain extent, long-stay visas (equivalent to temporary residence permits).

already in the EU, wishing to move from an EU State to another. Intended as a first information point, the platform aims to provide “solid and easily accessible information” about migration procedures in all 27 Member States. In practice, it is based on information provided by Member State authorities and often sends users to national websites and portals for additional information.¹⁶

Unlike most national portals, the EU portal does not have its own top-level domain name, but resides on the europa.eu domain (ec.europa.eu/immigration). The Portal is managed by DG HOME, with limited resources, and relies on Member States to provide updated information. There is no specific funding for Member States to provide updates.

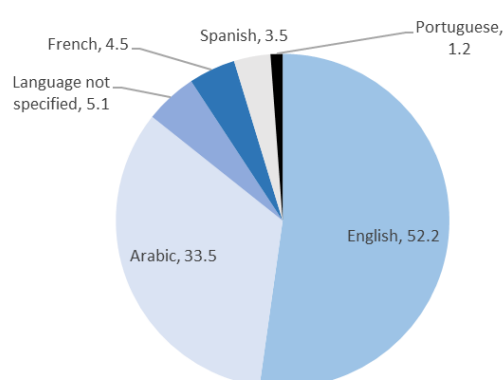
The EU Immigration Portal had about one million page views in 2021. This is far fewer than most national immigration information websites. Make it in Germany, for example, had 2.7 million users in 2013, its first full year of operation.

Some information is out of date or entirely absent. The Portal is primarily a link to Member State resources, some of which are inactive or broken links. The search function uses the general europa.eu search site.

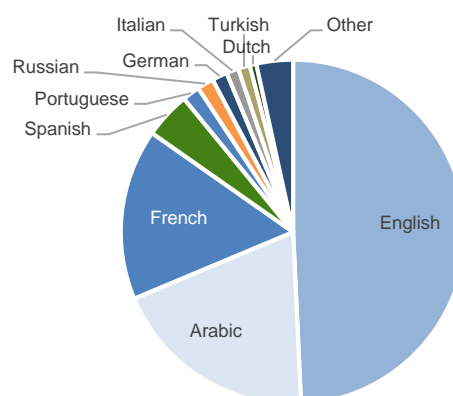
The site is available in principle in five languages (EN, FR, ES, PT, AR) but many of the pages are not complete in languages other than English. While more than half (52%) of users visit pages in English, one-third visit the Arabic language pages (33%), showing a strong interest among Arabic-speakers (Figure 2.2, Panel A). About half of all visitors in 2021 used an English-language browser, while 19% used an Arabic-language browser and 16% a French language browser (Figure 2.2, Panel B).

Figure 2.2. Most visitors to the EU Immigration Portal use the English and Arabic language pages

A. Language of page visited, January 2020-April 2021



B. Site Visitor Browser Language, 2021



Note: Content is limited in languages other than English

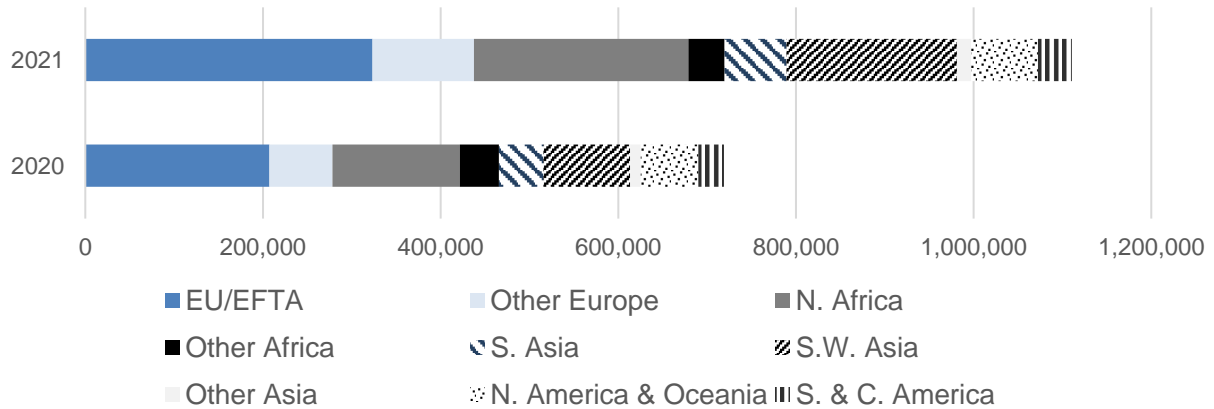
Source: OECD analysis of EU Immigration portal data traffic - <https://ec.europa.eu/immigration/>

The Immigration Portal attracts visitors primarily from within the EU (29%) and from North Africa (22%) (Figure 2.3). Southwest Asia – primarily Arabic-speaking countries – is third (17%). The availability of an Arabic-language interface may contribute to this large share from North Africa and Southwest Asia. Visitors from Sub-Saharan Africa and from Asia are far fewer. The total increased sharply between 2020 and 2021, with largely the same distribution.

¹⁶ European Commission, Press release, 18 November 2011.

Figure 2.3. The main origins of visitors to the Immigration Portal are Europe and North Africa

Site visitors, by origin, 2020-2021

Source: OECD analysis of EU Immigration portal data traffic - <https://ec.europa.eu/immigration/>

For each Member State, the Portal provides 12 categories of migrant from which to choose. The Portal is more useful when visitors actually know *where they want to go* or *which category of migrants they belong to* (e.g. “am I a highly-qualified worker or an ‘employed’ worker?”). As Table 2.1 shows, a high proportion (78%) of visitors to the EU Immigration Portal go to pages on the Blue Card or highly qualified workers profiles for specific countries.

Table 2.1. EU Immigration Portal visitors are seek information on the Blue Card or highly qualified workers profile for specific countries.

Country-specific or generic page visits, January 2020-April 2021

	Unique Page views		Of which, to “Blue Card” or “Highly qualified workers”	
	Number	%	Number	%
Country specified	488,045	48.6	392,005	77.8
Not specified	515,274	51.4	111,987	22.2
Total Unique page views	1,003,319	100.0	503,992	100.0

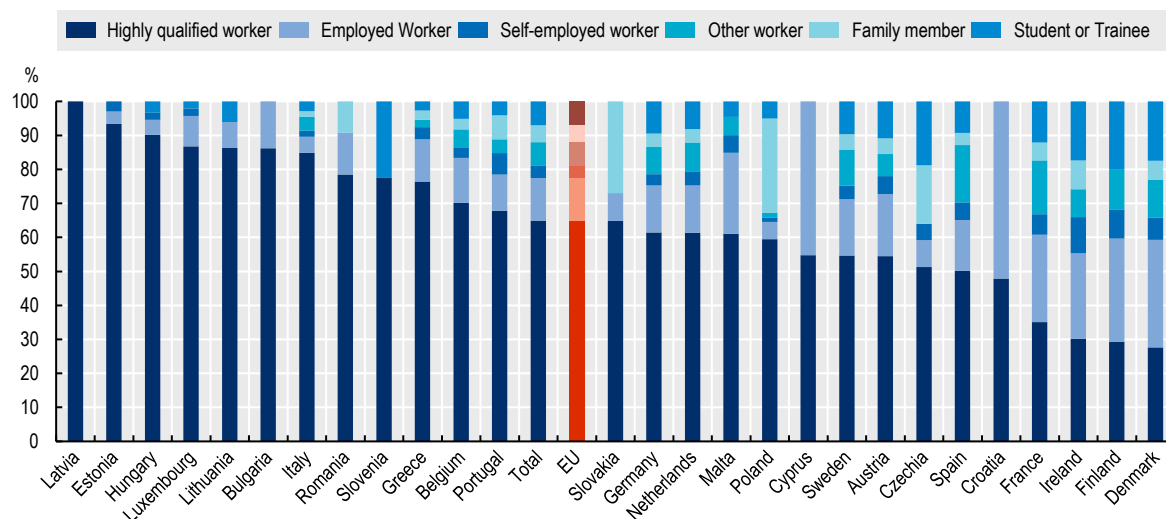
Source: OECD analysis of EU Immigration portal data traffic - <https://ec.europa.eu/immigration/>

The Portal also provides information on the EU legal migration framework for six categories of users, including highly-qualified workers, although this is generic. The Portal provides information on the EU Blue Card, including salary requirements and any lower thresholds, duration of permits, fees and requirements for application and issuance, and links for national information.

The Immigration Portal gives high visibility to the EU Blue Card and many visitors view pages related to highly qualified workers. Figure 2.4 shows that even if most of immigration portal visitors choose “high-skilled worker” as their migration profile, traffic varies substantially per country of interest. Visitors viewing pages for Baltic countries, Hungary and Luxembourg primarily view pages for highly qualified workers. Many visitors who show interest in Denmark, Finland and Ireland, instead, also choose “Employed worker” and “Student or Trainee” as migration profiles.

Figure 2.4. Most Portal visitors choose “Highly qualified worker” as their migration profile.

Distribution of unique page views by immigration profile category and country of interest, January 2020-April 2021



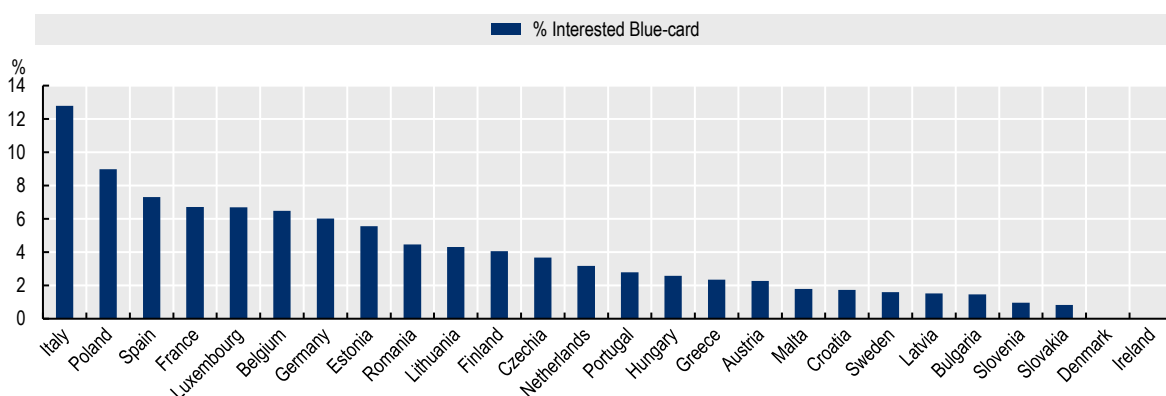
Note: "Other worker" include categories other worker, seasonal workers, volunteer, intra-corporate transfer and international service provider. Highly qualified workers also include researchers.

Source: EU Immigration portal data traffic - <https://ec.europa.eu/immigration/>

Seven destinations of interest comprised more than half of page views for visitors to the Immigration Portal viewing country information on Blue Cards (Figure 2.5). Italy, Poland, Spain and France are the top four, even if they are not among the Member States issuing large numbers of EU Blue Cards. There is interest in all EU Blue Card destinations.

Figure 2.5. Immigration portal visitors interested in the EU Blue Card are mostly interested in information on Blue Cards in Italy, Poland and Spain.

Distribution of immigration portal visitors interested in Blue Card information by country of interest, January 2020-April 2021.



Note: The percentage is calculated out of all visitors who specified a country of interest by clicking on the map on the Portal homepage. 66.3% of visitors click in a specific country on the map. Denmark and Ireland do not have EU Blue Cards and have no associated page on the Portal.

Source: EU Immigration portal data traffic - <https://ec.europa.eu/immigration/>

If used to support the EU Talent Pool, the EU Immigration Portal would have to be redesigned and modernised. A new version of the portal (if merged with the Talent Pool) could contain specific functionalities such as a “self-assessment” questionnaire (with percentages or presumed chances of eligibility), accurate/real time labour market information and forecasts (to orient candidates’ choices), additional success stories, etc.

The added value of the Portal currently lies in informing about EU schemes and in directing users to the most suitable national labour migration schemes. A revision related to the Talent Pool could better guide visitors based on their profiles, qualifications and even the specificities of domestic labour markets. This would imply technical improvements and more efficient algorithms allowing for targeted and personalised information.

2.2.7. Governance and EU management

The Talent Pool would require an institutional location (responsible body or agency) and a technical home (ownership of the IT infrastructure). The European identity of the Talent Pool suggests that European entities or bodies should be in charge of managing the platform. However, it touches upon issues related to both migration and employment policies, requiring co-ordination or multi-level governance. In addition, as the outcome of the Talent Pool is meant to be the issuance of a residence permit by Member States, and the employers using the Pool would be located in Member States, decision-making processes would need to involve different actors representing Member States.

Technical and operational management would also have to be addressed. There are specialized EU agencies (e.g. ELA¹⁷ or EU-Lisa) under the supervision of competent DGs of the European Commission already operating. Strategic guidelines as well as key settings and parameters would have to be defined in close co-operation with the Member States served. Among the issues to address are employer accreditations, eligibility criteria, certified skills and qualifications or possible standardised forms and applications.

Participation of Member States and associated countries could either be optional or, to a certain extent, mandatory. Minimum tasks or services might be expected from designated bodies or national entities, such as providing assistance to users or regularly exchange relevant data and information. Whereas the EURES network is subject to enforceable obligations, the EURAXESS platform is run at the EU level in a more flexible manner, on a cooperative and voluntary basis (see Box 2.3) At a higher level, a multi-stakeholder body could be created to provide strategic guidance, on the model of existing national networks – such as “Cindex”, an inter-company club on strategies and policies of international mobility in France. This sort of “Forum on International Mobility” would convene on a regular basis, and gather decision-makers, influential companies, HR experts and employer representatives, in order to better address regulatory barriers or inefficiencies that traditionally hamper foreign recruitment.

¹⁷ The European Labour Authority recently took charge of the EURES European coordination office (ECO). This includes, among other things, the management of the EURES job mobility portal.

Box 2.3. EURAXESS Service Network

Launched in 2004, EURAXESS is a pan-European initiative delivering information and support services to professional researchers. Backed by the European Union, Member States and associated countries, it supports researcher mobility and career development, while enhancing scientific collaboration between Europe and the world.

Main features

Researchers of any nationality can register at EURAXESS free of charge, fill out and manage their profiles, provide personal data and upload a Europass CV. Research performing organisations can publish job, funding or hosting offers, searchable by candidates. By default, users are visible to all registered organisations, but can choose to hide their names, e-mail addresses, and even entire profile. Profiles expire after five years from the last activity (as required by the GDPR), or can be deleted earlier by the user.

Selection and recruitment processes occur outside the platform. EURAXESS does not perform background checks of applicants or employers.

Structure and Governance

The EURAXESS Network was first established through a European Commission call for a network of Mobility Centres. Participating members sign a Declaration of Commitment (DoC) as a statement acknowledging the objectives and the functioning of the Network. Each country designates a Bridgehead Organisation (BHO) acting as coordinator at national level and liaising with the European Commission. BHOs appoint, coordinate and support EURAXESS Service Centres, EURAXESS contact points and Career Development Centres. A European Charter and a Code of Conduct for the Recruitment of Researchers, adopted in 2005, lays down general principles and requirements to be endorsed by employers and/or institutions offering scholarships and grants. So far, 1329 organisations have endorsed the Charter & Code principles, either voluntarily or, in some countries, as a prerequisite to access funding.

In 2022, after 18 years operation, there are 43 national portals and approximately about 200 000 registered users, 11 900 job positions available and more than 650 EURAXESS support centres.

Source: <https://euraxess.ec.europa.eu> and OECD Secretariat.

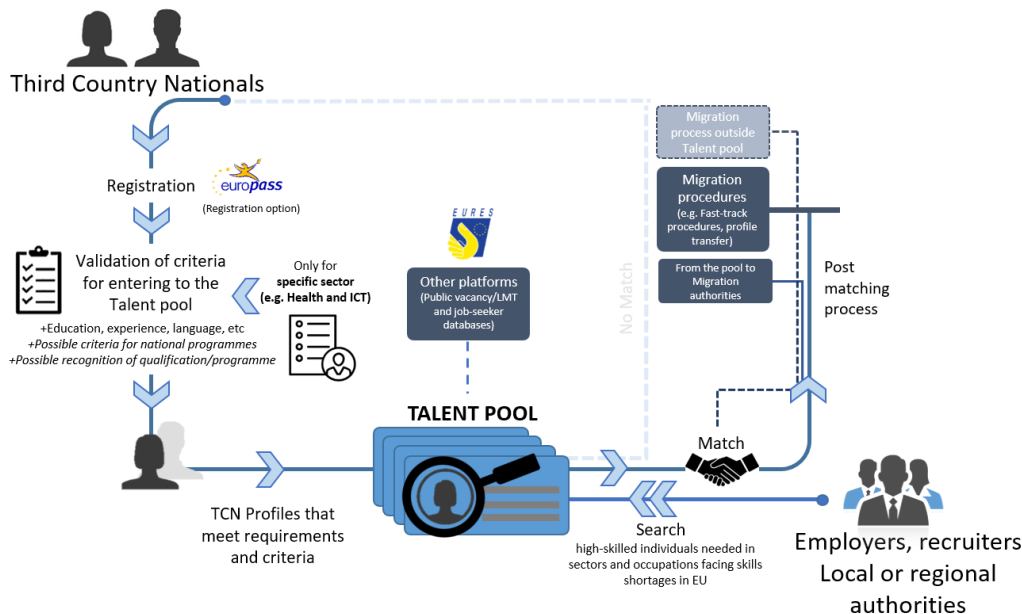
2.3. Option 2: a pool based on a sector approach

The second scenario is a variation on the basic option, focusing on specific sectors. Admission is based on sector-specific credentials and migration requirements, which would satisfy the requirements of existing schemes (EU and/or national) for skilled labour migration (Figure 2.6). Sector-specific criteria vary. For regulated professions such as nursing, recognition would be required. For non-regulated professions, industry criteria could apply.

One example is the ICT sector. The EU Blue Card revision requires Member States to accept experience as a substitute for education. Equivalence between professional experiences (3 years in the previous 7 years) is mandatory for ICT managers and professionals. Admission to the pool for those who do not have tertiary qualifications would thus require meeting and demonstrating this specific threshold of experience.

Figure 2.6. Sector-Specific Talent Pool

Talent Pool focused on a specific sector



Source: Building an EU Talent Pool (OECD, 2019^[1]).

A further difference with Option 1 is that the standardised sector criteria allow for more explicit ranking of candidates within the Pool, to signal to employers which candidates are the most qualified.

The sector-specific Talent Pool would have to be designed with the representatives of the industry, where industry associations and specialised recruitment agencies would likely be the target users along with employers. Vacancy databases for specific sectors would also be of greater interest to candidates in this scenario.

The marketing of a sector-specific Talent Pool would take a different form from the approach used for a general education-based Talent Pool under Option 1.

The development of shortage occupation lists at the EU level – through such measures as the revised Blue Card Directive – could be reflected in the design of the labour market test under the Talent Pool scenario.

2.4. Option 2b: a skill development component through talent or mobility partnerships

The third scenario is a variation on the sector approach, but includes active management of the candidates who enter the Talent Pool. Under this scenario, admission is limited to candidates who have undergone training or selection by a third-party trainer or validator operating on the mandate of one or more EU Member States or an EU body (Figure 2.7). Occupation or sector-specific criteria would be established within the framework of a specific training or recognition regime. While each training would yield candidates for a specific sector or occupation, the Talent Pool could cover an unlimited number of sectors, depending on the demand for skills and the types of training offered in origin countries.

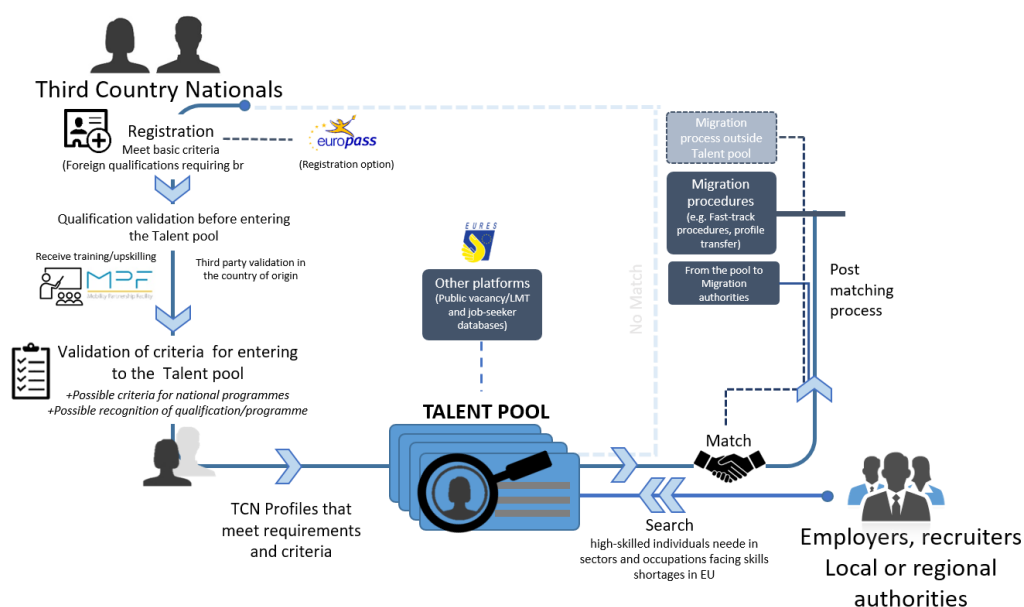
This version of the Talent Pool would be much smaller in scope than under Option 1, as only those candidates who had participated in a training programme would be admitted. The quality of the candidates

would be less in doubt, and the recognition of foreign qualifications would have already been addressed through the training process. This could also accelerate the migration procedures. Some Member States already have national migration frameworks to favour the admission of third-country nationals who have participated in training courses organised by actors from the Member State abroad (notably, Italy).

The skills threshold under this option could be detached from the EU Blue Card education requirements. Indeed, the potential for training in origin countries includes higher-educated candidates but is more easily applied to vocational training.

Figure 2.7. Actively Managed Admission to the Talent Pool

Mediated Talent Pool



Source: Building an EU Talent Pool (OECD, 2019^[1]).

This scenario is designed to build on training efforts in origin countries. Training in origin countries has been conducted by certain Member States on a small scale and sporadically for decades. More recently, the Mobility Partnership Facility (now the *Migration Partnership Facility*) launched pilot projects to train third-country nationals in origin countries for labour migration – temporary or longer-term – in a number of EU Member States. One issue in such training programmes is the matching component – not all the persons trained find employers. Further, the training programmes are usually linked to a specific destination Member State. The Talent Pool would be a means for employers outside the project itself – and the intended destination Member State – to view profiles of candidates who have successfully completed the training as well as those who have completed employment in the participating Member State.

Talent Partnerships have involved post-recruitment support, such as mentoring and on-the-job training as well as welcome packages. The Talent Pool scenarios described above do not offer any such post-recruitment support. In this scenario, such support, to the extent that it can be provided to candidates rather than to participating employers, could make candidates in the pool more attractive to employers. It may also, however, raise scepticism about the quality of the candidates and suggest workplace integration challenges, downgrading the perception of candidates.

Training under the partnerships is not the only way to consider admission to the Talent Pool under this scenario. Another approach would be to build on the concept of third-party validation, inherent in the

training scenario, to use an assessment in the country of origin to actively approve inclusion in the Talent Pool, without requiring participation in any specific training programme. This would be done through conducting interviews and skills-testing in the country of origin, for example. A number of actors in EU countries – including PES, employers and regional development boards – already conduct outreach initiatives in origin countries such as job fairs. Candidates who have been vetted by such bodies could be included in the pool, along with any relevant supporting documentations. This variant on the option would depend on the credibility of the third-party validator.

3 Results of the Consultations

The different scenarios were discussed with a wide range of stakeholders in technical workshops, bilateral meetings, and consultations under the aegis of the European Commission, between March and October 2021. Discussions included relevant public and private sector actors, at the European, national and regional level, as well as academics and experts. Stakeholders consulted covered a range of actors likely to be directly or indirectly affected by the development of the Talent Pool. Public sector actors included relevant ministries, regional entities, national talent attraction initiatives, and employment services. Private sector actors included employer representatives, multinational enterprises, unions, recruitment agencies. European Commission services, competent EU agencies and entities managing or contributing to European existing pools, mobility portals and job matching platforms were also consulted, as were international organisations managing related projects.

The List of stakeholders consulted is included as an Annex to the report (p. 105).

Since there was no definition of the Talent Pool beyond what was contained in the Pact, the idea was still nebulous for most actors although most had preconceptions – of varying nature – about the proposal. Even following a presentation of the concept as a selective matching platform, a number of actors continued to consider the Talent Pool as designed to serve specific bilateral corridors (recruitment from certain origin countries) or to target candidates currently ineligible for labour migration channels. To focus discussion, the consultations posed a number of explicit questions about design of the Talent Pool. This section indicates the questions and the responses.

Overall, actors likely to be involved would support a Talent Pool that would not be disruptive for their current activities. For public authorities and administrations, the Talent Pool should respect their existing competences and align with their own policy priorities. Businesses and private recruitment agencies appear willing to engage as long as the Pool responds to real market needs and demand. Existing platforms and regional initiatives would similarly support a complementary approach, i.e. a platform with an inclusive dimension taking into account local economic interests.

3.1. Added Value

The stakeholders consulted have a different perception of **the platform's added value**, according to their respective roles and needs. Member States' representatives mainly see a positive impact of a Talent Pool that would “push” potential candidates to their labour markets, especially when the country is hardly visible from abroad or mostly attracts low- and medium-skilled profiles. For some of them, an additional benefit could be the reduced role for various intermediaries *“who do not always respect ethical recruitment principles or who do not always seek genuine job opportunities for potential migrants”*. Civil society representatives also would like to see fair recruitment, although their focus is less on outcompeting private intermediaries and more on regulating the exclusion from the Talent Pool of all unethical companies with abusive practices. For recruitment agencies, who already conduct matching and are not interested in public sector competition in this role, the added value of the Talent Pool would lie not in matching but in any initiative that promotes regular labour migration and facilitates international recruitment processes, especially in sectors facing serious shortages.

For the Commission, the added value of the Talent Pool would lie in its ability to attract applications from a wider pool of candidates than recruitment pools operating at national level. A **European benefit that would go along with some competitiveness** among Member States.

A risk of an EU Talent Pool that worries some countries, as well as business agencies actively involved in talent attraction, is the potential for “poaching”. The concern is that leading EU countries (e.g. Germany, Netherlands or the Scandinavian region) might attract candidates through the Talent Pool who would otherwise have gone to, or remained in, countries which are currently less competitive for highly-qualified qualified third-country nationals. Similarly, EU Member States currently satisfied with the effectiveness of their national talent attraction strategies question the added value of an EU Talent Pool likely to redirect potential candidates to other Member States (i.e. “spill-over” effect).

With a Talent Pool, the EU would contribute to create a **level playing field for European employers**, through easier recruitment process and access to foreign talents; an initiative supported by SMEs representatives as long as it doesn't result in an additional burden for companies and users.

For several stakeholders, a **guiding tool** would be of particular interest. The EU Talent Pool should be as “smart” as possible, user-friendly and automated. Third-country nationals who are willing and ready to relocate in Europe should be oriented and informed on the whole ecosystem prior and post-arrival. This would amount to a soft management of expectations from the EU and its Member States to interested migrants. Automation of processes (including in subsequent migration procedures) would be key for the platform's success.

3.2. Main concerns and expectations

Since even the most advanced automated matching platform would require, to a certain extent, **human resources and management**, some concern over the cost and burden of the Talent Pool was raised. Several Member States expressed some doubts regarding the costs and dedicated resources, at EU and national level, implied by the development of a Talent Pool. Others also wonder if this initiative will lead to substantial legal changes and if so, to which extent and within which timeframe (ES).

The European Commission itself, through its Secretariat-General, acknowledges the fact that **the new platform needs to be agile, especially for employers** who shouldn't have to undertake long recruitment processes in sectors already facing serious labour shortages.

More generally, some Member States insisted on the **voluntary and subsidiary nature** of the Talent Pool: some stressed the need to primarily focus on skills and education of the local/national labour force, before considering international recruitment. According to most respondents, the use of the Talent Pool should be optional and complementary to other portals and instruments.

Another widespread concern, especially among stakeholders involved in development cooperation, relates to the possible risk of **brain drain**. Although the Talent Pool would be country-agnostic under scenario 1 and 2 (and thus, indistinctly attract candidates from countries where such a risk is limited, e.g. OECD), scenario 2b would build on existing bilateral agreements or labour mobility partnerships with specific third countries. Stakeholders underlined the importance of taking into account partner countries' perspectives and interests when developing and implementing the Talent Pool. One concern was that *“brain drain severely affects sending countries' economies and labour markets and must be avoided”*.

This objection was made even when it was clear in the Talent Pool concept note that the Pool does not represent a new channel for migration nor would it target specific countries, suggesting that the “brain drain” objection would apply to any legal labour migration channel open for skilled workers. Attraction initiatives targeting specific countries can take into account any concerns about “poaching” qualified workers. The most acute concerns regard the health sector, where however an existing WHO Code of

Conduct is already in place to guide policies targeting health workers. In fact, within the framework of specific projects or partnerships with targeted countries, the Talent Pool could contribute to foster cooperation in the area of legal migration with a view of stability as well as social and economic development in the countries of origin. One possible solution would be to focus on education and upskilling by means of training modules: skills and qualifications acquired within or in view of entering the Talent Pool not only benefit to workers but also, subsequently, to third countries, when the person returns. Efficient matching tools and targeted information also help reduce the “brain waste” phenomenon, i.e. the skill underutilisation, affecting large number of highly-skilled third country nationals legally present in EU Member States.

As stated above, some stakeholders involved in existing talent attraction programmes expect the Talent Pool to bridge not only with national portals and platforms but also with **regional and local initiatives**. Opening the Talent Pool to local authorities and making it accessible to regional boards and administrations for hiring foreign talents is not the primary objective (and remains to be technically assessed). Yet nothing prevents the pool from addressing and relaying regional needs as well as connecting to decentralised public databases.

Finally, there are other expectation of what a Talent Pool should do. In particular, the idea that the Talent Pool continues to play a role beyond matching and supporting applications for residence. **Aftercare and integration** is seen as a key component by many respondents, especially public authorities. The Commission also advocates for proper integration and inclusion programmes as part of the Talent Pool. This is primarily about information and orientation. For some actors, country-specific information on aftercare and integration (e.g. housing, schools, social security benefits, living standards and working conditions) should be provided and integrated somehow into the platform. Particular attention should be paid to the integration of spouses and partners as an additional factor for the talent attraction and retention in the country of destination. To some extent, this expectation reflects a conflation of the EU Immigration Portal and the future Talent Pool. It also reflects the current absence of an interactive European site which can provide country- and profile-specific orientation to users.

3.3. Selection criteria

Should the EU Blue Card requirements be used for the pool? If so, should the pool also allow applicants with 5 years of professional experience, even if this option for the Blue Card has not been applied in all MS?

Should the pool admit candidates who do not meet EU Blue Card requirements? If so, what should the basic threshold be? For example, could it be an occupation-based (e.g., ISCO 1-3) threshold?

The issue of selection criteria elicited a large number of reactions from consulted stakeholders. No one contested the idea of a “selective” Talent Pool. None of the respondents questioned the principle of an entry into the Pool conditional on compliance with certain criteria. Opinions mainly differ on the type and number of conditions to take into account.

Whether or not the **Blue Card requirements** should be used as a reference or as the lowest common denominator for eligibility is a controversial issue. Some stakeholders consider that the skills threshold (tertiary education level) negotiated in the Blue Card (original and revised) would be too restrictive if used as the only eligibility criterion. The threshold is seen by some as disconnected from employers’ needs, many of whom are more interested in skills and less in qualifications. Referring to the diversity of national schemes, some respondents suggested using more parameters than just education. Among the examples cited were a comprehensive labour force selection system, modelled after New Zealand’s EoI system; and a complex scoring system taking into account Member States’ and regional specificities or competence-

based criteria serving specific priority sectors in need (e.g. domestic care). However most stakeholders argued for a relatively simple and easy-to-understand eligibility threshold.

Many actors expressed a preference for an **inclusive Talent Pool**, targeting not only highly-skilled third-country nationals but also medium (and even, for some of them, low-) skilled profiles, where circumstances warrant. Some stakeholders amongst social partners and European institutions call for a broad focus, primarily based on employer needs rather than on “certain minimum skill levels”. Employer representatives expect the Pool to address the differing needs in each labour market through a more demand-driven approach. In addition, distinguishing “Talent” or a “skilled” worker from other categories of workers is seen as challenging, especially in the absence of a common definition. In its latest own initiative report on legal labour migration, the European Parliament explicitly recommended that the Talent Pool cover “all sectors of employment for low-, medium- and highly-skilled workers, and salaried and self-employed labour, including in small and medium-sized enterprises and start-ups” (European Parliament, 2021^[9]). Focusing only on highly-skilled workers, in the SG COM’s view, might limit “the potential of the Talent Pool to focus on labour market needs” [when these are for medium or less qualified workers], and thus distance it from one of its stated purposes.

The focus of the Talent Pool on facilitating matching for employment was seen as a limit by a few stakeholders, who would like to also see the Talent Pool cover entrepreneurs. In particular, there was interest in including potential start-up founders. How this could be integrated into a Talent Pool for matching was not explained, especially since there is no EU framework of reference for this category, nor do any of the scenarios contemplate admission without employment.

By contrast, some Member States and stakeholders considered it important for such an EU initiative to focus only on highly-qualified labour migration, targeting only “the best of the best”. Noting the Talent Pool’s stated rationale and aim to provide value, lowering the skills threshold to that of the least demanding Member States (i.e., no qualification or education requirement) would create confusion and undermine the initiative.

Additional observations and suggestions were made about the need for a “**global approach**” to labour migration, i.e., linked to co-operation of third countries in fighting irregular migration. This was raised even if its relevance would be limited to cases where there is a bilateral component privileging recruitment from specific origin countries (as possible under scenario 2b). The call for a link between co-operation of origin country governments and the Talent Pool also reflected a mistaken perception of many stakeholders that the Talent Pool would be a special channel for access granted to nationals of specific third countries.

A number of Member States raised the question of whether there would be **further security checks and requirements** (i.e. absence of criminal record) before admitting candidates to the Pool, even if the Talent Pool scenario does not propose to substitute any of the checks normally applied to third-country nationals receiving a long-stay visa or residence permit.

The language requirement, compared to education and/or professional experience, elicited few reactions, even if it is in addition to requirements in the original and revised EU Blue Card Directive. Some Member States consider that candidates could provide their classification in the Common European Framework of Reference for Languages. The language requirement is also seen as an opportunity for pre-enrolment support: international organisations call for the development of a language approach and a training component according to Member States’ needs (in particular in scenarios 2 and 2b), indicating an expectation or hope of actions in third countries to qualify candidates for enrolment, including development of language skills.

3.4. Candidate profile

What characteristics of the applicant should be included? Only education, or a full detailed history of past experience, additional training, soft skills, family or social ties with one or several Member State(s), occupational or geographical preferences etc.?

Apart from the above-mentioned findings, consulted stakeholders had no particular view on the candidates' profiles and the **breadth of information to be submitted**. The reliability or trustworthiness of information appeared more important than the quantity of information provided and the depth of the profile. Stakeholders directly involved in recruitment noted that employer requirements often focus on a few specific qualifications, and that existing commercial job-matching profiles already contain information. Requiring candidates to submit detailed profiles to a new platform could discourage participation and an excess of information could overwhelm potential recruiters. Some actors support more broadly the idea of a "multi-phase" approach, similar to non-EU EoI models, where candidates first provide minimum information and, when automatically matched with potential employers or schemes, are required to provide additional elements and documentation, subject to human review.

Should third-country nationals already residing in the EU be granted an easier access to the pool?

There is a consensus that the EU faces challenges in **retention of talents, and more particularly international students**. As many university graduates leave the EU after completion of their studies, some stakeholders would like to see the EU Talent Pool play a role in retaining (potential) talents already present in EU Member States and support their intra-EU mobility. Retention is seen as a political priority by various stakeholders. In this respect, the SG Commission also highlights the importance of supporting labour matching *within* the EU, between the different Member States, by alleviating the obstacles faced by third-country nationals when changing employers and moving to another country. There is no support for statutory exclusion from the Talent Pool of third-country nationals already resident in the EU. However, some stakeholders from Member States with lower salary levels or smaller economies worry about the Talent Pool increasing mobility to other EU Member States of Talents who have been attracted or educated in their country ("poaching").

Besides workers and foreign students, should beneficiaries of international protection and/or family members benefit from a personalized assistance or targeted information campaigns?

There was strong interest among some stakeholders – particularly from civil society – to ensure that the Talent Pool serves people in need of protection. One proposal was to grant them easier access to the platform, although more in terms of *facilitation of access* rather than lower eligibility criteria. Targeted information campaigns for refugees and **beneficiaries of international protection** should be ensured, as many of them are overqualified. Private sector engagement is increasingly focused on attracting and recruiting skilled refugees to address labour market shortages (e.g. some business in favour of complementary pathways and work-related admission schemes) but generally through small specific schemes. Several think tanks and IOs also suggest to "incorporate a designated Refugee Track into the envisioned Talent Pool" outlining possible links with complementary pathways (Rasche, 2021^[10]).

The potential drawback of focusing on persons in need of protection, however, is that it may shift the perception of the Talent Pool as being primarily about competences. The Talent Pool should not exclusively or principally serve vulnerable categories, but rather be open to those in need of protection who can meet eligibility criteria.

3.5. Existing tools and platforms

Can this build on existing platforms? If so, which ones (EURES, Europass, etc.) and to what extent?

Opinions are divided on the question of a **possible adaptability of existing EU platforms and portals performing similar tasks**. While recruitment of third-country nationals is currently out of the scope of EURES, some Member States' and IO representatives were in favour of an extension of the EURES mandate. Indeed the hope that EURES could serve as the Talent Pool platform was expressed by a number of stakeholders who were frustrated that a separate Talent Pool matching platform is necessary. Creating a new and distinct platform would, in their views, bring confusion and complexity while both platforms have the same ultimate objective of facilitating matching between jobseekers and EU employers. Some countries would welcome a platform linked to or replicating the "EURES" model, with which employers are already familiar (e.g. in Denmark, employers tick a box when they wish that the vacancy - published or not on the Danish Jobnet – appear on EURES. If so, it is automatically transferred, without any manual posting). Others are neutral on the method (either replacing EURES or merging both systems into one single platform) as long as it avoids duplication and additional burden for users and public authorities. Some were clear that the current EURES mandate is correct and it should not be changed to support the recruitment of third-country nationals.

For DG EMPL, which managed the EURES Portal until June 2021 and is still competent for the political steering of the Network, integration of a Talent Pool into the existing EURES portal **would bring very limited added value, while requiring a complex IT development and a revision of mandate**. The EURES Unit also stresses that EURES currently serves a different pool of employers: a large share of PES vacancies published on EURES target low- and medium-skilled profiles. Further, employers don't have direct access to the EURES portal (although they can benefit from the EURES advisers' support). Private recruitment agencies, entitled since 2016 to join the EURES Network, have in practice faced bureaucratic hurdles, which discouraged them from taking part in these public initiatives and sharing vacancies on EU portals. Migration authorities are not linked at all to EURES. Expanding the scope of EURES for further involvement of these actors would substantially change the very concept of EURES.

In addition, some Member States rightly **question the compliance of any extension of EURES to cover third country nationals with the European Labour Authority's mandate**. It is also noted that in practice, EURES covers only a fraction of job seekers and vacancies in the EU labour market and works with a limited number of staff. Linking EURES to a Talent Pool would likely require extensive legal and technical development.

Faced with the impossibility of using EURES directly for the Talent Pool, it was however agreed that the Talent Pool should definitely draw on the experience and good practices of the EURES Network (job matching component, communication tool, gateway to Europass, customised information etc.). Europass was little known among stakeholders consulted – outside of the Commission itself – and its relevance for building profiles received little attention or consideration.

Besides EURES (and Europass), some stakeholders suggested to build on existing, well-known and functioning **private platforms primarily used for professional networking and career development**. Candidates in many countries are familiar with these tools - which are sometimes the only profiles and online CVs they update on a regular basis. LinkedIn links are already used or even required by some regional talent attraction initiatives although its use is not universal, and some countries and professional sectors favour other private platforms. Further, it was clear that private platforms do not contain key information for the Talent Pool: interest in coming to work in the EU, and possession of minimum criteria of eligibility for legal labour migration channels.

3.6. Qualifications assessment and recognition

What proof of qualifications should be required for admission to the pool and at which stage?

Certification and recognition of professional qualifications, especially credentials, are often required by migration authorities. One reason why most Member States did not use the derogation provided by the Blue Card Directive to attest higher professional qualifications by at least five years of professional experience is that the genuineness, quality and relevance of experience cannot be verified as easily as for education.

By contrast, most employers and firms usually give little interest in recognition processes, except for regulated professions, as long as the candidate's skills fit the job description. Some employers (such as public sector employers) expect recognition of academic qualifications, even when such recognition is generally offered only for academic purposes. Consequently, some Member States would accept flexibility in the Talent Pool eligibility criteria and allow professional experience or alternatives to formal qualifications. This would not exempt candidates from obtaining recognition later if required by the migration authorities or in order to start employment. Recruitment agencies also recommend taking into account “underlying” skills (deduced from professional experience) and to refer to a taxonomy of skills rather than academic or other certificates. An alternative to levels of education (proven by diplomas and certificates) could be **tests of skills and competence** for admission to the pool. This idea was supported by some of the stakeholders representing the ICT industry and regional attraction initiatives. Such tests could be prepared by PES in collaboration with European advisors and employers' representatives – although the PES themselves did not show any interest in conducting such assessment. **Third-party assessment and personalised assistance** (even performed by private agencies) could also be considered, possibly as a fee-based option.

None of the respondents questioned the fact that a proof of qualifications (and/or specific skills) is required at some point. **Questions mostly arise with regard to the stage at which it should be submitted and the way it should be assessed.** According to the European Parliament, “the EU could play an important role in pre-screening candidates' qualifications, language levels and skills”. However, anticipating (“front-loading”) checks and verifications has pros and cons. On one hand, it is costly and time-consuming for candidates to engage in national recognition processes at an early stage. There is no European body with the ability to provide any attestation or certification, nor is there any plan to create one. On the other hand, verification obtained before the matching phase can avoid later delays and speed up recruitment. One possible option could be to **leave the choice (and therefore the cost/benefit assessment) to users**, classifying profiles according to the different levels of verification. Candidates can decide how to reinforce their profile and employers can see whether the candidate holds any official recognition. Starting a recognition process in one or several Member States may be cumbersome and costly, with unpredictable outcomes and no transferability among destination Member States. However, it can also send a positive signal to European employers who wish to recruit quickly (i.e. candidate's reliability, ability to produce documents for review, and potential eligibility for admission).

What existing frameworks (e.g., ENIC-NARIC) should be integrated into the recognition process and if so how? How to benefit from convergence and coordination between MS recognition processes when it comes to professional qualifications (and not only educational credentials)?

At present, the **EU lacks a comprehensive framework for the assessment and the recognition of foreign professional qualifications**. Without a proper legal basis, an EU Talent Pool couldn't be tasked with assessing the qualifications and credentials of third-country nationals, valid for all Member States, although such a possibility would represent a real asset. The maximalist approach consists of developing a new mechanism for the validation of professional experience, non-formal and informal learning within the EU. By implementing accelerated procedures and facilitating access to information, the assessment, mutual recognition and certifications of qualifications and skills would be made easier, quicker, fairer and more streamlined across Member States. A “softer” option is to rely on, and strengthen the cooperation of, the **ENIC-NARIC Network**. Launched by the Commission in 1984, the NARIC Network is supported by DG EAC. The ability of the national centres to exchange information, cooperate with their counterparts, including in third-countries, and assess foreign credentials and diplomas is an important asset for the

Talent Pool. It has however some shortcomings as comparability statements issued by these entities don't always amount to binding recognition decisions, and are not automatically transferable to other Member States. Increasing the acceptance of comparability statements by different ENIC-NARIC centres could save time for applicants and assessors.

In a complementary way, strengthening the relations with **VET providers in third-countries** could contribute to improve transparency of qualifications for European employers. However, VET programmes are not harmonised within the EU, which significantly limits the scope and the added value of such programmes, unless it becomes a necessary condition under scenario 2b (see below).

Even in the absence of harmonisation and/or binding standards, the Talent Pool could still **provide clearer and transparent information** about the procedures and requirements to be met in EU Member States for the recognition of qualifications, e.g. for certain key sectors and professions. This would require substantial initial investment and require regular updates from national centres and authorities but could also increase uptake and awareness of users.

As for the proper assessment of qualifications, the first key component, in Cedefop's view, should be a reference point to identify the qualification level of the foreign qualification. **An approximation is more relevant than an exact conversion of the qualification to the EQF.** The Talent Pool could therefore work as a signalling device of the qualification level, rather than actual recognition or conversion of the foreign qualification. Indeed, although not legally binding, the EQF, ESCO and Europass are acknowledged by all Member States, contributing to greater convergence between recognition processes and comparability between national classifications systems. The Pool could also draw from the experiences and methodology of the UNESCO Qualifications Passport for Refugees and Vulnerable migrants when assessing prior learning and qualifications acquired outside the EU. Finally, Europass digitally-signed credentials, currently being deployed, could facilitate the recognition and understanding of learning *achievements* (including but not limited to qualifications) by employers and other institutions, although these are little known today.

Should language skills be required and if so how should they be demonstrated? Certified proof of language knowledge, or self-assessment?

As noted above, candidates should indicate their mastery of European languages according to the CEFR. The importance of certification varies among employers. So does mastery of the language in the destination country: depending on the job offer or the occupational sector, English proficiency may be required or needed. However, there was only limited insistence that the Talent Pool should require proof of language mastery, since it mainly matters for cultural and social integration purposes.

3.7. Selection process

How long do candidates stay in the pool before they are discarded? Are they able to update their profiles while in the pool?

For some actors ensuring that candidates in the Talent Pool continue to update their profile is crucial and contributes to the platform's effectiveness and success. CVs and profiles should regularly be updated and automatic rules discarding inactive candidates should apply. The guarantee of a Pool with **responsive, available and "new" candidates** (e.g. six months in the Pool or less) would be a real incentive for employers, according to some countries. One possibility which was raised was for candidates in the Pool to receive indications on further training and/or working experience which might make their profile more attractive.

Who gets to look in the pool and how are they regulated? E.g. recruitment agencies, PES, employers? Should there be a bridge to the PES vacancy platform, allowing candidates to consult vacancies?

The Pool would be of no use if no one looks at the profiles it contains. There was agreement that the PES should be able to consult the Pool but little expectation that this would lead to matching in large volumes. **Consultation of profiles by firms and companies** is considered useful as long as 1) candidates can still actively search for job opportunities outside the Pool; 2) it is neither time-consuming nor burdensome for employers 3) it complies with GDPR provisions. Indeed, to optimise the chances of a match, both sides (candidates and employers) must be active and responsive. The Talent Pool could “scrape” vacancies from existing vacancy databases (public or private) rather than requiring employers or PES to manually post vacancies on the portal.

The **involvement of employers and companies** (of all sizes) from the outset is seen by many stakeholders as a key factor of the Pool’s attractiveness. Employer representatives offered to contribute to the development of the Pool, e.g. by defining the modalities of access or the matching process. Some of them expressed concerns about the participation of large firms and doubt that such firms would shift to use a PES or existing public databases instead of private recruitment agencies or marketplaces. Others are more worried about the limited use by SMEs, which are usually not familiar with international recruitment, have limited resources and sometimes don’t even publish or advertise their vacancies online. Some of these companies are neither able nor trained to recruit third-country nationals. One request was that the Talent Pool project consider **inclusion of programmes to promote international recruitment of talent**, offering support and training (including on applicable migration rules and procedures in the country of employment) to SMEs, upon request. Such orientation on international recruitment was noted as potentially beneficial particularly in Member States where SMEs are relatively new to the process, such as Slovakia, Romania and Poland.

Several stakeholders expressed doubts about the necessity and the potential added value of a **newly-created matching platform at EU level** for foreign talents. Highly-skilled candidates already use existing channels and networks with which they are familiar to find a job in Europe. Inversely, big firms and multinational companies rely on private recruitment agencies and intermediaries to find the candidate(s) they need, inside or outside Europe and are unlikely to go to a new platform. For these private actors, sourcing and matching are generally not an issue. Additionally, some stakeholders, already active in attracting and matching foreign workers with potential employers, warn about the **limits of an automatic algorithm** performing matching when it comes to skills and competence assessment. Others consider on the contrary that the EU Talent Pool *should* emphasise the matching component. National PES noted that past experience with national platforms for identifying third-country candidates saw little use by employers.

On the contrary, some Member States, who no longer have a matching tool for international recruitment, would welcome an EU Talent Pool with a matching component, as long as profiles are up-to-date, dynamic and easily searchable by employers and recruiters, and cover in-demand skills and qualifications.

None of the respondents supported the creation of **an EU-wide pool of pre-screened vacancies** instead of a pool of candidates.

However, some actors would like to see the Talent Pool lead to a fresh approach to labour market tests, including stronger co-ordination and mutual learning opportunities among Member States to ensure a consistent approach to tests across the EU. In particular, certain employer representatives hoped that the Talent Pool and associated identification of labour shortages could lead to EU-wide exemptions from labour market testing, by occupation, sector or category of permit.

3.8. Link with migration procedures

There was widespread recognition that the Talent Pool would be of interest to candidates and employers if it could **simplify or accelerate migration procedures**. If a candidate in the Talent Pool is treated better (e.g., given priority or benefits from a reduced evidentiary requirement), this would make the Talent Pool

of interest for both the employer and the candidate. Indeed, for some recruiters and employers, the current barrier to highly skilled migration is not identifying interested candidates to fill vacancies, but the complexity, length, uncertainty and cost of migration procedures. However, there was also concern that if the Talent Pool were connected to the migration procedure, it might further complicate processes rather than simplify them.

Could a link between the pool and the migration procedures be established through simplified administrative processes?

The initial reaction of a number of stakeholders was **perplexity or scepticism about bringing migration procedures** into the Talent Pool. In part, this may have been due to the lack of precision on the exact nature and extent of such a link. Even when the option of creating additional legal pathways was explicitly excluded, the possible “risk” of this occurring was still raised (e.g., during the CGLM meeting). Some participants in the EGEM meeting also raised concerns about the compatibility of any link between an EU Talent Pool and national schemes and regulations.

Some Member States are opposed to a link between the Talent Pool and the national migration schemes if it leads to a mandatory system which doesn’t take into account the diversity of migration systems or seeks to harmonise Member States’ practices and procedures.

By contrast, actors from the private sector and business representatives consider this dimension as a real added value. Migration procedures in EU Member States are overall cumbersome, long and complex. While fast-track schemes and programs already exist in some Member States, companies need systematic support from public authorities. Companies in Germany, for example, are already benefiting from fast-track procedures for skilled workers (Federal Ministry of Justice, 2020^[11]). **A Talent Pool providing clear and concise information about individual eligibility for admission and pre-screening candidates** (*a priori* eligible for subsequent migration) would be a significant benefit for employers and recruiters, regardless of the companies’ size or sector. Even further, for the Secretariat-General of the Commission, the Pool should contribute to facilitate and accelerate the issuance of permits (not only the submission of applications). For some on the business side, the Pool would *only* be meaningful if it leads in practice to simplified and accelerated procedures.

What scope is there for standardised fields and forms with export to national migration systems?

The scenarios presented raised the possibility of a link with the migration system primarily through transfer of information directly from the Talent Pool to migration authorities. The first step in this direction could be standardisation of fields and transfer protocols.

Regarding possible **standardisation of application fields and forms**, some actors are doubtful on the principle and on the potential benefit of standardisation, as the point is to avoid duplication of evidence requests, not to have them equal across Member States. Similarly, some Member States seem reluctant to support any form of harmonisation, even superficial, and prefer non-binding standards and guidelines.

On the contrary, some actors could see some benefit, for instance, of providing standardised forms to ensure that translations are available. **Digitalisation of processes**, in this context, appears to be a major issue. Some institutional actors argue for a more explicit “digitalisation angle” of legal migration channels, as it is meant to facilitate the submission of applications for visas and residence permits and help reduce financial costs for administrative authorities.

Would exceptional possibilities for visas for face-to-face interviews be considered? Could this lead to derogation of requirements to apply for visas or permits from abroad?

There was limited interest in integrating a job search visa; this was not seen as a priority.

One issue raised are the post-matching rights and obligations of the parties, i.e. in case of withdrawal or of a breach of contract between the employer and the candidate while the admission procedure is ongoing.

This situation appears quite theoretical as the worker's consent is needed and the legal criteria have to be met to pursue the admission procedure and goes beyond the scope and responsibility of the Talent Pool. Bad-faith employers can also be excluded from access to consultation of the Talent Pool based on guidelines.

3.9. Outreach and marketing activities

Which bodies should undertake to market the Talent Pool? What outreach and marketing activities should accompany the Talent Pool?

The Talent Pool's success will largely depend on marketing and outreach. **Targeted information campaigns, job fairs, collaboration with regional organisations and talent attraction initiatives** should contribute to raise employers and (potentially eligible) candidates' awareness and encourage them to use the Pool for international recruitment. A supporting website should be set up, alongside large-scale marketing activities through social media and networks. While targeted campaigns ("pushing" candidates through newsletters and alerts or "pulling" extracted profiles and CVs, passed on to employers) are particularly efficient and useful, they are also labour- and information-intensive and require significant human management and monitoring.

Similarly, information dissemination and close **co-operation with competent entities in third countries** should be ensured in order to promote the Talent Pool in a concerted and responsible manner. This is all the more important within the context of Talent Partnerships and bilateral agreements between EU Member State(s) and non-EU partners.

More fundamentally, the **Talent Pool should maximise EU visibility**, especially for smaller and less internationally known Member States, or those where foreign workers have traditionally had lower skill profiles. For the Talent Pool to be the main point of entry (the "one-stop shop" for talents), the multiplication of national or regional portals and initiatives, with similar tasks and purposes, should be avoided. Some actors consider, on the contrary, that the Talent Pool should bridge to national portals and regional talent attraction initiatives rather than replace them.

3.10. Governance and management

Where should the Talent Pool reside institutionally?

The question of the "institutional location" of the Talent Pool gave rise to some discussions. Depending on which policy objective was given primacy by actors, expectations varied regarding which part of the Commission should take the leading role when setting up the EU Talent Pool. Actors who saw the Talent Pool as mainly aiming to attract foreign workers and guide them to the most suitable labour migration schemes expected DG HOME to lead. Those who saw the platform as primarily intended to address labour market shortages, without an explicit link to migration policies, expected DG EMPL to administer the Pool.

Overall, according to the European Parliament, the EU should be entitled to "set up, monitor and oversee the platform; put in place an harmonised framework at EU level for applications in order to reduce bureaucracy". But as the Talent Pool is meant to serve both employment (i.e. addressing labour market shortages) and migration (i.e. attracting highly-qualified migrants) objectives, some actors consider that the relevant EU entities, namely DG HOME and DG EMPL, should closely cooperate on this matter. As both dimensions are inextricably linked, the Pool could serve these policies equally rather than choose between the two. For some Member States, even if the Talent Pool initiative is launched by DG HOME, strong coordination involving ELA, DG EMPL and Cedefop is needed, especially if the platform is built on the EURES portal. **DG EMPL**, however, considers that the Talent Pool is a parallel stand-alone system for third-country nationals and therefore **should not fall under its remit** but remain primarily under the

responsibility of DG HOME. Nonetheless, lessons could be drawn from experience, methodology, processes, data exchange standards etc. of existing EU IT tools. EURES, by contrast, noted that whichever EU actor has the ownership of the platform needs to make sure it is reliable and sustainable in the long run.

Besides the institutional framework, some stakeholders insist on the importance of **involving relevant civil society organisations, economic and social partners, diaspora networks and TCN workers themselves, as well as local authorities and international organisations**. This co-operation is seen as particularly important in discussions on the definition of skills, which should include on-the-job training, informal qualifications and work experience. The EURAXESS network, whose profiling tool is a potential model for the Talent Pool, would also be ready to cooperate with the authorities in charge of the Talent Pool, as it already does with Europass and Cedefop.

EU governance and management should however leave a certain **flexibility and discretion to Member States** when adapting their labour market policies and addressing their national needs. One proposed solution was to build on relevant bodies and tools, and have the Pool governed by a “back office” at the European level, with the “appropriate involvement of public and private actors”. It should also comply with the Member States’ competence with regard to volumes of admission and implementation of labour market tests, if any.

3.11. A sector-based approach

What sectors should the Talent Pool focus on? How should industry representatives be involved?

According to several stakeholders, **skills intelligence and forecasts** should help identify the sectors facing the most serious skills shortages and occupations in high demand, within the EU. This would be an important tool not only to address current needs but also to anticipate the future labour market situations. In addition, real-time data on vacancies and skills needs by country, region, sector or occupation might contribute to improve and foster matching processes. The discussion around “sector shortages” was in most cases a discussion around occupations in shortage, even if these occupations were primarily associated with a specific sector (e.g., programmers and computer systems analysts).

Some business representatives therefore advocate for a **European skills shortage list** (SSL) to be used as a reference aimed at better informing users but also raising awareness of countries about the situation in their respective labour markets. A SSL would also have the advantage of signalling easier access to immigration schemes, as well as greater likelihood for candidates to find a job. According to SG COM, this idea of an EU list should be elaborated further, with options set out in concertation with DG EMPL. One option to consider might be the use of a **specialised committee that provides evidence-based recommendations**, like the UK’s Migration Advisory Committee.

Additionally, some existing tools could be relevant, such as The **Skills Panorama** and the big-data driven “**Skills Online Vacancy Analysis Tool for Europe**” (OVATE). There are plans to integrate skills demand information into Europass and provide each user with a personalised dashboard. Skills Panorama and OVATE also provide guidance for career decisions and investment in skills based on accurate information on regional level and/or specific occupations.

Many consulted stakeholders expressed a **preference for a sector-based approach**, rather than a “generic” Talent Pool. Focusing the Talent Pool on sectors or occupations with real skills gaps would lead to greater interest from employers; more broadly, it would help better respond to the need for skills and competences among EU Member States. The EU could decide to focus on a specific sector, to better take into account the sector’s particularities through a dedicated environment and/or as a first step or pilot in developing the Talent Pool. An incremental approach could be considered, starting with Scenario 2, and later on opening up the pool to more sectors (until reaching scenario 1). Other stakeholders see a potential

downside to taking a sector focus, noting that **it might be difficult to clearly define sector boundaries, especially for evolving sectors** like ICT with a transversal dimension, where ICT workers might work in different sectors. One suggestion for dealing with this is for the Talent Pool to target “job roles” or skills set instead, through dedicated and periodic campaigns.

Industry representatives are generally interested in **participating in any decisions on priority sectors** for the Talent Pool, even if they are not all convinced that the Talent Pool should be sector-limited. Either way, respondents call for a **flexible and responsive tool, adaptable to changes** and circumstances (e.g. crisis or evolving skills). This opinion is shared by DG EMPL who considers that a sector-based Talent Pool would be conditional on clear stakeholder support and transparent process of definition of sectoral demands of Member States.

For unregulated professions, what standards should be imposed?

A focus on unregulated professions would be easier as the recognition of qualifications in this field is more flexible and common values and standards already shared by European countries. Limiting the Talent Pool to regulated professions would be an excessively restrictive condition.

3.12. Link with talent mobility partnerships

Does it make sense to link Talent Partnerships to the Talent Pool?

Scenario 2b (see 2.4 above) is based on an approach which is still relatively unfamiliar to many stakeholders. Some stakeholders wonder how and to what extent such a variant could be combined with other scenarios. An exclusive approach, based on agreements or partnerships with a few third countries only, might lead to a Talent Pool with a limited scope and a too small scale to meet the overall objective of making the EU more competitive in attracting the best talents. Similarly, for DG EMPL, scenario 2b appears to have the **least potential in terms of contribution for the EU labour market**, beyond the existing Talent Partnerships. Within these mobility frameworks, employers need to commit upfront; there are only a few involved so far, and have well-identified needs. The question is therefore whether they would need a Talent Pool and whether it would be cost-effective.

On the contrary, **maintaining a generic Talent Pool**, open to all, and using the same platform to develop dedicated pools of candidates from certain sectors covered by Talent Partnerships, could make more sense and benefit a larger number of beneficiaries. Employers could also have the possibility to look into the Talent Pool for candidates who participated in training provided by EU-funded projects. In practice, however, training courses for labour migration purposes are usually Member State-specific. The Talent Pool could still enrol participants in projects, in the hope that their training would also be relevant for employers in Member States other than the ones participating in the partnership. Some participants in pilot projects, however, note that they would not want to see the trained candidates “poached” by other Member States which have not invested in the project.

Some Member States expressed some doubts about the political feasibility of scenario 2b. Some states participated in several pilot projects on labour migration and pre-departure training and stressed the importance of **preserving trust among the partners** to shape bilateral cooperation around common interests. Training candidates for inclusion in a Talent Pool – without pre-arranged partners in destination countries – might undermine the trust of different partners.

At the very least, the Talent Pool could play an informative role, raising awareness of potential candidates and companies on existing Talent Partnerships in specific sectors implemented in Europe.

Which actors would need to be involved in the Talent Pool to draw on partnerships in origin countries?

Pre-selection processes in the countries of origin would require the **involvement of various actors**. The EU Member State PES in the first place, as they are already familiar with matching processes and

sometimes, international recruitment. They also have an accurate knowledge of the labour market trends and needs. For some IOs, the Talent Pool actions in origin countries cannot follow a single model. The current pilot projects show a diversity of approach depending on the targeted audience and the sector concerned.

Could third-party validators in origin countries interview and approve admission to the pool, in addition to offering training?

One suggestion which was raised by a number of stakeholders was the idea that the Talent Pool would validate the skills of candidates, through interviews and tests. Under this idea, bodies supervised and commissioned by the Talent Pool would hold recruitment drives in origin countries, soliciting interest, and individually vet applicants for inclusion in the Talent Pool. This was seen as costly and complex.

Another related idea was to **expand the list of third-party validators**. Based on field experience, some Member States also suggest to also involve private actors through private-public partnerships for third-party validations and review of candidates. Industry could review candidates, especially when the Talent Pool focuses on – or runs a recruitment campaign – for a specific industry. One example cited was “Move Green”, a bilateral project between local actors in Spain and Moroccan authorities, where identification was performed by Spanish renewable energy bodies. However, most stakeholders agreed that it would be difficult to achieve reciprocal or universal acceptance of the judgement of validators in origin countries. Employers in one Member State would be unlikely to accept the assessment of validators sent by another Member State, whether these were public or private, industry or government.

While collaborating with PES is essential, **professional associations or private specialised partners** can however play a significant role in selection processes. Unlike PES, they do not face institutional constraints and often have a particular expertise for identifying skills and qualifications, including highly-skilled profiles, in key sectors. Some private employment agencies intervene in recruitment processes of large groups of people (i.e. bundled vacancies) especially medium-skilled profiles. Good practices and lessons could be drawn from former and ongoing projects. There is no incentive for private partners to share their profiles with the Talent Pool, however, so any use of this approach would require compensation – even if the Talent Pool is meant to be without direct costs for users.

3.13. Conclusions of the consultations

The limited detail contained in the reference to the EU Talent Pool in the 2020 Pact meant that many stakeholders projected their own priorities and concerns onto the concept, even when reviewing detailed scenarios. Nonetheless, most stakeholders welcome a European policy tool aimed at better managing labour migration and improving the access of European employers to skills. Many stakeholders wished to see a Talent Pool capable of accelerating migration procedures – but the policy actors responsible for national procedures did not see political space for an EU Talent Pool to impose conditions for fast-tracking applications or providing exemptions from existing requirements in national permit issuance procedures.

The main added value of the Talent Pool is therefore seen to lie in its ability to attract and retain foreign talents in sectors, occupations and countries where they are most needed. To ensure the platform’s efficiency and usefulness, a balance must be struck between a necessary European approach and flexibility left to Member States and market players to address employment and admission challenges. National authorities should be involved in both operational management and political governance of the Talent Pool, even if the Pool is hosted by a designated European entity.

Regarding platform design and key components, stakeholders’ contributions can be summarised as follows:

- **A pool of candidates based on predefined selection criteria** is a key component of the system. The Pool should focus on “talents” and on individuals who qualify for existing legal migration channels on the basis of their individual characteristics. Most respondents favour a pool covering a wider spectrum of talents than those specified by the first EU Blue Card Directive. Most respondents, irrespective of their status or activity, advocate for a pool serving not only highly-skilled profiles but also, to a certain extent, qualified candidates with specific skills in demand.
- Registration should be open to **third-country nationals regardless of their country of residence**, as long as they meet the criteria. Certain categories of migrants could be encouraged to register by offering assistance (e.g. guidance to beneficiaries of international protection through dedicated support schemes or targeted campaigns), but the Talent Pool should not be designed to primarily support vulnerable groups.
- **Registration to the Pool** should be simple, quick and user-friendly. While users should be able to create an initial profile without providing documentation, the ability to upload or link documents was seen as important to allow intermediaries to screen profiles. The ability to retrieve and share personal information from existing platforms (Europass, LinkedIn etc.) would be beneficial.
- While **certification or recognition of professional qualifications** is an important step in most migration procedures, employers usually assign greater importance to effective skills and competences in selecting and recruiting a candidate for a specific job. Opinions differ as to whether candidates’ skills should be tested and validated as a condition for enrolment in the Talent Pool or whether such verification should take place at a later stage, according to formal certification requirements imposed by national authorities as part of the migration procedure. In balancing the burden of pre-qualification with the advantages it offers, most stakeholders supported a lighter evidentiary requirement for the Talent Pool.
- The demand side needs to be integrated. **Active engagement of employers and companies** (of all sizes) appears to be crucial. Candidates’ profiles should at the very least be visible and searchable by the Member State PES, although this is likely not enough to yield matches except in the rare cases where these PES are active in international skilled recruitment. Employers, recruiters, and private agencies could be granted access, as long as they comply with ethical international standards and good practices. The decision about which employers can view profiles should not be managed at the EU level, but rather at the Member State level. There was interest in the use of the Talent Pool by PES and other actors to identify candidates for specific skilled positions or talent recruitment campaigns.
- The added value of vacancy posting and a **job-matching component** was noted. It was not clear that employers would see the benefit in posting vacancies for the Talent Pool unless there was a clear benefit in accelerating migration procedures. Linking labour market testing and skilled migration criteria to vacancy posting appears beyond the capacity of an EU platform, also taking into account the complexity of labour market testing in the Member States, although it might be done at the Member State level. Using the EU Blue Card salary requirements as a threshold for vacancies was seen as impractical and excessively restrictive, especially if national legal channels allow skilled migration without such a salary threshold.
- **Protection of personal data** was cited as a concern, but not an insurmountable barrier to realisation of the Talent Pool. The risk of malicious actors defrauding candidates was raised but was considered manageable.
- The current absence of an EU source for clear, accurate and concise **information on national migration procedures** (EU Blue Card and/or national schemes) was noted. Such information would be an added value. The existing EU Immigration Portal could be revised. Guidance based on individual characteristics would be an added value for applicants, foreign candidates and employers acting as sponsors. Fast-track admission schemes and simplified processes should be supported and promoted, in accordance with the Member States’ competences. Member States

would require additional resources in order to provide continuously updated detailed information, especially if site users receive orientation based on individual characteristics.

- **Focusing on sectors** appeared important, but **without limiting** the Talent Pool to specific sectors. Despite improved labour market information, it remains difficult to identify and monitor which sectors or occupations should be the focus at the EU level, also in light of the absence of an agreed methodology for determining an EU shortage occupation list. While many stakeholders would welcome a sector-based approach, this could be covered through the generic Talent Pool by integrating specific sectors or occupations either temporarily or permanently. Some civil society representatives ask to consider the risk of “brain drain” in third countries when defining sectors and occupations.
- **Skills mobility partnerships should not be excluded, but the Talent Pool should not be limited to them.** Talent or Skills mobility partnerships reduce the risk of brain drain and upskill foreign talents through various professional and skills development schemes and programmes. The benefits of linking these partnerships to the Talent Pool was seen as limited in terms of volume. Concerns about possible “poaching” were also raised by Member States who have close bilateral relations with key third countries. Talent Pool actions in origin countries could go beyond Skills Partnerships to integrate some form of trusted validation in origin countries, especially in conjunction with specific recruitment campaigns.

Finally, the EU Talent Pool **governance and management** should be carefully defined since it touches migration and employment domains, and therefore different legal division of competences between the EU and its Member States. What was important to stakeholders was the capacity of the Commission to play a role of coordination of national entities that would co-manage use of the Talent Pool and regulate access. In addition, a multi-level political governance could take place, involving all competent stakeholders, from the public, the private sector and the civil society.

Current similar initiatives have taken years to develop the necessary awareness and number of users to become fully functional. A **Talent Pool will require time** to populate with candidates and will likely require some adjustment in eligibility criteria based on performance and use. However, no such platform currently exists and its introduction would address a gap in the overall policy framework.

4

Adaptability of EU and Member State matching systems including legislative and regulatory implications

4.1. Introduction

The feasibility study also includes an analysis on how the Talent Pool could fit into the existing institutional and legislative landscape. This analysis examines the suitability and legal feasibility of developing a Talent Pool in light of existing databases and platforms that perform similar tasks but in a different context (e.g. the EURES portal, Europass, EURAXESS or the EU Immigration Portal). Talent Pool features and functionalities considered in the scenarios under review above are in many cases comparable to existing initiatives, instruments and IT tools already managed by public entities (whether at European, national and even regional level) or by private stakeholders. The Talent Pool could potentially be linked to, built upon or merged into such existing initiatives while avoiding substantial legal changes, duplication or further complexity.

The first section of this chapter outlines the main building blocks and components of the Talent Pool. Although its final shape is not yet defined, the Talent Pool is expected to encompass some basic features to comply with the Commission's guidance and aspirations. The second section focuses on adaptability of existing and comparable European tools and instruments (4.2). More particularly, it assesses the compatibility of their respective mandate, scope and activities with an EU-wide Talent Pool. It also describes some of the means by which Talent Pool (in its various possible scenarios) could be developed as well as the legal implications this might require. The final section focuses on the main findings and conclusions on adaptability (4.3).

In addition to the compatibility with existing structures, there is the question of situating the Talent Pool institutionally. The EU Talent Pool has several objectives: attracting (highly-) qualified workers from abroad; addressing labour market shortages in the EU; and supporting the effective functioning of existing legal labour migration channels. This means that it straddles a number of policy domains. Immigration and employment are the main domains, but the Talent Pool also extends into the internal market, education and the EU's external action.

Depending on the policy area, the EU competence for setting up and managing the pool can vary greatly, from legally binding instruments to soft coordination and support of Member States' actions.

4.1.1. *EU immigration policy*

As set out in the Treaty on the Functioning of the European Union (TFEU) Article 79(1), the ultimate objective of the EU is to develop a common immigration policy aimed notably at managing migration flows, efficiently and *at all stages*, as well as ensuring fair treatment of third-country nationals residing legally in the EU. In this area, the EU has a shared normative competence.¹⁸ It may adopt legislative acts (regulations, directives or decisions), in accordance with the ordinary legislative procedure¹⁹, in the spheres listed in Article 79(2)(a)(b).²⁰ In practice, EU harmonisation in the field of labour migration is rather limited in scope and in “intensity”. The EU Directives adopted between 2009 and 2016 govern the admission and stay of specific categories of workers but leave a wide margin of discretion to Member States when implementing them. In addition, Article 79(5) TFEU introduces a reservation of State competence on volumes of admission of third-country nationals coming to seek work in the EU. Consequently, the EU can neither grant permits to third-country nationals for employment purposes nor oblige Member States to do so.²¹ In the field of integration, the Treaties exclude any harmonisation of national laws and regulations. The EU can however provide incentives and support measures with a view to enhance the integration of legally residing third country nationals.²²

4.1.2. *EU employment policies*

One of the main objectives of the EU is to promote “a high level of employment through the development of a coordinated strategy, particularly with regard to the creation of a skilled, trained, and adaptable workforce”.²³ This objective has a transversal dimension and should be taken into account when defining and implementing other European policies. In the field of employment and social affairs, the EU has a special competence of coordination, as laid down in Article 5 TFEU. EU legislative acts may be adopted in a few areas, but the responsibility for employment and social policy primarily lies with national governments. Council recommendations and other policy initiatives issued by the Commission are the most frequently used measures.²⁴

In all cases, as its competence is not exclusive, the EU must comply, when adopting legal acts, with the principles of **subsidiarity** and **proportionality** as enshrined in Article 5 TEU. It shall act “only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by Member States, either at central, regional or local level, but can rather, by reason of the scale or effects of the proposed action, be better achieved at the Union level”. An EU-wide Talent Pool established by a legal act will be subject to the scrutiny of national parliaments (under the *ex ante* early warning mechanism) and of the Court of

¹⁸ In the absence of EU action, Member States remain competent to legislate, including on aspects for which the EU has ceased to act.

¹⁹ Art. 294 TFEU.

²⁰ See Protocol (No 25) on the exercise of shared competence.

²¹ In 2019, Member States issued more than 3 million first residence permits to third country nationals, of which over 1 million were for employment purposes. Of these 1 million permits, only a small part were issued in categories created by the different Directives on legal migration.

²² Pursuant to Article 79(4), the EU may only coordinate and complement national actions on the integration of third-country nationals residing legally in the Union, without affecting the normative competence of the Member States in this area.

²³ Article 145 TFEU.

²⁴ See for instance the Council recommendation on the integration of the long-term unemployed into the labour market (2016/C 67/01) or the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the regions, a New Skills Agenda for Europe, Working together to strengthen human capital, employability and competitiveness (COM(2016) 381 final)).

Justice, if adopted. The EU action in both policies also needs to be proportionate and not going beyond what is necessary to achieve the objectives of the Treaties.

4.1.3. **Building blocks, key features and components**

The Talent Pool take the form of a single EU-wide online platform gathering the profiles of skilled third-country nationals interested in a job in an European country, linking this with employers and companies interested in recruiting talents from abroad, subject to the applicable legislation in the country of employment.

There is no clear definition of “talent”, while a core issue. Unless stated otherwise, it can be taken from the Commission’s description of the Talent Pool in the New Pact on Migration and Asylum: the system is primarily designed for **workers and job seekers with skills**. This definition would, a priori exclude investors, business entrepreneurs, students and free-lancers.

It has also become clear from the Commission’s previous announcements and subsequent discussions that **some options shall not be considered**, due to significant political, legal or technical constraints they may imply. The Talent Pool on its own will not amount to a new legal migration pathway. It will not be a required channel for use of existing EU labour migration schemes (see section 5, below). It will mainly follow the demand-driven approach of the current framework. Finally, the Talent Pool will primarily focus on talent attraction and/or job matching and therefore play a limited role in aftercare and integration issues.

The platform will be accessible to all skilled third-country nationals in need of protection, although it is not intended to serve them exclusively.

Among the guiding principles, the Commission attaches great importance to flexibility, simplicity and agility for all potential users. It expects only limited and targeted changes to the current EU legal migration framework and seeks to avoid any additional burden for administrative authorities. Consistency should also be ensured with the other actions and components of the “Skills and Talent” package, i.e. the revision of the Long-Term Residents and Single Permit Directives, Talent Partnerships, the initiatives aimed at enhancing legal pathways to Europe and the ones supporting integration and inclusion into local communities.

Table 4.1 indicates which features of the Talent Pool (functioning and design) were defined for the purposes of the analysis of adaptability. One question that transcends the three scenarios under examination is: what will a Talent Pool at the EU level look like? In all scenarios, the Talent Pool should comprise the following **building blocks**, either alternatively or complementarily:

- Block 1 - A roster/pool of pre-screened candidates;
- Block 2 - Access to filtered job vacancies appropriate to the scenario identified (with or without a matching function);
- Block 3 - A mechanism providing information, regularly updated and comprehensible, on applicable labour migration rules in different EU States, based on the profile of the user.

Table 4.1. Adaptability analysis: Defined and as-yet undefined features of the EU Talent Pool

Defined	To be defined
Online platform for profiles of candidates	Level of detail of collected profiles; synergies with Europass or LinkedIn etc.
Country-specific information	Level of detail and scope of the information provided (migration and labour market trends (Skills OVATE), bespoke assistance or guidance etc.).
Target: skilled third-country nationals	Threshold for skills (e.g., tertiary-educated, highly skilled occupation, etc.) Location (outside EU and/or already residing in an EU MS) Measures for specific categories (e.g. beneficiaries of international protection, post-graduates)
Pre-screening and selection of candidates	Selection criteria for inclusion in the Pool Gatekeeper (at EU and/or national level) Additional checks and requirements
Accessible to employers in EU MS	Companies only, recruitment agencies, public authorities and public employment agencies, regional talent initiatives, etc. A regulated access for active management (e.g. posting vacancies) or consultation only? Possible bridges with national migration schemes. If so, in what form?

Source: OECD Secretariat

4.2. Adaptability and legal implications at the EU and national level

4.2.1. *Block 1 - An EU-wide pool of pre-screened candidates*

The Talent Pool would screen candidates and only include those meeting certain criteria. Examples of existing EU-level pre-screening pools are quite limited. The only EU-level pool which currently pre-screens candidates for inclusion is the European Commission Blue Book Traineeship programme. It relies on eligibility criteria for the selection of EU citizens wishing to apply for a 5-month paid traineeship within its Directorate-Generals, agencies and bodies.²⁵ This, however, is a programme for recruitment by the Commission itself. An EU Talent Pool, on the contrary, would be accessible to non-EU citizens and employers of all sizes and types in different sectors.

As such, nothing prevents the European Commission from creating a pool of pre-selected candidates with a wider scope. Since it would no longer be for internal recruitment, selection criteria would need to take on an EU-wide dimension. The pool could either rely on an **existing benchmark** already included in EU legislation or use **new criteria, commonly agreed** by EU Member States.

Under scenario 1, the EU Talent Pool would essentially target highly skilled third-country nationals while scenario 2, based on a sectoral approach, could cover a smaller target group but with more flexibility in the threshold for skills, based on skills and qualifications which satisfy the requirements of specific occupational sectors.

Existing benchmarks are present in the EU legal migration framework. So far **the only skills threshold negotiated at the EU level in legal migration law is the one used by the EU Blue Card.**²⁶ Although the

²⁵ Only candidates with a bachelor degree, no prior work experience in the EU institutions and a proof of language knowledge are entitled to apply. Additional points are granted to applicants who demonstrate a strong motivation, an international profile or who already published papers in academic journals or reviews.

²⁶ The Student and Researchers Directive (Directive (EU) 2016/801) also sets a skills threshold for researchers, i.e. a doctoral degree or an appropriate higher education qualification which gives that third-country national access to doctoral programmes, which is even more demanding.

Blue Card is a logical EU criteria (particularly for scenario 1), relying on its sole requirements (including the disparate salary thresholds) would be restrictive and, to a certain extent, counterproductive.²⁷ Unless the EU decides to focus first on the ICT sector (possible under scenario 2 and 2b); then, the newly revised version of the Blue Card introducing more flexible admission conditions in this area might be seen as a relevant instrument.²⁸ Another possible selection criterion, already agreed upon at the EU level in migration law, is the one used for intra-corporate transferees (ICTs), who need to show “evidence of professional qualifications and experience needed in the host entity to which the third-country national is to be transferred as manager or specialist or, in the case of a trainee employee, the university degree required”.²⁹ But unlike the Blue Card, the ICT Directive doesn’t set any threshold or minimum level of education.

Alternatively, instead of defining selection criteria, the EU Talent Pool could only perform an **authenticity pre-check of profiles and/or relevant documents**, required by most labour migration schemes.³⁰ However, such a pre-check would have different legal implications according to the type of document assessed. For instance, authenticity checks of travel documents could not replace border management procedures performed in the first place by national authorities.³¹ Furthermore, even the existing standardised profile tools and documents (e.g. the Europass portfolio or the European Qualifications Passport for Refugees) do not amount to formal certification and offer no guarantee of authenticity/veracity to employers or public authorities. For such an EU pre-check to have any legal value (e.g. create any additional obligation for Member State), a revision of the Europass decision would certainly be needed.³²

These selection criteria would only “reflect” the ones required for skilled migration purposes. In the absence of any legal impact on national admission procedures, the adoption of an EU binding instrument based on Article 79 (1) TFEU, which gives the EU competence to develop a common immigration policy aimed at ensuring the ‘efficient management of migration’ at all stages,³³ doesn’t appear necessary.

²⁷ The EU Blue Card is a currently underutilised legal pathway (only 36 806 blue cards issued in 2019, most of them in Germany, and most to applicants already in the Member State of issuance rather than recruited from abroad). The Blue Card often competes with more favourable or accessible national schemes for skilled or highly skilled workers. In addition, it is not applied in Denmark or Ireland according to the Treaties. Although it could make sense, politically to link the Talent Pool to the EU Blue Card, the recently revised Blue Card Directive does not foresee the use of a Talent Pool as a necessary first step of the issuance process nor is a revision of this Directive to integrate the Talent Pool feasible in the near future.

²⁸ Directive (EU) 2021/1883 of the European Parliament and of the Council of 20 October 2021 on the conditions of entry and residence of third-country nationals for the purpose of highly qualified employment, and repealing Council Directive 2009/50/EC (*OJ L 382 du 28.10.2021, p. 1–38*). According to the new text, applicants in the field of technology and communication can now attest their qualifications through proof of relevant work experience instead of higher education qualifications. Concretely, non-graduates with three years’ equivalent experience in the high-tech field are now entitled to apply for a Blue card and Member States have an option to apply the Directive more broadly to non-graduates with five years’ equivalent experience.

²⁹ Directive 2014/66/EU of the European Parliament and of the Council of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer.

³⁰ Valid travel documents, birth certificates, diplomas, job offers or contracts, when issued etc.

³¹ In addition, border checks carried out in accordance with the Schengen Borders Code and the EES regulation take place in principle at border crossing points, not prior arrival. The future self-service system for the pre-enrolment of data set out in the EES regulation will only allow third-country nationals who had already travelled to Europe to use automated kiosks, instead of stationary border control desks, not to have their document pre-assessed from their country of origin.

³² The Europass Decision (EU) 2018/646 yet states that the framework shall support authentication services for any digital documents or representations of information on skills and qualifications (Article 4(6)). On this basis, the future Talent Pool could make use of the future digitally-signed credentials (EDCI), which will enjoy a legal presumption of authenticity across the EU, including for TCNs.

³³ Cf. (European Parliamentary Research Service, 2021^[24]).

Moreover, the EU could decide to act within the framework of the employment policy rather than within the area of Freedom, Security and Justice, i.e. “decouple” the selection criteria from the migration dimension. Even in that case, any criteria or threshold, should be defined in coordination with Member States. Such a Pool of candidate profiles could for instance be achieved through incentive measures designed to encourage cooperation between Member States and support their actions (Article 149 TFEU). Similarly, if situated in the education area, the Talent Pool could build on existing web-based platform already processing and collecting personal data and information, including the ones of third-country nationals (e.g. Europass³⁴, based on Article 165 TFEU).

Furthermore, candidates could be admitted to the pool on the basis of **a shortage occupation list (SOL)**. The SOL could be used as the sole criteria (as under the sector-specific option discussed below) or to extend eligibility for inclusion in the Talent Pool to skilled candidates not necessarily covered by the first two categories (education or occupation thresholds). SOLs are drawn up using different methodologies according to the purpose and context of use. For the Talent Pool, a SOL would have to have an EU dimension and draw on information available at the EU level, such as forecasts of skill supply and demand currently produced by Cedefop. In addition, Eurofound surveys EU firms on a regular basis. These existing data collection and analysis exercises could form the basis of a benchmark indicator or threshold used for an EU SOL. Within this context, the list of occupations for which relevant professional experience is recognised for the issuance of a Blue Card might be seen as a starting point.³⁵ The methodology used to assess the labour market needs could be extended - or replicated - beyond the scope of the Blue Card to draw a broader EU SOL (i.e. a targeted revision of a list annexed to a regulation). Another option would involve a political agreement and approval of the SOL on a regular basis; this would possibly require a political commitment of Member States to endorse the SOL through a Council recommendation or conclusions.

None of these options (see Table 4.2) would lead to the automatic issuance of permits or to the immediate access to Member States’ labour markets. Member States would also remain free to admit talents on a national basis, including on broader criteria (lower skills or salary thresholds, self-employed, entrepreneurs, investors etc.) than the ones laid down in the EU-wide Talent Pool.³⁶

³⁴ Decision (EU) 2018/646 of the European Parliament and of the Council of 18 April 2018 on a common framework for the provision of better services for skills and qualifications (Europass) and repealing Decision No 2241/2004/EC (OJ L 112, 2.5.2018, p. 42–50).

³⁵ Art. 26, Annex I of Directive (EU) (EU) 2021/1883 of the European Parliament and of the Council of 20 October 2021 on the conditions of entry and residence of third-country nationals for the purpose of highly qualified employment, and repealing Council Directive 2009/50/EC.

³⁶ Countries that use more elaborate definitions (like France, Germany, Czech Republic, Austria or Belgium) within their labour migration schemes targeting *talents, experts, employees or skilled workers* could continue to do so as part as their national strategies.

Table 4.2. EU Pool of pre-screened candidates - Assessment of the policy options

Options	Description	Legal changes required	(Legislative) process
EU legal migration framework	Newly-created pool based on selection criteria only <u>reflecting</u> EU labour migration benchmarks (Blue Card and/or ICTs)	None or targeted revision of existing networks mandates (e.g. EMN or BC NCPs)	None or ordinary legislative procedure in accordance with Art. 294 TFEU ³⁷
Document check	Newly created pool limited to authenticity pre-check of profiles and/or documents. No selection criteria.	e.g. Directive or Regulation based on Article 79 TFEU (giving competence to the EU to perform such a prior check with legal effects)	Ordinary legislative procedure in accordance with Art. 294 TFEU
Skills-based using benchmark	Newly-created pool based on skills-based criteria in accordance with international standards (ESCO, ISCED)	EU measure based on Article 149 TFEU or revision of the Europass decision	Ordinary legislative procedure (after consultation of EESC and Committee of Regions). (harmonisation excluded)
EU SOL (benchmark)	Eligibility based on European Shortage Occupation List based on agreed benchmark	Revision of Annex I of the Blue Card directive (but limited to highly skilled professionals eligible for a Blue Card)	EC Legislative proposal in accordance with Art. 26(2) of the BCD.
SOL (MS-approved)	Eligibility based on Shortage Occupation List periodically approved by MS	Poss. Council recommendation or Conclusions (political statement)	Procedure in accordance with Article 292 and 148(2) TFEU

4.2.2. Block 2 – a job search portal or matching component

Currently there is **no EU-level matching platform** allowing third-country nationals without residence rights in any EU Member State to submit their profile for consideration by employers.

Only a few Member States have developed anything similar to a pool of skilled third-country nationals at the national level for consideration by employers. Some Member State public employment services operate national job-seeker platforms which allow third-country nationals to register their profiles, and some encourage this through English-language interfaces, although not always with a skills criteria.³⁸ Some Member States select and post vacancies suitable for international recruitment. However, these initiatives are few in number, limited in scope and often developed at the regional level.³⁹

At the EU level, several options could be explored to set up an online platform for international recruitment, modelled on existing portals or networks (Table 4.3).

The **EURES portal** is a reference model in the field of cross-border job matching. The Portal, launched in 1994, enhances workers' access to intra-EU mobility support services and, more generally, facilitates their free movement under Art. 45 TFEU. While cooperation between PES of Member States and the European Commission started in the early 90s, the Regulation 492/2011⁴⁰ established the "clearance" of vacancies and applications as a general obligation for all the parties involved. It required from then on, regular sharing of information concerning living and work conditions as well as the state and trends of the labour markets.

³⁷ (joint adoption by the European Parliament and the Council on the basis of a proposal from the Commission)

³⁸ DK, EE, LT, DE, FI or SE. As of 21 June 2021, Denmark no longer hosts a CV bank for foreigners (of all nationalities) on its dedicated website www.workindenmark.dk, citing limited use by employers. It now exclusively refers candidates and companies to the EURES job portal, although EURES is only accessible to EU citizens and TCNs with working rights in the EU. Work in Denmark however continues to scrape and post English-language skilled job vacancies in "Denmark online".

³⁹ Regional initiatives include e.g. Greater Copenhagen Career portal, Bizkaia Talent, Jobs in Helsinki, Berlin Partner.

⁴⁰ Regulation (EU) No 492/2011 of the European Parliament and of the Council of 5 April 2011 on freedom of movement for workers within the Union Text with EEA relevance (OJ L 141, 27.5.2011, p. 1).

In 2012, the Commission adopted an implementing Decision⁴¹ that reinforced the role of the EURES network, as the main support of this clearance. The EURES Charter, in its consolidated version, offers guidance and technical standards for the implementation of the abovementioned Regulation and Decision.⁴² Revised in 2016, the EURES Regulation (still in force) fosters better matching between labour supply and demand and modernises the EURES network. More concretely, **it establishes a common IT platform with automated matching between CVs and job vacancies**, interoperability between national systems and the European classification (ESCO) and provides workers and employers (free or charge or at reasonable cost) assistance and support services. Additionally, EURES provides to intra-EU labour migrants “post-placement assistance” to prevent exploitation of workers and ensure decent working conditions.

Behind the EURES platform lies a human network of more than 900 “EURES advisers”. These trained specialists provide assistance, information, guidance and placement to job seekers and employers across Europe on a daily basis. They work either within the PES of each Member country or within other “partner organisations” in the EURES network. The growing number of staff involved in EURES services shows how much **human management** is needed for the proper functioning of the online Job Mobility portal.

Option 1: Expanding the scope of EURES

As explicitly stated in the EURES Charter and in recital 4 of the EURES Regulation, **only citizens of the Union “who have a right to take up an activity as a worker”**, as well as their family members, can benefit from the assistance and the mobility services offered by EURES. The term “workers” refers to individuals who have the right to exercise, or benefit from, the freedom of movement of workers as enshrined in Article 45 TFEU. Legally residing third-country nationals may exceptionally fall into this category if, in accordance with national and EU law, they benefit from free movement when they exercise an economic activity. Some categories of non-EU/EEA citizens benefit from equal treatment with nationals of the host Member States through specific European or national rules (e.g. long-term residents, EU citizens’ family members) and, theoretically, are entitled to work in another Member State.⁴³ **Third-country nationals who do not have such rights fall therefore out of the scope of the EURES Regulation.** Until 2020, the EURES Portal was not configured to exclude third-country nationals without work rights from submitting their profile; this function was added and the profiles of such job seekers were purged from the rolls in 2020. While it is no longer possible for such job seekers to register with EURES and benefit from matching, it is still possible for unregistered users to search vacancies manually.

EURES is the result of a solid and highly harmonized legal framework.⁴⁴ It introduces concrete obligations for Member States as well as for EEA countries. The European provisions are also legally binding for the European Commission, National Coordination offices, each PES or any other organisations who joined

⁴¹ Commission Implementing Decision 2012/733/EU of 26 November 2012 implementing Regulation (EU) No 492/2011 of the European Parliament and of the Council as regards the clearance of vacancies and applications for employment and the re-establishment of EURES (OJ L 328, 28.11.2012, p. 21).

⁴² EURES Charter (consolidated version as published in Official Journal C 311 of 16.11.2010, p. 6).

⁴³ This is however without prejudice to the rules governing the access of third-country nationals to national labour markets.

⁴⁴ Besides the abovementioned legal acts, between 2017 and 2018 the Commission adopted six implementing decisions addressing specific legal entities related to the Regulation (EU) 2016/589 on EURES, worker’s access to mobility services and the further integration of labour markets. See for instance, the Commission Implementing Decision (EU) 2018/1021 of 18 July 2018 on the adoption of technical standards and formats necessary for the operation of the automated matching through the common IT platform using the European classification and the interoperability between national systems and the European classification. The Regulation, which is now the main reference document, follows on from previous legal binding acts, which made up the EURES legal basis, along with a Charter and dedicated guidelines for 2010-2013.

EURES. This is mainly because the EU action is justified here to pursue the effective functioning of the internal market and to abolish any obstacle to the free movement of workers, as set out in the TFEU. In this area, Article 46 TFEU allows for the adoption of legally binding regulations or directives under the ordinary legislative procedure.

As providing third-country nationals a common set of support services through a job-matching platform is not the primary mission of EURES, its scope of application should be extended to include them as beneficiaries. Substantial changes should be made to the EURES legal framework, since it would no longer fit with the primary objective of achieving the completion of the internal market. In such a case, article 48 TFEU would no longer be an appropriate legal basis. Similarly to other instruments, a distinct regulation extending EURES to third-country nationals could be adopted pursuant to Article 79(2) TFEU.⁴⁵ A more flexible approach would be to duplicate the EURES platform in parallel, with certain vacancies transferred through a protocol from the EURES job portal to the Talent Pool. But any involvement of EURES would also require agreement with national PES, many of which do not address third-country nationals abroad.

While enhancing intra-EU mobility is not the Talent Pool's primary objective, a first step could be to widen the access to EURES through a greater **alignment of the rights of third-country nationals already residing in the EU with those of EU nationals**⁴⁶, which would implicitly expand the personal scope of EURES to broader categories of third-country nationals. This could be achieved either through a revision of the relevant Directives in the field of labour migration with regard to equal treatment or by extending the personal scope of Article 1(1) of Regulation (EU) 492/2011 on the free movement of workers.⁴⁷ This would only affect the eligibility of TCNs already legally resident in the EU, although it could potentially extend coverage to TCNs legally resident but without work rights.

In parallel, in order to facilitate their intra-EU mobility, a broader interpretation could be given to the principle of "Community preference", as suggested in 2005 by the Commission in its Green Paper on an EU approach to managing economic migration (European Commission, 2005^[12]). Although non-legally binding as such, the 1994 Council resolution (in which this principle is defined) could be amended to include not only the third-country nationals *lawfully resident on a permanent basis* in the Member State of employment but more generally all third-country nationals already present in the territory.⁴⁸ Going even further, preference could be granted to third-country nationals residing in a Member State *different from the one where the labour shortage arises*⁴⁹. This approach would contribute to support PES efforts in administering and implementing labour market tests, and more broadly, to strengthen the "coordinated strategy" for promoting labour markets responsive to economic changes, as set out in the Treaties.

Option 2: A new common IT platform designed for third-country nationals for labour migration management purposes

If not on EURES, on what grounds would a job mobility portal, primarily designed for third-country nationals outside the EU, be created? The legal implications would vary according to the platform's objectives, functioning and key features. If the Talent Pool amounts to a mandatory network, with obligations for Member States to exchange information on labour migration, enhance interoperability, clear job vacancies for TCNs and provide minimum support services to users, one possibility is for the EU to adopt measures

⁴⁵ See for instance Regulation (EU) 1231/2010 of the European Parliament and the Council of 24 November 2010 extending Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009 to nationals of third countries who are not already covered by these Regulations solely on the ground of their nationality.

⁴⁶ See in this regard (Navarra and Fernandes, 2021^[23]), policy option 4a, Sept. 2021.

⁴⁷ I.e. opening to "*right to take up available employment in the territory of another Member State with the same priority as nationals of that State*" to all third-country nationals already residing in the EU, and not only to the ones who already have the right to work in another EU/EEA country.

⁴⁸ "Permanence" is not defined in the 1994 Resolution. The definition precedes the Long Term Residents Directive.

⁴⁹ For an in-depth analysis of the Community Preference Principle, see (Robin-Olivier, 2016^[6]).

in accordance with Article 79 TFEU, as stated above, advocating for the need of a new instrument “aimed at ensuring, at all stages, the efficient management of migration flows”. Bearing the legal constraints in mind (e.g. the right of each Member State to determine volumes of admission of non-EU workers on their territory) and provided that its action complies with the principle of subsidiarity, nothing prevents the EU from acting in accordance with the ordinary legislative procedure, clearly defining the aim, the role, the functionalities and the governance of the EU Talent Pool.

Alternatively, Article 74 TFEU which gives the Council competence to adopt measures to ensure administrative cooperation between the relevant departments of the Member States (in the area of freedom, security and justice) as well as between those departments and the Commission, might be considered as a relevant legal ground. The Council decision of 14 May 2008, establishing the European Migration Network (EMN), has been adopted on this basis. Among its tasks, the EMN runs an internet-based information exchange system and provide on-going support to the EU Immigration Portal. However, it remains unclear whether such a Council decision (even subject to a targeted revision) would be sufficient to set up and host a Talent Pool with advanced features such as pre-vetted vacancies or a job-matching component.

Option 3: An optional EU job matching tool initiated and supported by the EU PES Network

In a more flexible way, a distinct job mobility portal could also be **initiated by the EURES PES Network, on a cooperative and voluntary basis**. Established by Decision 573/2014/EU, the enhanced cooperation between Public Employment Services at the EU level primarily focuses on employment policies and, only incidentally, on the free movement of workers.⁵⁰ In this regard, as laid out in Article 3, the PES network supports and encourages, within the area of PES responsibility:

“(c) the better functioning of the labour markets in the EU; (d) the identification of skills shortages and the provision of information on their extent and location, as well as the better matching of the skills of job seekers with the needs of employers; (e) the better integration of the labour markets; (f) the increased voluntary and occupational mobility on a fair basis to meet specific labour market needs”.

In performing these non-cumulative tasks, especially (d) and (e), the European PES Network could possibly play a greater role in facilitating the recruitment of skilled third-country nationals by EU employers, by means of (existing or newly-created) inclusive matching tools and mechanisms. This could possibly be achieved without revising the establishing Decision although, unlike EURES, no clearance of job vacancies/applications or development of common support services could be expected or required from national PES on this basis.⁵¹ Furthermore, relying only on national PES might indirectly undermine the Talent Pool’s main objective (i.e. attract foreign “talents” and highly skilled profiles) while the PES clientele in most countries mainly consists of low-skilled or mid-skilled jobseekers,

More fundamentally, any introduction of an EU-level initiative to recruit TCNs from outside the EU would have to have **an “institutional” home in the Commission and be properly managed by a competent European entity**. The institutional home would mainly depend on the legal basis of the platform.

Would the European Labour Authority (ELA) be able to perform this task? This is questionable in view of its current mandate. Since 2021, ELA coordinates the EURES network.⁵² EURES and ELA share a common mission: ensuring that workers’ rights are recognised, when they move to another EU/EEA

⁵⁰ Decision No 573/2014/EU of the European Parliament and of the Council of 15 May 2014 on enhanced cooperation between Public Employment Services (PES) (OJ L 159, 28.5.2014, p. 32–39).

⁵¹ The use of such ad hoc platform would be optional, like for the updated EU skills profile tool for third country nationals. National PES which are entitled or willing to engage in international recruitment of skilled workers would be the beneficiaries of the platform.

⁵² The Commission remains competent for the political steering of the EURES network, including legislation, reporting, evaluation and grant management.

country and alleviating the barriers for recruitment between these countries. In parallel, ELA performs other activities (e.g. cross-border cooperation with regard to undeclared work, support of digital and technical innovative solutions, carry out labour market analysis and risk assessment etc.) likely to strengthen EURES. Compared to EURES, Recital 13 of the ELA Regulation defines more precisely its personal scope of application: besides EU citizens, the Authority should cover “third country-nationals who are legally resident in the Union, *such as* posted workers, long-term residents, intra-corporate transferees, as well as their family members, in accordance with EU law regulating their intra-EU mobility”.

Having regard to these elements, **a coordination by ELA of a new version of EURES, for other third-country nationals**, would require a revision in its mandate substantially extending its material and personal scope.

Option 4: EU mapping of current PES cooperation and initiatives in the field of international recruitment

Instead of creating its own Talent Pool, the EU could create a hub collecting and sharing information on all Member State bilateral and multilateral talent recruitment initiatives. In fact, many PES of Member States already actively engage in alleviating skills shortages through foreign talent recruitment on a bilateral or multilateral basis. Surveyed in 2020, most – but not all – responding European PES reported to be entitled, legally or institutionally, to engage in the recruitment of high-skilled workers in third countries.⁵³ Therefore, instead of creating a single job matching platform, the EU could provide visibility and access to matching platforms and tools created by national PES in collaboration with other actors (employers, and employers’ organisations, private employment agencies, Universities, migrations authorities etc.) at national level, and in even in some cases, with PES and authorities of other Member States and/or third-countries.⁵⁴

The level and intensity of these agreements and networks vary from loose forms of cooperation (exchange of information, share of good practices, regular meetings and discussions on topics of mutual interest) to tighter partnerships involving commitment, responsibilities and joint decisions, based on a formal (but not necessarily legally-binding) agreement.⁵⁵ On a bilateral basis, some PES from Member States work closely with PES and authorities of sending countries when (or before) recruiting potential candidates.⁵⁶

Under this option, the Talent Pool would be limited to **mapping and supporting existing partnerships and initiatives**, within and outside the European area. This option could be realised through a mere tender or through a programme similar to Erasmus Mundus, with a network and potentially additional funding to support the development of these initiatives.

⁵³ (Molnár, Kerekó and Scharle, 2020^[4]) p. 38 (see 5.1.10. Institutional constraints to PES actions). In practice however, limited resources, capacity or policy support may prevent them from developing a real strategy for international mediation outside Europe.

⁵⁴ Regional networks of PES, such as [CPESSEC](#), in South-East Europe, could represent a relevant initiative to include.

⁵⁵ CPESSEC, for instance, is based on operating guidelines, implementing a Protocol of Partnership signed in 2007 by Bosnia & Herzegovina, Bulgaria, Croatia, Macedonia, Montenegro, Romania, Serbia, Slovenia and Turkey. No real obligations derive from it and signatories remain free to “*alter the established procedures by consensus*”. With regard to EURES, some authors also suggested to link the network to the labour market information systems of Public Employment Services in partner countries (to facilitate recruitment) or to extend the EURES portal to third countries, in particular neighbourhood countries in the framework of Mobility Partnerships.

⁵⁶ For example, the BA in Germany and the VDAB in the Belgian region of Flanders.

Option 5: a Talent platform modelled on the EURAXESS network

EURAXESS is another EU-wide initiative aimed at supporting mobility of researchers and career development within Europe and beyond, from which lessons could be learnt, and which may be illustrative of legislative and institutional solutions available to the Talent Pool.

Designed as a comprehensive set of tools, the EURAXESS initiative (launched in 2004 by the Commission as part of the European Research Area) consists of a jobs platform where researchers can find funding and job opportunities offered by hundreds of research institutions across Europe; 650 support centres helping researchers free of charge with a wide range of services facilitating mobility and integration⁵⁷; and 43 national portals providing country-specific information and practical advice on working and living abroad.

Unlike EURES, **EURAXESS is also accessible to third country nationals**. Pursuant to Article 165 TFEU, the Commission adopted a Recommendation establishing a European Charter for researchers, alongside a Code of Conduct for their recruitment.⁵⁸ In the fields of Education and Training, the EU competence is indeed more limited, confined to support actions and incentives measures, and excluding any harmonisation of the laws and regulations of the Member States. Whereas EURES is legally binding for all Member countries, explicitly requiring their active participation (contributing to the pool of job vacancies, job applications and CVs, providing support services to job seekers and employers, designate national contact points, exchanging information on mobility flows and labour shortages etc.), the EURAXESS Network works more as a “cooperative instrument”.⁵⁹

The 2005 Recommendation provides Member States, employers, funders (i.e. Universities, private companies, research centres) and, of course, researchers, with a valuable “global support tool” to “undertake, on voluntary basis, further initiatives for the improvement and consolidation of researchers’ career prospects in the European Union and for the creation of an open labour market for researchers”.⁶⁰ By signing the Charter and the Code, organisations employing or funding researchers voluntarily commit to implementing the common objectives outlined in both documents. The areas covered include recognition of qualifications, career development, value of mobility, recruitment principles and selection criteria. With 200 000 registered members, 11 900 job positions available and 19 644 undersigning universities and organisations (against 900 in 2008), EURAXESS can be seen as a successful pan-European initiative.⁶¹

Over the past 18 years, the EURAXESS network has gradually expanded to non-EU countries and regional organisations (ASEAN, Australia, New Zealand, Latin America and the Caribbean, China, India, Japan, Korea and North America). It contains a wide range of functionalities, similar to what an EU Talent Pool might include: bringing together job vacancies, EU and non-EU third-country nationals entitled to create a profile or upload a CV; providing personalized assistance and country-specific information about moving,

⁵⁷ EURAXESS centres provide free individual assistance, guide researchers in their choices and hands-on help with paperwork but without formally interfering within the administrative processes conducted by public authorities and decision-makers.

⁵⁸ Commission Recommendation of 11 March 2005 on the European Charter for Researchers and on a Code of Conduct for the Recruitment of Researchers (OJ L 75, 22.3.2005, p. 67–77).

⁵⁹ The EURAXESS network was first established through an EC call for a network of Mobility Centres. When the initial grant period ended, some countries voluntarily continued to support the Centres with direct funding, while others maintained the service by allocating staff on a part-time basis. These Centres then evolved into the current EURAXESS services network.

⁶⁰ Commission Recommendation of 11 March 2005 on the European Charter for Researchers and on a Code of Conduct for the Recruitment of Researchers, Recital 17.

⁶¹ Although there is limited pre-screening of candidates (i.e. researchers can freely register on the portal without any check or control) and no proactive matching.

living and working conditions, outreach and promoting campaigns worldwide; focusing on a specific sector/professional area.⁶²

An EU Talent Pool with features comparable to EURAXESS could therefore be rooted in a cooperative framework meant to achieve certain ends related to migration and/or employment policies, without imposing any mandatory legal framework. In the case of EURAXESS, there is no other commitment from participating Member States but signing a Declaration of Commitment (DoC) to officially join the network managed by DG RTD, and benefit from its advantages (visibility, training materials, events, workshops etc.) on a flexible and voluntary basis. Personal data related to the EURAXESS account (including mandatory and optional information) are collected and stored (for up to 5 years) in the European Commission/service provider's data centre in the EU. Within the current framework, EURAXESS users are entitled to register, create and update their CVs and profiles, and make them visible/searchable to registered partners or employers.

Option 6: A distinct pool of eligible vacancies

Whether it is decided to “replicate” an existing model or to create a new one, vacancies collected on the EU platform could either be actively posted by users or automatically extracted or scraped from existing vacancy databases, public or private. Either way, most scenarios in which the Talent Pool brings added value through posting vacancies require that it post **only vacancies which comply with Member States' eligibility** for use of labour migration channels.

One means to do this is to create a platform which collects vacancies which are eligible for international recruitment based on meeting national requirements including requirements of national schemes (e.g., salary thresholds (if any), occupational skill thresholds, language knowledge etc.) and satisfaction of applicable labour market test (LMT).⁶³ Filtering these, or vacancies scraped from national listings, would require assessing each vacancy for general eligibility to recruitment. Since conditions vary not only by job characteristic but also by employer (in cases where employers may be authorised), defining such an-EU wide list of **“eligible vacancies”** would require the involvement of competent national authorities (either through detailed and accurate information sharing or systematic validation). This might be simple enough with key actors (e.g., labour offices, PES already posting the vacancy for a LMT in MS where their mandate allows them to support international recruitment), but less so if other intermediaries unfamiliar or uninterested in eligibility requirements are involved. If such concerns were addressed, vacancies meeting national requirements could be posted on the Talent Pool for consultation by potential migrants.

An EU action in this field would probably be part of the DG EMPL strategy to address skills and occupation shortages. It could also be part of a broader initiative aimed at boosting economic growth and innovation at the EU level. Either way, for this pool of vacancies to be efficient and in line with the EU's competence, it should be limited to collecting filtered vacancies based **either on filters that Member States would be required to provide**, or collecting **vacancies submitted by Member States specifically to the Talent Pool** on the basis of their eligibility for labour migration under national criteria. The Talent Pool could publish these vacancies also provided that employers have given prior consent or at least haven't objected to their publication.

Regardless of a distinct pool of vacancies, employers, recruiters and any other actor should be able to access and consult profiles in the pool under certain conditions. Access to the pool of candidates could either be granted/authorised on a case-by-case basis by each Member State in accordance with national

⁶² In its current form, the EURAXESS platform also targets entrepreneurs and start-up founders. An EU dedicated study on the implementation of EURAXESS is ongoing, aimed at revamping the Charter and Code towards a new ERA Talent Platform.

⁶³ In practice however, more than half of the EU Member States exempt high-skilled migrants (as defined under national criteria) from such a requirement (Molnár, Krekó and Scharle, 2020^[4]).

requirements or be subject to the endorsement of standards and principles contained in a non-legally binding Charter of Code of Conduct on fair and ethical international recruitment enacted at the EU level.

Table 4.3. EU job matching component – building on existing platforms. Policy options

Option	Description	Legal changes required	(Legislative) process
1	<i>EURES extended to all legally residing third country nationals (including the ones who do not have yet the right to work in another MS)</i>	Revision of several legal acts in the field of free movement of workers + (poss.) revision of 1994 Council resolution	Ordinary legislative procedure for legally binding acts only (Council resolutions are political acts).
2	<i>A distinct legally binding act for TCNs (not covered by EURES) providing concrete obligations (exchange of information, vacancies and job applications)</i>	<ul style="list-style-type: none"> • Directive or Regulation based on Art. 79 TFEU • Or Revision of the EMN Council decision (developing and coordinating the TP as an additional task) 	<p>Ordinary legislative procedure in accordance with Art. 294 TFEU⁶⁴ + poss. implementing or delegated acts.</p> <p>Procedure in accordance with Article 74-76 TFEU.</p>
3	<i>An optional EU job matching tool for third country nationals initiated or supported by the EU PES Network (simple form with no clearance of vacancies or common support services)</i>	<ul style="list-style-type: none"> • Soft-law pursuant to Art. 292 TFEU • Poss. revision of the EU PES Decision; • Poss. Revision of the ELA mandate (if managing entity of a newly-created job matching platform) 	<p>No legislative process.</p> <p>Ordinary legislative procedure in accordance with Art. 294 TFEU.</p>
4	<i>An EU mapping tool of PES cooperation framework and initiatives in the field of international recruitment</i>	N/A (dedicated programme or EU funded action as part of the employment policy)	No legislative process.
5	<i>Replicate the EURAXESS network for (highly-) skilled foreign professionals</i>	<ul style="list-style-type: none"> • Recommendation providing for a Charter, guiding principles and/or a Code of Conduct for employers and recruiters. 	<ul style="list-style-type: none"> • No legislative process • Non-binding framework – cooperation of MS and third countries on a voluntary basis • Signing process and DoC • GDPR compliance (privacy statement)
6	<i>A (separate) pool of eligible vacancies</i>	N/A	No legislative process but compliance with MS LMTs system + consent of employers needed.

4.2.3. Block 3 - A Talent Attraction Portal providing Guidance and Information

An online portal with customised information could be another “building block” of the Talent Pool. To do so, the existing **EU Immigration Portal**, under the responsibility of DG HOME, could be upgraded and modernised (Table 4.4).

⁶⁴ Joint adoption by the European Parliament and the Council on the basis of a proposal from the Commission.

Since it is a communication tool, this portal is not based on a legal act. According to the EMN multiannual work programme, all EMN National Contact Points may be requested by the Commission to verify that the content for their Member State on the Immigration Portal website is correct, reliable and up-to-date and inform those responsible for updating the portal on any changes that may be required.

The EU Talent Pool could incorporate and **modernise the existing Immigration Portal**. Functionalities could also be inspired by Member States' initiatives and good practices (see 2.2.6). Information could either be directly or indirectly provided, through hyperlinks and references to national or regional web-portals. However, in order to ensure the accuracy of the Portal, Member States should be required to provide full, updated and clear country-specific information on a regulatory basis. One solution for this is for the EU to adopt a Regulation comparable to the 2007 Regulation on immigration statistics, establishing clear and common rules for the **collection and compilation of information on immigration rules** at national level.⁶⁵ Another possibility could be to strengthen the tasks of the European Migration Network (EMN) national contact points to include this ongoing update⁶⁶, or to create a new similar network funded expressly to ensure accurate and detailed information.

Table 4.4. EU Talent Portal - Assessment of the policy options

Option	Description	Legal changes required	(Legislative) process
1	EU Immigration Portal upgraded and modernised – <i>with no legally-binding effects</i>	N/A (communication tool)	N/A
2	EU Immigration Portal upgraded and modernised – <i>with legal obligations for MS to update and provide standards information</i>	EU measure possibly adopted on Article 74 TFEU (administrative cooperation between MS and the Commission) or targeted revision of EMN Decision, requiring NCP to provide specific information and data in an interoperable format	Commission proposal endorsed by the Council after consulting the EP. Ordinary legislative procedure in accordance with Art. 294 TFEU.

4.2.4. Further options to explore

Option 1: A supply-driven component?

Unlike existing EoI systems in non-EU OECD countries, none of the pre-identified scenarios for the development of the EU-wide Talent Pool foresee a supply-driven component. In other words, in no scenario does the Talent Pool serve as the decision-making mechanism for authorisation of entry and stay of a third-country national in the absence of a job offer. **Primarily serving demand-driven labour migration systems of EU Member States, all the scenarios presented presume a job offer or employer sponsorship** as a condition at least to contemplate admission. While some Member States (e.g. Germany, Netherlands and Norway) currently issue temporary **job search visas** to highly skilled migrants for very specific professions,⁶⁷ an **attempt at European harmonisation** of such practices (through specifying the grounds for issuance of a Schengen visa) is not considered by the Commission in scenarios identified in the feasibility study. Annual quotas of visas or permits issued by Member States to candidates,

⁶⁵ (EC) No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community statistics on migration and international protection and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers (Text with EEA relevance) (OJ L 199, 31.7.2007, p. 23–29).

⁶⁶ Council Decision (2008/381/EC) of 14 May 2008 establishing a European Migration Network (OJ L 131, 21.5.2008, p. 7–12), Art. 5 and/or by revising the corresponding EMN work programme.

⁶⁷ (Molnár, Krekó and Scharle, 2020_[4]).

automatically selected from the Talent Pool, as suggested in the OECD 2019 study, would also require changes in national migration laws and regulations.

The EU could however encourage Member States **to follow the same approach as for the admission of students and researchers within the EU**. While an application for a residence permit is usually not admitted for third-country nationals holding a Schengen visa, the Directive (EU) 2016/801 introduces an optional derogation according to which, a Member State may accept, in accordance with its national law, an application lodged by a foreign student or researcher who is not in possession of a valid residence permit or long-stay visa but is legally present in its territory. This optional derogation could also apply to Talent Pool candidates.

Schengen visa holders (as well as exempted third-country nationals present in the EU for a short-stay) could be **allowed to register – if meeting eligibility requirements – in the Talent Pool** and be visible to potential employers “as already in the EU and eligible for in-country employment”. Member States could derogate and allow individuals included in the TP and holding a visa to start employment without returning to the country of origin. This derogation would be an “Opt-In”.

Citizens from 62 countries (including OECD countries) can enter the Schengen area without a Schengen visa. For the third-country nationals subject to a Schengen visa, the abovementioned “optional derogation” could be limited to travellers holding a business visitor visa for any Schengen country.⁶⁸ This possibility offered to potential recruits, would carry limited risk in terms of security or irregular migration.⁶⁹

Option 2: A link with labour migration schemes?

Substantial added value of an EU Talent Pool would arise from involving immigration authorities, at some point, in the process, in order to facilitate the submission and processing of applications. In this respect, several options may be considered (Table 4.5). Other key actors, such as business and investment agencies could also be involved. Indeed, in many Member State business and investment agencies provide **fast-track programmes or flagging procedures for international hiring**, usually initiated by employers, through recognised sponsor schemes or on an individual basis.⁷⁰

The EU Talent pool aims to **support the current legal and policy migration framework**. It is not intended to create additional legal pathways for skilled/highly skilled third-country nationals. The Talent Pool cannot ensure automatic issuance of visas or permits as Member States remain competent to admit labour migrants on their territory. Despite these legal constraints, there is a range of intermediate possibilities for the EU to consider, from legally binding instruments to minimum standards and soft-law coordination.

One option would have been to **link formally the Talent Pool to the EU Blue Card scheme** (e.g. requiring the use of the pool as a necessary first step and/or processing in priority applications from “pool-selected” candidates). The Commission, for political and legal reasons, has discarded this option, as it would require revising the Blue Card Directive once again in an extremely short period of time.

⁶⁸ Broadly interpreted, the business trip to be proved by any “documents which show the existence of trade relations or relations for work purposes” (Annex II, *non-exhaustive list of supported documents*) could also be attested by letters of intent or invitations issued by interested potential employers (interviews, on-site visits of the premises etc.)

⁶⁹ As it would exclude travellers holding a Schengen visa for tourism or family purposes, the Member State of first entry, issuing the business trip visa, would become a gatekeeper. This is also without prejudice to the competence of Member State to admit, or not, these third-country nationals in the first place, or to grant, them, subsequently, a long-stay permit for employment purposes. Additionally, digital application tools and platforms established or foreseen in many Member States might allow greater flexibility in setting up this option, while ensuring appropriate security safeguards.

⁷⁰ E.g. CzechInvest, French-tech visas for start-up employees, Talent Boost (Business Finland) or the Danish Agency for international recruitment and integration (SIRI).

A second option is to **link the Talent Pool to all EU/national migration schemes** opened to (highly-)skilled workers. In addition to the EU Blue Card scheme (now implemented in most Member States), several countries have long-standing specific procedures for admission of (highly) qualified migrants which are faster or simpler than procedures for migrant workers in less qualified occupations.⁷¹ Other Member States have more recently introduced preferential measures to simplify procedures for highly skilled migration. The EU could act on basis of Article 79, 2(a) TFEU, **requiring from Member States** fast-track or simplified migration procedures for candidates who successfully made use of the Talent Pool. This would imply a certain level of harmonisation among Member States' regulations and practices (and, for most of them, significant legal changes).

Alternatively, the EU action in this field could be limited to **(minimum) standards with regard to application fields and forms**. With the view of simplifying further migration procedures, the EU could require the use of “comparable”, clear and legible forms across the EU. Minimum standards (e.g. limited number of fields, or of supporting documents, common EU glossary, available English version etc.) could only apply to long-stay visas (when required), residence/work permits or both. Council regulation (EC) No 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals could be an adequate model or vehicle to do so. Legal changes implied by these EU requirements would be less substantial than in the previous options, as visas and permits application forms are usually governed by secondary legislation or administrative acts. Increasing digitalisation of procedures could also greatly facilitate this process.

Another possibility, related to the standardisation and taking advantage of digitalisation processes underway, could be to **extract and share, to a certain extent and under specific conditions, documents, data and information** provided by the candidate when entering and using the Talent Pool. Migration authorities would be able to receive, or access and retrieve, documents uploaded on the EU Talent Pool platform, as relevant for administrative procedures (e.g. travel documents, ID pictures, birth certificates, health insurance, job offers or contracts, diplomas and associated equivalency or notification certificates). Transfer of data and files between EU and migration authorities would avoid duplication and additional paperwork for users, especially the employers who are often responsible for lodging permits requests. While timesaving and likely useful, this option would raise a certain number of legal and technical issues (interoperability of databases, RGPD compliance, accreditation of staff etc.).

Table 4.5. Linking the Talent Pool with labour migration – Policy options

Option	Description	Legal changes required	Length/intensity of the process
1	<i>Formal link between the TP and corresponding EU/national migration schemes, requiring fast-track processing of TP applicants</i>	<ul style="list-style-type: none"> Legally binding act (Directive or Regulation) based on Art. 79, 2 (a) TFEU substantial legal changes in national laws 	Ordinary legislative procedure.
2	<i>Standardisation of field and forms (visa and/or permits application forms)</i>	<ul style="list-style-type: none"> Targeted revision of Regulation 1030/2002 or similar legal act. +format changes of national laws/administrative acts. 	Ordinary legislative procedure.
3	<i>Data transfer and documents export from the TP to national authorities</i>	To be defined. Interoperability and compliance with RGPD should be ensured.	

⁷¹ DE, FR, NL, ES, AT, CZ.

Option 3: A sectoral and/or country-based approach (scenarios 2 and 2b)?

Scenarios 2 and 2b of the Talent Pool would add specific features to the above mentioned “building blocks”. The Talent Pool, which under scenario 1, is generic and country-agnostic, would here more particularly focus on a specific sector (facing serious shortages within the EU) and/or strategic partners in third-countries.

At national level, several Member States have concluded bilateral agreements or developed **assisted recruitment programmes**, initially to support recruitment and/or temporary migration of low/medium skilled workers from specific third countries. More recently, these schemes are increasingly used in some Member States **for recruiting high-skilled migrants**, including in regulated professions.⁷² The European Commission supported the launch of a number of pilot projects for international mobility starting in 2019. In June 2021, the Commission launched a new initiative to address EU skills shortages and improve migration cooperation with partner countries. These “**Talent Partnerships**” follow on the MPF funded pilot projects, with the aim of reinforcing legal migration channels from countries such as Egypt, Moldova, Morocco, Nigeria, Senegal, and Tunisia.

As it involves non-EU actors, not subject to EU laws and nonetheless participating in pre-selection processes, scenario 2b might raise additional legal challenges. Depending on the objectives and the identified third-country partners, a Talent Pool and/or a job matching platform built on existing partnerships or bilateral agreements may also have a different institutional location. If the main purpose of the partnership is to ensure development co-operation, eradicate poverty and promote security and stability in the country or region concerned, then (co-)management of DG INTPA might be considered. If the countries targeted for labour mobility partnerships are part of the European Neighbourhood then DG NEAR could also be involved. This may be especially relevant when mobility partnerships contemplate a significant part of the Talent Pool remaining in, or returning to, the country of origin rather than being employed in the EU.

Option 4: Assessment/recognition of foreign qualifications

The main legal issue raised by linking such initiatives to an EU-wide Talent Pool lies in the **recognition of foreign qualifications**, especially if the sector of focus is regulated at national level (e.g. healthcare).

At present, the EU lacks a comprehensive framework for the assessment and the recognition of foreign professional qualifications. Yet different measures could be adopted to further increase the convergence between national recognition/assessment practices (Table 4.6).

The 2005 Recognition of Professional Qualifications Directive (PQD)⁷³ facilitates recognition of qualifications but only among EU and EEA countries. Recognition is limited to regulated professions (doctors, nurses, architects, midwives, teachers, translators etc.) and does not cover non-EU qualifications, except for those already recognised in another EU/EEA country when their holder has worked at least three years in the other EU/EEA country. Third-country nationals who enjoy equal treatment with nationals of the host Member State (family member of EU citizens, long-term residents, Blue Card holders, etc.) benefit from the Directive’s provisions as long as qualifications have been acquired in another EU/EEA

⁷² Examples include the German “Triple Win” Pilot launched in 2013 based on PES/GIZ collaboration with PES of Bosnia-Herzegovina, Philippines, Serbia and Tunisia to (train and) recruit nurses as well as a similar scheme for engineers from the Philippines, Georgia, Tunisia and Vietnam. Another example are the Pilots in Finland (2019) supporting international recruitment of senior specialists in the field of ICT (gaming, imaging) from India, Korea, Russia and Turkey) as well as start-up entrepreneurs from India, Korea, Russia and Ukraine.

⁷³ Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications (*OJ L 255, 30.9.2005, p. 22–142*), amended by Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013 on administration cooperation through the IMI system.

Member State. The other TCNs generally struggle with having their diplomas recognized, both in the Member State of entry and when exercising intra-EU mobility.

Regarding the latter, although the **Directive** is primarily based on free movement of persons, legal adjustments could be made (e.g. Article 3(3)) in order to lower (or even remove) the condition required (i.e. three years of practice) to get foreign professional qualifications recognized by a second Member State.⁷⁴ However, this does not solve the issue of the recognition of foreign qualifications in the first Member State.

As reported in the 2019 Legal Migration Fitness Check,⁷⁵ TCNs face significant barriers in having their qualifications recognized, especially when applying for a job in a Member State where they do not reside. Unlike EU citizens, they must undertake costly and time-consuming recognition processes, often required to fulfil conditions of migration schemes. In the absence of automatic EU-wide recognition of academic diplomas obtained in third countries,⁷⁶ the **Lisbon Recognition Convention** constitutes an important reference framework.⁷⁷

In 2018, the Council adopted a Recommendation in which Member States made a political commitment towards “achieving automatic mutual recognition of higher and upper secondary education qualifications and the outcomes of learning periods abroad” by 2025. This would already be a first step towards automatic recognition of EU qualifications among Member States, possibly paving the way for the recognition of foreign qualifications.⁷⁸

The latest European Added Value Assessment (EAVA) in the area of legal migration explored several policy options to better promote the recognition of third-country nationals’ professional qualifications. Among them, the paper considers the possibility for the EU to adopt **common rules for the recognition of qualifications and skills on a sectoral basis**, as it did in the revision of the EU Blue Card Directive (for the ICT sector). The authors argue that Article 79 and 79(2)(b) TFEU would be a relevant legal basis (governing the rights of third-country nationals residing legally in a Member State) both upon entry and for the purpose of subsequent intra-EU mobility. It also explores the possibility to set up an EU-wide system led by the European Training Foundation and **supported by ENIC-NARIC Network to facilitate the assessment of qualifications obtained in (some) third countries** (e.g. “one-stop shops” for the submission of applications and centralised information). This would not amount, however, to a portability of *recognition* decisions across the EU.

⁷⁴ Extending some of the benefits of the Directive to foreign qualifications would not go against the spirit of the directive that “does not create an obstacle to the possibility of Member States recognising, in accordance with their rules, the professional qualifications acquired outside the territory of the European Union by third country nationals”. Recognition shall however respects minimum training conditions for certain professions. (Rec. 10). The latest EAVA considers that such a revision, leading *de facto* to immediate recognition between Member States, might imply a change of legal basis.

⁷⁵ (European Commission, 2019, p. 57_[2])

⁷⁶ The labour migration directives provide specific provisions on recognition of qualifications for each category. Article 11(1)(c) Directive 2003/109/EC (Long-term residents), Article 14(1)(d) Directive 2009/50/EC (EU Blue Card), Article 12(1)(d) Directive 2011/98/EU (Single Permit), Article 23(1)(h) Directive 2014/36/EU (Seasonal workers), Article 18(2)(b) Directive 2014/66/EU (Intra-corporate transfers), and Article 22(1)(3) and (4) Directive 2016/801/EU (Researchers, students et al).

⁷⁷ The CoE/UNESCO Convention on the recognition of qualifications concerning higher education in the European region, adopted on 8-11 April 1997 and since then ratified by all EU Member States.

⁷⁸ Council Recommendation of 26 November 2018 on promoting automatic mutual recognition of higher education and upper secondary education and training qualifications and the outcomes of learning periods abroad, ST/14081/2018/INIT (OJ C 444, 10.12.2018, p. 1–8).

Alternatively, the Europass framework, which already includes third-country nationals within its scope⁷⁹ may contribute, especially through its **newly digitally-signed credentials initiative**, to greater transparency of skills and foreign qualifications for employment and migration purposes.

Table 4.6. Assessment and recognition of professional foreign qualifications – Policy options

Option	Description	Legal changes required	Length/intensity of the process
1	<i>Enhancing intra-EU mobility: Simplified or faster access to recognition procedures in the second Member State</i>	Targeted revision of the EU PQD	Ordinary legislative ordinary procedure (Art. 294 TFEU)
2	<i>Establishing common rules for the recognition of qualifications and skills on a sectoral basis (other than the ICT) for labour migration purposes</i>	New legal act based on Art. 79(2) TFEU and/or revision of an existing labour migration directive to include specific provisions for defined shortages occupations.	Ordinary legislative ordinary procedure (Article 294 TFEU)
3	<i>Set up an EU-wide system led by the European Training Foundation and supported by ENIC-NARIC Network to facilitate the recognition of qualifications obtained in (some) third countries (one-stop shops, fast-track procedure and/or access to EUROPASS tool).</i>	Poss. a legally binding act (Directive) based on Article 79 or Articles 46, 53 and 62 TFEU (as for EU PQD).	Ordinary legislative ordinary procedure (Article 294 TFEU)

4.3. Conclusions: main findings on adaptability

As described above, the Talent Pool could presumably consist of three “building blocks”, either cumulative or alternative. For each possible building block, the analysis reviews different legislative and institutional solutions.

More fundamentally, there is a cross-cutting issue of situating the Talent Pool within the relevant EU policy area. Immigration and employment are the main domains, but the Talent Pool also extends into the internal market, education and even the EU’s external action. The EU Talent Pool has indeed several objectives: attracting (highly-) qualified workers from abroad; addressing labour market shortages in the EU; and supporting the effective functioning of existing legal labour migration channels. This means that it straddles a number of policy domains falling within different areas of Union competence. When examining the feasibility of each possible building block, the analysis considers the legal consequences stemming from the choice of one legal basis over another.

The first building block of the Talent Pool is **an EU-wide pool of pre-screened third-country national workers**. At present, no such a selective pool exists at the EU level.

- Whereas the **EURES Job mobility portal collects profiles for matching purposes**, it is designed exclusively to foster **free movement of workers and achieve the completion of the internal market**. Using the EURES Mobility Pool for third country nationals with no work rights in any EU Member State would thus be out of the EURES and ELA mandate.

⁷⁹ Decision (EU) 2018/646 of the European Parliament and of the Council of 18 April 2018 on a common framework for the provision of better services for skills and qualifications (Europass) and repealing Decision No 2241/2004/EC (OJ L 112, 2.5.2018, p. 42–50).

- Other tools and platforms, under the EU education policy, are available to third-country nationals (Europass, EURAXESS) but mainly consist of voluntary frameworks, indirectly related to international recruitment.
- From a legal perspective, setting up a new common IT platform comprising a pool of pre-selected third-country nationals (whose profiles and personal data are contained in a centralised database) would presumably require a legal basis. To that end, nothing prevents the EU from acting in the field of legal migration or even education, depending on the selection criteria applied or the overall objectives pursued. In this regard, both the EMN Council decision and the Europass decision provide for a web-based platform respectively collecting information on migration and candidates' profiles or qualifications. For the purpose of legal certainty, a targeted revision of these instruments might be needed to explicitly include the Talent Pool as part of their tasks or mandate.

The second building block of the Talent Pool is a **list of cleared vacancies** and an automated **matching tool**, as within the EURES Mobility Portal.

- Any vacancy (whether posted or automatically extracted) published in the Talent Pool for the purpose of international recruitment should at the very least comply with the principle of community preference. This means that vacancies should meet the relevant national labour market test requirements, if any. Further, vacancies should also be eligible for recruitment of third-country nationals under the legal channels in place in the Member State of employment. This could be easily achieved without a legislative process (e.g. modelled on EURAXESS, where registered members are entitled to publish vacancies for researchers on a voluntary basis).
- In the case where Member States are required to provide support with vacancy clearance for recruitment of third-country nationals or to provide common support services to third-country workers and/or their potential employers in the EU, a legally binding instrument should be adopted (to replicate or extend the EURES model to TCNs). Other options, such as developing an ad hoc job-matching platform for TCNs managed directly by the EU PES network, have been considered without however being further explored due to legal uncertainty and variation across national PES' roles and activities.

The third building block is a "Talent Attraction Portal". The analysis found that a Talent Pool providing bespoke orientation to skilled third-country nationals based on their main characteristics could be part of - or linked to - the existing **EU Immigration Portal** without any legal changes. However, obliging Member States (e.g. through a designated national contact point) to provide minimum services and perform a wider range of activities might possibly require further adjustments to the current EMN legal framework (either by revising its work programme or the Council decision on which it is based).

In addition to these building blocks, the analysis reviewed a number of options, likely to increase the Talent Pool's value.

While formally linking the Talent Pool to existing migration schemes or procedures would require a substantial revision of the current EU labour migration laws, other options have been considered, such as:

- Introducing a European job-search visa (or permit) for eligible Talent Pool candidates or, in a more flexible way, promoting the possibility (e.g. for all Talent pool users already present) to apply for a residence permit within the Member State of employment, once the conditions are met. The former would require an EU legislative process (to revise the Schengen visa Code or further harmonise the labour migration rules); the second, by contrast, would mainly involve adaptations of national legislations.
- For greater clarity and transparency, EU standardisation of application forms for visas/residence permits could be achieved by means of a regulation establishing minimum common standards (based on the model of the uniform format for residence permits for third-country nationals).

Finally, the analysis examined whether the Talent Pool could include an **assessment of the skills and qualifications of candidates**, knowing that there is no current EU-wide framework for assessment or recognitions of skills or qualifications. Integrating self-assessment tools and self-declared skills (e.g. Europass) to the Talent Pool would be “legally costless”. However, if the intention for the Talent Pool was to issue formal statements or skills certificates, perform (pre-) check of authenticity or even recognize professional qualifications, substantial legal changes should be made to the current EU education regulatory framework. These could range from a targeted revision of the Europass decision, a reinforcement of the ENIC-NARIC network’s cooperation to a revision of the EU Directive on the recognition of professional qualifications.

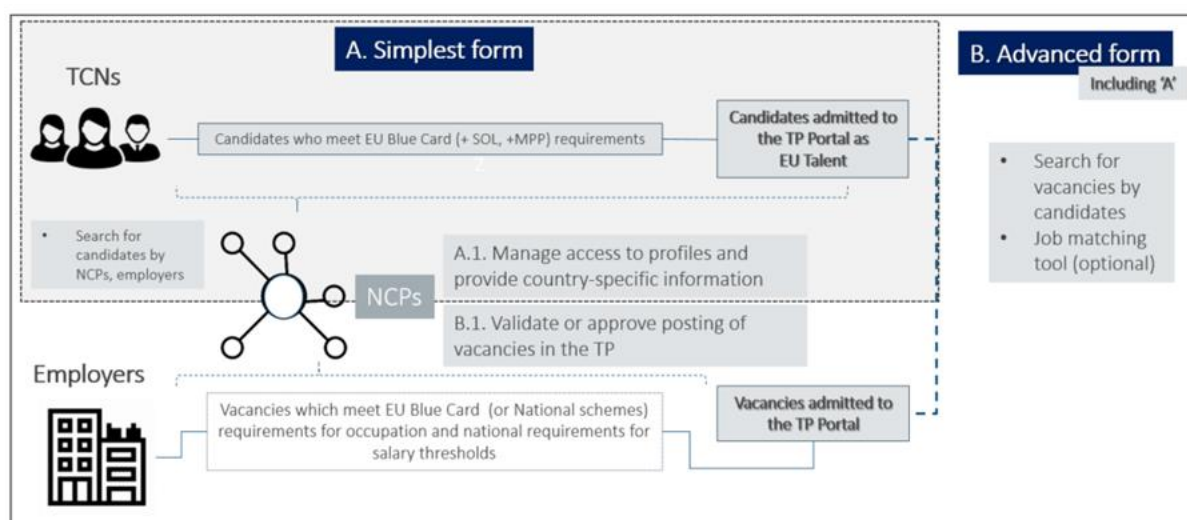
5 Provisional Scenario

From the consultation with different stakeholders and the analysis of the adaptability of the legal framework, a **revised scenario was developed which contains elements of all initial scenarios considered**. The Talent Pool would be complementary and compatible with existing migration schemes and talent initiatives in Member States. It would offer potential candidates and EU employers an additional instrument to engage in international recruitment while receiving clear and reliable information and guidance on migration eligibility.

The Talent Pool requires a repository of profiles of third-country nationals interested in working in the EU, on which a job vacancy and matching component can be added (Figure 5.2). Adding vacancy posting and job matching would greatly increase the added value of the Talent Pool. Even in its simplest form, however, employers would be able to consult profiles, through mediation of a national contact point. In the advanced form, candidates could also consult and apply for vacancies.

Figure 5.1. EU Talent Pool Elements

Base and additional model for the Talent Pool



5.1. Eligibility

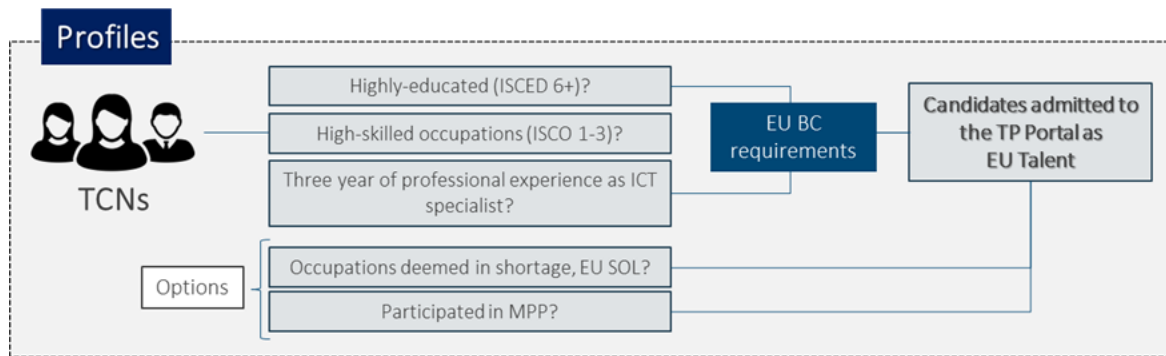
Highly skilled third country-nationals willing to work in the EU may sign up for the Talent Pool provided they meet certain conditions (Figure 5.2). **EU Blue Card requirements** (education and Blue Card occupational derogations for experience) would be the baseline. Two other eligibility conditions could be considered: **shortage occupations at the EU level** and participation in a **labour migration partnership project in the origin country**. An additional possible criteria would be knowledge of an EU language. Eligibility requirements are set at the EU level.

Third-country nationals who do not meet the Talent Pool criteria would not be admitted.

Developing the Talent Pool will take time: initially, the pool will be empty, and only becomes useful once a sufficient number of profiles are included.

Figure 5.2. Requirements to admit candidates in the EU Talent Portal

Different criteria of eligibility for the Talent Pool



5.2. Profile management

For applicants meeting eligibility criteria, registration is automatic. Profiles are stored in the Talent Pool at the EU level. Anyone who satisfies the selection criteria can register and no discretionary assessment is needed. Basic information is sufficient to screen for eligibility (education, occupation, experience) while additional information is necessary for filtering searches (nationality, place of residence, (languages), preferred destinations) (Figure 5.3).

At the initial registration, no documentation or proof of qualification is required. However, to allow users could decide to strengthen their profiles by providing additional information. Users could potentially link to profiles in third-party databases with more detailed information (e.g. LinkedIn) or use existing EU profile platforms to export their profiles into the Talent Pool (Europass). They could also choose to upload supporting documents to assist in matching and selection (see below).

The Talent Pool could also integrate existing and planned self-testing platforms at the EU level for attesting alleged skills and knowledge (language, computer literacy, other soft skills etc.).

Such self-testing platforms aim to attest skills aligned to European standards or the CEFR levels. Candidates who make use of these tools usually receive a summary report of their skills level and in some cases a digital certificate, which could be uploaded as a document into the Talent Pool profile. Certificates do not represent recognition, but certification of specific skills has the merit of strengthening candidates' profiles and increasing matching opportunities. To draw on current self-assessment tools, the Talent Pool could for instance use the Europass Digital skills self-assessment tools. For language certification, there is a wide range of existing language examinations offered by accredited test providers but no EU-level self-testing platform or EU-wide accreditation of private tests. The Talent Pool may allow users to upload such language certificates, but without guarantee of their authenticity or value.

Figure 5.3. Information requested to set up profile

Possible fields for initial enrolment

Information

1. Basic information stage	2. About interest to EU	4. EU Talented Candidate Filters stage
First Name* <input type="text"/> Last Name* <input type="text"/> Email* <input type="text"/> Date of Birth* <input type="text"/> <input type="text"/> <input type="text"/> Gender* <input type="radio"/> Female <input type="radio"/> Male Citizenship on your passport* <input type="text"/> Country where you live* <input type="text"/>	In which EU countries are you interested? <input type="checkbox"/> Austria <input type="checkbox"/> Germany <input type="checkbox"/> Poland <input type="checkbox"/> Belgium <input type="checkbox"/> Greece <input type="checkbox"/> Portugal <input type="checkbox"/> Bulgaria <input type="checkbox"/> Hungary <input type="checkbox"/> Romania <input type="checkbox"/> Croatia <input type="checkbox"/> Ireland <input type="checkbox"/> Slovakia <input type="checkbox"/> Cyprus <input type="checkbox"/> Italy <input type="checkbox"/> Slovenia <input type="checkbox"/> Czech Republic <input type="checkbox"/> Latvia <input type="checkbox"/> Spain <input type="checkbox"/> Denmark <input type="checkbox"/> Lithuania <input type="checkbox"/> Sweden <input type="checkbox"/> Finland <input type="checkbox"/> Luxembourg <input type="checkbox"/> All countries <input type="checkbox"/> France <input type="checkbox"/> Netherlands	What is the maximum level of education attained? <input type="text" value="Master"/> What is your main occupation? <input type="text" value="Nursing professionals"/> How many years of experience can you certify on the role mentioned above?* <input type="text" value="5 years of experience"/>
	3. Language What language(s) do you know? <input type="text" value="English"/> What level in this language in the Common European Framework (CEF)?* <input type="text" value="A1"/>	Have you participated in a Migration Partnership Project? <input type="text" value="Yes"/> Select the country and MPP you participated to: Country <input type="text" value="Azerbaijan"/> MPP <input type="text" value="MOBILAZE 2"/>

Note: Fields and interface are purely indicative and should not be taken as the final user interface or selection of fields.

Profiles would remain active for a fixed period (either 6 or 12 months) and would expire unless renewed. In a stricter version, users still in the system after 6 or 12 months would have to upgrade their profile with more evidence in order to renew it.

Compliance with the General Data Protection Regulation (GDPR) would be managed similarly to any other web-based platform (e.g. Europass, EURAXESS and EURES). As for any tool processing personal data, the European Commission (and more particularly the DG or Unit designated as “Data controller”) shall release an online privacy statement explaining the reason for the processing as well as the way personal data are collected, handled and protected by the institution. Such a commitment would apply regardless of the type of act or legal basis on which the Talent Pool is based, Users would be able to provide different forms of consent, access to their personal data and even opt in/out of having their profiles accessible to other users, partners or employers. User may tick boxes under various profile sections, indicating which personal information to hide or disclose.

5.3. Employer access and posting of vacancies

The Talent Pool relies on National Contact Point (NCP) in each MS, designated by the MS. This could be a public body (PES, investment agency, talent attraction initiative, labour or migration offices etc.) or any other relevant entity involved in international recruitment, admission or talent attraction. The NCPs have access to profiles. If the NCP is a public employment service or a national talent attraction body, it may decide to manage access entirely on its own. The NCP also governs access to the pool by actors in the Member State of competence. NCPs can decide whether to grant employers or recruiters in the Member State concerned access to **consult profiles in the Pool** (Figure 5.4). At the same time, the possibility of searching the Pool for anonymised results (e.g. the number of profiles corresponding to a given search criterion) could be publicly available.

The process by which NCPs authorise actors to consult specific profiles in the Talent Pool or enable contacting their owners would be decided at the national level. For example, employers or recruiters might initially register to the Talent Pool (endorsing general principles or a Code of Conduct or principles on labour standards and ethical recruitment) without any prior approval from NCPs.

NCPs would then be automatically notified and able to validate or deny the access in accordance with national law. NCPs could also identify and contact a set of profiles based on a request made by any other entity, as part of a national or regional campaign to attract qualified workers in a specific sector, industry or region. NCPs would be responsible for proper use of the Talent Pool by those granted access. In addition, potential employers could also be directed to contact their relevant NCP in order to request access to the profiles identified based on an anonymised search.

Figure 5.4. Searching for candidates in the Talent Pool

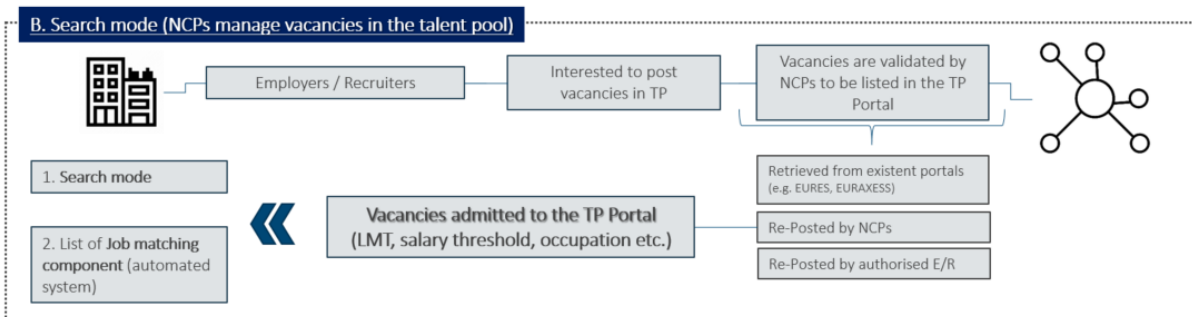
Mediated access to the Talent Pool for actors in Member States



If **vacancies are** included in the Talent Pool (either automatically uploaded from existing databases or manually posted by recruiters/employers), they would also be approved at some point by NCPs (Figure 5.5). Vacancies published in the Talent Pool should correspond to the admission criteria agreed for the Talent Pool. They may also be required to meet any national salary, minimum duration and occupation requirements for an EU Blue Card or any other national labour migration scheme. NCPs would verify, beforehand or ex post, compliance with national requirements to ensure that the vacancy can be offered to a third-country national (e.g. that any labour market test requirements or employer sponsorship rules have been met). Vacancies would expire after a fixed period; NCPs can also set a mechanism to clear vacancies from the Talent Pool before expiration.

Figure 5.5. Posting vacancies in the Talent Pool

Process for publishing job vacancies in the Talent Pool (indicative)



5.4. Matching

An (optional) matching component could be added to the basic search engine provided by the platform. Under this option, the job matching system would connect candidates' profiles with the most suitable job offers, based on information provided on both sides. Both parties could see a ranked shortlist of matches generated by the Talent Pool (e.g. as already done by EURES). Contact details would be requested or made through the Talent Pool; recruitment would occur outside of the Talent Pool.

This would however require more advanced technical features, similar to the matching motor used under license by EURES.

5.5. Link with migration system

The Talent Pool is not directly linked to migration procedures. Links with the national migration system are up to the discretion of the individual Member States. They may decide to designate NCPs already involved in these processes (e.g. migration authorities or business agencies providing fast-track schemes).

Talent Pool users (applicants and employers acting as sponsors) could at the very least be informed by NCPs of any existing fast-track or streamlined schemes in the country of destination once a match occurred or a job offer is secured.

5.6. Governance and technical management

The European Commission would host the Talent Pool platform itself as well as an EU Coordination Office. The Coordination Office would facilitate the network of NCPs (Figure 5.6). Politically, a multi-level governance could take place, involving competent DGs and Units from various policy areas (employment, external relations, education, Research & Innovation etc.), national authorities as well as private actors and social partners.

As noted, all Member States would have to designate a Talent Pool NCP. NCPs could take various forms and, depending on the Member State, could comprise different types of entities. Regardless of the type of body designated as the NCP, it would be responsible for a minimum set of tasks. NCPs would receive financial support for performance of the tasks related to participation in the Talent Pool (with a legislative basis) to ensure engagement and participation. However, the Talent Pool operation should ideally overlap with the mandate of the designated NCPs.

The Coordination Office would conduct training of NCP staff in use of the Talent Pool, promote the Talent Pool to potential users or represent the Talent Pool within the Commission. It would ensure that NCPs operate within the guidelines or recommendations forming the legal basis of the Talent Pool network. It would work to link to developing assessment and standardisation initiatives at the EU level, as well as Talent Partnerships and engagement with origin countries.

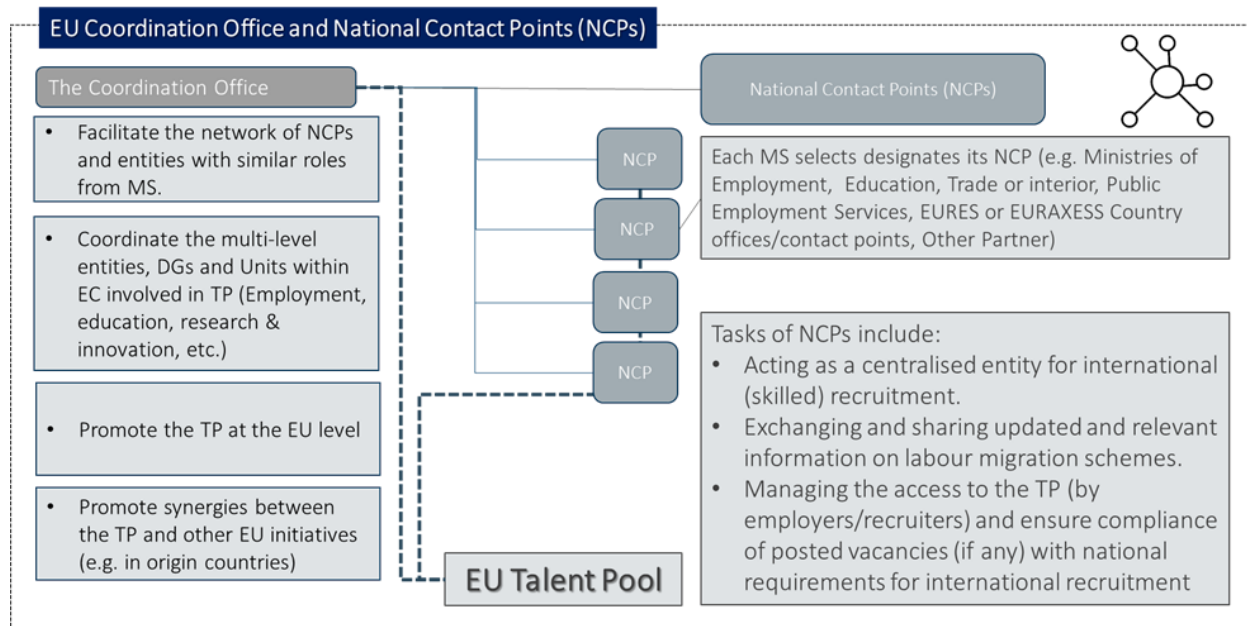
The Coordination Office would also be responsible for monitoring and evaluation of the Talent Pool as well as the activities of the network, and proposing relevant modifications to the Talent Pool and the operation of the network. A performance measurement system, similar to the one used by EURES, would collect data on outputs and outcomes according to defined indicators. The Coordination Office would be responsible for defining the performance dimensions to be measured, indicators and data sources inside and outside the platform itself. Periodic reports on performance and implementation would be prepared for review by the different bodies involved in multi-level governance.

Based on monitoring and evaluation reports and consultation with the network, elements of the Talent Pool would be adjusted. These include, for example, changes to the eligibility criteria, required documents and formats of these documents, expiration of profiles.

Besides structured reporting and monitoring, regular information exchange and cooperation between NCPs and relevant stakeholders would be expected to respond, in a flexible and timely manner, to changing labour market conditions and circumstances (i.e. amending the EU SOL).

Figure 5.6. Governance of National Contact Points (NCPs)

Roles and relation to the Talent Pool of the Coordination Office and National Contact Points



5.7. Optional features

Rebuild the EU Immigration Portal

The EU Immigration portal is an important tool of the EU migration policy. While the website has been recently revamped (e.g. adding an interactive map, updated country-specific information), further technical improvements should be made. At the very least, clear, concise and accurate information on migration procedures and relevant visas or permits in each Member State should be provided to all users.

The EU Immigration Portal should become a gateway to the future Talent Pool. Technically, the two platforms could merge into one single website or remain separate. If they are merged, the Portal would contain a private area for registered Talent Pool eligible candidates.

The next level of upgrade of the Portal could be to develop an interactive system. Users present their basic characteristics (nationality, occupation, education) without registration or personal identifying information and receive orientation towards legal migration channels based on a visa and entry requirements API. Those with characteristics suggesting eligibility for the Talent Pool would pass to the Talent Pool

registration phase. Ineligible third-country nationals would be oriented towards those channels for which they qualify, with a list of national legal migration channels for which they meet individual criteria. They would not however be able to submit their personal information for inclusion in any Talent Pool.

As part of this automated individual feedback, the Portal could indicate whether the user's profession is a regulated profession in certain Member States and/or provide further indications on current labour market trends in different Member States, to help guide users, highlighting occupations in demand which are eligible for legal labour migration channels.

A richer information base for the Immigration Portal could also be integrated into the Talent Pool AI job matching system (see 5.4 above) so that job matches would not only provide automatic ranking on match with skills and preferences but also indicate eligibility for labour migration schemes or permits based on the individual, employment and job characteristics. For example, the match could also indicate whether both job and candidate meet eligibility for an EU Blue Card.

These developments would require substantially expanding the currently available information on migration schemes and applicable procedures. Provision of such information, organised in a uniform way to enable automated matching of personal characteristics with relevant schemes would require a significant work on the part of the NCPs and substantial IT developments.

Standardisation of residence permits/visa application forms

Under a basic option, standardisation of documentation uploaded from the Pool (e.g. profile user, CVs, skills certificates, digital credentials) might be achieved through soft coordination between competent NCPs and the EU Coordination Office. Files and data could then be easily exportable in a format interoperable with national tools and systems.

A significantly more advanced option would be establishment of a uniform format for national visa/residence permit application forms for work purposes, with standard fields. This regulatory change would go beyond the Talent Pool, but would enable a user to generate a standard application form for different destinations and procedures. As mentioned above, such a development would, however, require an EU level legal basis and necessary adjustments at national level.

Dedicated support and training for employers wishing to recruit from abroad

Firms, especially SMEs, are often unfamiliar with international recruitment processes or face specific challenges and difficulties in accessing them. Some of them might need further information or assistance before or while using the Talent Pool. Further, NCPs may establish certain requirements for employers and intermediaries as a condition for accessing the Talent Pool. Dedicated training, online courses or public events could either be mandatory or optional. Support for employers to qualify for use of the Talent Pool could be offered by NCPs or other actors such as regional talent initiatives, depending on each Member State's priorities, resources and needs. Additionally or alternatively, EU-wide training modules and technical workshops could be provided (or co-hosted) by competent EU DGs and bodies.

A supply driven component

A European job-search permit (or visa) could be linked to the Talent Pool as the basis of an expression of interest system, but would require a substantial revision of the current EU legal framework.

Under the current framework, there are two possible uses of the Talent Pool for job-search. First, Member States may currently allow job-seekers legally present in the EU territory (including for a short stay) to apply for a residence permit, once the conditions are met, without necessarily returning to the home country. This is already a "may" clause in several legal migration instruments (EU Blue Card, Researchers

and Students). Use of this practice could be promoted or encouraged by the Commission through soft coordination (e.g. a Communication).

The second possibility is to encourage the use of the Talent Pool to identify candidates for existing job-search and supply-driven residence permit schemes in those Member States which already offer them. NCPs can identify potentially eligible applicants from the Talent Pool and reach out to them directly.

A European shortage occupation list (SOL)

Under the revised scenario (Figure 5.2), occupations deemed in shortage at the EU level would be considered as an additional eligibility condition to access the Talent Pool. There is currently no shortage occupation list defined at the EU level. The revised EU Blue Card directive introduces an annex with a list of occupations, commonly agreed by Member States, for which qualifications may be attested by a number of required years of relevant experience rather than higher education. While this list only relates to the EU Blue Card, it is subject to periodic assessment (and possible revision) based, notably, on Member States' labour market needs.

The EU Blue Card shortage list is not scheduled for review until at least 2026. However, future review will require an analysis of the changing needs of the labour market “drawn up after consulting national authorities, on the basis of a public consultation which shall include the social partners”. This exercise could be a starting point for development of a European SOL which could also determine occupations granting eligibility for registration in the Talent Pool. While the methodology is yet to be developed, it could follow most national SOL procedures – in EU and in non-OECD countries – and start with an initial empirical analysis on EU-wide labour shortages to identify a long-list of occupations, to be reviewed by Member States for inclusion in a SOL allowing the Talent Pool to include migrants in those occupations. The initial analysis could be based on skills demand analysis from Cedefop.

Gateway for qualified refugees and vulnerable categories of migrants

The Talent Pool does not exclude vulnerable migrants who meet the existing criteria for admission under legal labour migration channels. However, non-exclusion may not be enough to ensure that the Talent Pool also effectively serves persons who may be in states of temporary vulnerability. Existing European tools and platforms already provide dedicated support to beneficiaries of international protection or registered asylum seekers (e.g. the EU Science4refugee initiative, the Council of Europe's European Qualifications Passport for Refugees). Similarly, to ensure that the Talent Pool should be accessible to all skilled third-country nationals who meet the admission criteria, regardless of their background or country of origin, additional efforts may be necessary. Following on similar initiatives, projects could include targeted campaigns launched in collaboration with the private sector as well as European initiatives aimed at increasing job matching opportunities or EU-funded actions promoting work-related complementary pathways for people in need of international protection.

Promotion of the Talent Pool through outreach and marketing activities

While the Talent Pool does not represent a new legal channel for migration, it is meant to attract potential candidates to existing channels. In order to achieve this, it can use proven promotion techniques already in place for national talent attraction initiatives. These include large-scale or targeted promotion campaigns launched by the EU on social media; presence of EU Talent Pool representatives at relevant job fairs or events in origin countries and in Member States; and links with training institutions. In addition, NCPs can hold information and promotion events in their Member State to inform employers' representatives, talent attraction initiatives, civil society and decision-makers and organise direct outreach to most relevant national partners.

6 Cost-Benefit Analysis

6.1. EU Talent Portal

The scenario considered for this analysis is described as an EU-wide pool of migrants, identified on the basis of eligibility for an EU Blue Card, accessible to employers in EU. The basic model is shown in Figure 5.1, above.

While the criteria for inclusion of profiles is primarily the EU Blue Card, additional admission criteria for talented migrants are considered such as experience on occupations deemed in shortage (EU SOL) or participation in Migration Partnerships (MPP). In its simplest form, the EU Talent Pool only includes candidate profiles managed by National Contact Points (NCPs). NCPs can decide whether and how to grant employers or recruiters to search and consult profiles. In its more advanced form, the EU Talent Pool also consider posting vacancies that meet the minimum requirements by NCPs (EU Blue Card or any other additional national labour migration scheme). In this scenario, candidates can search vacancies and NCPs (or employers and recruiters directly) can search profiles. As option, the platform can include a Job matching component aiming to better connect candidate's profile with the most suitable job offers based on information provided by both sides. Additionally, the EU Talent Pool can include extra components aiming to increase the added value of the platform.

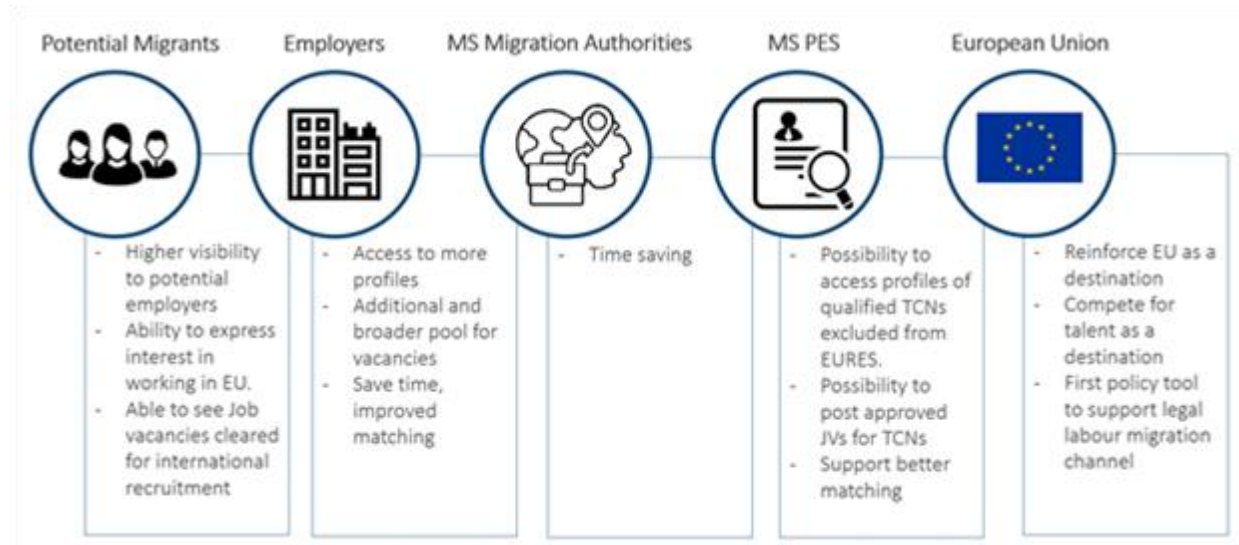
Based on consultations and discussion with relevant stakeholders it is possible to depict more clearly the aim of the EU Talent Pool which can be summarised in two main objectives. First, the EU Talent Pool should serve as attracting tool for (highly-) skilled workers from abroad, by centralising in one platform talented candidates interested to move to EU. Second, the EU Talent pool aims to contribute on the expansion of highly skilled labour force in order to address labour market shortages in the EU.

6.2. General approach for assessing the benefits and estimating the potential cost of The EU Talent Pool

Identifying the main stakeholders and components of the EU Talent Pool is key for estimating the potential impacts and benefits, as well as the costs and expenses for developing and implementing it. Figure 6.1 shows the main stakeholders connected directly or indirectly to EU Talent Pool.

Figure 6.1. Benefits of the EU Talent Pool by stakeholder

Summary of the benefits measured as added value.



Source: OECD elaboration

On the demand side, employers including SMEs and multinational companies as well as private and public intermediaries (recruitment agencies and public employment services) can benefit from a list of candidates that can meet human resources needs, especially in the context of high occupations/skills shortages.

On the supply side, there are skilled third country nationals (TCNs) who express their interest, and based on the information provided, can be admitted to the pool for consideration in recruitment processes.

EU Member States operate migration management authorities and public employment services whose operation could be impacted by the development of the EU Talent Pool platform. More broadly, Member States' growth and development is affected by their ability to fill skills needs.

The European Union has a goal of providing added value to Member States. There is a benefit in ensuring that the European Union is more attractive as a whole than the sum of its Member States individually. Benefits can also accrue from a greater convergence between Member States' systems and practices through common policies and shared initiatives in domains where European action brings added value. This results from the principle of subsidiarity, laid down in the Treaty on the European Union, governing the exercise of EU competence in circumstances in which it is preferable for action to be taken by the Union, rather than the Member States.

For the purposes of the cost-benefit analysis, the Talent Pool can be divided into two main components: the platform itself and the network of entities coordinating and using the platform.

Three scenarios (or phases) are considered for conducting the cost-benefit analysis. These scenarios are not mutually exclusive and can be implemented consecutively. Table 6.1 describes the main characteristics and features of the platform and the network in 3 phases or levels. Phase 1 focuses on developing a platform in its simplest form (as shown in Figure 5.1). The platform only integrates profiles, so contains a basic website and limited features. The main function is to collect detailed information from skilled TCNs through an online application form. Based on the information provided, the platform admits or excludes profiles from the Pool. The platform also integrates an interface for the National Contact Point to search and contact profiles, and an interface for employers (or recruiters) to use basic search criteria to verify the number of matching profiles in the Pool.

In the next phase, the platform includes job vacancies in addition to the pool of profiles, integrating additional features to allow employers, recruitment agencies or any other authorised party, as well as NCPs, to upload job postings or export or share them from existing platforms. The addition of job vacancies to the Talent Pool requires an expansion of the TCN interface to include searching and applying to job vacancies. Complementarily, the platform with vacancies can include an automated matching tool (Phase 3). This involves software for automation of procedures including retrieving job postings from external sources, matching profiles and vacancies, and potentially even linking matches to eligibility for current migration schemes. The main website would require additional changes to include the matching tool.

In addition to the three scenarios shown, additional potential components for the Talent Pool are assessed and benefits and costs are estimated.

Table 6.1. Main characteristics of the platform and network in each phase.

	Platform	Network
Phase 1: Only profiles	<ul style="list-style-type: none"> - Basic webpage with an online application form for Skilled TCNs (Front-end). - Basic webpage for employers or recruiters to verify presence of candidates matching simple search criteria in the pool (anonymised results) (Front-end) - Basic webpage for NCPs (or validated employers or recruiters) to access the pool of applicants (filter features, etc.) (Front-end) - Basic internal webpage for updating Talent Pool portal content such as information and guidelines (Back-end) - Information storage. - Software for data security and data protection. 	<ul style="list-style-type: none"> - NCPs in each Member States with personnel (1-2 people). Tasks include managing the search for TCNs by employers and recruiters, and promoting the use of the Talent Pool among employers and recruiters. - EU Central office with personnel (2-3). Tasks include coordinating the NCPs, harmonising protocols and assessment, carrying out outreach activities to promote Talent Pool in the EU and in third countries.
Phase 2: Profiles + job postings	<p>In addition to the above:</p> <ul style="list-style-type: none"> - Expansion of TCNs webpage with access to Job postings and with application-to-job features (activation of the search mode for TCNs). - Expansion of NCPs and Employers (or recruiters) webpage to include job posting form and a possibility of importing or retrieving vacancies from other relevant portals. - Expansion of information storage. - Expansion of the scope of data security software. 	<p>In addition to the above:</p> <ul style="list-style-type: none"> - NCPs in each Member States with personnel (1-2 people) in charge of centralising the information on job postings, verifying compliance of vacancies with regulations on international recruitment (e.g., labour market testing) and/or admission criteria to the Talent Pool, promoting the use of the Talent Pool among employers and recruiters for posting job vacancies.
Phase 3: Profiles, job postings and automated matching tool	<p>In addition to the above:</p> <ul style="list-style-type: none"> - Matching tool (Query) - Adjustment of the Talent Pool Portal for better integration of the information needed for the matching tool. - Adjustment of the front-end of TCNs and NCPs portal to make visible the output of the matching tool 	<p>In addition to the above:</p> <ul style="list-style-type: none"> - NCPs in each Member State may release some of the tasks assigned to the Staff that will be performed by the automated tool. - EU Central Office expands the staff required for maintenance and data and technical support.

Source: OECD Analysis

Based on the information collected from consultations, the benefits and impacts of the EU Talent Pool are assessed qualitatively and the analysis is presented by stakeholder for each phase. Since the information regarding benefits is limited, the analysis relies on discussing the potential added value the Talent Pool would have for stakeholders. However, through the qualitative assessment it is possible get the order of magnitude of such benefits. The estimation of the cost relies on multiple inputs: suitable benchmark, market research and information provided during consultation.

6.3. Analysis of potential impacts and benefits (Added value)

This section describes – where relevant – the potential impacts and benefits of the development of a Talent Portal, in its basic scenarios and in combination with additional components. The various policy options described above in Table 6.1 do not enlarge the scope of the expected impact, but rather affect their magnitude.

Potential impacts and benefits are discussed in terms of the added value, which is defined as an increase in the value (or availability) of a resource, product or services as the result of a particular change (e.g. incorporating a Talent Pool of profiles only). For the case of the Talent Pool, the added value for each stakeholder is assessed in terms of multiple potential outcomes depending on the stakeholders, including information availability and access, provision (receipt) of support, and time saved.

The Talent Pool can have direct and indirect impact on multiple parties. In this analysis, the added values are discussed only for five policy-relevant stakeholders directly impacted by the development of the EU Talent Pool, in light of the main potential outcomes and based on its objectives. Table 6.2 shows for each stakeholder the potential added value every phase and additional component may bring. In the following section, more detailed information is provided.

Added value for potential migrants

The Talent Pool has a direct effect for potential migrants, especially among high-skilled third-country nationals interested to move to the EU for employment. Regardless of the phase, an immediate and concrete added value of the Talent Pool is to allow high-skilled potential migrants to express interest in working in the EU and submit their profiles for consideration by employers in multiple Member States. Under the current situation, there is no mechanism to centralise the interest in working in the EU for third country nationals. EURES does not allow enrolment. There are Member State initiatives which operate in isolation, but with a limited scope, strategy and funding.

Likewise, potential migrants can benefit from accessing to a pool of candidates that are searchable by employers across the EU. This increases the likelihood of being seen, invited to participate in a job hiring process and eventually receiving an employment offer. With a single unique Talent Pool profile, TCNs benefit from visibility in multiple Member States and through different language interfaces.

When job vacancies are added to the Talent Pool (phase 2), TCNs would be able to apply for vacancies. In addition, the vacancies included in the Talent Pool would be validated for international recruitment, preventing them from applying for jobs which do not meet national criteria for hiring third-country nationals. Access to vacancies also signals to candidates which skills and competences are in high demand and more likely to lead to successful recruitment. Third, by reducing the asymmetry of information, TCNs are better able to decide in which recruitment process to participate. Adding an automated matching tool (phase 3) reduces the efforts necessary to identify appropriate job vacancies and increases matching likelihood (e.g. time, lack of information), reducing job-search frictions (Faccini and Yashiv, Forthcoming, 2021^[13]).

If the Talent Pool is adapted with additional components, there are clear benefits for TCNs (see Table 6.2). Creating a ‘Job search visa’ linked to the Talent Pool gives TCNs an additional legal channel for coming to the EU to explore labour opportunities. Similar instruments have been implemented in Australia (Wright and Constantin, 2015^[14]) and positive results in terms of labour outcomes from TCNs side (e.g. employability), employers (e.g. Hiring times) and the labour market as whole (e.g. reduction of labour hiring frictions) have been found. Some EU Member States such as Germany and the Netherlands, as well as Norway, have already introduced job search visas allowing specific groups of potential labour migrants to come to the country to search for a job (OECD, 2019^[11]).

A rebuilt EU Immigration Portal would provide clearer orientation towards legal channels, informing potential migrants of the routes for which they might qualify. The information base for the rebuilt migration portal could also supplement the matching tool, providing Talent Pool profiles with information on residence permit conditions and requirements for each match with a job vacancy. This would further enable candidates to assess job vacancies not only in terms of the job quality but also in terms of the complexity of the associated immigration procedure and benefits they might enjoy from the different possible residence permits for employment associated with the match.

The standardisation of forms and the offer of fast track from high-skilled TCNs included in the Talent Pool would reduce the time spent by potential migrants in labour migration procedures. A standardised form would allow the Talent Pool to generate and export forms and information on behalf of the candidate. Offering labour migration fast tracks for the talent in the pool would accelerate hiring times.

Added value on Employers (SMEs and Multinationals)

Facilitating the search for highly qualified candidates can be a particular benefit for employers at the intensive and extensive margin. The Talent Pool is free to use, unlike almost all current market offers (intensive margin). Private suppliers of vacancy posting services can charge between EUR 3 000 and 15 000 per year (Recruitee, 2020^[15]). The Talent Pool has important added value in reducing the barrier of entries for companies that can allocate financial resources for international recruitment, especially among Small and Medium Enterprises (SMEs).

Employers also gain access to profiles attracted to opportunities in other Member States, who they might never see through national platforms and outreach. By expanding the supply of candidates or profiles to be screened, employers who did not previously consider international recruitment may do so (extensive margin).

Including job vacancies in the Talent Pool allows employers to reach more applicants, since online vacancy postings and online recruitment increases the number of applicants and the share of suitable candidates per vacancy – which in turn induces employers to post more vacancies (Gürtzgen et al., 2021^[8]). Since Talent Pool candidates meet baseline individual requirements for legal migration channels (e.g., education or occupation levels), the Talent Pool offers some degree of reassurance to employers that candidates will satisfy migration requirements if hired.

A matching tool saves time for employers - as it does for TCNs - searching for the right candidate to fill a position, and will improve the likelihood of better matching. Job boards and labour matching tools increase the efficiency with which workers are matched to jobs. This may be due to an increase of potential matches (at higher rate), and an increase in the quality of matches (i.e. minimum productivity an employer will tolerate, or equivalent, the minimum wage of worker will accept – both rise) (Autor, 2001^[16]) (Autor, 2019^[17]).

Other components that can be added to the Talent Pool may also have an effect on employers besides reducing the job-search frictions (see Table 6.2.). In particular, a 'job search visa' would increase the supply of qualified candidates ready to start employment immediately. Incorporating 'assessment of credentials and qualifications' would reduce the job-candidate mismatch by receiving a clearer indication and validation of the set of skills and qualification TCNs hold.

As it is expected for TCNs, offering fast tracks for national labour migration procedures would significantly impact employers since they bear most of the financial and opportunity cost of long migration procedures.

Added value for Member State Migration Management Authorities

Any impact of the Talent Pool on migration procedures will have consequences for the authorities managing migration in Member States – those handling applications for residence permits. The idea of a

Talent Pool springs from an analysis of the Expression of Interest model (OECD, 2019^[11]) which is primarily designed to support migration management. Scenarios for the EU Talent Pool, on the other hand, largely focus on improving matching and information. Consequently, the different Talent Pool options bring limited added value to the authorities responsible for managing migration. Nonetheless, some components integrated in the Talent Pool can bring benefits. Better information can serve to reduce incomplete and ineligible applications. The inclusion of job vacancies in the Talent Pool can help streamline the process of communicating to migration authorities that a labour market test has been satisfied, since any vacancy published for the Talent Pool has been judged compliant. Standardised forms can accelerate processes to some extent. Choices by Member States to use the Talent Pool to determine eligibility for existing national fast-track procedures or job-search visas may help support the operation of these Member State mechanisms. Such benefits are contingent on policy decisions taken at the Member State level.

Added value on MS Public Employment Services

The EU Talent Pool concentrates on matching and complements existing matching conducted by public employment services (PES), who are engaged to varying extent in talent recruitment (Molnár, Krekó and Scharle, 2020^[4]). For PES in Member States where the mandate includes supporting international recruitment, the Talent Pool brings a clear added value in providing an instrument to access profiles of qualified third-country nationals – something currently not possible through the EURES mobility platform. Similarly, adding the possibility of publishing job vacancies introduces in many cases a new functionality for the PES, one which in some Member States is beyond the financial capacity of the current budget. A matching tool would reduce the workload on PES to participate in the Talent Pool. Other elements which could be associated with the Talent Pool have no additional benefit for PES.

European Union

In its simplest form, the EU Talent Pool reinforces the perception of the EU as a destination for talent – filling a gap. It allows the EU to compete as a collective destination, a single labour market. It would also be the first tool in place to support the supply side of the EU legal labour migration framework – specifically, the perception of the EU Blue Card by potential applicants. The addition of a job vacancy element would also promote the EU Blue Card, since vacancies would be published partly on the satisfaction of national EU Blue Card salary and occupation criteria. A matching tool would allow the EU to better monitor the coherence between supply and demand in the domain of international recruitment for highly qualified employment.

Reconstructing the Immigration Portal would improve public information on the EU legal migration framework, and help orient potential applicants towards the EU Blue Card. Standardised forms would lay the groundwork for increased interoperability among systems. Integrating the fledgling tools for assessment and qualifications would spur development of standards and cooperation in this area. An EU Job Search Visa would boost the attractiveness of the EU as a whole.

Table 6.2. Added Value of different elements of the Talent Pool for different actors

	Profile Pool	+ Job Vacancies	+ Matching	+ Renovated EU Immigration Portal	+ Standardised Forms	+ Assessment of credentials and qualifications	+ Fast Track	+ Job Search Visa
Potential Migrants	(Free) visibility to potential employers in multiple MS Ability to express interest in working in EU Single profile for multiple destinations/languages	Able to see JVs cleared for international recruitment	Save time, improved matching	Clearer orientation towards legal channels	Save time	Increased chance of matching	Faster procedures	Additional possibility to come to the EU through legal channel
Employers	(Free) access to more profiles	Additional and broader pool for vacancies Small degree of reassurance that candidates meet eligibility for migration	Save time, improved matching	Clearer indication of eligibility of candidates for legal channels	Minimal, except for prefilled forms in procedures	Clearer indication of eligibility for migration	Faster procedures	Increased supply of qualified candidates ready to start employment immediately
MS Migration Management Authorities	Limited added value, unless MS opts into standard info (time saving)	Limited value, unless Fast Tracked through LMT pre-approval	No	No, except for possible reduction in queries through better information	Save time	Small benefit from greater likelihood of complete applications where assessment is required	No, unless choice is made to use TP rather than national criteria for fast tracking	No, unless JSV / supply-driven migration already in place
MS Public Employment Services	Possibility to access profiles of qualified TCNs excluded from EURES	Possibility to post approved JVs for TCNs, where currently not possible	Support matching, where mandate includes filling JVs with TCNs	No	No	No	No	No
European Union	First policy tool to support legal labour migration channel Reinforce EU as a destination Compete for talent as a destination	Promote EU Blue Card Help fill JVs for skilled shortage occupations	Can analyse match between profiles and vacancies (statistical monitoring)	Employers, migrants and public better informed on EU legal migration framework Better awareness of eligibility for EU Blue Card and its advantages	Support EU standards and development of interoperability	Support and spur development of EU standards Support MPPs focused on assessment	No	Make the EU more attractive

Note: MS: Member States. JV: Job Vacancies. TCNs: Third-Country Nationals.

6.4. Analysis of the potential financial cost

Besides the legal efforts and coordination, developing the EU Talent Pool involves a financial investment which depends on several components:

- the characteristics of the platform;
- the extent to which it can be integrated and interoperable with current vacancy and labour migration management systems at the EU level⁸⁰ and Member State initiatives⁸¹;
- the stakeholders and bodies participating in the network.

This section aims at describing the main costs for developing the EU Talent Pool. The cost model is first introduced highlighting the main components of the platform and the network (NCPs). Secondly, the scenarios, the different options and their financial implications are presented to set up the scope of the analysis. The main assumptions of the cost model and their implication for the analysis are then explained, as well as the benchmark or reference cost ranges. Finally, the results are discussed.

The cost model

The cost structure presented in this document follows the same structure used in the Second biennial report for EURES (European Commission, 2021_[18]), and is divided into two main components, the **platform** and the **network** (see Table 6.3). For each heading the cost is estimated for the three different phases/scenarios. Phase 1 includes TCN profiles only, along with interfaces to consult them. Phase 2 includes job vacancies postings in addition to the profiles. Phase 3 adds an automated matching tool. For each phase, the development and operating costs are estimated following the cost model implemented in the impact assessment for similar technological developments (e.g. the Entry/Exit System (EES) (European Commission, 2016_[19])). The development cost is presented in total, while the operating cost is an average estimate per year.

Table 6.3. Cost structure for the cost analysis of the EU Talent Pool

EU Talent Pool platform
(1) Platform (Technical development cost - Web developer)
(2) Software (Automated matching development and license fee)
(3) Help desk and Technical support
(4) Translations
Subtotal
Network - NCPs
(5) Human resources (CO)
(6) Human resources (MS)
(7) Common Training Programme and Protocols
(8) Network meetings
(9) Support to the network activities and promotion
Subtotal
Total

Note: Following the structure used by EURES in the Second Biennial EURES report - (European Commission, 2021_[18])

⁸⁰ e.g. EURES, EURAXESS

⁸¹ e.g. Work in Lithuania, Make it in Germany, Talent Boost Finland, Work in Estonia, etc.

Source: OECD elaboration

There is no identical portal or platform with the same characteristics and objectives developed at EU level, limiting the information available to establish a comparable benchmark and reference for estimating the costs. However, some of the features of the EU Talent Pool have already been put in place in different EU initiatives or country specific projects – albeit with some important differences in terms of the scope and the targeted population. For example, EURES includes a job-matching platform for EU nationals and EU residents, which can provide a benchmark.

Additionally, since the specifications and characteristics of the platform and the network cost can vary significantly based on their characteristics, cost estimations are presented in ranges. The lower bound is based on the information available for costs of running EURAXESS, a simple model. The upper bound uses the information cost from the most complex existing model, EURES, taking into consideration differences in regard the scope and structure of the network (e.g. Member State bodies participating in EURES), and the complexity of the platform (e.g. size of profiles and job postings features) for sizing.

The source of the funding and the nature of the cost has implications on how the cost analysis is presented and structured and how it should be interpreted. For instance, the costs for development and operation of the platform may be funded at the central level (under the EU coordination office). However, the human resources in each NCP as well as the activities for promoting the platform among employers may be funded directly by Member States. Similarly, some costs depend on the number of Member States participating in the EU Talent Pool. Therefore, the total cost of the Talent Pool is estimated as well as the total cost assumed per Member State, separate from the total fixed cost independent on the number of participating Member States.

To assess the potential cost of the platform, the network (MS NCPs and EU coordination office of NCPs) and additional components, the cost model relies on broad general assumptions presented below:

- The Talent Pool upper bound costs are based on EURES, which operates an extensive network. It is assumed that EURES user profile management, based on the structure of its website, involves approximately one-third of EURES' operation. Thus, for Phase 1, all direct costs regarding the platform extracted from the EURES budget report is weighted by one-third. Likewise, it is assumed that the EURES profile and job postings together correspond to two-third of EURES' operation. Therefore, phase 2 takes two-thirds of all direct costs regarding the platform extracted from EURES budget report.
- The Talent Pool lower bound cost is based on the EURAXESS cost structure. However, the only information available for EURAXESS is the total operating cost of the platform and the network. The cost per each line (e.g. platform, help desk and technical support, etc.) is computed by applying the shares of the distribution of the costs of EURES to the total EURAXESS cost.
- It is assumed that 27 Member States will participate in the EU Talent Pool.
- There is no timeline defined for the estimation of the cost. However, it is assumed that development of the platform, which involves designing, building and testing the different interfaces, requires approximately one year. Depending on the phase, additional developments may require more time for incorporating adjustments related to job postings and a matching tool in the case of the advanced form of the EU Talent Pool. Operating cost is estimated on an annual basis.

Additional assumptions are considered for some specific cost headings. These are described more in detail in the following section.

The platform

As shown in Table 6.6, the platform cost includes the following elements:

- technical development cost of the website (line 1);
- software and additional technical development for the automated matching tool if applicable (line 2);
- help desk and technical support provided to users (TCNs and employers) and NCPs respectively (line 3);
- translations of the website and the internal documents and protocols (line 4).

Regardless of the phase, the platform requires a list of essential components to operate, such as a content management system, a reliable web hosting service, user experience (UX), search engine optimisation (SEO), analytics tools, email campaigns, social media links and integration to existing relevant platforms, etc. These basic features are included in the estimation of the cost for developing the front- and back-end of the website (Platform cost, line 1).

Depending on the scope of the Talent Pool – whether it is limited to profiles or includes profiles and job vacancies – there are additional features which affect platform cost. Including job vacancies in the platform requires more advanced features than a simple registration tool for centralising profiles, but does not represent a much greater increase in the complexity of the platform. Nonetheless, some existing national platforms have required significant outlay. “Make it in Germany”, for example, cost 1.43 million euros to develop (European Commission, 2018^[20]), in four languages and with vacancy posting and search. While “Make it in Germany” does not allow registration of profiles, it does provide individual counselling.

The automated matching tool (line 2) is estimated separately based on similar existing platforms providing job matching services. These tools generally involve an initial development cost and an annual licensing fee, sometimes in relation to the volume of cases handled.

The cost of matching tools also depends on the complexity of the automation process and the range of services automated (e.g. retrieving job vacancy information for external platforms to link them to potential TCNs profiles). This has implications for the cost range since the matching tool options, features and complexity can vary substantially. Not all private matching platforms even include a matching tool: it may still cost millions of euro to develop a labour matching platform without the tool due to elevated marketing costs. The platforms in Table 6.4 all include a matching tool. Based on the experience of EURES, the assumption is that the tool itself accounts for about one-third of the total development cost for these platforms. The lower and upper bound in the estimate were defined based on the second lowest and highest cost among the platforms listed, respectively.

Table 6.4. Matching tool benchmark cost comparison

List of labour matching platforms with matching tools.

Company / Start-up	Description	Total Cost (M EUR)	Approximate cost of the matching tool (M EUR)
GrabJobs	Online-Job matching platform	1.8	0.6
Broadstone	Job matching platform for private security industry	2.6	0.9

Headstart	AI-based matching platform	7.0	2.3
Kalibr	Online job-matching platform	8.8	2.9
Celential	AI-based job matching	8.8	2.9
Ripple Match	Job matching and internship search platform	29.9	10.0
Pymetrics	AI-based talent matching platform	53.7	17.9

Note: It is assumed the matching component cost is one-third of the total cost of the platform. The second least and most expensive values are highlighted and taken as reference as lower and upper bound respectively for the cost analysis. EUR is converted from USD at a rate of 0.88.

Source: Top Job matching platform start-ups - <https://tracxn.com/d/trending-themes/Startups-in-Job-Matching-Platforms>

A matching tool, however, also automates some of the work of the actors who would normally filter profiles for this purposes. Line 2 therefore implies a negative cost (“-“) for human resources where the tool is assumed to reduce the workload of NCPs. The reduction in staff cost is assumed to drop by as much as 35% depending on the characteristics of the matching tool. The matching tool, in fact, cannot entirely eliminate the need for some human intervention in the matching process.

Staff costs directly linked to the operation of the platform are included (line 3). These include staff in the development phase, and help desk and technical support in the operational phase. In operation, it is expected that one or two full-time equivalent (FTE) staff would be necessary to run the network. Costs are estimated using the help desk and technical support costs of EURES and EURAXESS as a benchmark and therefore assume that the Talent Pool is fully populated with profiles and in use by NCPs and employers. Neither EURES nor EURAXESS quantify human resources in FTE in their cost reports. However, other analyses (European Commission, 2018_[21]) estimate FTE costs for a Commission official at EUR 143 000. This benchmark is used for calculating the expected FTE at the EU level where only total staff costs are available. During operation of the platform, the technical support cost includes the cost related to maintenance, support in data processing and data management, which increases the operating cost for the matching tool.

Translation costs for the platform depend on the number of languages and the complexity of the interfaces. The costs shown in line 4 are estimated differently for the lower bound and the upper bound. If the platform is run in one language (e.g. in English) the cost is lower, comparable to the costs for EURAXESS. If the Talent Pool follows the same multilingual approach as EURES (i.e. the platform is translated into multiple official languages) the cost increases for each language the platform uses. Decisions to translate only some of the interfaces (for example, the registration interface) would reduce translation costs. The costs could vary beyond this range according to the amount of text.

In addition to the main technical component of the platform, there are additional costs related to the operation of the platform. Technical support and a help desk should be available to provide support to the main users, including NCPs, TCNs, and employers. This support involves technical assistance to the platform and direct help to the final user for navigating the Talent Pool platform.

The network

An additional main component of the EU Talent Pool is the network, which includes the EU coordination office and the NCPs or assigned body in each Member States. The cost headings listed in this section also follow the structure used by EURES and mainly relate to the

coordination and operation of all stakeholders in the network and the services provided to TCNs and employers.

The cost of the network includes the cost of the human resources at the central level (line 5). This comprises the staff involved in the operation and coordination of the network. It is also assumed that cost varies between EUR 300 and 500 000 euros depending on the number of FTE staff (lower and upper bound respectively) – again based on EURES. In practice, this is the equivalent of two to three FTE staff to support activities and promotion.

In addition to the human resources required at the central level, it is assumed that on average each Member State will require between staff to operate the NCP (line 6). Staff in the NCP are responsible for mediating between employers and recruiters and the Talent Pool. They are also responsible for reviewing vacancies for posting to the Talent Pool, where relevant. If the Talent Pool is used heavily for recruitment, additional staff may be necessary beyond this estimate. As noted, the cost of human resources is sensitive to the complexity of the Talent Pool and the tools at disposal. For example, adding job vacancies increases the workload and the need for additional staff to operate and coordinate with employers and recruitment agencies for jobs posting. Even if job postings are retrieved from an existing platform, this work may still involve significant amount of manual efforts for review of eligibility for inclusion in the Talent Pool vacancy database.

It is possible to envisage lower costs than those assumed in this estimation. New Zealand operates SkillFinder with limited staff resources (only 0.25 FTE). This work mainly consists in reviewing vacancies for authenticity and compliance and sending the vacancy announcement e-mails to potential leads. In 2021, the system handled about 1 000 vacancies. Staff workload has been reduced in the decade since introduced through greater automation. Outreach costs have diminished with greater familiarity with the system among target employers and recruiters.

Automating job vacancy posting could be done at the Member State level – for example, through identifying PES job listings which meet EU Blue Card criteria and national labour market testing requirements - reducing the staff costs for reviewing vacancies. Such a decision would be taken at the Member State level and is not considered here. Further, developing the automated matching tool can reduce partially the workload required for managing the job vacancies and profiles. The reduction of the workload will depend on the features of the automated matching tool.

Some of the additional cost rows are based on activities in the EURES and EURAXESS network (lines 7-9). They are calculated assuming that 27 Member States will join the EU Talent Pool. The cost of holding network meetings is based on the current frequency of meetings of the EURES and EURAXESS network and associated budget. Depending on the costs for interpretation and facilities rental, these costs can vary significantly beyond the range shown. The coordination office provides training and protocols to provide a more harmonised service across NCPs (line 8), including meetings where cost varies according to the number of participating Member States.

Line 9 shows the cost associated with the support provided to the network activities and promotion. This includes expenditures related to marketing, mainstreaming and Talent Pool promotion. The cost of marketing and promotional campaigns varies depending on its characteristics and targeted audience.

The potential cost of the EU Talent Pool

In all the EU Talent Pool scenarios considered, regardless of the characteristics of the platform and the network, human resources (staff costs) and the technical developments of the platform

and software account for the lion's share of the provisional indicative cost (see Table 6.5 and Table 6.7). According to the estimates for the basic EU Talent Pool (phase 1), the cost is driven significantly by the expenses related to consolidation of the network. These account for between 70 and 90% of the potential total investment (see Table 6.4). Within the network cost, human resources account for 50-70% of total cost, including staff hired at the central office and in each NCP. The cost of human resources per Member State is roughly estimated between EUR 60 000 and 120 000 euros (line 6b) during development and for each operational year. The latter is about 1-2 FTE using the average cost of an EU official cited above. Within the cost related to the Platform, except translation which depends on the number of languages included (26 in this case), the technical development and operation of the website accounts for most of the platform cost, 30% during development and 40% during operation.

Including job vacancies in the Talent Pool (phase 2) requires more advanced features than a simple registration tool for centralising profiles, but does not represent a much larger increase in the complexity of the platform, nor higher additional cost. The maximum increase is estimated to be between 50-60% of the upper bound development and operating cost respectively.

The additional cost for integrating a job matching tool (phase 3) is relatively high compared to the scenario where only profiles and job vacancies are considered (phase 2). Such a high increase can be explained by three factors. First, a job matching tool only makes sense if job vacancies are included in the Talent Pool, so phase 3 is dependent on phase 2. Second, matching tools can be very costly depending on characteristics and features. Based on simple market research, developing an entire private job matching platform may cost between EUR 1.8 million to as much as 54 million. Assuming that one-third of the total development cost goes for covering an automated matching tool, its cost can range between EUR 600 000 and 18 million (see Table 6.4). Third, automated matching tools imply possible additional expenses related to maintenance, data processing, data hosting and help desk, and support for users to submit profiles and vacancies which can be processed correctly.

Despite the significant potential cost to incorporate a matching tool, there are potential efficiency gains that are important to take into account. As mentioned, an automated matching tool may reduce the workload for managing job vacancies and profiles in several ways. Job postings can be automatically retrieved or exported from existing platforms (e.g. EURES, LinkedIn, etc.). Based on the profiles and job vacancy information, job matches can be automatically assigned or flagged. For instance, Talent Pool candidates might see a label on job postings indicating the probability of matching. Likewise, employers can see the same match probability for profiles based on the vacancy job description.

The automated matching tool could go beyond the profile-job match to provide supplementary information on the labour migration permit schemes applicable given the characteristics of the candidate and the vacancy. Based on the information on national legal labour migration schemes – requisites of the migrant and occupation and salary of the vacancy – the system would indicate the permits which might be requested. For each applicable permit, the employer and candidate would view associated procedures and required documentation. For example, along with the probability of match, users would also see for example whether an EU Blue Card could be requested, and if the associated residence permit requires recognition of foreign qualifications. This would provide additional information to employers and job-seekers to evaluate the match not only in terms of meeting the job requirements but also in terms of the complexity of satisfying requirements of the migration procedure.

As more tasks are automated through the automated matching tool, the less the Talent Pool relies on human resources to operate the platform. However, the matching tool cannot completely substitute the staff intervention needed to operate the network and the platform.

Table 6.5. Provisional Indicative Cost Analysis for the Talent Pool - Additional cost.

Additional cost relative to previous phase. In Million Euros, range from lower to upper bound.

	Additional cost relative to previous phase											
	Profiles Only				Profiles + Job vacancies				Profiles + Job vacancies + Matching Tool			
	Development cost		Operating annual cost		Development cost		Operating annual cost		Development cost		Operating annual cost	
	Lower	Upper	Lower	Upper	Lower	Upper	Lower	Upper	Lower	Upper	Lower	Upper
EU Talent Pool platform												
(1) Platform (Technical development and operation)	0.09	1.08	0.06	0.75	0.99	1.66	0.69	0.77	0.00	0.00	0.00	0.00
(2) Software (Automated matching development and license fee)	NA	NA	NA	NA	NA	NA	NA	NA	0.90	10.00	0.15	2.26
(3) Staff costs (Development, Help Desk and Technical support)	0.18	0.36	0.10	0.20	0.11	0.21	0.07	0.13	0.00	0.00	0.25	2.67
(4) Translations	0.09	2.64	0.04	1.17	0.05	1.53	0.04	1.26	0.00	0.00	0.00	0.00
Average cost per language	0.00	0.10	0.00	0.04	0.00	0.06	0.00	0.05	0.00	0.00	0.00	0.00
Subtotal	0.36	4.08	0.20	2.13	1.15	3.40	0.80	2.16	0.90	10.00	0.40	4.93
Network - NCPs												
(5) Human resources (CO)	0.17	0.29	0.15	0.25	0.05	0.08	0.05	0.08	0.00	0.00	0.00	0.00
(6) Human resources (MS)	1.85	3.69	1.63	3.27	0.54	1.08	0.54	1.09	-0.27	-1.08	0.01	-1.09
(6b) Staff, average cost per MS	0.07	0.14	0.06	0.12	0.02	0.04	0.02	0.04	-0.01	-0.04	0.00	-0.04
(7) Common Training Programme and Protocols	0.16	1.28	0.05	0.42	0.13	1.46	0.05	0.55	0.14	1.29	0.05	0.49
(7b) Average cost per participating MS	0.01	0.05	0.00	0.02	0.00	0.05	0.00	0.02	0.01	0.05	0.00	0.02
(8) Network meetings	0.02	0.61	0.01	0.27	0.01	0.18	0.00	0.09	0.00	0.00	0.00	0.00
(8b) Average cost per participating MS	0.00	0.02	0.00	0.01	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00
(9) Support to the network activities and promotion	0.23	1.79	0.20	1.26	0.07	0.52	-0.07	-0.21	0.00	0.00	0.22	-0.09
(9b) Average cost per participating MS	0.01	0.07	0.01	0.05	0.00	0.02	0.00	-0.01	0.00	0.00	0.01	0.00
Subtotal	2.43	7.65	2.05	5.47	0.79	3.32	0.58	1.60	-0.13	0.21	0.28	-0.69
(10) Total (assuming 27 Member States participating)	2.79	11.74	2.25	7.60	1.94	6.72	1.38	3.76	0.77	10.21	0.68	4.24
(11) Total fixed cost	0.53	4.37	0.35	2.38	1.20	3.48	0.85	2.24	0.90	10.00	0.40	4.93
(12) Total cost per MS	0.08	0.27	0.07	0.19	0.03	0.12	0.02	0.06	0.00	0.01	0.01	-0.03

Source: OECD elaboration

The total cost for each phase is shown in Table 6.6. All associated Member State costs are assigned to the Talent Pool. The most basic version of the Talent Pool is estimated as potentially costing EUR 2.46-10.44 million for development, and in the range of 2.25-7.6 million euros when fully operative with all Member States participating. Developing the Talent Pool with the most advanced scenario including a matching tool will potentially cost between EUR 5.17 and 27 million with a potential operating annual cost estimated to be between EUR 4.31 and 15.6 million. Some of these costs fall on Member States, therefore, the magnitude of the total cost of the EU Talent Pool is directly correlated to the number of Member States. For instance, the total operating cost of human resources required for each NCP (line 6) is estimated to be between EUR 1.63 and 3.27 million for the most basic version of the Talent Pool (Phase 1), assuming that the 27 Member States will participate in the Talent Pool. For the same cost heading the average cost per Member State (line 6b) is estimated to be between EUR 130 and 260 thousand. In the lower estimate, Member State staff costs comprise about half the total cost of operation of the fully developed Talent Pool. The same logic applies for the costs under the headings “Common Training Programme and Protocols” (line 7 and line 7b for the cost per Member State), “Network meetings” (line 8 and line 8b for the cost per Member State) and “Support to the network activities and promotion” (line 9 and line 9b for the cost per Member State).

The total cost can be also separated into fixed cost (line 11) and the cost per Member States (line 12). The former does not depend on the number of Member States participating in the Talent Pool. Fixed costs include those related to the platform, software and staff providing technical support. Conversely, the latter is directly correlated to the number of Member States in the Talent Pool. For the most basic scenario each Member State will potentially add costs estimated between EUR 70-240 thousand for development and 70-190 thousand for annual operating or the most advanced scenario including a matching tool each Member State will potentially add costs estimated at EUR 100-370 thousand for development and 100-220 thousand for annual operating costs. This excludes the cost of translations for the platform and different interfaces.

In order to put the estimated costs in perspective and calibrate their magnitude, the total operating cost for the most advanced scenario (Phase 3, upper bound) can be compared with the current operating cost of existing and relatively similar platforms such as EURES. The total upper bound operating cost for the Talent Pool for the most advanced scenario (Phase 3) is equivalent to about one-quarter (27%) of EURES' 2019 operating cost (EUR 58.2 million). The differences can be due to several factors including the size of the targeted population, scope of each platform, the additional features, components and programmes that EURES already has integrated in their budget (e.g. “Your First EURES Job”), and the complexity of its network (see Table 6.11).

Another comparison can be made between the operating cost of the Talent Pool under the scenario that includes profiles and job vacancies (Phase 2, lower bound) and the EURAXESS 2021 annual operating cost (EUR 500 thousand). The Talent Pool estimated operating costs in this simpler scenario are five times greater than for EURAXESS. However, EURAXESS is a significantly less complex and ambitious platform, focusing on one narrow segment of skill mobility, without a profile management system allowing candidate searches.

Table 6.6. Provisional Indicative Cost Analysis for the Talent Pool - Total Cost

Cost, in Million Euros, range from lower to upper bound.

	Total cost											
	Profiles Only				Profiles + Job vacancies				Profiles + Job vacancies + Matching Tool			
	Development cost		Operating annual cost		Development cost		Operating annual cost		Development cost		Operating annual cost	
	Lower	Upper	Lower	Upper	Lower	Upper	Lower	Upper	Lower	Upper	Lower	Upper
<u>EU Talent Pool platform</u>												
(1) Platform (Technical development and operation)	0.09	1.08	0.06	0.75	1.08	2.73	0.75	1.52	1.08	2.73	0.75	1.52
(2) Software (Automated matching development and license fee)	NA	NA	NA	NA	NA	NA	NA	NA	0.90	10.00	0.15	2.26
(3) Staff costs (Development, Help Desk and Technical support)	0.16	0.32	0.10	0.20	0.27	0.53	0.17	0.33	0.27	0.53	0.42	3.00
(4) Translations	0.08	2.32	0.04	1.17	0.14	3.85	0.09	2.43	0.14	3.85	0.09	2.43
Average cost per language	0.00	0.09	0.00	0.04	0.00	0.15	0.00	0.09	0.00	0.15	0.00	0.09
<i>Subtotal</i>	0.33	3.72	0.20	2.13	1.48	7.12	1.01	4.28	2.38	17.12	1.41	9.21
<u>Network - NCPs</u>												
(5) Human resources (CO)	0.15	0.25	0.15	0.25	0.20	0.33	0.20	0.34	0.20	0.33	0.20	0.34
(6) Human resources (MS)	1.62	3.24	1.63	3.27	2.16	4.32	2.17	4.36	1.89	3.24	2.18	3.27
(6b) Average cost per MS	0.06	0.12	0.06	0.12	0.08	0.16	0.08	0.16	0.07	0.12	0.08	0.12
(7) Common Training Programme and Protocols	0.14	1.12	0.05	0.42	0.27	2.58	0.10	0.97	0.41	3.87	0.15	1.46
(7b) Average cost per participating MS	0.01	0.04	0.00	0.02	0.01	0.10	0.00	0.04	0.02	0.14	0.01	0.05
(8) Network meetings	0.02	0.53	0.01	0.27	0.03	0.71	0.01	0.36	0.03	0.71	0.01	0.36
(8b) Average cost per participating MS	0.00	0.02	0.00	0.01	0.00	0.03	0.00	0.01	0.00	0.03	0.00	0.01
(9) Support to the network activities and promotion	0.20	1.57	0.20	1.26	0.26	2.09	0.13	1.05	0.26	2.09	0.35	0.96
(9b) Average cost per participating MS	0.01	0.06	0.01	0.05	0.01	0.08	0.00	0.04	0.01	0.08	0.01	0.04
<i>Subtotal</i>	2.13	6.72	2.05	5.47	2.92	10.04	2.62	7.07	2.79	10.24	2.90	6.38
(10) Total (assuming 27 Member States participating)	2.46	10.44	2.25	7.60	4.40	17.16	3.63	11.36	5.17	27.36	4.31	15.60
(11) Total fixed cost	0.48	3.97	0.35	2.38	1.68	7.45	1.21	4.62	2.58	17.45	1.61	9.55
(12) Total cost per MS	0.07	0.24	0.07	0.19	0.10	0.36	0.09	0.25	0.10	0.37	0.10	0.22

Source: OECD elaboration

Further options to explore

Beyond the Talent Pool platform described above, additional features may be added, with the same aim of increasing EU attractiveness and addressing skills shortages in the EU labour market (see the Provisional Scenario for the description of each of options considered in this feasibility study). Each of these additional features would facilitate the operation of the network and complement the functionality of the platform.

For some of these features, it is feasible to estimate their potential cost based on very specific assumptions and by using non-systematic sources of information (i.e. publicly available price lists). For others, it is more difficult. For example, there is limited benchmark information to calculate the cost of introducing standardised forms. In the case of fast track or job search visas, the cost estimation requires valuation of non-marketable goods and services techniques).

The estimations for some options also need to be separated into development and operation. Creating a 'Revamped EU Immigration Portal' would have a development cost and annual operating cost, since the Portal would have to be adjusted in structure, content and functionality, with implications for current operations.

Table 6.7 summarises the provisional indicative cost for the additional components. The development of the '**Revamped EU Immigration Portal**' (line 1) is a one-time cost and is directly correlated to the changes required for redesigning the EU Immigration Portal. Development costs for the portal range between EUR 10 000 and 150 000, based on online generic quotes and assuming a single interface language. A similar investment was made to develop the 'Work in Lithuania' platform, which cost approximately EUR 160 000. The 'Work in Lithuania' portal, unlike "Make it in Germany", does not contain job vacancies. It is assumed that human resources are required for operating the new portal. Central-level staff would be tasked with reviewing the information on labour migration schemes provided by Member States. It is assumed that 0.5-1 FTE are hired centrally for the operation of the new EU Immigration Portal (so EUR 65-130 000). Member State correspondents would be tasked with continuously updating the national information underlying the Immigration Portal, with a staff contribution of between 0.125 and 0.5 FTE. Using as a basis the estimation for operation of the Talent Pool, the human resource cost for the portal lies between EUR 500 000 and 1.9 million depending on the level of human resources devoted at the national level. Development and operation costs would be higher if the Immigration Portal were available in multiple languages.

Table 6.7. Provisional indicative cost for the additional components

In million Euros

	Development cost		Operating cost (annual)	
	Lower bound	Upper bound	Lower bound	Upper bound
<u>Components</u>				
(1) Revamped EU Immigration Portal	0.01	0.15	0.50	1.89
(2) Standardised Forms	NA	NA	NA	NA
(3) Assessment of credential and qualifications	0.02	0.50	NA	NA
(4) Fast track	NA	NA	NA	NA
(5) Job search visa	NA	NA	NA	NA
(6) Outreach activities in third countries	0.04	4.80	NA	NA

Source: OECD's elaboration

An additional component is to add an **assessment of credentials and qualifications** (line 2). This feature allows the EU Talent Pool to assess the level of skills of applicants and validate the skills required for

specific positions. Developing an add-in or application for skills assessment is a one-time cost, but requires regular updates depending on changes in the content of the assessment and the skills to be assessed. The cost of this add-in includes developing the skill assessment interface that can be embedded in the EU Talent Portal. The estimation of the cost is based on market research of similar platforms. As a rough estimate, the cost to develop add-in assessment of credential and qualifications could be between EUR 20 000 and 500 000 depending on the features, characteristics and the range and depth of skills assessments offered. Additional costs for maintenance can be added.

Table 6.8 shows options to establish the lower and upper bound of the cost of the assessment tool. The detailed description is also provided as reference for the technical requirements. The estimation of this cost only takes into account the technological development. However, additional financial efforts may be needed. For instance, assessment for skills validation would have to be recognised by each Member State participating in the Talent Pool. Similarly, assessment would have to comply with existing instruments for skills harmonisation such as ESCO.

Table 6.8. The potential cost of an add-in to assess credentials and qualifications.

Company/Start-up	Description	Approximate cost of Skill assessment add-in (in million Euros)
iSpring Suite Max	Mainly designed for creating eLearning content, but is also a skills assessment tool for recruiters. It allows creation of interactive online courses and for building tests.	0.25
eSkill	Skills assessment tool for screening large numbers of candidates. It offers a broad range of test types – including behavioural, pre-employment, and video-response questions.	0.45
Interview Mocha	Library of readymade, role-related tests. Specialized in remote tech workers, it offers AI-enabled proctoring to ensure integrity of test scores.	0.02
Skillmeter	Designed more for hiring teams rather than individuals, tests potential employees' knowledge and skills. It is customizable and allows creation of tests in any format. It runs in the cloud.	0.50
Wonderlic	Offers platforms and tests using different techniques (e.g., industrial-organizational (I-O) psychology, AI, and machine learning) to score users according to 3 types of assessments: cognition, personality, and motivation	0.33

Source: "Estimating the financial value of staffing assessment tools" - <https://workforce.com/uk/news/estimating-the-financial-value-of-staffing-assessment-tools> - "The best skills assessment tools" - <https://www.ispringsolutions.com/blog/skills-assessment-tools>

The exact cost of developing **standardised national visa/residence permit application forms** is difficult to estimate, since changes will require mostly regulatory efforts. Financial costs will include human resources in charge of obtaining information for protocols implemented in each Member states and coordinating the standardisation at the central level. This is not expected to require substantial financial investment.

A **fast track for labour migration process** for high-skilled TCNs admitted to the pool, as well as the provision of a job search visa for Third Country job-seekers, are options that mainly require legal efforts and coordination between Member States migration authorities (See Provisional Scenario and discussion of Adaptability). The financial costs related to these options, if any, are difficult to estimate. The potential cost will include human resources for processing additional applicants, while savings might spring from exemption from certain administrative steps. In any case, this cost will be assumed by Member States.

Outreach activities in third countries is an additional component that can be added to the EU Talent Pool as part of strategies to increase the attractiveness of the EU. The outreach activities aims at promoting the platform among TCNs based in their home country, thus increasing the likelihood of platform take-up by

potential migrants. Similar activities for educational and health programmes were taken into consideration to obtain a rough estimate of the cost of such activities for the EU Talent Pool (e.g. the marketing/outreach budget of the “Connect for Health” programme in the United States (Connect for Health, 2016^[22])). The cost shown in the Table 6.7 is the per origin country expenses for a massive campaign. It includes several cost headlines containing Talent Pool awareness campaigns, targeted campaigns for high skilled migrants, traveling expenses, migrant testimonials, and additional activities. Depending on the outreach activities, the content and scope of campaigns, and the targeted audience the cost can vary between 2.5 and 4.8 million euros per country to be reached.

Smaller scale and focused initiatives may cost less than the broad campaign shown above. As part of the “Make it in Germany” launch in 2012, the German Corporation for International Cooperation (GIZ) was entrusted with pilot projects in three countries (India, Indonesia and Viet Nam) to promote Germany as a destination for STEM professionals. The pilots cost EUR 114 000 and involved contact with 22 000 candidates over the course of two years (European Commission, 2018^[20]).

6.5. Comparison of the different scenarios and phases and policy options

Effectiveness and Efficiency of the EU Talent Pool

The comparison of the phases and the different policy options is done against the core criteria of:

- Effectiveness, i.e. meeting an specific number of stated objectives for the EU Talent Pool,
- Efficiency, the extent to which objectives of the EU Talent Pool can be achieved for a given cost (cost-effectiveness)
- Coherence: assessing whether the coherence and contribution of the EU Talent Pool is related to EU objectives in regard migration policies and migration at home affairs and in the area of employment and social policy.

The assessment is mainly qualitative based on the benefit and the cost analysis presented above. The benefit analysis primarily relies on the potential added value that the Talent Pool has on each relevant stakeholder. The indicative cost analysis provide a cost estimate range given a defined benchmark, platform and network characteristics and for each scenario/phase of the EU Talent Pool.

The effectiveness has been evaluated in the light of the objectives of the EU Talent Pool. These objectives can be summarised as follow:

- Increasing the attractiveness of the EU for qualified third-country nationals,
- Helping to fill EU labour needs in occupation facing shortages,
- Allow skilled non-EU workers to express their interest in migrating to the EU,
- Allow EU migration authorities and employers to identify candidates based on their needs.

The efficiency is assessed in terms of the cost, legislative effort and the benefits of the Talent Pool in each phase and for each component. The cost efficiency is analysed separately including the financial and legislative efforts. The benefits are analysed in terms of the added value. In terms of efficiency, costs calculated according to required efforts are measured against benefits.

The principal elements in the provisional scenario are identified and associated benefits and costs scored, according to a scale from ----- (highest cost) through 0 (neutral) to +++++ (highest benefit) (See Table 6.9)

Table 6.9. Scale of impact

Symbol	Description
----	Highest negative impact/cost
---	Significant negative impact/cost
--	Medium negative impact/cost
-	Small negative impact/cost
0	No impact / Neutral
+	Small positive impact/benefit
++	Medium positive impact/benefit
+++	Very significant impact/benefit
++++	Highest positive impact/benefit

Source: OECD elaboration

Legislative efforts considered focus on EU legal implications only, without taking into consideration any further additional changes which might be required at the national level. The score for legal changes is as follows: no change at all (0); possible adoption of non-legally binding instruments (soft law, no legislative process required, “-”); revision of existing decisions or incentive measures (either simplified legislative process or ordinary legislative procedure but no harmonisation, “--”); revision of an existing directive or regulation (ordinary legislative procedure but targeted/limited amendments, “---”) and finally the necessary adoption of a new directive or regulation (ordinary legislative procedure, i.e. whole negotiation process from scratch, “----”). In some cases, several legislative options are possible and more than one score is shown.

Comparative Analysis

The key results are presented in Table 6.10 where a comparison of policy options according to effectiveness and efficiency is provided.

Based on the benefits and cost analysis, as well as the efficiency, effectiveness and coherence of each policy option and possible component, the final section of this report focuses on summarising the findings by assessing the options in blocks.

Policy option 1: No new action

Under this option no changes are put in place. The current Immigration Portal remains the only EU access point for information on how to come to the EU for high-skilled third country nationals. Users can select a country of interest and choose one of the predetermined profiles in the website. Depending on the country and profile selected the users receive information on the conditions and procedures to follow for international mobility. Information remains incomplete.

Additionally, as reported during consultations, there are current initiatives taken place at the country level. Some Member States have developed portals aiming to attract high-skilled workers from abroad (both EU and non-EU citizens) such as ‘Working in Lithuania’ from Lithuania and ‘Talent Boost’ from Finland. However, some of these initiatives are not necessarily well aligned with EU Talent Pool objectives.

This is a relatively low financial cost, since the Immigration Portal is run without its own budget. It brings no benefits.

Policy option 2: Phase 1 - A pool of profiles (Only)

This option aims at developing a basic platform which only includes profiles. In terms of the effectiveness, the basic form of the Talent Pool is relatively more effective on increasing EU attractiveness, helping to fill

EU labour need in occupation shortage and allowing EU migration authorities and employees to identify candidates based on their needs in comparison to the current scenario (baseline). Additionally, there are high gains in terms effectiveness (very significant impact/benefit) compared to the baseline (current situation) regarding allowing skilled TCNs to express their interest in migrating to the EU.

In terms of efficiency, which is based on the relative benefits given the costs and efforts involved, the Talent Pool at this first phase overall has small gains compared to the baseline. These small gains may be due to two reasons. On one hand, under this scenario the benefits are positive but to a medium degree. All stakeholders enjoy positive outcomes, to a medium extent (e.g. ability to express interest by TCNs, increase access to high-skilled candidates for employers, etc.). Financial costs are outweighed by benefits. The legislative effort necessary would be limited to a revision (--) of existing decisions (EMN or Europass) to integrate a restricted pool of third-country national candidate profiles into the corresponding web-based platforms.

Policy option 3: Phase 2 - Profiles and vacancies

Under the scenario/phase 2 the platform includes job vacancies. There are significant effectiveness gains. As discussed above, the EU becomes more attractive and engagement increase. Including vacancies will also have a positive impact on helping to fill EU labour needs in occupations in shortage and allowing EU migration authorities and employers to identify candidates based on their needs. These gains in effectiveness are relatively higher than those from the EU Talent Pool with only profiles.

Including vacancies to the Talent Pool brings also important efficiency gains. Although the funds and technical efforts for developing and operating a more complex platform are higher, the total cost in proportion of the potential added value are substantially lower than in phase 1. A more complex platform and higher workload and network requires more coordination. Legally speaking, posting vacancies can be achieved with no (0) or limited legal changes, depending on whether clearance or approval is required from national authorities. In the latter case, such an obligation should be explicitly set out in the NCPs' mandate (--). Additionally or alternatively, as for vacancies posted in EURAXESS, employers and recruiters could be requested to endorse a Charter or a Code of conduct (e.g. on fair international recruitment) before registering and publishing job offers (-). Adding vacancies brings very significant benefit to different relevant stakeholders at relatively limited cost.

Policy option 4: Profiles and vacancies with a job-matching tool

Phase 3 adds a matching tool to the Talent Pool that includes profiles and vacancies. As for inclusion of vacancies, an automated matching tool also brings significant gains in term of its effectiveness. Matching is better than under Phase 1 and Phase 2.

The efficiency gains are driven mainly by the added value that the matching tool brings to all stakeholders. Financial costs are high. Legislative effort might either be inexistent (0) or limited (--), depending on whether semantic interoperability of data coming from national job vacancy systems is required. The EURES regulation indeed obliges Member States to ensure full interoperability according to technical standards and format between national systems and the European portal, defined as a uniform system. A similar legally binding provision might also be needed for a Talent Pool with a job matching component⁸².

⁸² In such a case, Member States should rely on the technical standards and formats necessary for the operation of the automated matching provided by the Commission implementing decision comparable to Decision (EU) 2018/1021 of July 2018 on the adoption of through the common IT platform using the European classification and the interoperability between national systems and the European classification.

However, the benefits are significantly higher and positive compared to previous phases.

Measuring effectiveness against efficiency, a Talent Pool containing only profiles can be achieved efficiently and brings a clear, if limited benefit, especially in achieving the goal of allowing third-country nationals to express interest. Including vacancies and matching represents more effort, but with higher returns and greater overall effectiveness of the Talent Pool across different objectives. Additional support measures can further increase the effectiveness of the Talent Pool.

Table 6.10. Comparison of policy options

	Baseline (Current)	Talent Pool			Additional components				
		Profiles Only	Profiles + Vacancies	Profiles + Vacancies + Matching	Job- Search Visa	+ Interactive EU Immigration Portal	+ Standardised forms	Assessment of credentials / qualifications	+ Link to National Migration Procedures
Effectiveness		+	+++	+++	++	++	+	+	+
Increased EU Attractiveness	0	+	+++	+++	+++	+++	0/+	-	++
Help fill EU labour needs in occupations in shortage	0	+	++	++	+	+	0	+	+
Allow skilled non-EU workers to express their interest in migrating to the EU	0	+++	+++	+++	+++	++	++	-	0
Allow EU migration authorities and employers to identify candidates based on their needs	0	+	++	+++	+++	0	0	++	0
Efficiency	0	+	++	++	+	+	+	-	++
Cost (Required efforts)	0	-	--	---	0	--	-	--	----
Legislative efforts (EU)	0	--	0/-/--	0/--	---(-)	0/--	---(-)	0/--/----	---(-)
Benefits (Added value)	0	++	++++	+++++	+++	+++	++	++	++++
Coherence with EU objectives in migration and employment	0	++	++	++	+	++	++	+	+

Note: Scoring for *legislative efforts*: no change at all (0); non-legally binding instruments -; revision of existing decisions or incentive measures --; revision of existing directive or regulation "---"; adoption of a new directive or regulation "----".

Table 6.11. Brief description of EURES portal and Network

Channels for service delivery	Description	Structure	Location	Main activities
EURES portal	The EURES portal delivers free self-service for jobseekers and employers who register to find a job or a candidate. Both employers and jobseekers can set up accounts allowing use of search and match functions on the portal, to create and store search profiles, and to receive email alerts.			
EURES Staff network across Europe	A network of over 1 000 EURES staff from the 32 EURES member countries. Delivers tailored career and recruitment advice, support for job search and hiring, and information on relevant rules such as social security and tax arrangement in other EURES member countries, as well as post-recruitment assistance (e.g., training and language courses).	National Coordination Office (CNO)	Generally linked to either PES or the Ministry of Labour	<p>General support services for workers and employers (Matching and placement activities, information and guidance)</p> <p>Specific support services (Support services in cross-border regions, post-recruitment assistance, support to youth - apprenticeships and traineeships, EURES-related targeted mobility schemes)</p> <p>Resources and governance (Human resources, financial resources and IT infrastructure, governance and stakeholder cooperation, communication, monitoring and evaluation of activities)</p>
		European Coordination Office (ECO)	Hosted by the Directorate General for Employment, Social Affairs and Inclusion of the European Commission (DG EMPL). It provides horizontal support to NCOs.	<p>Coordination and governance support.</p> <p>Operation and development of the EURES Portal and related IT Service.</p> <p>Training and professional development.</p> <p>Help desk</p> <p>Networking, exchange of best practice and mutual learning</p> <p>Information and communication activities</p> <p>Analysis of geographic and occupational mobility</p> <p>Development of an appropriate cooperation and clearance structure for apprenticeships and traineeships</p> <p>Financial resources</p>

Source: OECD Analysis

7 List of stakeholders consulted

Organisation	Country
<i>European Commission, Directorate-General for Employment, Social Affairs and Inclusion (DG EMPL)</i>	<i>EU</i>
<i>European Commission, Directorate-General Education, Youth, Sport and Culture, (DG EAC)</i>	<i>EU</i>
<i>European Commission, Directorate-General for Research and Innovation (DG R&I)</i>	<i>EU</i>
<i>European Commission, Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR)</i>	<i>EU</i>
<i>European Commission, Secretariat-General (SG)</i>	<i>EU</i>
<i>European Commission, Joint Research Centre (JRC-ISPRA)</i>	<i>EU</i>
<i>European University Institute, Migration Policy Centre (RSCAS, MPC)</i>	<i>EU</i>
<i>European Centre for the Development of Vocational Training (Cedefop)</i>	<i>EU</i>
<i>Europass Digital Credentials Infrastructure (EDCI)</i>	<i>EU</i>
<i>European Commission, DG HOME, Expert Group Economic Migration, 14 April 2021.</i>	<i>EU</i>
<i>European Commission, DG HOME, Civil society representatives, 20 April 2021.</i>	<i>EU</i>
<i>European Commission, DG HOME, Legal practitioners, 29 April 2021.</i>	<i>EU</i>
<i>European Commission, DG HOME, Economic and Social Partners meeting, 5 May 2021.</i>	<i>EU</i>
<i>European Commission, DG HOME, Contact Group on Legal Migration, 18 May 2021.</i>	<i>EU</i>
<i>European Parliament, LIBE Committee</i>	<i>EU</i>
<i>European Parliament, Parliamentary Research Services</i>	<i>EU</i>
Work in Estonia	EE
<i>German Federal Employment Agency (Bundesagentur für Arbeit)</i>	<i>DE</i>
Business France	FR
<i>Administration Numériques pour les Étrangers en France (ANEF)</i>	<i>FR</i>
<i>La French Tech, Welcome to France</i>	<i>FR</i>
<i>Hungarian Ministry of Innovation and Technology, Department of Labour Market Regulation</i>	<i>HU</i>
<i>Lithuanian Ministry of Economy and Innovation,</i>	<i>LT</i>
<i>Finnish Talent boost, Ministry of Economic Affairs and Finance</i>	<i>FI</i>
<i>Czech Republic, Ministry of Labour and Social Affairs (MOLSA)</i>	<i>CZ</i>
<i>Spain, Ministry of Inclusion, Social Security and Migration</i>	<i>ES</i>
<i>Immigration New Zealand</i>	<i>NZ</i>
<i>Work in Denmark, Danish Ministry of Employment</i>	<i>DK</i>
<i>International Organisation for Migration (IOM)</i>	
<i>International Centre for Migration Policy Development (ICMPD)</i>	
<i>Confederation of European Business (BusinessEurope)</i>	
<i>Association of Crafts and SMEs in Europe, (SMEunited)</i>	
<i>Labor Mobility Partnerships (LaMP)</i>	
<i>Talent Mobility Forum</i>	<i>DK, ES, FI, DE</i>
<i>Cognizant</i>	
<i>Randstad NV</i>	
<i>Adecco Group</i>	
<i>VisaDB</i>	

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