



Labour market integration of third-country nationals in EU Member States

Common Template of EMN Focussed Study 2018

Fifth version

Subject: Labour market integration of third-country nationals in EU Member States (Working title)

Action: EMN NCPs are invited to submit their completed Common Templates by **2nd of July 2018**.

If needed, further clarifications can be provided by directly contacting the EMN Service Provider (ICF) at emn@icf.com and to Almina Bešić (almina.besic@icf.com) and Sara Bagnato (sara.bagnato@icf.com).

STUDY AIMS AND RATIONALE

STUDY AIMS

The overall aim of the study is to inform the target audience (e.g. practitioners, policy officers and decision-makers at both EU and national level including academic researchers and the general public), and the Commission on the application of integration measures for third-country nationals across Member States, excluding measures that are only designed for beneficiaries of international protection, asylum seekers and students/graduates. The focus is on labour market integration measures, identifying existing policies and examples of good or promising practices from public and private sectors.

More specifically the study aims to:

- ★ Provide an overview of existing general and labour market integration policies in Member States targeting third-country nationals and focussing on those that have either been implemented recently (as of 2014) or that have been changed since 2014. To the extent possible, the study seeks to identify examples of good or promising practices concerning policies on labour market such as access, participation or the provision of employment-related support measures.
- ★ Examine which labour market integration measures Member States offer, their main components and involvement of other parties (e. g. NGOs, private sector, authorities and social services at various levels of governance) and present examples of good or promising individual labour market integration measures; Explore selected examples of tailored employment-related integration measures to third-country nationals provided specifically by the private sector, as private companies are most to likely facilitate labour market integration of third-country nationals through employment.

It is important to note that the study focuses on presenting Member States' different practices and identifying, to the extent possible, which policies/programmes related to labour market integration work well. The study does not aim to be an evaluation of labour market integration in different Member States.

RATIONALE

An effective integration of migrants into the host society is one of the key challenges and a precondition to successful migration. The integration of third-country nationals is often a lengthy process, but offers many advantages to both the third-country national as well as the host Member State and the EU in general. According to the 2017 OECD International Migration Outlook¹, the success of integration policies is a marker of the overall success of migration policies. Integration is a mutual process that requires efforts from migrants as well as from the receiving society. Integration is a common objective but every Member State takes a different approach, as the field of integration policy falls under the competence of each EU Member State. Well managed integration policies are essential tools for effective integration which also contribute to the prevention of negative public perceptions leading to discrimination, racism, xenophobia or exploitation of migrants. According to the 'European Agenda for the Integration of Third-Country Nationals', integration policies can act as a driver for "economic development and social cohesion, in order to better enhance migrants' contribution to economic growth and cultural richness"². A society with large groups who are not fulfilling their potential risks is accentuating economic and social division, with potentially also geographical segregation.

One of the key elements of migrant integration is labour market integration. With regard to this element, an effective integration policy can help well managed labour migration which is a feature of contemporary labour markets, and is highly prioritised within the national and international agendas. At the same time, there is a need to improve the protection of migrant workers, and foster labour market integration by the Member States.

Therefore the study will on the one hand update and complement the already available information on Member States' integration policies and on the other hand will focus on examples of good or promising practices of measures identified by NCPs facilitating the labour market integration.

The study will also reflect on the actions taken by the Member States following the Action Plan on the Integration of Third-Country Nationals (June 2016, COM(2016) 377 final), and the Conclusions of the Council and the Representatives of the Governments of the Member States on the integration of third-country nationals legally residing in the EU - Council conclusions (9 December 2016).

SCOPE OF THE STUDY

SCOPE OF THE TARGET GROUP: THIRD-COUNTRY NATIONALS

The study focuses on labour market integration measures for regularly staying third-country nationals with the right to work, including third-country national family members of EU citizens and third-country nationals. Conversely, specific measures that are **only** designed for beneficiaries of international protection, asylum seekers, and students/graduates³ are excluded from this study. The study focuses on first generation third-country nationals.

SCOPE OF 'INTEGRATION MEASURES'

Integration takes place on several dimensions (socio-economic, cultural, civic, political participation, etc.). This study focuses on the socio-economic dimension of integration, specifically "labour market integration".

To the extent possible, the study seeks to identify examples of good or promising practices concerning Member States' policies on labour market access/participation and the provision of employment-related support measures.

The first part of the study will provide an overview of existing general and labour market integration policies in Member States. In the second part, the study covers the following integration measures that the state or private actors provide which are closely linked to labour market integration (support measure

¹ OECD (2017), International Migration Outlook 2017, OECD Publishing, Paris.
http://dx.doi.org/10.1787/migr_outlook-2017-en

² European Agenda for the Integration of Third-Country Nationals, <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52011DC0455&from=en>, p. 2

³ An EMN focus study on *Attracting and retaining international students and researchers in the EU* is currently under preparation and planned to be issued in 2018.

provided by NGOs without any (financial) involvement of the Member State are beyond the scope of the study), namely:

1. Training and Qualification
2. Enhancement of (soft) skills
3. Provision of information and counselling
4. Enhancement of intercultural/religious/civic relations in the work place
5. Tailor-made holistic programmes/plans/contracts containing different elements of labour market integration, targeting specific groups and/or vulnerable categories.
6. Incentive measures for migrants and/or employers
7. Support for self-employment

Whilst the study will collect information on the legal and policy framework for access to integration and support measures by the target groups, it will primarily focus on collecting information on the practical implementation of such measures, including the collection of examples of good or promising practices.

EU LEGAL AND POLICY CONTEXT CONCERNING THE INTEGRATION OF THIRD-COUNTRY NATIONALS

The Amsterdam Treaty marked the development of a common EU immigration and asylum policy. It did not however provide a legal basis for a common integration policy. Legal competence for a common agenda on integration was, under the Amsterdam Treaty, exclusively limited to combatting discrimination against migrants. The Lisbon Treaty (adopted in 2007 and entered into force in 2009) introduced, for the first time, an explicit legal basis for the promotion of integration at EU level (Art. 79.4). However, the Lisbon Treaty still clearly states that this competence is confined to measures which are complementary to the activities of Member States.

Following the Tampere and the Hague Programmes, the Stockholm Programme (2009) adopted an ambitious programme in relation to integration. It stated that Member States' integration policies should be supported through the further development of structures and tools for knowledge exchange and coordination with other relevant policy areas, such as employment, education and social inclusion. In particular, it called the Commission to support Member States' efforts through the development of a coordination mechanism using a common reference framework which should improve structures and tools for European knowledge exchange. It also invites the Commission to identify European modules to support the integration process and to develop core indicators for monitoring the results of integration policies.

Despite the limited legal competence for a common agenda on integration, the development of a series of policy documents gradually established an EU framework on integration. These include:

- ★ the **2002 Council Conclusions on integration of third-country nationals** setting out a first framework for action on integration;
- ★ the **2003 Commission Communication on "Immigration, integration and employment"** which was the first EU policy document outlining the situation on integration within the EU;
- ★ the **2004 Common Basic Principles for Immigrant Integration Policy**
- ★ the **2005 Common Agenda for Integration** which aimed to implement the Common Basic Principles for Immigrant Integration Policy;
- ★ the **2010 Commission Communication** entitled ['Europe 2020, a strategy for smart, sustainable and inclusive growth'](#) emphasised the need for establishing a new agenda for migrant integration in order to enable them to take full advantage of their potential;
- ★ the **2010 Zaragoza Declaration** requested the Commission to undertake a pilot study to examine common integration indicators and to report on the availability and quality of the data needed;
- ★ the **2011 European Agenda for the Integration of Third-Country Nationals** outlined the actions required in order to increase the integration of migrants, and the necessity for these to be conducted both at local and national level.

- ★ the **2015 [European Agenda on Migration](#)** outlined four pillars for successful migration (1. Reducing the incentives for irregular migration; 2. Border management – saving lives and securing external borders; 3. Europe's duty to protect: a strong common asylum policy; 4. A new policy on legal migration) and a consistent and clear common migration policy.
- ★ the **2016 [Council Conclusions on the integration of third-country nationals legally residing in the EU](#)**.
- ★ the **2016 [Action Plan on the Integration of Third-country nationals](#)** outlines policy priorities and tools to support integration across the EU.
- ★ the **2017 [European partnership for integration offering opportunities for refugees to integrate into the European labour market](#)**

RELEVANT SOURCES AND LITERATURE

Relevant EMN Outputs

[EMN studies/Informs](#)

EMN Study on "Integration of beneficiaries of international/humanitarian protection into the labour market: policies and good practices" (2016)

Ad Hoc Queries

1127. Implementation of the AMIF, 683. Monitoring integration, 657. Educational projects of immigrants, 645. Asylum seekers integration to labour market, 589. Language and civic courses , 497. Immigrant Integration Plans , 453. Integration Agreements

Other Relevant studies (not EMN outputs)

There is a wide array of documents and studies at international level relevant for this study, such as:

- ★ **OECD (2017), International Migration Outlook 2017, OECD Publishing, Paris.**
http://dx.doi.org/10.1787/migr_outlook-2017-en
- ★ **The joint EU/OECD report, "Settling in - Indicators of Immigrant Integration" (2015)**
The report identifies how harmonized data sources can provide adequate data on migrants' populations. <http://www.oecd-ilibrary.org/content/book/9789264234024-en>
- ★ **Study on Practices of Integration of Third-Country Nationals at Local and Regional Level in the European Union**
This study contains the final report on the assignment 'Study on Practices of Integration of Third-Country Nationals at Local and Regional Level in the European Union'. The study was undertaken in 2012 for the Committee of the Regions (CoR) by the Centre for Strategy & Evaluation Services (CSES). The purpose of this assignment was to collect and analyse information on projects and policies implemented by Local and Regional Authorities (LRAs) in the EU to promote the integration of third-country migrants.
http://cor.europa.eu/en/documentation/studies/Documents/survey_integration_3rd_countynationals/survey_integration_3rd_country_nationals.pdf
- ★ **Comparative report on "Measures and rules developed in the EU Member States regarding integration of third county nationals"**
The report provides a comprehensive overview of EU laws and policies on integration including on integration in the labour market. It details national integration schemes established in the EU Member States covered. It particularly looks at how EU Member States use language and civic knowledge or request migrants to fulfil such measures at three different stages of migration: before entering the host state, after entering the host state and for the acquisition of a permanent/long-term residence permit. The report also takes into account measures developed in the EU Member States regarding migrants' access to the labour market.

The study specifications were prepared on the basis of the findings of this report and it provides a good source of information for the national reports.

<https://ec.europa.eu/migrant-integration/librarydoc/integration-measures-in-the-eu-updated-december-2014>

- ★ **Together in the EU - Promoting the participation of migrants and their descendants (FRA)**
<http://fra.europa.eu/en/publication/2017/migrant-participation>
- ★ **JRC - Patterns of immigrants' integration in European labour markets. What do employment rate gaps between natives and immigrants tell us?**
http://publications.jrc.ec.europa.eu/repository/bitstream/JRC108495/pdf_-_kcmd_employment_rates.pdf#
- ★ **FRA/EU MIDIS 2 Second European Union Minorities and Discrimination Survey (EU-MIDIS II) Muslims**
<http://fra.europa.eu/en/publication/2017/eumidis-ii-main-results>
- ★ **ILO-MPI: Aiming Higher: Policies to Get Immigrants into Middle-Skilled Work in Europe**
<https://www.migrationpolicy.org/research/aiming-higher-policies-get-immigrants-middle-skilled-work-europe>
- ★ **A. Bergh, Labour Market Integration of Immigrants in OECD countries: What explanations fit the data?**
ECIPE Occasional Paper • No. 4/2013
http://www.ecipe.org/app/uploads/2014/12/OCC42013_1.pdf
- ★ **CEPS page Integration of Immigrants in European Labour Markets**
[Integration of Immigrants in European Labour Markets](#)

[Other sources of information](#)

Country information sheets with information on integration policy for each Member State; these information sheets will be published on the [European Website on Integration](#). They were recently updated and are currently under validation by the European Integration Network.

METHODOLOGICAL CONSIDERATIONS

As with all EMN Studies, the National Reports should be primarily based on secondary sources. In particular, information on national policies and approaches will be a key source of information, while available evaluations should provide evidence of the approaches and policies, examples of good or promising practices and lessons learnt of integration of migrants. EMN NCPs are invited to liaise with the National Contact Points of the European Integration Network in the elaboration of this Focussed Study.

AVAILABLE STATISTICS (to be included in the synthesis report)

EU level

Available statistics at EU level provide information about the number of third-country nationals, type of residence permits, age, and level of education and integration outcomes.

Eurostat integration indicators webpage:

<http://ec.europa.eu/eurostat/web/migrant-integration/data/database> and
http://ec.europa.eu/eurostat/statistics-explained/index.php/Migrant_integration_statistics
http://ec.europa.eu/eurostat/statistics-explained/index.php?title=Migrant_integration_statistics_-_employment&oldid=291217

FRA/EU MIDIS 2 on discrimination :

<http://fra.europa.eu/en/publication/2017/eumidis-ii-main-results>

Joint EU/OECD report, "Settling-in - Indicators of Immigrant Integration" (2015)

<http://www.oecd-ilibrary.org/content/book/9789264234024-en>

And data explorer:

<http://www2.compareyourcountry.org/indicators-of-immigrant-integration?cr=oeecd&lg=en>

National level

Subject to availability, the following statistical data, reference period Jan 2014-Dec 2017, sources would be very useful for this study, and should be included insofar as possible:

- ★ Total number of third-country nationals, including characteristics (e.g. foreign-born, native-born)
- ★ Number of third-country nationals by residence type (temporary/permanent) and reason (work reasons, study reasons, protection reasons, other)
- ★ Number of temporary residence permits issued/renewed to third-country nationals by citizenship, grounds of entry
- ★ Un/Employment rates of third-country nationals, where possible disaggregated by gender and residence type
- ★ Number of third-country nationals accessing/passing integration courses

DEFINITIONS

The following key terms are used in the Common Template. The definitions are taken from the EMN Glossary v3.0⁴ unless specified otherwise in footnotes.

Beneficiary of international protection: A person who has been granted refugee status or subsidiary protection status.

Employee: Worker holding an explicit or implicit employment contract, which gives them a basic remuneration that is not directly dependent upon the revenue of the unit for which they work.

First generation third-country nationals are those born outside the EU.

Integration: In the EU context, a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States.

Labour market integration: It is a two ways process by which, over time, immigrants will tend to show the same range of labour market outcomes as the native population. It is intended in terms of access and participation in employment and vocational training, also including actions to promote early integration into the labour market and migrant entrepreneurship⁵.

Labour matching: The process by which the skills and qualifications of a worker is compared with the requirements of a particular job vacancy, to establish whether they match wholly or partly.

Labour migration: Movement of persons from one state to another, or within their own country of residence, for the purpose of employment.

Labour shortage: Shortage of labour of a particular type in a particular labour market which may be said to exist when the number of vacancies has been (or is expected to be) above a level considered to represent 'normal' turnover at the prevailing wages and working conditions for an extended period.

Legal entry: In the global context, the entry of an alien into a foreign country in compliance with the necessary requirements for legal entry into the receiving State.

In the Schengen context, and for a stay not exceeding three months per six-month period, the entry of a third-country national into a Schengen Member State in compliance with Art. 5 of the Schengen Borders Code.

Legal migration: Migration in accordance with the applicable legal framework.

⁴ OECD, *Finding their Way: labour market integration of refugees in Germany*, March 2017; Available at: http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/docs/emn-glossary-en-version.pdf

⁵ https://ec.europa.eu/home-affairs/what-we-do/policies/legal-migration/integration_en

Long-term resident: A third-country national who has long-term resident status as provided for under Arts. 4 to 7 of Council Directive 2003/109/EC (Long-Term Residents Directive) or as provided for under national legislation.

Mandatory integration programme: Comprises measures or conditions third-country nationals have to comply with in order to enter, reside or stay in a Member State. These measures or conditions may take different forms, such as tests or classes or long-term commitment, and are made compulsory by law or regulation. If third-country nationals do not comply with mandatory integration measures or conditions, different types of sanctions are organised by the Member States. These sanctions can be constituted by the refusal to issue a residence permit or to renew it, the withdrawal of financial or social support, etc.⁶

Migrant Integration Policy Index (MIPEX, British Council): In the context of the Study includes several parameters of estimation: description of laws and regulations per EU – country, focus on rules and conditions (access to labour market, nationality, and family reunion, anti-discrimination).⁷

Entry and travel (pre-departure) stage: In the context of the Study, this stage is followed by the positive migration application decision, when the migrant is preparing to leave the country⁸.

Residency (post-arrival) migration stage: In the context of the Study, this stage is followed by the pre-departure stage, when the migrant arrives in the country of destination.⁹

Pre-departure or Pre-entry measures: In the context of the Study, action provided by the country of destination or future employers, and course of action taken by the third-country nationals that is a condition for entering the territory of destination country.¹⁰

Qualification: covers different aspects: (a) formal qualification: the formal outcome (certificate, diploma or title) of an assessment and validation process which is obtained when a competent body determines that an individual has achieved learning outcomes to given standards and/or possesses the necessary competences to do a job in a specific area of work. A qualification confers official recognition of the value of learning outcomes in the labour market and in education and training. A qualification can be a legal entitlement to practice a trade; (b) job requirements: the knowledge, aptitudes and skills required to perform the specific tasks attached to a particular work position.¹¹

Recognition of foreign qualifications: A formal acknowledgement by a competent authority of the validity of a foreign qualification with a view to access to educational and/or employment activities.

Recognised professions: professions that require authorisation from competent authorities in order to be practised by third-country nationals¹².

Residence permit: Any authorisation issued by the authorities of an EU Member State allowing a non-EU national to stay legally in its territory, in accordance with the provisions of [Regulation 265/2010 \(Long Stay Visa Regulation\)](#).

Third-country national: Any person who is not a citizen of the European Union within the meaning of Art. 20(1) of [TFEU](#) and who is not a person enjoying the Union [right to free movement](#), as defined in Art. 2(5) of the [Schengen Borders Code](#). According to this definition, nationals of NO, IS, LI and CH are not considered to be third-country nationals. This is also consistent with Art. 2(6) of the [Schengen Borders Code](#).

Voluntary integration programmes: May be of the same nature as mandatory measures and conditions (classes, long-term commitment, etc.). However, such programmes are voluntary, which

⁶ As defined in study: http://www.epc.eu/documents/uploads/pub_6519_reportintegrationschemesfinalversionpdf-en.pdf

⁷ <http://www.mipex.eu/>

⁸ https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/legal_migration/tor-fitnesscheckstudyv15-clean-annex_i-v_en.pdf

⁹ *ibid*

¹⁰ *ibid*

¹¹ <http://www.eqavet.eu/qa/gns/glossary/q/qualification.aspx>

¹² <https://publications.iom.int/books/recognition-qualifications-and-competences-migrants>

means there is no obligation for third-country nationals to engage with one of them. In addition, no sanctions weighing on the residence permit or status are organised where persons do not properly attend integration programmes. However, incentives may have been introduced to motivate third-country nationals to participate in integration programmes.¹³

ADVISORY GROUP

For the purpose of providing support to EMN NCPs while undertaking this Focussed Study and for developing the Synthesis Report, an “Advisory Group” has been established. The members of the Advisory Group for this Study, in addition to COM and the EMN Service Provider (ICF), are (currently) 11 NCPs.

EMN NCPs are thus invited to send any requests for clarification or further information on the Study to the following “Advisory Group” members:

- ★ COM: Nuria Diez Guardia (Nuria.DIEZ-GUARDIA@ec.europa.eu)
- ★ EMN Service Provider: Almina Bešić (almina.besic@icf.com) and Sara Bagnato (sara.bagnato@icf.com).
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TIMETABLE

The following implementation timetable has been agreed for the Study:

Date	Action
12 th of February 2018	Circulation of the 1 st draft of the common template to NCPs to provide comments (by 23rd February 2018)
13 th March 2018	Launch of the study, with a deadline to send the national reports (by 2nd July 2018)
13 th August 2017	Circulation of the 1 st draft of the SR to all NCPs to provide comments (by 27th August 2018)
10 th September 2018	Circulation of the 2 nd draft of the SR to all NCPs to provide final comments (by 17th September 2018)
24 th September	Circulation of the 3 rd draft of the SR to all NCPs to provide final comments

¹³ As defined in study: http://www.epc.eu/documents/uploads/pub_6519_reportintegrationschemesfinalversionpdf-en.pdf

Date	Action
	(by 1st October 2018)
15 th October	Finalisation of the Study and publication on the EMN website

TARGET AUDIENCES

The main target audiences for this study are EU Member States, European Union, relevant national, international governmental and non-governmental organisations, private sector entities, employers' associations, trade unions, academia and the general public.

EMN FOCUSED STUDY 2018

Labour market integration of third-country nationals in EU Member States

TEMPLATE FOR NATIONAL CONTRIBUTIONS

This template outlines the information that should be included in the National Contributions to this focussed study. For national contributions, the total number of pages should **not exceed 55 pages**. A limit of **35** pages will apply to the Synthesis Report, in order to ensure that it remains concise and accessible.

The study's outcomes will consist of national reports for every country participating in the EMN except Norway, and an EU-level synthesis report, summarising the main results. The study shall be disseminated to policy makers and practitioners through the regular dissemination channels of the EMN. Since the study is topical to policy development, the dissemination plan may also include EU-level and national Conferences. To discuss the study at an EMN Annual Conference could be one option.

TOP-LINE "FACTSHEET"

National contribution (1 page only)

Please introduce the study and draw out key facts and figures from across all sections of the Focussed Study, with a particular emphasis on elements that will be of relevance to (national, regional or local) policymakers.

In recent years the Republic of Bulgaria gradually and at a steady pace has been transformed into a country that attracts immigration. More and more third-country nationals choose Bulgaria as a place for study, to qualify and to seek professional realisation. This requires the Republic of Bulgaria to be better prepared to meet significant migratory flows in the coming years. The development of migration processes will result in the transformation of Bulgaria to a country that receive migrants, that, in other hand, will make the integration of third country nationals a key element of the Bulgarian migration policy.

Well managed migration can be a benefit for the labour market and for the economic growth. It also can contribute for the welfare of the immigrant workers themselves and of their countries of origin.

The integration of the third country nationals into Bulgarian society and especially in the national labour market is a main part of the Bulgarian migration policy since 2008. These issues were envisaged in the first National Strategy on Migration, Asylum and Integration (2008-2015) (NSMAI) and were indicated as Priority I "Balanced reception of third-country nationals and achievement of their successful integration". The new NSMAI (2015-2020) develops the strategic aspects of the national policy for the integration of the third country nationals (Part III, points 3.6. and 3.7. and Part IV, point 4) taking into account current socio-economic situation in Bulgaria. The five-year time horizon of the NSMAI reflects the medium-term forecasts for migration development and outlines a framework for the development of a sustainable migration management policy.

The aim of NSMAI is to establish a policy framework for building a comprehensive and sustainable regulatory and institutional basis for the successful management of legal migration and integration as well as for the prevention and counteraction of illegal migration and identification and provision of the necessary care for applicants seeking and receiving international protection in Bulgaria.

With the adoption of the Labour Migration and Labour Mobility Law (LMLML) by the National Assembly (issued OJ, 33/26.04.2016), the Bulgarian national legislation was harmonised with the

acquis in the area of migration and free movement of workers.

The LMLML regulates all types of access of the third-country nationals to the Bulgarian labour market:

- Single work permit;
- EU Blue Card;
- Work permit for intra-corporate transfer;
- Work permit for seasonal workers
- Registration of the employment of students and researchers;

National regimes for labour market access:

- Work permit for posted or sent third-country nationals for providing services on the territory of the Republic of Bulgaria;
- Work permit for family members of a third-country national who has a long-term or a permanent residence permit;
- Work permit for self-employment.

The Regulation for the implementation of the Labour Migration and Labour Mobility Law (Regulation) arranges all the procedures concerning the submission of application and of relevant documents, providing the decision for issuing the respective work permit, registration of employment of third-country nationals etc. Both legal acts also contain provisions about access to the labour market for beneficiaries of international protection and for asylum seekers.

The sustainable economic growth during last few years reflects to the labour market. The lack of sufficient work force became more serious problem. To address the shortage of workers the existing legislation in the field of labour migration (LMLML and the Regulation) was amended several times during the past 2 years. The amendments aim to simplify the process of hiring of third-country nationals and that reflects not only highly skilled (through EU Blue Card) but also for seasonal work and through Single Work Permit.

The LMLML codified all existing legislation concerning the access of third country nationals to the national labour market and also transposes into national legislation the provisions of: *Directive 2014/54/EU of the European Parliament and of the Council of 16 April 2014 on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers, Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers, 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, Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment and Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals* etc.

With the last amendment from May 2018 the LMLML implements into national legislation the provisions of the *Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing*.

On 19th of July 2017 the Council of Ministers adopted an Ordinance on the Conditions and

Procedure for Concluding, Implementing and Terminating of Agreement for Integration of Beneficiaries of International Protection (Ordinance). According to the Ordinance, the integration process starts with the conclusion of an Agreement for Integration. With this agreement the mayor of the respective municipality and the beneficiary of international protection voluntarily declare their wish to accomplish specific integration activities in relation to education, employment, training, housing, health and social assistance and social services.

The implementation of the national integration policy was supported by the European Integration Fund during the period 2008-2014 and this support continues by the Asylum, Migration and Integration Fund in new programming period (2014-2020).

Part I: General and labour market integration policies

*This section aims to provide an overview of general and labour market integration policies targeting third-country nationals across Member States, **excluding policies tailored for students/graduates, beneficiaries of international protection and asylum seekers**. The focus is on existing policies that have either been implemented recently (as of 2014) or that have been changed since 2014.*

1.1. OVERVIEW OF INTEGRATION POLICIES IN MEMBER STATES

Q1. Please briefly describe the context in your Member State pertaining to the situation of third-country nationals.

For this question please also include third-country nationals outside the scope of the study i.e. students, asylum seekers and beneficiaries of international protection.

a) What are the main categories of third-country nationals coming to your Member State? Were there any changes in the composition from 2014 onwards?

According to the official data from the Employment Agency the total number of third-country nationals who have received access to the Bulgarian labour market from 01.01.2014 to 30.06.2018 is **13 426** (including 63 beneficiaries of international protection).

In 2014 **657** third-country nationals gained access to the Bulgarian labour market, and for 2015 their number is **618**, and for 2016 – **748**.

The next years the number of migrant workers in Bulgaria significantly increases and for 2017 it is **4347** and from 01.01 to 01.07.2018 the access to the Bulgarian labour market received **7056** third-country nationals.

During the last two years the majority (more than 80 %) of these workers were occupied as seasonal workers in tourism.

The reason for the abovementioned increase of number of migrant workers is not only the economic growth that made Bulgaria more attractive for migrant workers but also the simplified procedures for hiring third-country nationals.

The LMLML was amended twice last two years (OJ, 97/2017 and 24/2018). The main reason was to reduce the administrative burdens for employers to hire migrant workers.

With the last amendment of LMLML:

- The limitation on the number of third-country workers to 10% of the average size of a Bulgarian enterprise for the previous 12 months increases to 20% and for small and medium-sized enterprises - to 35%;
- The opportunity for third country nationals with Bulgarian origin to work without permission, after registration in the Employment Agency until obtaining the residence permit was provided;

- It has been explicitly stated that no work permit is required for family members of the beneficiaries of international protection;
- For the first time, third-country nationals victims of trafficking in human beings, were included in the scope of the LMLML by regulating their access to the Bulgarian labor market;
- The decision of the Executive Director of the Employment Agency for the issuance of a Single Work Permit will be granted for 20 days (shorter than it is provided for the general cases - 30 days);
- The requirement to conduct a labour market test for the issuance of an EU Blue Card was removed.
- For this purpose the requirement to elaborate an annual List of professions for which there is a shortage of highly qualified specialists was also removed;
- The deadline for the decision of the Executive Director of the Employment Agency for the issuance of a permit for seasonal worker was shortened from 15 days to 10 days;
- The necessary amendments were made for the cases of employment without work permit (by registration) of students and researchers, including academics, on the territory of the Republic of Bulgaria (including in the conditions of mobility in the EU and after completion of their research projects). This also applies to the employment of their family members;
- The conditions for access to the labor market without a work permit for the trainees are also arranged;
- The conditions for equal treatment of researchers, students, trainees, students and volunteers, as well as family members of Bulgarian, European and foreign citizens, including asylum-seekers or beneficiaries international protection;
- The equal treatment of foreigners admitted under international agreements for regulation of labour migration and in the case of short-term employment registration was also regulated.

The appropriate amendments were made also in the Regulation for the implementation of the LMLML:

- The procedure for employment without a work permit for researchers, including academics, on the territory of the Republic of Bulgaria, was modernized (including under the conditions of mobility in the EU and after the completion of their research projects). The procedure for registering the employment of third-country nationals who are admitted as researchers was provided;
- Procedure for access to the labor market for trainees without a work permit (under the terms of an employment contract for apprenticeship) was introduced. For this purpose, a new provision has been put in place to regulate the terms and conditions for the registration of third country nationals as trainees;
- Procedure for registration of employment (without work permit) was established for persons of Bulgarian origin;
- The requirement for an employer to provide evidence of a prior labour market survey (so-called "labour market test") when applying for an EU Blue Card has been removed. In this regard, the provisions concerning the List of professions for which there is a shortage of highly qualified specialists were also removed;
- The procedure for access to the Bulgarian labour market for foreigners, victims of

trafficking in human beings through a declaration by the employer is arranged;

- The introduction of the accelerated procedure (“fast track procedure”) for the decision on issuing a permit for a seasonal worker who has worked at least once on the territory of the Republic of Bulgaria as a seasonal worker during the last 5 years;
- The procedure is set for cases where the seasonal worker continues to work for the same employer after the expiry of the registration period for seasonal employment, which takes up to 9 months;
- The procedure for cases where the seasonal worker continues to work with another employer after the expiry of the registration period of the seasonal employment, which takes up to 9 months, was also introduced.

Since the beginning of 2017 Bulgaria started the negotiations for conclusion of bilateral agreements on labour migration with the countries of the Eastern Dimension of Mobility Partnership. As result of the negotiations:

- in January 2018 in Yerevan was signed the Agreement for Regulation of Labour Migration between the Republic of Bulgaria and the Republic of Armenia;
- in June 2018 in Sofia was signed the Agreement for Regulation of Labour Mobility between the Government of the Republic of Bulgaria and the Government of the Republic of Moldova.

Both agreements are concluded for an initial period of five years and their implementation shall be prolonged automatically for further periods of three years. These bilateral agreements shall apply for migrant workers who have signed an individual labour contract under these Agreements and are provided with the necessary residence permit on the territory of the receiving country.

There is also envisaged the possibility for exchange of seasonal workers between the contracting countries for up to 9 months per year.

The entry, stay and employment of migrant-workers within these Agreements shall be regulated by the national legislation of the receiving country.

The Agreements guarantee that migrant workers shall have the same labour rights and obligations as of the local workers. The remuneration of migrant workers and their working conditions shall be specified in the individual labour contracts signed with employers and shall always be in accordance with the national legislation of the receiving country applicable to the workers with the same profession and qualification. Employed workers will be able to be accompanied by members of their families.

The Agreement (Procedures for Implementation of the Agreement with the Republic of Armenia) contains a number of procedural provisions relating to the content of the job offer, the requisites of the individual labour contract, housing of migrant workers and etc.

b) In which sectors are third-country nationals predominantly occupied (e.g. agriculture, services, manufacturing, construction, personal care, seasonal jobs)? Are there differences in the employment rates of foreign and national citizens? Are there any differences in the employment rates by sex?

According to the data of the Employment Agency the sectors of the Bulgarian economy with the largest number of third-country workers during the last 5 years (2014 – 2018) were as follows:

- 2014: industry; construction; commerce; services; education;
- 2015 - industry; education; services; construction; commerce;

- 2016 - services; industry; education; construction; commerce;
- 2017 and 2018 - tourism; services; industry and education.

In comparison according to the data from the National Statistical Institute for the period (2014-2017) the large number of Bulgarian work force was occupied in the manufacturing, commerce and construction.

The data for migrant-workers shows a great misbalance between hired men and women. The percent proportion M/F for the whole period (2014-2018) is around 80 % to 20 %. There is not any existing information from the employers for the reasons of this misbalance.

c) What are the main integration challenges your Member State focuses on? Describe briefly.

A major problem for successful implementation of the Bulgarian policy for integration of the third country nationals (including in the labour market) is the lack of a specialised administrative body/unit responsible for analysis, coordination and conduction of the different governmental policies in the field of legal migration.

The responsible institutions in Bulgaria do not possess the sufficient administrative capacity for formulating and for implementing the state migration policy. The significant weakness is the absence of specialised trainings on migration and integration of third-country nationals for the employees in administration.

Other serious problem is related to the collecting and analysing of the statistical information from the various competent institutions. The lack of sufficient quantitative and qualitative research for comparability is lacking, there are no forecasts of the migration situation in the country.

It is crucial to inform the society about the migration situation in Bulgaria. It is necessary to present all aspects of integration process and its influence over society. For this purpose the challenge is to develop and implement the adequate procedures concerning the publicity of reports on migration and integration of third-country nationals into Bulgarian society.

It is necessary to create working mechanisms for attracting the society and NGOs as an active part in the process of drafting of legal acts in the field of migration and integration.

To ensure major publicity through activities aiming the organisation of national forums on on integration and to provide civil control over the implementation of the measures for integration of the third-country nationals provided by the National Action Plans, is obligatory.

It is necessary to enhance information exchange and cooperation between competent institutions, NGOs and international organisations at national level.

Q2. Is the term “integration” defined in national legislation or strategic documents of your Member State? If so, please describe the definition and its context, also specify whether these definitions explicitly relate to employment.

Please specify how this definition relates to the Common Basic Principles for immigrant integration policy in the EU adopted by the Council in 2004 (http://www.eesc.europa.eu/resources/docs/common-basic-principles_en.pdf).

The Bulgarian legislation and the existing strategic documents does not contain a special definition for “integration” in the context of integration of the third-country nationals (including beneficiaries of international protection and asylum seekers) to the labour market.

Q3. Does your Member State have a specific policy/strategic document/model for the integration of third-country nationals within the scope of this study? YES/NO.

If YES please briefly describe, by providing the title, time frame, institutional framework for implementation and oversight (around 200 words) Please focus on general integration measures, as labour market integration will be addressed in the subsequent sections.

YES

The main strategic document in the field of integration of the third-country nationals (including the beneficiaries of international protection and asylum seekers) in Bulgaria is the National Strategy on Migration, Asylum and Integration (NSMAI). The current NSMAI was adopted by the Council of Ministers in 12th of June 2015 (Decision No 437). According to the Strategy the integration of third-country nationals is the key element of the country's overall migration policy.

According to the NSMAI the integration policy for legally residing third-country nationals shall be conducted pursuant to the Common Basic Principles for Immigrant Integration Policy in the EU. The integration policy is an inseparable part of the state policy for legal migration and the balance between rights and obligations of migrants in the Republic of Bulgaria is guaranteed.

The annual National Action Plan (NAP) for the implementation of the strategic aims of the NSMAI is drafted and adopted each year by the Council of Ministers. The NAP contains different activities that cover different aspects of the national migration policy. Each activity is proposed by the competent institution and aims to respond to the specific strategic target provided by the NSMAI.

If NO, do you have a mainstream integration approach? Please very briefly describe (around 200 words)

N/A

If your Member State has a specific policy/strategic document/model for the integration of third-country nationals within the scope of this study:

Q4. What are the main fields/measures which are being actively implemented as part of the specific policy/ strategic document/model for the integration (e.g. knowledge of language, civic orientation, values, constitution, culture, history, recognition of qualifications, housing, education, support of joint activities between nationals and third-country nationals etc.)? Please briefly list (around 200 words)

Please focus on general integration measures, as labour market integration will be addressed in the subsequent sections.

For the integration of the third-country nationals (including beneficiaries of international protection and asylum seekers) are being developed and adopted annual National Action Plans (NAP) and annual National Plan for Integration (NPI). The preparation of NAP and NPI is provided in Chapter IV, point 10 of the NSMAI.

The National Plan for Integration contains the specific measures aimed at the integration of the beneficiaries of international protection in Bulgaria.

The NAP for 2018 was drafted within the Secretariat of National Council of Migration and Integration and includes activities for implementation of the strategic objectives of the NSMAI. All activities set out in this plan are funded from the state budget through the budgets of the relevant institutions as well as from the EU and other international donor funding instruments.

The NAP for 2018 plan provides the implementation of 44 strategic objectives, 10 of which are specifically aimed at the integration of beneficiaries of international protection in Bulgaria.

1.2. LABOUR MARKET INTEGRATION POLICIES IN MEMBER STATES

Q5. Does your Member State have a specific policy/strategic document/model for labour market integration of third-country nationals within the scope of this study? YES/NO

YES

If YES: Please describe:

a) is it part of a general integration policy/strategy?

The integration of the third-country nationals and of the beneficiaries of international protection and asylum seekers is provided in Chapter III of the NSMAI.

The main goal of the NSMAI is to successfully integrate into Bulgarian society the third-country nationals and beneficiaries of international protection and asylum seekers. The Strategy is aimed on the effective use of their potential for the socio-economic development of the country. It provides for a set of measures to build a capacity for their successful integration. Despite that the concrete measures are aimed at improving their access to:

- work;
- education;
- healthcare;
- housing;
- environment and etc.

The Strategy aims also at:

- targeted work to develop social and life skills of migrant workers, beneficiaries of international protection and asylum seekers;
- changing attitudes, values and way of thinking of Bulgarian society about migration issues and about integration of third-country nationals;
- adapting migrants and beneficiaries of international protection to a new cultural environment.

The priorities and measures of the NSMAI are also aimed to involve the third-country nationals to the labor market and to promote their entrepreneurship intentions.

b) When was this strategy / policy document developed? Please briefly describe the rationale behind the strategy (considerable increase of incoming third-country nationals, labour market needs, social cohesion, fight against poverty, fight against discrimination etc.).

The national strategic document in the field of integration of the third-country nationals in Bulgaria is the National Strategy on Migration, Asylum and Integration (NSMAI). The NSMAI (2015-2020) was developed by the specialised working group through the National Council on Migration and Integration (NCMI). The NCMI includes representatives of all concerned institutions (Ministry of Interior, Ministry of Labour and Social Policy, Ministry of Education and Science, Ministry of Health, Ministry of Finance, Ministry of Justice some state agencies and other bodies. The draft of the NSMAI was published on special web site for public discussion (for 30 days). All received suggestions and comments (including from physical persons and NGOs) during this discussion were taken into account in the process of preparation of the final version of the NSMAI. The public discussion was followed by the procedure of consultation with all ministries, where they gave their statements and commentaries. Just after finishing all these stages of consultations the draft of the National Strategy on Migration, Asylum and Integration was discussed and adopted by the Council of Ministers.

The economic development of Bulgaria during the last years reflects to the national labour market needs. These needs could not be covered by existing labour force. That stimulates the dynamic

legislative process during the last two years. As a result of the last amendments of the existing national legislation the number of migrant workers from third countries significantly increases.

The Bulgarian legislation guarantees labour and social rights of third country nationals working on its territory. In exercising the rights and obligations under Bulgarian legislation, no direct or indirect discrimination shall be allowed, nor privileges or restrictions based on nationality, origin, ethnicity, personal status, sex, sexual orientation, race, age, political and religious convictions, membership in union and other public organizations and movements, family, social and material status, and mental and physical disabilities.

c) What is/are the target group(s) of the labour market integration strategy (e.g. all third-country nationals, family members, workers, or is there a specific focus, such as on recently arrived)?

According to the NSMAI the integration policy for legally residing third-country nationals shall be conducted pursuant to the Common Basic Principles for Immigrant Integration Policy in the EU. The balance between rights and obligations of migrants in the EU in the Republic of Bulgaria is guaranteed. Integration policy is an integral part from the state policy in the field of legal migration.

d) Does your Member State provide labour market integration measures to all third-country nationals or only to those with a prospect of permanent residency? Please elaborate.

The existing Bulgarian legislation and practice do not distinguish different categories of migrant workers as regard their period of stay. There is not any existing legal requirement or national practice to assess the possibilities of each third country national to gain permanent residency in Bulgaria. That is because the employers have the decisive role in the process of attracting and keeping the migrant workers.

e) What are the main objectives of the labour market integration strategy?

Objectives:

The main goal of the National Strategy on Migration Asylum and Integration is to successfully integrate into Bulgarian society the third country nationals and beneficiaries of international protection and asylum seekers and meantime to ensure the effective use of their potential for the socio-economic development of the country. The Strategy provides a set of measures to build an administrative capacity for their successful integration. The concrete measures are aimed at improving their access to work; education; healthcare, housing, environment and etc.

The Strategy aims also at:

- targeted work to develop social and life skills of migrant workers, beneficiaries of international protection and asylum seekers;
- changing attitudes, values and way of thinking of Bulgarian society about migration issues and about integration of third-country nationals;
- adapting migrants and beneficiaries of international protection to a new cultural environment.

The priorities and measures of the NSMAI are also aimed to involve the third-country nationals to the labour market and to promote their entrepreneurship intentions.

If NO: does your MS have a mainstream approach with regard to labour market integration?

If so, please describe the mainstream approach focussing only on those measures for third-country nationals within the scope of this study.

N/A

Q6. Have the increased migration flows since 2015 had any influence on the current regulation and/or policy of integration of third-country nationals in the labour market (e.g. has there been an increase of cooperation between different stakeholders and services as a consequence of increased migration flows or some measures/activities/finances were stopped due to new identified priorities)? If so, please briefly describe the changes.

Please do not focus on measures for beneficiaries of international protection, but only on changes in integration measures for other third-country nationals as a result of the migration flows since 2015.

The reason for the increase of number of migrant workers during the last two years is the economic growth that made Bulgaria more attractive and the last amendments of the legislative framework that simplifies the procedures for hiring of third country nationals.

The Labour Migration and Labour Mobility Law was amended twice last two years (OJ, 97/2017 and 24/2018). The aim was to reduce the administrative burdens for employers to hire migrant workers and to make Bulgarian labour market more attractive for third-country nationals.

With the last amendment of LMLML:

- The limitation on the number of third-country workers to 10% of the average size of a Bulgarian enterprise for the previous 12 months increases to 20% and for small and medium-sized enterprises - to 35%;
- The opportunity for third country nationals with Bulgarian origin to work without permission, after registration in the Employment Agency until obtaining the residence permit was provided;
- It has been explicitly stated that no work permit is required for family members of the beneficiaries of international protection;
- For the first time, third-country nationals victims of trafficking in human beings, were included in the scope of the LMLML by regulating their access to the Bulgarian labour market;
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- For this purpose the requirement to elaborate an annual List of professions for which there is a shortage of highly qualified specialists was also removed;
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- The conditions for access to the labour market without a work permit for the trainees are also arranged;
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labour migration and in the case of short-term employment registration was also regulated.

The appropriate amendments were made also in the Regulation for the implementation of the LMLML:

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- The requirement for an employer to provide evidence of a prior labour market survey (so-called "labour market test") when applying for an EU Blue Card has been removed. In this regard, the provisions concerning the List of professions for which there is a shortage of highly qualified specialists were also removed;
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Both agreements are concluded for an initial period of five years and their implementation shall be prolonged automatically for further periods of three years. These bilateral agreements shall apply for migrant workers who have signed an individual labour contract under these Agreements and are provided with the necessary residence permit on the territory of the receiving country.

There is also envisaged the possibility for exchange of seasonal workers between the contracting countries for up to 9 months per year.

The entry, stay and employment of migrant-workers within these Agreements shall be regulated by

the national legislation of the receiving country.

The Agreements guarantee that migrant workers shall have the same labour rights and obligations as of the local workers. The remuneration of migrant workers and their working conditions shall be specified in the individual labour contracts signed with employers and shall always be in accordance with the national legislation of the receiving country applicable to the workers with the same profession and qualification. Employed workers will be able to be accompanied by members of their families.

The Agreement (Procedures for Implementation of the Agreement with the Republic of Armenia) contains a number of procedural provisions relating to the content of the job offer, the requisites of the individual labour contract, housing of migrant workers and etc.

Q7. Have there been any debates in media/academia/NGOs on integration generally and integration in the labour market specifically, recently? Refer to the target group within the scope of this study. Please shortly describe the topics discussed.

The debate in Bulgarian society (including in the media) is generally focused on labor market needs of a workforce from abroad rather than on the integration of third-country nationals. Because of the economic growth and demographic situation in Bulgaria, more and more economic sectors suffer from the lack of specialists, not only of highly educated but also of skilled workers (e.g. truck and bus drivers, chefs, etc.). In this regard, it should be noted that the last two years various forums (public debates, round tables and discussions) devoted to the possibilities of hiring third-country workers countries have been regularly organised by representatives of business, media and local authorities.

Q8. Is the labour market integration of third-country nationals within the scope of this study, seen as a political priority in your Member State and if so, by whom (national government, legislator, or other political actors)?

The policy makers and the legislators are trying to respond of the needs of Bulgarian employers by starting negotiation process with third countries and by amending the existing legislation regulating labour migration.

The issues concerning integration of migrant workers to the labour market are not separately arranged in Bulgarian legislation. They are part of one horizontal policy, that concerns different state and local authorities and institutions and are accepted as an inseparable part of the whole process of hiring of third country nationals and their stay on the territory of Bulgaria.

1.3. IMPLEMENTATION OF LABOUR MARKET INTEGRATION POLICY: INSTITUTIONAL FRAMEWORK, MONITORING AND EVALUATION

Q9. Please provide an organogram of the institutional framework for the labour market integration of third-country nationals within the scope of this study indicating responsibilities of the different governmental actors in implementing integration policies and measures. Please also include local level and central level governance structures.

Please also include any other stakeholders/major players (e.g. Public Employment Services, NGOs, chambers of commerce, trade unions), if they have a significant role. Local level initiatives should only be included, if i) they arise from a national level mandate, or ii) they are established / operating through national funding mechanisms.

The institutional framework for the implementation of the state policy on migration, asylum and integration in the Republic of Bulgaria includes various institutions, organisations and other participants. The main role in the process of development and implementation have:

The Ministry of Interior through the Migration Directorate as a specialised structure coordinates the migration processes and performs control over the of third-country nationals residing in the

Republic of Bulgaria.

The Ministry of Foreign Affairs participates in the formation of the visa and migration policy of the Republic of Bulgaria. The Consular Relations Directorate and the diplomatic missions of the Republic of Bulgaria abroad are responsible for issuing, denying, cancelling and revoking visas.

The Ministry of Labour and Social Policy (MSLP) coordinates the implementation of the policy for integration of the third country nationals in the Republic of Bulgaria. MSLP is responsible for formulating and implementing the national policy for access of the third-country nationals to the national labour market. MSLP is also responsible for negotiating and signing of bilateral agreements with third countries on regulation of labour migration and of treaties on social security.

The Employment Agency is an executive agency to the Minister of Labour and Social Policy and is responsible for implementing the labour market policy and the access of the third-country nationals to the national labour market. The Employment Agency implements all legislative procedures concerning the access of the third country nationals to the Bulgarian labour market and implements:

- registration of seasonal work, employment of researchers and students;
- issuing:
 - o Work permit for posted or sent third-country nationals for providing services on the territory of the Republic of Bulgaria;
 - o Work permit for family members of a third-country national who has a long-term or a permanent residence permit;
 - o Work permit for self-employment.
- providing decisions concerning issuance of Single Permit, permit for seasonal worker, EU Blue Card, ICT permit;
- performing mediation activities for employment of third country nationals in the Republic of Bulgaria in implementation of international treaties to which the Republic of Bulgaria is a party.

The Social Assistance Agency is an executive agency to the Minister of Labour and Social Policy and is responsible for the implementation of the policy for social assistance and protection of third-country nationals - mainly in the process of their integration into the Bulgarian society.

The specialised control over surveillance of the labour legislation is carried out by the Executive Agency General Labour Inspectorate to the Minister of Labour and Social Policy. The Agency has specific responsibilities in relation to the establishment of unregulated employment of third-country nationals, especially in case of illegal residence on the territory of the country.

The State Agency for Refugees with the Council of Ministers carries out state policy in the field of international protection and is the competent authority for the implementation of the obligations under *Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person.*

The National Commission for Combating Trafficking in Human Beings defines and guides the implementation of the national policy on combating trafficking in human beings. An important part of the Commission's activity is the prevention of risk groups for human trafficking and the development of policies for the protection, support and reintegration of victims of trafficking. Particular attention is paid to those seeking protection victims of trafficking, in particular unaccompanied minors.

The National Council of Labour Migration and Labour Mobility (NCLMLM) was established by Order of the minister of labour and social policy in accordance with Art. 4 of the LMLML.

The NCLMLM is an advisory body to the minister of labour and social policy and is responsible for the development and implementation of state policy in the area of free movement of workers and labour migration and integration of third-country nationals.

The members of the NCLMLM in equal base are the representatives of the national representative organisations of the employers and employees and of competent state institutions.

The members of the NCLMLM at deputy-minister level are:

- The Ministry of Labour and Social Policy;
- The Ministry of Foreign Affairs;
- The Ministry of the Interior;
- The Ministry of Education and Science;
- The Ministry of Agriculture, Food and Forests;
- The Ministry of Economy;
- The Ministry of Health and
- The Ministry of Tourism.

At level of head of institution are represented:

- The State Agency for National Security and
- The State Agency for Bulgarians Abroad.

According to the provisions of the Regulation for implementation of the LMLML the NPOs could participate in the meetings of NCLMLM and could advise its members but do not have right to vote. These NPOs should be registered in the Commercial Register and in the Register of NPOs for the purpose of carrying out socially useful activities in the field of labour migration and free movement of workers.

The minister of labour and social policy may attract representatives of the academic circles and of the international organisations as consultants of the NCLMLM and of its working groups.

The NCLMLM:

- discusses and supports the implementation of labour migration and labour mobility policy, including through developing of draft of decisions;
- issues proposals in the field of labour migration and labour mobility on the draft annual plans for the implementation of the National Strategy on Migration, Asylum and Integration (2015-2020) and discusses their implementation;
- discusses information on the results of labour market supply and demand, labour market analysis, including by sectors, occupations and regions, and make proposals for measures;
- discusses also the admission of workers from third countries, including in the framework of bilateral agreements, in case of real shortage of specialists in labour market in the Republic of Bulgaria;
- reviews the legislation and the administrative practice of admitting third-country nationals for work purposes and, if necessary, propose appropriate legislative amendments;
- monitors the implementation of bilateral agreements for regulation of labour migration, especially with regard to the choice of economic sectors in which they will be implemented;
- maintains contacts with the media in order to promote and explain the advantages, problems and measures of the labour migration policy.

The National Council on Migration and Integration (NCMI) was established by Decree of the Council of Ministers No. 21 from 2015.

The NCMI is a collective consultative body for formulating and coordinating the implementation of state policies in the field of migration and integration of third country nationals.

The Council is co-chaired by the minister of interior and the minister of labour and social policy. The members of the NCMI are:

- the deputy minister of labour and social policy;
- deputy minister of interior;
- deputy minister of justice;
- deputy minister of foreign affairs;
- deputy minister of health;
- deputy minister of education and science;
- deputy minister of finance;
- head of the State Agency for Refugees;
- head of the State Agency for Child Protection;
- representative of the National Association of the Municipalities in Republic of Bulgaria;
- deputy-chair of the State Agency for National Security;
- director of the General directorate "Border Police" of the Ministry of Interior;
- director of the Directorate Migration of the Ministry of Interior and Secretary of the National Commission for Combating Trafficking in Human Beings.

The NCMI:

- develops and proposes to the Council of Ministers strategic documents in the field of migration and integration;
- proposes to the Council of Ministers annual action plans for implementation of the strategic documents in the field of migration and integration;
- proposes to the Council of Ministers measures for improving the efficiency in managing of migration flows in the Republic of Bulgaria;
- coordinates the implementation of migration and integration policies at national and European level;
- coordinates the activities of the state institutions, the local authorities, the NGOs and international organisations on the issues of migration and integration;
- makes proposals for amendments of legislation to implement more effectively the policies on migration and integration and submits to the Council of Ministers an annual report on its activities for the previous year.

National Unit of Integration (NUI) was established by Order of the minister of labour and social policy. The NUI supports the work of the representatives of the Republic of Bulgaria in the European Integration Network. The National Unit for Integration coordinates at national level the integration of third-country nationals. In order to achieve the objectives of the European Integration Network, the representatives of the institutions at NUI provides opinions, information, suggestions, statistics, good practices and etc. The representatives of the institutions in NUI initiate activities concerning the operation of the network. The members of the NUI are experts from:

- the Ministry of Education and Science;
- Ministry of Interior;

- Ministry of Regional Development and Public Works;
- Ministry of Health;
- Ministry of Justice;
- State Agency for Refugees and
- State Agency for Child Protection.

If necessary, other experts from other interested institutions and organisations may be invited to the National Unit of Integration.

Q10. Does your Member State produce periodic monitoring reports (e.g. annual reports) on labour market integration of third-country nationals within the scope of this study? If yes, what are the main integration indicators? How are they compiled and by whom? How do they relate to the Zaragoza indicators adopted in 2010¹⁴?

Please briefly describe main trends observed, especially focusing on the indicators related to the labour market integration of third-country nationals. Please describe the methods (qualitative, quantitative) and data (census data, survey data, administrative data) used to produce such reports.

NO

Q11. Please describe the main challenges and obstacles in designing and implementing labour market integration policies for third-country nationals within the scope of this study in your Member State?

Please also mention which stakeholders face these challenges and obstacles.

There are not any legislative or practical obstacles for designing and implementing the national policy for integration of third-country nationals into Bulgarian society (including in the labour market). All concerned institutions and national representative organisations of employers and employees and concerned NPOs take part of the process of designing and implementing of the national legislation or integration of third country nationals and beneficiaries of international protection and asylum seekers.

The national representative organisations of employers and employees are represented in the Nacional Council on Labour Migration and Labour Mobility and Nacional Council for Tripartite Cooperation in equal basis and are active participants in the Working Group for Labour Migration and Labour Mobility were are drafted all legal acts concerning access of third country nationals and beneficiaries of international protection and asylum seekers to the national labour market.

1 Part II: Member States measures and practices facilitating labour market integration of third-country nationals

*This part aims to provide an overview of the main integration approaches and identifying existing individual measures that have either been implemented recently (as of 2014) or that have been changed since 2014. The target group is third-country nationals across Member States, **excluding students/graduates, beneficiaries of international protection and asylum seekers.***

1.1 OVERVIEW OF MAIN INTEGRATION AREAS

¹⁴ Please also refer to the information provided in the FRA report: Together in the EU - Promoting the participation of migrants and their descendants <http://fra.europa.eu/en/publication/2017/migrant-participation>

Q12. Please indicate in the table below and describe the main areas/components of your policy for integration of third-country nationals into labour market.

If your Member State has a mainstream policy, please focus only on specific measures for third-country nationals' integration into the labour market within the scope of the study

Please focus on:

- a) *The main objectives and approach in each relevant area, and actors involved.*
- b) *Briefly describe the implementation framework.*

Please only refer to the general approach for each area without describing specific measure, which will be described in the section below.

Area/component	General overview Please describe the scope and aim under each area. If relevant, specify if measures are voluntary or compulsory and if they are provided free or charge.	Stakeholders Briefly describe who is responsible of planning, implementing, monitoring and for the oversight of the implementation of measures under each area.
1. Training and Qualification (including digital tools aiming to promote learning and foster integration into the labour market)	N/A	
2. Enhancement of (soft) skills	N/A	
3. Provision of information and counselling	<p>According to the LMLML the Employment Agency shall provide information on all the documents necessary for the registration of the employment and for submitting an application, including the rights and obligations deriving therefrom, for the third-country national worker. Third-country nationals, holders of the Single Work Permit, EU Blue Card holders and seasonal workers shall be equal to Bulgarian nationals in respect of the access to information about vacant jobs announcements and the use of mediation in information and employment.</p>	<p>The Employment Agency (EA) is responsible for the implementation of the state policy for the promotion of employment, labour market protection, vocational guidance and adult education as well as for mediation of information and recruitment.</p> <p>The Directorate "International Labour Migration and Mediation" in EA performs mediation activities for the employment of third country nationals in Bulgaria; handles requests for work permits and permits for self-employment of third country nationals in Bulgaria; processes applications for authorization to practice highly qualified employment of third country nationals in connection with the issuance of an EU Blue Card; handles requests for employment of third country nationals in connection with the issuance of a Single</p>

		Work Permit; processes applications and documents to provide a decision on the seasonal employment of third country nationals in connection with the issuance of Permit for Seasonal Worker, etc.
4. Enhancement of intercultural/civic relations in the workplace	N/A	
5. Tailor-made comprehensive programmes/plans/contracts targeting specific and/or vulnerable groups	N/A	
6. Incentive measures for migrants or employers	N/A	
7. Support for self-employment	N/A	

1.2 PROMISING EXAMPLES OF INTEGRATION MEASURES IMPLEMENTED BY MEMBER STATES

This section focuses on selected measures initiated and at the same time implemented and/or financed by the Member States. Please note that any support measure provided by civil society organisations without any (financial) involvement of the Member State is beyond the scope of the study. Only those measures by civil society organisations that receive public support are included.

The focus is on labour integration measures for regularly staying third-country nationals with a right to work. The target group also includes third-country national family members of EU nationals and of third-country nationals. Measures specifically targeting students/graduates and beneficiary of international protection should not be included.

Please describe 1 -2 measures across integration areas for a total of up to 6 measures per MS.

Please prioritise specific measures developed with the aim to support third-country nationals' labour market integration and which are considered a good or promising practice by relevant actors.

Please also include measures (if available) that address the labour market integration of vulnerable or specific groups (vulnerable third-country nationals, women, etc.).

Please do not mention measures focussing on (EU) nationals, beneficiaries of international protection, asylum seekers and students/graduates only. Mainstream measures which are accessible also for (EU) nationals and beneficiaries of international protection should be listed below only in case they represent examples of good or promising practices regarding the integration of third-country nationals (i.e. the measure is frequently used by third-country nationals, there is a positive feedback from third-country nationals etc.).

Labour integration areas

- 1. Training and Qualification** (e.g. vocational/job training, recognition of qualification/skill assessment (not to map legal procedures), combating over-qualification (matching skills/qualification with labour market needs), measures to accelerate insertion of third-country nationals into the labour market, digital tools)
- 2. Enhancement of (soft) skills** (e.g. work-based language courses, or other language courses for improvement of chances on the labour market, computer literacy, self-development)

Type of measures

1. Programme and systematic measures (multi-year / long term)
2. Projects (ad-hoc)
3. Legislative/policy (structural) measure

3. **Provision of information and counselling** (e.g. enhancement of knowledge about the labour market, career guidance, counselling, mentoring, coaching, website, leaflets, IT programmes/applications)
4. **Enhancement of intercultural/civic relations in the work place inclusion** (e.g. prevention of discrimination and awareness raising about diversity in the workplace, civic/ social-cultural orientation courses provided as a part of inclusion in the workplace)
5. **Tailor made measures** to specific group of third-country nationals (e.g. programmes/plans/contracts containing different elements of labour market integration for e.g. women, vulnerable persons)
6. **Incentive measures for migrants or employers** (e.g. measures to encourage employers to hire migrants or migrants to take a job)
7. **Support for self-employment** (e.g. entrepreneurship courses, courses on how to set up a company)

Please fill out the table describing the measures and please copy the table below for further measures.

Measure 1	
Overview	
Name	<i>Please insert name of the measure here.</i>
Type	<i>Choose from drop down menu here</i>
Area	<i>Choose from drop down menu here</i>
Access	<i>Please describe who has access to the measure. I.e. all third-country nationals; all third-country and (EU) nationals; specific groups such as vulnerable or disadvantaged persons, workers, third-country national family members, seasonal workers, au-pairs, other specific groups</i>
Target group	<input type="checkbox"/> Tailor-made labour market integration measure (only third-country nationals) <input type="checkbox"/> Mainstream labour market integration measure (for all) <i>If the measure is for all, please describe here how third-country nationals are specifically targeted in the measure</i>
Coverage	<i>Choose an item.</i> <i>If "other", please add further information here</i>
Budget	The budget is approx. <i>Please provide approximate budget here</i> It is provided by <i>Please provide funding body here (i.e. State, EU funds, donations/private funding, other)</i>
Link	<i>Please provide hyperlink to source/project here, if available</i>
Description	

M1.Q1. Please describe how third-country nationals can access the measure, notably:

- a) Elaborate in brief on the conditions and process of accessing for third-country nationals
- b) Is the measure voluntary or compulsory? Is it provided free of charge?
- c) If applicable, indicate if there are any differences in conditions for third-country nationals and (EU) nationals
- d) Are there any reasons for a third-country national to be excluded/to lose access to the measure? If so, which ones?

M1.Q2. Please describe briefly the context in which the measure has started:

- a) When was the measure introduced and what was/is its duration?
- b) Any link with the increase of the migration flow starting in 2015 (e.g. the measure was stopped due to changed priorities, conditions to access the measure changed?)
- c) What was the need/purpose to start/implement such measure (e.g. labour market needs in the Member State, need for integration of third-country nationals, changes in integration policies, incentive for a migrant/for an employee)
- d) When is the measure provided (e.g. upon arrival, upon arrival until (please add till when) , no determined time limitation)
- e) Key activities

M1.Q3. Please briefly describe the implementation modalities, notably:

- a) By whom is it implemented (agency, government institution, NGOs, private sectors etc.), and what are the coordination structures?
- b) If applicable, are there any reimbursement (totally or partially)/cost sharing possibilities for a third-country national?
- c) How and by whom is it promoted to third-country nationals?

M1.Q4. Please briefly describe the impact of the measure and notably:

- a) Did it meet the anticipated objectives? YES/NO/Partly
- b) What are the main outcomes
- c) Monitoring and evaluation of impact (please describe the evaluation tools and methodology, if possible specify what indicators have been adopted and how those were measured)
- d) Challenges during implementation and remedies applied
- e) Likelihood of continuation of the measure. If discontinued, please explain why

1.3 PRIVATE SECTOR INITIATIVES TO FACILITATE LABOUR MARKET INTEGRATION OF THIRD-COUNTRY NATIONALS

This section aims to produce a first insight from across a number of Member States and private sector contexts in the form of case studies to identify examples of good or promising practices in private sector initiatives for facilitating access and/or retention of third-country nationals in employment.

Case studies should include initiatives **initiated** by the private sector regardless of whether funding is fully or only partly provided by the private sector (i.e. supported by contributions from external funds including public funds) to third-country nationals within the scope of this study. Measures may include initiatives implemented by private actors alone or in cooperation with third parties as for instance employee or employer organisations, chambers of commerce, NGOs, etc.

The questions should be answered by each NCP and limited to examples from **two industry sectors** (in-exhaustive list below) and for each industry sector chosen NCPs should report on **up to three case studies (total of maximum 6 case studies per Member State)**. You may want to select measures across the different **labour integration areas** (1-7) and the **types of measures** (1-3) summarised in Section 2.2.

Please aim to have a '**representative**' **group of measures** from small/medium/ large enterprises. Notably, identify examples focussing on **different target groups** (low-medium-skilled, seasonal workers, etc.) as well as on **different sizes of enterprises** from the selected sectors.

Case studies should be based on desk research, secondary data and where appropriate consultation with relevant stakeholders, for example national or European chambers of commerce, employer and employee organisations, etc.¹⁵

Size of Private Sector Organisation

1. Micro: <10 Employees
2. Small: 10 – 49 Employees
3. Medium: 50 - 249 Employees
4. Large: >250 Employees

Example Categories

1. Low-skilled workers
2. Medium-skilled workers
3. High qualified workers
4. Seasonal workers
5. Family members of nationals and third-country nationals
6. Domestic workers

Type of Private Sector Organisation

1. National
2. International (e.g. with subsidiaries in the Member State)

Industry Sectors

- | | |
|-------------------------------------------------------|---------------------------------------|
| 1. Agriculture, forestry and fishing | 6. Transport and communication |
| 2. Energy and water | 7. Financial and business services |
| 3. Manufacturing | 8. Public admin, education and health |
| 4. Construction | 9. Domestic work sector |
| 5. Wholesale and retail trade, hotels and restaurants | 10. Other services |

Q13. Based on brief desk research of secondary resources and consultations with relevant stakeholders, are you aware of any private sector initiatives supporting or facilitating the labour market integration of third-country nationals in the scope of this study, within your MS? (YES/NO).

¹⁵ The Signature of the European Partnership on integration between the European Commission and representatives of Economic and Social partners at EU level, can be a useful reference for taking contact with national representatives of Economic and social partners: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/e-library/documents/policies/legal-migration/integration/docs/20171220_european_partnership_for_integration_en.pdf; it has been translated into all EU languages.

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Q14. Which industry sectors were the case studies selected from and on what grounds has the selection taken place? Please indicate a maximum of two sectors.

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Please fill out the table describing private sector measures and please copy the table below for further measures.

Private Sector - Measure 1	
Overview	
Name	Please insert name of the measure here.
Company size	Choose from drop down menu here
Company type	Choose from drop down menu here
Sector	Choose from drop down menu here
Area	Choose from drop down menu here
Access	Please describe who has access to the measure. I.e. all third-country nationals; all third-country and (EU) nationals; specific groups such as vulnerable or disadvantaged persons, workers, third-country national family members, seasonal workers, au-pairs, other specific groups
Target group	<input type="checkbox"/> Low skilled, <input type="checkbox"/> Medium skilled, <input type="checkbox"/> High skilled <input type="checkbox"/> Specific group such us vulnerable, young, female, seasonal workers, etc.
Coverage	Choose from drop down menu here If "other", please add further information here
Budget	The budget is approx. Please provide approximate budget here It is provided by Please provide funding body here (i.e. State, EU funds, donations/private funding, other)
Link	Please provide hyperlink to source/project here, if available
Description	

PSM1.Q1. Please briefly describe the main feature of the measure, notably:

- a) Targeted phase of employment (attracting/hiring third-country nationals, early career support, continual development, facilitating access to national professional networks)
- b) Objective and main activities
- c) Cooperation framework (for instance if the measure is implemented in cooperation with third parties, including employees or employers' organisations, chambers of commerce, NGOs etc.
- d) How can third-country nationals access the measure? Are they selected?

PSM1.Q2. Please briefly assess the impact of the initiative, namely:

- a) Describe if the measure has been evaluated and if so what were the findings, what monitoring and evaluation tools (self-evaluation, external evaluation...) have been used (please specify indicators used if possible)
- b) Elaborate on achievements of set objectives and main outcomes
- c) Elaborate on challenges and remedies adopted (e.g. structural barriers/facilitators, levy schemes-grants to compensate funding gaps, taxation incentives etc.)

Conclusions (optional)

Q15. With regard to the aims of this study, what conclusions would you draw from your findings?

Note: The text in this part will serve as a source when compiling the synthesis report.

Implementing projects under the European Integration Fund EIF third-country nationals in Sofia and three of the largest cities in Bulgaria the country has opened information and integration centres to help newly arrived foreigners with information necessary for their stay in Bulgaria, as well as several mobile groups with similar features. They were also a series of analyses, a number of information campaigns, as well as relevant Bulgarian language and social training orientation. The Municipality of Sofia has launched projects such as Open Cities, which was to prepare a local migration action plan.