
THE CANADIAN EXPRESSION OF INTEREST SYSTEM

A MODEL TO MANAGE SKILLED
MIGRATION TO THE EUROPEAN UNION?



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LIST OF ACRONYMS

AEO	Arranged employment opinion
CEC	Canadian Experience Class
CELPIP	Canadian English Language Proficiency Index Programme
CIC	Citizenship and Immigration Canada
CRS	Comprehensive Ranking System
ECA	Educational Credential Assessment
ELN	Employer Liaison Network
ENIC	European Network of Information Centres in the European Region
EOI	Expression of Interest
EU-28	The 28 European Union Member States
FSTP	Federal Skilled Trades Program
FSWP	Federal Skilled Worker Program
ICT	Information and communication technology
IELTS	International English Language Testing System
IMDB	Longitudinal Immigration Database
IMP	International Mobility Programs
IRPA	<i>Immigration and Refugee Protection Act</i>
IRCC	Immigration, Refugees, and Citizenship Canada (formerly Citizenship and Immigration Canada, CIC)
ITA	Invitation to apply
LMIA	Labour Market Impact Assessment
LSIC	Longitudinal Survey of Immigrants to Canada
MIPEX	Migrant Integration Policy Index
NARIC	National Academic Recognition Information Centres in the European Union
NOC	National Occupational Classification
PIAAC	International Survey of Adult Skills
PNP	Provincial Nominee Program
QSWP	Quebec Skilled Worker Program
SMEs	Small and medium enterprises
TEF	Test d’Evaluation de Français
TFWP	Temporary Foreign Worker Program

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EXECUTIVE SUMMARY

Improving the management of economic migration and the labour market integration of immigrants are amongst the key priorities set by the European Commission for 2014-19 to support the overarching goal of boosting growth and competitiveness across the European Union (EU). Through attracting international talent and securing the supply of in-demand skills, the Commission hopes to address the combined challenges presented by a projected decline in the size of the working-age population and rapid technological change. To this end, a new EU legal migration policy package is set for launch in spring 2016.

Reform of the Blue Card directive will be central to these reforms. Despite its billing as the EU flagship initiative on highly skilled immigration, the Blue Card has not proven additional value compared to national schemes, or triggered the development of a common EU policy on attracting international talent.

Beyond the new policy package, the European Commission is considering, for the longer term, a broader overhaul of how EU policymaking on legal migration is approached. For example, the adoption of common support tools might better address the collective needs of the EU economy, while also preserving Member States' competences and addressing the specificities of their labour markets. A set of such tools might be more efficient than attempts to merely harmonise top-down minimum admission requirements for specific categories of economic migrants. Tools used to manage skilled migration in several of the countries that have been most successful in attracting highly skilled migrants—such as Canada, the United States, and Australia—can offer inspiration in how to improve the process in Europe, taking account of differences in context.

The Expression of Interest (EOI) system is the most recent innovation in the management of highly skilled immigration to catch the attention of European policymakers. Canada implemented such a system in January 2015, under the name Express Entry; and EOI was introduced earlier in slightly different forms in New Zealand and Australia. While this report focuses on Express Entry, it also discusses common features of the EOI system and presents its variants in the three countries where it has been implemented.

The Expression of Interest (EOI) system is the most recent innovation in the management of highly skilled immigration to catch the attention of European policymakers.

The EOI system is an application management tool that involves a two-step process for selecting skilled immigrants, whether abroad or already in the country on temporary visas. In the first stage, candidates are required to file an electronic expression of interest in permanent immigration, and are prescreened for minimum eligibility criteria. This stage includes an assessment of language and education credentials, as well as a requirement that the candidate meets the entry conditions of at least one of the federal programmes for the permanent immigration of skilled workers. Candidates whose profiles meet the eligibility requirements are entered into a pool where they are ranked according to their human capital and demand-driven selection criteria. Canada's Express Entry ranking system is dynamic: candidates may gain points while they are in the pool by, for example, securing the sponsorship of an employer or territorial authority (in a process facilitated by a job bank).

In the EOI's second stage, candidates in the pool may be invited to apply for permanent immigration. Immigration authorities select the highest-ranking candidates in regular draws from the pool. There is no fixed threshold, but the likelihood of being selected depends both on the admission levels set by immigration authorities (based on processing capacity and annual immigration targets), and on the relative rank of other pool members at the moment of each draw. Candidates with a qualifying sponsorship gain a high point premium, with the goal of ensuring that they get fast-tracked for immigration.

The EOI system represents a major overhaul of how applications for permanent skilled immigration are

managed in Canada and in other traditional settlement countries. For these countries, the traditional first-come, first-served method of processing applications resulted in endless backlogs, hampering the system's capacity to efficiently cater to local needs, making the process highly unpredictable for both prospective employers and migration candidates.

The adoption of an EOI system in Canada and other destinations is the latest development in these countries' continuous process of review—and reform—of skilled labour immigration systems. The goal is to improve how these systems respond to local demand and contribute to the successful socioeconomic integration of new residents. Progress is measured by monitoring the labour market outcomes of selected immigrants and the discernible impact of relevant policies.

Reforms over the past 15 years have taken two main directions: (1) prioritising those human-capital selection criteria that facilitate adaptability to the domestic labour market such as local language proficiency and qualifications by requiring premigration assessments; and (2) increasing the importance of *demand*-driven criteria by prioritizing candidates with a job offer, expanding territorial sponsorship schemes, and temporary immigration schemes for employer-sponsored migrants.

The reforms have gradually transformed what was originally a supply-driven model for selecting skilled immigrants into a hybrid model, best suited to addressing both short- and longer-term socioeconomic needs. The introduction of the EOI system fully realises the potential of this transformation while at the same time ensuring that the permanent immigration model is preserved.

The reforms have gradually transformed what was originally a supply-driven model for selecting skilled immigrants into a hybrid model, best suited to addressing both short- and longer-term socioeconomic needs.

The overall paradigm of highly skilled immigration in Europe diverges greatly from that of Canada and other traditional settlement countries. In Europe, skilled immigration has traditionally been driven by demand and predicated on (renewable) temporary permit schemes. There are no endless queues of talented individuals awaiting admission. In fact, most Member States, and the European Union overall, have struggled to attract highly skilled migrants.

Despite their very different starting points, both Canada and the European Union face several common challenges in managing highly skilled migration—notably in (1) efficiently matching candidates with job vacancies, (2) managing the very resource-intensive process of screening and hiring foreign candidates, and (3) addressing the multifaceted risk perceived by employers in recruiting such candidates given the limited information available on their skills, work experience, and qualifications. By creating a pool of qualified, skilled immigration candidates who have been prescreened for key human-capital characteristics and immigration requirements, the EOI system can greatly improve access to labour market information among both prospective employers and migrants. The availability of such a prescreened pool also promises to save time and money in the process of matching candidates to jobs, a benefit of particular value to small and medium enterprises.

While prescreening candidates and pooling them together are by no means the defining characteristics of the EOI system—which is defined by a two-step, by-invitation selection process—introducing such mechanisms at EU level would represent a major advance in the management of skilled immigration in Europe. Further, it would not require the renegotiation of competences between EU institutions and Member States, and as such could be implemented in the medium term. By adopting these preselection and matching mechanisms, the European Union would offer significant support to Member States, and, critically, employers, and provide additional value compared to national systems for skilled migration. This would in turn foster trust in the European Union's role in setting skilled migration policy, and lay the ground for progress towards a common regulatory framework for legal migration in the longer term.

I. INTRODUCTION

Improving the management of economic migration and its contribution to growth and competitiveness across the European Union (EU) is one of the European Commission's top priorities in the period 2014-19.¹ Despite policymakers' preoccupation with the ongoing refugee crisis, the decline of the working-age population and the inadequate supply of skilled workers across key sectors in many European labour markets² remain underlying concerns across Europe.

Alongside investments in education policies and measures to increase the labour market participation of the resident workforce, it is widely recognised that attracting skilled migrants and ensuring that their skills are matched with available vacancies would offer critical support for knowledge-intensive and in-demand sectors facing labour shortages. Yet so far the European Union has fared worse than its main competitors in the market for international talent—notably Australia, Canada, and the United States.

Aware of the challenge, the European Commission has been working on a new policy on legal migration that would help Member States attract skilled migrants and match them with unfilled vacancies. In May 2015, the European Agenda on Migration outlined the main elements of a proposed package of legal migration policies to be launched in spring 2016.³ Key to this package is an overhaul of the underperforming Blue Card system.⁴ While branded policy initiatives such as the Blue Card review remain the locus of attention, the European Commission is also exploring the idea of developing an EU-wide Expression of Interest (EOI) system, modelled on the most recently implemented system of its kind, Canada's Express Entry. The goal is to establish an EU-wide tool to efficiently address the collective needs of the EU economy, while also preserving Member States' competences and taking into account the specificities of their labour markets.⁵

To date, EU policymaking in the area of legal migration has been constrained by two factors: first, EU Member States jealously guard their prerogative to determine which, and how many, immigrants enter their territory; and second, the EU-28 have deeply diverse goals and needs with respect to economic migration. Against this backdrop, the European Commission has focused its efforts on the establishment of minimum standards and rules for the admission and residence of specific categories of legal migrants (e.g., students, researchers, highly skilled workers, seasonal workers, and intracompany transferees), seeking to harmonise basic

1 European Commission President Jean-Claude Juncker, 'A New Start for Europe: My Agenda for Jobs, Growth, Fairness and Democratic Change', Political Guidelines for the Next European Commission, Opening Statement in the European Parliament Plenary Session, 15 July 2014, http://ec.europa.eu/priorities/docs/pg_en.pdf.

2 According to the European Commission's estimates, by 2020 EU labour markets would be able to absorb 825,000 additional workers in the information and communication technology (ICT) sector if demand is not hampered by the insufficient supply of information technology (IT) graduates. By the same time, the European Union is projected to face a shortfall of around 2 million workers in its health sector, which also includes care and ancillary professions. In such a scenario, 15 per cent of total care needs would not be covered. See Tobias Hüsing, Werner B. Korte, and Eriona Dashja, 'e-Skills in Europe: Trends and Forecasts for the European ICT Professional and Digital Leadership Labour Markets (2015-2020)' (empirica Working Paper, empirica Gesellschaft für Kommunikations und Technologieforschung mbH, Bonn, Germany, November 2015), http://eskills-lead.eu/fileadmin/lead/documents/working_paper_-_supply_demand_forecast_2015_a.pdf; European Commission, 'Commission Staff Working Paper on an Action Plan for the EU Health Workforce (SWD [2012] 93 final)', Strasbourg, 18 April 2012, http://ec.europa.eu/health/workforce/docs/staff_working_doc_healthcare_workforce_en.pdf.

3 European Commission, 'A European Agenda on Migration', Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions, COM(2015)240 final, 13 May 2015, http://ec.europa.eu/lieuva/documents/power_pointai/communication_on_the_european_agenda_on_migration_en.pdf. The announcement of the adoption of a new EU legal migration package by spring 2016 was made by European Commission President Jean-Claude Juncker in his State of the Union Speech, September 2015; see Jean-Claude Juncker, 'State of the Union 2015', Address to the European Parliament, Strasbourg, 9 September 2015, http://ec.europa.eu/priorities/soteu/docs/state_of_the_union_2015_en.pdf.

4 Council of the European Union, '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', *Official Journal*, L155/17, 18 June 2009, <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:l14573>.

5 European Commission, 'A European Agenda on Migration'.

rules rather than system capacities. Thus far, this approach has neither amounted to a common policy on legal migration nor demonstrated the added value that EU instruments might offer compared to national schemes, in particular for highly skilled migration.

The new policy package presents an opportunity for policymakers to redefine their concept of ‘common’ policy, in part by drawing on innovations in labour migration management piloted elsewhere in the world. The European Union and its Member States have often looked towards the major players in the international talent game for ideas on how to improve their management of skilled migration. While this has brought a wealth of learning opportunities, it is neither possible nor entirely desirable to transfer and apply policy systems wholesale, without accounting for differences in context.

The goal of this report is to assess whether an adaptation of the EOI system at EU level could offer a new framework for EU policy on legal migration, by tackling common issues in legal migration management among Member States rather than relying upon the somewhat abstract harmonisation of minimum admission standards.

EOI is not an immigration system; it is an application management tool that creates a two-step selection process for certain categories of skilled economic migrants. This model was first introduced in New Zealand in 2004, and has since been adopted in different forms by Australia in 2012, and, as of January 2015, by Canada—where it goes by the name of Express Entry. In these countries, the EOI system was designed to fast-track skilled immigrants deemed most likely to achieve economic success and positive integration outcomes, based on a combination of human-capital and demand-driven selection criteria.⁶ The EOI method thus marks a shift away from the less agile ‘first-come, first-served’ method of processing applications, a method that has resulted in endless backlogs and significant mismatches between newcomers’ skills and the needs of local labour markets.

The EOI system was designed to fast-track skilled immigrants deemed most likely to achieve economic success and positive integration outcomes.

The EOI system introduces a new way of managing economic migration that combines demand- and supply-driven criteria for immigrant selection,⁷ and a fresh approach to balancing real-time labour-matching purposes with longer-term socioeconomic and demographic objectives. As such, it is no surprise that it has attracted the attention of a number of EU Member States and the European Commission, as they explore how to better leverage skilled migration for growth and competitiveness.

This report provides a thorough overview of Canada’s Express Entry, to identify to what extent and under which conditions such a system—or elements of it—might be successfully adapted to the European context. It then outlines the main features of skilled migration management in Europe, focusing on key challenges and bottlenecks in attracting and maximising talent. This is followed by a discussion of the pertinence of the Canadian experience to the European Union. The report concludes by suggesting relevant policy parameters and tools for establishing an EOI for the European Union that takes into account the needs of Member States, existing policy frameworks, and governance constraints.

6 Human-capital criteria are admission criteria that involve the personal characteristics of migration candidates (education, language skills, work experience, age, etc.). Since these criteria concern the quality of the *supply* of migrants, selection systems based only on human-capital criteria are defined as supply-driven systems. Demand-driven selection criteria relate to the demand for migrant workers in the receiving country, and typically include a sponsorship requirement (i.e., a job offer from a local employer or sponsorship from territorial authorities) and related criteria (e.g., a job offer supported by a labour market test or in an occupation included in a job shortage list).

7 Economic migration systems that combine demand- and supply-driven (or human-capital) selection criteria are defined as ‘hybrid’ systems.

II. EXPRESS ENTRY: ORIGINS, KEY FEATURES, AND FIRST RESULTS

Since the 1960s, the narrative of immigrants as nation builders has been an integral part of Canada's identity. At the story's heart is the permanent settlement of skilled economic migrants.⁸ Canada has long been a front-runner in selecting and attracting highly qualified economic immigrants. In 1967, Canada invented the points-based system to select this group of immigrants⁹ on the basis of human capital such as language proficiency, education, qualifications, age, and work experience. Since then, the points system has been adopted with variation in more than a dozen countries and jurisdictions.¹⁰

At first focused on supply, Canada's system for managing skilled labour immigration has progressively evolved toward a more hybrid model, encompassing demand-driven considerations in the form of employer or provincial sponsorship, and balancing short- and longer-term policy goals. This evolution is the result of a relentless process of review and reform, as policymakers monitor the labour market outcomes of economic immigrants and evaluate the effectiveness of policy in delivering expected outcomes. Canada's Express Entry is the latest innovation to result from this commitment to experimentation, evaluation, and reform.

A. *The run-up to Express Entry*

Use of the points system facilitated a steadily increasing number of arrivals of highly qualified individuals in Canada since the 1990s. Data on those entering through Canada's main channel for permanent economic immigration—the Federal Skilled Worker Program (FSWP)—reveal that the share arriving with a tertiary education rose from just under one-third in 1990 to more than three-quarters (77 per cent) by 1999, and stabilised around that level for the following decade, peaking at 84 per cent between 2003 and 2005.¹¹ The overall educational attainment of working-age immigrants to Canada is particularly high when compared to other members of the Organisation for Economic Co-operation and Development (OECD). For example, in 2012–13 Canada's share of tertiary-educated immigrants, at 60 per cent, was nearly double the OECD average.¹²

The labour market outcomes of points-tested immigrants, however, are mixed. During the 1990s, the gap be-

8 Irene Bloemraad, *Understanding 'Canadian Exceptionalism' in Immigration and Pluralism Policy* (Washington, DC: Migration Policy Institute, 2012), www.migrationpolicy.org/research/TCM-canadian-exceptionalism.

9 The three ways of gaining permanent immigration in Canada correspond to three broad groups of immigration streams: family reunion, humanitarian, and economic. This discussion focuses on only the economic group.

10 Besides Canada, countries in the Organisation for Economic Co-operation and Development (OECD) and BRICS (Brazil, Russia, India, China, and South Africa) that are implementing or have implemented a points system for skilled migration management include, by date of creation, Australia, New Zealand, the United Kingdom, the Czech Republic, Denmark, the Netherlands, Austria, Korea, Japan, and Hong Kong, as well as China (for internal migration). For an overview of the evolution of points systems over time, see Madeleine Sumption, 'Top 10 of 2014—Issue #9: The Points System Is Dead, Long Live the Points System', *Migration Information Source*, 10 December 2014, www.migrationpolicy.org/article/top-10-2014-issue-9-points-system-dead-long-live-points-system; Demetrios G. Papademetriou and Madeleine Sumption, *Rethinking Points Systems and Employer-Selected Immigration* (Washington, DC: Migration Policy Institute, 2011), www.migrationpolicy.org/research/rethinking-points-systems-and-employer-selected-immigration; OECD, *International Migration Outlook: SOPEMI 2011* (Paris: OECD Publishing, 2011).

11 These data are for primary applicants; the most recent reliable data are for 2009. The share of tertiary-educated applicants dropped 7 percentage points (from 84 per cent to 77 per cent of the total Federal Skilled Worker Program [FSWP] inflow) between 2005 and 2009, simultaneous with a 3 per cent gain in those with college, trade, or some university education. See Statistics Canada, 'Table 054-0002: Income of Immigrants, by World Area, Sex, Immigrant Admission Category, Education Qualifications, Knowledge of Official Languages, and Landing Year for Tax Year 2013 (Annual)', accessed 17 December 2015, www5.statcan.gc.ca/cansim/a26.

12 OECD and European Union, *Indicators of Immigrant Integration 2015: Settling In* (Paris: OECD Publishing, 2015), 133, www.oecd.org/publications/indicators-of-immigrant-integration-2015-settling-in-9789264234024-en.htm.

tween the labour market outcomes of recently arrived immigrants and the Canadian born widened. While almost equal at the beginning of the 1980s, employment rates between recently arrived immigrants and the native born had diverged by 20 percentage points by 1996.¹³ Also, by the early 1990s, the earnings of immigrant men five years after admission were just 60 per cent of those of their Canada-born peers.¹⁴ Immigrants entering Canada through economic channels were particularly affected by a decline in earnings.¹⁵ The problem of overqualification also increased during the 1990s and throughout the early 2000s,¹⁶ as newly arrived immigrants struggled to find jobs that matched their education and experience.¹⁷ In 2004-05 the Longitudinal Survey of Immigrants to Canada (LSIC) found that four years after admission, two-thirds of principal FSW applicants had jobs that matched their education; about six out of ten reported using their skills and experience ‘adequately’ at work.¹⁸

Box 1. Evidence-based policymaking: Measuring immigrants’ labour market outcomes in Canada

Canada is one of a handful of countries to have a dedicated research and evaluation department within its immigration ministry. In Canada, this department is tasked with the ongoing monitoring of how immigrants fare in the Canadian labour market and society, and providing advice on needed policy adjustments. Furthermore, Canada (along with Australia and New Zealand) has developed cutting-edge longitudinal datasets that track immigrants’ labour market integration, placing the country at the forefront of evidence-based policymaking in skilled immigration. These datasets provide a more accurate picture of evolving immigrant labour market outcomes by immigration category than do census and household surveys, which display only snapshots of labour market outcomes for all temporary and permanent migrants, noting year of admission but not category of entry.

The Longitudinal Immigration Database (IMDB) and the Longitudinal Survey of Immigrants to Canada (LSIC) offer comprehensive and accurate sources of data that can be used to evaluate the impact of policy on labour market outcomes. IMDB links permanent immigrants’ landing records and current tax returns, providing employment and income data over time for immigrants by mode of entry. As a result, it is possible to track how immigrants entering through different categories fare over time—and, crucially, to compare labour market outcomes following policy changes. The LSIC, now concluded, tracked how immigrants who arrived between October 2000 and September 2001 adjusted, by interviewing them six months, two years, and four years after arrival. The survey collected information on household composition, language proficiency, employment (including perceived overqualification), income, education (including recognition of foreign credentials and overseas work experience), citizenship, health, and social interactions (including cultural ties).

Sources: Statistics Canada, ‘Longitudinal Immigration Database (IMDB)’, last updated 4 December 2015, www23.statcan.gc.ca/imdb/p2SV.pl?Function=getSurvey&SDDS=5057; Statistics Canada, ‘Labour Force Survey (LFS)’, last updated 3 December 2015, www23.statcan.gc.ca/imdb/p2SV.pl?Function=getSurvey&SDDS=3701; Statistics Canada, ‘Data products: Your Guide to Statistical Information from the 2011 Census of Population Program’, last updated 1 December 2015, www12.statcan.gc.ca/census-recensement/2011/dp-pd/index-eng.cfm; and Statistics Canada, ‘Longitudinal Survey of Immigrants to Canada (LSIC)’, last updated 24 October 2007, www23.statcan.gc.ca/imdb/p2SV.pl?Function=getSurvey&Id=30691.

- 13 In 1981 recently arrived immigrants (those who had arrived during the previous five years) had employment rates almost equal to those of natives, at just over 70 per cent. By 1996 the corresponding figure had declined to below 60 per cent for immigrants, while those of the Canadian born had increased to nearly 80 per cent. See Statistics Canada, *Canada’s Changing Labour Force, 2006 Census* (Ottawa: Minister of Industry, 2008), www12.statcan.ca/census-recensement/2006/as-sa/97-559/pdf/97-559-XIE2006001.pdf.
- 14 Ana M. Ferrer, Garnett Picot, and William Craig Riddell, ‘New Directions in Immigration Policy: Canada’s Evolving Approach to the Selection of Economic Immigrants’, *International Migration Review* 48, no. 3 (2014): 850.
- 15 Aneta Bonikowska and Feng Hou, ‘Which Human Capital Best Predict the Earnings of Economic Immigrants’ (Statistics Canada Analytical Studies Branch Research Paper Series, Ottawa, August 2015), www.statcan.gc.ca/pub/11f0019m/11f0019m2015368-eng.htm.
- 16 Overqualification refers to when workers’ highest qualifications/credentials exceed the credentials required by their job.
- 17 Ray Marshall, *Value-Added Immigration: Lessons for the United States from Canada, Australia, and the United Kingdom* (Washington, DC: Economic Policy Institute, 2011), 6–7, www.epi.org/publication/value-added-immigration/.
- 18 Li Xue, *Initial Labour Market Outcomes: A Comprehensive Look at the Employment Experiences of Recent Immigrants during the First Four Years in Canada* (Ottawa: Citizenship and Immigration Canada, 2008), 24, www.cic.gc.ca/english/pdf/research-stats/LSIC-employment-outcome.pdf.

The main obstacles cited to finding suitable employment in Canada were difficulties getting foreign credentials recognised, a lack of Canadian work experience, and language barriers.¹⁹ These disadvantages stemming from immigrants' limited host-country-specific human capital were exacerbated by a selection system that did not take into account the candidate's link to the local economy at the moment of admission. As such, the matching of human capital to available labour market opportunities was haphazard. Indeed, by the late 1990s, the Achilles heel of supply-driven immigration systems was revealed: highly qualified immigrants admitted without the sponsorship of an employer or territorial authority struggled to secure adequate employment upon arrival.

Concerns about these deteriorating outcomes led to the gradual overhaul of the Canadian skilled migration system. This followed in the footsteps of Australia and New Zealand, along two main directions:

- Selection criteria were fine-tuned to emphasise factors that can improve the adaptability of human capital, such as mastery of English or French, and work experience and qualifications from Canada or otherwise domestically relevant.
- Demand-driven criteria were progressively added to the admissions requirements for skilled immigrants, promoting a shift towards a hybrid approach to selection by (1) giving greatest preference to permanent immigration candidates with a job offer, (2) expanding territorial sponsorship schemes,²⁰ and (3) expanding temporary immigration schemes for employer-sponsored migrants.

In the 12 years prior to the introduction of Express Entry, FSWP underwent significant review and reform. Since 2002²¹ admission has been made more directly conditional on six main selection criteria deemed to boost the economic success of newly arrived immigrants: skilled work experience, education, language, age, arranged employment, and adaptability to Canada.²²

Evidence that FSW immigrants with arranged employment have better labour market outcomes²³ has since triggered a shift toward a preference for employer-sponsored candidates. In 2008 the FSWP was limited to three categories of immigrants: (1) those with an arranged employment offer backed by a labour market test, (2) those with relevant work experience in priority occupations,²⁴ and (3) those already working or studying in Canada.²⁵ Later, when caps on FSWP applications were imposed, candidates with a labour-market-tested job

19 Ibid., 6.

20 This policy delegates part of the immigration selection process to a country's territorial authorities that are able to nominate immigrants who meet their local needs.

21 In 2002, the *Immigration and Refugee Protection Act* (IRPA) was introduced, which brought major reforms to the Canadian immigration system overall, with the overarching objective of prioritizing selection factors associated with better labour market integration outcomes. See Ferrer, Picot, and Riddell, 'New Directions in Immigration Policy'.

22 All these criteria were assessed through the points system. The adaptability criterion has involved additional points for a job offer backed by an Arranged Employment Opinion (AEO)—a form of labour market test—as well as a partner's education, relatives in Canada, and postsecondary study and work experience in Canada. For a thorough description of the minimum requirements to be admitted under FSWP and the points system selection grid, as set by IRPA, see Citizenship and Immigration Canada (CIC), *Evaluation of the Federal Skilled Worker Program* (Ottawa: CIC, 2010), www.cic.gc.ca/english/pdf/research-stats/FSW2010.pdf.

23 A comparison of labour market outcomes for pre- and post-IRPA FSW immigrants based on the Longitudinal Immigration Database (IMDB) for the 2004 cohort found that the latter group reported overall higher employment earnings one year after arrival (Canadian dollar [CAD] 40,100, compared with CAD 24,300), and were less likely to receive social assistance. This improvement was clearly driven by much higher average employment earnings for FSW immigrants with a qualifying arranged employment offer, which reached almost CAD 80,000 three years after landing, compared to slightly more than CAD 44,200 for those selected on the basis of only human-capital criteria. See CIC, *Evaluation of the Federal Skilled Worker Program*, 36–37.

24 Priority occupations under the FSWP currently include the following occupations designated by the Canadian National Occupational Classification list: management, professional, and technical occupations as well as skilled trades. See Government of Canada, Department of Citizenship and Immigration, 'Immigration and Refugee Protection Act, Updated Ministerial Instructions', *Canada Gazette* 148, no. 17 (April 26, 2014), www.gazette.gc.ca/rp-pr/p1/2014/2014-04-26/html/notice-avis-eng.php.

25 A wide array of human-capital criteria continued to be tested through the points system.

offer were the only group to be exempted from these limits.²⁶ The caps were introduced for the first time in 2010 to help reduce an outstanding backlog of FSWP applications; candidates were waiting for up to six years for a decision.²⁷ This backlog, in turn, delayed any effects of the recent FSWP reforms. In hopes that policy changes might be promptly reflected in immigrant intake, FSWP applications were paused in mid-2012, and outstanding applications that predated the 2008 reform were terminated.

In addition, more weight was added to those human-capital criteria deemed to be the most important predictors of successful labour market integration. Thus when the FSWP reopened in 2013, a mandatory assessment of language proficiency and foreign-acquired qualifications became a precondition for the processing of an application.²⁸ Canadian work experience also gained importance. Canada created a new permanent immigration stream in 2008, the Canadian Experience Class (CEC), offering a set number of spots to applicants who had conducted skilled work in Canada in the three years preceding their application.²⁹

A third channel for permanent skilled migration, the Federal Skilled Trades Program (FSTP), was introduced in 2013. The programme, a response to rising shortages in middle-skilled occupations, is open to applicants with a labour-market-tested job offer and work experience in selected trades.³⁰ The progressive expansion of the Provincial Nominee Program (PNP)—a regional sponsorship scheme introduced in 1998 to attract economic migrants to specific territories in particular need of foreign workers for economic or demographic purposes, and to favour immigrants' dispersal across the country—³¹ also signals a shift in preference for permanent economic immigrants with sponsorships.

In parallel with these developments in permanent skilled immigration programmes, the fast-paced growth of admissions through the employer-sponsored Temporary Foreign Worker Program (TFWP) also reflects a systemic shift toward demand-driven criteria.³² The number of temporary foreign workers entering Canada annually rose

26 In 2010 the FSWP was capped at 20,000; the following year the cap was halved—with subcaps for each of the priority occupations, and it was further lowered to 5,000 in 2013. In 2014 the cap was eventually raised to 24,000, including 500 entries reserved for PhD students. In addition, subcaps of 1,000 applications were applied to each of the 50 eligible occupations. Candidates with arranged employment offers backed by AEOs remained exempt from the cap on applications, provided they managed to pass a new and more stringent labour market test (the Labour Market Impact Assessment, LMIA). Admissions under the Canadian Experience Class (CEC) were also capped at 12,000 in 2013, and the quota was reduced by one-third during the following year. Caps were withdrawn with the introduction of Express Entry. See Government of Canada, 'Ministerial Instructions', last updated 4 December 2015, www.cic.gc.ca/english/departement/mi.

27 CIC, 'Backgrounders—Managing the Federal Skilled Worker Program: Balancing Supply and Demand', last updated 20 June 2010, www.cic.gc.ca/english/departement/media/backgrounders/2010/2010-06-26.asp. The backlog peaked in 2008.

28 Since 2010, applicants to the FSWP and the CEC were required to include French or English language test results with their application (mandatory predeparture language and qualifications screenings for skilled permanent immigrants had been introduced in Australia back in 1999), to spur labour market integration outcomes. For a detailed description of how language and credential assessments work in Canada, see Box 2.

29 For the number of CEC places available, see footnote 26.

30 The Federal Skilled Trades Program (FSTP) offered 3,000 places in 43 occupations in 2013 and 5,000 places in 90 occupations in 2014. These included skilled occupations in the industrial, electrical, and construction trades; maintenance and equipment occupation trades; natural resources and agriculture; processing, manufacturing, and utilities; and food services (such as chefs, butchers, and bakers). Government of Canada, 'Immigration and Refugee Protection Act'. For a detailed description of admission criteria under the CEC and FSTP, see Table A-1.

31 The Provincial Nominee Program (PNP) was introduced in 1998. It enables participating provinces or territories to nominate potential skilled or semi-skilled immigrants who meet local economic needs for settlement in their region. The programme has several different streams, which vary by province or territory. Every province and territory has a skilled worker stream; and some have other economic streams including for semi-skilled workers, business, and strategic recruitment (for particular occupations like health professionals). Provinces and territories have leeway on the establishment of admission criteria for these streams and are responsible for assessing applications against these criteria (successful applications are then reviewed by Immigration, Refugees and Citizenship Canada, IRCC). All provinces and territories have a PNP except Quebec, which, under the Canada-Québec Accord Relating to Immigration and Temporary Admission of Aliens of 1991, was granted autonomy in designing its own immigration policies. Sponsorship by a province or territory was also found to have positive impacts on the labour market integration of newly arrived immigrants. A 2011 review showed that most newcomers admitted through the PNP scheme found work at their skill levels quickly, and earned more on average than the FSW immigrants initially. See CIC, *Evaluation of the Provincial Nominee Program* (Ottawa: CIC, 2011).

32 The Temporary Foreign Worker Program (TFWP) was introduced in 1973 to allow Canadian employers to recruit specific categories of highly skilled individuals—such as academics, business executives, and engineers—from abroad, to fill worker

from 50,000 in 2002 to 84,000 by 2013, while the number entering under multilateral or bilateral agreements and exempt from Labour Market Impact Assessments (LMIA) (i.e. temporary entries separated out from the TFWP as of 2014) rose from 172,000 in 2002 to 260,000 in 2013.³³

While the rapid expansion of TFWP helped to fill labour shortages at various skill levels with a flexibility and timeliness not matched by the federal streams—and particularly FSWP—concerns that the programme was being abused by employers, and temporary foreign workers exploited, emerged. As it became evident that some employers were relying on TFWP as an *immigrant* recruitment model rather than to meet temporary shortages—extensive reforms to TFWP were introduced in June 2014. These restricted access to the programme and created stronger enforcement mechanisms—including a more stringent labour market test—to ensure employer compliance.³⁴

Meanwhile, the Canadian public—joined by policymakers—voiced increasing discomfort with a shift in the country’s economic immigration model away from settlement and toward temporary admission.³⁵ In response, the government set out to develop a new, comprehensive, permanent immigration system able to balance the short-term needs of local labour markets with longer-term socioeconomic goals. The example of New Zealand and, particularly, Australia, which had recently moved to a two-stage ‘by-invitation’ model for selecting permanent economic immigrants, proved instructive to the overhaul of Canada’s system.³⁶

B. How Express Entry works, and early results

Canada’s EOI system, Express Entry, was launched on 1 January 2015. Since then, candidates seeking permanent residence in Canada via any federal economic migration programme (FSWP, FSTP, or CEC) can no longer apply directly through that programme. Instead, they must first submit an online profile. This profile includes information on their fluency in English and French, education credentials,³⁷ skills, work experience, and whether or not they possess sponsorship (either from an employer or a province/territory). Filing such a profile does not constitute an application: it is a mere expression of interest in immigrating. Individuals whose profile meets the requirements of at least one skilled immigration programme (again, FSWP, FSTP, or CEC)³⁸ and who have a job offer or provincial nomination (or have registered with Employment and Social Development Canada’s Job Bank to seek sponsorship from employers,³⁹) can enter the Express Entry pool of eligible immigration candidates.

gaps quickly. Entries under the programme started to rise during the 1990s, and then skyrocketed after 2002, when IRPA gave the Minister more discretion to designate in-demand occupations, and the Canadian government introduced a pilot programme allowing employers to hire temporary foreign workers for jobs requiring only a high school diploma or on-the-job training. See Government of Canada, ‘Introduction to the National Occupational Classification (NOC) 2011’, accessed 12 December 2015, www5.hrsdc.gc.ca/NOC/English/NOC/2011/Introduction.aspx; Marshall, *Value-Added Immigration*, 35–37.

- 33 The 2014 reforms led to a reorganisation of TFWP, so the programme now covers those streams requiring a LMIA, while the new International Mobility Programs (IMP) category covers those streams that do not require one; Employment and Social Development Canada, ‘Temporary Foreign Worker Program: Overhauling the TFWP’, 1-3, last updated 27 November 2015, www.esdc.gc.ca/eng/jobs/foreign_workers/reform/overhauling_TFW.pdf.
- 34 Furthermore, employers hiring workers in high-wage occupations are now required to submit a ‘transition plan’ with their application that details efforts to reduce their reliance on temporary skilled foreign workers. See *Ibid*.
- 35 Polling data from 2010 suggest a strong preference among the Canadian public for permanent (over temporary) migration. See Bloemraad, *Understanding ‘Canadian Exceptionalism’*.
- 36 For a comparative overview of the Expression of Interest (EOI) systems implemented in Australia and New Zealand, see Table A-2.
- 37 For more detail on these assessments, see Box 2.
- 38 For a detailed description of minimum eligibility criteria under each of Canada’s federal permanent economic immigration programmes, see Table A-1. Table A-2 includes additional details on the functioning of the Express Entry system.
- 39 Candidates lacking employer or provincial/territorial sponsorship at the moment of filing the Express Entry profile have 30 days to register with the Canada job bank, failing which their profile is withdrawn. The job bank is an online employment matching tool. For more detail on its features, see Government of Canada, ‘Job Bank’, updated 18 December 2015, www.jobbank.gc.ca/home-eng.do?lang=eng.

Box 2. Assessing applicants' educational credentials and language abilities

Under the new Express Entry system, applicants must submit the results of a language test and, if they possess a foreign degree, diploma, or certificate for consideration, an Educational Credential Assessment (ECA) that verifies the validity of the credential and its equivalence to a Canadian secondary or postsecondary qualification. The ECA was first introduced for the Federal Skilled Worker Program (FSWP) in May 2013. It was designed to root out false credentials and enable Citizenship and Immigration Canada (CIC) to award points on the comparative merit of the credential, instead of its apparent 'face value'. The ECA was also meant to facilitate migrants' and employers' understanding of the real value of foreign qualifications in the Canadian labour market, and, where needed, to allow foreign-qualified candidates to get a foothold in the credential recognition process. As Table A-1 illustrates, the minimum education and language requirements vary by programme.

To prove they meet the minimum language requirements, applicants must take an approved language test at their own expense, or present results from an approved test taken within the past two years. Immigration, Refugees, and Citizenship Canada (IRCC) has approved language tests by the Canadian English Language Proficiency Index Program (CELPIP), the International English Language Testing System (IELTS), and the Test d'Evaluation de Français (TEF).

ECAs are carried out by several third-party organisations designated by the Minister of Immigration, Refugees, and Citizenship. As of December 2015, this list includes two professional bodies (the Medical Council of Canada and the Pharmacy Examining Board of Canada) and five general credential evaluation organisations, selected via a call for service proposal by CIC. These are World Education Services, the International Credential Assessment Service of Canada, the Comparative Education Service, International Qualifications Assessment Service, and the International Credential Evaluation Service.

While ECAs are conducted for immigration prescreening purposes, they can also help applicants meet some of the requirements for licensing (in the case of regulated occupations), and, when applicants lack an existing job offer, may bolster applicants' employment opportunities by explaining the equivalency of foreign qualifications to employers. Verifying foreign credentials is an important part of the process of applying to practice a regulated occupation in a Canadian province or territory, though to obtain full recognition candidates must also meet provincial or regional training and examination requirements and, in some cases, have worked in Canada for a period. Nonetheless, the Canadian government is exploring opportunities to move to a more specific credential assessment for a number of occupations, already from the prescreening phase.

Sources: Citizenship and Immigration Canada (CIC), 'Backgrounder—Overview of the New Federal Skilled Worker Program', last updated 19 December 2012, www.cic.gc.ca/english/departement/media/backgrounders/2012/2012-12-19.asp; Government of Canada, 'Determine Your Eligibility—Skilled Immigrants (Express Entry)', last updated 21 July 2015, www.cic.gc.ca/english/immigrate/skilled/apply-who-express.asp.

Active candidates in the pool are ranked according to a points system, the Comprehensive Ranking System (CRS), which applies to all permanent economic immigration programmes. The CRS strongly favours candidates who have arranged employment in Canada, backed by an LMIA or a provincial/territorial nomination. Out of 1,200 points available under the CRS, 600 points can be gained through sponsorship of this type. This makes sponsorship the most significant of all points-tested criteria. Candidates can earn a maximum of 500 points for a range of human-capital attributes such as proficiency in an official language, level of education, age (those ages 18 to 31 get higher scores), and Canadian work experience; and an additional 100 points can be earned for evidence of skills transferability to local labour markets.⁴⁰ While in the pool, candidates lacking sponsorship can market themselves to Canadian employers and provinces via the job bank in an attempt to gain sponsorship and thus obtain additional points.

Unlike earlier points-based systems, CRS does not automatically designate all those who have reached a certain threshold score as eligible for admission. Instead, Express Entry applies a *dynamic* ranking and management system: only a small group of top-ranking individuals in the pool at a time are issued an invitation to apply

40 Points for skills transferability factors are given for various combinations of human-capital criteria deemed to be mutually reinforcing in enhancing the candidate's adaptability to the Canadian economy (e.g., strong official language proficiency and work experience in Canada, strong official language proficiency and postsecondary degree, etc.). For a detailed description of points allocation under the Comprehensive Ranking System (CRS), see Government of Canada, 'Express Entry—Comprehensive Ranking System (CRS) Criteria', updated 8 June 2015, www.cic.gc.ca/english/express-entry/grid-crs.asp.

(ITA) by Immigration, Refugees, and Citizenship Canada (IRCC). Every two to three weeks,⁴¹ a draw from the pool is made; IRCC determines the number of candidates to invite based on processing capacity and annual immigration levels. The threshold for each round is a function of this number. Candidates are invited from the top level down until the last candidate, whose score determines the low cut-off score for that round.⁴² Express Entry candidates can only apply to one of the federal permanent economic immigration streams, or the PNP,⁴³ after they receive an ITA.⁴⁴ The high premium placed on sponsorship is meant to ensure that candidates with a qualifying job offer or provincial nomination are ranked the highest, and hence are invited to apply for immigration soon after they have entered the pool, thus ensuring that the employers or provinces/territories that have sponsored them will swiftly get the foreign workers they need on the job.

Interviews indicate that the new system is working well with respect to speeding up the permanent immigration process for skilled foreign workers in high demand.

This two-step ‘by-invitation’ selection model and dynamic ranking system makes it possible for Canadian immigration authorities to consider only those candidates deemed most likely to achieve economic success in Canada at a given time. The ranking of candidates is continuously updated as others enter and exit the pool.⁴⁵ This system avoids application backlogs and responds to actual demand in a much more flexible way than setting up annual caps and quotas, since the government can establish the number of ITAs issued at each round.⁴⁶ It also has the crucial advantage of allowing faster processing times for the very highly skilled and in-demand candidates placed at the top of the CRS score list. Indeed, one year into implementation, the government has met its commitment to processing 80 per cent of Express Entry applications within six months.⁴⁷

Interviews with employers and provincial authorities who have already made use of Express Entry indicate that the new system is working well with respect to speeding up the permanent immigration process for skilled foreign workers in high demand.⁴⁸ Express Entry has strengthened the role of employers and provinces/territories in immigrant selection. In fact, policymakers solicited the involvement of these key stakehold-

41 The time interval between two draws varies following ministerial instruction. The two- to three-week figure is based on analysis of the frequency of draws during 2015.

42 The number of invitations to apply (ITAs) issued at each draw from the pool has varied between a minimum of just above 700 to a maximum of 1,600, with the draws in the second half of the year stabilizing around 1,500. With the progressive elimination of the pre-Express Entry inventory, the number of ITAs issued at each round is set to increase progressively.

43 While admission to the Express Entry pool is conditional on eligibility for the federal economic immigration programmes, pool members who have provincial or territorial nomination can be invited to apply to the PNP. To date, most provinces/territories have nominated candidates through Express Entry, though some of them—notably British Columbia and Nova Scotia—have made more use of the system than others. In January 2016, Quebec, which has its own immigration policy, also introduced an online tool for managing admission under its skilled worker programme (QSWP), named Mon Projet Québec; see Government of Québec, ‘Mon Projet Québec’, updated 11 January 2016, www.immigration-quebec.gouv.qc.ca/en/informations/mon-projet-quebec/index.html.

44 After receiving an ITA, candidates have 60 days to file their application and all the required documentation. Those candidates who are eligible for multiple programmes are generally assigned to one by IRCC, based on the following hierarchy: (1) PNP, (2) FSWP, (3) CEC, and (4) FSTP.

45 Express Entry pool members are allowed to stay in the pool for up to one year, after which their Express Entry profile expires and they have to file a new EOI. While in the pool candidates are requested to update their Express Entry profile, especially if there are changes that can influence their CRS score. For more information on the Express Entry pool, see Government of Canada, ‘Once You Are in the Pool—Skilled Immigrants (Express Entry)’, updated 20 November 2015, www.cic.gc.ca/english/immigrate/skilled/pool.asp.

46 As discussed earlier, the introduction of Express Entry has led to the elimination of caps previously established to limit admissions and reduce backlogs under the federal economic immigration programmes.

47 Average processing time before the introduction of Express Entry was 12 to 14 months, while backlogs had reached up to six years. As of 20 December 2015, more than 13,500 persons (principal applicants and dependants) had already been approved for permanent residence. See IRCC, ‘Express Entry Update, Citizenship and Immigration Canada – Immigration Practitioners Committee (CICIP)’, (Powerpoint presentation, 27 November 2015).

48 Intervention of province representative and discussions during the high-level roundtable, ‘The Expression of Interest System: A New Model for Managing Skilled Migration in the EU? Drawing from Canada’s experience’, Brussels, 27 January 2016.

ers when designing the system. The 600-point CRS premium for a qualifying sponsorship was clearly meant to obtain their buy-in. Employers were also pleased with the abolition of caps and shortage lists for FSWP. In addition, the government has sought to facilitate private-sector engagement by deploying Express Entry Employer Liaison Network (ELN) officers throughout Canada (including in Toronto, Vancouver, Calgary, Winnipeg, and Halifax) to provide information on the Express Entry system, collect feedback on its implementation, and provide Canadian employers experiencing labour shortages with a link to overseas visa offices that have identified available pools of interested workers.

Nonetheless, employers have expressed concerns that the stringent and complex labour market test—the LMIA—required for a qualifying job offer is too demanding, particularly for small and medium enterprises (SMEs).⁴⁹ Migration candidates with job offers that are not backed by an LMIA can still be admitted to the Express Entry pool provided they meet other eligibility conditions, but they do not get the 600-point premium. Hence, employers have no assurance that these candidates will be issued an ITA shortly after being admitted to the pool. Employers might prefer to make a qualifying job offer conditional on an Arranged Employment Opinion (AEO), a milder labour market test, which applied to FSWP before 2010.⁵⁰ The government is considering how to make the labour market test less administratively onerous, notably for those permanent migration candidates who are already in Canada on temporary work visas exempted from the LMIA.⁵¹

Nonetheless, employers have expressed concerns that the stringent and complex labour market test required for a qualifying job offer is too demanding, particularly for small and medium enterprises.

While it is certainly too early to identify trends of skilled immigration under Express Entry just one year into implementation,⁵² an analysis of the available data⁵³ provides some preliminary insights.

As intended, the Express Entry selection system favours candidates with a qualifying job offer or provincial sponsorship. Thus, candidates with a CRS score of more than 600 points represented 70 per cent of total ITAs issued in the first six months of implementation—and 65 per cent of them had a qualifying job offer. In particular, in the first five draws from the pool (until 20 March), only candidates with a minimum 734 CRS score were invited to apply for permanent immigration. This means that candidates without arranged employment backed by an LMIA did not make the cut, since there were enough candidates with a job offer.⁵⁴

However, as illustrated in Figure 1, subsequent draws reveal that this initial tendency was transitory, and largely linked to the fact that in the first six months of implementation a significant share of the Express Entry pool was already residing in Canada on temporary visas at the moment of filing an expression of interest. Notably, more than 85 per cent of the almost 13,000 pool members who were invited to apply for permanent residence over that period had filed an expression of interest *from* Canada. In fact, a majority of the candidates who were issued an ITA were invited to apply for CEC—which requires at least 12 months of full-time (or equivalent part-time) skilled work experience in Canada in the three years preceding application.⁵⁵

49 High-level roundtable discussions, 'The Expression of Interest System: A New Model for Managing Skilled Migration in the EU? Drawing from Canada's experience', Brussels, 27 January 2016.

50 Ibid.

51 As discussed in footnote 33 temporary migrants admitted under IMP are exempt from an LMIA.

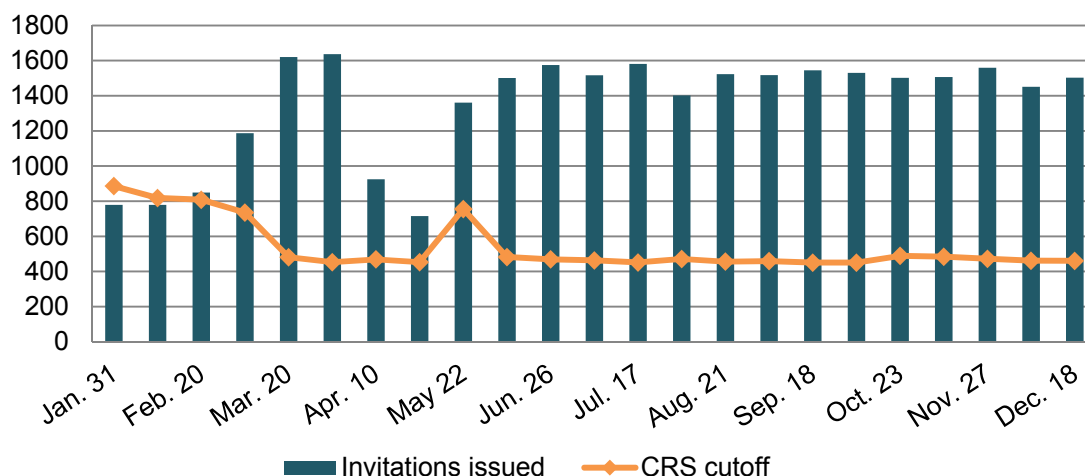
52 During the first year of implementation, the ITAs issued—and draws from the pool—were constrained since the pre-Express Entry inventory of applications had yet to be terminated. As the backlog is gradually reduced, ITAs for Express Entry candidates are expected to gradually increase.

53 Publicly available data up to 20 December 2015.

54 Given that it took some time for provinces and territories to start to actively participate in Express Entry, in the first six months of implementation almost all the candidates with the additional 600 points had a qualifying job offer.

55 Government of Canada, 'Express Entry Mid-Year Report', last updated 31 July 2015, www.cic.gc.ca/english/resources/reports/ee-midyear-2015.asp.

Figure 1. Minimum Comprehensive Ranking System score for obtaining an invitation to apply, 2015 draws



Source: Government of Canada, Immigration, Refugees, and Citizenship Canada (IRCC), 'Express Entry Update, Citizenship and Immigration Canada – Immigration Practitioners Committee (CICIP)', (Powerpoint presentation, 27 November 2015).

From the sixth draw onwards, and with the exception of the tenth draw,⁵⁶ all subsequent rounds of ITAs allowed active Express Entry candidates lacking a qualifying job offer or a provincial sponsorship to apply for permanent residence on the basis of their human capital alone. The CRS pass mark oscillated between 450 and 489 points. According to IRCC, by the end of 2015 about 40 per cent of those issued an ITA were Express Entry candidates without an LMIA-backed job offer or provincial nomination.⁵⁷ Clearly, sponsorship is a critical asset but not an absolute precondition to getting through the Express Entry doorway.

By 20 December 2015, more than 28,000 Express Entry candidates had received invitations to apply: most through FSWP (42 per cent) or CEC (36 per cent), and fewer via PNP (14 per cent) and FSTP (8 per cent). Of those who were issued an ITA, slightly fewer than 17,000 had actually filed a complete application for the designated immigration programme by the end of the year. Even taking into account the obvious limits of accessing and analysing data that are extremely recent, the significant difference between the ITAs issued and actual applications would seem to point to some unanticipated glitch in the application phase. One possible explanation is that the 60-day time limit for applying for permanent residence after an ITA is issued is perhaps too short for candidates to file all the supporting documentation required.⁵⁸

In light of the small number of actual applications received from Express Entry candidates, the swift processing times might need to be carefully reviewed. Only once the number of ITAs per draw increases will it be possible to evaluate the new system's capacity to speed processing times. Indeed, IRCC has stated that Express Entry will become the main source of applications to meet annual immigration level targets as soon as the prior inventory has been cleared.⁵⁹

⁵⁶ For the draw of 22 May 2015, the minimum CRS pass mark was 755. This increase in the minimum CRS score required to be issued an ITA was due to an increase in the share of candidates in the pool with provincial nominations. This fluctuation stems from the fact that provinces did not open their Express Entry PNP streams until months after Express Entry was launched.

⁵⁷ Forty-six per cent had claimed a job offer; see IRCC, 'Express Entry Update, Citizenship and Immigration Canada – Immigration Practitioners Committee (CICIP)'.

⁵⁸ To tackle this issue while still ensuring the timeliness of application processing, policymakers might consider the introduction of mechanisms such as virtual portfolios aimed at facilitating the gathering and quick updating of documentation from candidates while they are in the pool.

⁵⁹ Government of Canada, 'Express Entry Mid-Year Report'.

Clearly, the Express Entry system and the related job bank⁶⁰ bring qualified prescreened migration candidates to the attention of employers and provinces/territories, and thus make it more likely for candidates to obtain sponsorship (and an appropriate job if admitted). While these preliminary findings are encouraging, it will take time to evaluate the effectiveness of Express Entry in meeting its overarching goal of furthering the economic success of skilled immigrants.

III. PERSPECTIVES ON ADAPTING EXPRESSION OF INTEREST TO THE EU CONTEXT

National labour migration systems within the European Union are heterogeneous. That said, most are prominently demand-driven: third-country nationals, including the highly skilled, need a job offer from a local employer to be eligible for immigration.⁶¹ A labour market test and/or shortage list is often used to ensure that the immigrant intake matches vacancies that could not be filled by the domestic or EU workforce. For a job offer to qualify, it might need to come with an above-average salary. For example, the offer of a highly skilled job paying 1.5 times the national average gross annual salary is the main condition for an EU Blue Card.⁶²

Over the past decade, most skilled labour migration systems in Europe have begun to lean toward a hybrid model that seeks to balance supply and demand interests. In so doing, they are to some extent converging with the systems of other traditional settlement countries, though from the opposite direction. In particular, there is greater emphasis on human capital, and labour market tests for the most highly skilled have receded. A number of EU Member States have also introduced points systems—even as the countries that invented them have begun to scrutinise and reform them.⁶³ European countries have not replicated the original model exactly, it might be noted, but most often have combined demand- and supply-driven criteria. Consider the United Kingdom, which in 2008 became the first country in Europe to adopt a points system to manage immigration for employment, entrepreneurship, and study. In the largest stream—Tier 2, skilled workers—the majority of points are awarded for meeting sponsorship and salary requirements, with fewer points awarded for language skills. Possessing tertiary qualifications is also an entry requirement.⁶⁴

Over the past decade, most skilled labour migration systems in Europe have begun to lean toward a hybrid model that seeks to balance supply and demand interests.

A second feature of European labour migration has been its temporary nature. Skilled and highly skilled labour migrants, including those who have been points-tested, have been granted permanent residence at first

60 From 1 January to 20 December 2015 Employment and Social Development Canada's Job Bank registered more than 450,000 electronic matches between Express Entry candidate profiles and job postings; IRCC, 'Express Entry Update, Citizenship and Immigration Canada – Immigration Practitioners Committee (CICIP)'.

61 Austria, Denmark, and Germany are the only EU Member States that have specific supply-driven migration streams in the form of first-entry job-seeking visas allowing for the temporary admission of very highly skilled third-country nationals based solely on their human capital, without an employment offer. The United Kingdom also has an Exceptional Talent route to immigration under Tier 1 of the points system, with up to 1,000 places offered every year to professionals who have been endorsed by the Home Office as recognised or emerging leaders in the science, technology, engineering, and mathematics (STEM) or arts fields, and who can be admitted without a job offer.

62 For a detailed description of the admission criteria under the EU Blue Card, see Box 3.

63 Sumption, 'The Points System is Dead, Long Live the Points System'.

64 Since the 2010 reforms, Tier 2 is the main admission stream for third-country skilled workers in the United Kingdom. The Tier 2 points system is rigid, meaning that the required points must be scored in each category. More generally, following these reforms, the United Kingdom has mostly shed the points-based element of its labour immigration system. The points system is still used to help prioritise applications under the Tier 2 General route, but only if and when the Tier 2 limit of 20,700 places is hit. All in all, the points part of the current UK system is no longer used.

admission only in extremely rare cases.⁶⁵ The preferred European model involves renewable permits that can eventually be converted into permanent status after a set period and after meeting certain conditions. Though Europe has ostensibly moved beyond the guest-worker era, long-term population objectives have a minor role in discretionary migration management.⁶⁶

Perhaps partly because of this approach, European countries, unlike their transatlantic counterparts, do not attract endless queues of highly qualified labour immigrants, either through national systems or the EU Blue Card.⁶⁷ While in many countries it may take a long time for a qualified migration candidate to secure a work permit, this tends to be due more to administrative inefficiencies than backlogs resulting from a high number of applications. The requirement of a job offer also puts a natural limit on applications. Indeed, those Member States that actively participate in the international hunt for talent—notably, Germany and the Netherlands—are preoccupied more with attracting highly skilled migrants than with maintaining a manageable number of applications. Hence, the value of adopting an EOI system in Europe would not stem necessarily from streamlining application processing, but rather from bolstering the international recruitment of highly skilled workers in shortage occupations.

The value of adopting an EOI system in Europe would not stem necessarily from streamlining application processing, but rather from bolstering the international recruitment of highly skilled workers in shortage occupations.

As has been noted, Europe's labour markets vary widely, both with respect to demand and supply dynamics and market regulations, and relevant immigration histories, traditions, and trends also differ across Member States. These variations have resulted in a very heterogeneous picture of national migration policies for skilled workers in the EU. Only a few Member States have well-developed channels dedicated to highly skilled immigration, and these are mostly in the northwest of Europe: Austria, Denmark, Finland, Ireland, the Netherlands, the United Kingdom, and, following the reforms of the past five years or so, Germany.⁶⁸ Even amongst these countries, policy objectives in the area of legal migration differ. The United Kingdom, which has the most advanced traditions in migration policymaking in Europe, is a case in point. The UK government has tried to curb immigration since 2010, including that of highly skilled third-country nationals. Meanwhile, Sweden offers a unique case of a purely demand-driven labour immigration system, whereby foreign workers with arranged employment can be admitted at all skills levels and without numerical limits. Yet it is notable that even with this extremely liberal system, the country has struggled to attract enough qualified workers from abroad to fill shortage occupations, particularly in the science, technology, engineering, and mathematics

65 Since 2005, Germany has granted a first-entry permanent residence permit to the very highly skilled with a firm job offer.

66 This may change in the future, given Europe's demographic trends.

67 Alongside the EU Blue Card, most EU Member States maintain separate national immigration streams for highly skilled immigrant workers (see Box 3 for details).

68 In September 2013, Spain reformed its immigration law to introduce more streamlined evaluation and processing of immigration applications for certain categories of highly qualified migrants (including workers, entrepreneurs, intracorporate transferees, and researchers). A fast-track procedure applies, exempting labour migration candidates from the labour market test and issuing of the (temporary) residence permit 20 days from the beginning of the procedure. The system affords great discretion to authorities for assessing immigration applications case by case—as a means to rapidly serve changing economic needs better than fixed shortage lists or other requirements. Compliance checks and inspections are carried out after admission to avoid abuses. According to the Spanish Ministry of Economic and Competitiveness, 2,913 residence permits were issued to highly qualified professional workers between 28 September 2013, when new legislation was implemented, through the end of 2015. See Title V, Section II of Government of Spain, 'Act 14/2013, of 27 September, of support to entrepreneurs and their internationalization. Section on international mobility (consolidated text: amendment made by the eleventh final provision of Act 25/2015, of 28 July, on second chance mechanism, reduction of the financial burden and other social order measures), *Boletín Oficial de Estado*, 29 July 2015, http://extranjeros.empleo.gob.es/es/UnidadGrandesEmpresas/documentos/2015/Ley_14-2013_consolidada_en_ingles.pdf; Government of Spain, *Report on the Implementation of the International Mobility Section of the Entrepreneurial Support and Internationalisation Act of 27 September 2013* (Madrid: Government of Spain, 2015), http://extranjeros.empleo.gob.es/es/UnidadGrandesEmpresas/ley14_2013/documentacion/Report_on_the_Implementation_of_the_International_Mobility_Section.pdf.

(STEM) and health sectors. In the Netherlands, on the other hand, highly skilled immigration relies on regulated sponsorship: only recognised employers can apply for a residence permit for highly skilled migrants. Recognised employer status is conditional on the decision of the Immigration and Naturalisation Service, and on the payment of a fee of 5,000 euros. While this status grants fast-track and efficient processing of applications (two weeks on average), the fee may be prohibitively high for SMEs, which recruit only a small number of foreign workers.⁶⁹

Elsewhere in Europe, countries such as Belgium, France, and Italy have underdeveloped or ineffective policies for managing the immigration of highly skilled workers. There are many reasons for this, ranging from stagnant labour market demand to a lack of capacity to set (and implement) immigration policy to deliberate political choice. For their part, most Eastern European countries remain defined by emigration—notably in the form of intra-EU mobility—and have only very recently developed national immigration policies, largely as a result of the EU enlargement process. Many of these countries have so far lacked capacity to develop a fully fledged, credible immigration policy for skilled foreign workers.

Moreover, EU Member States' ability to develop and implement sound accompanying policies relevant to the management of skilled migration—such as those governing the recognition of foreign qualifications and otherwise improving the match between migrants' skills and unfilled job vacancies—has varied widely. In recent years, a number have attempted to improve their process for recognizing foreign qualifications by way of adopting specific legislation (as in Germany) or creating dedicated agencies (as in Austria).⁷⁰ The language requirements for immigration—and for the residence of legal migrants—have been intensified. Meanwhile, private initiatives and public-private partnerships have flourished in some countries, especially Germany, combining a preadmission assessment of language and qualifications with training for skilled migrants, and thus addressing the two most significant obstacles to immigrants' economic success.⁷¹ However, such developments have been extremely uneven across Member States; most still lack the capacity to implement comprehensive frameworks and tools to tackle these issues. Countries that have put in place such measures, meanwhile, have found them to be resource intensive and costly for the public administration (or employers, in the case of private initiatives).

Member States have the final word in determining the numbers of legal migrants admitted.⁷² This fact, combined with the heterogeneity of states' migration (and employment) policies and objectives, have so far limited the ability of EU institutions to establish a common and coherent framework for legal migration across the European Union—despite an increasing commitment to do so, particularly from the European Commission.⁷³ For

69 Recognised employer status is not required when sponsoring other labour migrants, Blue Card holders, or seasonal labour, for example. See Immigration and Naturalisation Service, '(Recognised) Sponsors', accessed 16 February 2016, <https://ind.nl/EN/individuals/residence-wizard/other-information/recognised-sponsors>; Immigration and Naturalisation Service, 'Highly Skilled Migrants', accessed 16 February 2016, <https://ind.nl/EN/individuals/residence-wizard/work/highly-skilled-migrant>; Immigration and Naturalisation Service, 'Costs', accessed 16 February 2016, <https://ind.nl/EN/business/employer/costs-income-requirements/Costs/Pages/default.aspx>.

70 For a thorough review of national policies on the recognition of foreign qualifications in Europe, see Anke Schuster and Maria Vincenza Desiderio, 'Recognition of Qualifications and Competences of Migrants—Overview of Findings', in *Recognition of Qualifications and Competences of Migrants*, eds. Anke Schuster, Maria Vincenza Desiderio, and Giuliana Urso (Brussels: International Organization for Migration, 2013), www.labourmigration.eu/research/report/20-recognition-of-qualifications-and-competences-of-migrants; Maria Vincenza Desiderio, 'How Can the EU Step Up its Action in Facilitating the Process of Recognition of Migrants' Qualifications and Skills?' Contribution to the Expert Group on Economic Migration, April 2015, <http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupDetailDoc&id=19241&no=3>.

71 Maria Vincenza Desiderio and Kate Hooper, 'Improving Migrants' Labour Market Integration in Europe from the Outset: A Cooperative Approach to Predeparture Measures' (Migration Policy Institute Europe Policy Brief Series, Issue No. 6, MPI Europe, Brussels, February 2015), www.migrationpolicy.org/research/improving-migrants-labour-market-integration-europe-outset-cooperative-approach.

72 In the European jargon, legal migrants are those admitted for employment, entrepreneurship, or study purposes. These flows are discretionary, as Member States maintain the discretion to regulate their level and characteristics based on national rules and are not generally bound by international treaties and conventions (as in the case of intra-EU mobility or asylum), unless specific bilateral economic migration agreements apply.

73 In 2001, the European Commission put forward a proposal for a framework directive on admission for economic purposes, which was rejected by the Council. As a consequence, a 'sectoral' approach has been adopted whereby there are separate directives addressing specific groups of legal migrants (students, researchers, highly skilled workers, seasonal workers, intracompany transferees, long-term residents). Moreover, given that the competence of the Commission in this area is shared with Member States and constrained by the subsidiarity principle, the degree of harmonisation of Member States' legal migration policies put forward by EU legislation has been limited to minimum standards. This 'minimum compromise'

example, seemingly simple endeavours, such as establishing a common definition of ‘highly skilled workers’ for the purpose of the Blue Card, have proven difficult in the face of the various interpretations seen in 25 national systems.⁷⁴ This technical challenge is compounded by deeply entrenched, and increasing, political resistance to developing common European policies, particularly when the goal of harmonisation implies a loss of sovereignty and control over entry rules. There may be very little appetite at this time for big leaps forward in EU legal migration policy, even as national policymakers increasingly recognise the relevance of highly skilled migration to economic competitiveness.

These variables compose a very different context from the one in which Express Entry was developed. Yet, both the European Union and Canada face common challenges in the management of skilled migration—notably with respect to filling labour market needs with immigrants who possess the right mix of qualifications, skills, and other characteristics that can contribute to their successful integration in the receiving society. Given these shared challenges, it is worthwhile discussing finite *elements* of the EOI system that might be adapted at the EU level.

A. What value would elements of an EOI system have for Europe?

There are several reasons why adapting elements of an EOI system to Europe’s political and administrative realities might be valuable. First, prescreening applicants’ language skills and qualifications, and establishing a job-matching mechanism, may be a good policy target for European policymakers who have been grappling for years with the need to improve access to information for both potential labour migrants and employers.⁷⁵

In demand-driven labour migration systems, a job offer from a local employer is the critical trigger for the immigration process. Yet, in Europe, even in labour migration systems with liberal rules for foreign recruitment—such as Sweden and, to some extent, Germany—employers, and particularly SMEs, have not taken full advantage of the opportunities afforded them to fill unmet vacancies through the immigration of third-country nationals.

There are several reasons why adapting elements of an EOI system to Europe’s political and administrative realities might be valuable.

A key explanation for this is the limited information available to employers on the skills and qualifications of immigration candidates, and the risks, real or perceived, associated with hiring foreign workers directly from abroad without being able to test their competences or receive references from acquaintances or business networks. Studies of employers in Germany and Sweden confirm this.⁷⁶ Add to these risks the unpredictability

feature of EU legislation in the area of legal migration is particularly evident in the instruments adopted prior to the entry into force of the Lisbon Treaty (December 2009), which have required agreement by the majority of Member States. Among these instruments is the EU flagship initiative in the area of legal migration and the EU Blue Card, which is currently under review.

74 When the Amsterdam Treaty was adopted (1997), expanding the competences of the European institutions in the area of immigration and asylum, Denmark, Ireland, and the United Kingdom chose the right (granted by the treaty) to opt out of the decisions taken by the European Council in the area of immigration, and are not bound by the EU Blue Card.

75 For a thorough review of the issues involved in improving access to information for migrants and employers, see Maria Vincenza Desiderio, ‘Improving Access to Labour Market Information for Migrants and Employers—Executive Summary’, in *Improving Access to Labour Market Information for Migrants and Employers*, eds. Maria Vincenza Desiderio and Anke Schuster (Brussels: International Organization for Migration, 2013), www.labourmigration.eu/research/report/23-improving-access-to-labour-market-information-for-migrants-and-employers.

76 Ibid.; OECD, *Recruiting Immigrant Workers in Germany* (Paris: OECD Publishing, 2013).

and length of immigration procedures, and the direct hiring of skilled workers from abroad becomes an unaffordable option for many European businesses. SMEs in particular tend to lack the human and financial resources needed to overcome information barriers and, unlike bigger firms, cannot rely on the international reach and the economies of scale that would partly offset the costs of establishing a targeted information strategy for migrant recruitment.⁷⁷ There are information bottlenecks on the supply side, too, as migrants face limited access to information on available job opportunities abroad and the steps needed to apply.⁷⁸

In light of the above, the primary value of an EOI-type system for EU Member States would lie in giving employers access to a qualified pool of prescreened migration candidates. By prescreening foreign workers for key human-capital characteristics such as language skills and qualifications, while also offering a mechanism for pairing these workers with local employers,⁷⁹ the system would greatly reduce the information hurdles involved in foreign recruitment. This would in turn contribute to reducing the resource gap between small and larger firms seeking to hire migrants from abroad.

The introduction of elements of an EOI at the EU level could help move forward a common EU policy on legal migration—via a more concrete strategy than the harmonisation of minimum requirements.

Looking at the supply side, such a system would also improve the ability of migration candidates to ply their skills and migration credentials to prospective employers. This would in turn facilitate the effective matching of migrants to jobs, and lessen the incidence of underemployment and overqualification among those who manage to secure a job.⁸⁰ All this would help Member States attract highly skilled migrants.

Moreover, the introduction of elements of an EOI at the EU level could help move forward a common EU policy on legal migration—via a more concrete strategy than the harmonisation of minimum requirements. The first step of this strategy would be for the European Union to fully leverage its capacity to offer Member State governments, administrations, and employers key mechanisms to support the management of skilled migration. Member States would share these mechanisms to ease their work identifying skilled migration candidates appropriately qualified to meet European vacancies and integrate in Europe's labour markets, and matching these qualified candidates with local employers. This endeavour would not require any harmonisation of migration rules among Member States. For such mechanisms to be successful, however, the European Union would have to obtain buy-in from all relevant stakeholders, including central and local governments and administrations and, crucially, employers.

77 Small and medium enterprises (SMEs) are the backbone of the EU economy, with 20.7 million firms in 2012 accounting for more than 98 per cent of all EU enterprises and 67 per cent of total EU employment. See Paul Wymenga, Viera Spanikova, Anthony Barker, Joep Konings, and Erik Canton, *EU SMEs in 2012: At the Crossroads. Annual Report on Small and Medium-sized Enterprises in the EU, 2011/12* (Rotterdam: European Commission, 2012), http://ec.europa.eu/growth/smes/business-friendly-environment/performance-review/files/supporting-documents/2012/annual-report_en.pdf. Hence the higher challenges that SMEs confront in accessing the information needed to recruit foreign workers as compared with bigger firms—which can rely on the services of specialised HR departments and immigration lawyers—are a major obstacle to the overall recruitment of skilled migrants in Europe. For a thorough discussion of information barriers and how they shape migration management trends and tools, see Desiderio, 'Improving Access to Labour Market Information'.

78 Ibid.

79 Through the job bank attached to the system. See section II B. for more details on how the job bank mechanism functions in the Express Entry system.

80 Migrants with a tertiary education are twice as likely as EU native-born workers to be overqualified for their jobs; overqualification rates are highest among the highly educated. Similarly, 2012 data from the International Survey of Adult Skills (PIAAC) report that the earnings gap is largest between tertiary-educated migrants and natives. Language and qualifications recognition barriers are the two most important factors explaining lower returns to education for highly skilled migrants relative to their native counterparts. See Migrant Integration Policy Index (MIPEX), 'Labour Market Mobility', accessed 11 January 2016, www.mipex.eu/labour-market-mobility; Eurostat, 'Self-declared Over-qualified Employees as Percentage of the Total Employees by Sex, Age, Migration Status and Educational Attainment Level [lfsa_14loq]', last updated 21 December 2015, http://ec.europa.eu/eurostat/web/products-datasets/-/lfsa_14loq; Sara Bonfanti and Theodora Xenogiani, 'Migrants' Skills: Use, Mismatch and Labour Market Outcomes: A First Exploration of the International Survey of Adult Skills (PIAAC)', in *Matching Economic Migration with Labour Market Needs* (Paris: OECD Publishing, 2014), 298.

This would be particularly beneficial to those countries that have so far lacked capacity to effectively govern processes related to labour migration, and may at the same time facilitate greater convergence among Member States. Furthermore, by providing concrete support, the European Union is likely to gain greater trust from Member States. Proving a positive EU role in support of efficient migration policymaking can in turn be expected to create more favourable foundations on which to negotiate common selection criteria and further harmonise admission rules.

As the European Commission considers how best to establish a coherent, common framework for legal migration—one that could be easily utilised by prospective migrants and employers and thus attract skilled workers from abroad—the approach discussed above might be considered as an alternative to the harmonisation paradigm that has been pursued so far. Indeed, given Member State prerogatives on legal migration, the fragmentation of their schemes can be reduced only somewhat by top-down efforts to harmonise binding rules. The relative failure of the EU Blue Card is a case in point.

After long negotiations on common minimum entry and residence conditions for highly skilled migrants, Blue Card admission requirements across Member State still vary widely. This is not the harmonisation hoped for when the Commission put forward this flagship instrument. Persistent differences also hamper the mobility of Blue Card holders—and their mobility was set to be one of the instrument’s key values. In practice, the introduction of the EU Blue Card has made very little impact on the nature of skilled migration management across the European Union: almost all Blue Card holders could have entered the issuing Member State on a national permit instead. Against this backdrop, the review of the Blue Card scheme set to be launched in spring 2016 would offer a valuable opportunity to pilot the adaptation of elements of the EOI model to the European Union.

Box 3. The EU Blue Card

The Directive on the conditions of entry and residence of third-country nationals for the purpose of highly qualified employment, better known as the ‘EU Blue Card’ Directive, was adopted by the EU Council in June 2009. The aim of the directive was to enhance the European Union’s attractiveness for highly skilled workers from abroad through the harmonisation of facilitated admission and mobility requirements across Member States via the creation of a new dedicated work and residence permit for highly skilled immigrants. The directive has been implemented in all EU Member States, except Denmark, Ireland, and the United Kingdom, which have chosen the option of not implementing EU migration legislation.

As a result of complex negotiations among EU Member States, carried out under the unanimity rule, the Blue Card Directive has only set minimum standards for the admission and residence of highly skilled third-country nationals, leaving each Member State ample leeway as to how to detail entry and residence conditions through transposition into national legislation. Thus the directive has established that an EU Blue Card can be issued to third-country nationals with relatively high professional qualifications who have a binding job offer for highly qualified employment, granting a salary that is at least 1.5 times the average gross annual salary in the country where the permit is issued (the salary threshold can be reduced to 1.2 times the average gross annual salary for occupations in shortage). The main advantages offered by the Blue Card regime are a fast-track admission procedure—which should not exceed 90 days—as well as entitlement to accompanying family rights, and facilitated intra-EU mobility and labour market access.

Member States have maintained discretion over whether to carry out a labour market test and the annual numerical limits for Blue Card issuance, how to define higher professional qualifications, the salary threshold benchmark, the duration of the job offer required, and the duration of the card itself.

Thus, for example, in a number of countries—including France, Germany, and Sweden—five years of relevant professional experience at a level comparable to higher education qualifications suffice as evidence of high professional qualifications, while many other countries require formal education credentials corresponding to a completed post-secondary higher education programme of at least three years. Moreover, the benchmark salary for calculating the threshold varies, with some countries using formulas other than gross annual salary. Finally, most Member States use national data to determine the salary threshold, rather than harmonised Eurostat data. The minimum duration of the Blue Card also varies across Member States, from one to five years.

Box 3. The EU Blue Card (cont.)

This results in uneven implementation of the Blue Card across EU Member States and, ultimately, in limited harmonisation—if not increased fragmentation—of the conditions of entry and residence for highly qualified third-country nationals, as national Blue Card schemes may differ substantially, particularly with respect to salary thresholds. This, in turn, reduces the extent of the intra-EU mobility rights granted to Blue Card holders after 18 months, given the requirement to apply for a new Blue Card in the second Member State they may want to move to.

In addition, a number of EU Member States—including Austria, the Czech Republic, France, Germany, the Netherlands, Poland, and Spain—have maintained separate national policies targeting highly qualified migrants, which run alongside the EU Blue Card, and many others have specific provisions for highly skilled migrants contained within general immigration policies (Belgium, Estonia, Finland, Greece, Italy, Lithuania, Luxembourg, the Slovak Republic, Slovenia, and Sweden). The impact of such parallel national schemes and provisions on the relative attractiveness of the EU Blue Card varies depending on whether they grant more or less favourable conditions than the Blue Card.

Regardless, the fragmentation brought about by the multiplicity of highly skilled migration streams has severely hampered the awareness and understanding of the Blue Card among potential third-country migrants and Member State administrations alike. Data compiled by the European Commission on Blue Card issuance show the limited attractiveness of the EU Blue Card scheme, with huge variations across Member States. In 2013, out of a total of 12,854 Blue Cards delivered in all Member States, 11,580 (or slightly more than 90 per cent) were issued by Germany. While the above-average economic performance and growing skill shortages in that country are the main explanations for this trend, the comparatively generous implementation of the EU Blue Card by Germany may also play a role. Furthermore, and perhaps more importantly, at the moment of transposing Directive 2009/50/EC into national legislation, Germany opted to make the Blue Card its main highly skilled labour immigration stream, by abolishing the provisions which granted permanent residence upon arrival to highly skilled specialists with an above-average salary. (Permanent residence upon arrival has remained available only for researchers and scholars with high integration potential who can provide for their own care without depending on public benefits.) In 2013, Germany granted only 11 entries to highly skilled workers via other national streams.

Unsurprisingly, the reverse is true for countries whose national immigration channels for the highly skilled provide for more advantageous conditions or more relaxed admission criteria than the Blue Card. Thus, in the same year, the Netherlands issued three Blue Cards, but 7,046 permits under the Dutch Highly-Skilled Migrant Scheme. This national scheme has a lower salary threshold than the Blue Card (from 38,465 euros to 52,463 euros, depending on the applicants' age, as compared with a Blue Card salary threshold of 61,468 euros), but more favourable residence conditions.

Sources: Council of the European Union, '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', *Official Journal* L155, 18 June 2009, 17–29, <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:l14573>; European Commission, 'Communication from the Commission to the European Parliament and the Council on the implementation of Directive 2009/50/EC on the conditions of entry and residence of third-country nationals for the purpose of highly qualified employment', COM(2014)287 final, Brussels, 22 May 2014, [www.europarl.europa.eu/meetdocs/2014_2019/documents/com/com_com\(2014\)0287/com_com\(2014\)0287_en.pdf](http://www.europarl.europa.eu/meetdocs/2014_2019/documents/com/com_com(2014)0287/com_com(2014)0287_en.pdf).

B. What might an EOI system in Europe look like?

In light of EU competence constraints and the heterogeneity of Member States' policy on legal migration to date, an EU-wide EOI for highly skilled immigrants would have to be simpler and somewhat less agile than Express Entry. A European variant might be developed around the following six building blocks:

1. A shared mechanism for prescreening and assessing foreign higher education credentials at EU level, and for compiling the results of such assessments. This might also serve as an orientation and referral tool to facilitate the recognition of actual qualifications at the Member State and/or regional level.⁸¹

⁸¹ The role of education *credential* assessments in facilitating actual *qualifications* recognition was discussed earlier (see Box 2).

2. Shared guidelines and common tools across Member States for the assessment of prospective migrants' language skills.
3. The opportunity for candidates who have been prescreened for high qualifications and who meet the minimum languages requirements to participate in a dedicated EU-wide job-matching engine.
4. The creation or designation of an institutional structure at EU level—made up of representatives of Member States and European institutions—tasked with managing the daily functioning of the EOI system.
5. Agreement among Member States and the European Commission on common selection criteria, based on which candidates prescreened for education and language credentials and having a job offer can enter a pool of highly skilled migration candidates eligible for admission to the EU scheme for highly skilled third-country nationals (the Blue Card or its successor).
6. Agreement among Member States and the European Commission on shared guidelines for the selection by Member States of EU EOI pool members for actual immigration in the national immigration systems (through the alignment of maximum processing times, residence and mobility conditions, etc.).⁸²

The first three elements would notably improve the management of skilled migration in Europe—particularly in Member States where efficient human-capital assessment and employment-matching systems are either not well developed or available. However, this would not represent, properly speaking, an adaptation of the EOI system, since the multiple-step *selection* mechanism—that is, first, creating a pool of prescreened eligible migrants and then selecting only the most promising ones—is at the heart of the EOI model. While essential to it, the prescreening of language and education credentials and pooling elements are rather preconditions than distinctive features.⁸³ More to the point, merely setting up common mechanisms for prescreening and pooling highly skilled migration candidates at EU level would not *per se* lead to a common migration management policy: for this to happen, the actual migration selection tools should also be aligned, and common governance mechanisms established.

Without minimising the European Commission's unique role in initiating EU-wide instruments, and the in-depth knowledge it has gathered over the past five years regarding migration-related policies and tools to facilitate the sharing of labour market information, it would be a five- to ten-year endeavour to set up each of the first three building blocks of an EU-wide EOI. This would involve, at a minimum, the significant adjustment of pre-existing national and EU-level infrastructure and tools and, possibly in a more ambitious—and distant—perspective, the creation of new dedicated agencies.

Thus a shared mechanism for prescreening educational qualifications could (1) utilise existing networks of national credential assessment centres and relevant EU tools in this area⁸⁴—and consist of a common meth-

82 As the prerogative for actual immigration decisions (i.e., permit issuance) rests with Member States, in the EU EOI scheme Member States would maintain the final decision on whether to issue a permit for the purpose of highly skilled employment to the candidates prescreened through the EOI tool. The difference from the current Blue Card system would be that instead of having each Member State assess all the Blue Card criteria separately (and with national methodological differences), core admission criteria would be common and assessed at EU level. Based on this Member States would then be able to pick and choose among the EU EOI pool candidates those who would be granted the Blue Card/or its successor visa at the national level. This would likely depend on the capacity of these candidates to meet additional national requirements.

83 As discussed in section II, in both Australia and Canada prescreening of education and language credentials was set as a precondition for skilled immigration before the adoption of the Express Entry system. The Canadian job bank was also already in place, though not linked to the applications management mechanism.

84 In the area of qualifications recognition, common tools and networks already exist at EU and broader European levels that could offer the basis for a system of shared assessment of credentials of highly skilled third-country nationals seeking admission under the EU EOI system. In each Member State, third-country nationals can obtain an assessment of academic qualifications from the European Network of Information Centres and National Academic Recognition Information Centres (ENIC-NARIC) contact points, which follow shared European principles set out by the Lisbon Recognition

odology, portal, and database, or (2) in a more resource-intensive hypothesis, involve the creation of a new EU agency tasked with assessing higher educational qualifications issued by third-country institutions.⁸⁵ Both solutions have the advantage of creating economies of scale for national administrations through cumulative experience and information sharing. While a dedicated agency might offer more value than an enhanced network of national credentialing bodies in terms of both transparency and system governance, setting it up would certainly be a lengthy endeavour that would likely be resisted by existing bodies at national and local level.⁸⁶ Similarly, while creation of the job-matching tool could certainly build upon the Commission's experience with the EURES portal and employment support services dedicated to EU citizens—including learning from its main shortcomings⁸⁷—establishing an effective mechanism for pairing European employers with migration candidates and fostering foreign recruitment is not likely to be straightforward.⁸⁸

Agreeing on the governance structure of an EU-wide EOI system as well as on the key features of the shared selection process, and setting the common eligibility criteria for migration candidates would be even longer-term endeavours, and more politically challenging ones, requiring negotiation among EU institutions, Member States, as well as social partners.

A common selection and pooling system for an EU-wide EOI would have to stem from a consensus among

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- Convention. Despite the harmonisation of academic qualifications across Member States, however, there is no EU-wide recognition of academic diplomas, and highly qualified migrants need to seek validation of their tertiary qualifications in the country where they apply for work or further study. Similarly, while the Professional Qualifications Directive allows for the automatic mutual recognition of professional qualifications issued by Member States for various medical professions as well as architecture, based on harmonised education and training curricula, so far the potential of this instrument to facilitate the EU-wide recognition of selected third-country professional qualifications has not been explored. For more information on existing credentials assessment and qualifications recognition tools at EU level, see European Network of Information Centres in the European Region (ENIC) and National Academic Recognition Information Centres in the European Union (NARIC), 'Welcome to the enic-naric website', last updated July 2014, www.enic-naric.net; Council of the European Union, 'Higher Education and Research', accessed 20 January 2016, www.coe.int/t/dg4/highereducation/recognition/lrc_EN.asp; European Union, 'Council Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications', *Official Journal* L 255, 30 September 2005, <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32005L0036>, as amended by 'Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013 amending Directive 2005/36/EC on the recognition of professional qualifications and regulation', *Official Journal* L 354/132, 28 December 2013, <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32013L0055>.
- 85 The common agency would issue EU-wide equivalency assessments of third-country higher education diplomas, which would provide prospective employers with a first understanding of the qualifications borne by skilled migration candidates. Particularly in the case of regulated professions, the agency would also offer systematic guidance to migration candidates and prospective employers on the national policies and structures they should refer to for full qualifications recognition.
- 86 For an overview of the possible key features of this recognition agency and a thorough discussion of the EU role in improving the recognition of foreign qualifications, see Desiderio, 'How Can the EU Step Up Its Action in facilitating the process of recognition of migrants' qualifications and skills?'
- 87 EURES is a network for cooperation between the Commission and public employment services (PES) in Europe, aimed at exchanging vacancies and job applications and information on living and working conditions in Member States and thus at facilitating job matching and intra-EU mobility of workers. EURES was launched in 1993 and consists of a website and a network of around 900 employment advisers in all participating countries, including 28 EU states, Iceland, Lichtenstein, Norway, and Switzerland. To date, EURES hasn't met its goals, notably due to a lack of awareness among employers and jobseekers in the Member States of the existence and functioning of the network, and to the limited number of vacancies published on the EURES portal, as compared to the national PES. Indeed, so far, the national PES and Member States were not required to inform employers and jobseekers about EURES, and not all vacancies published at national level were made available in EURES. To tackle this issue and improve the effectiveness of EURES as an EU-wide job-matching tool (for EU workers), in 2014 the Commission proposed a regulation for modernising the system. The proposal was approved in December 2015. Among the changes is the possibility for profit-making employment-matching agencies to join the network, provided they can offer support services to jobseekers and employers. For more information, see European Commission, 'EURES: The European Job Mobility Portal', accessed 20 January 2016, <https://ec.europa.eu/eures/public/homepage>; Council of the European Union, 'Reform of the European Jobs Network EURES', accessed 20 January 2016, www.consilium.europa.eu/en/policies/labour-mobility/reform-eures.
- 88 PES in Europe have generally underperformed in the task of facilitating migrants' recruitment and employment matching. Therefore, other matching solutions might be explored, notably foreseeing a stronger and more direct role for employers and employers' organisations—such as chambers of commerce—in the matching and needs and skills assessment mechanisms. See Desiderio, 'Improving Access to Labour Market Information'; Meghan Benton, Madeleine Sumption, Kristine Alsvik, Susan Fratzke, Christiane Kuptsch, and Demetrios G. Papademetriou, *Aiming Higher: Policies to Get Immigrants into Middle-Skilled Work in Europe* (Washington, DC: Migration Policy Institute, 2014), www.migrationpolicy.org/research/aiming-higher-policies-get-immigrants-middle-skilled-work-europe.

a qualified majority of Member States on the minimum admission requirements to the pool. Consensus on parameters for the prescreening of language and credentials might be facilitated by the implementation of the shared tools discussed above. Building on these, Member States could agree that only highly skilled third-country nationals able to provide a valid assessment of their higher education qualifications (i.e., an assessment carried out through the shared EU mechanism), and to prove proficiency in at least two languages of the European Union,⁸⁹ would be eligible to file an EOI under the EU scheme for highly skilled third-country nationals.

Core selection requirements would most likely have to trace closely the general eligibility criteria for the EU scheme for highly skilled third-country nationals—be it the Blue Card or a reformed or successor scheme. For instance, taking the existing minimum Blue Card admission requirements as a baseline scenario, to enter the EU EOI pool, candidates prescreened for qualifications and language would also have to possess a job offer meeting an average salary threshold set at EU level. All additional conditions other than the minimum requirements of the general Blue Card scheme (that is, the specific criteria of the national variants: e.g., passing a labour market test or being offered a job in one of the occupations on a shortage list) could be assessed at the national level, as preferential characteristics for admission in each Member State.⁹⁰ In this scenario, the adoption of an EU-wide EOI scheme for highly skilled migrants would not involve the renegotiation of the general Blue Card eligibility criteria. Nonetheless, the new structured and shared assessment of existing requirements might itself improve coherence in skilled migration policymaking in Europe, as candidates would have to undergo this common screening based on shared requirements at the EU level before being able to file their immigration application in a given Member State.⁹¹

Crucially, the implementation of an EU-wide EOI would also depend on the creation or designation of a dedicated institutional body tasked with the daily management of the system.⁹² This governance aspect represents a key difference between the potential European variant of the EOI system and existing examples. In Canada, as in the other countries with an EOI system, the system is governed by *national* immigration authorities with comprehensive experience in migration management. In Europe, given Member States' prerogatives on legal migration, the governance of an EOI system would have to be attributed to an institutional structure that would ensure the full representation of Member States and relevant EU institutions. Since it is unlikely that any existing EU-level migration governance mechanism and platform would be appropriate for the technical, complex task of managing an EOI system, a specific governance structure would have to be created from scratch. In itself, the identification of an appropriate governance structure—with a composition and competences agreed on by Member States—might reveal some of the greatest challenges to creating an EU-wide EOI system.

IV. CONCLUSIONS

This report has demonstrated that the comprehensive reform of any national system to manage migration is a complex endeavour, achievement of which takes time and resources. The introduction of Express Entry in

- 89 Agreement on the languages required to be admitted in the pool might be less straightforward, given the variety of official languages (24) in the European Union. One option could be to make the proof of an advanced level of English mandatory, given its widespread use in highly skilled working environments across the European Union, while the choice of the second language would be left with the candidate. An intermediate-to-advanced proficiency level would be required for this second language. Proficiency in additional languages would be rewarded with higher preference/points in the pool.
- 90 Besides issues relating to Member States' prerogatives in legal migration policymaking, this would also cohere with the varying labour market situations and demand for highly skilled migrants across Member States.
- 91 Other scenarios might be considered—for instance, foreseeing admissibility in the pool for very highly skilled third-country nationals lacking a job offer—especially as the Commission's expected proposal for the recast of the EU Blue Card directive might open up opportunities for renegotiating or at least tweaking minimum Blue Card issuance conditions.
- 92 Clearly, given the prerogatives of Member States on the admission of legal migrants to their territory, the EU-level governance structure would manage only the prescreening and pooling elements of the system, while the authority for actually selecting and processing applications and issuing visas would remain with Member States.

Canada did not happen overnight—it was the result of the economic immigration system’s continuous review and adjustment, in a process lasting more than a decade and rooted in robust evaluation mechanisms. Moreover, Express Entry *per se* is not set to be the end-point of the process. It is a ‘living system’, whose features might evolve over time, driven by Canada’s commitment to the continuous fine-tuning of its migration policies.

The overhaul of the EU legal migration paradigm necessary to introduce an expression of interest system at EU level would be an even more complicated undertaking, given the European Union’s competence constraints in legal migration policymaking, and the heterogeneity of migration needs and policies across Member States. Against this backdrop, a necessarily modest and incremental approach has the greatest chances of positive results. To this effect, the European Commission might start working with Member States and social partners on adapting a handful of the key building blocks that would not require renegotiating competences and binding rules.

Initially, the EU and Member States could establish common EU mechanisms for prescreening the educational and language qualifications of highly skilled migration candidates, as well as a shared job-matching tool. While neither element is a core feature of the EOI system, adapting both at EU level promises to collectively improve Europe’s capacity to attract highly qualified migrants and ensure that third-country nationals can put their skills to best use in Member States’ labour markets.

The European Commission might start working with Member States and social partners on adapting a handful of the key building blocks that would not require renegotiating competences and binding rules.

Information bottlenecks pose a significant barrier to the recruitment and successful economic integration of skilled foreign workers in Europe. While a number of Member States have recently implemented national strategies and tools to tackle this problem, relevant efforts have proven resource intensive—and uneven across Member States. Setting up common instruments at EU level would bring economies of scale and additional value to existing national tools. EU support in addressing some of the most stubborn obstacles to efficient economic migration management would be particularly beneficial to Member States that have ineffective or under-developed policies in this area. Similarly, tools to share information and match candidates to jobs would greatly open up foreign recruitment opportunities to SMEs, which have traditionally lacked the capacity and resources (afforded by the reach of larger firms) to fill unmet vacancies through migration.

Introducing these common prescreening and matching mechanisms would be a medium-to-long-term endeavour in itself, and one that can only be meaningful where Member States’ administrations (at various levels of governance) and employers buy into the system. Canada’s Express Entry confirms the importance of engaging employers and regional constituencies in the design and implementation of migration management tools. Employers’ engagement is even more central to economic migration in Europe, where, with few exceptions, third-country nationals can only immigrate for work purposes in response to a job offer. Therefore, ensuring that European employers—as well as highly skilled migration candidates—value and use common tools for screening human capital and matching it to available jobs would be just as important as implementing such tools.

Success in these areas might pave the way over the long term for Member States to agree on more essential features of the EOI system, notably those pertaining to the actual selection process. By helping Member States and their core economic constituencies tackle key constraints on skilled migration’s role in boosting economic growth and competitiveness, the European institutions can gain greater Member State trust in their positive role in setting migration policy. This might in turn create more favourable conditions for harmonising the binding elements of a common EU legal migration policy.

APPENDICES

Table A-1. Minimum eligibility criteria for admission under the federal economic immigration programmes served by Canada's Express Entry

Admission requirements	Programme		
	Federal Skilled Worker Program	Federal Skilled Trade Program	Canadian Experience Class
Minimum education	Yes: high school diploma or higher	Yes: high school diploma or higher	No
Minimum work experience	Yes: 12 months of full-time paid skilled work experience (or part-time equivalent) within past ten years when applying	Yes: 24 months of full-time paid skilled work experience (or part-time equivalent) in eligible trade within past five years when applying	Yes: 12 months of full-time paid skilled work experience (or part-time equivalent) in Canada within past three years when applying
Minimum language proficiency	Yes: Canadian Language Benchmark (CLB) 7	Yes: CLB 5 for speaking and listening; CLB 4 for reading and writing	Yes: CLB 5 for technical jobs or skilled trades; CLB 7 for managerial or professional jobs
ECA	Yes, if providing foreign credential	Yes, if providing foreign credential	Yes, if providing foreign credential
Job offer	Not necessary but preferential	Must have an offer of full-time employment for at least one year or the Canadian province or territory must issue a certificate of qualification for that skilled trade (assessing training, skills, and experience), which enables the candidate to sit for a certification exam	Not required
LMIA	Not necessary but required for candidates with a job offer	Not necessary but required for candidates with a job offer	Not required
Canadian work experience	No	No	Yes (see above)
Other	Must plan to live outside Quebec; must be admissible to Canada		

Note: CEC = Canadian Experience Class; ECA = Educational Credential Assessment; FSTP = Federal Skilled Trades Program; FSWP = Federal Skilled Worker Program; LMIA = Labour Market Impact Assessment.

Sources: Government of Canada, 'Determine Your Eligibility—Federal Skilled Workers', last updated 14 December 2015, www.cic.gc.ca/english/immigrate/skilled/apply-who.asp; Government of Canada, 'Determine Your Eligibility—Skilled Trades', last updated 21 July 2015, www.cic.gc.ca/english/immigrate/trades/apply-who.asp; Government of Canada, 'Determine Your Eligibility—Canadian Experience Class', last updated 15 December 2015, www.cic.gc.ca/english/immigrate/cec/apply-who.asp.

Table A-2. How does Canada's Express Entry system compare with New Zealand's Expression of Interest system and Australia's Skills Select system?

	Expression of Interest scheme		
	Expression of Interest (New Zealand)	Skills Select (Australia)	Express Entry (Canada)
Start date	2004	2012	2015
Programmes supported	Skilled Migrant Category	Independent and skilled regional (provisional) visas State- and territory-sponsored visas Business innovation and investment visas Employer-sponsored visas	Federal Skilled Worker Program (FSWP) Federal Skilled Trades Program (FSTP) Canadian Experience Class (CEC) Provincial Nominee Program (PNP)*
Prerequisites to enter pool	Minimum language requirement: English-speaking background, or overall IELTS score of 6.5 Under the age of 56 Must score at least 100 points (see row below Pass Mark)	Prerequisites for completing the EOI vary by programme, but may include minimum language requirement (IELTS score of 6; regulatory bodies may mandate higher English language for practice—e.g., IELTS 7 or above in health, teaching, and legal professions—which then becomes a mandatory prerequisite); foreign qualifications assessment; being under the age of 50; scoring at least 60-65 points; nomination by a sponsor (state or territory government, or Austrade)	Minimum language requirement (varies by programme) Educational credential assessment (ECA) if providing foreign credentials Meeting the minimum requirements of at least one federal programme supported (see Table A-I)

	Expression of Interest scheme		
	Expression of Interest (New Zealand)	Skills Select (Australia)	Express Entry (Canada)
EOI system awards points for:			
Work experience	Yes: points awarded for duration, work experience in New Zealand, and work experience in future growth or skills shortage areas	Yes: points awarded for duration, plus a professional year course in Australia in past four years	Yes: points awarded for Canadian work experience, and foreign work experience if combined with strong English/French language proficiency or Canadian work experience
Qualifications	Yes: points awarded for level of qualification, plus additional points for New Zealand qualifications (by level), and qualifications in future growth or skills shortage areas	Yes: points awarded for relevant qualification, and qualifications from Australian institutions (by level)	Yes: points awarded for level of qualification
Linkages to country	Yes: points for close family in New Zealand	Yes: points awarded for nomination or sponsorship by state or territory government or eligible family member, in some cases	Yes: points awarded for provincial nomination
Age	Yes: points for age, rewarding younger candidates	Yes: points for age, rewarding younger candidates	Yes: points for age, rewarding younger candidates
Host country language ability	No: assessed prior to entering pool	Yes: points awarded for level of English (IELTS 7-8)	Yes: points awarded for English and/or French language proficiency (by level)
Partner's skills	Yes: points awarded for partner holding skilled job or job offer	Yes: points awarded for partner with skills for same nominated occupation	Yes: points awarded for partner's education, language proficiency, and Canadian work experience

	Expression of Interest scheme		
	Expression of Interest (New Zealand)	Skills Select (Australia)	Express Entry (Canada)
Fees to file an EOI	New Zealand dollar (NZD) 530 if filed online; NZD 680 for paper applications	None	None
Maximum time in the pool	Six months; can then resubmit	Two years; can then resubmit	One year; can then resubmit
Can candidates gain additional points while in the pool?	No	Yes: can provide updated information and Skills Select will update ranking	Yes: can provide updated information and IRCC will update ranking; candidates can also market themselves to employers for sponsorship while in the pool
Frequency of draws	Every two weeks	Every month	'Regular' basis (two to three weeks so far)
Next steps once selected from the pool	Applicant invited to apply for visa	Applicant invited to apply for visa	Applicant invited to apply for visa

Notes: *Applicants for the Provincial Nominee Program can be nominated through Express Entry or non-Express Entry streams; EOI = Expression of Interest; IELTS = International English Language Testing System; IRCC = Immigration, Refugees, and Citizenship Canada; ITA = invitation to apply; LMIA = Labour Market Impact Assessment.

Sources: New Zealand Immigration, 'Fees Guide', INZ 2028, 8 December 2015, www.immigration.govt.nz/NR/rdonlyres/00B58004-04AB-46C6-B32B-5CE91FBA979A/0/INZ1028.pdf; New Zealand Immigration, 'Skilled Migrant Category: Expression of Interest Guide', INZ 1101, November 2015, www.immigration.govt.nz/NR/rdonlyres/E741D6F6-7670-48E1-B824-69B3959461D4/0/INZ1101.pdf; Richard Bedford and Paul Spoonley, 'Competing for Talent: Diffusion of An Innovation in New Zealand's Immigration Policy', *International Migration Review* 48, no. 3 (2014): 891–911; OECD, *Recruiting Immigrant Workers: New Zealand 2014* (Paris: OECD Publishing, 2014), www.oecd-ilibrary.org/social-issues-migration-health/recruiting-immigrant-workers-new-zealand-2014_9789264215658-en; Lesleyanne Hawthorne, *Competing for Skills: Migration Policies and Trends in New Zealand and Australia* (Wellington: Department of Labour, 2011), www.border.gov.au/ReportsandPublications/Documents/research/migration-policies-trends-fullreport.pdf; Australian Government, Department of Immigration and Border Protection, 'SkillSelect: Expression of Interest', accessed 5 January 2016, www.border.gov.au/Busi/Empl/skillselect; Lesleyanne Hawthorne, 'The Impact of Skilled Migration on Foreign Qualification Recognition Reform in Australia', *Canadian Public Policy* 41, no. s1 (2015): 173–87; Government of Canada, 'Become a Candidate—Skilled Immigrants (Express Entry)', last updated 18 December 2015, www.cic.gc.ca/english/immigrate/skilled/candidate.asp.

WORKS CITED

- Australian Government, Department of Immigration and Border Protection. N.d. SkillSelect: Expression of Interest. Accessed 5 January 2016. www.border.gov.au/Busi/Empl/skillselect.
- Bedford, Richard and Paul Spoonley. 2014. Competing for Talent: Diffusion of an Innovation in New Zealand's Immigration Policy. *International Migration Review* 48 (3): 891–911.
- Benton, Meghan, Madeleine Sumption, Kristine Alsvik, Susan Fratzke, Christiane Kuptsch, and Demetrios G. Papademetriou. 2014. *Aiming Higher: Policies to Get Immigrants into Middle-Skilled Work in Europe*. Washington, DC: Migration Policy Institute. www.migrationpolicy.org/research/aiming-higher-policies-get-immigrants-middle-skilled-work-europe.
- Bloemraad, Irene. 2012. *Understanding 'Canadian Exceptionalism' in Immigration and Pluralism Policy*. Washington, DC: Migration Policy Institute. www.migrationpolicy.org/research/TCM-canadian-exceptionalism.
- Bonfanti, Sara and Theodora Xenogiani. 2014. Migrants' Skills: Use, Mismatch and Labour Market Outcomes: A First Exploration of the International Survey of Adult Skills (PIAAC). In *Matching Economic Migration with Labour Market Needs*. Paris: Organisation for Economic Co-operation and Development (OECD) Publishing.
- Bonikowska, Aneta and Feng Hou. 2015. Which Human Capital Best Predict the Earnings of Economic Immigrants. Statistics Canada Analytical Studies Branch Research Paper Series, Ottawa, August 2015. www.statcan.gc.ca/pub/11f0019m/11f0019m2015368-eng.htm.
- Citizenship and Immigration Canada (CIC). 2010. Backgrounders—Managing the Federal Skilled Worker Program: Balancing Supply and Demand. Last updated 20 June 2010. www.cic.gc.ca/english/departement/media/backgrounders/2010/2010-06-26.asp.
- . 2010. *Evaluation of the Federal Skilled Worker Program*. Ottawa: CIC. www.cic.gc.ca/english/pdf/research-stats/FSW2010.pdf.
- . 2011. *Evaluation of the Provincial Nominee Program*. Ottawa: CIC.
- . 2012. Backgrounders—Overview of the New Federal Skilled Worker Program. Last updated 19 December 2012. www.cic.gc.ca/english/departement/media/backgrounders/2012/2012-12-19.asp.
- Council of the European Union. 2009. 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. *Official Journal* L155/17, 18 June 2009. <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:l14573>.
- . N.d. Higher Education and Research. Accessed 20 January 2016. www.coe.int/t/dg4/highereducation/recognition/lrc_EN.asp.
- . N.d. Reform of the European Jobs Network EURES. Accessed 20 January 2016. www.consilium.europa.eu/en/policies/labour-mobility/reform-eures.
- Desiderio, Maria Vincenza. 2013. Improving Access to Labour Market Information for Migrants and Employers—Executive Summary. In *Improving Access to Labour Market Information for Migrants and Employers*. Brussels: International Organization for Migration. www.labourmigration.eu/research/report/23-improving-access-to-labour-market-information-for-migrants-and-employers.

- . 2015. How Can the EU Step Up Its Action in Facilitating the Process of Recognition of Migrants' Qualifications and Skills? Contribution to the Expert Group on Economic Migration, April 2015. <http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupDetailDoc&id=19241&no=3>.
- Desiderio, Maria Vincenza and Kate Hooper. 2015. Improving Migrants' Labour Market Integration in Europe from the Outset: A Cooperative Approach to Predeparture Measures. Migration Policy Institute Europe Policy Brief Series, Issue No. 6, Brussels, MPI Europe. www.migrationpolicy.org/research/improving-migrants-labour-market-integration-europe-outset-cooperative-approach.
- Employment and Social Development Canada. 2015. Temporary Foreign Worker Program: Overhauling the TFWP. Last updated 27 November 2015. www.esdc.gc.ca/eng/jobs/foreign_workers/reform/overhauling_TFW.pdf.
- European Commission. 2012. Commission Staff Working Paper on an Action Plan for the EU Health Workforce (SWD [2012] 93 final). Strasbourg, 18 April 2012. http://ec.europa.eu/health/workforce/docs/staff_working_doc_health-care_workforce_en.pdf.
- . 2014. Communication from the Commission to the European Parliament and the Council on the implementation of Directive 2009/50/EC on the conditions of entry and residence of third-country nationals for the purpose of highly qualified employment. COM(2014)287 final, Brussels, 22 May 2014. [www.europarl.europa.eu/meetdocs/2014_2019/documents/com/com_com\(2014\)0287/_com_com\(2014\)0287_en.pdf](http://www.europarl.europa.eu/meetdocs/2014_2019/documents/com/com_com(2014)0287/_com_com(2014)0287_en.pdf).
- . 2015. A European Agenda on Migration. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions. COM(2015)240 final, 13 May 2015. http://ec.europa.eu/ietuiva/documents/power_pointai/communication_on_the_european_agenda_on_migration_en.pdf.
- . N.d. EURES: The European Job Mobility Portal. Accessed 20 January 2016. <https://ec.europa.eu/eures/public/homepage>.
- European Network of Information Centres in the European Region (ENIC) and National Academic Recognition Information Centres in the European Union (NARIC). N.d. Welcome to the enic-naric website. Last updated July 2014, 2014. www.enic-naric.net.
- European Union. 2005. Council Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications. *Official Journal* L 255, 30 September 2005. <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32005L0036>.
- . 2013. Council Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013 amending Directive 2005/36/EC on the recognition of professional qualifications and regulation. *Official Journal* L 354/132, 28 December 2013. <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32013L0055>.
- Eurostat. 2015. Self-declared Over-qualified Employees as Percentage of the Total Employees by Sex, Age, Migration Status and Educational Attainment Level [lfso_14loq]. Last updated 21 December 2015. http://ec.europa.eu/eurostat/web/products-datasets/-/lfso_14loq.
- Ferrer, Ana M., Garnett Picot, and William Craig Riddell. 2014. New Directions in Immigration Policy: Canada's Evolving Approach to the Selection of Economic Immigrants. *International Migration Review* 48 (3): 846–67.
- Government of Canada. 2015. Become a Candidate—Skilled Immigrants (Express Entry). Last updated 18 December 2015. www.cic.gc.ca/english/immigrate/skilled/candidate.asp.
- . 2015. Determine Your Eligibility—Canadian Experience Class. Last updated 15 December 2015. www.cic.gc.ca/english/immigrate/cec/apply-who.asp.

- . 2015. Determine Your Eligibility—Federal Skilled Workers. Last updated 14 December 2015. www.cic.gc.ca/english/immigrate/skilled/apply-who.asp.
 - . 2015. Determine Your Eligibility—Skilled Immigrants (Express Entry). Last updated 21 July 2015. www.cic.gc.ca/english/immigrate/skilled/apply-who-express.asp.
 - . 2015. Determine Your Eligibility—Skilled Trades. Last updated 21 July 2015. www.cic.gc.ca/english/immigrate/trades/apply-who.asp.
 - . 2015. Express Entry—Comprehensive Ranking System (CRS) Criteria. Updated 8 June 2015. Accessed 21 December 2015. www.cic.gc.ca/english/express-entry/grid-crs.asp.
 - . 2015. Express Entry Mid-Year Report. Last updated 31 July 2015. www.cic.gc.ca/english/resources/reports/ee-midyear-2015.asp.
 - . 2015. Job Bank. Updated 18 December 2015. Accessed 8 January 2016. www.jobbank.gc.ca/home-eng.do?lang=eng.
 - . 2015. Ministerial Instructions. Last updated 4 December 2015. www.cic.gc.ca/english/department/mi.
 - . 2015. Once You Are in the Pool—Skilled Immigrants (Express Entry). Updated 20 November 2015. Accessed 22 December 2015. www.cic.gc.ca/english/immigrate/skilled/pool.asp.
 - . Introduction to the National Occupational Classification (NOC) 2011. Accessed 12 December 2015. www5.hrsdc.gc.ca/NOC/English/NOC/2011/Introduction.aspx.
- Government of Canada, Department of Citizenship and Immigration. 2014. Immigration and Refugee Protection Act, Updated Ministerial Instructions. *Canada Gazette* 148 (17), 26 April 2014. www.gazette.gc.ca/rp-pr/p1/2014/2014-04-26/html/notice-avis-eng.php.
- Government of Canada, Immigration Refugees and Citizenship Canada (IRCC). 2015. Express Entry Update, Citizenship and Immigration Canada – Immigration Practitioners Committee (CICIP). Powerpoint presentation, 27 November 2015.
- Government of Spain. 2015. Act 14/2013, of 27 September, of support to entrepreneurs and their internationalization. Section on international mobility (consolidated text: amendment made by the eleventh final provision of Act 25/2015, of 28 July, on second chance mechanism, reduction of the financial burden and other social order measures). *Boletín Oficial del Estado*, 29 July 2015. http://extranjeros.empleo.gob.es/es/UnidadGrandesEmpresas/documentos/2015/Ley_14-2013_consolidada_en_ingles.pdf.
- . 2015. *Report on the Implementation of the International Mobility Section of the Entrepreneurial Support and Internationalisation Act of 27 September 2013*. Madrid: Government of Spain. http://extranjeros.empleo.gob.es/es/UnidadGrandesEmpresas/ley14_2013/documentacion/Report_on_the_Implementation_of_the_International_Mobility_Section.pdf.
- Government of Québec. 2016. Mon Projet Québec. Updated 11 January 2016. www.immigration-quebec.gouv.qc.ca/en/informations/mon-projet-quebec/index.html.
- Hawthorne, Lesleyanne. 2011. *Competing for Skills: Migration Policies and Trends in New Zealand and Australia*. Wellington: Department of Labour. www.border.gov.au/ReportsandPublications/Documents/research/migration-policies-trends-fullreport.pdf.
- . 2015. The Impact of Skilled Migration on Foreign Qualification Recognition Reform in Australia. *Canadian Public Policy* 41 (s1): 173–87.

- Hüsing, Tobias, Werner B. Korte, and Eriona Dashja. 2015. e-Skills in Europe: Trends and Forecasts for the European ICT Professional and Digital Leadership Labour Markets (2015-2020). empirica Working Paper, empirica Gesellschaft für Kommunikations und Technologieforschung mbH, Bonn, Germany, November 2015. http://eskills-lead.eu/fileadmin/lead/documents/working_paper_-_supply_demand_forecast_2015_a.pdf.
- Immigration and Naturalisation Service. N.d. Costs. Accessed 16 February 2016. <https://ind.nl/EN/business/employer/costs-income-requirements/Costs/Pages/default.aspx>.
- . N.d. Highly Skilled Migrants. Accessed 16 February 2016. <https://ind.nl/EN/individuals/residence-wizard/work/highly-skilled-migrant>.
- . N.d. (Recognised) Sponsors. Accessed 16 February 2016. <https://ind.nl/EN/individuals/residence-wizard/other-information/recognised-sponsors>.
- Juncker, Jean-Claude. 2014. A New Start for Europe: My Agenda for Jobs, Growth, Fairness and Democratic Change. Political Guidelines for the Next European Commission. Opening Statement in the European Parliament Plenary Session, 15 July 2014. http://ec.europa.eu/priorities/docs/pg_en.pdf.
- . 2015. State of the Union 2015. Address to the European Parliament, Strasbourg, 9 September 2015. http://ec.europa.eu/priorities/soteu/docs/state_of_the_union_2015_en.pdf.
- Marshall, Ray. 2011. *Value-Added Immigration: Lessons for the United States from Canada, Australia, and the United Kingdom*. Washington, DC: Economic Policy Institute. www.epi.org/publication/value-added-immigration.
- Migrant Integration Policy Index (MIPEX). 2015. Labour Market Mobility. Accessed 11 January 2016. www.mipex.eu/labour-market-mobility.
- New Zealand Immigration. 2015. Fees Guide. INZ 2028, 8 December 2015. www.immigration.govt.nz/NR/rdonlyres/00B58004-04AB-46C6-B32B-5CE91FBA979A/0/INZ1028.pdf.
- . 2015. Skilled Migrant Category: Expression of Interest Guide. INZ 1101, November 2015. www.immigration.govt.nz/NR/rdonlyres/E741D6F6-7670-48E1-B824-69B3959461D4/0/INZ1101.pdf.
- Organisation for Economic Co-operation and Development (OECD). 2011. *International Migration Outlook: SOPEMI 2011*. Paris: OECD Publishing.
- . 2013. *Recruiting Immigrant Workers in Germany*. Paris: OECD Publishing.
- . 2014. *Recruiting Immigrant Workers: New Zealand 2014*. Paris: OECD Publishing. www.oecd-ilibrary.org/social-issues-migration-health/recruiting-immigrant-workers-new-zealand-2014_9789264215658-en.
- OECD and European Union. 2015. *Indicators of Immigrant Integration 2015: Settling In*. Paris: OECD Publishing. www.oecd.org/publications/indicators-of-immigrant-integration-2015-settling-in-9789264234024-en.htm.
- Papademetriou, Demetrios G. and Madeleine Sumption. 2011. *Rethinking Points Systems and Employer-Selected Immigration*. Washington, DC: Migration Policy Institute. www.migrationpolicy.org/research/rethinking-points-systems-and-employer-selected-immigration.
- Schuster, Anke and Maria Vincenza Desiderio. 2013. Recognition of Qualifications and Competences of Migrants—Overview of Findings. In *Recognition of Qualifications and Competences of Migrants*, eds. Anke Schuster, Maria Vincenza Desiderio, and Giuliana Urso. Brussels: International Organization for Migration. www.labour-migration.eu/research/report/20-recognition-of-qualifications-and-competences-of-migrants.

- Statistics Canada. 2007. Longitudinal Survey of Immigrants to Canada (LSIC). Last updated 24 October 2007. www23.statcan.gc.ca/imdb/p2SV.pl?Function=getSurvey&Id=30691.
- . 2008. *Canada's Changing Labour Force, 2006 Census*. Ottawa: Minister of Industry. www12.statcan.ca/census-recensement/2006/as-sa/97-559/pdf/97-559-XIE2006001.pdf.
- . 2015. Data Products: Your Guide to Statistical Information from the 2011 Census of Population Program. Last updated 1 December 2015. www12.statcan.gc.ca/census-recensement/2011/dp-pd/index-eng.cfm.
- . 2015. Labour Force Survey (LFS). Last updated 3 December 2015. www23.statcan.gc.ca/imdb/p2SV.pl?Function=getSurvey&SDDS=3701.
- . 2015. Longitudinal Immigration Database (IMDB). Last updated 4 December 2015. www23.statcan.gc.ca/imdb/p2SV.pl?Function=getSurvey&SDDS=5057.
- . Table 054-0002: Income of Immigrants, by World Area, Sex, Immigrant Admission Category, Education Qualifications, Knowledge of Official Languages, and Landing Year for Tax Year 2013 (Annual). Accessed 17 December 2015. www5.statcan.gc.ca/cansim/a26http://www5.statcan.gc.ca/cansim/a26?lang=eng&id=540002.
- Sumption, Madeleine. 2014. Top 10 of 2014—Issue #9: The Points System is Dead, Long Live the Points System. *Migration Information Source*, 10 December 2014. www.migrationpolicy.org/article/top-10-2014-issue-9-points-system-dead-long-live-points-system.
- Wymenga, Paul, Viera Spanikova, Anthony Barker, Joep Konings, and Erik Canton. 2012. *EU SMEs in 2012: At the Crossroads. Annual Report on Small and Medium-sized Enterprises in the EU, 2011/12*. Rotterdam: European Commission. http://ec.europa.eu/growth/smes/business-friendly-environment/performance-review/files/supporting-documents/2012/annual-report_en.pdf.
- Xue, Li. 2008. *Initial Labour Market Outcomes: A Comprehensive Look at the Employment Experiences of Recent Immigrants during the First Four Years in Canada*. Ottawa: Citizenship and Immigration Canada. www.cic.gc.ca/english/pdf/research-stats/LSIC-employment-outcome.pdf.

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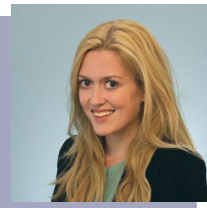


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