













Procedure file

Basic information		
INL - Legislative initiative procedure	2020/2255(INL)	Procedure completed
Legal migration policy and law		
Subject 7.10.08 Migration policy		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Civil Liberties, Justice and Home Affairs	 AL-SAHLANI Abir	26/05/2021
	Committee for opinion	Shadow rapporteur	
European Commission	 Development	 DÜPONT Lena	
	 Employment and Social Affairs	 ENGERER Cyrus	
	Commission DG Migration and Home Affairs Justice and Consumers	 KUHNIKE Alice	
		 FEST Nicolaus	
		 WEIMERS Charlie	
		 BARRENA ARZA Pernando	
		Rapporteur for opinion	Appointed
		 HERZBERGER-FOFANA Pierrette	25/02/2021
		The committee decided not to give an opinion.	
		Commissioner	

Key events			
17/12/2020	Committee referral announced in Parliament		
27/10/2021	Vote in committee		
05/11/2021	Committee report tabled for plenary	A9-0314/2021	Summary
	Debate in Parliament		

23/11/2021			
25/11/2021	Decision by Parliament	T9-0472/2021	

Technical information	
Procedure reference	2020/2255(INL)
Procedure type	INL - Legislative initiative procedure
Procedure subtype	Request for legislative proposal
Legal basis	Rules of Procedure EP 47
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/9/04845

Documentation gateway					
Committee draft report		PE695.231	12/07/2021	EP	
Amendments tabled in committee		PE696.523	10/09/2021	EP	
Committee opinion	DEVE	PE695.032	15/10/2021	EP	
Committee report tabled for plenary, single reading		A9-0314/2021	05/11/2021	EP	Summary
Text adopted by Parliament, single reading		T9-0472/2021	25/11/2021	EP	

Legal migration policy and law

The Committee on Civil Liberties, Justice and Home Affairs adopted a legislative initiative report by Abir AL-SAHLANI (Renew Europe, SE) with recommendations to the Commission on legal migration policy and law.

Given that EU is in the process of a post-pandemic economic recovery, improved legislative schemes on legal labour migration are a decisive factor for the economic recovery of the Union. The report noted that 23 million third-country nationals were legally resident in the Member States in 2020, some 5.1 % of the total EU population. The low issuance rate of long-term resident permits indicates that there might be a need to improve their attractiveness, something that could be achieved by a revision of Directive 2003/109/EC concerning the status of third-country nationals who are long-term residents to clarify the advantages of holding an EU long-term residence permit.

The EU needs to present new avenues for legal labour migration to the Union, while also taking into account the fact that Member States labour markets are different and face different kinds of labour shortages and challenges.

Members requested that the Commission submit, by 31 January 2022, a proposal for an act that would serve as a package of proposals to facilitate and promote entry into and mobility within the EU for legally migrating third-country nationals applying for work or already holding a work permit.

Members called on the Commission to take account of the following recommendations:

EU talent pool

They considered that the legislative act to be adopted should establish an EU talent pool and matching platform for third-country nationals who wish to apply for work in and migrate legally to a Member State, as well as for Union-based employers to search in third countries for potential employees and should facilitate the admission and free movement of third-country workers.

Admission scheme for low and medium-skilled third country workers

Given the demographic challenges and the global competition for talent, it is a pressing need for many Member States to improve their attractiveness and to create admission schemes for all skilled third-country workers, not only for highly-skilled workers. In this regard, Members recommended provisions setting up an admission scheme with conditions of entry and residence for low and medium-skilled third country workers. That scheme should ensure equal treatment in line with the existing Union acquis on labour migration and include the creation of a framework within which third-country workers are able to have their skills and qualifications properly recognised and validated for use on the Member States labour markets.

Admittance scheme for entrepreneurs and self-employed persons

Members stressed that self-employed people and entrepreneurs should have the option to immigrate legally to the EU. They called for a Union-wide admission scheme laying down conditions of entry and residence for those wanting to establish businesses and start-ups, and for highly mobile workers such as artists and cultural professionals. They insisted that the schemes proposed must include measures that enhance fundamental rights and promote equal treatment for third-country workers. They also suggested that the Commission to introduce a five-year multiple-entry visa for self-employed people and entrepreneurs (to enter the EU for up to 90 days per year).

Talent partnerships

Members called on the Commission to prepare a tailor-made framework for talent partnerships in which Member States can voluntarily participate. The aim of this being to add another legal channel as a mobility option for third-country nationals who wish to migrate to the EU for work and to tackle the issues of labour market shortages.

Seasonal workers

Members proposed to change current rules to give seasonal workers three months to seek new employment after leaving their job, without having their permit revoked. The rules on sanctions and measures against employers of illegally staying third-country nationals should cover third-country nationals who are legal residents and address labour exploitation.

Revision of Directive 2003/109/EC

Members are of the view that Directive 2003/109/EC, which is currently under used and does not provide an effective right to intra-Union mobility, should be amended to allow third country nationals who are long-term residents of a Member State to reside permanently within another Member State from the day their permit is issued on terms similar to the terms applicable to Union citizens and to reduce the number of years of residence required to acquire EU long-term resident status from five to three years. The Commission should include those amendments in its upcoming revision of that Directive.