

EMN FOCUSED STUDY 2013

Attracting Highly Qualified and Qualified Third-Country Nationals

Top-line “Factsheet”

National contribution (one page only)

Overview of the National Contribution – introducing the study and drawing out key facts and figures from across all sections of the Focussed Study, with a particular emphasis on elements that will be of relevance to (national) policy-makers.

The main objectives of policies on highly skilled labour migration implemented by Italy are to increase the production efficiency and ensure intra-EU mobility. The purpose of this focus study, developed as part of a larger research project conducted simultaneously by all EU Member States belonging to the *European Migration Network* (EMN), is to analyse the measures put in place to attract talent from abroad, in line with EU directives.

The surveys found some salient points:

- Italy is a pool of skilled labour, made up of young Italian graduates and of children of foreign residents, about one-third of international students in Italy.
- At this stage, globalization is producing more outgoing rather than incoming flows of skilled workers due to the impact of the economic crisis and rising unemployment (10.2% in 2012).
- The employment rate for the foreign contingent has passed from 58.7% in 2008 to 56.8% in 2012, representing a decrease of 1.9 points.
- The Excelsior survey conducted by the Union of Chambers (Unioncamere) has estimated a need for highly skilled workers of approximately 10% of the total admissions. In a labour market with low-skilled positions, the demand for highly skilled workers is limited by the negative trend of the market and the extension of the retirement age. The result is an excess supply of labour.
- From the statistics on early releases of residence permits for work, acquired by Eurostat it can be seen the impact of the entries of highly skilled workers (1,563 in 2011), which is residual with respect to the total entries for work (119,342), with a percentage share of 1.3.
- Italy has opened a new channel for the entry of highly skilled foreign workers through the recent introduction of the “EU Blue Card” in August 2012; its qualifying criteria are the level of education and wages.
- The Italian legislation already provided a wide opening to qualified immigration with the so-called “entries outside the quota system” (ex art. 27 of the Consolidated Text on Immigration), or entries for work possible at any time of the year and exempted from numerical limitations.
- Data relating the entries ex art. 27 on the period 2007-2012, made available by the Single Desks for Immigration show that on a total of 38,736 applications submitted, there were issued 29,525 nihil obstat (76.3%) and 23,340 residence permits (60.2%). In the engineering sector there are 34.0% of the applications, in agriculture there are 7.7%, in the construction sector 6.4% and in the health services 5.3%.
- In 2012 the most numerous categories are represented by executives and other highly qualified personnel (30.0%) and that of workers who move with their businesses as a result of contracts (30.2%).
- The Ministry of Interior has signed a number of Memoranda of Understanding with the

employers' associations for entry of highly skilled workers, while the Ministry of Labour and Social Policy has established 4 offices in Egypt, Albania, Moldova and Sri Lanka to facilitate the matching between demand and supply of labour and to facilitate regular migration.

- To prevent the problem of brain drain and promoting brain circulation, effective policies for co-development have been carried out within the framework of decentralized cooperation as well as in the systems of compensation covered by bilateral agreements on labour.
- Despite the limited flow a growing interest of national policy-makers towards highly skilled foreign workers is experienced. It shares the objective of simplification of procedures and enlargement of the possibilities initially provided for by the Law on Immigration.

Section 1

National Policies and Measures

1.1 Policies

Q.1. Are there national policies in place for the attraction of highly qualified and qualified third-country nationals?

Based on Istat (National Institute of Statistics) data and according to all migration experts, the integration of migrant workers in the Italian labour market generally follows a “subordinate integration” model, in which the totality (or at least the majority) of foreigners have low-level jobs that Italians are not longer willing to accept. Nearly one-third of immigrants in Italy is actually employed in unskilled, low-paid and socially underestimated activities (constructions, agriculture, personal services, etc.). This model has so far resulted in a limited employment of highly qualified foreign workers and an under-utilization of qualified foreign workers present in the territory, with regard to their qualifications (the so-called “brain waste”, a recurring theme in debates relating to the implementation of EU Directive 50/2009).

As pointed out by the *Second Annual Report on immigrants labour market 2012* published by the Ministry of Labour and Social Policy, compared to highly qualified employed workers (ISCED 5), Italians record a share of 18.6%, compared to 11.3% of EU citizens and 10.2% of third-country nationals. However, looking at the level of schooling of the employed workers, it appears that non-EU citizens have a share of university graduates equal to 10.2% while secondary school graduates account for 36.4%.

At the national level, there is no official document which consistently analyzes the national strategy for attracting highly qualified TCNs; however, the issue of qualified immigrant workers is commonly addressed within the discussion on migration policies. In this regard, several government officials have expressed their thoughts and considerations on the subject within different institutional reports (such as, for example, the *Secondo Rapporto annuale sul mercato degli immigrati* [Second Annual Report on Immigrants Labour Market] published in 2012 by the Ministry of Labour, and the *IX Rapporto sugli indici di integrazione degli immigrati* [Ninth Report on Migrants Integration Indexes] published by CNEL - National Council for Economy and Labour - in the same year), as well as in the implementing provisions of the most recent legislation. In particular, the interministerial project “Identità e Incontro” (Identity and Encounter) launched in 2010 contained an explicit reference to the importance – for migrants’ integration – of a system of recognition and certification of professional skills, to be developed by government, Regions and local authorities. Apart from the certification of skills, this Project suggested other practical tools, such as vocational training courses in the countries of origin, reception and orientation to work,

citizenship training and professional retraining.

In order to overcome the problem related to the number and diversity of references on highly qualified foreign workers, the Italian EMN National Contact Point has collected interviews with various policy-makers¹ representing the main institutions involved in the Italian strategies to attract these workers, and then has processed the gathered information for the preparation of this questionnaire.

Q1.a. If Yes, please indicate the national definition of highly qualified third-country nationals, including references to relevant international standards such as ISCED/ISCO and/or salary thresholds.

Since August 2012, Italy has opened a new and privileged channel for the entry of “highly qualified” foreign workers, thus conforming to EU regulations. These workers may enter the country at any time of the year, regardless of the Flow Decrees, according to the demands of companies, and will be issued a special residence permit (the so-called “EU Blue Card”). In case of open-ended employment contracts, this permit is valid for two years; in all other cases, its validity is the same as that of the employment contract.

The legislative decree n. 108 of June 28, 2012, which entered into force on August 8, 2012, implemented the Directive 2009/50/EC “on the entry and stay conditions of third-country nationals wishing to carry out highly qualified activities”. This decree added two new articles to the Consolidated Act on Immigration (T.U.I – Testo Unico sull’Immigrazione, Legislative Decree no. 286/1998 and amendments): art. 9-ter, which regulates the status of long-term resident in the EU for EU Blue Card holders, and art. 27 quarter, which regulates the entry and residence of highly qualified foreign workers and the issuance of the EU Blue Card.

In order to be considered “highly qualified”, a foreign worker must have completed a high school course of study of at least 3 years in his/her country of origin, and must have obtained a professional qualification which is recognized in Italy and falls within the levels 1, 2 and 3 of the Istat classification of Occupations CP 2011². The first group consists of high-profile managers, magistrates and entrepreneurs; the second one consists of various intellectual and scientific professionals such as engineers, doctors, researchers, university professors; the third one consists of high-level experts in any field (i.e., computer programmers, airplane pilots, nurses, artists, athletes, trainers, police officers and others). Moreover, the highly qualified worker must receive a salary higher than a certain level.

The residence permit for scientific research (art. 27-ter of the T.U.I.), that was in effect prior to the transposition of the EU Directive, falls under the special category of entry permits issued “out of quota”, and allows for the conduct of research or education-related activities (employment, self-employment or research training grant); it is valid for the duration of the research program, and is issued to foreign researchers (even those who regularly reside in Italy for other purposes - but not including the purposes of asylum or temporary protection) who have signed a special hosting

¹See: Interview to Prefect Angelo Malandrino, Central Director for Immigration and Asylum Policies, Rome, March 20, 2013; interview to Mr. Natale Forlani, Director General for Immigration of the Ministry of Labour and Social Policies, Rome, March 21, 2013.

² Starting from 2011, Istat has adopted the new classification of Professions CP 2011; this classification allows to organize jobs into a clearly defined set of professional groups comparable at the international level. The classification system is divided into 5 hierarchical levels of aggregation:

- the first level, which is extremely summarized, contains 9 major professional groups;
- the second level contains 37 professional categories;
- the third level has 129 professional groups;
- the fourth level, with 511 professional categories;
- the fifth and last level of this classification consists of 800 professional activities, which comprises all remaining professions in the labour market.

agreement with a university or research institute based in Italy (which is required to apply for an authorization at the Single Desk for Immigration) and enrolled in a special list created by the Ministry of University and Research. The following are the qualifying criteria provided for by the current Italian legislation:

- *Education Level.* It is a post-secondary education level whose duration can not be less than 3 years (art. 27-quarter, par. 1 of the T.U.I.), equal to ISCED level 5 and ISCO-08 major groups 1-3. Recognition is a requirement needed only for the professional qualification, with the exception of regulated professions for which the requirements laid down in the Legislative Decree no. 206/2007 must be satisfied.
- *Salary.* Article 1, par. 5 (c) of The Legislative Decree no. 108/2012 provides for that the gross annual salary – derived from the employment contract or the binding agreement - should not be less than three times the minimum salary required to obtain exemption from paying health care expenses (therefore, no less than 24,789 euro, since the aforementioned minimum salary is equal to 8,263 euro - or 11,362 euro, if there is a spouse; this amount is further increased by 516 euro for each dependant family member, as provided for by Article 8, par. 16 of Law no. 537/1993 and amendments);
- *Experience.* The Italian legislation does not require specific experiences on the part of highly qualified workers. The experience of a worker, being assessed by the employer (who sets his own criteria), is very difficult to be properly evaluated by the legislator.
- *Existence of an employment relationship* (paid work for or under the direction or coordination of another natural or legal person). The employer, after having identified the TCN to be recruited, has the duty to submit an application for authorization to work to the Single Desk for Immigration of the province of residence or where the company has its registered office or where the work will be carried out. The contract proposal (or a binding agreement for a period of at least one year) must be attached to the application, together with a document from the country of origin certifying the education level and professional qualifications of the worker.

Q1.b. If Yes, do the policies distinguish between highly qualified and qualified third-country nationals?

The Legislative Decree no. 108 of June 28, 2012 provides an indirect definition of highly qualified workers based on education and salary levels. Compared to these innovations, art. 27 of the T.U.I., which provides for the entry of specific categories of workers “out of quota”, is at a different (although similar) level, because it mainly refers to qualified workers. Rather than a definition, there are different criteria based on education and salary levels, which however do not lead to an explicit distinction between highly qualified and qualified workers.

Q1.d. If Yes, what is the main rationale for these policies? What is the objective? Please consider whether this rationale is linked to circular, temporary or permanent migration.

The Legislative Decree no. 108/2012 aimed to facilitate the entry and stay in Italy of highly qualified workers by harmonizing the conditions for their entry and stay in order to improve the effectiveness of the European production system and ensure mobility in the EU. We must point out, however, that even if the stay of highly qualified foreign workers is mostly of a temporary nature, the concept of circular migration does not apply to them. In fact circular migration, which even within the EU is a fairly recent phenomenon, seems to be only partially relevant in the national context, whereas permanent migration prevails. This explains why the terms “temporary and circular migration” currently do not appear in any Italian immigration law, neither at national nor at regional level.

Q1.e. If Yes, briefly outline the main features of the policies. Please consider whether the

following exists:

Procedures are not based on points, as in other countries. In Italy, eligibility in highly qualified sectors recognized as in need of labour is based on the following requirements: a) a higher level of education, b) a salary above a certain level, c) existence of an employment relationship, which initiates the procedure by submitting an application.

Employers can make a direct selection of highly qualified workers, but in this case it is not their duty to fulfill any administrative requirements. Facilitation activities will be carried out by specific labour offices to be created at some diplomatic and consular representations.

Therefore, in light of the above-mentioned clarifications, the Italian system is somewhat different from the other commonly known models.

Q.2. Are other groups of third-country nationals included in the national policies on attracting (highly) qualified third-country nationals?

Article 23 of the Consolidated Act on Immigration contains the so-called “preferential conditions” for the entry in Italy, regarding foreign workers who have benefited from vocational and training courses carried out in their countries of origin, thus acquiring a preferential title to enter Italy for work reasons.

The Ministry of Labour and Social Policy, which had already intervened on the matter in the past, has recently implemented two information and pre-departure training projects, financed by the European Integration Fund.

The first project, which ended in June 2012, was carried out in Albania, Egypt, Morocco and Moldavia; the second one is currently being launched, and aims at implementing various interventions in countries which have signed bilateral agreements.

Trainings abroad and entries for traineeships represent great opportunities, but so far they have been scarcely used – also because of certain restrictions of current legislation. For example, during the initial phase only institutions authorized by the regions and a few private training institutions were allowed to carry out courses, whereas a recent amendment to the law also gave the authorization to private companies and intermediary agencies, thus responding better to the real needs of the sector. An interministerial decree by the Ministry of Labour and the Ministry of Education has also simplified and decentralized the evaluation of training courses at the regional level.

In this new context, the Ministry of Labour and Social Policy has scheduled the launch of new calls for training projects abroad and has emphasized the need to hire at least 75% of the participants, thus going beyond the mere registration at the employment offices in the diplomatic-consular representations.

The average cost of training abroad is estimated at around 1,000 euro per person; therefore, for obvious economic reasons, it is preferable to train a person directly in Italy. However, even the latter option is scarcely adopted due to intrinsic problems of the Italian labour market.

Q2.a. If Yes, please indicate what other groups are included (i.e. investors, entrepreneurs, international graduates, transferred workers etc.)?

Article 27 of the T.U.I. (Legislative Decree no. 286/1998) governs the entry for work in special cases, and this is an integral part of a planning policy which tends to exclude from the immigration quotas those categories of workers which are most useful for the national economic system. These are the so-called “entries out of quota”, which means entries for employment purposes which are allowed during the entire year (with the exception of entries for traineeships, professional and non-professional sports activities and voluntary work). A simplified procedure is foreseen for the

issuance of these work permits. Furthermore, in some cases (seconded managers, university professors, skilled workers seconded in Italy, maritime workers, trainees and journalists) the work permit procedure is entirely by-passed, and an application for entry visa can be filed – either directly or upon communication to the Single Desk on Immigration – to the Italian Embassies or Consulates abroad.

There are many categories of workers that are allowed to use the abovementioned streamlined procedures, but in particular the following fall within the group of highly qualified workers:

- Managers or highly qualified personnel seconded in Italy (art. 27, lett. A)
- University Professors in charge of an academic assignment in Italy (art. 27, lett. C)
- Translators and interpreters (art. 27, lett. D)
- Trainees and workers seconded for professional training (art. 27, lett. F)
- Skilled workers seconded in Italy (art. 27, lett. G)
- Maritime workers (art. 27, lett. H)
- Employees transferred due to contract work (art. 27, lett. I)
- Artists and technicians working in lyrical dramas, theatres, ballets and concerts; dancers, artists and musicians employed in entertainment facilities, theatres, bodies for film, radio or TV channels, within cultural or folk event (art. 27, lett. M-N-O)
- Professional athletes (art. 27, lett. P)
- Journalists (art. 27, lett. Q)

After the transposition of the EU Directive 2009/50/EU, this openness to qualified immigration (already provided for by Italian law) has been structurally expanded to all possible production sectors, provided that the criteria listed above (secondary school qualification, income above certain levels, employment relationship) are met.

For more information, see the Second Edition of the EMN Report on the Organization of immigration and asylum policies, published in the *Fifth EMN Italy Report. Immigrants and refugees. Legislation, institutions and competences* (2012)³ and the *Third EMN Italy Report. Labour Market and Migration* (2010) on labour shortages in the domestic labour market⁴.

Q.3. Do the policies in your Member State focus on specific areas of occupations?

[Yes/No] If Yes, please briefly indicate the specific areas of occupations and their link with the policies.

National immigration policies for work purposes are developed in order to fill gaps in certain employment sectors giving priority to the needs of the employers, an issue widely discussed by EMN Italy⁵. For example, the huge labour shortage in the health sector is evident from the fact that about 10% of nurses is of foreign origin. Since many years, in fact, health care facilities, both public and private, are having great need of nurses. According to various studies, the demand for labour in this sector amounts to several thousands every year⁶. In order to solve this serious problem of imbalance between supply and demand, which in the forthcoming years will become more and more evident, immigration laws (art. 27 of the T.U.I., as amended by Law no. 189/2002) allow the recruitment of non-EU nurses directly from their countries of origin and out of the entry quotas established every year (see also the circulars of the Ministry of Labour and Social Policy no. 50 and 52 of 2002).

³ www.emnitaly.it/pb-20.htm.

⁴ www.emnitaly.it/pb-06.htm.

⁵ See EMN Italy, *Third EMN Italy Report. Labour Market and Migration*, Edizioni IDOS, Rome, 2010. Cfr. www.emnitaly.it/pb-06.htm.

⁶ See EMN Italy, *First EMN Italy Report. Migration Policies, High Qualified Workers, Health Sector*, Edizioni IDOS, Rome, 2009. Cfr. www.emnitaly.it/pb-04.htm.

Furthermore, the flow decree of a few years ago provided for additional *ad hoc* quotas for Indian IT workers; this experience, however, would not be repeated in subsequent decrees. In order to be effective, in fact, such an initiative should have been supported by Italian businesses in India or Indian public institutions. This did not happen because of the small number of workers to be recruited.

Q4. Has the transposition of EU Directives led to more favourable legislation/measures/conditions for specific groups of (highly) qualified third-country nationals?

Basically, the benefit produced by the Directive consisted only in a further reduction of administrative burdens regarding workers out of quotas.

Q4.a. If Yes, please indicate the relevant Directives and the more favourable legislation/measures/conditions which were created for these specific groups (i.e. EU Blue Card Directive and Researchers Directive).

As already mentioned, the **EU Blue Card Directive** has introduced a new kind of permit for employment reasons, out of the quotas established by the flows decree – thus expanding the so-called entries “out of quota”, already provided for by Italian law for highly qualified workers (art. 27, par. 1, lett. A of the T.U.I.). EU Blue Card holders, in addition to enjoying a facilitated procedure for the stay permit issuance, of preferential treatment to obtain long-term residence and family reunification permits, may also move freely to a second EU Member State. This mobility may be exercised after 18 months of legal residence in the first Member State where the foreign citizen obtained the issuance of his/her residence permit; moving to another EU Member State, however, is permitted only for the purpose of highly qualified employment, under the conditions set out in art. 18 of the Directive.

The **EU Directive 2005/71/EU** (the so-called “**Researchers Directive**”) – implemented into the T.U.I. with art. 27-ter (“entry and residence for scientific research”) – considers the residence permit for scientific research as part of the special category of entry permits issued “out of quota”. It allows the conduct of research activities (employment, self-employment or research training grant) and is valid for the duration of the research project. It is issued to foreign researchers (even those who regularly reside in Italy for other purposes – not including asylum or temporary protection) who have signed a special hosting agreement with a university or research institute based in Italy (which is required to apply for an authorization at the Single Desk for Immigration) and are enrolled in a special list created by the Ministry of University and Research. Work is permitted only if linked to research or its related teaching activities.

Q5. Are the national policies addressing the aspect of brain drain in the countries of origin?

In this time of severe internal economic and occupational problems there seems not to be a particular concern about brain drain caused to countries of origin. As regards specific measures to compensate at least the brain drain from developing countries, however, some experts are trying to help find a link between these migration flows and the development on site.

On a more general perspective, a concrete measure in the field of brain drain caused to countries of origin consists in specific compensation systems provided for by bilateral agreements, which regulate the exchange of highly qualified workers between the contracting countries – as in the case

of the agreement with Russia. Actually the problem seems to be the opposite, in that the current weakness of the Italian system, exacerbated by the crisis, makes Italy less attractive for highly qualified workers and leads the country to lose its own talents (in the current economic situation, in fact, investments in research and education are inadequate⁷).

With regard to the delicate area of healthcare personnel, the Italian Cooperation – supported by the “European Programme for Action to tackle the critical shortage of health workers in developing countries (2007–2013)” - has continued to intervene on the matter (although indirectly) by promoting an approach to health in developing countries which is based on the protection of the population’s health and the improvement of public health systems.

Q.6. Are the national policies addressing the aspect of brain circulation with the countries of origin?

The same comments on the brain drain also apply to policies. However, the institutions themselves underline that remittances – which are very relevant in Italy (the officially recorded flow of remittances from Italy is more than 7 billion euro every year) – represent the most common and practical support for the development of countries of origin. In particular, remittances could also be used for production purposes, by involving the structures of the country of immigration. In this regard, it is worth mentioning the Memorandum of Understanding signed in 2011 by the Ministry of the Interior and the Italian Banking Association (ABI) to promote the financial inclusion of migrants, as well the continued efforts of the national authorities (starting from the G-8) to foster greater transparency and clarity of information on financial transactions such as remittances (also in order to reduce their cost).

Q6.a. If Yes (to either of these questions), please briefly indicate how the national policies address these aspects, supporting your answers with reference to research or any other sources of information.

Italy has also implemented effective policies for co-development in the context of decentralized cooperation, a form of cooperation which is characterized by broad participation of civil society and reciprocity of benefits, thanks to the involvement of Italian local authorities (Regions, Provinces, Municipalities) in partnership with local counterparts in developing countries (territorial, proximity and border partnerships, etc). Among the many projects of decentralized cooperation, we should mention the project “Su.Pa” promoted by the Veneto region through a broad public-private partnership, which aims to enhance the human and economic capital of migrants (especially the professional skills acquired during the years of stay in Italy) in favor of their country of origin. In particular, the Su.Pa project supports migrants in financing their business projects by helping them obtaining funds from banks and financial institutions (one of the main issues for startup companies in developing countries). To this end, in December 2011 the Veneto Region, in collaboration with Banca Etica and Etimos Consortium, set up a guarantee fund to assist immigrants living in Veneto who decide to start up a company in their countries of origin, on the basis of the experience in Senegal.

Although now there is more concern for the development of the Italian economy, rather than that of the countries of origin, once the crisis is over, an important role for the development of countries with high emigration pressure will be played by the internationalization of Small and Medium Enterprises (SMEs) operating in Italy, and by their involvement in local development projects.

The projects aimed at enhancing the contribution of foreigners and their associations in launching

⁷ See, in this regard, *Gli studenti stranieri nelle università italiane: indagine sul campo e approfondimenti. Sesto Rapporto EMN Italia*, Edizioni IDOS, Rome, May 2013.

income-generating activities or social-community initiatives are starting to show some positive results. In this regard, an important program was the so-called Migration for Development in Africa (MIDA), promoted by the International Organization for Migration (IOM) and the Italian Government (Ministry of Foreign Affairs – Italian Cooperation for Development – and Ministry of Interior), with the objective of enhancing the contribution of the diaspora in the development of countries of origin. Since 2003, as part of the MIDA strategy, the Italian Cooperation has funded the following projects:

1. Migration for Development in Africa (MIDA): regarding Ghana and Ethiopia;
2. Migration for Development in Africa (MIDA): regarding Ghana and Senegal;
3. Migración para el Desarrollo de América Latina (MIDLA): regarding Bolivia, Colombia, Ecuador and Peru;
4. Migrant Women for Development in Africa (WMIDA): regarding women in Western Africa.

Q.7. Have your national policies been the subject of public debate?

In this phase, Italian policy-makers – even if they understand the importance of the issue – do not frequently deal with it, nor do they take operational decisions about it. In October 2012 there was an interesting national conference of NGOs for development, promoted by the Ministry for International Cooperation and Integration⁸; however, after that meeting no concrete measure was taken due to lack of funds.

Q7.a. If Yes, please briefly indicate the main features of the policies which were debated as well as the reasons for such debate and the level at which these occurred (e.g. Parliament, society, media).

Debates about the implementation of the Directive 2009/50/EC led politicians, union leaders, associations and experts to dwell on the general problem of the impact of the economic crisis and the increase in unemployment. The unemployment rate increased dramatically from 6.1% in 2007 to 10.7% in 2012 (Istat National Institute of Statistics, *Occupati e disoccupati*, Press note of 24 Aprile 2013. See www.istat.it/it/lavoro). This trend has led the government to reconsider immigration flows in order to be more compatible with current employment opportunities in our country, especially in light of the need to relocate people having lost their job or being at risk of losing it. Contrary to European Union guidelines, instead, is the position of those who believe that highly qualified and high-level jobs should be reserved to Italian citizens; this position, however, does not take into account the fact that globalization of manpower could be useful for the internal market as well. Italy's weakness is due to its low attractiveness at the international level, to the extent that Italian highly qualified workers often choose to emigrate. This is due to a number of factors, such as less attention to research and education and the weakness of our productive system (quality, productivity, investments, infrastructures, bureaucracy, justice system, etc.). Unfortunately, as shown by a study conducted on emigration of Italians abroad⁹, in recent years globalization is causing the emigration of qualified workers from Italy, rather than the opposite phenomenon.

Q7.b. If Yes, please briefly indicate possible impacts of the debate on the national policies.

Currently we do not have the necessary elements for an objective evaluation which would promote a coherent national debate on the matter. Only after a proper implementation of the Directive

⁸ Forum on International Cooperation, Milan, October 1-2, 2012. See www.cooperazioneallosviluppo.esteri.it/pdgcs/italiano/speciali/ForumCooperazione/Intro.htm.

⁹ See Migrants Foundation, *Rapporto italiani nel mondo 2012*, Edizioni IDOS, Rome, 2012.

2009/50/EC we will be able see the results, in terms of both debate and decision making.

1.2 Measures

Q.8. Does your Member State employ concrete measures in order to satisfy the policy goals?

The Legislative Decree no 108/2012 introduced a new residence permit called “EU Blue Card”, issued for two years (in case of an open-ended contract), or for the duration of the employment (in any other case).

In order to fully implement the regulations and establish procedures for the recognition of professional qualifications obtained abroad and not regulated in Italy, the Ministry of Interior, in collaboration with the Ministry of Foreign Affairs and the Ministry of Education, University and Research, has drawn up a specific procedure allowing the rapid recognition of qualifications. The Circular of the Ministry of Interior no. 7591 of December 7, 2012 lays down the procedure to be used for both recognized and non-recognized professional qualifications in Italy.

The Ministry of Labour and the Ministry of Interior have also improved their computer systems in order to activate entry procedures of foreign workers which allow the monitoring of their labour market inclusion – for example by linking the residence permit database with the mandatory reports on employment, thus improving the level of communication between the administrations involved and avoiding the lack of match between supply and demand.

It is worth pointing out that the Ministry of Labour, the Ministry of Interior and the professional organizations have organized several consultation and collaboration forums, in order to simplify the procedures (although in compliance with regulations).

Q8.a. If Yes, please indicate the measures that contribute to the implementation of the national policies and indicate their specific goals.

The Ministry of Interior has signed additional memoranda of understanding with employers’ associations for the entry of highly qualified workers in Italy¹⁰.

In 2012, a Memorandum of Understanding was signed between the Ministry of Foreign Affairs and the Ministry of Labour and Social Policy in order to establish branch offices of the Ministry of Labour in Egypt, Albania, Moldavia and Sri Lanka (other 6 countries are about to sign the same agreement), whereas in other countries the initiatives are carried out experimentally. The main objective is the creation of infrastructures to help Italian traders and facilitate the matching between demand and supply of labour, through the dissemination of information and the creation of employment lists.

These decentralized offices, located in several Italian embassies, are called to interact with the competent authorities and the local employment services in order to disseminate correct information about legal migration flows, improve the matching between demand and supply of labour and facilitate the implementation of pre-departure training programs.

Q8.b. If Yes, are there any measures aimed at facilitating the integration of (highly) qualified third-country nationals?

¹⁰ This is the list of all the associations and charitable organizations which have signed agreements or memoranda of understanding with the Ministry of Interior: www.interno.gov.it/mininterno/export/sites/default/it/sezioni/sala_stampa/notizie/immigrazione/0885_2007_11_26_link_ai_patronati_e_associazioni_-_decreto_flussi.html.

Italy has adopted several measures aimed at facilitating the integration of all TCNs present in our territory. The Integration Agreement between the Italian State and a third-country national who enters Italy for the first time came into force on March 10, 2012¹¹.

Under the Agreement, integration objectives set by the foreigner at the moment of entry will be verified as will the provision of services linked to integration. On August 7, 2012, the Ministry of Interior and the Ministry of Education, University and Research (MIUR) signed a Framework Agreement for the implementation of the Integration Agreement, regulated by the Decree of the President of the Republic no. 179/2011. The MIUR has elaborated Guidelines for the implementation of literacy and Italian language programmes for foreign citizens. The guidelines have been shared with representatives of the Ministry of Interior and the Regions within the call for proposals for the presentation of projects of civic-language training at regional level financed by the European Integration Fund (EIF). In 2012, the EIF supported 99 territorial projects, 20 regional language training courses, 17 territorial projects implemented by Government local offices (*Prefetture*) and 8 projects by central administration offices and national state bodies.

On December 20, 2012, the Government, Regions and Autonomous Provinces signed an agreement on the document: “Directions for the proper application of legislation on health care to foreigners by the Italian Regions and Autonomous Provinces”.

The government portal www.integrazionemigranti.gov.it has been created to facilitate access to all services available at local level, as well as diffuse information and studies on labour market inclusion and integration.

These general provisions obviously apply to highly qualified workers as well, who, in addition to the entry out of quota, are also facilitated in their family reunification practices. For highly qualified workers there are neither specific social benefits nor favorable tax regimes.

Q.9. Do public policies exist in your Member State that specifically aim at positively influencing the immigration decision of (highly) qualified third-country nationals?

For some time now, public institutions have been carefully reviewing the needs of the Italian labour market, especially through the Excelsior survey¹² (“Forecasts on labour market trends”), which is conducted by the Italian Union of the Chambers of Commerce and funded by the Ministry of Labour. According to this survey, in order to satisfy the labour market needs, highly qualified workers should represent 10% of the total entries for work. In a labour market that offers low-skilled positions (to both Italian and foreign workers), the necessity of an increased professionalism derives from both personal expectations and the companies’ needs. However, due to the negative trend of the market and the increased supply of old age workers as a result of the extension of the retirement age, the demand for highly qualified workers is limited. For these reasons, supply is currently greater than demand.

Q9.a. If Yes, please also indicate such incentives.

According to art. 14 of the Directive 2009/50/EC, EU Blue Card holders enjoy equal treatment with Italian nationals as per current legislation, except for access to the labour market in the first two years. In this respect, it is specified that, in accordance with the provisions of the Directive, labour insertion is restricted for the first two years of employment, both with respect to the exercise of work activities, to be those for which the Blue Card was released and thus shall meet the admission conditions, as well as concerning any change in employer, that shall be subject to the prior authorization by the competent Local Labour Directorates (*Direzioni Territoriali del Lavoro*),

¹¹ See www.interno.gov.it/mininterno/site/it/sezioni/sala_stampa/speciali/accordo_integrazione.

¹² For more information and a presentation of the methodology of the survey, see: <http://excelsior.unioncamere.net/>.

according to a procedure regulated also by tacit consent.

Pursuant to Art. 29 of the T.U.I., family reunification is granted to EU Blue Card holders regardless of the duration of their residence permit; their family members are issued a residence permit for family reason of the same duration as that of the EU Blue Card holder, according to art. 30, par 2,3 and 6 of the T.U.I.

EU Blue Card holders, in addition to enjoying preferential treatment to obtain long-term residence and family reunification permits, may also move freely to a second EU Member State. This mobility may be exercised after 18 months of legal residence in the first Member State where the foreign citizen obtained the issuance of his residence permit; moving to another EU Member State, however, is permitted only for the purpose of highly qualified employment, under the conditions set out in art. 18 of the Directive. After eighteen months of regular residence in another Member State as an EU Blue Card holder, the person concerned may enter Italy without the need of a visa, for the purpose of highly qualified employment. In this case, no later than 30 days after the worker has entered Italy, the employer must submit a request for an authorization to work.

As regards other incentives (social benefits, anti-discrimination measures and Italian language courses) please refer to Question 8.b.

1.3 Relations with third countries and labour migration agreements

Q.10. Do the policies in your Member State focus on specific third countries?

In general, particular attention is paid to the countries that have entered into bilateral agreements with Italy. Despite the demand for labour is stagnant at the moment, for the first time in 15 years, among the areas of employment that the national strategy focuses more there are both the health care industry and social welfare sector. In general, a need for high qualifications has to be considered especially if starting with the assumption that the internal level is below the EU average and if one takes into account that the evolution of the debate on the labour market has become increasingly international now¹³. Furthermore, some geographical areas are considered to be of particular interest.

Q10.a. If Yes, please list these third countries, providing a brief indication of the reasons for focusing on specific third countries?

Currently the national policy pays special attention to the countries of the Southern shores of the Mediterranean, to those from the Western Balkans engaged in pre-accession negotiations with the EU, albeit at different speeds, and the countries of Eastern Europe in the context of the European neighbourhood, the countries with a strong Italian diaspora (this is for example the case of Latin America), the countries characterized by the continuing migration pressure (interested in opportunities for legal immigration for their citizens). As mentioned before, Italy reserves special quotas in the annual program of the flows to immigrants from the countries with which there are bilateral agreements. These quotas, therefore, may also be used to encourage the selection of skilled immigrants.

Q.11. Has your Member State entered into labour migration agreements relating to attracting

¹³ In this regard, reference should be made to the *Second Annual Report on immigrants labour market 2012* published by the Ministry of Labour and Social Policy.

qualified and/or highly qualified third-country nationals to the national territory?

No. Currently, Italy has no agreements with third countries in the field of admission of highly skilled workers. Bilateral labour agreements are aimed to promote a coordinated and effective management of the normal flow of workers. In this context, there is also the possibility to activate pre-departure linguistic and vocational training courses.

Q.12. Has your Member State adopted legislations facilitating labour migration from specific third countries ('country-specific legislation')? Q12.a. If yes, please elaborate concisely.

The framework agreements concluded with Albania, Egypt, Morocco, Moldova, Sri Lanka and Mauritius, cover all types of employees. The executive protocols of these agreements explain precisely the norms of the execution:

- strengthen the cooperation in managing migration for work reasons to Italy;
- establish a system of effective management of migration flows, through the connection between institutions that would guarantee security and transparency;
- strengthen mechanisms for selection of a qualified foreign labour force according to the needs of the Italian labour market;
- share technical tools (professional profile records, lists of workers, educational standards) so that the country of origin and the country of destination have a common language to manage the phenomenon.

Q.13. Has your Member State entered into other more favourable arrangements with non-EU/EEA countries and/or regions relating to attracting qualified and/or highly qualified third-country nationals to the national territory? Q13.a. If yes, please elaborate concisely.

On a general perspective, as already mentioned, the Consolidated Act on Immigration (under art. 23 of Legislative Decree no. 286/1998 Consolidated Act on Immigration, and implemented as art. 34 of Decree of the President of the Republic no. 394/99, Implementing Regulation) ensures preferential entries in the territory of the Italian State to foreign nationals who have attended education programs and vocational training in the countries of origin. Training activities taken into consideration have to be:

- developed under programs approved by the Ministry of Labour and Social Policy and the Ministry of Education, University and Research, also at the proposal of the Regions and Autonomous Provinces;
- also be implemented in collaboration with the Regions and Autonomous provinces and other local authorities, national organizations of entrepreneurs, employer and employees, as well as international organizations with relocation services aimed at foreign workers in Italy and to facilitate their integration processes in the productive sectors of the country, organizations and associations working in the field of immigration for at least three years;
- aimed at a targeted job placement in Italian manufacturing sectors that operate within the State, or a work placement targeted in Italian manufacturing sectors operating within the countries of origin of immigrants or finally a work placement targeted to the development of productive activities or self-employed business in the countries of origin;
- programmed by decree of the Minister of Labour and Social Policy, in consultation with the Minister of Education, University and Research (MIUR), and with the Permanent Conference State-Regions, which set out the procedures for preparing and implementing the education and training

programs to be carried out in the country of origin and determine the criteria for their evaluation (Ministerial Decree of 22nd March 2006 of the Ministry of Labour and Social Policy concerning the National and regional legislation in the field of vocational training and guidance for non-EU citizens).

The names of workers holding a qualification or frequency certificate achieved under the programs of the course, certifying their skills acquired, are stored in dedicated lists established at the Ministry of Labour and Social Policy. These data are made available, through the information system of the Provincial Labour Department, to employers who can proceed by submitting a nihil obstat to work request pursuant to art. 22, paragraphs 3, 4 and 5, TU, or in case they have direct knowledge of the foreigners, with the nominative application for nihil obstat to work under art. 22, paragraph 2, T.U.I.

One can cite as an example the agreement between Italy and the Republic of Mauritius (2013), which provides vocational training for seasonal work (in fishery and tourism sectors) for 70 Mauritian workers, who have received vocational training and guidance through programmes run by Italian organizations that have been appointed through tender to provide training and to act as employment agencies. Once completed the pre-departure training, Mauritian workers are inserted into circular paths of migration education/work and they find employment in the Italian seasonal labour market, in particular in the fishery and tourism industries. The 70 Mauritians who have finished the first part of their circular migration programme are assisted to develop a return and reintegration project before their return to the motherland.

Section 2

Evaluation and Effectiveness of Measures

2.1 Evidence of effectiveness based on statistics

Q.14. Is there any evidence (quantitative and/or qualitative) of a link existing between the measures outlined in Section 1 and the immigration of highly qualified and qualified third-country nationals? Q14.a. If yes, please elaborate concisely.

As part of the evaluation of the effectiveness of national strategies, one can refer to internal reports on the implementation of Flow Decrees, both in the pre-departure training (Article 23 of the Consolidated Law) and internships, but it has to be taken into account that there are no organic reports of an institutional nature that deal with highly skilled workers. A focal point can be represented by the *Report on the labour market of immigrants*, published by the Ministry of Labour and Social Policy, in which the flow of highly skilled workers is also taken into account as part of analysis of the labour market. In this regard, statistics on the first release of residence permits for work collected by Eurostat are useful, although in some respects incomplete. The analysis of these data shows that the percentage rate of the entries of highly skilled workers (1,563 in 2011) is residual with respect to the total entries for work (119,342), having a percentage of only 1.3% (1.6% if the flows of researchers are also taken into consideration).

ITALY. First permits issued to third-country nationals for remunerated activities by reason

REASON	2008	2009	2010	2011
Remunerated activities reasons	272,791	235,966	359,051	119,342
Remunerated activities reasons: Highly skilled workers	:	:	1,984	1,563
Remunerated activities reasons: EU Blue card*	:	:	:	:
Remunerated activities reasons: Researchers	35	118	336	353

Remunerated activities reasons: Seasonal workers	8,423	23,034	22,345	15,204
Remunerated activities reasons: Other remunerated activities	264,333	212,814	334,386	102,222

* Directive 2009/50/EC had not yet been adopted within reporting period

SOURCE: EMN Italy. Elaboration on data from EUROSTAT (migr_resocc)

Moreover there are also data on highly skilled workers concerning the period 2007-2012, which are made available by the Single Desks for immigration: on 38,736 applications submitted under art. 27, there were 29,525 nihil obstat issued (76.3%) and a number of 23,340 residence permits required (60.2%). In the last two years there have been sharp falls in applications, reflecting first the stagnation and then the recession of the economy in Italy. The most affected sectors are evidenced by this ranking: 34.0% of the applications are in the engineering sector; 7.7% in the agriculture sector; 6.4% in the construction sector and 5.3% in the health services. With regard to the countries of origin of these workers in the first position there are placed two Balkan countries (Croatia, with a percentage of 16.5% of total applications, and Bosnia and Herzegovina with a percentage of 12.0%), followed by India (10.7%), United States (7.8%) and China (4.3%).

ITALY. Applications for non-seasonal employment pursuant to art. 27 T.U.I. (2007-2012)

	2007	2008	2009	2010	2011	2012	Tot
Applications submitted	7,728	8,039	6,355	7,237	4,967	4,410	38,736
Nihil obstat issued	6,588	6,298	4,955	4,485	3,845	3,354	29,525
Residence permits required	4,876	4,761	3,884	3,690	3,232	2,897	23,340
Inc % Permits/ applications	63.1	59.2	61.1	51.0	65.1	65.7	60.3

FONTE: EMN Italy. Elaboration on data of the Ministry of the Interior

Further disaggregated data are available, namely data related to the different types of workers covered by article 27 of the Consolidated Law on Immigration. In 2012, the most numerous categories are represented by executives and other highly qualified personnel (30.0%) and that of workers who move with their businesses as a result of contracts (30.2%).

ITALY. Applications for non-seasonal employment pursuant to art. 27 T.U.I. (2012)

		Applications submitted	Nihil obstat issued	Residence permits required	% of applications on national total
art 27 a	Managers and highly specialized personnel	1,322	1,142	960	30.0
art 27 b	University lecturers	1	1	1	0.0
art 27 c	University professors and researchers	38	35	32	0.9
art 27 d	Translators and interpreters	67	14	11	1.5
art 27 e	Family workers with previous contract	157	53	44	3.6
art 27 f	Training and subordinated employment	375	228	175	8.5
art 27 g	Workers with temporary specific positions	816	703	613	18.5
art 27 i	Workers for contracts	1,334	1,069	990	30.2
art 27 r	Occasional or "au pair" work	221	41	22	5.0
art 27 r bis	Nurses	79	68	49	1.8
Total	Particular cases	4,410	3,354	2,897	100.0

SOURCE: EMN Italy. Elaboration on data from the Ministry of the Interior

In 2012, according to the data provided by Eurostat, the incidence of foreign workers in the European Union who were employed in highly qualified jobs, based on ISCO classification, is equal to 4,29%. In the Italian context, this percentage falls down to 1%, in line with the figure recorded in the previous years. In Italy, foreigners employed as legislators, senior officials and managers are 16,800, employees in intellectual professions are 17,000 while the professionals working in the technical field are 37,900.

As regards the level of education, based on the ISCED classification, 163,200 foreign nationals employed in the Italian labour market have completed Level 5 and 6, or the first and second stages of tertiary education.

ITALY. Employment of Third-Country Nationals by ISCO and ISCED Classification (1.000)

	2008	2009	2010	2011	2012
Occupation according to ISCO categorisation					
OC1 Legislators, senior officials and managers	41,1	41,8	42,7	16,1	16,8
OC 2 Professionals	12,3	14,5	14,1	20,6	17,0
OC 3 Technicians and associate professionals	36,6	33,3	32,6	36,5	37,9
Total	90,0	89,6	89,4	73,2	71,8
Level of education according to ISCED categorisation					
First stage of tertiary education (ISCED level 5)	130,8	132,9	143,0	147,6	161,4
Second stage of tertiary education (ISCED level 6)	n.a.	n.a.	n.a.	n.a.	n.a.
Total	131,5	133,6	143,8	149,0	163,2

SOURCE: EMN Italy. Elaboration on data from EUROSTAT (*lfsa_egais*; *lfsa_egaed*)

Looking ahead, despite their minority presence, the recruitment demand expressed by the employers still remains, as estimated through the Excelsior Information System by Unioncamere and the Ministry of Labour. The employment of non-seasonal immigrant workers by level of education (ISCED levels 5 and 6) foreseen by companies has gone down due to the international economic situation which has impacted negatively on the labour market (from 7,030 in 2008 to 3,120 in 2012; -55.6%). The same can be said with reference to the recruitment foreseen by professional status (ISCO), decreased during that same period from 2,880 to 1,250 for the intellectual professions and from 8,580 to 3,440 for the technicians, despite the same demand in level 1 (legislators, senior officials, managers) still remains.

Recruitment of non-seasonal immigrant workers provided by the companies by level of education (ISCED)					
Level of education according to ISCED categorization	2008	2009	2010	2011	2012
<i>First and second stage of tertiary education (ISCED levels 5 and 6)</i>	7,030	4,630	4,860	3,710	3,120
Total	167,800	89,140	105,820	82,990	60,570
Recruitment of non-seasonal immigrant workers provided by companies on professional status (ISCO)					
Occupation according to ISCO categorization	2008	2009	2010	2011	2012
<i>OCI Manager</i>	90	70	100	60	90
<i>OC 2 Professionals</i>	2,880	1,130	1,550	1,410	1,250
<i>OC 3 Technicians and associate professionals</i>	8,580	6,920	6,970	4,400	3,440
Total	167,800	89,140	105,820	82,990	60,570

SOURCE: Unioncamere - Ministry of Labour, Excelsior Information System

Apart from information derived from the static data reported, whilst not exhaustive, it is necessary that the economic crisis end and a few more years of application of Directive 2009/50/EC should pass before any line of interpretation be drawn.

Q.15. Is there a quota for highly qualified and qualified third-country nationals?

No, the highly skilled workers are admitted outside the annual quotas.

Q.16. Is there any evidence (quantitative and/or qualitative) of a link existing between the labour migration agreements (also in the framework of Mobility Partnerships) outlined in Section 1 and the immigration of highly qualified and qualified third-country nationals?

As previously explained, the existing agreements regarding entry for work do not apply to highly skilled workers, but they can facilitate their entry, also with support for on-site training programs.

2.2 National methods of evaluation

Q.17. Does primary research (using any methods) exist in your Member State evaluating the national policies, related practical measures and labour migration agreements (also in the framework of Mobility Partnerships) implemented to attract highly qualified and qualified third-country nationals? Q17.a. If Yes, which methods have been used?

Although there are no studies evaluating national policies or their lack, for what concerns the practical measures, their effectiveness is assessed by the Ministry of the Interior through annual monitoring of the activities implemented by Single Desks for immigration, an activity that encompass all types of entries, not just those of highly skilled workers. The rate of nihil obstat applications successfully concluded may represent a significant indicator. Moreover, the report of the activities carried out by the Territorial Councils for Immigration is published periodically.

There are signs, however, of the problems associated with the entry procedures for highly qualified workers like, for example, researchers. In this respect it was established at the Ministry of Foreign Affairs, with the participation of the Ministry of Interior, a working group on critical issues related to the entry procedures for foreign researchers.

In this regard the investigations conducted by EMN Italy and the Synthesis Reports produced by the Commission are also significant, and enable to grasp, in the Italian case, points of continuity and discrepancy from the experience of other Member States. The theoretical acquisitions for highly skilled workers seem well ahead with respect to the needs detected at present.

Q17.b. If Yes, what is the outcome regarding the effectiveness of these measures and labour migration agreements?

It should be emphasized here that the legislation and the measures put in place to facilitate the flow of highly skilled workers may well facilitate the performance of the labour market, which however currently has a limited need of skilled labour force.

Section 3

Challenges and Barriers

3.1 Possible challenges and barriers

Q.19. Have challenges and barriers in your country been identified based on previous research which affect the attractiveness of your Member State for (highly) qualified third-country nationals?

[Yes/No]

Q19.a. If Yes, please indicate these factors.

➤ *Salaries/Wages:*

There is a clear wage gap based on nationality: if an Italian worker earns an average of 1,299 euro net per month, a foreign worker earns just 993 euro, which is approximately lower by 23%¹⁴. This difference is the result of many variables such as geographical area of residence, gender, sector of activity, profession, type of contract and age group.

For example, among foreign workers there is a significant gender wage gap – one of the main causes of the wage gap in industrialized countries. Men earn more not only as a result of their longer working hours, but also for the increased productivity of the sectors in which they are usually employed.

By analyzing the salaries of foreign employees on the basis of their personal characteristics, it has been observed that the wage gap increases with both age and salary increase. This is due to the fact that young people (both migrants and natives) are affected by the same penalizing conditions, in particular with regard to the type of contract.

The average salary of a foreign employee with a permanent contract is slightly over 1,000 euro monthly (25.2% less than an Italian employee), whereas the average salary of a worker with a temporary contract is about 900 euro (only 5.9% lower than Italians). The greatest disparity between Italian and foreign employees with a permanent contract is mainly due to seniority benefits, which are harder to obtain for an immigrant who has only recently arrived in Italy. The same does not apply to employees with a temporary contract.

The wage gap between foreign and Italian workers, therefore, is the result of a combination of several factors determining a disadvantage. This problem, which is worsened by the economic crisis, negatively affects the socio-economic integration of foreign workers.

➤ *Economic crisis:*

The foreign labour force, which is more exposed to the economic cycle, is particularly affected by the current phase of recession. The impact of recession on international migration, and therefore on the employment situation of foreign workers, has been the subject of numerous studies. The Istat data on labour show that the rate of employment of foreign workers passed from 58.7% in 2008 to 56.8% in 2012, thus decreasing by 1.9 points.¹⁵ Moreover, 263,000 residence permits – mostly for business purposes – were not renewed.

The decrease in the share of foreign working population and the increase of people in search of employment clearly show the negative effects of the crisis on the population of immigrants.

In fact, if on the one hand the willingness of foreign workers to accept low-skilled jobs makes their participation in the Italian labor market more dynamic (even during the crisis), on the other hand this flexibility threatens to entrap the foreign worker in a secondary labor market, and this could severely penalize highly qualified workers.

In Italy, highly qualified employment is experiencing a severe crisis, which affects both Italians and foreigners. This general situation should make us reflect on the difficulties of immigrant graduates in finding a job in Italy. The jobs available to young graduates, Italians and foreigners alike, are very few.

According to the Istat Labour Force Survey, the unemployment rate of those who hold a graduate or post-graduate degree has increased by 5 points, from 7.0% in 2008 to 12.2% in 2012. The continuous increase in the unemployment rate is associated with the decrease in the employment rate of highly qualified workers (from 76.1% in 2008 to 68.2% in 2012).

¹⁴ ONC-CNEL, *Il ruolo degli immigrati nel mercato del lavoro italiano*, Roma, 2012. <http://www.integrazionemigranti.gov.it/Documenti/Documents/Manuali-Studi/CNEL%20MLPS%20II%20ruolo%20degli%20immigrati%20nel%20mercato%20del%20lavoro%20italiano.pdf>.

¹⁵ Istat, *Occupati e disoccupati*, Press release of April 24 2013. See: www.istat.it/it/lavoro.

➤ *Language:*

Immigrants face many problems, and language is the main one. The impact with the Italian language is often further complicated by the presence of local dialects. This is the reason why it is necessary to promote a welcoming program for immigrants, aimed at providing them with sufficient language skills to ease at least their integration in the social and working environment (See Q.8.b.).

➤ *Formal/Informal discrimination;*

According to several scholars of immigration, professional associations continue to discriminate against foreign workers. On a more general level, the National Office against Racial Discrimination (UNAR) has highlighted that ethnic harassment and discrimination in the workplace are also increasing.

➤ *Public discourse / debate:*

Despite the commitment by policy-makers to implement the Directive, a public debate specifically focused on issues related to highly qualified non-EU workers has not yet arisen. In general terms, we can certainly affirm that immigration represents a major challenge, not only for Italy but for all of Europe. Unfortunately, public opinion sometimes has a distorted view of this phenomenon, which regards millions of foreign nationals. This is often caused by the mass-media, which usually only focus on serious emergencies or events that threaten public order or are associated with the organized crime, depicting the presence of immigrants as a “problem”.

➤ *Bureaucracy:*

One of the problems faced by highly qualified workers is obtaining the recognition of their own qualification, which most of the time requires additional exams.

In the medical and health field, the recognition of a professional qualification obtained in another country is under the jurisdiction of the Ministry of Health. A considerable amount of applications for recognition are submitted by nurses, due to a growing demand in the labor market.

➤ *Monetary and non-monetary (time) costs:*

There are no additional monetary or non-monetary costs to those normally required for the issuance and renewal of a residence permit.

➤ *Lack of information:*

Currently, only a few associations provide information on how to convert a diploma or a decree; however, thanks to the implementation of the Directive, a network of information is likely to be developed at both national and local level.

➤ *Working conditions:*

There are no disputes or specific problems.

➤ *Small/weak academic/scientific community*

Only Italian or EU citizens can get research grants or participate in calls for research, because public universities specifically require the Italian or EU citizenship – with the exception of a few doctorates.

➤ *Waiting time to process visa applications in the Member State*

As highlighted by the EMN study “Visa policy as migration channel in Italy”, the acceptance rate of visa applications is very high, and the waiting time to obtain a national visa can be up to 90 days if a further review of the application or additional documents are required.

In case of doubts about the authenticity of the documents submitted, the visa office may carry out the necessary procedures for their verification, and this could result in longer waiting times than

those established by law. In these cases, while the outcome of the investigation is still pending, the visa office may suspend the usual procedure, and shall notify the foreign national accordingly. In particular, as regards the Blue Card visa, once the applicant has submitted the application by providing the authorization to work obtained at the Single Desk on Immigration, the visa is usually issued within a few days because the procedure is quite simple and only concerns the existence of subjective requirements of the applicant (his/her personal data and identity).

Q.20. If such evidence is not available, what is then the national policies makers' or other stakeholders' experience and assessment regarding the challenges and barriers which affect the attractiveness of your Member State for (highly) qualified third-country nationals?

As already pointed out, the labor market is weak in terms of technology and production (with the exception of companies producing for export), therefore there is no great need for additional highly qualified labor force.

Section 4 **Conclusions** (Maximum 2 pages)

The Synthesis Report will outline the main findings of the Study and present conclusions relevant for policy-makers at national and EU level.

Q.21. What conclusions would you draw from your findings that are relevant to the aims of this Focussed Study? Can you identify good practices and lessons learnt with regard to attracting highly qualified and qualified third-country nationals? What is the relevance of your findings to (national and/or EU level) policy-makers?

Summarizing the Italian situation, the entry in Italy of highly qualified third-country nationals can occur through three channels:

- 1) Article 27 of the Consolidated Act that contemplates special admission quotas for specific categories of qualified workers.
- 2) The recently implemented release of Blue Card (Legislative Decree no. 108 of 28th June 2012) reserved for highly skilled workers, supplemented by the Directive on researchers (2005/71/EC).
- 3) The instrument of annual quotas, which can reserve possibilities to foreign nationals who have attended special training courses in the country of origin (right of pre-emption pursuant to art. 23 of the Act), as well as to those workers interested in obtaining a traineeship and, at last, the conversion of residence permits for study into permits for work.

Secondment is a particularly favoured measure since it occurs through privileged channels that may be further facilitated by specific bilateral agreements (i.e. with Russia) extending the possibilities offered by the Blue Card.

The EU directive 2009/50/EC has activated the competences of the various Ministries (Labour, Interior, Education, Health) and of the professional organizations. Nevertheless, the application experience on this matter is relatively short in order to be able to draw conclusions. Although, it can be stated that the great objective of simplification and expansion of the possibilities initially foreseen by the Immigration Act have been shared. For the future it is needed to ensure that the commitment to prevent abuse does not result in excessive bureaucratic burden, and for this purpose the collaboration between the public and private sectors will be of vital importance. In the future, a more comprehensive collection of statistical data will also allow to differentiate the demand between qualified workers of low, intermediate and high level. It will also be essential, for a comparative judgment, that there be a continuous reference to what happens in other countries.

Administration experts believe that the integration of skilled workers may better occur by making more use of Article 23 of the Consolidated Act (training in the countries of origin, entry for study reasons and entry for internship reasons). Better clarification is also required for what concerns

structures responsible for training, including those accredited by the regions, companies and brokerage firms (to overcome a more rigid situation previously in force). It is however a very fruitful but expensive commitment, since, as it was shown, the training of a person abroad costs approximately a thousand euro.

The national policy-makers show an increased interest in highly qualified foreign workers, but presently this is translated into limited flows. There are, however, some interesting not formalized cooperation experiences with many countries, such as Japan, providing for the facilitation of entries and these may be taken as an example of good national practice.

Finally, one must bear in mind that Italy is a reservoir of qualified workers, composed of young Italian graduates and by children of resident foreign citizens, about one third of the international students in Italy. On the other hand, one must consider that the increase of retirement age has reduced the necessity of qualified workers from abroad, since more people in advanced age having a very high qualification are available.