

Labor migration schemes, pilot partnerships, and skills mobility initiatives in Germany

Background paper to the *World Development Report 2023: Migrants, Refugees, and Societies*

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Jan Schneider*

Abstract

Germany—in a series of cautious steps—has introduced immigration policy and legislation that have developed to be some of the most versatile and open toward foreign nationals willing to take up skilled labor over the past 15 years. This background paper provides an overview of recent schemes and projects in Germany to facilitate labor migration and recruitment of skilled foreign workers, including for vocational education and training. It does so against the background of significant sector-specific labor shortages within the German economy, taking into account policy goals of development cooperation with foreign countries and the principles and objectives of the Global Compact for Safe, Orderly, and Regular Migration. Germany has been a highly diversified and experimental playing field in the past few years for pilot projects for transnational skills and mobility partnerships. Following a short introduction, the paper describes the key objectives and rationales for devising new recruitment and mobility schemes). The third section provides an up-to-date overview of the German legal framework governing migration into skilled labor and training, including an outline of its evolution over the years. The fourth section, the core of the paper, seeks to systematize and describe different project-based approaches toward fostering labor-market oriented migration and mobility, focusing on the respective actors and institutional frameworks both in Germany and in partner countries. The focus is on state-led or multistakeholder initiatives and practices that cater to the needs of small and medium enterprises, that support recruitment to develop critical infrastructure, or that address and empower young talent in foreign countries to start their professional or educational careers in Germany. The final section describes the lessons learned so far and provides an outlook on current and future challenges.

* Jan Schneider is Head of Research Unit, Expert Council on Integration and Migration (SVR), Berlin. schneider@svr-migration.de. This paper serves as a background case study to the *World Development Report 2023, Migrants, Refugees, and Societies*. The findings, interpretations, and conclusions expressed in this paper are entirely those of the author. They do not necessarily represent the views of the SVR, the International Bank for Reconstruction and Development/World Bank and its affiliated organizations, or those of the Executive Directors of the World Bank or the governments they represent. The author wishes to thank the World Bank Group's research team for the 2023 *World Development Report*. He is particularly grateful to Xavier Devictor, Çağlar Özden, Joyce Antone Ibrahim, Paige Casaly, and Kirsten Schuettler for their fruitful comments and questions. Special thanks to all interview partners for their willingness to participate and share their valuable insights and views on the topic, and to the Bertelsmann Stiftung and in particular to Najim Azahaf for providing the results of a comprehensive mapping study on transnational skills and mobility partnerships in Germany, which were incorporated into appendix A.

Introduction

For many decades, Germany was considered a laggard by both domestic and international migration scholars in acknowledging that it was an immigration country, despite constant inflows of labor migrants, family migrants, and asylum-seekers from the late 1950s onward (Martin 1998; Thränhardt 1995). This changed around the turn of the century, especially after the information, communications, and technology (ICT) sector had been experiencing labor shortages and demanded a departure from the ban on foreign labor recruitment that had officially been in place since 1973. Germany—in a series of cautious steps—introduced immigration policy and legislation that have developed to be some of the most versatile and open toward foreign nationals over the past 15 years.

However, and above all, for more than a decade, Germany has been benefitting significantly from European internal migration based on the European Union (EU) policy of freedom of movement. First, Germany became a top target country for young skilled and highly skilled workers from Southern EU member states hit by the financial and sovereign debt crisis since 2008. Second, as of May 2011, transitional arrangements restricting the free movement of workers from the Central and Eastern European states that joined the EU in 2004 (including Poland) expired and sparked a significant rise in labor mobility. Similarly, the transition period restricting labor migration after EU accession ended on December 31, 2013, for Bulgaria and Romania, and on June 30, 2015, for Croatia. In fact, these two trends reversed the formerly negative net migration balance and facilitated the “return of Germany as an immigration country” (SVR 2013). The reservoir of workers and trainees at all skills levels was actively tapped through both private recruitment by businesses and placements through programs devised by the Federal Employment Agency (Bundesagentur für Arbeit, BA) (Klekowski von Koppenfels and Höhne 2017).

Nevertheless, a shortage of skilled workers built up, even beyond certain regional focal points or bottlenecks in specific occupations, which labor mobility within the European Union was only able to slow down but not sustainably remedy. The German Federal Government (under the auspices of the Ministry of Labor and Social Affairs, and with cooperation across departments) adopted a skilled labor concept in 2011 with the aim of better tapping the available domestic labor potential, including that of women, young people, older people, and migrants already living in Germany. This concept included a plan to attract more qualified migrants from foreign countries. In parallel, German development cooperation—with the German Ministry for Economic Cooperation and Development (BMZ) and the main German development agency *Deutsche Gesellschaft für Internationale Zusammenarbeit* (GIZ) as central actors—became increasingly aware that migration offered a number of potential benefits for the countries of origin, and that the recruitment of skilled workers from abroad should in no way run counter to the goals of development cooperation. From then on, several federal ministries have been testing and expanding measures to foster the recruitment (mostly in specific sectors) of qualified workers or individuals who are eligible for vocational education or adaptive qualification measures (in case their training qualifications obtained abroad cannot yet be recognized as equivalent to the German standards), in order to help fill skills gaps.

Scope of the paper

Over the decade from 2012 to 2021, a plethora of initiatives, pilot projects, and programs have emerged fostering legal migration of foreign nationals oriented to the need of the labor market. Germany is currently the EU member state with most Skills Mobility Partnership initiatives, according to a recent mapping launched within the European Migration Network (EMN 2022). As of yet, there are no rigid evaluations of these initiatives with regard to efficiency or sustainability. These initiatives involve state and nonstate actors, businesses and associations, and chambers of crafts and trades at various levels. Even though the focus varies greatly in some cases, the central goal is to attract potential foreign skilled workers for particular sectors of the labor market by partnering with official counterparts in the country of origin. Most of these initiatives and projects take aspects of development cooperation into consideration (or at least claim to do so), and they (explicitly or implicitly) promise benefits not only for Germany’s labor market and economy but also the countries of origin and the migrants themselves—the “triple win.” In ideal cases, such as in the Global Skill Partnership Model designed by Michael Clemens (2015),

they also gain capacities for their vocational education and training (VET) system and well-trained skilled workers for the domestic market. Destination countries recruit suitable workers or trainees in sectors where they suffer shortages. And migrants themselves benefit from further qualification and work experience as well as higher incomes (Vankova 2020).

This paper provides an overview of the German labor and training mobility policy. It goes beyond a narrow focus on bespoke pilot projects for transnational skills and mobility partnerships endorsed by state bodies. The latter have been subject of a number of reports and conceptual studies recently (see, for instance, Azahaf 2020; Clemens, Dempster, and Gough 2019; Sauer and Volarević 2020), which will also be considered.¹ However—without having the room to conduct a detailed analysis of the quantitative dimensions of the various legal provisions, schemes, partnership projects, and recruitment initiatives (in terms of migrants covered)—the paper intends to widen the focus toward the general legal and institutional framework for “migration pathways” in which skills mobility takes place and is fostered.”²

Thus, the legal framework and particular schemes established within those frameworks constitute a first key element of consideration because they allow for large-scale legal and state-controlled labor mobility; they are thus most important from the point of view of labor market policy—and in particular against the backdrop of huge skills gaps in specific sectors. Where these migration pathways reach their limits and labor mobility does not work as desired (because they are too costly or there are other capacity problems), recruitment projects and other initiatives come on the scene to forge new paths. This is the second important area of consideration. While the state is the main actor in shaping the legal framework, the initiatives and projects encompass a broad range of stakeholders. These constellations of actors can be used to fashion a framework to classify the initiatives and projects according to their “ownership.”

Following this introduction, the paper recaps the rationales and frameworks for devising new labor mobility schemes and for forging ahead with transnational skill partnerships and pilot projects. Intersecting departmental interests and political rationales can impede well-functioning policy, particularly with regard to partnership approaches, which is why clarifying objectives and goals linked to a certain program is key). The third section describes the evolution of the German legal system in which labor migration schemes, pilot partnerships, and skills mobility initiatives are nested, focusing on the provisions for admitting skilled and medium-skilled workers for vocational training, certification of qualifications and adaptive training, or employment. The section puts into context the legal provisions that constitute de facto recruitment or mobility schemes (such as the well-known Western Balkans Regulation and Germany’s agreements on contract or guest workers). It also analyses the key barriers that have so far prevented the wide use of Germany’s quite liberal legal provisions for labor migration and skills mobility (and from which the immediate need to devise new initiatives and partnerships can be derived). The fourth section maps and systematizes different project-based approaches to foster labor-market oriented migration and mobility, focusing on the respective actors and institutional frameworks both in Germany and in partner countries, including—as far as available—evidence on financing, scope, and results. Various projects are summarized in appendix A.

The discussion excludes recruitment and training models of multinational corporations—primarily because such activities in the private sector are not usually the subject of reports or other publicly available sources of information and therefore a representative overview cannot be derived, Nonetheless, within the framework of free enterprise, an awareness of, or active engagement with, issues of sustainability and development cannot be taken for granted when recruiting workers abroad.³In this paper, the focus is on state-led initiatives and practices that cater to the needs of small and medium enterprises (SMEs), support critical infrastructure experiencing labor shortages such as in the health care sector, or that support and empower young talent in foreign countries to start their professional or educational careers in Germany. Consequently, training, recruitment, and mobility initiatives geared at nationals of other European Union member states also remain outside the scope of close consideration. As one of the four freedoms enjoyed by EU citizens, free movement for taking up employment has fostered a pan-EU labor market with practically no restrictions for labor mobility.

The paper is based on an extensive review of the literature and online resources. In addition to research papers, project descriptions, and evaluation reports, it also considers current legal provisions and policy

documents. Additionally, four background interviews were conducted to validate the findings, include projects in preparation, and discuss possible conclusions with other experts.⁴ With a comprehensive focus on labor migration schemes and the set-up of skills mobility initiatives as well as on the legal provisions they are based on, the paper does not elaborate on migration data (such as number of visas issued per purpose of stay) or on labor market or economic statistics. The key challenge here is that any macroeconomic or labor market evaluation will not be able to measure any effect of these projects because the number of cases is simply too small. In some cases, however, the discussion includes tentative figures to clarify the magnitude and proportions.

Rationales for migration pilots and labor and training mobility schemes

Policies to promote legal migration for employment and training can have very different objectives. At least three major rationales for devising specific measures or programs can be differentiated (Beirens et al. 2019, 12–17; Newland and Riester 2018). First and foremost, destination countries want to boost the legal immigration of workers (or potential workers) from foreign countries if the demand for labor cannot be met domestically or—in the case of EU member states—from within the EU. Such a need is usually the basic prerequisite for launching pilot projects for labor mobility, beyond legislative reforms, which can have a major impact. Rarely, a new project or mobility scheme in a member country of the Organisation for Economic Co-operation and Development (OECD) will serve a purely developmental function or strengthen bilateral goals of friendship. Those efforts address a second set of motives: Facilitating the entry of citizens of another country is often an instrument of international diplomacy that strengthens relations between countries, affirms historical ties, and fosters developmental goals or economic cooperation. In the area of development cooperation, the case for legal migration is made on the basis of an expected benefits for countries of origin, such as remittances, skills transfer, or at least a relief from high youth unemployment. Third, opening legal routes is often motivated by the desire to reduce irregular arrivals and better manage flows. The assumption is that if legal channels for work, education, and training purposes are expanded, this will reduce pressure on the asylum system.

Satisfying domestic labor demand

Despite a well-advanced body of immigration legislation that provides numerous pathways into training, studies, or employment (discussed in the third section), Germany is grappling with growing labor shortages in a number of occupations and across almost all skills levels. In 2021, the three political parties forming the new federal government and holding the parliamentary majority in the German Bundestag warned, “*The shortage of skilled workers in many sectors may be one of the major obstacles to economic growth, to securing prosperity, to maintaining a high-quality level in health, nursing, care, and education, and to the success of Germany's transformation.*”⁵ This warning call was not entirely new. Rather, the tremendous strain on the health care system during the COVID-19 pandemic and the quick economic recovery in most sectors of the industry following the initial shutdowns had aggravated a problem that had built up over the decade before. While in 2011 the Federal Employment Agency observed emerging bottlenecks with regard to only five occupations, primarily in the health care and nursing professions and in engineering, shortages spread massively. The latest “skilled labor shortage analysis” for 2021 identifies 148 occupational types (out of 1,286) with a structural shortage (BA 2022).⁶ These cover all three requirement levels: the regular skilled worker level of occupation; the specialist worker level (requiring a higher degree such as a Bachelor or a master craftsmen title); and the expert level (professions with a full academic study requirement at the tertiary level). At the regular skilled worker level, shortages were particularly evident in nursing and in medical and nonmedical health care professions, in skilled trades and craft occupations, and in construction occupations, but also among professional truck drivers in freight transport and some sales occupations. At the specialist worker level, shortages were most acute in the information and communication technology (ICT) sector, among educators/kindergarten teachers, physical/occupational/speech therapists as well as in craft trades in the construction industry (electricians, plumbing and sanitation, and heating and air-conditioning services). The most sought-after workers at the university-degree expert level were in the medical professions, among pharmacists, and in information technology (IT) professions. As of 2021, there was an estimated gap in unavailable skilled workers of around 350,000, spread across all bottleneck occupations.⁷

With a view to the future, there has been a plethora of studies predicting the general (and in some cases also occupational-specific) demand for skilled labor, much of which will affect sectors highly relevant to public policy. For example, by 2030, there could be a shortage of up to 200,000 early childhood educators, as about 285,000 new graduates in early childhood education will enter a labor market in need of 484,000 educators (Prognos 2018). A massive shortage is also expected until 2050 in a range of specialists and experts needed to complete the sustainable energy transition toward carbon neutrality in the construction and housing sector. According to a recent study, a workforce of more than a quarter of a million will be needed in 2035, of which 81 percent would have to be skilled, skilled specialists, or experts—yet there is already a shortage in most of these occupations (Blazejczak and Edler 2021). Another scenario study is focused on the public sector, in which about 5 million people are currently employed. The future shortage of skilled public sector workers might amount to 765,000 in 2025 and about 1 million in 2030 (PWC 2022). However, the most critical bottlenecks might be emerging in the health care and nursing professions. The corresponding labor market is also one of the most important from a public policy perspective because it services critical infrastructure. As of 2020–21 there was a skills gap of 17,000 in geriatric care and approximately 14,000 in health and nursing care (Seyda, Köppen, and Hickmann 2021); this gap is projected to grow massively. The predicted additional demand for skilled nurses could range from 100,000 to 190,000 nurses by 2030 (or 230,000 by 2040), depending on which projections are used, while the workforce is declining (see SVR 2022, 9, with further references).

The widespread shortage of skilled workers is threatening public wealth in the future. It is undoubtedly the central impetus for policy makers to seek measures to make better use of existing immigration opportunities. Yet Germany's labor market and occupational system are highly formalized in the sense that recruiting and admitting foreign nationals is only possible if foreign qualifications are recognized as equivalent to German standards. This is particularly difficult for a number of occupations at the skilled worker and specialist worker levels.

Development cooperation and foreign policy goals

International cooperation efforts and negotiations on migration and adjacent policy fields can offer a second set of rationales for policy guiding legal migration. Thus, facilitating the entry of foreign nationals and paving their way into the training or labor market can be an instrument of international diplomacy aimed at strengthening relations and exchange between countries or affirming historical and cultural ties. In Germany, some of the labor recruitment agreements were inspired in part by diplomatic or geo-strategic considerations (see the section on guest workers recruitment before 1973).

Such foreign policy considerations also came into play in the wake of the upheavals of 1989. The aim of permitting the temporary employment of workers from Central and Eastern European countries in Germany was, among other goals, to support those countries' economic transition toward market economies, to intensify economic cooperation, and to channel the migratory pressure from Central and Eastern Europe. Thus, bilateral agreements concluded between governments since the late 1980s have created employment opportunities, such as for seasonal workers, contract workers, and guest workers (see the section on arrangements in the 1990s).

Finally, German labor migration law features a distinct “best friends” clause, in which friendly foreign policy relations with certain states translate into privileged access to the German labor market. Nationals of the respective countries may be granted approval to engage in any employment within Germany (irrespective of their skills or qualification credentials) (section 26, para. 1, Employment Ordinance).⁸

In the area of development cooperation, the case for legal migration is primarily made on the basis of the expected benefits for countries of origin, such as remittances or skills transfer. The German Federal Ministry for Economic Cooperation and Development (BMZ) has been implementing measures since the 1980s that today would be subsumed into the field of migration and development, such as fostering the return of skilled workers from Germany by means of a special branch set up within the Federal Employment Agency.⁹ The program was controversial because its development goal of exporting specialists to promote skills transfer was not easy to reconcile with educational and industrial policy ambitions to train specialized workers primarily for the domestic market in Germany.¹⁰

However, it was not until the new millennium that migration and development came on the German political agenda in a more holistic way, dovetailed by the work of the Global Commission on International Migration. Eventually, the BMZ acknowledged the importance of the migration-development nexus by launching a special sector project, “Migration and Development,” in 2006. The project had the task of providing an institutional structure to anchor the topic of migration in practical development cooperation and was carried out by the GIZ, as the central implementation and service agency for development cooperation (Baraulina, Hilber, and Kreienbrink 2012). Along with an ongoing reform of the German legal framework for attracting skilled labor from foreign countries (see section on labor migration law since 2005) and some initiatives by the European Commission,¹¹ the prospects of policies geared at both recruitment of talent for the German labor market and positive effects for countries of origin and the migrants themselves increasingly became part of political rhetoric and policy practice. The BMZ introduced the “triple win” concept as a new approach in policy programming in 2008, “based on the assumption that skilful management and multilateral cooperation can turn international labor migration into an enduring triple-win situation for all stakeholders concerned” (Angeendt 2014a, 12).

As the Federal Republic of Germany stated in its 2022 contribution to the International Migration Review Forum (IMRF), *“The aim of German development cooperation is for labour migration and mobility to benefit countries of origin, host countries and migrants alike (a ‘triple win’)”* (Bundesregierung/German Federal Government 2022a, 11–12). “Triple Win” also became the namesake for a program launched by GIZ in cooperation with the Federal Employment Agency in 2012, which remains the most important state-led scheme for the recruitment of caregivers (see the fourth section on initiatives for labor mobility and training partnerships).

Domestic awareness further increased with the adoption of the United Nations (UN) 2030 Agenda for Sustainable Development in 2015, in which migration was anchored as a cross-cutting issue. The Sustainable Development Goals (SDGs) were incorporated into the German Sustainable Development Strategy¹² and the Federal Government was broadly engaged in the process leading to the Global Compact for Safe, Orderly and Regular Migration (GCM). In its national report for the 2022 International Migration Review Forum (IMRF), the Federal Government made detailed statements on the GCM’s objective 5 (“Enhance availability and flexibility of pathways for regular migration”) and objective 6 (“Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work”). The report stressed Germany’s development-oriented engagement on regular migration and the principles of fair and ethical recruitment (Bundesregierung/German Federal Government 2022a, 11–12).

Migration management objectives

Large-scale irregular migration is often associated with a surge in asylum applications, a significant share of which turn out to be unfounded and are thus termed an “abuse of the asylum system” in domestic policy discourses (see, for example, Kirchhoff and Lorenz 2018). The rationale is that the availability of legal migration options for those not in need of protection also helps safeguard the asylum system for those who are. There has been a considerable debate (and some contributions in research) in recent years around the question whether by extending legal migration pathways the use of irregular migration channels, including the assistance of human traffickers, can be reduced or even prevented (SVR 2017, 74 ff.). So far, there is isolated evidence that targeted measures (such as the so-called Western Balkans Regulation in Germany or the issuance of temporary work visas to Mexican citizens paired with robust law enforcement in the United States) can curtail the number of irregular arrivals. At a larger scale, there is no robust evidence that opening up more pathways for people who would otherwise not qualify for legal migration would sustainably reduce illegal entries (Bither and Ziebarth 2018; Clemens and Gough 2018; Cooper 2019).

In the German policy discourse, however, the perceived success of creating an “asylum-evading” channel for legal migration for nationals of the six Western Balkan states led to serious demands for a spatial extension of this regulation to cover countries in Northern Africa, from which Germany also receives a high annual number of unfounded asylum claims.¹³ As Chancellor Angela Merkel said in 2018, *“We have found very good arrangements with the countries of the Western Balkans after we declared them safe countries of origin, which means that asylum applications could be processed much more swiftly .*

But we have not only made it necessary for people to leave the country or, in some cases, made voluntary departures possible, but we have also said that anyone who can prove that they have a job offer in Germany may come to Germany legally. I believe that this supplement can also be a prototype for agreements with other countries.”¹⁴

Bilateral agreements with governments offer a somewhat more nuanced way of utilizing country-specific mobility schemes to incentivize cooperation in adjacent policy areas, such as compliance with the duty to readmit their own citizens after return/removal or better securing their shores against the smuggling of human beings. In Europe, France, Italy, and Spain have long been applying such quid pro quo migration management agreements with a number of countries, in particular in North Africa, Sub-Saharan Africa, and Asia (Beirens et al. 2019, 39–42). The European Union advocated for these agreements in the so-called Partnership Framework approach, later reframed as “tailor-made and mutually beneficial partnerships with third countries,” within the 2020 New Pact on Migration and Asylum (box 1).¹⁵ Germany has not (yet) embarked on concluding any bilateral agreement to this end or made such conditionality explicit.

Box 1. European Union initiatives for labor mobility partnerships

The first generation of migration or mobility partnerships launched at the level of the European Union were driven primarily by the goal of managing and limiting unwanted migration. Nevertheless, following a “carrot and stick” logic, they also brought organized and development-sensitive migration into play for partner countries: EU member states were to engage in circular migration schemes to “address their labour needs while exploiting potential positive impacts of migration on development and responding to the needs of countries of origin in terms of skill transfer and mitigating the impact of brain drain.”^a The mobility component was developed further in the Commission’s 2011 Global Approach to Migration and Mobility (GAMM) (COM(2011) 743 final).

Germany engaged with the EU partnership with Georgia. The Centre for International Migration and Development (CIM) started a program that provided the first structures for a development-oriented approach to labor migration, supporting migrant entrepreneurship, circular migration, and the involvement of civil society actors (Nordhus 2015). It also laid the foundation for a pilot that recruited about 40 skilled workers from Georgia for the German hotel and catering and care sectors (Goos 2016). “Triple win” was the main promise for foreign nationals within these mobility partnership schemes.

However, the outcome of nine EU mobility partnerships (with Armenia, Azerbaijan, Belarus, Cabo Verde, Georgia, Jordan, Morocco, the Republic of Moldova, and Tunisia, and the latter version of three “common agendas on migration and mobility agreements”) remained limited and held rather little added value for EU member states and foreign countries in terms of fostering legal migration, not least because of unclear objectives and the enshrined conflict of interest between development and domestic security/migration management objectives (Angenendt 2012). In practice, the mobility partnership approach was widely overridden by bilateral initiatives at the EU member state level that often proved to be more successful (Beirens et al. 2019, 22).

The 2015 European Agenda on Migration and the associated Migration Partnership Framework shifted the focus even more toward combatting irregular migration and were endowed with more financial resources. Migration partnerships with key countries of origin or transit in Africa (Ethiopia, Mali, Niger, Nigeria, and Senegal) were funded through the new EU Trust Fund for Africa. These arrangements, however, if compared to the first generation of mobility partnerships, “kick[ed] the promise of legal migration paths even further into the long grass” (Kipp 2018, 19). The 2020 new Pact on Migration and Asylum with the Talent Partnership initiative (COM(2020) 609 final) brought some realignment and a renewed focus (Schneider 2021), but the target countries for EU project funding remained the nine with which former mobility frameworks had been established, with the addition of the Arab Republic of Egypt, followed by Bangladesh, Nigeria, Pakistan, and Senegal.^b

- a. COM(2007)248 final, p. 2. The most prominent and also most researched mobility partnerships are the ones with Morocco and Georgia. For respective overviews and analyses see, for example, den Hertog and Tittel-Mosser (2017); Reslow and Vink (2015); Tittel-Mosser (2018).
- b. <https://www.migrationpartnershipfacility.eu/calls-for-proposals>.

Last but not least, another way to serve the migration management goal of preventing abuse and congestion in the asylum system is trying to route (potential refugees) on a labor migration path. Also featured in the Global Compact on Refugees, “complementary pathways” can be differentiated into three approaches: simply helping refugees gain access to existing labor immigration programs without making any policy adjustments (which puts them in a competition with all other labor migrants); creating incentives for employers to recruit refugee-workers within the broad parameters of existing labor immigration policies; and establishing new labor immigration programs exclusively for refugee-workers (Ruhs 2019, 24). This requires at least the partial abolition of a relatively strict separation of regimes for asylum-seekers and for job seekers, which is anchored in European law as well as in the national law of most countries. Furthermore, the possible legal consequences of such an ex ante change of track (that is, whether a foreigner’s status for employment confers more or fewer rights than a protection status) depend primarily on how the asylum procedure would have turned out: that is, whether the person in question would have been granted full international protection, subsidiary protection, or even only a national protection title with fewer rights (Vankova 2022).

Germany has not actively promoted any of these models in recent years because the focus has been on integrating those who arrived as applicants for international protection into employment or vocational training. However, various networks, migrant organizations, academic institutions, and businesses have undertaken initiatives to refer potential refugees with the respective qualifications or credentials, particularly from the Syrian Arab Republic, to jobs or study places in Germany before they embark on dangerous journeys (see also Wagner and Katsiaficas 2021).¹⁶

Other motives

There might be further, more ad hoc rationales for creating—or discontinuing—labor mobility schemes, such as economic crises, stimuli from other political levels (such as the European Union adopting a legal act), or motives related to party politics or the public mood concerning migration. Furthermore, the political intention to foster the rights of migrant workers and shield them from exploitative employment relationships can constitute a motive in itself. In the German case, there is hope that newly concluded placement agreements with non-EU-countries for agricultural seasonal work, in which referrals to Germany go through official channels, will reduce the risk that private agencies charge the migrants excessive recruitment fees or send them to dubious employers.¹⁷

Germany’s legal framework for labor migration

Schemes without legislation: Guest worker recruitment before 1973

In 1955, only a decade after the end of World War II and a few years into the newly founded Federal Republic of Germany, the government struck an agreement with Italy for the recruitment of workers. This was soon followed by agreements with other—primarily Southern and Southeastern European—countries, including the ones with Spain (1960), Greece (1960), Turkey (1961), Morocco (1963), Portugal (1964), Tunisia (1965), and Yugoslavia (1968).¹⁸ In most cases, countries of origin pledged to send workers to relieve pressure in domestic labor markets and stimulate remittances. The same was true for Turkey, but the 1961 agreement was also fueled by foreign policy considerations after the country had become member of NATO in 1952, and the scheme to send labor migrants to Germany proved as a rather unconventional diplomatic tool (see Schönwälder 2001, 251; Steinert 1995, 205). Accordingly, the agreements on guest worker migration were a case of labor migration without a (primary) motivation in terms of labor migration policy, although labor demand in precarious, low-skilled manual occupations in mining, the automobile industry, and agriculture became an issue. Because there was no

legal framework for labor migration (that is, no immigration law or equivalent legislation), migration control resulted from the recruitment agreements themselves (Conradt and Hornung 2020, 171).

Quite noteworthy in terms of the current focus on recruiting nurses from foreign countries to meet the significant labor shortages in the medical and geriatric institutions is the recruitment of workers from Southeast Asia, in particular from the Republic of Korea and to limited degree from the Philippines. These arrangements are often overlooked in German labor migration history. Starting in 1971, an estimated 10,000 Korean nurses were placed in the Federal Republic—a migration bridge that was primarily the result of clerical and private initiatives in the 1960s (Jachertz 2016). Furthermore, almost 8,000 Korean miners were temporarily employed in West Germany between 1963 and 1980. On the one hand, they filled labor gaps at German mining companies; on the other hand, they were expected to bring remittances and expertise to develop Korean mining (Hyun 2018). In both cases, recruitment and immigration were also derived directly from bilateral programs and contractual agreements.

Governing mobility by ordinances and bilateral agreements in the 1990s

With the recruitment ban of 1973, the period of mass migration of guest workers came to an end. But labor migration from the formerly labor-sending countries became part of the free movement of workers in those cases in which these countries joined the European Community. At the end of the 1980s, certain sectors of the German economy suffered a shortage of labor (for example, agriculture, hotels, and catering) despite generally high unemployment in the country. This led to a partial rollback of the recruitment ban. Particularly in the years following the collapse of the Eastern bloc in 1989–90, the German government used a familiar pattern of migration control and continued or concluded bilateral agreements with numerous Central and Eastern European states to employ their nationals as seasonal, contract, guest, and cross-border workers.¹⁹

In terms of numbers of workers, seasonal work was the most important form of temporary migration, grounded exclusively in the shortage of harvest helpers during the agricultural season (Schneider/Götte 2020). More complex rationales were associated with the agreements on the temporary employment of contract and guest workers.²⁰ In addition to sector-specific labor demand in Germany, foreign policy considerations in the wake of the upheavals of 1989 played a major role: the permission for time-limited employment of workers primarily from Central and Eastern European countries was aimed at supporting these countries in the transition from a centrally administered national economy to a system of market economy, stepping up economic cooperation, and channeling the migration pressure from these countries to Western Europe and, above all, to Germany.²¹ The guest worker scheme also included some skills-training components. Workers from the contracting countries could be employed in Germany on an individual basis for up to 18 months to advance their occupational or language-related training. The contract worker agreements enabled companies in the partner countries to send their employees to Germany for a limited time to complete a work project in cooperation with a German company. This scheme was less focused on development and training than on reducing bottlenecks. It was highly controversial in terms of collective bargaining policy because it represented an element of deregulation of the German labor market. In political parlance, both schemes were intended mainly as assistance to the Central and Eastern European countries, with support in the form of employment, conveying principles of the market economy and income opportunities (Kupsch and Oishi 1996; Wickramasekara 2015, 28).

The extensively reformed Aliens Act, which came into force shortly after the German reunification in 1990, provided a universal—yet restrictive—legal framework for the entry and residence of foreigners, including a standard for residence permits for work purposes, but it did not contain any specific material regulation on the basis for which gainful employment migration could take place. Possible constellations of labor migration to Germany (also beyond bilateral agreements) were summarized in the Ordinance on Exemptions from the Recruitment Ban (Anwerbestoppausnahmeverordnung, ASAV) in 1998, but were narrowly defined and—with the exception of seasonal employment privileging nationals of a few countries—hardly relevant empirically. The ASAV was a flexible binding regulatory instrument subordinate to a formal law, which was adjusted several times according to labor market needs. It already contained, for example, the so-called “best friends” clause, which granted permission to a certain group of nationals to pursue employment in Germany—specifically, those from countries that were expected

to send relatively few migrants, but that had maintained very good foreign and economic relations with Germany for many years.²²

Development of a universal, skills-oriented labor migration law since 2005

The turn of the century was an important landmark in the history of German migration policy. On January 1, 2000, a new Citizenship Act came into force, which modernized Germany's nationality law, which has been dominated by *jus sanguinis* (see Green 2012).²³ In the same year, the Federal Government also introduced a special regulation governing the temporary stay of foreign ICT specialists. The immediate driver for this scheme was a sector-specific labor shortage, which was addressed with an "Immediate Action Program to Meet the Demand for IT Specialists." The Ordinance on Work Permits for Highly Qualified Foreign Professionals in Information and Communications Technology (IT-ArGV) had as its centerpiece what became widely known as the German Green Card—and marked no less than the beginning of a new era in German labor migration policy. With this sector-specific recruitment tool, an applicant's qualification began to replace their country of origin as the primary criterion for selection decisions. Criteria were exclusively merits-based, the decisive factor being a university or technical college education with a focus on information and communications technology or—to account for specialists without university certificates, which are not uncommon in the IT sector, in particular—an annual minimum salary of at least €51,000 (for details, see Jurgens 2010). In sharp contrast to the tradition of recruiting guest workers since the late 1950s and the policy of attracting seasonal workers, contract workers and posted workers (deployed by their employers in foreign countries to work in Germany) in the 1990s, the Green Card opened a pathway for citizens of any country.

This path was followed by a second (and much bigger) step in 2004: the adoption of an Immigration Bill (Zuwanderungsgesetz), which replaced the old Foreigners Law. With its adoption, an all-new Residence Act (Aufenthaltsgesetz) came into force on January 1, 2005. This legislative framework was supposed to "manage and limit the influx of foreigners into the Federal Republic of Germany" and in particular regulate "the entry, residence, economic activity and integration of foreigners" (sec. 1, para. 1, Residence Act). It created opportunities for highly qualified workers (top researchers and well-paid specialists and managers), the self-employed, entrepreneurs, and international students, with the latter being entitled to a job-search visa for up to one year after graduation. But the general recruitment ban remained in place in the sense that workers in all other categories (skilled, semi-skilled, or unskilled) could only be admitted if a particular scheme was stipulated as a result of a bilateral or international contractual agreement or an ordinance (Weißflog 2005).

In fact, rather than by the Residence Act, labor migration was primarily governed by the Ordinance on the Admission of Foreigners for the Purpose of Taking Up Employment (Verordnung über die Zulassung von neu einreisenden Ausländern zur Ausübung einer Beschäftigung). This Ordinance codified several schemes that mostly had been in place for many years as exceptions to the general recruitment ban (see the previous subsection). Thus, the initial Immigration Bill did not constitute a major reform in the sense that it starkly liberalized access for foreign workers (see Schönwälder 2013, 277–82). In fact, the provisions for the admission of skilled and highly skilled migrants as well as for the self-employed as they were laid down in the 2005 law seem almost bizarrely restrictive more than 15 years after their entry into force and having undergone numerous amendments and extensions. The Residence Act of 2005 became the foundation for a nascent cross-occupational, skills-based labor migration policy, which evolved through numerous legal initiatives, tentatively liberalizing the law and cautiously introducing further schemes.

For instance, in 2012 Germany interpreted the so-called EU Blue Card Directive²⁴ as liberally as possible when transposing it into national law: that is, going far beyond the minimum requirements foreseen in the Directive that pertained to a valid employment contract, a certain form of employment for highly qualified workers (based on postsecondary higher education credentials), and a minimum salary threshold.²⁵ Despite the fact that there were no EU requirements in this regard, it also introduced a residence title for job-seeking. It thus for the first time inserted a principle oriented toward human capital and labor supply into German labor migration law, which was until then exclusively employer- and demand-

driven. However, this job-seeker visa was available only for applicants with recognized academic qualifications (university degrees), not for skilled workers with vocational training certificates. With these reforms, Germany was considered to be one of those OECD countries “with the fewest restrictions on labour migration for highly skilled occupations” (OECD 2013, 15). However, the regime for admitting labor migrants remained rather restrictive toward foreign nationals with nonacademic credentials, which could be admitted for only for a few “bottleneck occupations,” and under a prearranged work contract: that is, there was no human capital tier in the system (Kolb 2014).

The last step in a history of the liberalization of German labor migration policy spanning the last two decades was the Skilled Immigration Act (*Fachkräfteeinwanderungsgesetz*), which came into force in March 2020.²⁶ The core element of this Act was to align the legal status of skilled and specialist workers with vocational education and training with those who were academically qualified: that is, any skilled worker from a foreign country with a relevant job offer and a certificate of recognized equivalent qualification would now be able to receive a work visa. Thus, this channel is no longer limited to specific shortage occupations; employment is approved by the Federal Employment Agency without prioritizing of German nationals or EU citizens. Furthermore, the Act strengthened the options for training and so-called adaptive qualification measures for foreign nationals who have either not yet completed training or whose training qualifications obtained abroad cannot be recognized as equivalent to the German standards.

One major deviation from the largely universal approach to selecting skilled and highly skilled workers that had been underway since 2005 was the introduction of a particular regime for the six countries of the Western Balkans in 2015 (box 2). This amounted to a further, quantitatively significant opening of the labor market. Although the primary rationale was by no means to satisfy labor demands, companies interviewed for the evaluation of the scheme (Brücker et al. 2020) indicated that, in fact, they used the option to cover their demand for personnel for both unskilled and skilled occupations.

Box 2. Western Balkans Regulation: A liberal, country-specific mobility scheme

The so-called Western Balkans Regulation resulted from a bargain in domestic politics about how to “compensate” asylum policy restrictions toward nationals of Albania, Bosnia and Herzegovina, Kosovo, Montenegro, Macedonia, and Serbia (Bither and Ziebarth 2018, 13–16). The number of asylum claims from these countries had increased considerably following visa liberalization. For Serbia alone, applications skyrocketed twentyfold between 2009 and 2013. However, the overall protection rates were strikingly low (just under 1 percent in 2015) and applications by nationals of the six countries accounted for almost 90 percent of all rejected applications (Süß and Schneider 2018). This prompted the German legislature to declare the Western Balkan states “safe countries of origin”—with the prime purpose to ensure accelerated processing of asylum claims and to eliminate false incentives for migrating to Germany via the asylum channel. Thus, the regulation was an attempt to “trade” the asylum channel for a labor channel (SVR 2017, 77).

The scheme was codified in section 26 paragraph 2 of the Employment Ordinance and provides special access to the Germany labor market for citizens of the six Western Balkans countries. The only preconditions are a work contract with a German employer and a labor market test with a priority check. Originally, a sunset clause stipulated that the regulation would expire after five years, on December 31, 2020. However, the Minister of Labour and Social Affairs issued an extension for another three years, which was approved by the Bundesrat (second chamber) in October 2020. Yet it limited the number of approvals to 25,000 per calendar year starting in 2021 (while the original regulation did not provide for such a cap).^a

The relevance of the regulation for German labor migration policy has been immense. The scheme rapidly developed to be one of the central immigration channels for skilled migration (Beirens et al. 2019). The regulation effectively addressed labor demand for skilled and low-skilled workers, especially in the construction industry, but also in hospitality, nursing, health care, and social care. From November 2015 to June 2019, 204,799 approvals to pursue employment under the regulation were issued; at the same

time, the number of asylum applications from the six countries fell sharply, from 120,882 in 2015 to 4,399 in 2018 (Brücker et al. 2020, 20, 48).

a. Sixth regulation to amend the Employment Ordinance of 27 October 2020, BGBl I, 2268. The Bundestag introduced a slight restriction a few months earlier with the adoption of the Skilled Immigration Act. In order to avoid risks for the social welfare system through old-age poverty, migrants aged 45 or older must demonstrate a sufficient pension scheme or a minimum monthly salary of at least €3,878 in western Germany or €3,713 in eastern Germany (Skilled Immigration Act of 15 August 2019, BGBl I, 1335).

Legal framework for skilled labor recruitment and skills training today

The Skilled Immigration Act of 2019 restructured the legal basis for employment and training migration, the Residence Act,²⁷ which has existed since 2005. Sections 16 to 21 of the Residence Act contain all purposes of residence for gainful employment, studies, vocational training, and further education, some of which are further specified in the Employment Ordinance.²⁸ This section summarizes the most important provisions in the context of project-based recruitment for skilled labor or vocational training. Thus, the discussion will not cover the options and prerequisites for foreign nationals to take up a full-time course of study at a public or state-recognized university (sec. 16b Residence Act) as well as for self-employment (sec. 21 Residence Act).

Highly skilled foreigners with a tertiary (university) education

Skilled workers holding a university degree have various options to come to Germany for gainful employment. Requirements for being issued an EU Blue Card residence title for up to four years are holding a German or otherwise recognized or comparable university degree, a job offer that corresponds to the migrant's qualification, and an offer for at least a minimum salary (sec. 18b Residence Act). The minimum gross salary for 2022 was €56,400 per year. In shortage occupations defined at the EU level (among others, in the natural sciences, engineering, medicine, and the IT sector), the minimum cap is at about €44,000. There is no priority check when a Blue Card is issued. Once a Blue Card holder has worked in Germany for two years, he or she does not have to seek approval by the municipal foreigners' authority in case of a job change.²⁹

Highly skilled workers with a university degree who fall below the required minimum salary thresholds to qualify for a Blue Card may nevertheless be admitted. However, this is subject to consent by the Federal Employment Agency without a priority check. Thus, the same rules that apply for skilled workers with a recognized vocational qualification are applied to them.³⁰

Skilled workers with recognized vocational (postsecondary, nonacademic) qualifications

Before the Skilled Immigration Act came into force in March 2020, this option was limited to skilled workers in shortage occupations. The expansion to all occupational groups was thus one of the most important reforms. In any case, the professional qualifications acquired abroad must be recognized as being equivalent to German standards (sec. 18a of the Residence Act), a prerequisite that constitutes a major hurdle for skilled workers who have been trained in a system differing from the German vocational education and training (VET) system (see box 3). There is no need to prove command of the German language.

Skilled workers without recognized qualifications

Despite the paramount importance of the skills criterion, the German labor market is by no means sealed off to medium or unskilled workers without a recognized qualification. If foreseen in the Employment Ordinance or by an intergovernmental placement agreement, a temporary residence permit for employment may also be granted to workers without recognized qualifications. There are currently intergovernmental placement agreements for the posting and employment of employees of foreign companies on the basis of work contracts with Bosnia-Herzegovina, North Macedonia, Serbia, and Turkey (sec. 29 para. 1 Employment Ordinance), as well as for guest workers employed for vocational and language

training purposes with Albania and the Russian Federation (sec. 29 para. 2 Employment Ordinance).³¹ Besides the Western Balkans Regulation (box 2), the Employment Ordinance contains other special provisions for admitting, among others, seasonal workers, fairground helpers, truck and coach drivers, artists, specialty cooks, and au-pairs. Furthermore, granting a temporary permit for employment is also possible in individual cases if there is a public interest, and in particular a regional, economic, or labor market interest, in the foreigner's employment. This can serve as a blanket regulation in some cases to react to cyclical demands or sudden upheavals in the job market.³²

Human capital approach: Visas to search for employment in Germany

Both skilled workers holding a university degree and those with vocational training qualification may be granted a temporary residence permit for up to six months to seek employment for which their training qualifies them (section 20 para. 1 and 2 Residence Act). While university graduates do not require proof of German language competencies, other skilled workers must have a command of the German language commensurate with the work they seek to perform (as a rule at level B1 of the CEFR). In both cases, the foreigner must secure means to subsist in Germany before leaving the country of origin, while working during the search phase is allowed only on a probationary basis for up to 10 hours per week and in a job for which their training qualifies them. Once they find a job, foreigners need to apply for a regular residence title for skilled employment.

Box 3. The German vocational education and training (VET) system and the required full equivalence of qualifications as rigid hurdles for recruitment

Under Germany's relatively liberalized system for admitting foreign nationals for work or vocational training purposes, there is one important requirement that potential labor migrants often have difficulty meeting, even if they bring with them certified practical or theoretical skills and present an immediate job offer from a German employer: With just two exceptions,^a professional qualifications must be recognized as equivalent to German educational or training standards for applicants to receive consent to be issued a visa and take up employment. While the recognition procedure is quite smooth in the case of tertiary academic education (university degrees), given that international standards have been established in the past few decades, German vocational training is largely unknown in many countries of origin and there are no clear benchmarks for comparison (SVR 2019, 26).

Yet, vocational education and training (VET) is of paramount importance for the German labor market. Most crafts, trades, and services occupations are subject to a two- or three-year standardized training or apprenticeship. In the German approach to VET, which became known as the “dual system” because of its firm link between the public educational system on the one side and businesses and their chamber organizations on the other, the large majority of trainees (87.2 percent) train in work-based VET: that is, a significant part of training is pursued within a company in addition to attending vocational school.^b According to the current occupational register and pursuant to the Vocational Training Act (Berufsbildungsgesetz) and the Crafts and Trades Regulation Code (Handwerksordnung), there are 324 recognized training occupations (BIBB 2021). Some of these are regulated by federal law or regulated at the level of the 16 German states, among them most medical, therapeutic, and pedagogical occupations, as well as civil service occupations.^c The majority, however, are “nonregulated” professions, meaning that the standards for training curriculums, required skills, certification, and mode of pursuit are determined by the professional chamber organizations such as the Chamber of Commerce, the Chamber of Crafts, or the Chamber of Agriculture. These chambers and their regional entities are also responsible for assessing the equivalence of foreign qualifications (and for determining the scope of any adjustment measures in case full equivalence is denied).

Thus, various factors come together to create a rather high hurdle for the immigration of skilled workers from foreign countries to Germany. First, the highly complex and federalized educational governance structure in Germany (Bergseng, Degler, and Lüthi 2019, 83) is further diversified by a plethora of actors within the system of industrial self-government, which are responsible for VET curricula and determination/certification of skills. As a result, more than 1,500 bodies are considered competent to certify

skills.^d Each individual migrant needs to identify the responsible one for their occupation and location of potential employment. Second, the recognition procedure usually must be completed before moving to Germany—as a requirement for being granted a work visa. The procedure can hardly be taken forward by an individual from abroad without good knowledge of the system, language proficiency, or professional support. Third, the procedure is time-consuming and costly.^e Therefore, a number of pilot projects have attempted to address this barrier (see the fourth section).

a. One exception is the Western Balkans Regulation, which exempts nationals of particular countries of origin from the requirement of a recognized qualification (see box 3). The other is a clause for skilled workers in the field of information and communication technology. The latter may be admitted to the labor market irrespective of a qualification as a skilled worker if they can prove commensurate skills through at least three years of professional experience acquired in the last seven years and if the gross salary exceeds €50,760 per year (sec. 6 Employment Ordinance).

b. The European Centre for the Development of Vocational Training defines “work-based VET” as programs in which work-based VET accounts for between 25 percent and 90 percent of the course. In contrast, school-based VET programs focus on theory and abstract learning and have much shorter phases of work-based training or internship placements (CEDEFOP 2020, 27). In most other EU member states, the share of work-based VET is less than 30 percent.

c. A regulated profession as defined at the level of the EU is “a professional activity or group of professional activities, access to which, the pursuit of which, or one of the modes of pursuit of which is subject, directly or indirectly, by virtue of legislative, regulatory or administrative provisions to the possession of specific professional qualifications” (Article 3 Para. 1.a, Directive 2005/36/EC of 7 September 2005 on the recognition of professional qualifications; see also section 3 Para. 5 of the German Professional Qualification Determination Act).

d. See <https://www.arbeitsagentur.de/vor-ort/zav/zentrale-servicestelle-berufsanerkennung>.

e. The recognition procedure can cost an individual up to €600, or in some cases even more. In addition to the fees for the procedure, there are often costs for translations, certifications, or qualifications (see <https://www.anerken-nung-in-deutschland.de/html/en/pro/financial-support.php>).

Recognition of foreign professional skills by adaptive qualification measures and work in Germany

The Skilled Immigration Act brought significant improvements for skilled foreign nationals whose qualifications cannot (yet) be recognized as equivalent to German standards. Once the procedure by a competent skills recognition office ends with a partial recognition (involving a so-called deficit notice, in which the necessary adaptation measures to receive full recognition are specified) the foreigner may still be granted a temporary residence permit for up to eighteen months (subject to a maximum six-month extension) to undertake a qualification measure and to take a subsequent examination. Beyond the adaptive qualification measure, employment is possible for up to 10 hours per week in an unrelated job; however, there are no restrictions to pursuing employment that is connected to the specialist skills needed in the later employment, if there is a concrete job offer for adequate employment later. As prerequisites, the necessary knowledge of the German language (as a rule at level A2 of the CEFR) needs to be proven, the measure must suit the goal of recognizing the desired qualification or providing access to the respective occupation, and approval is needed from the Federal Employment Agency if the measure requires primarily in-company training (sec. 16d para.1 and 2 Residence Act).

A somewhat more generous provision applies for cases concerning a nonregulated occupation in the dual system (see box 3) and the competent body has determined that the foreigner primarily lacks practical skills, know-how, and abilities. With a valid employment offer and a pledge by the future employer that the deficits identified can be compensated on the job, the foreigner may be given residence permit for a period of two years (sec. 16d para. 3 Residence Act). Given that a full VET program (apprenticeship) within the dual system in Germany takes two to three years to complete, this two-year-period is deemed sufficient to train a skilled worker who has a sound basic theoretical education from a training course abroad to achieve full recognition and continue their job in the company as a skilled worker.

A residence permit for a total of up to three years may be granted when the job placement is based on an agreement between the German Federal Employment Agency and the employment administration of the country of origin (sec. 16d para. 4 Residence Act and sec. 2 Employment Ordinance). This provision

is primarily geared toward occupations regulated by federal or state law and constitutes the legal blueprint for programs to recruit skilled labor for VET-based occupations in the health or long-term care sector (see the section on state-led initiatives at the federal level).³³ Compared to the regular procedure, the “collective” procedure per a bilateral placement agreement has another huge advantage: instead of an individual examination of the existing vocational qualification before admission to Germany (which usually takes several months), the Federal Employment Agency, in cooperation with the recognition office, undertakes a blanket assessment of the existing training standards of the respective occupational groups in the country of origin as part of the placement agreement—and a visa to enter Germany can be issued to participants immediately.³⁴ Ever since the Skilled Immigration Act came into force, the number of placements agreements with foreign countries has been growing, even though there are hardly any comprehensive migration agreements (box 4).

Box 4. How Germany identifies partner countries for recruitment

With the exception of its participation in the mobility partnership with Georgia (see box 1) and its close relations with Tunisia and Morocco, Germany has hardly emerged as an actor that has linked migration management interests (as voiced particularly at the level of the European Union, EU) with legal migration pathways within its migration partnership projects.^a The selection of partner countries of origin for Germany’s skill partnerships has not systematically responded to such migration pressures (Clemens, Dempster, and Gough 2019, 20).^b Rather, Germany has been trying to approach the issue systematically for some time, putting a focus on sociodemographic factors and labor market analyses. In 2022, a first comprehensive migration agreement was signed between Germany and India (Deutscher Bundestag 2023, 13), and efforts to establish partnerships with countries on the African continent (starting with Ghana) were stepped up.

In 2019, the Federal Employment Agency conducted an analysis of potential for the first time, using a multi-step process to create a list of countries. In a first step, indicators from six thematic areas (such as education, economy, demography, and labor market) were used to determine affinities and potentials. However, fragile, “least developed,” and particularly small countries were excluded *ex ante*, as were those with an extraordinarily high or low income level or those lacking proper availability of data. The second step was a qualitative assessment of the remaining countries, involving representatives of state actors in those countries, and government ministries consulted about politically sensitive countries. The final list comprises 23 countries, which were prioritized according to more detailed analysis. Eleven are Priority 1 countries (Bosnia-Herzegovina, Brazil, Egypt, India, Kosovo, Korea, Mexico, Morocco, Philippines, Tunisia, Vietnam). Three are Priority 2 countries (Albania, Colombia, Indonesia). Nine are Priority 3 countries (China, Ecuador, El Salvador, Georgia, Jordan, Lebanon, North Macedonia, Serbia, Turkey). However, this listing does not provide that partnerships are struck government-to-government, nor does it preclude a foreign country that is not on the list from becoming a partner country. However, the analysis completely ignored a central facet of economic potential determination: the subsequent scalability of any partnership-based recruitment projects.^c Rather, the analysis examined whether countries would be suited for an initial pilot partnership project. Since the introduction of the Skilled Immigration Act in 2020, which contained a special provision for labor and training mobility in the health and nursing care sector based on bilateral placement agreements, Germany has struck four such agreements: with Indonesia (July 2021); the Indian federal state of Kerala (December 2021); Mexico (December 2021); and Jordan (May 2022).^d

a. There is one exception, although it is not a hard contractual agreement: In 2017, Germany signed a higher-level memorandum on cooperation on migration issues with Egypt (“Agreed Elements of Bilateral German-Egyptian Cooperation on Migration”; Deutscher Bundestag 2018b). Among other things, it also contained Egypt’s involvement in the THAMM project (see No. 10 in appendix A).

b. In reaction to strong migration pressure from the Western Balkan countries, the Federal Government instead unilaterally devised a blanket regulation for anyone to come as a labor migrant, provided there was a job offer at hand (see box 2).

c. Background interview 4.

d. Agreements are not published; however, they are based on a uniform template. For a full documentation of the 2013 placement agreement with the Philippines, see UN Network on Migration (2022, 61–62).

Options to start a full vocational training course in Germany

Foreign nationals may also start an all-new vocational training course in Germany: that is, without any preexisting skills acquired in the country of origin and after leaving secondary school there. They need to secure a place within a school-based or company-based training programme in Germany, possess the requisite language skills required for the training before starting (as a rule, the minimum level is B1 of the CEFR), and demonstrate the ability to cover the costs of living for the entire planned stay. The latter requirement is particularly demanding because only a few company-based dual training courses provide sufficient living allowances.³⁵ For company-based training courses, apprenticeship employment must be approved by the Federal Employment Agency pursuant to Section 39 of the Residence Act.

Last but not least, analogous to the situation of skilled workers searching for a job in Germany, young foreigners (below the age of 25) interested in VET in Germany may be granted a visa for up to six months to search for a training place to pursue quality vocational training. However, the prerequisites are rather demanding. In addition to securing the funds to cover their subsistence during their stay in Germany, the applicant must demonstrate “good” command of the German language (level B2 of the CEFR) and must provide “a school-leaving certificate issued by a German school abroad or a school-leaving certificate entitling the holder to access to higher education in the federal territory or in the country where the school-leaving certificate was acquired” (sec. 17 Residence Act). Participants are forbidden from engaging in any economic activity or taking a side job.

Remaining barriers and another major reform in 2023

The Skilled Immigration Act has clearly extended the legal framework for labor recruitment and employment from foreign countries to Germany. It also strives to improve the bureaucratic service structure to speed recruitment, skills recognition, consent to employment from the Federal Employment Agency, and visa issuance procedures. To support German employers in filling their vacancies with skilled workers from abroad without the usual cumbersome and time-consuming regular procedure, the Residence Act (sec. 81a) introduced a “fast-track procedure for skilled workers.” Employers pay a fee (currently, €411), conclude an agreement with the competent immigration office (usually a central foreigners’ authority at *Länder* level), and are guaranteed rapid conclusion of the qualification recognition process, the Federal Employment Agency approval procedure, the preliminary approval of the visa by the foreigners’ authority, and the final decision on the visa application by the German mission abroad. Compared to the regular procedure, which could easily take a year or more, the fast-track procedure takes between 15 and 25 weeks until the visa is issued. However, the “fast-track” procedure did not become a success everywhere and some *Länder* even refused to set up a central authority.

Thus, the Skilled Immigration Act could not resolve the key dilemma of German labor migration policy. On the one hand, the country relies on high-level, state-certified qualifications—with great success; the system of dual apprenticeship is widely lauded and considered good practice in many industrialized countries and the OECD, not the least with regard to preventing youth unemployment (OECD 2019). On the other hand, such upper secondary vocational training structures are hardly developed in countries from which people currently come to work in Germany (and perhaps will come in the future). There is a (sometimes massive) contrast between the highly formalized VET in Germany (which goes along with high standards regarding the requirements for establishing professional equivalence) and the vocational training offered in many countries abroad, which is in some cases rather informal, and in other cases rather theory-based with few practical components. This differential and the bureaucratic and time-consuming way to deal with it, constitute a key barrier to more immigration of skilled workers to Germany (box 3).

A second key barrier is the need for applicants to successfully demonstrate mastery of elementary German language skills as a precondition for entry both to seek a VET position (sec. 17 para. 1 no. 4 Residence Act) and for participation in an adaptive qualification program to reach professional recognition on the basis of bilateral agreements (sec. 16d para. 4 clause 2 Residence Act). The demanding requirements make it unlikely that the new mobility opportunities will be used more intensively in many foreign countries without a comprehensive accompanying program to support potential migrants.

The third key barrier is a matching problem. Potential German employers have difficulties recruiting abroad. In particular, small and medium enterprises (SMEs) in Germany, which cater primarily to the domestic market and have no international networks, often lack sufficient human resources infrastructure. They also lack sufficient knowledge about foreign countries and the respective VET systems to engage in active recruitment or identify potential matches (Beirens et al. 2019, 53; ICMPD 2021, 18; Süß and Schneider 2018, 19). Meanwhile, would-be migrants face difficulties in identifying potential employers in Germany and receiving a job offer.

On November 30, 2022, the Federal Government presented a strategy on Skilled Labor Migration (Bundesregierung/German Federal Government 2022b), which aimed at further reducing the legal hurdles preventing more foreigners from coming to Germany as skilled workers. The respective reform bill passed the cabinet on March 29, 2023, and introduced numerous legal changes that are supposed to facilitate labor market immigration of foreigners (for an overview, see Tollenare and Waldner 2023). The bill, which is likely to be discussed and adopted by the Bundestag before the end of 2023, departs from a previous staple of German labor migration policy. In the future, professional certificates acquired abroad will no longer necessarily have to be recognized as equivalent to German degrees—which has been the central hurdle for many potential labor migrants with degrees below the tertiary level (see box 3). Instead, immigration options will be available for foreign talents with a documentation of at least two years of professional work experience in the last five years abroad, provided the migrants have professional certificates issued or recognized by the competent public authorities in their countries of origin; this eliminates the need for the cumbersome recognition process. A brand-new pathway for foreign jobseekers will introduce a points-based system. Applicants for a so-called Opportunity Card (*Chancenkarte*) will receive points based on their level of German and/or English language skills, age, degrees, previous work experience, and whether they have legally resided in Germany for at least six months in the last five years. A total of six points is required to be issued a visa.³⁶ A number of further changes are foreseen in the Residence Act and in the Employment Ordinance, which will increase the options for skilled immigration, while administrative procedures are to be accelerated and digitalized to speed up the process, particularly in the area of granting visas.

Initiatives for labor mobility and training partnerships: Approaches, frameworks, and actors

The requirement of a previously confirmed equivalence of qualification as a rigid admission rule often acts as an exclusion criterion for skilled foreign nationals, as does the need to prove elementary command of the German language. The majority of pilot projects for skilled labor recruitment were thus designed to overcome the first hurdle by using a uniform process to identify qualification deficits that stand in the way of an equivalence determination for certain occupational groups in a specific foreign country. This collective determination facilitates the process of designing a specific curriculum for adaptation or adjustment qualifications to be carried out by German employers or within the state system of vocational training for regulated occupations. For instance, in nursing and health care, such a curriculum would mostly address practical skills rather than for the school-based parts of the training. Furthermore, most projects in the country of origin also address the second hurdle and include language training; some projects also include cultural immersion courses.

The matching problem is even more relevant in finding young apprentices in foreign countries to be trained in Germany. The initiatives for labor mobility and training partnerships all try to tackle these challenges, while applying differing models and approaches. These initiatives are summarized in the matrix in table 1.

Table 1. Initiatives for labor mobility and training partnerships

Type of actor(s) leading the initiative	Type of mobility approach			
	Type 1: Recruit skilled workers, recognize qualifications (German labor market)	Type 2: VET in Germany (German labor market)	Type 3: VET in country of origin (for both labor markets)	Type 4: Individual skills and mobility support for would-be migrants (primarily for German labor market)
State-led projects	✓	✓	✓	✓
Stakeholder projects (regional, sectoral)	✓	✓	✓	✗
Philanthropic, nonprofit projects	✗	✓	✓	✓
Intra-corporate projects	+	+	+	+

Source: Original compilations for the *World Development Report 2023*.

Note: Green checkmarks indicate that at least one example was identified by research for this paper. Red X's indicate that no example could be identified. Blue crosses indicate examples that are beyond the scope of this paper. Intra-corporate projects refer to internal recruitment and training projects within units or business locations of a multinational corporation. VET = vocational education and training.

The columns feature the kind of mobility approach, while the rows feature the type of actor(s) leading the initiative. This categorization follows a basic differentiation that is widely applied by researchers and practitioners in and beyond Germany in a more or less similar way (see Azahaf 2020, 5; Clemens, Dempster, and Gough 2019, 5–13; Haßler, Haseloff, and Dreischmeier 2022, 10–11; Sauer and Volarević 2020, 8–18), with the notable addition of skills and mobility support (type 4 projects). This mapping exercise necessarily simplifies some distinctions. Notably, projects are rarely clearly attributable to a single actor, not least because most are public-private partnerships; most transnational training and mobility partnerships run by GIZ, the publicly owned German development aid agency, are de facto privately funded (Clemens, Dempster, and Gough 2019, 5). Nevertheless, the source of a project idea can usually be attributed to one or two actors.

For each field with green check mark, at least one example was identified in research for this paper and is featured in the discussion. A red cross indicates that no example could be identified for the respective field in the sources screened for this mapping. A blue checkmark indicates that these fields were beyond the scope of the research. A description of the four approaches follows.

Type 1: Recruitment of skilled workers abroad. The most straightforward approach from the perspective of an industrialized country like Germany facing a growing skills shortages and labor demand is to recruit skilled workers abroad and (if necessary) provide them with adaptive training or upskilling so their skills can be recognized and they have a qualification that is fully usable in Germany. This approach has widely been applied in different sectors. Beyond the obvious advantages for Germany as country of destination, the key development benefits for migrants and countries of origin are the skills acquired after participating in a (temporary) program, which they “export” to their country of origin once they return, the networks they have established, and the remittances

they send (Hooper 2019, 4). In countries with high unemployment, there might be the additional benefit of easing the burden on the labor market.

Type 2: A full VET course in Germany. The second approach avoids the complex and sometimes cumbersome recognition requirement (see box 3) and “starts all new” by recruiting apprentices or young professionals with low-skilled or middle-skilled former qualification. It provides them with preparatory measures such as language classes or (cultural) pre-integration measures. They then undergo a full VET course in Germany, with a focus on “cultivating” skilled workers for the domestic labor market. The potential benefits are thus quite similar to the first approach with one exception: Potential participants usually are school-leavers with no professional training. Thus, the accusation that is sometimes levelled against “simple” recruitment programs that they are exploitative and encouraging brain drain—especially in the case of highly qualified people such as doctors, IT specialists or engineers—does not apply to this approach.

Type 3: VET in the country of origin. This approach is the most demanding and complex, but also the most promising and sustainable in terms of a true “triple win.” Following the ideal model developed by Clemens (2015) under the term “Global Skill Partnership”, a thorough partnership is established between equal partners, in which Germany as the skills-demanding country invests into the training system and the occupational training curricula in the partner country, so that VET in the country of origin provides trainees exactly with those skills that meet the needs and training standards in Germany. The key feature is, however, the two-track structure of the program. Because a uniform training curriculum is used, the qualifications are recognized in both partner countries; some of the trainees follow the “away” track and work in Germany after completing their training, while others use the skills they have learned in their country of origin. In addition to equal potential developmental gains as in the two other types, in the dual-track Global Skill Partnership the origin country “benefits more substantially from the partnership, with the triple-win or multiple-win narrative being explicitly rather than implicitly pursued” (Sauer and Volarević 2020, 17). There is also an attractive promise in terms of financing the model. All skills acquisition takes place before migration, and this leverages the differentials in training cost structures; there is a massive difference in costs for training (Hooper 2019, 4). For Germany as a high-wage destination country, it is thus financially more attractive to finance training in the country of origin, even if some of the trainees do not wish to migrate to Germany after their studies and remain on the home track.

Type 4: Skills and mobility support measures. The categorization of approaches goes beyond the established typology in one aspect in emphasizing the role of initiatives that target the individual would-be migrant with skills and mobility support measures (such as training courses, counselling, networks, or job offers) to enable young people to find work or training in Germany on their own. Such offers to promote mobility also appear to be of great value from a developmental point of view because —unlike the collective partnership programs—they focus on the individual life situations of potential migrants and leave the highest degree of “agency” to them.

Examples of each approach follow.

State-led initiatives at the federal level

In the wake of the first skilled labor concept drafted by the Federal Government in 2011 (see introduction) several federal ministries, as well as the Federal Employment Agency and GIZ, enforced efforts to recruit skilled labor from foreign countries. Accompanying the new “Make it in Germany” welcome web portal,³⁷ pilot projects for skilled worker referral from India, Indonesia, and Vietnam were carried out from November 2012 to the end of 2014 by GIZ on behalf of the Federal Ministry for Economic Affairs and Energy and in cooperation with the Federal Employment Agency’s Central Foreign and Specialist Placement Office (ZAV). Highly skilled workers—especially from the fields of mathematics, information technology, natural sciences, and technology—were personally supported and counselled to prepare their move to Germany (Deutscher Bundestag 2015). Participants were offered job-search counselling and logistical support plus six months of language training and a preparation course, with the last month in Germany, where they would be referred to companies for internships, with an option

to get a full work contract and a residence title according to the EU Blue Card Directive. As the purest form of a state-sponsored recruitment program, this mobility path did not involve any bilateral agreements or cooperation with countries of origin. It targeted highly skilled university graduates in the segments of STEM (science, technology, engineering, and mathematics) occupations that face the least legal barriers to taking up employment in Germany (see section on the current legal framework for skilled labor recruitment and skills training).

Since 2013, Germany has been a laboratory for various projects in transnational skills and mobility partnerships at the federal level and under the participation of at least one state agency or ministry. A mapping undertaken for this background paper by the author (see appendix A) identified 15 pilot projects and programs for labor mobility and training partnerships, only 3 of which were or are not carried out by the GIZ, the main player in the field. Similarly, the Federal Employment Agency, as the responsible authority for giving consent to employment and for performing labor market tests, has been the preferred partner in implementation, mainly providing expertise through its ZAV service office. Thus, the Federal Employment Agency, which is also responsible for negotiating bilateral placement agreements with labor authorities in foreign countries, is committed to the same development goals as GIZ. As it stated in 2022, “*A primary concern of the [Federal Employment Agency] is to ensure fair migration that benefits all sides. Therefore, on the basis of close consultation with the partners in the country of origin, skilled workers are not recruited from countries in which they are needed themselves*” (Federal Employment Agency 2022).³⁸ Because of the number and scope of GIZ-run projects and the fact that they are well documented and described, and partly evaluated elsewhere,³⁹ the subsections that follow provide only a cursory review covering some important stages of further development.

Recruiting skilled workers: Triple Win (Type 1)

In bottleneck occupations at the postsecondary, non-academic level of training, care and nursing quickly evolved as the main fields of recruitment. The Triple Win project (No. 14 in appendix A) targets only those countries with a surplus of professionally trained nurses whose qualifications can be (partly) recognized in Germany. Candidates undergo linguistic and intercultural preparation in their origin country and must reach a level B1 of the CEFR in German before arriving. Once in Germany, nurses benefit from a swift procedure for recognizing their certificates, and most of them undergo further training to adapt to the required standards, including a course to lift them to level B2 of German. The main parameters of the program are transparent and fair toward both migrants and German employers (see BA 2021). For each placement, employers must pay a gross fee of €7,900, which covers all service costs on the side of the GIZ. Additional costs borne by the employer include the nurses’ travel to their place of employment and the fee for the qualifications recognition procedure and the additional language training in Germany. Furthermore, the employer must guarantee a minimum monthly salary before skills recognition, when migrants are employed as nursing assistants (currently €2,300) and after recognition as full certified nurses (currently €2,800). Since 2013, more than 3,400 skilled workers from Bosnia-Herzegovina, the Philippines, Serbia, and Tunisia have taken up work or adaptation training in Germany, most of them with the option of a longer-term or permanent sojourn.⁴⁰

Today, Germany has formal cooperation agreements and placement arrangements in the field of care with state partners with nine countries: Bosnia-Herzegovina, El Salvador, India (state of Kerala), Indonesia, Jordan, Mexico, Philippines, Tunisia, and Vietnam.⁴¹ Furthermore, a special agency to assist health and care providers in their recruiting was set up (box 5).

Box 5. New support and service agency to assist recruitment by employers

In the run-up to the adoption of the Skilled Immigration Act, a Skilled Worker Agency for Health and Care Professions (*Deutsche Fachkräfteagentur für Gesundheits- und Pflegeberufe*) founded by the Federal Government started work at the beginning of 2019 to further support the recruitment of care workers. The agency is not a recruitment or placement service. Rather, it “helps to bring a large number of qualified international health care professionals to Germany [by] organiz[ing] administrative procedures

of application with domestic and foreign authorities and services,”^a which are subsidized from the federal budget. For each recruitment case handled, the agency charges the commissioning companies (such as hospital operators and nursing services) a fee of only €350. In 2020, there were call-off quotas for more than 1,200 skilled nurses, primarily from the Philippines and Mexico (Deutscher Bundestag 2020). Mexico might be on its way to becoming a major new source-country. The German Federal Minister of Health travelled to Mexico in September 2019 and concluded an agreement with his Mexican counterparts to speed up the issuance of work permits.^b After the Skilled Immigration Act came into force, Mexico was one of the first countries Germany struck a placement agreement for a Triple Win project in 2021.

a. See German Agency for Health and Nursing Professions (DeFa) website (<https://www.defa-agentur.de/en/background/>).

b. “Vereinbarung mit Mexiko–Pflegerkräfte sollen schneller nach Deutschland kommen,” Federal Ministry of Health release, September 20, 2019 (<https://www.bundesgesundheitsministerium.de/ministerium/meldungen/2019/vereinbarung-mexiko.html>).

VET in Germany: Training nurses from Vietnam (Type 2)

Another very successful project in the field of recruiting nursing staff within the framework of the partnership with Vietnam has been in place for almost ten years and has been relaunched twice (each time with slight adjustments) (Nos. 3, 8, and 11). Unlike Triple Win, this is a Type 2 transnational training and mobility partnership in which training takes place entirely in Germany. In 2012, the German Federal Ministry for Economic Affairs and Energy commissioned the GIZ to carry out a pilot project to recruit skilled workers in elderly care to support small and medium-sized enterprises in the sector in particular. For this purpose, around 200 care workers were recruited in Vietnam. They received language preparation in Vietnam and then completed a two-year shortened training program for geriatric care in the German states of Baden-Württemberg, Bavaria, Berlin, or Lower Saxony.

From 2016 to 2019, the Ministry funded another model project, this time to recruit 150 young people from Vietnam for training in health care and nursing, primarily in hospitals. Both projects were evaluated by an external institute with regard to the suitability of the procedures and processes as well as their performance, quality and the satisfaction of the participants (Braeseke et al. 2020; Peters et al. 2016). Some adjustments were made as the project progressed (for example, the duration of the preparatory language and introductory course in Vietnam was doubled from the first to the second cohort). Lessons were learned from the evaluations not only for the respective follow-up projects and cohorts, but also for transfer to other initiatives. Both projects were transformed and individual institutions that had participated in the project, such as the hospital trust Vivantes, as well as GIZ in cooperation with ZAV, continue to recruit on the basis of proven concepts and existing partnerships with institutions in Vietnam.

The second follow-up program, entitled “Triple Win Nurses–Recruitment of Trainees from Viet Nam” (No. 11 in appendix A), is underway with a slight scale-up, aiming at 350 participants. Participants must be Vietnamese citizens under 35, have a high school diploma, and have studied at least one year at a college or university in a course relevant to nursing. Vietnamese training institutions are supported in implementing a 12-month course that includes German language courses and intercultural training. After passing the language test, the trainees are brought to Germany to begin their three-year nursing training in German hospitals or nursing homes.

Projects in other sectors for VET in Germany (Type 2)

Beyond the care and nursing fields, Germany has also set up training partnerships in sectors such as construction and hospitality. For instance, the German-Moroccan Partnership for the Training and Recruitment of Skilled Workers (No. 7 in appendix A) provided vocational training to young Moroccans in hotels and restaurants in Germany. Participants underwent three years of full vocational training and acquired a German language certificate. To be eligible for this program, applicants had to prove they had practical experience in the hotel and restaurant sector, but they were not required to present a vocational qualification.

The THAMM project (Toward a Holistic Approach to Labour Migration Governance and Labour Mobility in North Africa; No. 10 in appendix A) aims to strengthen partner institutions for labor migration in Egypt, Morocco, and Tunisia and support them in providing safe, development-oriented labor migration. The various program lines seek to foster the mobility of up to 750 young people from the three North African countries who are interested in migrating to Germany to work or to receive vocational training. The program began in 2019 and will run through 2023. The EU Emergency Trust Fund for Africa is contributing €15 million and the BMZ is contributing the rest for this €20 million project (Beirens et al. 2019, 46; Kipp 2018).

VET in the country of origin: The Kosovo pilot project and plans in the PAM and Inspire projects (Type 3)

Within the pilot project “Youth, Employment, and Skills (YES)” in the construction sector (No. 9 in appendix A), young Kosovars are prepared and referred to undergo vocational training in Germany (with a goal of working as skilled bricklayers and in other jobs on German construction sites).

Along the lines of the project, Kosovar and German construction associations founded a joint construction academy (BauAkademie) in Pristina, Kosovo, that offers a three-year vocational training program for bricklayers. The course caters to the professional standards of the German dual VET system. A completed qualification can thus be recognized swiftly, “while at the same time being geared to the needs of Kosovo’s labor market” (Sauer and Volarević 2020, 24). The standard was accredited by the competent Kosovar authorities and thus applies across the entire VET system—a clear expression of harmonization of VET standards between Germany and a foreign country. The first cohort of young people began their vocational training as bricklayers in September 2019 (see Clemens, Dempster, and Gough 2019, 10–12; Sauer and Volarević 2020, 24–27).

So far, no other state-led transnational skills and mobility project has implemented the most demanding model of training partnership (type 3), in which the vocational training is completely moved to the country of origin and respective capacities are built up there. However, there are two modules within the new GIZ project, “PAM—Partnership Approaches to Development-Oriented Training and Labor Migration” (No. 12 in appendix A), in which young trainees from Ecuador and Vietnam can undergo VET in industrial mechanics, electrical engineering, and machining technology, primarily in the country of origin, with an option to migrate to Germany after successfully completing the program—or stay on the home track. Another “training abroad” scheme within the PAM project for early childhood education is being planned in Kosovo.⁴² Furthermore, a new pilot, “Incubating Skills Partnerships Beneficial to Migrants,” (2021–23), focuses on networking, capacity building, and concept development as well as public-private dialogue. The project is funded by BMZ and is carried out by the International Centre for Migration Policy Development (ICMPD). Although it will not build training institutions in countries of origin itself, it may advance the debate about Global Skill Partnerships in Europe.

Individual support for would-be migrants: The “Make It in Germany” portal (Type 4)

For more than ten years, the “Make It in Germany” portal has offered a one-stop shop for people who want to work or study in Germany, providing up-to-date, reliable information on immigration and visa procedures, finding a job, cultural integration, and the benefits of studying and working in Germany. International professionals can find out about career opportunities and working and living in Germany, but there are also dedicated information pages in several languages on how to enter the country for training and study or how to find a VET or study place under the Residence Act, explanatory graphics on the visa process, and instructions for checking on the equivalence of one’s skill certificates to German standards. Employers, too, can get tips on recruiting skilled workers from abroad. The portal has several million visitors in a given year.⁴³ It is an important information and facilitation tool for potential migrants, as are the rather recent migration advisory centers, which provide counselling in some important countries of origin of migrants (box 6).

Box 6. Migration advisory centers in foreign countries

Beyond concrete partnership and recruitment projects, German state agencies have established structures to advise the local population on options to migrate to Germany for work and training in a number of foreign countries. Ironically, these structures result from the domain of return policy and are thus not the those identified as potential partner countries for labor recruitment and training partnerships (see box 4). As a result of the so-called refugee crisis in 2015–16, the number of foreign nationals mandated to return rose considerably. The Federal Government agreed to invest massively in support for return and reintegration. Using a budget line linked to the federal Ministry for Economic Cooperation and Development for the reintegration of rejected asylum-seekers, the Federal Government established and expanded existing migration advisory centers in relevant foreign countries to coordinate the various return and reintegration measures. These centers are run by the GIZ. In addition to counselling those returning from Germany and assisting them with reintegrating, the centers' official task is to give advice to the local population on channels for legal migration to Germany (Deutscher Bundestag 2018a). In May 2021, 12 centers were operating with more than 100 staff in 12 countries: Afghanistan, Albania, Egypt, Ghana, Iraq, Kosovo, Morocco, Nigeria, Pakistan, Senegal, Serbia, and Tunisia. One more was planned for The Gambia. The GIZ migration advisory centers (and the associated networks and services, such as information on and referrals to language and training classes) in those countries provide an ideal infrastructure to bolster new mobility projects fostering labor and vocational training, such as THAMM. But they also provide an opportunity in particular countries (namely, those which at some point had been major countries of origin of asylum-seekers) for people interested in coming to Germany on an individual basis for training or gainful employment.

Stakeholder initiatives (regional, sectoral)

This subsection briefly reviews some landmark projects in the area of nongovernmental, intermediary actors engaged in transnational qualification and skills partnerships.⁴⁴ It aims to point out the potential and importance of such initiatives, which run in parallel (and often largely unnoticed) alongside government-organized and usually better documented programs (see previous subsection on state-led initiatives at the federal level). In the mapping of 51 projects by Haßler, Haseloff, and Dreischmeier (2022), nearly 20 projects can be identified that are organized and run by either regional or sectoral stakeholders such as chambers of commerce, crafts associations, and educational institutions, or by faith-based welfare organizations (particularly in the area of health, nursing, and elderly care), sometimes with support through the Federal Employment Agency. Many of them are type 2 projects, with a focus on recruiting young people to start a VET course in Germany.

Recruiting skilled workers: Vide terra–Anpassungsqualifizierungen für Gesundheitsfachberufe Baden und Württemberg (Type 1)

This project run by the Protestant welfare organization Diakonie in Baden and Württemberg does more or less the same thing as large-scale and well-established programs at the federal level such as Triple Win, but at regional level. Specifically, it supports nurses in foreign countries on their way to being allowed to work in Germany as recognized professionals.⁴⁵ Nursing staff from foreign countries who wish to work in Germany must present evidence of fully completed nursing training abroad with state recognition, as well as a notice from the responsible regional council containing the requirements for a subsequent or adaptation qualification. In addition, they must demonstrate German language skills of at least level B1. Before starting postqualification training, they must acquire a language certificate at the B2 level. At three locations in Baden-Württemberg, the measures include individual counselling and support during the qualification measure, an adaptation course in a hospital, a paid practical phase, and offers for social and professional support groups. The program is free of charge for participants, thanks to funding through the Federal Ministry of Labor and Social Affairs “Integration through Qualification (IQ)” measure and the European Social Fund.

In the first funding period, 130 participants were recognized as nursing specialists. The work continued in a second funding period from 2019 to 2022 and is expected to expand to another location.

VET in Germany: Trainees from Ethiopia for the German construction industry (Type 2)

Small and medium enterprises in the construction sector have long been struggling to fill vacancies and there is a significant shortage of skilled workers and trainees. Based on their positive experiences with integrating young refugees into vocational training after 2015 and 2016, the umbrella organisation of the construction associations in the Federal State of North-Rhine-Westphalia (Bauverbände.NRW) has been partnering with the Foreign Construction Association (Deutscher Auslandsbauverband e.V.) to recruit young and unemployed Ethiopians who used to work in construction in Ethiopia for VET in Germany.⁴⁶ The associations have many years of experience with employment-oriented manual training in developing countries and a particularly good network of local partners in Ethiopia. These networks are made available to their member companies, thus enabling a targeted selection of suitable candidates for training in Germany. Although challenges have been considerable, the associations have established a training partnership, in which a pool of potential trainees is provided with German classes (with level B1 of the CEFR as the goal) and a cultural introduction. Once applicants have passed a test, the associations support the trainees with arranging visas, flights, health insurance, and so on. The regular training salary is sufficient to cover the cost of living. By the beginning of 2023 a handful of trainees have started VET in Germany.

VET in China: The Sino-German-Eldercare Project (Type 3)

A large-scale dual-track program to train nurses in China is being developed as a long-term follow-up of a recruitment project for nursing assistants from China to be trained as full geriatric nurses in Germany (No. 5 in appendix A). A German nonprofit educational institution in the federal state of Saxonia that runs the mediCampus for health care professions—which is a certified institution for further education—has joined forces with corporate and nonprofit partners, as well as several polytechnic schools and vocational colleges in China, to develop the program.

In cooperation with Chinese colleges, training arrangements for geriatric care are being planned for in eight locations in China, taking into account the requirements of the German dual training standards and Chinese experiences in nursing, as well as traditional Chinese medicine. In one module, instructors sent by the Chinese partner facilities are being trained at the mediCampus in Chemnitz and an e-learning platform is developed, which is supposed to be available to all participating colleges. As a public-private partnership, the initiative is supported by the Federal Ministry for Economic Cooperation and Development (BMZ).⁴⁷

Philanthropic and nonprofit initiatives

A third group of actors is distinct from the nongovernmental stakeholders initiating pilot projects discussed in the previous subsection. Nonprofit organizations, social enterprises, and foundations are also among those that seek to foster transnational skills and mobility partnerships or that want to support individuals in foreign countries in their attempts to be a professional or trainee in Germany.

Global Skill Partnerships and training partnerships with South Africa and the Philippines in nursing and geriatric care (Type 2 and Type 3)

The Bertelsmann Stiftung, an independent foundation based in Germany, is supporting a nursing skill partnership with a South African nongovernmental organization. Nursing assistants in South Africa who are unemployed or otherwise disenfranchised receive a stipend and are placed in German long-term care facilities with the goal of training them to be nursing professionals (a type 2 “VET in Germany” program).⁴⁸ The option of creating a dual-track (type 3) training module in South Africa is also being considered.

The Bertelsmann Stiftung has also been exploring the possibilities of implementing a partnership based on Michael Clemens’ model (type 3, dual-track Global Skill Partnership) for some time now as part of its “Shaping Migration Fairly” project and has been engaging in a lively exchange with the GIZ experts responsible for transnational training partnerships. This was motivated not only by the perception that

in most projects to recruit skilled workers described as “triple win,” the direct developmental added value for the countries of origin was rather questionable. The Bertelsmann Stiftung also observed a lot of frustration among Triple Win participants because of the lengthy period (up to two years) needed to meet the adjustment qualifications. During this time, participants were forced to work well below the level of their qualifications acquired abroad (most of them had completed a full bachelor’s study course overseas).⁴⁹

The philanthropy has been piloting a scheme in the health care sector since 2020, partnering with the GIZ and two universities in the Philippines. Other partners are the German Federal Ministry of Health and the German University Hospital Bonn as technical partner. In the first phase, the Filipino curriculum for the “Bachelor of Nursing” is enhanced with elements of the German health care training curriculum, practical training with a high-tech “skills lab,” and job-specific German courses. In particular, individual modules such as geriatrics, which is not regularly taught in the Philippine study course, are implemented so that recognition of qualifications later in Germany can take place immediately and seamlessly. Train-the-trainer workshops and intercultural modules are used to prepare for life and work in Germany. These elements of the curriculum are also open to those students who do not wish to migrate to Germany after their studies (home track). The acquired knowledge not only benefits employers in Germany, but also improves the quality of teaching and nursing in the Philippines.

The first cohort of more than 40 nursing staff (abroad track) is currently trained in the Philippines will be ready to come to Germany in early 2023 to start work without the need for any cumbersome adjustment qualifications. The Triple Win program will be financed on a permanent basis via an agency fee; the costs including flight are just above €10,000. The relatively high costs are justified, however, because the skilled workers who have arrived are allowed to work as such immediately.⁵⁰ Most of the participants have already been placed in German nursing homes. A second cohort has already started their studies.

Putting the individual migrant first: Imagine Foundation and Kiron Open Higher Education as mobility boosters for foreign nationals (Type 4)

This discussion would not be complete without considering nonprofit social enterprises. Nongovernmental, informal networks, social enterprises, and their services tend to be low-threshold, inexpensive or even free, and more entertaining than formal educational courses. Drawing on a network of volunteer fellows, the Imagine Foundation works enthusiastically to support migrants from third foreign to get a job offer—which is all too often the only entrance ticket to Germany or the EU. Imagine is offering a digital education and coaching service that increases people’s chance of finding a job in Germany. Most applicants have MINT (Mathematics, Informatics, Natural Science, and Technology) degrees and at least two years of full-time work experience and actively seek their future in Europe. The key services are personal, in-depth coaching via video chat, helping candidates assess their readiness for a job in Europe, and assisting them with applications. In mid-2022, the Imagine Foundation had 750 companies, more than 7,500 refugees, and 1,600 volunteer coaches on their platform. According to the foundation they have already helped more than 300 young people from foreign countries, including from regions torn by war or conflict such as Afghanistan, Syria, and Ukraine, many of whom were able to bring significant others, find a new life in Europe.⁵¹

Another nonprofit located in Germany is Kiron Open Higher Education. It was founded in 2015 in response to the displacement crisis and has since enabled hundreds of people to continue their studies or start a new MOOC (Massive Open Online Course) in an accredited program. Recently, the portfolio has diversified considerably. Among other things, so-called skill booster programs are focusing less on full courses of studies than on specific modules that can make a difference and rapidly increase someone’s employability on the German job market. The certified upskilling study programs cover topics such as coding, programming, web development and design, and starting a. Further, there is a full range of language courses at all levels as well preparatory programs for university entry or vocational education.⁵²

Lessons learned: Addressing scale, triple win effects, and sustainability

Germany has been a highly diversified and experimental playing field in the past few years for pilot projects for transnational skills and mobility partnerships. If it had not been for the COVID-19 pandemic and associated travel and contact restrictions, which in some cases severely disrupted these programs, the wealth of experience would probably be significantly greater. This is especially the case for transnational vocational training partnerships with an explicit triple win approach that Germany has been supporting. These are similar to the developmentally most valuable (but also most complex) model of Global Skill Partnership propagated by Michael Clemens.

The “triple win” promise: Lack of evaluations, anecdotal evidence

Despite a number of thorough evaluations on program functioning and participants’ satisfaction, particularly on the projects carried out on behalf of the Federal Ministry of Health, there is yet no rigorous analysis or study on the claimed trilateral beneficial effects—in either quantitative or qualitative terms. An evaluation has not even been published regarding the GIZ’s flagship “Triple Win” program on sustainable recruitment of care workers.⁵³ As Clemens, Dempster, and Gough (2019, 17) point out, “One of the clearest evidence gaps is what the development benefit (beyond remittances) is to the partner country of origin.”

Evidence is anecdotal at best, and scholars talk about a blind spot with regard to an “often implicit bias toward destination countries when it comes to the distribution of migration benefits” (Sauer and Volarević 2020, 11). There is a consensus that referring to possible or de facto remittances is insufficient because these may not be considered a marker of project quality per se, given that their impact must be properly put into each specific context. This is why the Center for Global Development’s evaluation of the GIZ rather sees the type 1 programs on recruiting labor as falling in a category of “Preventing Harm” (Clemens, Dempster, and Gough 2019, 5) because it selects workers on the basis of an agreement with the country of origin’s labor administration or even has that organization conduct the selection process. There is even a recent case of indication that there might indeed be harm: namely, when Serbia terminated its bilateral placement agreement with Germany because it feared that emigration of nurses was too high (SVR 2022, 48). However, political or diplomatic reasons may also have played a role in this case.

The same “Preventing Harm” category is applied by Clemens, Dempster, and Gough (2019) to the second type of skills and mobility partnerships, in which a full course of training is done in the destination country. However, it seems somewhat unfair not to credit these projects with a slightly higher level of benefits to the country of origin, provided that young people are recruited for the training programs in Germany, which can relieve a tight labor or training market in the country of origin. Although type 1 programs to recruit skilled workers dominated in the past, there seems to be a slight trend toward more such type 2 partnerships in Germany, including in industries other than health and care.

Project design: Iterations and policy learning

A review of the pilot projects at the federal level over the past ten years reveals that in many cases “learning by repetition” has taken place. A good example is the Federal Ministry of Health’s training program with Vietnam for nurses. In part, changes were made to the program structure within the term of a single project (which typically ran for two to three years)—for instance, by doubling the duration of the preparatory courses for a second cohort of trainee nurses; in part, adjustments were made in the further development of the projects in a new funding phase, such as by developing the approach more in the direction of a pure type 2 project. In this case, systematic evaluation of the functioning of the project paid off.

Many evaluations also stress the role of trust and transparency among the program partners. Thus, one lesson from the 2013–16 Georgia Circular Migration scheme (No. 4 in appendix A) is how important an agreement on a cooperative implementing and monitoring mechanism is, and that expectations should

be set realistically and be well informed, based on reliable information and transparent objectives. In a similar vein, a recent United Nations Network on Migration report on bilateral labor migration agreements observed that the mere existence of review mechanisms such as a steering board or a joint monitoring committee did not indicate much about their functioning. In fact, many were lacking effective participation by social partners or sufficient funding to convene regular meetings (UN Network on Migration 2022, 48).⁵⁴

In addition to positive learning through project evaluation and iterative programming, there is also negative learning: In 2013, one of the early, relatively large-scale projects to recruit prospective nurses failed miserably—and remains a well-known, negative illustration. In the program called Transformation Partnership in Health Care (TAPiG) (No. 1 in appendix A), 150 young people from Tunisia were supposed to be trained as nurses in a clinic in Hamburg. But on the Tunisian side, people who were apparently already qualified were selected to participate in the program. Their expectations of the job were then disappointed because they were only allowed to work at a helper level and had lower status than in Tunisia.⁵⁵ More seriously, however, were the transparency problems and the complex and unattractive cost structure. Although the German Federal Foreign Office financed a preparatory six-month language and integration course in Tunisia, the project participants had to sign a loan agreement for €18,000. After some project participants refused to sign the contract and there was no negotiated solution, the hospital operator (Asklepios Clinics) terminated the program less than a year after its launch (Angenendt 2014b, 27).

Economies of scale: State-led pilot projects as blueprints for the business world?

This paper identified at least 15 different state-led projects and initiatives. Few of them were quickly transformed into a cost-covering business model. However, a major problem is scale. Fewer than 6,000 migrants have participated in these programs over a ten-year period. More than half of them came through only one program: the Triple Win project for the recruitment of nurses.

The migrants recruited via the bilateral placement agreements make up only a fraction of all applicants, according to statistics on the recognition of foreign qualifications in the field of health and nursing for 2018. Out of approximately 12,500 applications for equivalency assessments submitted, about 5,400 were from nationals of Bosnia and Herzegovina, the Philippines, and Serbia—countries with which Germany already had a placement agreement under the “Triple Win” program. However, only about 900 nursing staff were placed through this channel in 2018. The majority of applicants for an equivalency assessment come to Germany by other means, either on their own, through direct recruitment by companies, or through placement agencies (SVR 2022, 21).

Indeed, there is evidence that the successful mechanisms developed in the GIZ-led recruitment projects are being replicated by private market actors.⁵⁶ From the point of view of the Federal Employment Agency, this is definitely a desired effect. Government programs alone can never reach the scale needed, but they can still be very successful if they yield demonstration effects: that is, if the continuation and further development of a program like Triple Win has enabled the private sector to adopt a working and fair recruitment model without the mistakes made in previous years.

To promote this privatization and dissemination process, the German Competence Center for Skilled Workers in the Health and Care Professions (DKF), on behalf of Federal Government, developed the seal of approval called “Fair Recruitment Care Germany.” Private recruitment agencies and health care facilities that recruit nurses abroad can be certified with it. An incentive was built into the program. Facilities certified with the “Fair Recruitment Nursing Germany” that recruited nurses from certain distant foreign countries (Brazil, Colombia, the Dominican Republic, India, Indonesia, Mexico, the Philippines) were able to apply for a subsidy to cover recruitment costs in 2021. Recruitment in neighboring countries such as the Western Balkans countries was not supported because many nursing staff are already migrating from there and a shortage of staff needed to be prevented (SVR 2022, 39). One example of a very successful private agency that has been certified is Talent Orange, which recruits about 400 potential nurses per year for VET or adaptive qualification measures in Germany.⁵⁷

Thus, the issue of costs-sharing seems to be solved for those programs that recruit foreign nationals for skilled labor and adaptive qualification measures or for a full course of VET in Germany.⁵⁸ Sauer and Volarević's notion that most examples of skills and mobility partnerships "have never moved beyond pilot project status or remain within a narrowly defined niche" (Sauer and Volarević 2020, 9) might soon have to be revised cautiously. However, their assessment remains true for the most nuanced but also most ambitious and demanding model, the Global Skill Partnership for training and capacity-building in foreign countries as defined by Michael Clemens (2015). According to a recent meticulous mapping of more than 50 transnational VET projects and skills and mobility partnerships undertaken in Germany, no more than 3 carried through with this approach or intended to do so (Haßler, Haseloff, and Dreischmeier 2022). So far, no sustainable funding mechanism has been found for the more complex, capacity-building dual-track models of transnational skills and mobility partnerships, so, as one interviewee noted, "it needs to be said that the promise of Clemens' Global Skill Partnership approach that it may be exclusively private sector financed has not come true today."⁵⁹

Perhaps this is one reason a number of new state-funded projects are relying more on private sector engagement and network building to enable companies to set up their own programs for dual-track training abroad (the pure Global Skill Partnership model) than on their own operational business programs.⁶⁰

It will be interesting to explore whether the ambitious multistakeholder alliance to perform a dual-track Sino-German Eldercare Project will bring a Global Skill Partnership to fruition and eventually to sustainability. The same is true for the partnership that the Bertelsmann Stiftung has designed. There are plans to withdraw from the project after the program is fully established and proceed to a market transformation, which might be supported by the GIZ's business-oriented International Services segment. A large welfare organization has voiced interest in engaging with the project as a care facility provider.

The question that remains to be answered is whether project-based schemes can ever reach sufficient scale to approach the migration pathways laid out in German law and policy. Various entrepreneurs and labor market experts, as well as the Federal Employment Agency, have emphasized that the only sustainable countermeasures to fill the growing skills shortages are legal changes combined with swift administrative services to enhance migration.⁶¹ The tremendous success of the Western Balkans regulation in terms of numbers shows that the central obstacle to major scale-ups is the prerequisite, either before or after migration that foreign qualifications be recognized as equivalent to German standards.⁶²

Regional limitations: Lack of attention to Sub-Saharan Africa?

One final observation pertains to the geographic engagement of Germany in terms of its labor migration and skills and mobility partnership policy. Labor market economists, academic experts, and migration researchers in Germany strongly advocate more cooperation with partners in Africa. As Clemens, Dempster, and Gough (2019, 19) note, "the coming decades will see the working-age population in Europe decline, leading to more private sector demand for skilled workers. At the same time, the working-age population in Sub-Saharan Africa will rapidly increase." The Expert Council on Integration and Migration shared a similar diagnosis in its 2020 annual report (SVR 2020). This is particularly relevant because devising transnational skills and mobility partnerships with African states has been well reasoned and explored, including in a study commissioned by the World Bank, taking the example of a Global Skill Partnership in construction between Nigeria and Germany (Adhikari et al. 2021). The Bertelsmann Stiftung has also commissioned research on a potential transnational skills partnership between Ghana and Germany (Rother and Setrana 2021) and explored the potential and demands for trainees in construction in the state of North-Rhine Westphalia (Schultz 2021).

Outlook

The development over a relatively short period of just under ten years shows the importance of experimenting with pilot projects, which often involve only a few participants (in the dozens or low hundreds). At first glance, programs conceived "on the drawing board" seem convincing and consistent. However, for both migrants and employers, disadvantages often only become apparent when the programs are

implemented, and only practical experience can reduce the corresponding risks in the long term. The Triple Win project for the recruitment of nurses has eliminated most risks. But for the more demanding VET partnerships, where a full course of training takes place either in Germany or in the country of origin, sound evaluation and cost-benefit analyses are still in short supply. Three important trends can be derived from analyzing the situation in Germany.

First, a transition from “recruiting skilled workers from abroad” to “training and breeding talent at home” has progressed quite a bit. In an increasing number of sectors and with a growing number of partner countries, projects are focusing on full training in Germany.

Second, initial steps have also been taken to move type 3 partnerships forward, although the COVID-19 pandemic has been a major roadblock. Germany is more than suitable to engage more in this process—not the least because its VET system is one of a kind. There are also well-established structures both in German development cooperation at the GIZ and in the German Office for International Cooperation in Vocational Education and Training (an agency subordinate to the Federal Ministry of Education and Research) with many countries in the world, some of which have already implemented conceptual and curricular aspects of the German dual system.

Third, a “broadening of the horizon” may also occur with regard to partner countries. It is time to re-evaluate and revise the analysis of the list of potentially suitable foreign countries (see box 4). A growing number of new projects, whether in the private sector or by GIZ and the Federal Employment Agency, are partnering with new countries. Notably, Germany and India signed a comprehensive migration agreement in December 2022.

Many positive reforms have been put on track. But at least three pressing tasks remain:

First, more rigorous and evidence-based evaluations on the different schemes and projects are needed. This also includes the need for larger research studies on the effects of Germany’s active labor mobility policy, including quantitative and qualitative analyses on the economic, labor market, and developmental effects of the law and its schemes, as well as on the outcome of pilot initiatives and transnational skills and mobility partnerships.

In addition, Germany needs to establish a whole-of-government approach. Nothing illustrates this better than the surprised statement by Michael Clemens, Helen Dempster, and Katelyn Gough (2019, 21) at the end of their solid evaluation of the German Legal Migration Pathways and Skills Partnerships: “One set of partnerships we expected to find abundance but did not, was partnerships between German agencies and ministries at the federal level.” Strategic interagency and interdepartmental partnerships, including with civil society actors, researchers, employers’ associations and trade unions, have long been called for (Angenendt and Bendel 2017) and are needed to bring the German policy on transnational skills and mobility partnerships forward. They could “help to maximize mutual benefits to the countries of destination, the partner countries of origin, and participants, while also building coalitions of support within the government in the country of destination (Clemens, Dempster, and Gough 2019, 22).

Linked to the second task, Germany has an unresolved issue concerning the normative foundations of its labor migration policy: Bilateral partnerships by definition require country-specific approaches and selection processes. However, the conceptual and legal grounding of the law since the beginning of the new millennium has been universal, “country-blind,” and geared toward meritocratic selection, in which the question of access decisions for work were primarily dependent on the individual qualifications of the applicant. To some degree this has already changed through the Western Balkans Regulation. If more country particularism is to come, Germany needs to reconsider the basic normative concepts of its labor migration policy.

Notes

¹ An up-to-date listing of those transnational partnership projects is provided in appendix A.

² The term “migration pathways” is used as a broad, encompassing terminology, as by the Center for Global Development, as opposed to rather narrow concepts such as Global Skill Partnerships (<https://gsp.cgdev.org/#migration-pathways>).

³ Notably, the issue of “ethical recruitment” is increasingly making its way into the corporate social responsibility and due diligence reporting of large German firms, also fostered by the debate on ethical supply chains and related legislation enacted in 2021, the Supply Chain Due Diligence Act (Koos 2022; Meeh-Bunse 2022).

⁴ Interviews were conducted in June and July 2022 with representatives of the Department for International Affairs of the Federal Employment Agency; the Sector Program Migration of the GIZ; the Association of small and medium construction enterprises in the State of North-Rhine Westphalia (Bauverbände NRW e.V.); and the project “Making fair migration a reality” of the Bertelsmann Foundation.

⁵ Coalition agreement of 7 December 2021 for the legislative period 2021–2025, 32 (author’s translation) (SPD, Bündnis 90/Die Grünen, and FDP 2021).

⁶ Shortage occupations are determined by an index of numerous factors. The main indicators are the median vacancy period, the ratio of job seekers to jobs, the occupation-specific unemployment rate, the change in the share of foreign worker employment, the exit rate from unemployment, and the development of wages. However, the list of shortage occupations no longer has an immediate “white list” function for immigration. Since March 1, 2020, foreigners may be granted a residence permit for work purposes in *any* occupational area, provided they have a recognized relevant vocational qualification or degree (see the third section).

⁷ Estimates are according to the KOFA (Kompetenzzentrum Fachkräftesicherung) project, a service center commissioned and funded by the Federal Ministry for Economic Affairs and Climate Action (BMWK), associated with the German Economic Institute (IW), <https://www.kofa.de/daten-und-fakten/ueberblick-fachkraeftemangel/>. See also Fuchs, Kubis, and Schneider (2019).

⁸ “Best friends” include Andorra, Australia, Canada, Israel, Japan, the Republic of Korea, Monaco, New Zealand, San Marino, and the United States. In addition to fostering particularly good foreign policy relations, one of the original reasons for this privileged treatment was that only small numbers of people were expected to migrate to Germany from these countries due to their size, geographical distance, and the development of employment opportunities there (Offer and Mävers 2016, 221).

⁹ The program “Returning Experts” by the Centre for International Migration and Development (CIM), a joint initiative of the GIZ and International Placement Services within the German Federal Employment Agency, supports occupational integration and reintegration of graduates and trained specialists from developing, emerging, and transformation countries in transition from planned economies with low-productivity and labor-intensive economic activities to free market economies with higher productivity who attained their qualifications in Germany and who are interested in returning to their origin countries. The focus is on occupations that are of importance in development policy terms, particularly in the areas of engineering professions and technicians. The program offers placement services and financial support, as well as counselling to returnees and potential employers in the country of origin to support their recruiting.

¹⁰ However, the framework of the program is narrowly defined. Only partner countries relevant to development policy (currently 22), and only persons who are to be deployed in positions pertinent to development, are eligible (Baraulina, Hilber, and Kreienbrink 2012, 18). Since the program was launched in the early 1980s, it has supported more than 15,000 returns of skilled workers and specialists (see <https://www.giz.de/de/weltweit/80044.html>).

¹¹ See, for example, the Communication on “Migration and Development: Some concrete orientations” (COM(2005) 390 final of 1 September 2005) and the Communication “On circular migration and mobility partnerships between the European Union and third countries” (COM(2007) 248 final of 16 May 2007).

¹² The central reference to migration under goal 10.7 (“Reduce inequality in and among countries”) sets the target to “facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies.” In its voluntary national report tabled for the July 2021 high-level political forum on sustainable development, the Federal Government explicitly referenced target 10.7 by mentioning its engagement with the Global Compact for Safe, Orderly and Regular Migration and the funding for the multi-partner implementation trust; its activities to pilot, implement, and refine developmental and partnership approaches to promote safe, orderly, and regular migration; and by advertising the options created by the Skilled Immigration Act for vocational training and stays for trainees and skilled workers in Germany (Bundesregierung/German Federal Government 2021, 82).

¹³ For instance, between 2016 and 2018, the German Federal Government planned to include the three Maghreb states of Algeria, Morocco, and Tunisia on the list of safe countries of origin (which would have meant swift asylum procedures and returns, as well as a ban on employment). Some policy makers suggested that in turn citizens of those countries should be issued with work visas if they were able to secure any job in Germany. However, the project failed twice in the parliamentary procedure.

¹⁴ Chancellor Angela Merkel, Summer Press Conference of July 20, 2018, “Current topics in domestic and foreign policy” (author’s translation), <https://www.bundesregierung.de/breg-de/aktuelles/pressekonferenzen/sommerpressekonferenz-von-bundestkanzlerin-merkel-1516654>

¹⁵ See the Communication on establishing a new Partnership Framework with foreign countries under the European Agenda on Migration (COM(2016) 385 final of 6 June 2016) and the Communication on a New Pact on Migration and Asylum (COM(2020) 609 final of 23 September 2020).

¹⁶ According to Eurostat statistics, Syrians were issued a total of 24,483 residence permits for purposes of education or gainful employment between 2010 and 2019 (Wagner and Katsiaticas 2021, 5).

¹⁷ Germany's scheme for admitting seasonal workers, enshrined in section 19c of the Residence Act and section 15a of the Employment Ordinance, will not be covered in detail in the paper. Moreover, the provision has hardly been relevant over the past decade because the bulk of seasonal workers are recruited within the EU's free movement regime (Schneider and Götte 2022).

¹⁸ For a detailed overview of the recruitment agreements and the associated political discourses and administrative processes, see Dohse (1981), Herbert (2001), and Steinert (1995).

¹⁹ Further exceptions from the recruitment ban allowed temporary employment for domestic workers (*Haushaltshilfen*) speciality cooks, and fairground helpers.

²⁰ Later, agreements on guest workers and contract workers were legally grounded in sections 2 and 3 of the "Ordinance on exemptions from the recruitment ban" of 17 September 1998 (BGBl I, 2893–96) and in sections 39 and 40 of the "Ordinance on the admission of foreigners for the purpose of taking up employment" of 22 November 2004 (BGBl I, 2937–44). Currently, the remaining agreements with foreign countries are in section 29 of the Employment Ordinance.

²¹ Bilateral government-level agreements on contract workers existed both with countries that eventually belonged to the EU (Bulgaria, Croatia, Czech Republic, Hungary, Latvia, Poland, Romania, Slovakia, Slovenia) and several foreign countries (Bosnia-Herzegovina, Serbia including Montenegro and Kosovo, Macedonia, and Turkey). Guest worker agreements were in place between Germany and the EU states Bulgaria, Croatia, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, and Slovenia, and as well as two other foreign countries, Albania and the Russian Federation.

²² The list of "best friends" partly overlaps the list of countries whose citizens are exempted from the visa requirement for short-term stays. This applies to the citizens of Australia, Canada, Israel, Japan, Korea, New Zealand, and the United States, who may enter German territory without a visa—including for long-term stays, as a residence title can be applied for at a later stage from within Germany. Nationals of Andorra, Honduras, Monaco, and San Marino have the same mobility rights, provided they do not intend to take up an occupational activity in Germany that will be regarded as an employment (sec. 41 of the Residence Ordinance).

²³ *Jus sanguinis* is a principle of nationality law by which citizenship is determined or acquired by the nationality or ethnicity of one or both parents.

²⁴ Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of foreign nationals for the purposes of highly qualified employment.

²⁵ This was shown by the fact that the minimum salary thresholds required in Germany to obtain a Blue Card were significantly lower than those of other EU member states, which had similar (and higher) general income levels (Cerna 2013, 192–93; see also Laubenthal 2014, 485–86). Furthermore, Germany facilitated access to an indefinite settlement permit: Blue card holders qualify for this permanent residence title after less than 3 years (or even after 21 months, if they demonstrate sufficient German language capabilities)—while the regular qualifying period in all other categories is 5 years.

²⁶ Its enactment coincided with the onset of the global COVID-19 pandemic and associated border closures and mobility restrictions. These were a serious blow to the German labor market, particularly affecting migrants employed at low or unskilled levels domestically. The restrictions also impeded or even halted recruitment activities abroad. Thus, the migration and labor market admission statistics for 2020 and 2021 are distorted and do not allow for a proper evaluation of the law's effects on labor migration (Bozhinoska Lazarova, Brücker, and Deuster 2022; Graf 2021, 2022; Schulz 2022).

²⁷ The official English translation is available at: https://www.gesetze-im-internet.de/englisch_aufenthg/englisch_aufenthg.html.

²⁸ The official English translation is available at: https://www.gesetze-im-internet.de/englisch_beschv/englisch_beschv.html.

²⁹ Family members of Blue Card holders have unlimited access to the labor market. No proof of German language skills is required. After 33 months of employment, under certain conditions, Blue Card holders and family members have a right to an unlimited settlement permit. With proof of sufficient German language skills at level B1 of the Common European Framework of Reference for Languages (CEFR), this period is reduced to 21 months (sec 18c, para. 2, clause 2 Residence Act).

³⁰ Furthermore, special provisions apply for scientists with special technical knowledge and teaching or scientific personnel in prominent positions. These top scientists and academics may be granted a permanent settlement permit right away, provided there is "reason to assume that integration into the way of life in the Federal Republic of Germany and the foreigner's subsistence without state assistance are assured" (sec. 18c para. 3 Residence Act). In accordance with the EU Directive 2016/801, foreigners are entitled to a temporary residence permit for the duration of a research project in Germany, provided they are formally hosted by a research institution or have a corresponding contract and fulfill further requirements (sec. 18d Residence Act).

³¹ These agreements have lost relevance; fewer than 1,000 residence titles were issued in 2020 (BAMF 2021, 92).

³² This provision was activated in the summer of 2022 when German airports struggled to process passengers, luggage, and planes. Thousands of flights were cancelled due to a shortage of ground handling service personnel. The Federal Government designated workers from Türkiye, among others, as ramp agents (which is not a qualified vocational training offered in Germany, but is regulated by the International Air Transport Association) as eligible to work at German airports for three months (see https://www.mi.niedersachsen.de/download/185759/2022-07-07_Globalzustimmung_der_BA_fuer_Abfertigungstaetigkeiten_an_deutschen_Flughaeften.pdf).

³³ However, the provision also contains a clause for cases of nonregulated professions covered by bilateral placement agreements, which make it possible to launch a labor recruitment and skills mobility partnership in any occupational sector, provided that the training structures in the country of origin are adequate (sec. 16d para. 4 no. 2 Residence Act).

³⁴ In July 2022, the Minister of the Interior and the Minister of Labour announced that they wanted to make the assessment of equivalence after entry the rule for all cases in which a contract is offered and the potential employer provides assurances that they will offer the necessary adaptive qualification measures by means of a “recognition partnership” (Faeser and Heil 2022).

³⁵ Securing the cost of living is one of the general prerequisites for granting residence permits (sec. 5 Residence Act) and applies to VET and university students alike. In case there are no additional fees for the course, candidates must provide proof of financial means of at least €836 per month or about €10,000 per year, usually by setting up a bank account solely for that purpose. First year monthly allowances start from €585 per month and reach €900 or €1,000 per month in only a few occupations. Thus, in most cases, trainees must set aside a considerable amount of money. Because dual training courses are usually full-time, trainees may only work for up to 10 hours per week in an unrelated job to supplement their salary.

³⁶ For instance, an applicant younger than 35 will receive two points; good German language skills (at B2 level of the CEFR) are worth three points; and a former legal stay results in one point.

³⁷ <https://www.make-it-in-germany.com/en/>.

³⁸ “Despite the Pandemic: Federal Employment Agency Recruits More Skilled Workers from Abroad,” Press Release No. 5, January 20, 2022 (<https://www.arbeitsagentur.de/en/press/en-2022-05-despite-the-pandemic-federal-employment-agency-recruits-more>).

³⁹ See the comprehensive analysis of GIZ’s skill partnerships based on research of project documents and more than 30 interviews (Clemens, Dempster, and Gough 2019), as well as the online database on the Global Skill Partnerships on the Center for Global Development website (<https://gsp.cgdev.org/>).

⁴⁰ Available figures on the Triple Win project are not always clear and comparable. In a June 2022 response to questioning in the Bundestag, the Federal Government said that since the launch of the program in 2013 a total of 3,395 skilled nurses had been placed in jobs in Germany (Deutscher Bundestag 2022, 4), while the GIZ claimed that by January 2022 they had placed 4,900 nurses with German employers, of which “above 3,500” had already started working in Germany (<https://www.giz.de/en/worldwide/41533.html>).

⁴¹ The agreement with Serbia was terminated in 2020 at the request of the Serbian partners. No more nurses will be recruited for Triple Win (Deutscher Bundestag 2022, 4, 21).

⁴² Background interview 1; <https://www.schwaben.ihk.de/blueprint/servlet/resource/blob/5407032/0c99d8a61d477df1eebf92ea5bb94274/neue-praxiswege-der-fachkraeftegewinnung-data.pdf> (accessed July 12, 2022); PAM website at <https://pam-partnerships.org/vision-mission/>.

⁴³ There were more than 7.7 million visitors in the first three years after the launch in 2012 (Deutscher Bundestag 2015, 2).

⁴⁴ Because capacities available for drafting this background paper were limited, no comprehensive research could be conducted.

⁴⁵ <https://www.diakonie-wuerttemberg.de/jobs-bildung/personalgewinnung/wide-terra-anpassungsqualifizierungen-fuer-gesundheitsfachberufe>.

⁴⁶ There is an oversupply of workers in the Ethiopian labor market, while hardly any permanent positions are available. Thus, many unemployed civil engineers are interested in undergoing technical training in the German construction sector and working there as specialists.

⁴⁷ <https://fuu-sachsen.international/dual-training-of-geriatric-care-in-china/>.

⁴⁸ <https://www.bertelsmann-stiftung.de/en/our-projects/making-fair-migration-a-reality/project-topics/establishing-transnational-skills-partnerships>.

⁴⁹ Background interview 3.

⁵⁰ Background interview 3.

⁵¹ <https://www.joinimagine.com/mission>.

⁵² <https://kiron.ngo/en>.

⁵³ The latest project brochure mentions a survey carried out among participants in 2017, which showed a retention rate of more than 80 percent (as the portion of workers still employed with the first employer), and an average employment time of 22 months, as well as some other figures.

⁵⁴ The case of the Germany-Philippines Bilateral Agreement on Nurses was “one notable exception,” because the joint monitoring committee is “fully engaged and has positively contributed to the effective, transparent and participatory implementation of the agreement,” the UN Network on Migration (2022, 48) found.

⁵⁵ This was a key lesson that could have been learned from Germany’s nurse recruitment programs with Korea the 1970s: professionals who were already trained and who are only allowed to work as nursing assistants, far below their level of competence, felt demoted (Jachertz 2016, A814).

⁵⁶ In general, dialogue and interlinkages between state actors (government and policy makers) and organized interests in the private sector and trade unions are traditionally quite extensive in Germany (see Katzenstein 1987). These (formal and informal) linkages are sometimes limiting the government’s ability to implement a particular reform policy, but they are also as a way to balance interests in a productive way. This neocorporatism can also be observed at the intersection of migration policy on the one hand and economic and labor market policy on the other hand. Ever since the work of the Independent Commission on Immigration to Germany (the so-called “Suessmuth Commission” 2000/2001), when the appointed representatives of trade unions and business and employers’ associations, as well as from civil society, found a consensus, interests have been quite balanced in the multiple lawmaking-processes leading up to Germany’s labor immigration system described in the third section of the paper. In terms of operative labor mobility and training initiatives under the auspices of public policy, there are direct and firm links between the GIZ and sector-specific business associations or even individual businesses (such as hospital operators). When state-funded projects succeed and come of age beyond their “pilot” phase, they are transferred to the

“International Services” of the GIZ. Enterprises operating under this business model are permitted to generate revenue and are also subject to value added taxes, thus also generating tax revenue for the government.

⁵⁷ “Die importierte Krankenschwester,” *Frankfurter Allgemeine Zeitung*, July 14, 2022, 34; <https://www.talentorange.com/en/about-us/> (accessed July 16 2022).

⁵⁸ For a comprehensive account on the issue of costs and costs-sharing, see Dempster et al. (2022).

⁵⁹ Background interview 3 with civil society/foundations’ representative.

⁶⁰ Projects PAM (No. 12) and Inspire (No. 13) in appendix A.

⁶¹ Background interview 4.

⁶² Background interview 3.

Appendix A. State-led pilot projects and programs for labor mobility and training partnerships, 2012–24

	Name of program/pilot project (translated from German)	Country of origin	Sector(s)	Time period	Type of training/employment	Scope (approximate number of participants/migrants)	Involved actors
1	Transformation partnership in the health care sector (TAPiG)	Tunisia	Nursing/health care	2012–13	Full vocational training in Germany	150 (25–50 participated, but the program failed and was not continued)	Federal Foreign Office (AA); Asklepios Klinik; Tunisian Ministry of Health
2	Promoting legal mobility among highly qualified Tunisian experts	Tunisia	Engineering	2012–13	Internship placement for skilled workers	120 (Most stayed in Germany to work or study. A direct follow-up program was launched.)	Federal Foreign Office (AA); GIZ; ZAV (Federal Employment Agency); ANETI (Agence Nationale pour l'Emploi et le Travail Indépendant/Tunisian Employment Agency)
3	Training nurses from Vietnam to become geriatric nurses in Germany	Vietnam	Elderly care/geriatric nursing	2012–16	Full vocational training in Germany	About 200	Federal Ministry for Economic Affairs and Energy (BMWi); GIZ; ZAV (Federal Employment Agency); Vivantes; Ministry of Labour, Invalids and Social Affairs in Vietnam
4	Strengthening the development potential of the EU Mobility Partnership in Georgia through targeted circular migration and diaspora mobilization	Georgia	Nursing/health care, hospitality	2013–16	Internship placement for skilled workers	28 (24 completed the circular migration cycle, with some returning permanently, and others finding a job in Germany.)	BMZ; GIZ; ZAV (Federal Employment Agency); European Union; Georgian Ministry of Justice; Georgian State Commission on Migration Issues
5	Sustainable recruitment of nurses from China (own translation)	China	Elderly care/geriatric nursing	2013–18	Taking up employment as nursing assistants with bachelor's degree; training later (after recognition) for employment as full geriatric nurse	150	ZAV (Federal Employment Agency); German Care Employers Association (Arbeitgeberverband Pflege); CareFlex Recruiting Experts GmbH; Chinese International Contractors Association (CHINCA)

6	German-Tunisian Mobility Pact. Gain capacities, create perspectives	Tunisia	Construction, engineering, and manufacturing	2014–16	Internship placement for skilled workers	150 received six months of German language training (level B1); 101 of which came to Germany for the internship (73 percent were hired as skilled workers in the respective German firm upon completion of the internship)	Federal Foreign Office (AA); GIZ; ZAV (Federal Employment Agency); ANETI (Agence Nationale pour l'Emploi et le Travail Indépendant/Tunisian Employment Agency)
7	German-Moroccan partnership for training and skilled worker recruitment (title in CGDev: Accessing Overseas Employment Opportunities for Moroccan Youth Project)	Morocco	Tourism, hospitality	2016–17	Full vocational training in Germany	110 in the pilot phase; 104 in the second phase (now also including construction, engineering, and manufacturing)	GIZ; German Hotel and Restaurant Association (DEHOGA); World Bank (funding through the MENA Transition Fund); ANAPEC (Moroccan employment agency)
8	Pilot projects for the recruitment of workers from Vietnam for training to become nurses in Germany (follow-up project)	Vietnam	Nursing/health care	2016–19	Full vocational training in Germany	150	BMWi; GIZ; ZAV (Federal Employment Agency); MoLISA (Ministry of Labour, Invalids and Social Affairs)
9	Youth, Employment and Skills in Kosovo (Creating employment perspectives for youth in Kosovo)	Kosovo	Construction	2017–20	Training in Germany and Kosovo; VET capacity building in Kosovo to enable future training in Kosovo for both markets (Global Skill Partnership model)	38 in three cohorts have been placed in VET in Germany; 2,400 young job seekers also completed internships and over 600 start-ups received kick-start funding in Kosovo	BMZ; GIZ; LLB (State Association of Bavarian Construction Guilds; Bavarian State Ministry of Economy; Ministry of Labor and Social Affairs of Kosovo)
10	Towards a Holistic Approach to Labour Migration Governance and Labour Mobility in North Africa (THAMM). This project also operates under the title "THAMM–Fair Recruitment of Skilled Workers and Apprentices from Egypt, Morocco and Tunisia"	Egypt, Morocco, Tunisia	Tourism, hospitality	2019–23	Taking up skilled employment; full vocational training in Germany	400–750	GIZ; ZAV (Federal Employment Agency); EU; BMZ; Moroccan Ministry of Employment and Professional Integration; ANETI (Agency for Employment and Self-employment in Tunisia); MoSEEEA (Egyptian Ministry of State for Emigration and Egyptian Expatriates Affairs)

11	Recruiting Trainees from Vietnam (Triple Win Nurses) (follow-up project)	Vietnam	Nursing/health care	2019–23	Full vocational training in Germany	150 per year (121 began their training in Germany the first cycle in 2020/21)	GIZ, ZAV (Federal Employment Agency); MOLISA (Ministry of Labour, Invalids and Social Affairs)
12	PAM–Partnership approaches to development-oriented training and labor migration	Vietnam, Ecuador, Kosovo, Nigeria	Construction, engineering, industrial mechanics, operating technology, early childhood education	2019–24	Various: Full vocational training in Germany; internship placement for trainees; training in country of origin (Global Skill Partnership model)	Not specified in program description	BMZ, GIZ
13	Inspire–Incubating Skills Partnerships Beneficial to Migrants, Countries of Origin and Destination	Germany’s reform and transformation partners from Africa, the Western Balkans, and Eastern Partnership countries	Targeted digital and industries	2021–23	Facilitating/private sector engagement project: development of feasible, implementation-ready, partner-endorsed skills partnership models (no operations)	Not available	BMZ, ICMPD (International Centre for Migration Policy Development)
14	Sustainable recruitment of nurses (Triple Win). Full title: Triple Win Nurses–Sustainable recruitment of nurses from foreign countries for employment in Germany	Bosnia-Herzegovina, India (state of Karala), Indonesia, Jordan Philippines, Tunisia	Nursing/health care, elderly care/geriatric nursing	Since 2013	Taking up skilled employment; adaptive qualifications to receive skills recognition	3,395 have been placed in Germany as of June 2022	ZAV (Federal Employment Agency); GIZ; employment agencies in the partner countries (Norka Roots in Kerala, which is a state agency with responsibilities toward nonresident Keralites)
15	Establishment of qualification measures that can be directly recognized in Germany for nursing professionals in selected foreign countries	Mexico, Philippines (formerly intended also for Brazil)	Nursing/health care, geriatric care	Since 2021	VET curriculum development and full training (including language training) in the Philippines and Mexico	103 (24 in the Philippines and 79 in Mexico) have started training in the first cycle	BMG; GIZ; University Hospital Bonn; German Center of Expertise for Health Professions

Sources: Original compilations for the *World Development Report 2023*, updating Süß and Schneider (2018). This listing updates the result of a previous mapping in which the author participated (Süß and Schneider 2018). For this purpose, an internet search was undertaken as well as an evaluation of other publications that also contained listings of projects for labor mobility and training partnerships. These included Azahaf (2020); Clemens, Dempster, and Gough (2019); and EMN (2021). Furthermore, the list was cross-checked with the projects featuring Germany as the target country contained in the Center for Global Development's database on Global Skill Partnerships projects (<https://gsp.cgdev.org/>). The list also draws on the results of a comprehensive mapping study by the Bertelsmann Stiftung on transnational skills and mobility partnerships in Germany conducted in spring 2022 as part of their “Shaping Migration Fairly” project, which included 51 projects. Only those projects in which state actors are significantly involved (“state-led”) were included here.

Note: BMWi = Ministry of Economy (current name since 2021: Bundesministerium für Wirtschaft und Klimaschutz/Federal Ministry for Economic Affairs and Climate Action); BMZ = Federal Ministry for Economic Cooperation and Development; GIZ = Deutsche Gesellschaft für Internationale Zusammenarbeit (main German development agency); VET = vocational education and training.

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