Migrants' competence recognition systems: controversial links between social inclusion aims and unexpected discrimination effects

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Abstract

An adequate incorporation of migrants in the labour market, able to fully unleash their potential, is a major challenge for EU development. In this direction, the recognition of migrants skills, knowledge and competence acquired in formal and non/informal contexts represents a crucial issue. Based on a comparative research work conducted at European level, this paper highlights the ambivalence of competence recognition systems which, whilst representing potential means of social inclusion, in certain condition risk becoming invisible instruments of discrimination. Moreover it provides some recommendations for improving the substantial universalism of EU competence recognition systems and their impact on migrants integration.

Keywords: competence recognition; formal and non/informal learning; inequalities; migration; capability approach

Introduction

Among the various challenges posed by the integration of migrants, especially third country nationals (TCNs) in Europe, their adequate incorporation into the labour market is one of the most important for social cohesion, as it has important consequences on inter-ethnic relations, overall social well-being and the prevention of social dumping. In this context a key imperative is represented by a cultural change in relation to the conception of migrant workers, from a perception of their contribution as instrumental workforce, to fill labour shortages and to meet the contingent labour market's needs, to a view of their human capital as a structural resource for the common growth and general wellbeing of society (Zanfrini, 2015). This transformation is also crucial from an economic standpoint, both to satisfy short-term labour needs and, above all, to contribute to long-term workforce development, with a view to driving economic growth. Within

such a perspective, valorising migrants' human capital and finding ways to unleash their potential represent fundamental challenges.

In accordance with these premises, moving from some of the main findings of the international project DIVERSE- *Diversity Improvement as a Viable Enrichment Resource for Society and Economy* (Zanfrini, 2015), this paper reflects on the role and functioning of competence 'recognition systems' in the EU. More precisely, it considers both the recognition of formal qualifications obtained abroad and that of skills, knowledge and competence (SKC) acquired in non-formal and informal contexts, by focusing on their actual effectiveness for the integration of migrants and particularly TCNs. Special attention is directed towards the investigation of the 'friendliness' of both systems, namely their accessibility, usability and beneficial effects with respect to this specific target group. The issue of recognition is considered in the light of the Lifelong Learning (LLL) perspective promoted by the EU and the OECD (Commission of the European Communities, 2000; OECD, 2001), according to which learning contexts may be both formal—e.g. education and training systems—and non-formal and informal—e.g. working life, daily and family life, volunteering, hobbies, and socialization experiences such as migration. From the same approach, we have drawn the definition of competence underpinning this work. We are dealing with a holistic conception of competence, the latter seen as an integrated and multi-faceted combination of cognitive, functional and social dimensions. In this perspective, the notion of competence encompasses the use of theory, concepts or tacit knowledge, functional skills (e.g. technical skills) as well as behavioural or attitudinal aspects (e.g. social or organisational skills) and ethical values (Cedefop, 2006:2014).

The empirical background to the paper derives from, firstly, the qualitative and multi-situated research work conducted on national and local systems of recognition in the 10 EU countries involved in the project (Estonia, Finland, Germany, Hungary, Italy, The Netherlands, Poland, Portugal, Spain, and Sweden) and, secondly, the cross-country comparison carried out using selected qualitative indicators as depicted in the following pages. The results of the analysis are interpreted in the light of the notion of 'capacitating institutions and policies' borrowed from the capability approach of Amartya Sen (1992), in order to scrutinize the consistency between the normative basis underlying recognition systems and policies, and their objectives of social justice, inclusiveness and individual empowerment. In so doing, we follow the wake of the flourishing literature that utilizes the capability approach as a framework to assess public policies, such as labour policies (e.g. Bonvin & Farvaque, 2006) and educational policies (e.g. Robeyns, 2005), just to make some herein relevant examples.

Within this framework, the comparative analysis was guided by two main research questions: *i*) Recognition systems potentially promote social equality and the democratization of opportunities; how and to what extent does this actually happen in the EU with reference to migrant populations?; *ii*) The more migrant friendly these systems, the more they are able to promote the social and professional inclusion of migrants and the valorization of their human capital; is this assumption confirmed by EU recognition systems? When and how can a recognition system be considered to be actually migrant friendly? And, to say it in capability approach terms, when and how a recognition system reveals to be 'capacitating', able to function as a 'conversion factor', which helps migrants converting formal resources and rights into capabilities for work, further education, training and voice?

By critically analyzing some of the unexpected and controversial results emerged from the research, the paper discusses, on the one hand, the ambivalence of recognition systems which, whilst representing potential means of social inclusion, in certain

conditions risk becoming invisible instruments of discrimination, and, on the other, makes some recommendations for improving the substantial universalism of EU recognition systems and their impact on migrant integration. The paper is organized as follows: The first section describes the research premises, the second gives a brief, general description of the recognition systems analysed within the DIVERSE project, the third presents some critical considerations about the potential for inclusion of recognition systems and their actual shortfalls, and the fourth provides some indications for improving their level of migrant-friendliness. Finally, some remarks conclude the paper.

Research background: recasting the European model of migrant labour incorporation

As the wide range of literature available has long documented, the EU model of migrant labour incorporation revolves around the principle of complementarity. The presence of migrants tends to be welcome only as long as they fill labour shortages, usually in those professional sectors considered undesirable by natives. This logic generates several problems, such as the ethnicization of the labour market and the professional segregation of migrants, including actual exploitation (Zanfrini, 2007; Urso & Schuster, 2011). These are processes with repercussions in the long term, due also to the transmission of disadvantage from one generation to the next (OECD, 2010). All these phenomena imply a waste of migrants' human capital and the inefficient allocation of their SKC.

Over-qualification is a widespread feature among migrants residing in the EU. According to the OECD *International Migration Outlook* 2014:

> Highly educated immigrants show lower employment rates than their native-born counterparts in virtually all OECD countries. And, even when they are employed, they are 47% more likely to be in jobs for which they are formally over-qualified. (p. 37)

This is an urgent issue to be addressed if we consider that in OECD countries the proportion of highly educated migrants is increasing sharply: +70% since the beginning of this millennium (OECD-UN/DESA, 2013).

Looking more in depth into the phenomenon of over-qualification, we can identify three different underlying conditions. A certain proportion of migrants holding a recognized diploma are prevented from using it in the receiving country's labour market due to the above-mentioned situation of professional segregation. At the same time, a large percentage of TCNs do not have their foreign qualifications recognized within their immigration context, a fact that hinders their professional mobility. This is particularly relevant for those migrants with competences that enable them to be employed in regulated professions, for which recognition is mandatory. While the two categories described above experience a situation of 'formal over-qualification', there is another group of migrants who are exposed to a form of 'substantial' over-qualification, i.e., those who have acquired SKC in non-formal and informal learning contexts, but who do not possess any documented credentials. This is quite common among migrants who, in their home, transit and receiving countries, may have accumulated a very heterogeneous capital of professional SKC, through very diverse occupations also in the shadow economy. Moreover, migrants may have acquired relevant but not certified transversal competences through migration (e.g., intercultural and linguistic competences, skills in coping with stress or in-context analysis). If it is not to be given for granted that transformative learning processes linked to migration are linear and positive, as social context play a crucial role in determining their actual outcome (Morrice, 2014), the

competence potentially linked to the migratory background represent an asset often disregarded. In this concern we observe a sort of mismatch of SKC regarding less educated migrant workers, who are employed in the medium and low levels of the labour market, but whose specific competences could be better valorised in other professional sectors.

Besides, a new demand for skilled work is developing in EU countries (European Commission, 2015). For instance, in recent years an important labour shortage has emerged in the healthcare sectors of several EU countries, which currently employ a significant part of the migrant labour force. In countries which have been experiencing a process of brain drain for many years, such as Eastern EU countries, this labour shortage and subsequent need for a qualified migrant labour force is expanding to several occupational sectors. Furthermore, in recent decades the process of economic globalization has generated a transnational migratory élite (finance or ICT workers, managers, researchers). Despite constituting a small minority within the EU migration landscape, this cosmopolitan élite must still be taken into account when reflecting on the issue of recognition. Finally, even if tentatively, in some contexts a new awareness is emerging about the role that migrants and their offspring could play in the internationalization of businesses and trade, thanks to their linguistic and intercultural competences. All these trends are leading some countries to ask themselves how to attract more qualified immigration flows and, more interestingly for our purposes, how to valorise the potential which already exists among the migrant population residing in their territories.

More broadly, a profound reflection is urgent on the model of migrant labour incorporation which has developed over time in the EU and its sustainability in the long term. Especially (but not only) due to the recent economic recession, the need for a general rethink of productive models and labour policies is emerging, and the short-sighted nature of the current incorporation model becomes increasingly clear. The urgency to put in place corrective measures for the governance of the labour market and the fruitful management of human resources is compelling. In this context, the issue of formal qualification and SKC recognition is highly strategic.

 The implementation of instruments envisaging well-designed, migrant-friendly processes of formal recognition of and non-formal/informal learning could be beneficial for a more careful recruitment of human resources and a better capitalization of migrants' human capital. This would improve migrants' awareness of their potential and the visibility and transparency of their SKC, hence enhancing their employability, and the possibility of finding jobs corresponding to their skills. It would also foster their professional mobility and career development by favouring re-entry into the LLL process. In addition, the valorisation of TCNs' SKC could well have a positive impact on the professional path of future generations, counteracting the long term effect of labour market ethnicization. Initiatives of recognition carried out in the country of origin, during the pre-departure period, could also favour more effective management of labour migration flows, as it may help attract labour migrants whose specific skills are needed in the receiving country's labour market.

Given the precious potentialities of recognition for a more adequate incorporation of migrants in receiving countries' labour markets, this paper reflects on the actual impact of the EU's existing recognition systems on migrant integration, in particular for valorizing their diversity and reducing social inequalities. This reflection has a significant heuristic value. On the one hand, recognition systems have the potential to be particularly beneficial to migrants who have acquired their qualifications and SKC in many different countries, contexts and professional sectors and have special difficulties in documenting

them due to their transnational existences. At the same time, migrants represent the top of the iceberg, the visible part of a much wider trend.Indeed migrants may be considered to be an ideal-type of the contemporary man or woman, whose life story and career are increasingly versatile and mobile (Zanfrini, 2015). Hence, reasoning on the effectiveness of recognition systems for migrants produces a 'mirror effect' (Sayad, 1999) which gives insights for improvements beneficial to all citizens, especially vulnerable groups.

Recognition systems and migrant beneficiaries: research methodology and main findings

Against this background our project was aimed at investigating the national (and some selected local) systems of recognition of the 10 EU countries involved in the project, by focusing on their capacity to be effective and empowering with migrant beneficiaries.

A qualitative, multi-situated comparative research work has been carried out in all the countries involved. The collection of data was carried out on the basis of a shared research protocol, including desk analysis and field work, with semi-structured interviews to relevant stakeholders and key informants (exponents of: social partners, national/regional and local institutions, migrants' associations, consulates/embassies, civil societies, companies, educational institutions, employment services; leading experts in assessment of training programs and systems). Then, a qualitative cross-country analysis was conducted separately on the two systems of recognition (formal and non-formal/informal) which present significant points of contact, but also important specific aspects to be examined separately. This qualitative analysis revolved around some analytical dimensions, namely: systems seniority and maturity, universalism or selective trends, occupational or learning goals, formalization/bureaucratization or flexibility of procedures, levels of friendliness in relation to migrants, stakeholders' participation and cost sharing. Here below we present and discuss the main findings of this qualitative cross-country analysis, trying to take a step forward by reading the results in the frame of the capability approach and investigating—quoting Hemerijck's (2012)—the 'capacitating qualities' of the policies, measures, services implemented, that is, trying to catch under what conditions recognition processes help migrants to reach their objectives of inclusion in the labour market and more broadly of personal well-being and agency.

First of all, our research has shown that meaningful steps have been taken towards the recognition of qualifications and of non-formal and informal learning (see also OECD, 2007;Werquin, 2010). Despite the problems still to be solved and the improvements to be sought (Méhaut & Winch, 2012), much work has been done in many countries, as well as at EU level, to facilitate the international transferability of qualifications and SKC. Nevertheless, the ten countries taken into consideration in this study present very different types and levels of development, organization and equipment.

By way of an overview of the scenario which emerged from the qualitative cross-country analysis, we first briefly report on the categorization of the countries investigated, grouped according to the seniority and maturity levels of their recognition system. It is important to note that this evaluation simultaneously assesses the system as a whole and its capacity to be TCN friendly. Considering recognition of formal qualifications, Sweden, Germany and the Netherlands may be clustered together as those countries with the 'most consolidated' systems. They display a good balance between centralization and territorial diffusion, providing beneficiaries with some pivotal reference points at a national level, whilst at the same time offering at the local level widespread services of information, orientation and assistance. Systems such as the Estonian and the Finnish may

be defined 'consolidated but less challenged', i.e. they are well designed and organised, but the relatively low share of migrants, and particularly of TCNs, residing in these countries make it rather difficult to explore their actual functioning (Tammaru et al., 2015). The Italian, Spanish and Portuguese systems are 'quite developed in legal terms', but also very 'fragmented and complex' at both territorial and institutional level. For this reason, they lack efficiency and user-friendliness, especially with migrants (and TCNs). Finally, the Hungarian and Polish systems appear to be fairly poor and as yet incomplete: they undoubtedly need innovation and adjustment both at a legal and operational level. Despite their 'incompleteness', however, they are 'under construction', revealing interesting pioneer experiences at the local level.

Considering the recognition of SKC acquired in non-formal and informal contexts, the ten countries can be grouped slightly differently. In Sweden and the Netherlands the issue has reached the highest level of 'maturity' and 'seniority' as witnessed by the degree of institutionalization and centralization of the procedures and their country-wide homogeneity. In addition, these systems have implemented procedures aimed at recognising SKC wherever and however acquired both for gaining credits for re-entering the education system and for obtaining better inclusion in the labour market. Conversely, the SKC recognitions systems of Finland, Germany, Italy, Spain and Portugal may be defined as 'consistently evolving'. In some of these countries (i.e. Italy, Germany and Spain) the system is characterised by regional sub-systems, differently developed and structured, notable for the involvement of many stakeholders within a complex set of different institutional competences (Zanfrini et al., 2015). Finally, Hungary, Estonia and Poland could be defined as 'starting cases'; their systems are still not institutionalized, as a central body responsible defining national guidelines for SKC recognition does not exist, neither at national nor at local level. Their first aim is to develop connections between LLL and different levels of study.

Summing up both types of recognition systems, we observe that the degree of maturity tends to be proportional to the development of the related national LLL system, the length of the country's migration history, the volume of migration flows and the policy approach to migration. Certainly different cultures of recognition exist, and procedures show different degrees of accessibility and usability. Nevertheless, especially in relation to migrants and particularly TCN beneficiaries, some problematic traits common to all systems can be identified. The issue of recognition of formal qualifications acquired in third countries has reached a certain level of articulation in all the countries analysed, due also to the input provided at a supranational level[1]. Nevertheless, several obstacles such as lack of information, high costs and long and complicated bureaucratic procedures tend to account for the large proportion of TCNs who, despite being entitled, do not have recourse to the opportunity of recognition. It is important to consider that, in the case of migrants, the barriers mentioned above are often hampered by linguistic difficulties, a limited knowledge of the cultural and institutional receiving context, precarious working conditions and difficulties in combining professional and family life, due also to reduced social networks.

The issue appears to be particularly critical with respect to regulated professions for which, as already pointed out, official recognition is mandatory. These regulations, put into place to guarantee the quality of certain professional sectors, often have the collateral effect of inhibiting the utilization of human capital acquired abroad by qualified professionals (Sumption, Papademetriou, & Flamm, 2013; Sumption, 2013). Certain sectors appear to be even more inaccessible to TCNs in those contexts where, beyond

national regulations, professional orders play the role of gatekeepers by adopting very strict, often exclusionary membership criteria.

On considering systems of recognition of SKC acquired in non-formal and informal contexts, our research findings show that, apart from a few cases, the national systems investigated appear to be very fragmented, and often almost totally lacking norms, structures, procedures and tools. This is in line with the most recent and wide-ranging research in the field (European Commission et al., 2014). There are undoubtedly several interesting projects in the field, but they are often limited to specific local or sector contexts. Besides, serious evaluations are lacking in this area, as well as mechanisms for the exchange of good practices.

Even in those countries, regions or sectors where a certain level of systematization and expertise has been reached in the field of recognition of non-formal and informal learning, migrants tend to be hardly involved. This is linked to several factors, such as the mechanisms set up for the involvement of beneficiaries, the nature of the professional sectors concerned (which tend to be the most qualified) and the costs implied by validation procedures (which are often high and borne by the candidate). As already mentioned, a crucial inhibiting factor is the linguistic barrier, which hampers both the correct implementation of procedures, and the description of competences, very useful in the validation process and strongly dependent on the candidates' expression ability. Indeed, also cultural understanding of the receiving society's norms, LLL opportunities, labour market functioning, and employers' expectations are crucial.

Certainly, while formal learning is in many ways easy to document and valorize, it is more complex to recognize and certify non-formal and informal learning, mostly for target groups with special needs. Nevertheless the EU is promoting efforts in this direction and important developments are taking place to address the main problems (Werquin, 2009). More broadly, despite the common critical knots discussed above, our research brought to light several innovative experiences related to both forms of recognition, in all the countries investigated and especially at the local level. These experiences, which help to identify the levers to be activated and the steps necessary for improvement, will be considered in the section 'Migrant-friendly systems: approaches, methodologies, tools and strategies of involvement'. Before tackling this point, in the next section we think it advisable to develop some further observations on the criticalities to be addressed to assure to each migrants (and each citizen) the right to access the SKC recognition process and to contrast the institutional, social and individual factors which hamper—in Senians' terms—the conversion of formal resources and rights concerning SKC recognition (if and where guaranteed) into capabilities, that is, the capacity to fully exploit the opportunities formally available.

Universalism and selective options: two sides of the same coin

An interesting lens for the observation of recognition systems is an assessment of their level of inclusiveness or selectivity. All recognition systems are in principle founded on a universalistic approach but, as has emerged from our research, they actually leave space for selective options. As a result, recognition systems and procedures can produce both inclusive effects and further unexpected inequalities, between migrants and nationals, or even among migrants themselves.

With regard to the recognition of qualifications acquired abroad, one initial important consideration concerns the Directive 2005/36/EC (cf. note 2), on the right to recognition of professional qualifications for EU citizens who acquired them in another EU Member

State. This directive, evidently aimed at facilitating labour mobility across EU countries, lays the basis for an important differentiation between EU and non EU migrants in terms of opportunities of incorporation in the labour market. EU holders of professional qualifications, even when requested to fill some knowledge gaps through compensation measures, can rely on a positive outcome of their investment in the recognition process, and hence on the possibility of eventually entering a regulated profession in the receiving country's labour market. On the contrary, for the latter the outcome of the recognition process is uncertain, depending on more or less well defined procedures of formal evaluation of their previous training and professional experience, or on tests assessing migrants' competence. These processes are usually complex, costly and time-consuming, and risk discouraging non-EU citizens from the outset. This is particularly true in national contexts where, due to an incomplete legal framework and to non-efficient operational mechanisms, the recognition of professional qualifications appears to be essentially impossible for those TCNs who, as we will see further on, do not fall in categories with privileged channels of recognition. If it is certainly necessary to base the recognition of professional qualifications on a good level of knowledge and trust in the issuing training system, something that has been achieved reciprocally by EU countries after years of harmonization, it is also important to identify and avoid obstacles such as those mentioned above. For the reduction in the differential treatment between EU and non EU citizens, an important step could be the stipulation or strengthening of intergovernmental agreements, for instance with those sending countries who provide, with reference to each receiving context, the highest proportion of the migrant labour force. Similarly, it would be beneficial to implement a process geared towards the extension of the EQF and EQVET experience to third countries.

Pursuing our reasoning on selective tendencies, it is also useful to observe whether the systems taken into account pay special attention to recognition in specific professional sectors or education/training levels. Some of the countries investigated have, in recent years, adopted options geared towards the facilitation of the recognition of qualifications possessed by highly skilled migrants. These options are usually accompanied by normative provisions, in the form of migration policies, aimed at attracting qualified migrations. For example, Portugal, whilst envisaging the simplification of the bureaucracy in admission procedures for highly qualified foreigners, also promoted a system of automatic recognition of higher education degrees obtained abroad. For the qualifications pertinent to this scheme, the recognition procedure is considerably simplified compared to other foreign diplomas. Also in Poland highly skilled TCNs appear to be strongly favoured with respect to other TCNs, in terms of social mobility prospects. In fact, the national law transposing EU Directive 2005/36/EC on the recognition of professional qualifications envisages some categories of TCNs who can benefit from the same right to recognition conferred on EU citizens, including highly skilled migrants. Therefore, in Poland, highly qualified TCNs undergo similar qualification procedures as EU citizens. In this way they are treated preferentially in comparison to other TCNs, who are usually obliged to enter the Polish training/education system to obtain recognized credentials. This privileged situation is reflected also in terms of migratory policies. Currently in Poland TCNs cannot change their employer, as this would mean the expiry of their residence permit. The only exception are again TCNs holding a residence permit linked to a highly qualified profession. In this way the existing law only allows the professional mobility of this category of TCNs, substantially excluding any such opportunities for other non EU migrants. Furthermore, some systems tend to envisage particularly favourable conditions of recognition for TCN with specific professionalization. One meaningful example is that of health professionals, in particular

physicians and nurses, due to the labour shortage in this field. An interesting case is the 'Professional Integration of Migrant Physicians' programme, aimed at supporting the professional integration of migrant physicians legally residing in Portugal.

All these reflections and examples highlight the contrast between the declared universalistic and inclusive aims of qualification recognition systems and their tendency to envisage privileged channels of recognition for specific categories of beneficiaries. Some considerations can also be made with respect to universalistic and selective options in the recognition systems of SKC acquired in non-formal/informal contexts. The universalistic approach implies that migrants can see their SKC recognized and certificated through a process analogous to that envisaged for citizens, and not conceived specifically for non-nationals[2]. Migrants residing legally in the receiving country can enjoy the same services as the native population and can benefit from technical assistance, in particular with regard to information and career guidance, access to training and LLL, and employment and unemployment benefits.

This universalistic option, adopted, at least in general terms, in all the countries investigated, undoubtedly depends on the shared principle of non-discrimination. This tendency is certainly also linked to the fact that the issue of recognition of SKC, acquired whatever the learning context, has been developed according to the European approach on lifelong learning, clearly expressed since the beginning of the 2000s through both the Lisbon Strategy and the Memorandum explicitly dedicated to this topic (Commission of The European Communities, 2000). This approach supports the development of an LLL system capable of including and enhancing any learning context and its outcomes, pursuing goals such as offering a 'second chance', promoting the democratization of opportunities and the reduction of learning inequalities.

Whilst this idea is formally at the foundations of every SKC recognition system analysed, there are differences in the ways it is implemented. For instance, we can mention the Dutch case, where the lack of specific attention to TCNs depends on a solid cultural framework of equality, and where recognition procedures which are meant for all citizens are also to a large extent potentially able to fulfill migrants' specific needs as well as other specific individuals (e.g., less educated or disabled people)[3]. Conversely, in Spain there are no *ad hoc* procedures for the recognition of competencies for TCNs and the latter have to follow the same route as nationals or migrants coming from EU countries, but the 'merits' that are valued—especially professional experience – must have been obtained in Spain, as the professional activity carried out in another country is not valued. In some countries, the universalistic basis of SKC recognition systems does not impede the emergence of a more or less structured and developed attempt to utilize specific procedures and tools for promoting the access of foreigners, in particular TCNs. The assumption is that, as mentioned above, migrants generally have to deal with stronger weaknesses and higher barriers. This attempt is carried out mainly through pilot projects and local experimentations.

This kind of focus on TCNs shows, on one hand, the will to make equality of opportunities concrete and substantive. In Hungary, for example, the Artemisszió Foundation, an NGO that promotes intercultural communication and multicultural values, in cooperation with the Menedék Association has deployed a tool to recognize TCNs' SKC. The integration programme is customized for each participant based on his/her different needs. With a tool called 'Digital Life Cycle Map' (*Digitális Életpálya Térkép*), the individual's SKC are mapped and measured, basing on the person's whole life cycle

and not merely on work experiences; the priority is to favour the individual's awareness about his/her own competencies. On the other hand, in some cases this focus becomes itself a factor of differentiation that can produce forms of inequalities between nationals and migrants or between different categories of migrants. For example, in Sweden, the so-called 'individual establishment plan' for newly-arrived migrants is accessible only to TCNs under international protection and their relatives, while no clear division of responsibilities or direct entry route to the system of validation exist for other migrants, who remain penalised (Länsstyrelsen Västra Götalands Län, 2012).

It is thus advisable to underline the importance of focusing specific attention on TCNs' special needs, without at the same time disregarding the unforeseen, sometimes paradoxical effects of a selective approach and of the implementation of *ad hoc* procedures.

Certainly, in the absence of measures which take into account migrants' specific needs, the implementation of recognition procedures, in principle so important for tackling migrant discrimination in the labour market, risks becoming itself an instrument of discrimination between those who are in a position to access the system and successfully accomplish the procedures, and those who are not. However, our analysis led us to observe that the degree of inclusiveness of recognition systems does not depend directly on the presence or absence of *ad hoc* measures, but rather on the approach, methodologies and tools adopted. These aspects actually make recognition systems more or less migrant-friendly, as will be seen in detail in the following section.

Migrant-friendly systems: approaches, methodologies, tools and strategies of involvement

The comparative analysis highlighted both some cross-cutting issues and trends and several interesting practices implemented in specific contexts. This provided us with a rich basis from which to study more in detail the theme of migrant-friendliness. What are the choices in terms of approach, methodologies and tools which increase the level of access and usability of recognition systems on the part of migrants? What are the strategies for their active participation and the involvement of the different stakeholders? Which are the factors that can promote the 'capacitating qualities' of the services provided?

Flexibility and relational approach

One important initial consideration is the tension between the standardization and formalization of recognition systems on one hand and the flexibility and capacity to adjust to each single recognition case, on the other. The latter capacity, which is favoured by a relational approach and is able to provide the beneficiary with all necessary support, is obviously more suited to the fulfilment of migrants' specific needs and the valorization of migrants' human capital.

Nevertheless, this positive tendency implies some risks which need to be adequately faced. Concerning the recognition of formal qualifications acquired abroad, flexibility is certainly much higher in the more consolidated systems of the Netherlands, Sweden, and Germany. Here, notwithstanding a high level of structuring and standardization, widespread local services are available and are capable of adopting a relational approach and, to a certain extent, adjusting the process to the needs of the specific beneficiary. Portugal also seems to be quite advanced in this respect, thanks to the attention focused since 2007 on the recognition of qualifications by the governmental Plans for Immigrants'

Integration. This institutional input implied the creation, *via* partnerships between public and non profit stakeholders at a local level, of several services of information, assistance and support for migrants willing to undergo the recognition process. Nevertheless, this flexibility is mainly possible within the framework of specific projects. Due to the financial burden, these initiatives are sporadic and linked to specific funds, and have not yet become an integrated, stable element in the institutional systems analysed.

We are clearly dealing with a field where quality assurance mechanisms, as well as the minimization of risks of discretionary behaviours, are essential factors. If in the field of professional qualifications the degree of bureaucratization and standardization always remains quite high, in the field of recognition of academic qualifications the situation is slightly different. This is particularly true in cases such as Italy or Hungary, where recognition is entrusted to individual higher education institutions. If this solution appears positive in terms of flexibility, it may also lead to less transparent, possibly arbitrary decisions. Indeed, the recognition process may well have different outcomes depending on the evaluating institution. Controlling possible arbitrary behaviours is particularly important if we consider that the dimension of prejudice may compromise an objective assessment of diplomas and determine the devaluation of migrants' qualifications (Guo, 2015; Webb, 2015). For this reason, the activation of effective evaluation mechanisms is essential. This aspect appears to be quite weak in all the countries investigated, as shown by the general scarcity of statistical data on the outcomes of recognition procedures. In fact, even the most meta-reflexive systems, such as those of Sweden, Germany or The Netherlands, have yet to establish complete and efficient evaluation methods.

This leads to a further, interesting aspect, i.e. the tendency of the analysed systems to concentrate merely on the formal evaluation of documents attesting the possession of certain skills, or combining this operation with a thorough evaluation of the applicant's competence. Although both tendencies may be observed in all the countries investigated, given that - mostly in the case of professional qualifications - recognition is usually subordinated both to formal evaluation and language or aptitude tests, bureaucratic obstacles tend nevertheless to prevail. This can severely hinder the recognition of TCNs' competences, which may remain hidden behind linguistic barriers and organizational problems in dealing with complex, bureaucratic procedures. An emerging shift in the approach towards a more practical recognition of migrants' knowledge and experiences, instead of simply looking at formal educational attainment, is perceptible only in Sweden. This appears to be a very promising path for improving the existing mechanisms for the recognition of migrants' formal qualifications acquired abroad, and indicates a possible synergy between recognition of formal qualifications and of non-formal and informal learning, as the former field could benefit from methodologies and instruments borrowed from the latter.

Similarly to formal qualification recognition, in the case of SKC validation wherever acquired the promotion of more standardized procedures is a key issue for ensuring the transparency, cost-effectiveness and efficacy of validation systems. Moreover, the presence of mechanisms of evaluation and control is decisive in limiting arbitrary behaviours on the part of professionals in charge of the service. But the issue is controversial. On the one side an excess of bureaucratization risks preventing the system from understanding the heterogeneity and complexity of the skills needing to be identified, assessed and certified, and of the different routes leading to their acquisition. It risks decreasing the level of awareness of the actors involved in terms of the meaning and objectives of the process. The Dutch case provides some interesting elements for consideration. The effort to regulate and standardize procedures risks promoting a kind of 'procedural thinking' that hinders the beneficiary's empowerment and active

involvement (Pijpers et al., 2015). It also overshadows the importance of tailor-made solutions which, as such, are capable of meeting individual needs and specificities and, in the case of TCNs, valorising migratory experiences and intercultural competences. On the other side, when procedures are less bureaucratized and standardized, and the high number of involved players widens the flexibility of recognition paths, the beneficiaries' difficulty in choosing from different opportunities also increases.

The presence of a caseworker—intended as a counsellor that is specifically devoted to help individuals choose, combine and coordinate different employment and social services and recognition tools which are appropriate to his/her situation – could help to mediate between standardization and flexibility of procedures. In Sweden, for example, it is through caseworkers at the employment office that an individual can access different measures for validation. The presence of a caseworker/counsellor and the development of specific instruments for guidance and 'skills balance' are crucial for enabling procedures to meet differentiated individual capacity, needs and objectives, and to put in place personalised and tailor-made solutions (MacKay et al., 2016). An appropriate level of training of recognition operators is also crucial, especially for developing their intercultural sensitivity and multicultural competence (Spinthourakis, 2006). In fact, in Sweden, some field studies give a lot of examples of failings in the SKC recognition system, caused by the low level of training and interest of the assessors (Diedrich & Styhre, 2013).

Stakeholders' active participation

As has been seen throughout the paper, migrants do not fully benefit from recognition opportunities even when offered by well-designed systems. Regarding this, our analysis reveals some criticalities and ambiguities in the functioning of the recognition systems.

Firstly, the active involvement of the beneficiaries is clearly the keystone for the successful implementation of recognition procedures, as it produces their higher engagement, with positive consequences in terms of empowerment, motivation and subsequently employability.

Nevertheless, delving more deeply, if this is a pre-requisite, the centrality given to individuals, especially where the recognition systems are lightly structured, can lead to unforeseen effects: the penalization of the 'weakest' individuals, with less ability to move independently and less power to enforce their rights, or fewer possibilities to take advantage of opportunities for family or occupational reasons. Beneficiaries are required to be responsible and motivated to continue LLL while employed, to be actively engaged in the validation process, combining, when needed, training, work and family life, and to support the costs of the recognition process.

Whilst competence recognition has been conceptualized with the aim of potentially furthering social justice in relation to individual opportunities, and increasing individual self-confidence, self-esteem and power, under some conditions the recognition process can have the opposite effect for TCNs, as some studies suggest (Diedrich & Styhre, 2013; Guo, 2010a). As an extreme consequence, recognition systems instead of being a 'capacitating institution' could become a 'divisionary tool', enabling to the selection of the immigrants considered to meet certain standards (professional or otherwise) while excluding others, or favouring some and penalizing others (Andersson & Osman, 2008).

This risk emerges more explicitly when we consider the rationale behind the system of SKC recognition. The latter is effective to the extent that it leads to a certification (that is, it identifies competences as corresponding to some professional or learning standards and referentials). Borrowing a metaphor often utilized by scholars to speak about the recognition of prior learning (Jones & Martin, 1997), we can affirm that by pursuing this

objective the system of SKC recognition risks 'bonding' individuals to a sort of 'Procrustean bed', which instead of finding flexible solutions for everyone, forces the individual to fit the unique solution available. It recalls what the logic of 'competencies' tends to do, compelling individuals to meet certain predefined standards (Lodigiani, 2011), far from considering competence in a holistic way[4].

Moreover despite the best intentions, any process of selection and assessment—as well as any learning practice and context – is inevitably influenced by wider power dynamics and special interests (Andersson & Osman, 2008; Fejes & Fragoso, 2014; Shan & Fejes, 2015). Considering all these critical aspects, our research work clearly shows the importance of acting in at least two directions.

Firstly, as already hinted at, mostly when the process of recognition is long lasting and especially if it is connected to some additional training initiatives, it is crucial to find flexible solutions able to suit individual needs and to enable the person to better balance this experience with work and family engagements. Financial aids also appear to be important, especially for TCNs, who are mostly employed in unskilled, low income jobs, and for whom the costs of competence validation could be unaffordable. In this regard, our analysis shows that recognition measures can have a meaningful impact on the social and economic inclusion of migrants only if combined with other services of active labour policy (training, guidance, internships) aimed at promoting the incorporation of migrants into the regular labour market. For this reason, public services should envisage recognition practices as instruments to be inserted in an integrated strategy towards social and economic inclusion.

Secondly and even more relevant, considering the 'voice' of the actors involved in recognition processes, starting from the direct candidates to the many indirect stakeholders, is fundamental, as we are going to argue.

In order to be considered as such, a competence must be socially recognized: its definition relies on three elements: the subject's self-perception, the interaction with objective indicators (standards, referential) and social recognition. It is the last one which gives meaning to the first two. This awareness highlights the importance of participation in processes of social construction of recognition mechanisms and tools, including competence repertories. In relation to migrants, the possibility for them to have a voice and to be involved, either directly or through their representative organisations, in the designing of recognition systems is crucial, especially for the goal of enhancing, from a social standpoint, a series of competences which otherwise would remain hidden, despite their potential for economic growth. This is particularly relevant to those competences which have been acquired by TCNs through their migratory experience. Among the latter it is worth mentioning intercultural competences, which constitute a paramount asset in the current globalized economy, but still tend to be neglected in the productive system (Sadjed, Sprung, & Kukovetz, 2015). Through the use of portfolios or other *ad hoc* tools, these competences can undergo a process of registration, but for their formal recognition and translation into certifications that can be effectively used in the labour market, their social acknowledgment is essential. In other words, migrants and their representative organisations, if empowered to express their claims, could have a strategic role in the social recognition of a migrant's specific competence. We can again refer to the capability approach to deepen this matter, by borrowing the concept of 'capability for voice' from Bonvin and Farvaque (2006, p. 127). In the Senian framework developed by the two authors, 'capability for voice' stands for 'the ability to express one's opinions and thoughts and to make them count in the course of public discussion'. Transposing this

concept in our field of concern clearly emerges that both in the case of individual beneficiaries and of migrant representatives this capability is crucial for promoting recognition systems able to look at cultural diversity as desirable resources (Guo, 2010b), as it implies the possibility of valorising migratory background and individual life-course together with the possibility of participating in the discussion concerning the definition of standardised referentials.

However, the involvement of employers and all the different stakeholders (from educational institutions and labour market actors, up to organizations of the third sector) is also fundamental to ensure that recognition, once acquired, can be used in any learning, working or life context. This is strategic for promoting the 'culture of recognition' and the awareness that the recognition of SKC wherever and however acquired is an asset not only for workers or jobseekers (migrants and natives!), but also for labour demand, and for society overall. Crucially, our research work shows that where SKC validation systems are more advanced, stakeholders' participation is also better developed. The Dutch system is once again a case in point, because of the effective cooperation among the National Knowledge Centre for recognition of prior learning, the Ministry of Education, the Ministry of Social Affairs and Employment, the Ministry of Economic Affairs, and social partners. In particular, the latter have an important function as they include the right to recognition in collective agreements, promote employer responsibility as regards the costs of procedures, and request financial benefits both for employers and employees. In countries that pay particular attention to the positive occupational and economic implications of SKC recognition, the involvement of companies and employment services stands out, as in Sweden (MacKay et al., 2016). The involvement and awareness of the latter stakeholders is particularly important, as sometimes also in cases of successful recognition, the employability or professional mobility of migrants may be hindered by prejudice in receiving societies, and especially in labour demand. As has emerged in some countries, invisible discrimination dynamics may lead local employers to mistrust competences acquired in another country or outside an education and training system perceived as the norm.

Furthermore, promoting the involvement of different stakeholders has important implications in terms of cost sharing. In many countries it is not clear whether, and to what extent, candidates should bear the costs. While there are reasons for promoting individual responsibility, the cost should be shared among all the stakeholders, since individual users are not the only beneficiaries of validation. Conversely, with specific reference to migrants, financial compensation appears to be needed also for the institutions in charge of the validation process, as registering migrants' SKC may be particularly time and resource consuming. The expenses related to validation procedures represent the main factor which discourages public authorities, companies, and public or private services from promoting validation mechanisms, and which, at the same time, prevents individuals from requiring and undertaking them. In fact, the financial sustainability of national validation systems is becoming a key national issue, at least for policy-makers and stakeholders (Cedefop, 2009).

From all the considerations above it is clear that active participation of all the different stakeholders, far from being limited to a formal, merely institutional, dimension, should imply the presence of an actual space of action and the possibility of substantial contribution by all the actors involved.

Closing remarks

Consistently with the literature, on the basis of our research findings we can conclude that systems of recognition of formal qualifications and of SKC however and wherever acquired may represent a crucial lever for fully appreciating, in receiving countries, the patrimony of hidden and unutilized competences held by migrants. However, as our research has shown, a step forward needs to be accomplished, so as to build systems really capable to identify and valorise this patrimony through more accessible, effective and 'capacitating' measures.

Benefits that may result are manifold and would include not only the employability of TCN migrants and the overall competitiveness of the system, but also the development of equal opportunities and the democratization of work and life chances for all citizens. Considering the effects on TCNs' individual life and work paths, adequate recognition systems and procedures would foster the capitalization of knowledge and competence acquired over time, allowing for their progressive accumulation, accelerate the process towards stable inclusion in the labour market, favor professional and retribution mobility, shorten the route towards qualified and socially-recognized positions, reduce the risk of contamination with shadow economy or segregation in marginal employment situations, and offer better protection during economic downturns. From a macroeconomic and societal standpoint, thanks to well-functioning recognition measures. companies and, generally, employers could better utilize, valorise and allocate migrants' human capital by taking advantage of the transparency of the competence stock at their disposal. A more efficient match between labour supply and demand would contribute to counteracting the brain waste process and the phenomenon of over-qualification. Enhancing the transparency and valorization of migrants' human capital would favour the attraction and retention of a skilled foreign workforce, help reducing the labour market ethnicization, foster the internationalization of the economic system, and promote migrants' financial contribution to the welfare system. Furthermore, well-developed recognition systems would facilitate exchanges among learning, working and life experiences, fostering the democratization of occupational, educational and training opportunities, favouring human capital development and helping educational and training institutions to better plan and maximize the impact of their activities (Zanfrini, 2015).

Nevertheless, while not forgetting the numerous expected advantages and the significant number of positive reasons which motivate the need to support the development of systems of recognition of formal qualifications and of SKC however and wherever acquired, it is also important to highlight the various problems which currently exist. Addressing these criticalities is crucial to preventing these systems, while representing potential means of integration and democratization of opportunities, from becoming, in certain conditions, invisible instruments of discrimination among different groups of citizens: natives and migrants, EU and non-EU nationals, migrants with different education levels or, broadly, those who do or do not have the resources or conditions to get through recognition processes. Furthermore, it is essential to consider that not every subject has the same negotiating power within the recognition systems in accordance with his/her special interests. For instance, migrant beneficiaries tend to have little voice for fostering, within recognition systems and their competence repertoires, the valorization of those specific competences which are not yet codified and linked to the migratory background (such as intercultural competences). As has been illustrated by our research work, a relational approach, the use of innovative and flexible methods and tools, and the active involvement of all stakeholders are strategies particularly suitable for promoting migrants' access to and use of recognition systems. In fact, as shown by our

work, the most "capacitating" systems are those which tend to promote measures featured by all these elements. Promoting a holistic interpretation of the concept of competence, able to take into account both a cognitive, functional and social dimension, those kind of systems prevent recognition systems from becoming a sort of 'Procrustean bed' which forces individuals to meet some imposed standards, regardless of their needs, ability, expectations and personal characteristic, reducing the space for negotiation and voice.

Finally, it is important to remember that recognition systems as well as all the practices and instruments for their functioning and implementation, have profound meanings at the social, economic and cultural level. As with any kind of policy, they are far from being neutral, but rather they embody values, norms and preferences, as they are embedded in a socio-economic, institutional and cultural context which influences them. This should be taken into account in order to understand their explicit and implicit objectives, critical aspects, and unforeseen effects (Lodigiani, 2011). This normative dimension becomes evident, for instance, when criteria for access and use are established, decisions are made about who will be in charge of expenses, the range of competences that can be recognized is defined, the standards of reference are identified, or goals of recognition are established. At the same time, precisely due to this normative dimension, recognition systems and practices can influence the context where they are put into practice. For this reason innovating recognition practices and processes, building systems friendly to all users, promoting frontline workers' relational approach, intercultural sensitivity and multicultural competence, developing flexible tools, and sustaining different stakeholders participation can be a powerful way to foster a new culture of integration and inclusion of migrants, and/or any group of vulnerable people, which is able to valorize the social and economic contribution of each single person in his/her diversity.

Acknowledgements

Notes

[2] In particular, we refer to the EU Directive 2005/36/EC on the recognition of professional qualifications which affirms that professional qualifications issued by an EU country must be recognized by any other member state; the Lisbon Recognition Convention promoted in 1997, concerning Higher Education in the European Region; the Bologna Process initiated in 1999, to ensure comparability in the standards and quality of higher education qualifications, and the Copenhagen Process., launched in 2002, which aims at improving the performance, quality and attractiveness of vocational education and training through enhanced cooperation at EU level. These processes defined the frameworks of reference for the European Qualification Framework (EQF) and European Credit system for Vocational Education and Training (EQVET).

[3] It is also for this reason that the availability of statistical information on TCNs' competence recognition is generally very limited or totally missing, since tracking beneficiaries' nationality is not deemed to be relevant.

[4]In general, in contexts where particular attention has been paid to special categories (not only migrants, but also less educated or disabled people), some interesting and innovative methodologies have been developed, such as portfolios comprising photographic or video recorded materials which are helpful for overcoming language barriers. Moreover, the presence of effective supporting measures, such as personalized coaching services implemented by professional operators, can be found in many countries or regional areas, e.g., the Netherlands, Sweden and Germany.

[5]We do not have the space here to delve further, but we would like to underline the contrasted distinction between the term 'competence' (pl. 'competences') used in the EU language (and in this article) and the term 'competency' (pl. 'competencies') mainly widespread in assessment procedures. While the first refers to a holistic conception of the competence, the second reflects (generally) a behavioral perspective (Delamare Le Deist & Winterton, 2005). Indeed, the debate about the respective definitions still remains wide open and in the literature the two terms basically fall short of consistency (Cedefop, 2006, 2014).

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