

Consultation on the EU Skills Portability Initiative

► Key messages from the International Labour Office

1. Introduction

The ILO welcomes the European Union's intention to promote fair labour mobility and to improve skills portability. The ILO recognises the alignment of EU's initiative to promote freedom of movement for EU and third country nationals, with core principles and rights consigned in international labour standards, notably the [Migration for Employment Convention \(Revised\), 1949 \(No. 97\)](#) and [Recommendation \(No. 86\)](#), and the [Migrant Workers \(Supplementary Provisions\) Convention, 1975 \(No. 143\)](#) and [Recommendation \(No. 151\)](#), and the [General principles and operational guidelines for fair recruitment and definition of recruitment fees and related costs \(2019\)](#), the International Labour Conference (ILC) [Resolution concerning skills and lifelong learning \(ILC, 2021\)](#) and the [Human Resources Development Recommendation, 2004 \(No. 195\)](#) and [Quality Apprenticeships Recommendation, 2023 \(No. 208\)](#).

The ILO acknowledges the EU's commitment to:

- Promote decent work through better labour market access and the reduction of skills mismatches, by improving transparency of labour market signals (R.195, paras 3(a), 17; C97, Arts 2–3; R86, Art. 1 (Model Agreement))
- Support equal access to labour market opportunities (R.195, paras 4(a), 5(h); C143, Art. 10; R151, para. 2(a)–(c))
- Advance fair and effective workers mobility, through better recognition processes (R.195, para. 11; R151, para. 2(b))
- Strengthen transparency and access regarding qualifications for workers and employers (R.195, para. 11; R151, paras 2(b), 24(b))
- Support recognition and validation of prior learning, whether acquired in formal, non-formal or informal contexts (R.195, paras 3(d), 5(d), 11; R.208, para. 1(d))
- Increase efficiency by reducing administrative burdens through simplification and implementation of interoperable digital workflows, while maintaining systemic safeguards, including quality assurance and inclusive access (ILC, 2021; R.195, paras 5, 11)

The ILO also appreciates the central role assigned to tripartite social dialogue in the ongoing consultation process (R.195, para. 5(a) and (f); R.208, paras 4, 6, 9; C143, Art. 12(a); ILO, 2019, Scope; ILO, 2019, General principles).

Involving social partners on this important initiative, is also consistent with the Committee of Experts (CEACR)¹ emphasis that contemporary skills policies should integrate recognition of prior learning and competencies within broader lifelong learning and training systems, supported by effective labour market information and career guidance (CEACR, *General Survey concerning employment instruments in light of the 2008 Declaration on Social Justice for a Fair Globalization*, Report III (Part 1B), International Labour Conference, 99th Session, Geneva, 2010, para. 99).

While the proposed measures are generically in alignment with the mentioned principles, the ILO also would like to advance considerations that may inform the initiatives that will be proposed under the upcoming EU skills portability initiative.

2. Key Considerations for the EU Skills Portability Initiative

2.1 Rebalance the rationale towards decent work and lifelong learning, with explicit reference to International Labour Standards

The current narrative is fundamentally framed around efficacy and efficiency improvements of the Single Market. We would **advise to rebalance the rationale to be more clearly based on decent work, inclusive lifelong learning and rights at work, making direct reference to applicable agreed guidance and international labour standards on labour migration, skills and lifelong learning** (ILC, 2021; R.195, paras 3 and 4). In addition, the CEACR has **cautioned against fragmented approaches**, recalling that “there should be a coherent and integrated system of human resources development, rather than a piecemeal collection of policies and programmes that may duplicate or negate one another” (ILO, CEACR, *General Survey concerning employment instruments...*, ILC, 99th Session, 2010, para. 121). In addition to referencing exploitation risks in recruitment processes, **the proposed instruments could mention concrete protections and safeguards in recognition pathways, such as rights to appeal, fee and documentation waivers (where needed), anti-discrimination measures and data/privacy protection** (R.195, paras 4(a), 5(h), 11).

International labour standards apply to all workers—regardless of nationality or migration status—unless explicitly stated otherwise.¹ Recognition pathways should, as appropriate, draw on and be anchored **in the ILO General principles and operational guidelines for fair recruitment** (ILO, 2019), including requirements for transparency of procedures, the prohibition of recruitment fees charged to workers, and access to effective complaint and remedy mechanisms. They should also **reflect equality of opportunity and treatment** as set

¹ More information about the Committee of Experts can be found here <https://www.ilo.org/international-labour-standards/ilo-standards-supervisory-system-regular-supervision/committee-experts-application-conventions-and-recommendations-ceacr>

out in the Migration for Employment Convention (Revised), 1949 (No. 97) and Recommendation (No. 86), and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) and Recommendation (No. 151).

2.2 Ensure due process and quality assurance in agile recognition pathways as well as EU wide portability

An agile process for recognition of qualifications requires **appropriate procedural safeguards and adequate quality assurance**. The creation of lists of third country approved qualifications for automatic recognition, can potentially lead to a tiered system that automatically discriminates against vulnerable groups, individuals and occupations. To avoid this these systems need to be supported by transparent criteria and registries, with time bound and reasoned decisions based on the adopted criteria, accessible appeal mechanisms, built-in worker protections and independent evaluation mechanisms, consistent with objective and non-discriminatory assessment and credible certification systems (R.195, para. 11).

From a labour migration perspective, due process should also align with agreed ILO guidance on fair and effective labour migration governance and fair recruitment, ensuring equality of opportunity and treatment, protection against discrimination, and access to effective complaint and redress mechanisms for migrant workers (ILO, 2019; ILC, 2017a). International labour standards further emphasize transparency, procedural safeguards and protection against abusive practices throughout the migration cycle. Embedding these principles within recognition procedures helps ensure that accelerated pathways do not compromise rights protection, procedural fairness or decent work outcomes. (ILO, 2019, General principles, C143, C97).

Moreover, it is important to clarify the EU cross-border validity and portability of the recognition outcomes/credentials and **avoid procedural redundancy, particularly for third country nationals**. Portability is integral to the **functional requirement of recognition systems and qualifications frameworks** (R.195, para. 11(3); R.208, para. 25(n)). At present, it is unclear what legal or practical effect a successful recognition process and decision in one receiving Member State would have in other Member States, including with regard to support potential secondary movements within the EU. Although the initiative is situated within the broader framework of EQF-supported measures, it remains currently uncertain whether a qualification acquired in one Member State would be recognised or hold validity across the Union.

2.3 Pair recognition with inclusive bridging training and lifelong learning support

Recognition processes could be paired with inclusive bridging training, language learning, cultural adaptation, mentoring and career guidance, as well as access to other relevant support mechanisms (R.195, paras 8(d), 15; R.208, para. 25(m)–(n)). Access to education and training to both migrant workers and their families, including children and adolescents are key for successful labour market integration and complement recognition processes (ILC, 2021; R.195, paras 3(a), 4(a)). Quality assured micro-credentials could be positioned as access doors to training and employability pathways, rather than only recognition instruments, in line with a lifelong learning approach (ILC, 2021; R.195, paras 3 and 5(e)). The CEACR has further emphasized that “training, information and guidance should also address a broad range of issues to help individuals make informed choices so that they can participate fully in working and civic life” (ILO, CEACR, *General Survey...*, 2010, para. 124).

2.4 Strengthen governance towards fair and ethical migration and mobility, and mutual benefit through skills cooperation

A robust governance component underpins a fair migration framework and helps to ensure mutual benefits for origin and receiving countries. Sustainable agreements and setup of adequate mechanisms and services that can support fair and ethical worker migration and an effective mutual recognition mechanism, should promote cooperation mechanisms that mitigate negative impacts on countries of origin (brain drain), including through strengthening skills systems and cooperation on human resources development (R.195, paras 19–21; ILC, 2021).

Within regional economic communities, **strengthened governance requires closer coordination of labour migration frameworks and qualification recognition systems.** As international labour mobility expands, greater coherence is needed across employment, education and training, sectoral regulation and migration policies. Clear, transparent and affordable recognition procedures are central to fair migration and mobility, enabling workers to use their skills effectively while supporting labour market needs and sustainable development in both origin and destination countries.

Effective governance of labour mobility should explicitly safeguard migrant workers’ fundamental rights at work, including freedom of association and collective bargaining. The Committee on Freedom of Association has affirmed that the right to organize applies to all workers without distinction whatsoever, including on the basis of nationality or migration status (Compilation of decisions of the Committee on Freedom of Association, paras. 320–324). It has further clarified that migrant workers, irrespective of their status, must be able to establish and join organizations of their own choosing for the promotion and defence of their occupational interests (paras. 387–388). Ensuring that migrant workers can effectively

exercise these rights strengthens fair migration and mobility frameworks and supports balanced and sustainable labour market outcomes.

Policy coherence is influenced by institutional, economic and social considerations and often reflects differing priorities. Countries of origin typically seek to establish safe migration pathways, protect their nationals abroad and mitigate adverse effects such as skills shortages, while destination countries focus on addressing workforce gaps. Strengthened cooperation mechanisms, including mutual recognition arrangements and structured skills partnerships, are therefore essential to ensure balanced outcomes and promote decent work for all.

Digitalization can reinforce these efforts by streamlining qualification recognition, facilitating certification processes and increasing transparency in recruitment. Secure digital platforms that store contracts and credentials can create verifiable records, reduce disputes and improve oversight, provided robust data protection safeguards are in place. These considerations draw on ILO research, including analysis of health labour migration, with relevance across sectors (ILO 2017b, ILO 2025).

2.5 Make labour market intelligence and tripartite governance explicit

The initiatives under the EU Skills Portability Initiative would benefit from **explicitly referring to the production and use of quality labour market intelligence, supported by tripartite governance, to define priority occupations and complementary training** (R.195, para. 5(a) and (f), and para. 17; R.208, para. 25(d)). Aspiring migrant and recent arrivals should benefit from appropriate skills assessment and labour market matching that reflects current and future skills needs, as well as sectoral growth priorities (R.195, para. 17). Skills intelligence governance that identifies labour demand in priority occupations should actively engage social partners, either through sectoral skills bodies or dedicated governance mechanisms (R.195, para. 5(a) and (f); R.208, paras 6 and 9).

Building on this, the proposals under the EU Skills Portability Initiatives would gain from **recognizing the central role of labour market intelligence and tripartite governance in shaping labour migration and skills policies**. Given the growing importance of labour migration for sustainable development in both origin and destination countries, labour ministries—together with other relevant public authorities and workers' and employers' organizations—should be including within the core of policy reforms on migration, skills and lifelong learning.

These actors are critical not only for generating and interpreting labour market intelligence, but also for ensuring that migration policies respond to identified skills needs, support productivity and inclusive growth, and uphold decent work. Engaging them from the outset of policy design and strengthening their capacity to participate effectively in labour migration governance mechanisms, can enhance coherence, legitimacy and sustainability. Explicit tripartite involvement can also expand the range of policy solutions and help address

public concerns by anchoring labour migration decisions in evidence-based analysis and social dialogue (ILO 2023).

2.6 Embed career guidance as a core service across the mobility pathway

It is important **to provide both pre-departure and arrival career guidance services**, which should be a requirement of recognition processes, to enhance labour market outcomes (R.195, paras 8(d), 15(a)–(c)). Furthermore, due to the adverse effects of waiting times in process over skills, and the need to facilitated access to core skills development and bridging training, consider targeted and inclusive financial incentives to voluntary participation in training (e.g. targeted ILA application), as part of training support services (R.195, para. 5(e); ILC, 2021).

2.7 Ensure digital portability is inclusive and supports lifelong learning pathways

Implementation of interoperable digital credentials and wallets should explicitly refer to protections that ensure equal access and adequate safeguards that guarantee privacy, accessibility, and minimise exclusion of digitally marginalised workers (R.195, paras 4(a), 5(h), 11; ILC, 2021). Development of interoperable systems should consider the development of capacity in countries of origin, regarding qualification systems and digital credentials, via cooperation agreements and technical support (R.195, paras 19–21).

In the context of labour migration, **digital portability should also address risks of exclusion, deception and abuse across the migration cycle**. ILO policy guidance highlights that digital tools used in recruitment and employment should enhance transparency, prevent fraudulent practices and reduce workers' vulnerability to exploitation, including through accessible information and secure documentation systems (ILO, 2019; ILO, 2021). Interoperable digital credentials and platforms should therefore be embedded within fair recruitment frameworks and aligned with international labour standards protecting migrant workers' rights, including safeguards related to transparency, accountability of intermediaries and protection against abusive practices (ILO, 2019; ILO, 2022). Ensuring that digital systems facilitate portable skills recognition while strengthening oversight of recruitment processes is essential to advancing decent work outcomes in cross-border labour mobility.

3. References

ILO. (2025). *Compendium on recognizing the skills of migrant workers in the health sector*. Geneva: ILO. ISBN 978-92-2-041981-6. DOI: <https://doi.org/10.54394/EXLV9192>

ILO. Quality Apprenticeships Recommendation, 2023 (No. 208).

ILO. (2023). *The role of social partners in skills development, recognition and matching for migrant workers: a contribution to the Global Skills Partnership*. Workshop paper. Available at: https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40ed_protect/%40protrav/%40migrant/documents/meetingdocument/wcms_754106.pdf

ILO. (2021). *Use of digital technology in the recruitment of migrant workers*. Geneva. Available at: https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40ed_norm/%40ipec/documents/publication/wcms_831814.pdf

ILO. (2022). *How digital technology can protect migrant workers from forced labour and exploitation*. Geneva. Available at: https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40ed_norm/%40ipec/documents/publication/wcms_849385.pdf

ILO. (2019). *General principles and operational guidelines for fair recruitment and definition of recruitment fees and related costs*. Geneva: ILO. Available at: https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@ed_protect/@protrav/@migrant/documents/publication/wcms_703485.pdf

ILO. (2017a). *Resolution concerning fair and effective labour migration governance*. International Labour Conference, 106th Session. Geneva. Available at: <https://www.ilo.org/resource/ilc/106/resolution-concerning-fair-and-effective-labour-migration-governance>

ILO. (2017b). *General practical guidance on promoting coherence among employment, education/training and labour migration policies*. ISBN 978-92-2-131453-0 (print); 978-92-2-131454-7 (web pdf). Available at: https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40ed_protect/%40protrav/%40migrant/documents/publication/wcms_614314.pdf

ILO. Human Resources Development Recommendation, 2004 (No. 195).

International Labour Conference, 109th Session, Geneva, 2021. Resolution concerning skills and lifelong learning (adopted by the International Labour Conference).

ILO, Committee of Experts on the Application of Conventions and Recommendations (CEACR), *General Survey concerning employment instruments in light of the 2008 Declaration on Social Justice for a Fair Globalization*, Report III (Part 1B), International Labour Conference, 99th Session, Geneva, 2010, paras 99, 121, 124, 134, 142.

ILO. (1949). Migration for Employment Convention (Revised), 1949 (No. 97). Geneva. Available at:

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312242

ILO. (1949). Migration for Employment Recommendation (Revised), 1949 (No. 86). Geneva. Available at: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312424

ILO. (1975). Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143). Geneva. Available at: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312288

ILO. (1975). Migrant Workers Recommendation, 1975 (No. 151). Geneva. Available at: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312489