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for Migration  
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Centre

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# Educational and Labour Migration Monitoring: Issuance of Residence Titles to Third-Country Nationals

Annual Report 2022

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# Content

<b>Summary</b>	<b>4</b>
<b>1. Introduction and Database</b>	<b>6</b>
<b>2. Relevant Legal and Political Developments in the Year under Review</b>	<b>8</b>
<b>3. First-Time Issuance of Residence Titles in the Context of Educational and Labour Migration</b>	<b>11</b>
3.1 Residence Permits in the Context of Educational Migration	11
3.2 Residence Permits in the Context of Labour Migration	14
3.2.1 Officially Recognised Skilled Workers (Residence Act, Sections 18a and 18b)	17
3.2.2 Other Employment Purposes (Residence Act, Section 19c)	19
3.3 Settlement Permits in the Context of Labour Migration	20
<b>4. Selected Changes of Status in the Context of Educational and Labour Migration</b>	<b>22</b>
4.1 Changes to Educational Measures	22
4.2 Change from Educational Measures to Employment or Job Seeking	23
4.3 Change from Educational or Labour Migration to other Residence Titles	24
<b>5. Resident Third-Country Nationals in the Context of Educational and Labour Migration</b>	<b>26</b>
5.1 Educational Migration	26
5.2 Labour Migration	28
<b>6. Third-Country Nationals on the German Labour Market</b>	<b>31</b>
<b>Bibliography</b>	<b>33</b>
<b>Annex: First-time Issuance of Residence Titles in the Context of Educational and Labour Migration by Federal State</b>	<b>35</b>



## Methodological note:

Due to legal provisions on statistical secrecy (Federal Statistics Act, Section 16 (1)), it is not allowed to publish values from the Central Register of Foreigners that allow statements about individuals. Therefore, in the following report all statistics (incl. the values of previous years) are subjected to a rounding of five. This means that all values are rounded to the nearest multiple of five. This procedure ensures legal confidentiality in a practical manner while minimising the loss of information at the same time. However, it also means that the sum of the individual values in a table may differ from the column or row totals.

# Summary

## KEY TRENDS

- As in the previous year, educational and labour migration to Germany increasingly recovered in 2022 from the decline caused by the COVID-19 pandemic. The largest increases compared to 2021 were primarily in residence titles that were particularly affected by pandemic-related entry restrictions, such as the Western Balkans regulation.
- In total, about 73,200 persons received a residence title in the context of educational migration for the first time. In the context of labour migration, the number was about 123,400 in relation to temporary residence titles and almost 22,200 persons regarding permanent residence titles.
- At 85%, the share of persons who had not held another previous residence title in Germany was significantly higher for educational migration than for labour migration, at only 56%. This shows that prior stays, e.g. in the context of an educational measure, are particularly important for labour migration. In both areas, however, the increase in the number of issuances compared to 2021 is largely due to persons without a previous title.
- The number of persons with first-time issuance without a previous title increased by almost 80% for temporary titles in labour migration. The EU Blue Card is still the central legal basis here, but the Western Balkans regulation also reclaimed some importance. In educational migration, the increase was 35%. Here, students continued to form the large majority. Titles for recognition measures and above all for vocational training, however, showed somewhat higher rates of increase.
- China and above all India were again the most important countries for student migration in 2022. For other educational measures, on the other hand, Vietnam was particularly important. India also was by far the most important country for labour migration, with titles for highly qualified jobs playing the central role here.
- As of 31 December 2022, around 227,100 persons lived in Germany with a residence title for educational migration. This number is 9% higher than in the previous year and thus also above the figure before the start of the entry restrictions due to the pandemic. For resident labour migrants, the figure rose by 19% to around 455,500 persons, continuing the positive trend of previous years.
- According to the Federal Employment Agency, a total of about 2.6 million third-country nationals were employed and subject to social insurance contributions in Germany in September 2022. This number is thus significantly higher than that of resident labour migrants, as persons with other residence titles, e.g. from the humanitarian sector or family reunification, also have access to gainful employment. Turkish nationals are by far the largest group with a share of over one fifth, followed by Syrian nationals with 8%.

## FIRST-TIME ISSUANCE OF RESIDENCE TITLES IN THE CONTEXT OF EDUCATIONAL AND LABOUR MIGRATION

Third-country nationals with first-time issuance of a residence title in the context of educational and labour migration in 2022:  
218,775

Temporary residence titles:

196,605,  
including:

For educational purposes  
pursuant to Residence Act,  
Sections 16 - 17  
(Chapter 3.1):

73,195

For the purpose of gainful  
employment pursuant to  
Residence Act, Sections  
18 - 21 (Chapter 3.2):

123,410

Settlement permits for skilled  
workers and self-employed persons  
pursuant to Residence Act,  
Sections 18c and 21  
(Chapter 3.3):

22,170

Skilled worker  
with vocational  
training  
(Residence Act,  
Section 18a)

14,225

Skilled worker  
with academic  
training (incl. EU  
Blue Card)  
(Residence Act,  
Section 18b)

55,890

(Mobile)  
Researchers  
(Residence Act,  
Sections 18d, 18f)

5,285

Other  
employment  
purposes  
(Residence Act,  
Section 19c)

33,295

Job seeking  
(Residence Act,  
Section 20)

7,365

Other  
occupations  
(Residence Act,  
Sections 19, 19b,  
19d, 19e, 21)

7,355

Vocational training  
(Residence Act, Section 16a)

14,075

(Preparation for)  
courses of study  
(Residence Act, Section 16b)

51,780

Recognition of foreign  
qualifications  
(Residence Act, Section 16d)

3,990

Other educational measures  
(Residence Act, Sections 16e,  
16f, 17)

3,350

# 1. Introduction and Database

The Research Centre of the Federal Office for Migration and Refugees focuses with the present monitoring, as part of its "Series Reports on Migration and Integration", on the area of educational and labour migration from outside the European Union (so-called third countries). The aim is to obtain information for the purpose of migration management and to provide qualified advice in the context of political decision making. At the same time, the "Educational and Labour Migration Monitoring" supports the work of academia and journalism and informs the public. It serves as the methodologically expanded follow-up publication to the "Migration Monitoring", which has been published from 2012 to 2019.<sup>1</sup>

This report is based on statistical evaluations from the Central Register of Foreigners (Ausländerzentralregister; AZR) which in turn are derived from residence titles issued by the German foreigners authorities. In the case of nationals of the European Union (EU), the European Economic Area (EEA) and Switzerland, who for the most part do not require such residence titles due to the applicable rights of freedom of movement, no differentiation can be made according to the purpose of residence. The immigration and residence of most third-country nationals, on the other hand, can be differentiated by the individual legal bases according to immigration motives or purposes of residence.<sup>2</sup> The basis for this are the residence titles issued by the local foreigners authorities (residence and settlement permits as well as EU Blue Cards and (Mobile) ICT cards)<sup>3</sup>, which are registered by them in the AZR. This report focuses on residence titles for the purpose of educational measures (Residence Act (AufenthG), Section 16-17) and gainful employment (Residence Act, Section 18-21; incl. job seeking).

However, third-country nationals who want to work in Germany are not explicitly dependent on a residence title for the purpose of gainful employment. Unrestricted access to the labour market also exists, for example, for family members joining them. Most residence titles issued for humanitarian or political reasons also entitle their holders to gainful employment. The same applies to the pursuit of educational measures, such as taking up a study program.

The figures on educational and labour migration presented in this report therefore do not represent the entire labour force potential of third-country nationals in Germany or their participation in the education system. In order to classify the importance of these migration groups for the German labour market, the annual reports of this monitoring series additionally refer to the general employment statistics of the Federal Employment Agency.

Another large labour force potential results from the immigration of foreign nationals of EU Member States. For this reason, an additional report by the Research Centre entitled "Freedom of Movement Monitoring: Migration of EU Nationals to Germany" (Graf 2023) is published alongside the present monitoring. There, the AZR figures on immigration, emigration and residence of EU nationals in 2022 are presented in detail.

The data presented are always purely personal statistics. If a third-country national has received several residence titles within the reporting period, only the most recently issued title was considered. This prevents a person from being included in the statistics on the issuance of residence permits more than once. As a result, the number of permits issued shown here is lower than if every single permit issued in the reporting period were considered.

Furthermore, the statistics on the issuance of residence titles are compiled on a three-month follow-up recording period until 31 March 2023. This means that persons with first-time issuance of a residence title who received their title in 2022 but whose entry in the AZR was not made until the first quarter of 2023 are also shown. This increases the reliability of the data because longer processing times in the foreigners authorities are taken into account.

The statistics on first-time issuances of residence titles in the context of educational and labour migration presented in this report also include only titles that are issued by the German foreigners authorities after entry and are thus identifiable in the general data stock of the AZR (i.e. without visas issued by German missions abroad<sup>4</sup>). Furthermore, the concept of first-time issuance does not consider title issuances where the respective person was already in possession of the same residence title before (i.e. without ex-

<sup>1</sup> For a detailed account of the differences between the two publications, see Graf 2021.

<sup>2</sup> However, as family members of the aforementioned nationals entitled to freedom of movement, third-country nationals may also reside in Germany with a so-called (permanent) residence card.

<sup>3</sup> In the following, both EU Blue Cards and (mobile) ICT cards are summarised under the term residence permit for better readability. In the same way, the EU permit for permanent residence (pursuant to Residence Act, Section 9a) is included under the term settlement permit.

<sup>4</sup> See the visa statistics of the Federal Foreign Office (Federal Foreign Office 2022a).



tensions).<sup>5</sup> The number of first-time issuances can then be further subdivided according to whether another residence title was previously registered for the respective person in the general data stock of the AZR ("first-time issuance with change of status") or whether there was no previous entry ("first-time issuance without previous title"). In most cases the latter refers to changes from a visa or issuances after a visa-free entry. In individual cases, however, it may also include persons who were already in Germany before (e.g. with a residence title that had already expired, a permission to remain pending the asylum decision or a temporal suspension of deportation<sup>6</sup>). At the same time, the changes of status may also include new arrivals for whom a former title had still been listed in the AZR or who had already changed their new title in the year of their entry.

Due to the evaluation logic underlying this report, the figures shown differ from those published, for example, in the Migration Report of the Federal Government or the publication "Das Bundesamt in Zahlen" by the Federal Office for Migration and Refugees. While this report focuses on the **period of issuance**, i.e. only residence titles issued during the reporting period are considered, the two publications mentioned above focus on the **period of immigration**, i.e. all persons who entered the country during the reporting period are presented, regardless of whether they were issued a residence title during the same period.

Differences between these evaluation logics arise, for example, because visas for third-country nationals in the field of educational and labour migration are usually valid for at least six months, which means that persons who entered the country towards the end of a reporting year often do not apply for their residence title until the beginning of the following year. The differences are also reinforced by the fact that visas with validity periods of up to 12 months have gained further importance due to the Skilled Immigration Act (Fachkräfteeinwanderungsgesetz, FEG), naming the fast-track procedure for skilled workers as one example.

<sup>5</sup> This also includes changes from titles from the Residence Act before the entry into force of the FEG (old version; o.v.) to the equivalent new titles (e.g. changes from a residence permit for qualified employment according to Residence Act, Section 18 (4) o.v. to a residence permit according to Residence Act, Sections 18a or 18b (1)), which are interpreted as extensions. In addition, changes between AZR storage cases with only marginal changes in the legal basis are also removed from the data.

<sup>6</sup> It can be assumed that a particular quantitative relevance only exists for titles under Section 18d of the Residence Act for qualified persons with a suspension of deportation (see Chapter 3.2).

## 2. Relevant Legal and Political Developments in the Year under Review

As in the two previous reporting years, education and labour migration from third countries in 2022 was still influenced by the COVID-19 pandemic, especially in the first half of the year. However, the various entry restrictions that had been imposed since 2020 due to the pandemic were already decisively relaxed before the beginning of the current reporting period. On the one hand, the "positive list" introduced in July 2020, which was based on a recommendation of the Council of the European Union, included countries that were exempt from the respective restrictions. On the other hand, as of 25 June 2021, persons from other states who had received a complete vaccination with a COVID-19 vaccine listed by the *Paul-Ehrlich-Institut* at least 14 days prior to entry were also exempted. In addition, however, supplementary restrictions applied to designated (high-)risk or virus variant areas. While entry of persons from classified virus variant areas was in general only possible if they already had a residence (right) in Germany, classification as a high-risk area was primarily accompanied by extended testing and isolation or quarantine regulations. On 1 June 2022, all restrictions based on the classification as a high-risk area were lifted. The remaining pandemic-related entry restrictions for third-country nationals ended on 11 June 2022, with the exception of the regulation for virus variant areas and the so-called reciprocity reservation for entries from the territory of China, which regulated that an important reason for entry still had to be proven (Federal Foreign Office 2023). With the expiry of the Coronavirus Entry Regulations (*CoronaEinreiseV*) on 7 April 2023, entries are again possible without pandemic-related restrictions, considering general provisions on the right of residence and border police regulations (Federal Ministry of Health 2023).

Furthermore, the attack by the Russian Federation on Ukraine in February 2022 also had a significant influence on migration to Germany. War refugees from Ukraine currently do not need a visa to enter Germany and can usually apply for a humanitarian residence title in accordance with section 24 of the Residence Act (Federal Office for Migration and Refugees 2022), which entitles them to take up gainful employment or participate in an educational programme. In addition, a decision of the Council of the European Union on 9 September 2022 suspended the visa facilitation for Russian citizens that had been in effect since 2007. The European Commission published further guidelines on the same day, which provide for a stricter approach to such visa

procedures (European Commission 2022). As the analyses in Chapter 3 show, more residence titles for labour migration were nevertheless issued to Russian nationals in 2022, especially for highly qualified persons, for example within the framework of the EU Blue Card.

The federal government of SPD, FDP and *Bündnis 90/Die Grünen*, which has been in office since December 2021, has announced or already implemented various legal changes in the field of educational and labour migration in 2022. In a first migration package<sup>7</sup>, the regulations on the search for a training place or a job (Residence Act, Sections 17 (1) and 20 (1)) and for recognition measures in the context of a placement agreement outside the health and care sector (Residence Act, Section 16d (4) no. 2), which were still limited in time in the Skilled Workers Act of 2020, were made permanent. In addition, family reunification in the context of skilled labour migration has been facilitated by waiving the requirement of proof of German language skills for spouses migrating with skilled workers or joining them in the context of several areas of labour migration.<sup>8</sup> Previously, this only applied to EU Blue Cards, (mobile) ICT cards or residence titles for research purposes. In addition, this regulation now also applies to persons who already hold a settlement permit or an EU permit for permanent residence as well as those who previously held one of these titles. For these groups of persons, the otherwise increased requirements for the reunification of minor unmarried children between the ages of 16 and 18 (knowledge of the German language or positive integration prognosis) are also waived.

The Federal Cabinet also adopted a key point paper on 30 November 2022 with plans to reform the legal regulations in the area of skilled labour migration as well as the general framework conditions for the immigration and integration of these persons (Federal Ministry of Labour and Social Affairs 2022). In future, labour migration is to be based on a 3-pillar model. The skilled worker pillar for persons with

<sup>7</sup> 'Gesetz zur Einführung eines Chancen-Aufenthaltsrechts' as of 21/12/2022 (BGBl. I 2022 no. 57: 2847); entered into force on 31/12/2022.

<sup>8</sup> I.e. including persons with residence titles according to Sections 18a, 18b (1), 18c (3), 19c (1) for employment as a senior employee, as a manager, as a company specialist, as a scientist, as a visiting scientist, as an engineer or technician in the research team of a visiting scientist or as a teacher, 19c (2) or (4) sentence 1 or 21 of the Residence Act (Residence Act, Section 30).



qualifications recognised in Germany will continue to form the "backbone of labour migration". A fundamental change, however, states that skilled workers should in principle be allowed to perform any qualified occupation in non-regulated professions and not, as before, only those related to their specific degree. Further legal changes for skilled workers mainly concern the EU Blue Card, e.g. by lowering the salary threshold along with a reduced limit for new entrants to the profession. These modifications are based on a reform of the EU's directive for highly qualified workers, which was adopted in October 2021 and must be implemented by the member states within two years.<sup>9</sup>

In the experience pillar, immigration to gainful employment is to be made possible for persons who have practical work experience in a non-regulated occupation and who have also completed at least two years of training or higher education, which is recognised in their country of origin. In addition, a minimum salary is also required.<sup>10</sup> The examination of necessary language skills is to be left to the employers in future. Through the new concept of the recognition partnership, employers can furthermore employ persons with foreign vocational qualifications even before the recognition procedure has been initiated, as soon as both sides commit to a speedy implementation of the recognition procedure.

Finally, within the framework of the potential pillar, the "*Aufenthaltskarte*" is to create new possibilities for job seeking in Germany. In conjunction with a points system, this is also intended to allow people without a recognised qualification to immigrate in order to look for a job if they have sufficient prerequisites in areas such as qualifications and professional experience, language skills, connection to Germany and age. In addition, the possibilities for probationary employment are to be expanded and part-time employment is to be permitted to finance the stay. Furthermore, facilitations for the seeking of a training position are to be examined, such as extending the age limit.

Apart from the three pillars, further planned legal measures were presented in the key point paper, including the deferral of the Western Balkans regulation including a review of the current contingent and a possible extension to other states. In addition, sector-specific contingent options for taking up employment limited to six months, irrespective of an existing qualification, are also aspired. In addition to these legal changes, the key point paper also contains proposals for topics such as advertising Germany as a country of immigration, the acquisition of German language skills

both at home and abroad, the improvement of recognition measures and the general administrative processes as well as integration and welcoming culture. The draft bill on the new Skilled Workers Act, which was jointly prepared by the Federal Ministry of the Interior and Community and the Federal Ministry of Labour and Social Affairs, was published in a first version in February together with an accompanying draft regarding the Employment Ordinance (*BeschV*) (Federal Ministry of Labour and Social Affairs 2023) and adopted by the Federal Cabinet on 29 March 2023 (Federal Ministry of the Interior and Community 2023).

To speed up administrative procedures, the Federal Foreign Office launched a pilot project in June 2022 for the digital submission of applications for visas regarding EU Blue Cards. Since then, such applications can be submitted at the German missions in Calcutta (India) and Belgrade (Serbia) via the new online portal. An additional personal appointment is only necessary for the payment of the visa fee and the recording of biometric data (Federal Foreign Office 2022b). From the end of 2022, this procedure has also been successively extended to the German missions in Rio de Janeiro, Sao Paulo and Recife (Brazil).

In addition, Jordan was added to the list of countries from which care workers can be placed under particularly favourable conditions within the framework of the Triple Win programme.<sup>11</sup> The corresponding placement agreement between the Federal Employment Agency and the Jordanian Ministry of Labour was signed in May 2022. However, the first entries within this framework are not expected until 2023 (Federal Employment Agency 2022). On the basis of such a placement agreement pursuant to Section 16d (4) of the Residence Act, persons who already hold a foreign vocational qualification can initiate the recognition procedure after they have entered Germany. Normally this has to be done during the visa process.

In addition, Federal Minister for Foreign Affairs Annalena Baerbock signed a migration agreement between Germany and India on 5 December 2022. This is the first comprehensive agreement in the field of migration that Germany has concluded with a country of origin (Federal Ministry of the Interior and Community 2022). The intended migration and mobility partnership between Germany and India is intended to promote both the fair exchange of skilled workers and to ensure regulations for return cooperation. The concrete implementation is carried out by a working group set up for this purpose.

<sup>9</sup> Directive (EU) 2021/1883 of the European Parliament and of the Council of 20 October 2021 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment and repealing Council Directive 2009/50/EC.

<sup>10</sup> In the amount of 45% of the annual contribution assessment ceiling of the general pension insurance.

<sup>11</sup> The programme is run jointly by the Federal Employment Agency and the „Gesellschaft für Internationale Zusammenarbeit“ (GIZ) and currently also includes the countries of origin Bosnia and Herzegovina, the Philippines, Tunisia, Indonesia and the Indian state of Kerala. For more information, see <https://www.arbeitsagentur.de/vor-ort/zav/triple-win/ueber-triple-win> (11/05/2023).



In order to respond to staff shortages at German airports in the spring and summer of 2022, the Federal Government wanted to recruit up to 2,000 Turkish workers for employment in Germany for up to three months. In July 2022, the Federal Employment Agency issued a global approval limited until November 2022, so that an individual case-related approval on the part of the Federal Employment Agency was temporarily no longer necessary. In addition to professional experience in this field, a minimum salary was also a condition for such an employment. According to media reports, however, only about 60 to 65 temporary workers ultimately entered the country (Der Tagesspiegel 2022). This cannot be verified with the data used in this report, as it can be assumed that these persons did not apply for a residence title at a foreigners authority in Germany due to the short-term nature of their stay (see Chapter 1).

### 3. First-Time Issuance of Residence Titles in the Context of Educational and Labour Migration

This chapter focuses on third-country nationals who were granted a temporary residence title in form of a residence permit (incl. EU Blue Card and (Mobile) ICT card) or an unlimited residence title in form of a settlement permit for the first time in Germany in 2022. Thus, extensions of residence titles are not included in the data. The total number of persons with first-time issuances can then be further divided into two groups: Persons without a previous title and persons with a change of status (see Chapter 1 for a detailed description of the underlying methodology).

#### 3.1 Residence Permits in the Context of Educational Migration

The Residence Act regulates the legal basis for educational migration to Germany in Sections 16 to 17 of the Residence Act. This includes opportunities to study at a German university or to prepare for studies (Residence Act, Section

16b), as well as opportunities for school-based or in-company vocational training (Residence Act, Section 16a). Furthermore, this also includes measures for the recognition of already existing foreign professional qualifications (Residence Act, Section 16d). In addition, there are options for EU study-related internships (Residence Act, Section 16e) or the attendance of a language course, a student exchange or, in special cases, regular school attendance (Residence Act, Section 16f). In addition, there are titles for study application and for the search of a training position (Residence Act, Section 17).

Table 1 shows the number of third-country nationals who were granted a residence permit for educational migration for the first time in 2022. These persons are then further subdivided according to whether they were previously in possession of another residence title - possibly also from the field of educational migration. Of the 73,200 persons with first-time issuance shown here, 85% have no previously registered title in the AZR and can therefore be assumed to be new immigrants. Changes of status to titles

**Table 1: Third-country nationals with first-time issuance of a residence permit in the context of educational migration in 2022, by legal basis and type of issuance**

	With first-time issuance in 2022	Thereof persons	
		without previous title	with change of status
Vocational training (Residence Act, Section 16a)	14,075	9,260	4,815
Preparation for) course of study (Residence Act, Section 16b)	51,780	46,505	5,275
Recognition of foreign professional qualifications (Residence Act, Section 16d)	3,990	3,650	345
EU study-related internship (Residence Act, Section 16e)	115	105	10
Language courses and school attendance (Residence Act, Section 16f)	3,120	2,865	260
Search for a training position or study application (Residence Act, Section 17)	115	45*	65
<b>Total</b>	<b>73,195</b>	<b>62,425</b>	<b>10,770</b>

\* Stays pursuant to Section 17 of the Residence Act for which the respective D visa was not converted into a residence title issued in Germany are not recorded here (see explanations below).

Source: AZR as of 31/03/2023

in context of educational migration are described in detail in Chapter 4.1 on the basis of the respective previous titles.

Within the group of persons with first-time issuance for educational migration, (prospective) students under Section 16b of the Residence Act<sup>12</sup> form by far the largest share with approx. 51,800 persons. The central residence title for study purposes is the residence permit for full-time studies according to Section 16b (1) of the Residence Act, which accounts for more than 90% of the persons with such a first-time issuance. A further 5% received a title for a language course preparing for studies without university admission in accordance with Section 16b (5) no. 2 of the Residence Act.

In addition, there is another group of study-related educational migrants from third countries who are not shown in Table 1. Persons who hold a valid residence title from another EU Member State and wish to carry out part of their studies (up to 360 days) in Germany within the framework of short-term mobility do not require a German residence title in accordance with Section 16c of the Residence Act, but receive a certificate for entry and residence if they fulfil the necessary mobility conditions (such as proof that they can secure their livelihood). The Federal Office for Migration and Refugees issued 686 such certificates for the first time in 2022.

After students, persons with first-time issuance for vocational training pursuant to Section 16a of the Residence Act make up the second largest group of educational migrants with a total of 19%. Residence titles for school-based vocational training pursuant to Section 16a (2) of the Residence Act make up only a very small proportion in this area, at 3%. The clear majority are titles for in-company vocational training in accordance with Section 16a (1) of the Residence Act. Compared to students, trainees are significantly more likely to previously hold another title in Germany, with the share of status changes being over 30%.

The other legal bases account for only slightly more than one tenth of the educational migrants considered. These are mainly persons with residence titles for the recognition of a foreign professional qualifications according to Section 16d of the Residence Act or for participation in a language course according to Section 16f (1) of the Residence Act. Regarding the residence permit for the purpose of seeking a training position pursuant to Section 17 (1) of the Residence Act, which has been introduced by the FEG, only a single-digit number of persons was registered.

When assessing the figures displayed, it should be noted that especially for short-term residence purposes, not all persons who actually entered Germany are included in the sole consideration of issuances of residence titles in Germany. There are several reasons for this. In order to ensure that each person is only included once in the statistics, only the most recent residence title of a person at the end of the reporting period is evaluated in the analyses presented here. Particularly in the case of residence permits for the purpose of study application or seeking a training position pursuant to Section 17 of the Residence Act, but also in the case of recognition measures pursuant to Section 16d of the Residence Act, these are titles for which there is an increased probability that a change of status will take place within the same reporting period after they have been issued or that the search title will lose its validity if the search is not successful. If all persons who received a corresponding residence title in 2022 were considered – regardless of whether the title was still valid at the end of this period or the person held another residence title in the meantime – the individual case numbers would be higher.<sup>13</sup> In some cases, however, residence permits for particularly short stays, such as for search purposes, are not issued to new arrivals at all. After entering Germany, the persons only stay with the valid D visa and then receive the respective destination title as their first residence permit in Germany, or leave without the issuances of a title if the search is unsuccessful. They are therefore either included in the first-time issuance of the destination title (as issuance without a previous title) or are not included at all in the statistics shown. According to the Federal Foreign Office, **109 D visas** were issued in 2022 in **the context of a search for a training position** pursuant to Section 17 (1) of the Residence Act.<sup>14</sup>

The total number of persons with a first-time issuance in the context of educational migration in 2022 was about 25% higher than in the previous year. The increase exclusively concerned persons without a previous title (+35%). The number of persons with a change of status even decreased slightly compared to 2021. For persons with first-time issuance without a previous title, there were high rates of increase in all central areas. In the central group of students, it was the lowest at 31%. Persons in recognition measures and above all in vocational training showed significantly higher increase rates of 38% and 54% respectively. Migration within the framework of non-academic education measures in particular seems to be gaining in importance, although it was still significantly below the (absolute) numbers of students in the current reporting year.

12 Section 16b of the Residence Act includes residence permits for full- or part-time studies as well as possibilities for residence in the context of a study-preparatory internship or language course. For reasons of better readability, this group will uniformly be referred to as "students" in the following, although a subgroup is not (yet) officially enrolled at a university.

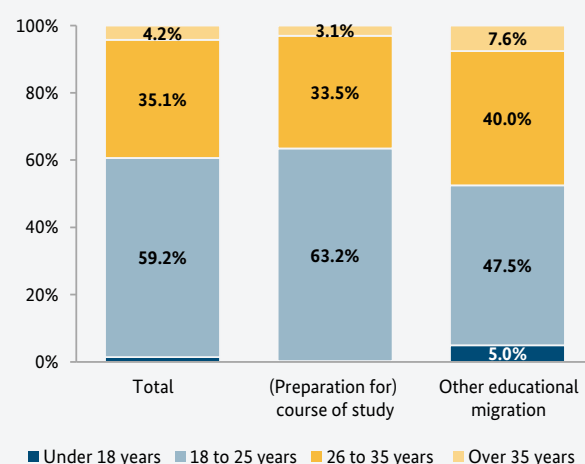
13 Persons who received a search title in the reporting period and then directly changed to another title are included in the set of status changes of their current title at the time of evaluation.

14 This figure may include multiple visa issued to the same person in one year as well as visa issued to persons who ultimately did not enter Germany at all.

In the following, the socio-demographic structure of the persons with first-time issuance without a previous title will be examined in more detail. As described in the introduction, it can be largely assumed that these people have recently migrated to Germany, which is why an analysis of this group makes it easier to assess potential changes in the overall group of all educational migrants residing in Germany. If all persons with first-time issuance were considered, persons who already resided in Germany and changed their status would distort the picture.

If we look at the distribution of nationalities of educational migrants without a previous title, it is noticeable that persons who entered Germany to study or prepare for studies differ significantly from the rest of educational migrants (see Table 2). While persons from China and, above all, India represent by far the largest groups for students, these countries are only in 7th and 14th place with regard to other educational migration. In contrast, Vietnamese nationals, who make up by far the largest group within the remaining educational migration, account for only about 1% of students. In the area of other educational migration, 97% of Vietnamese nationals received a title for in-company training in accordance with Section 16a (1) of the Residence Act. In terms of recognition measures for foreign professional qualifications, Filipino nationals form the largest group. Both are closely related to the respective design of the Triple Win placement programme for foreign care workers.

**Figure 1: Age structure of third-country nationals with first-time issuance of a residence permit in the context of educational migration in 2022 without a previous title**



Note: Shares below 3% are not displayed.

Source: AZR as of 31/03/2023

There are also recognisable differences in the age distribution between students and other educational migrants (see Figure 1). While almost two thirds of the students were between 18 and 25 years old, the share for other educational migration was less than half. On the other hand, there were both somewhat more younger persons and a significantly

**Table 2: Nationality of third-country nationals with first-time issuance of a residence permit in the context of educational migration in 2022 without a previous title**

Rank	Total		(Preparation for) course of study (Residence Act, Section 16b)		Other educational migration	
	Nationality	Share	Nationality	Share	Nationality	Share
1	India	18.5%	India	23.5%	Vietnam	15.9%
2	China	8.4%	China	10.6%	Morocco	8.4%
3	Turkey	5.4%	Turkey	6.5%	Philippines	4.8%
4	Vietnam	4.9%	Iran	5.2%	Kosovo	4.6%
5	USA	4.7%	USA	4.8%	USA	4.4%
6	Iran	4.5%	Korea (Republic)	3.5%	Syria	4.2%
7	Morocco	3.9%	Russian Federation	3.2%	India	3.8%
8	Korea (Republic)	2.9%	Pakistan	3.1%	Tunisia	3.7%
9	Russian Federation	2.7%	Morocco	2.4%	Bosnia and Herzegovina	3.3%
10	Pakistan	2.4%	Egypt	2.4%	Brazil	3.0%
	Other third-country nationals	41.8%	Other third-country nationals	34.9%	Other third-country nationals	44.0%
	<b>Total</b>	<b>62,425</b>	<b>Total</b>	<b>46,505</b>	<b>Total</b>	<b>15,925</b>

Source: AZR as of 31/03/2023

higher share of older persons. However, under 18-year-olds and over 35-year-olds are also the exception for other educational migration.

Differences between the two forms of migration can also be identified with regard to gender distribution. Although both students and other educational migrants with first-time issuance and without prior residence titles are in the majority male, the proportion of women studying is significantly lower (42 to 49%). India, as the central country of origin, is particularly significant here, with a share of women of only 28%. In contrast, within the ten most common countries of origin, the majority of students were female: Iran (53%), the USA (55%), the Russian Federation (61%) and above all South Korea (75%). Among the ten most common nationalities of other educational migration, women formed the majority in seven countries, with the Philippines in first place (75%). For India, with a female share of 64%, there is a clear difference in the gender distribution to students, which may also be related to the different importance of individual sectors such as nursing and IT in academic and non-academic educational migration. Syrian nationals had the lowest proportion of women in other educational migration with only 31%.

### 3.2 Residence Permits in the Context of Labour Migration

In the field of labour migration, there are numerous options for obtaining a residence permit under German residence law. These are regulated in sections 18 to 21 of the Residence Act. Table 3 shows the number of persons with a first-time issuance of such a title in 2022, again distinguishing between persons for whom no residence title was previously registered in the AZR and who are therefore assumed to be recently immigrated and those with a change of status.

In 2022, a total of approximately 123,400 persons were granted a residence permit for the first time in the context of labour migration. Looking at the total number of persons with first-time issuances in the reporting period, the EU Blue Card is still by far the most important individual title in quantitative terms, with almost 40,000 persons. This corresponds to about one third of the total labour migration. The two residence permits introduced by the FEG for skilled workers with vocational training (Residence Act, Section 18a) and academic training (Residence Act, Section 18b (1)) are still well behind, with approx. 14,200 and 16,500 persons respectively.

Furthermore, Section 19c of the Residence Act is of great importance for the current extent of labour migration to

Germany. With approx. 33,300 persons with first-time issuance in the reporting period, this legal basis corresponds roughly to the size of the EU Blue Card. However, it consists of a multitude of individual legal bases. Section 19c (1) of the Residence Act includes all persons for whom the individual paragraphs of the Employment Ordinance or an intergovernmental agreement stipulate that a person may also be granted a residence permit in the context of gainful employment irrespective of a recognised qualification as a skilled worker. However, this also includes persons for whom a (highly) qualified activity can clearly be assumed, such as executive employees according to Section 3 of the Employment Ordinance or employees in science and research according to Section 5 of the Employment Ordinance, even if official recognition of the qualification in Germany is not necessary.

Section 19c (1) of the Residence Act also includes the Western Balkans regulation (in conjunction with Section 26 (2) of the Employment Ordinance), which is the most frequently used individual legal basis within Section 19c of the Residence Act with approx. 14,800 persons, followed by the special regulation for selected other nationalities<sup>15</sup> (Section 26 (1) of the Employment Ordinance) and au pair activities (Section 12 of the Employment Ordinance) with approx. 3,600 and 3,000 persons respectively. In addition, Section 19c (2) of the Residence Act contains the regulation for persons with extensive practical professional knowledge, which was introduced by the FEG. This is currently limited to the field of information and communication technology by Section 6 of the Employment Ordinance. However, with just over 900 persons, the number is still relatively small.

If one considers all persons with first-time issuance of a residence permit in the context of labour migration, it is noticeable that the share of persons with a change of status is 44% and thus significantly higher compared to educational migration (15%). However, the share varies considerably between the different titles. While the share of status changes for the skilled worker titles introduced by the FEG in accordance with Sections 18a and 18b (1) of the Residence Act is over 70%, this figure is less than half for the EU Blue Card. This contrasts with persons who were issued a title for other employment purposes pursuant to Section 19c of the Residence Act, with over 90% previously not holding another title. Issuances in this area are thus significantly more influenced by new immigration, whereas previous stays, e.g. in the context of an educational measure, are of greater importance for skilled workers' titles (see Chapter 4.2). Among persons with a first-time issuance of a title for the purpose of job seeking, the share of persons

<sup>15</sup> Andorra, Australia, Canada, Israel, Japan, Korea (Republic), Monaco, New Zealand, San Marino, the United Kingdom of Great Britain and Northern Ireland and the USA.



**Table 3: Third-country nationals with first-time issuance of a residence permit in the context of labour migration in 2022, by legal basis and type of issuance**

	With first-time issuance in 2022	Thereof persons	
		without previous title	with change of status
Skilled worker with vocational training (Residence Act, Section 18)	14,225	3,585	10,640
Skilled worker with academic training (Residence Act, Section 18b (1))	16,525	4,515	12,010
EU Blue Card (Residence Act, Section 18b (2))	39,365	20,815	18,550
(Mobile) researchers (Residence Act, Sections 18d and 18f)	5,285	3,950	1,335
(Mobile) ICT card (Residence Act, Sections 19 and 19b)	1,610	1,470	140
Other employment purposes; civil servants (Residence Act, Section 19c), including	33,295	30,185	3,110
<i>Au pair</i> (Section 19c (1) in conjunction with Employment Ordinance, Section 12)	2,965	2,935	30
<i>Certain nationalities</i> (Section 19c (1) in conjunction with Employment Ordinance, Section 26 (1))	3,595	3,140	455
<i>Western Balkans regulation</i> (Section 19c (1) in conjunction with Employment Ordinance, Section 26 (2))	14,845	14,120	725
<i>Distinct practical professional knowledge</i> (Section 19c (2))	930	720	205
Qualified persons with suspension of deportation (Residence Act, Section 19d)	3,050	2,925*	125
European voluntary service (Residence Act, Section 19e)	140	80	65
Job seeking (Residence Act, Section 20), of which	7,365	220**	7,140
<i>for skilled workers with vocational training</i> (Section 20 (1))	20	5	20
<i>for skilled workers with academic training</i> (Section 20 (2))	455	75	380
<i>after course of study</i> (Section 20 (3) no. 1)	6,575	125	6450
<i>after research activity</i> (Section 20 (3) no. 2)	165	5	160
<i>after vocational training</i> (Section 20 (3) no. 3)	110	5	105
<i>after recognition of foreign professional qualification</i> (Section 20 (3) no. 4)	35	5	30
Self-employment (Residence Act, Section 21 (1), (2), (2a))	625	280	340
Freelancing (Residence Act, Section 21 (5))	1,930	1,130	795
<b>Total</b>	<b>123,410</b>	<b>69,155</b>	<b>54,255</b>

\* Since a suspension of deportation is not considered a residence title, persons with first-time issuances pursuant to Section 19d of the Residence Act are generally recorded in the category "without previous title". However, it can be assumed that these persons have already been staying in Germany for a longer period of time and have unsuccessfully applied for asylum.

\*\* Stays pursuant to Section 20 (1) and (2) of the Residence Act for which the respective D visa was not converted into a residence title issued in Germany are not recorded here (see explanations below).

Source: AZR as of 31/03/2023

changing status is as high as 97%. These are mainly persons who have previously studied in Germany.

It should also be noted that, especially in the case of job-seeking titles pursuant to Section 20 (1) and (2) of the Residence Act, the underlying evaluation system does not include any persons who changed to another title during the reporting period. In some cases, the foreigners authorities do not issue residence permits according to Section 20 of the Residence Act to persons who enter Germany with a visa to look for a job. If the search is successful, there is a direct transition from the visa to a title for subsequent gainful employment; if the search is unsuccessful, the person leaves without a title being issued. In both cases, no entry is made in the general data stock of the AZR, from which the legal basis of the job search can be concluded. According to the visa statistics of the Federal Foreign Office, a total of **2,274 D visas for job seeking** (in accordance with Section 20 of the Residence Act) were issued by the German missions abroad in 2022.<sup>16</sup> Almost 90% of these were academic skilled workers.

In addition, in the area of labour migration, analogous to the regulations for students, there are possibilities for persons who hold a corresponding residence title in another EU Member State to realise short stays in the context of their work without a German residence title issued specifically for this purpose. However, the mobility certificate for researchers required for this (in accordance with Section 18e of the Residence Act) was only issued for the first time by the Federal Office for Migration and Refugees in 27 cases in 2022. For employees transferred within companies, there was only one certificate for short-term mobility (according to Section 19a of the Residence Act) issued in the period under review.

Labour migration also shows increases in the number of permits issued in almost all categories compared to 2021, which can be attributed primarily to persons without a previous residence title. Their number has risen by 78% compared to the previous year, while the figure for those changing status was only 18%. As a result, persons without a previous title made up the majority of first-time issuances. This is closely related to a particularly high increase in the number of persons with first-time issuance in the context of other employment pursuant to Section 19c of the Residence Act, especially in the case of the Western Balkans regulation. The number of persons without a previous title rose from just under 2,400 in the previous year to over 14,100 in 2022. The easing of the pandemic-related entry restrictions for vaccinated persons at the end of June 2021

had essentially made immigration via the Western Balkans regulation possible again (see Graf 2022). However, there was also a significant increase in new immigration for EU Blue Cards. Larger increases in the number of people changing status were seen above all for the skilled worker titles according to Sections 18a and 18b of the Residence Act.

This development is also reflected in the most frequent nationalities of persons with first-time issuance of a title in the context of labour migration (see Figure 2). As with educational migration, only those persons are considered who have not previously held another title and who can therefore be assumed to be recently migrated. As in the educational sector, Indian nationals continue to have the largest share. But the share of the Western Balkan states increased significantly to 28% compared to the same period of the previous year (17%). Here, nationals of Kosovo, who were not included in the ten most common nationalities in the last reporting year, stand out in particular and are in second place this year. Residence titles for labour migration were also issued more frequently to persons from the Russian Federation. The extent to which this is connected to the war against Ukraine cannot be clarified at this point. The shares of persons with US or Chinese citizenship, for example, declined. As will become apparent in the following chapters, the distribution of nationalities differs significantly depending on which residence titles and therefore which qualification requirements are considered.

Figure 3 provides an overview of the age structure of the recently arrived labour migrants. Almost three quarters of the persons were 35 years old or younger at the time of the evaluation and only 6% were over 45 years old. Moreover, not even one third of the persons (30%) were female. Female labour migrants were also somewhat younger than their male counterparts: While 25% of the women were under 26 years old, only 16% of the men were.

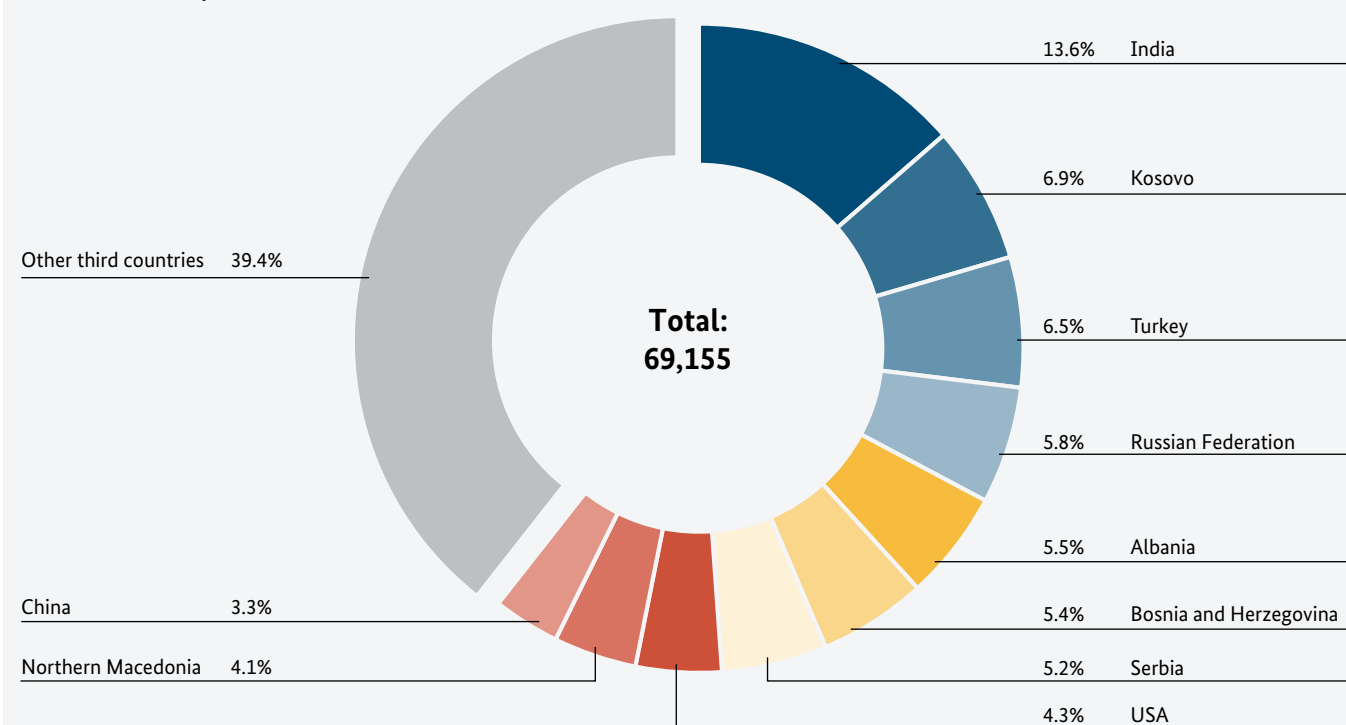
The age distribution also differs significantly in some cases with regard to nationality. Among nationals from India and Turkey, for example, only 6 and 8% respectively of the persons were under 26 years of age, while among labour migrants from the Western Balkan states it was a quarter. The same applies to people from the USA, for which, however, there is also a particularly high share of persons over 45 years of age (18%). Furthermore, nationals from the Western Balkans had a particularly low proportion of women, at only 17% in total. The only exception here was Albania (30%). For Kosovo and Montenegro, the share was even below 10%. For US and Chinese nationals, on the other hand, the proportion of women was particularly high at around 40%.

The following two sub-chapters focus on the sub-groups that are quantitatively most relevant to the field of labour

<sup>16</sup> This figure may include multiple visa issued to the same person in one year as well as visa issued to persons who ultimately did not enter Germany at all.



**Figure 2: Nationality of third-country nationals with first-time issuance of a residence permit in the context of labour migration in 2022 without previous title**



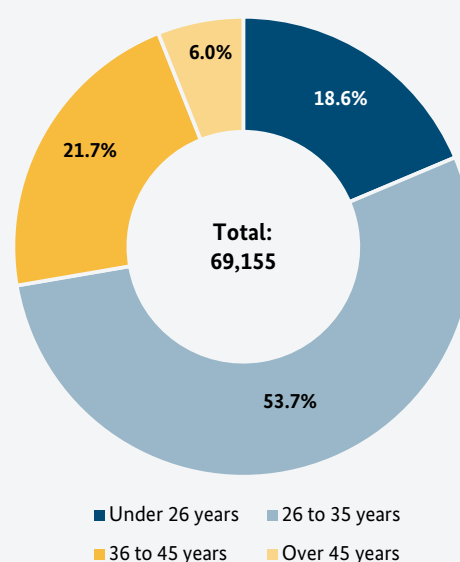
Source: AZR as of 31/03/2023

migration: Recognised skilled workers under sections 18a and 18b of the Residence Act (including the EU Blue Card) and other employment purposes under Section 19c of the Residence Act (including the Western Balkans regulation). As with all educational and labour migration, the group of persons with first-time issuance without a previously registered title is analysed according to nationality, age and gender.

### 3.2.1 Officially Recognised Skilled Workers (Residence Act, Sections 18a and 18b)

The residence permit pursuant to Section 18a of the Residence Act offers the opportunity to take up gainful employment with qualified vocational training recognised in Germany. Two additional titles are available for academic skilled workers. While the title according to Section 18b (1) of the Residence Act is open to all persons with academic training in Germany, a minimum salary is additionally required for the issuance of an EU Blue Card.<sup>17</sup>

**Figure 3: Age structure of third-country nationals with first-time issuance of a residence permit in the context of labour migration in 2022 without a previous title**



Source: AZR as of 31/03/2023

<sup>17</sup> The minimum salary (annual gross) in 2022 was 56,400 euros. Persons who do not reach this salary threshold can still obtain an EU Blue Card if they work in a so-called MINT occupation (mathematics, information technology, natural sciences and technology) or in human medicine (occupations for which there is a special need in Germany, so-called "Mangelberufe") and earned at least 43,992 euros (annual gross) in 2022.

In 2022, around 28,900 persons who had not previously held another residence title in Germany made use of these options (see Table 3). This represents an increase of almost 12,000 persons or 70% compared to the previous year, which is mainly due to the EU Blue Card as the central title in this area.

Persons with first-time issuance of a title for recognised skilled workers differ significantly in their socio-demographic structure, depending on the qualification or employment on which the respective title is based. For skilled workers with vocational training, Filipino nationals were in first place in 2022 with 18% (see Table 4), but have almost no quantitative relevance for academic skilled workers. In general, non-academic skilled workers are highly concentrated in a few countries of origin. Around 85% of the persons considered had one of the ten most common nationalities. A completely different picture emerges for academic skilled workers outside the EU Blue Card. Here, Turkish nationals were in first place, but only just ahead of the other groups. Over 40% of the persons were nationals of a country outside the top 10. For the EU Blue Card, persons from India continued to be of particular relevance. They made up more than a quarter of the total group. Furthermore, a large share of Russian nationals (13 to 8%) can be seen here – especially in comparison to the previous year.

The share of nationals from the Western Balkan states varies considerably between the individual titles. While this group accounts for a significant share among non-academic skilled workers (38%), only 16% of the academic skilled workers according to Section 18b (1) of the Residence Act and only 4% of the holders of an EU Blue Card came from there. A total of around 3,000 persons from the Western Balkan states received a title for skilled workers under Sections 18a or 18b of the Residence Act directly after entering Germany. This corresponds to about one fifth of the Western Balkan regulation. Although persons who come to Germany under the Western Balkans regulation may also have a vocational qualification, in contrast to a title pursuant to Section 18a of the Residence Act, this does not have to be recognised in Germany.

Skilled workers under Sections 18a and 18b of the Residence Act show relatively similar distributions in terms of age. For all three legal bases, 70 to 80% of the persons were under 35 years of age and only a small share of 3 to 5% was over 45. However, the share of persons under 26 years of age was significantly lower for the EU Blue Card (5%) than in the other groups (13% in each case), since here, in addition to formal qualifications, a certain amount of professional experience is often necessary to achieve the minimum salary.

**Table 4: Nationality of third-country nationals with first-time issuance of a residence title for recognised skilled workers in 2022 without previous title**

Rank	Skilled workers with vocational training (Residence Act, Section 18a)		Skilled worker with academic training (Residence Act, Section 18b (1))		EU Blue Card (Residence Act, Section 18b (2))	
	Nationality	Share	Nationality	Share	Nationality	Share
1	Philippines	17.9%	Turkey	11.6%	India	28.3%
2	Bosnia and Herzegovina	11.4%	India	9.9%	Russian Federation	13.4%
3	India	10.5%	Russian Federation	6.6%	Turkey	10.7%
4	Serbia	10.2%	Iran	5.6%	Iran	5.3%
5	Albania	9.6%	Kosovo	5.4%	Brazil	3.5%
6	Tunisia	8.5%	Bosnia and Herzegovina	4.8%	Egypt	3.0%
7	Turkey	6.6%	Ukraine	4.7%	Pakistan	2.5%
8	Kosovo	4.9%	United Kingdom	3.4%	USA	2.4%
9	Ukraine	2.4%	Albania	3.3%	Ukraine	2.2%
10	Brazil	1.8%	Brazil	3.0%	United Kingdom	1.9%
	Other third-country nationals	16.3%	Other third-country nationals	41.6%	Other third-country nationals	27.0%
	<b>Total</b>	<b>3,585</b>	<b>Total</b>	<b>4,515</b>	<b>Total</b>	<b>20,815</b>

Source: AZR as of 31/03/2023

At 56%, however, significantly more women were represented in the group of skilled workers with vocational training, which, together with the high female share among Filipino nationals (78%), indicates a particular relevance of the care sector. However, information regarding the sector of employment is not stored in the AZR. Among academic skilled workers, the proportion of women was only 28% considering persons with an EU Blue Card. This is significantly lower than among the other persons (45%), which is mainly due to the fact that only 25% of the holders of an EU Blue Card from India, the central country of origin, were women.

### 3.2.2 Other Employment Purposes (Residence Act, Section 19c)

In addition to recognised skilled workers, other employment purposes pursuant to Section 19c of the Residence Act form the second central group of labour migration with a total of around 30,200 persons with first-time issuance without a previous residence title in 2022. The Western Balkans regulation accounts for almost half of these persons and is largely responsible for the fact that the issuance figures have more than doubled compared to the previous year (+128%).

Table 5 shows the persons with first-time issuance without a previous title in 2022 according to the most common nationalities, broken down by the Western Balkans regulation as well as the remaining legal bases.

With regard to the Western Balkans regulation, all states except Montenegro had a substantial share in the total group, with Kosovo being in first place, making up one quarter of the group. For the other regulations under Section 19c of the Residence Act, nationals of the Western Balkan states accounted for 14% of the persons, including professional drivers (Section 24a of the Employment Ordinance) with a share of one quarter. Additionally, among the ten most frequent nationals are several groups for which analogous regulations to the Western Balkan regulation apply (Employment Ordinance, Section 26 (1), cf. footnote 15), including the USA in first place.

With regard to the age distribution, a slightly higher share of particularly young persons can be observed for the Western Balkans regulation. Persons under 26 years of age make up more than a quarter of the total group. The proportion of women, on the other hand, is particularly low at only 13%.

**Table 5: Nationality of third-country nationals with first-time issuance of a residence title pursuant to Section 19c Residence Act in 2022 without previous title**

Rank	Western Balkans regulation (Residence Act, Section 19c (1) in conjunction with Employment Ordinance, Section 26 (2))		Other regulations according to Residence Act, Section 19c	
	Nationality	Share	Nationality	Share
1	Kosovo	25.8%	USA	10.8%
2	Albania	19.6%	Turkey	7.3%
3	North Macedonia	18.0%	India	7.1%
4	Bosnia and Herzegovina	17.4%	United Kingdom	6.8%
5	Serbia	14.4%	Japan	5.7%
6	Montenegro	4.1%	Serbia	5.6%
7			Indonesia	3.6%
8			Brazil	3.2%
9			Korea (Republic)	3.0%
10			Kosovo	2.9%
	Other third-country nationals*	0.7%	Other third-country nationals	44.1%
	<b>Total</b>	<b>14,120</b>	<b>Total</b>	<b>16,065</b>

\* Other nationalities mainly include former country names such as "Serbia and Montenegro", which is either based on data entries at that time or incorrect entries.

Source: AZR as of 31/03/2023

### 3.3 Settlement Permits in the Context of Labour Migration

The central settlement permits for skilled workers in the context of labour migration are bundled in Section 18c (1) to (3) of the Residence Act. In addition, there is the possibility of obtaining a settlement permit in the context of successful realisation of self-employment after three years (Residence Act, Section 21 (4)). Migrant workers, however, can also make use of the option of a general settlement permit under Section 9 of the Residence Act (see Chapter 4.3).

**Table 6: Third-country nationals with first-time issuance of a settlement permit in the context of labour migration in 2022, by legal basis**

	With first-time issuance in 2022
Skilled workers (Residence Act, Section 18c (1))	7,995
Holders of an EU Blue Card (Residence Act, Section 18c (2))	13,760
Particularly highly qualified skilled workers (Residence Act, Section 18c (3))	165
3 years of self-employment (Residence Act, Section 21 (4))	245
<b>Total</b>	<b>22,170</b>

Source: AZR as of 31/03/2023

As Table 6 shows, in 2022 almost 22,200 persons were granted a settlement permit for the first time in accordance with Sections 18c and 21 of the Residence Act. Almost all of these issuances were changes of status (22,035 cases or 99%). Although a settlement permit pursuant to Section 18c (3) of the Residence Act can in special cases also be granted to highly qualified persons without prior residence in Germany, this only happened twenty times during the reporting period.<sup>18</sup>

In relation to the total number of first-time issuances, Section 18c (2) of the Residence Act for former EU Blue Card holders is the most frequent settlement permit in the context of labour migration. More than 60% of the persons considered received this title. In addition, the general settlement permit for skilled workers according to Section 18c (1) of the Residence Act is also of greater importance, with more than one third of the persons. Settlement permits ac-

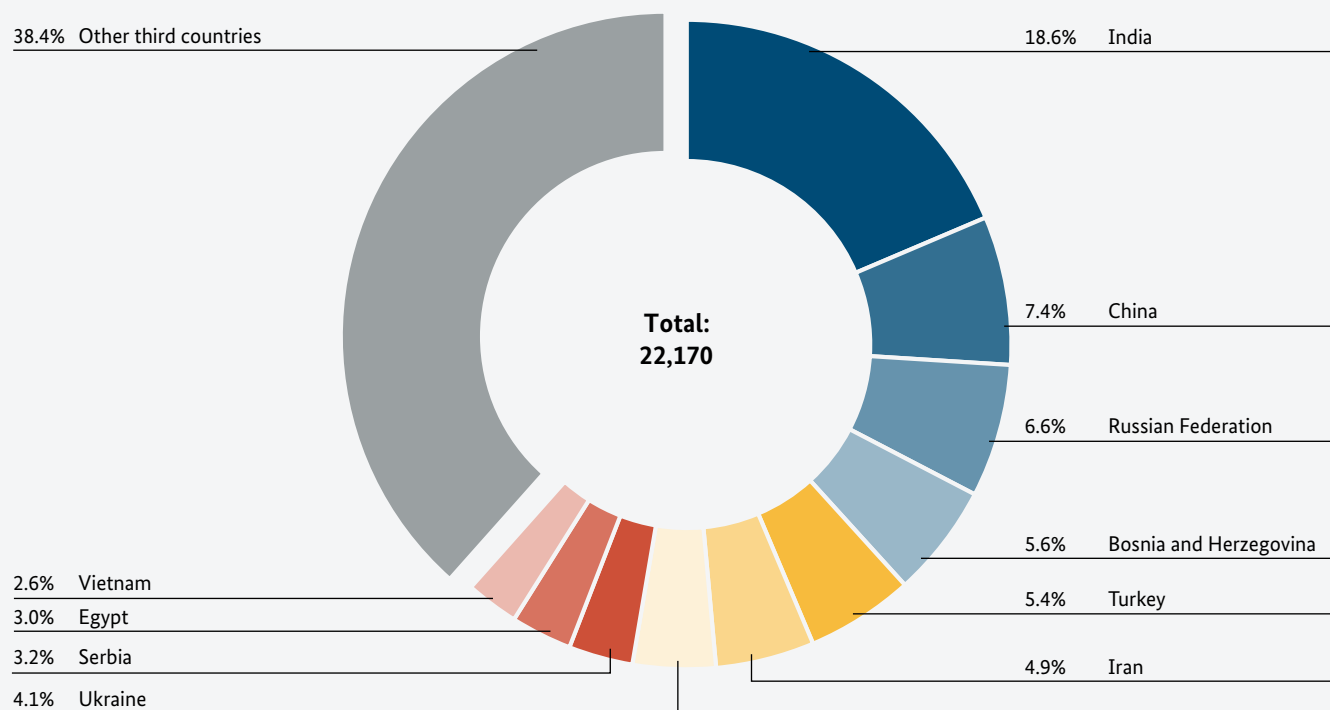
cording to Sections 18c (3) and 21 (4) of the Residence Act, on the other hand, were granted relatively rarely.

In contrast to the temporary residence titles in Chapters 3.1 and 3.2, the analyses of the socio-demographic structure for settlement permits also include persons with a change of status, as these are by far the most relevant for the changes in the total number of residents with a settlement permit.

Due to the great importance of the EU Blue Card for the settlement permits under consideration as well as for academic labour migration in general before the FEG came into force, there are some similarities in terms of nationalities to the distributions shown for skilled workers under Section 18b of the Residence Act (Chapter 3.2.1): Indian nationals formed by far the largest group for both the EU Blue Card and the settlement permits. The majority of the other central nationalities are also found under Section 18b of the Residence Act (cf. Table 4 and Figure 4). However, the high share of settlement permits for Chinese nationals is contrary to the importance of this group for current labour migration. For none of the three skilled labour titles was China among the ten most frequent countries of origin in the current reporting year.

With regard to the age distribution, the share of persons under 26 years of age is very low, at only one percent, due to the fact that previous residence is usually required. However, the group of persons with first-time issuance of a settlement permit does not appear to be particularly 'old'. The share of persons over 45 years of age is also very low at 5%. At two-thirds, the majority of the persons were between 26 and 35 years old. At 37%, the share of women is significantly higher compared to labour migration as a whole (30%). While Indian nationals, as with the EU Blue Card, were over three-quarters male, the proportion of women was over 50% for Chinese, Ukrainian, Serbian, Albanian and Vietnamese nationals.

<sup>18</sup> In the case of all other first-time issuances without a previous title, it is to be assumed that previous stays existed, but that the corresponding title had already been deleted from the AZR at the time of re-entry.

**Figure 4: Nationality of third-country nationals with first-time issuance of a settlement permit in the context of labour migration in 2022**

Source: AZR as of 31/03/2023

## 4. Selected Changes of Status in the Context of Educational and Labour Migration

The analyses presented in Tables 1 and 3 for first-time issuances of residence titles in the reporting period distinguish between persons for whom no residence title had previously been registered in the AZR and persons for whom there was a change of status from another, already existing title. Whereas Chapter 3 dealt in more detail with persons without a previous title, the following chapter takes a closer look at the changes between the groups of titles.

For this purpose, individual, particularly relevant types of status changes are dealt with in more detail. To this end, other residence rights outside of educational and labour migration, such as settlement permits according to Sections 9 and 9a of the Residence Act or (permanent) residence cards for family members of nationals of the EU, the EEA or Switzerland who are entitled to freedom of movement, will be considered in addition.<sup>19</sup>

### 4.1 Changes to Educational Measures

Of the approximately 73,200 persons with a first-time issuance of a residence title in the context of educational migration in 2022, slightly more than one in ten already held a residence title in Germany (see Table 1).

If we look at the almost 5,300 persons with a change of status to a study-related title pursuant to Section 16b of the Residence Act, three quarters already had a residence title for educational migration (see Table 7).<sup>20</sup> Of these, the vast majority (70%) were other study titles. These are mainly changes from a study preparation measure to a degree programme and changes between full- and part-time courses

of study. Every fifth change from another educational title was from a language course or school attendance.

Only slightly more than every fifth person who changed to a study title did so from a title for labour migration. The residence permit to look for a job after having already completed their studies is the most common former title. However, people who had previously worked as an au pair also make up a large group. Changes from other areas of the right of residence to educational migration are the exception, accounting for only 4% of the cases.

In the case of persons with a change of status to other educational migration titles (Residence Act, Section 16a, 16d, 16e, 16f, 17), initial titles for labour migration make up the majority. Around three quarters of these are changes from voluntary service or au pair employment. In addition, around 40% of the persons with a change of status already came from the field of educational migration, with over 60% of them being former students. Almost 90% of the status changes targeted vocational training titles pursuant to Section 16a of the Residence Act.

<sup>19</sup> Changes can be made both from the current legal basis and from residence titles prior to the entry into force of the FEG. Due to the number of potential possibilities, a presentation of all changes of status is not feasible and, due to the partially very small number of cases, not expedient.

<sup>20</sup> While residence titles for job seeking after an educational measure were assigned to the area of "residence for education and training" in the version of the Residence Act in force before 1 March 2020, they have been included in the area of "residence for employment" since 1 March 2020. For the sake of better comprehensibility, titles for job seeking that were granted under both the old and the new version are fully subsumed under the titles for gainful employment in this report.

**Table 7: Third-country nationals with change of status to residence titles for educational migration in 2022**

Previous right of residence	Change to	
	Course of study	Other educational migration
<b>Educational migration</b>	<b>3,955</b>	<b>2,225</b>
(Other) study titles (Residence Act, Section 16 or Section 16 (1), (6) and (9) o.v.)	2,755	1,390
Language courses or school attendance (Residence Act, Section 16f or Section 16b (1) o.v.)	780	565
Other titles in the context of educational migration	415	270
<b>Labour migration</b>	<b>1,120</b>	<b>3,005</b>
Au pair (Residence Act, Section 19c (1) in conjunction with Employment Ordinance, Section 12)	145	685
Voluntary service (Residence Act, Section 19c (1) in conjunction with Employment Ordinance, Section 14 (1) no. 1)	95	1,615
Job seeking after course of study (Residence Act, Section 20 (3) no. 1 or Section 16 (5) o.v.)	320	30
Other titles in the context of labour migration	560	670
<b>Other residence titles</b>	<b>205</b>	<b>270</b>
<b>Total</b>	<b>5,275</b>	<b>5,495</b>

Source: AZR as of 31/03/2023

## 4.2 Change from Educational Measures to Employment or Job Seeking

After successful completion of a study program, training or a recognition measure, it is possible to apply either directly for a residence title for a follow-up employment corresponding to the qualification acquired or for a temporary title to look for a job. Under certain circumstances it is also possible to change from a discontinued educational measure to gainful employment (e.g. if there is already another professional qualification for a job as a skilled worker).

In 2022, about 35,400 persons changed directly from a residence title in the context of educational migration to a residence permit for (the search for) gainful employment. A further 6,000 persons changed from a title for job seeking as a result of a completed educational measure pursuant to Section 20 (3) of the Residence Act (see Table 8).

Of the direct changes of status from a course of study, a majority of almost two-thirds led to a skilled worker title under Section 18b of the Residence Act, with the EU Blue Card as the most common legal basis. More than a quarter of the persons changed to a title for job seeking. In contrast, persons with a title for other educational migration changed almost not at all to job search, but mostly directly to a title for gainful employment, which suggests a strong involvement of future employers already during the ed-

ucational measure. Skilled workers with vocational training in accordance with Section 18a of the Residence Act accounted for around 80% of the status changes, while 16% led to a title for academic skilled workers in accordance with Section 18b of the Residence Act and here primarily to an EU Blue Card. Almost 60% of the status changes from other educational migration came from titles for vocational training and over a third from titles for recognition measures.

95% of the changes resulting from a job-seeking title following an educational measure were former students. More than half of the changes resulted in the general title for skilled workers with higher education pursuant to Section 18b (1) of the Residence Act and somewhat less frequently in an EU Blue Card. Former students switching directly from their studies into gainful employment thus seem to change more frequently into better-paid jobs within the framework of an EU Blue Card than those who first obtain a job-seeking title after completing their studies.

Changes from a job-seeking title pursuant to Section 20 (1) and (2) of the Residence Act, which can also be issued directly to newly arrived immigrants, are not shown in Table 8 due to the under-reporting of the issuance of these titles (see Chapter 3.2). In the reporting period, 535 such changes of status were recorded in the AZR. Approximately 90% of these were from Section 20 (2) of the Residence Act for skilled workers with academic training and accordingly more than 80% resulted in skilled worker titles for persons



**Table 8: Third-country nationals with a change of status from educational migration or subsequent job seeking to residence permits in context of labour migration in 2022**

Current right of residence	Change from			Total
	Course of study	Other educational migration	Job seeking after educational measure	
Skilled worker with vocational training (Residence Act, Section 18a)	115	9,310	110	9,530
Skilled worker with academic training (Residence Act, Section 18b (1))	6,655	595	3,235	10,485
EU Blue Card (Residence Act, Section 18b (2))	8,790	1,245	2,220	12,255
Researcher (Residence Act, Section 18d)	790	20	105	915
Other employment (Residence Act, Section 19c (1-3))	315	405	35	760
Self-employment and freelancing (Residence Act, Section 21)	250	50	260	560
Job seeking (Residence Act, Section 20)	6,695	120	-	6,815
Other residence permits in the context of labour migration	40	15	5	65
<b>Total</b>	<b>23,650</b>	<b>11,765</b>	<b>5,965</b>	<b>41,380</b>

Source: AZR as of 31/03/2023

with higher education in accordance with Section 18b of the Residence Act.

### 4.3 Change from Educational or Labour Migration to other Residence Titles

Persons who hold a title for an educational measure or for gainful employment can change to another right of residence if they are entitled to it and, for example, hope to gain legal advantages for themselves or their family members. Up to now, changes from a title for gainful employment to a general settlement permit according to Section 9 of the Residence Act or an EU permit for permanent residence according to Section 9a of the Residence Act have been particularly frequent, as soon as the legal requirements had been reached with, among other things, at least five years of residence. Furthermore, there were frequent changes to residence titles for family reasons according to Sections 28 to 36a of the Residence Act or (permanent) residence cards for relatives of persons entitled to freedom of movement. These legal bases offer a right of residence that is independent of one's own educational measure or gainful employment, but at the same time usually allows both.

In 2022, 8,500 persons changed directly from a residence title in the context of educational and labour migration to a

permanent title pursuant to Sections 9 or 9a of the Residence Act. The changes were mostly made from titles for employment, since stays within the legal context of an educational measure are generally not counted regarding the requirements in Section 9 or 9a of the Residence Act (see Table 9). With a share of three quarters, the settlement permit according to Section 9 of the Residence Act was the most frequent goal of these persons. About half of the changes under Section 9 of the Residence Act were made from a title within the framework of the Western Balkans regulation or the former title for activities without qualification requirements (Residence Act, Section 18 (3) o.v.), which also included this regulation. On the other hand, changes to Section 9a of the Residence Act were much more frequently made from titles for recognised skilled workers, in particular the EU Blue Card.

Changes to a right of residence for family reasons were about as frequent as those to the aforementioned settlement permits. More than 8,100 third-country nationals changed their status from a residence title for educational and labour migration to such a family-related title in the reporting period. More than half of these changes came from the field of educational migration, above all from study-related titles. Younger persons particularly often hold such a title, which increases the probability of starting a family during the stay. In the area of labour migration, changes were made both by persons who previously held a title for a (highly) qualified occupation (above all Residence Act, Section 18 (4) o.v.) and by those with a title for



**Table 9: Third-country nationals with a change of status from education and labour migration to a permanent title pursuant to Sections 9 and 9a of the Residence Act or a title for family reasons in 2022**

Previous right of residence	Current right of residence		Total
	Residence Act, Section 9 and 9a	For family reasons	
<b>Educational migration</b>	<b>70</b>	<b>4,480</b>	<b>4,550</b>
Course of study (Residence Act, Section 16b or Section 16 (1), (6) and (9) o.v.)	30	3,195	3,225
Other titles in the context of educational migration	40	1,285	1,325
<b>Labour migration</b>	<b>8,430</b>	<b>3,655</b>	<b>12,085</b>
Employment without qualification requirements (Residence Act, Section 18 (3) o.v.)	1,140	340	1,480
Qualified employment (Residence Act, Section 18 (4) o.v.)	1,630	470	2,100
Skilled worker with vocational training (Residence Act, Section 18a)	735	225	965
Skilled worker with academic training (Residence Act, Section 18b (1))	440	370	810
(Former) holders of an EU Blue Card (Residence Act, Section 18b (2) and 18c (2) or Section 19a o.v. in conjunction with Employment Ordinance, Section 2 or Residence Act, Section 19a (6) o.v.)	705	250	950
Western Balkans regulation (Residence Act, Section 19c (1) in conjunction with Employment Ordinance, Section 26 (2))	2,390	275	2,665
Self-employment or freelancing (Residence Act, Section 21)	275	355	630
Other titles in the context of labour migration	1,115	1,370	2,485
<b>Total</b>	<b>8,500</b>	<b>8,135</b>	<b>16,635</b>

Source: AZR as of 31/03/2023

an occupation without qualification requirements (Residence Act, Section 18 (3) o.v. and Residence Act, Section 19c (1)).

With regard to the newly received titles, only slightly more than one tenth were third-country relatives of nationals entitled to freedom of movement, who changed to a (permanent)

residence card. The largest proportion (more than 40%) were the spouses of German nationals who received a corresponding title in accordance with Section 28 (1) cl. 1 no. 1 of the Residence Act. 30% of the persons also changed to a residence title for the spouse of another foreign person (Residence Act, Section 30).

## 5. Resident Third-Country Nationals in the Context of Educational and Labour Migration

In order to be able to assess the significance of educational and labour migration to Germany for the current education and labour market, this chapter presents the number of third-country nationals who were registered in Germany with such a residence title at the end of the reporting period on 31 December 2022.<sup>21</sup> It is important to note that changes in stock figures can occur not only as a result of immigration or emigration, but also, for example, as a result of changes in status (see Chapter 4) or naturalisations.

### 5.1 Educational Migration

At the end of 2022, a total of around 227,100 third-country nationals were registered in the AZR who were residing in Germany with a residence title for educational purposes (see Table 10). This corresponds to an increase of about 18,400 persons or 9% compared to the same date in the previous year. The number of resident educational migrants at the end of the year was thus for the first time above the figure for 31 December 2019 (+2%) and thus higher than before the start of the COVID-19 pandemic and the entry into force of the FEG. The increase compared to the previous year is mainly due to students. Compared to the period before the pandemic (2019), increases can be seen in the area of in-company vocational training and recognition measures, whereas the value for students is still slightly below the level at that time.

As before, at the end of 2022, holders of residence titles for a course of study or the preparation for such a program represented the largest group, at almost 80%. This is slightly higher than the share presented in Chapter 3.1 with regard to persons with first-time issuance of a residence title in the context of educational migration and without a previous

**Table 10: Third-country nationals residing in Germany on 31 December 2022 with a residence title within the framework of educational migration, by individual residence title**

Residence title	Number
In-company vocational training (Residence Act, Section 16a (1) or Section 17 (1) o.v.)	33,880
School-based vocational training (Residence Act, Section 16a (2))	1,045
Language courses or school attendance (Residence Act, Section 16f or Section 16b (1) o.v.)	8,710
(Preparation for) course of study (Residence Act, Section 16b or Section 16 (1), (6), (9) o.v.)	177,210
Study application (Residence Act, Section 17 (2) or Section 16 (7) o.v.)	200
Recognition of foreign professional qualifications (Residence Act, Section 16d or Section 17a (1), (5) o.v.)	5,820
Search for a training position (Residence Act, Section 17 (1))	20
EU study-related internship (Residence Act, Section 16e or Section 17b o.v.)	190
<b>Total</b>	<b>227,070</b>

Source: AZR as of 31/12/2022

title (74%; see Table 1). With an increase of 8%, the number of resident students was already significantly higher than in the previous year, but still below the figure for December 2019 (-2%).

With a share of 15%, persons with a residence title for the purpose of vocational training formed the next largest group of resident educational migrants. Compared to the same time last year, the increase here was even higher than that of students (+13%). Additionally, compared to Decem-

21 In contrast to the previous analyses, there is no follow-up recording period. Both persons who received a title under the old regulations of the Residence Act and persons with titles that were added or changed by the FEG are included. As in Chapter 4, all titles for job seeking are included in the field of labour migration, even if they were originally issued in the field of educational migration under the old regulations. The totals of persons residing in the two areas are thus no longer directly comparable with those published in reporting series prior to 2020.

ber 2019, the value for in-company vocational training was significantly higher (+36%).<sup>22</sup>

Persons staying in Germany for language courses or school attendance<sup>23</sup> as well as for recognition measures of foreign qualifications made up significantly smaller groups at 4 and 3% respectively. However, the number of persons residing for recognition measures has already more than doubled since the end of 2019 (+128%).

With 14% of all educational migrants from third countries residing in Germany, China represents the quantitatively most significant country of origin in this area (see Figure 5), closely followed by India with 12%. This is in contrast to persons with first-time issuance in the reporting period without a previous residence title, among whom Indian nationals were in first place by a wide margin (see Table 2).

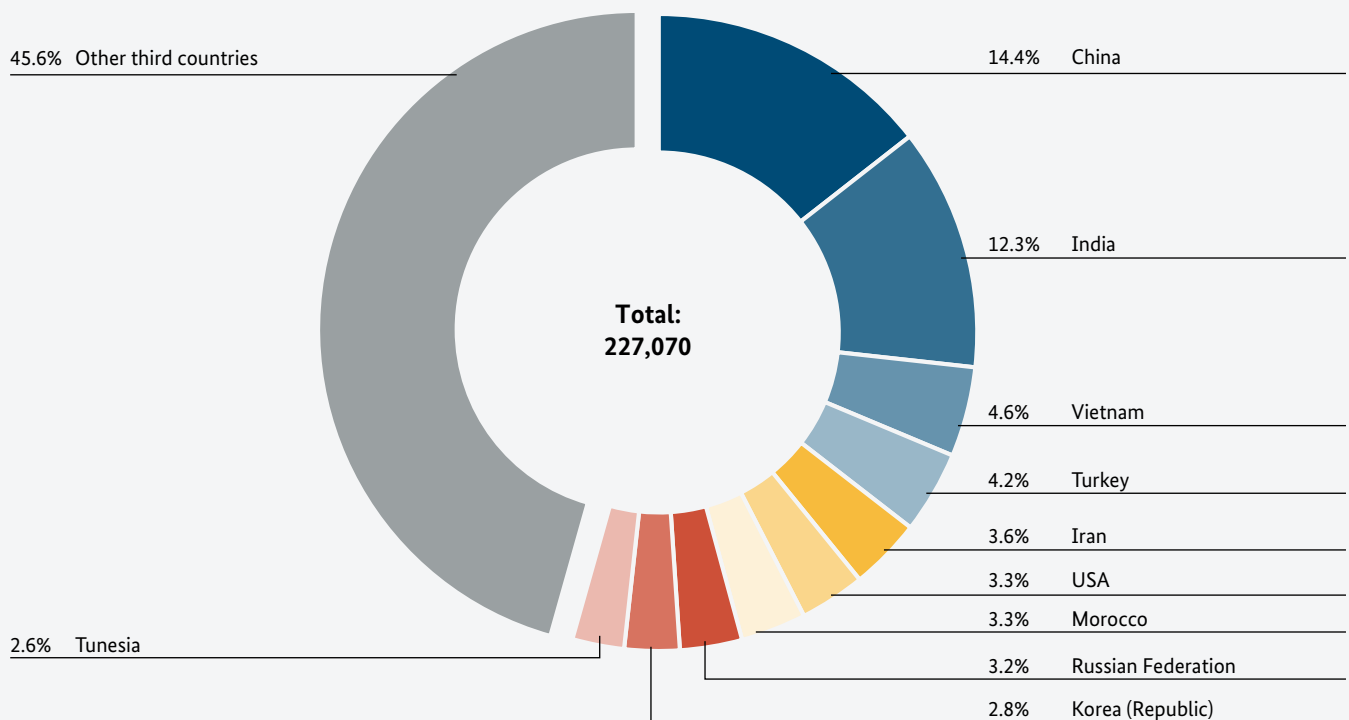
- 22 Due to the restructuring of residence titles in the course of the FEG and the associated storage cases of the AZR, the total figure of persons residing with a residence title for vocational training (i.e. incl. school-based vocational training) before March 2020 cannot be compared with that afterwards.
- 23 This also includes persons with a residence title pursuant to Section 16b (1) of the Residence Act o.v., for whom no distinction can be made between a language course or regular school attendance on the one hand and school-based vocational training on the other.

This development in current migration leads to a clear change in the shares of resident persons over time: at the end of 2019, the share of Chinese nationals in total educational migration was still 18%, while that of Indian nationals was only half at 9%. Since then, the absolute number of resident Chinese educational migrants has fallen by about a fifth, while it has risen by over 40% for Indian nationals. All other nationalities still have shares of less than 5%.

Similar to the issuance statistics, the most common nationalities differ significantly according to the respective legal basis. In relation to the resident students, Indian and Chinese nationals accounted for almost one third of the persons, in relation to other educational migration only 7%. Here, Vietnamese nationals made up the largest group with 13%.

The age structure also differs from that of persons with first-time issuance in the reporting period without a previous residence title. As was to be expected for persons who have been in Germany for a longer period of time, resident migrants as a whole are somewhat older. Those under 26 years of age accounted for slightly less than half, while the figure for first-time issuances without a previous title was still 60%. In both cases, however, more than 90% were

**Figure 5: Third-country nationals residing in Germany with a residence title in the context of educational migration on 31 December 2022, by most common nationalities**



Source: AZR as of 31/12/2022

between 18 and 35 years old. The gender ratio of 56% men and 44% women was largely the same as among the persons in the issuance statistics, whereby the share of women among resident migrants was also significantly higher for persons with a title that was not study-related.

## 5.2 Labour Migration

As of 31 December 2022, a total of around 455,500 third-country nationals held a residence title for the purpose of gainful employment and were recorded as residing in Germany in the AZR. This number is approximately 72,200 persons or 19% higher than at the time of the previous year. Compared to the end of 2019, the increase is 39%.

In contrast to educational migration, the number of residents in the context of labour migration has continued to rise even during the pandemic-related restrictions. One possible explanatory factor is the fact that educational measures are usually limited to a certain, sometimes relatively short period of time, while stays for gainful employment can potentially last longer and can also lead to corresponding settlement permits. For educational migration, a higher number of outflows can therefore be assumed - due to both departures from Germany and changes of status. Furthermore, status changes from educational measures often lead to a title to labour migration, while for educational migration itself, new immigration plays a much stronger role (see Chapter 3).

Table 11 shows all persons residing in the context of labour migration according to the different legal bases. Temporary titles make up the clear majority with a share of over three quarters. The increase compared to the previous year is at a similar level for both groups. However, the increase since 31 December 2019 is significantly higher for persons with a permanent residence title than for those with a temporary title (+79% to +31%).

Of central importance with regard to residence permits are the EU Blue Card with a quarter of the persons and the title for other employment (Residence Act, Section 19c (1) to (3)) with almost a third. In the latter category, the so-called Western Balkans regulation (in conjunction with Employment Ordinance, Section 26 (2)) accounts for more than half of the persons. Additionally, persons who immigrated under this regulation are also included in the former title for

employment without qualification requirements (Residence Act, Section 18 (3) o.v.). The general skilled worker titles introduced with the FEG according to Sections 18a and 18b (1) of the Residence Act form increasingly larger groups, with around 40,000 persons each. However, these are not necessarily new immigrants since the FEG came into force, but also people with changes of status (see Chapter 4) or persons who previously held a residence title for qualified employment (e.g. pursuant to Residence Act, Section 18 (4) o.v.) and have since extended it.

In addition, more than 100,000 people, and thus almost a quarter of all resident labour migrants, already have a settlement permit for skilled workers and self-employed persons. Former holders of an EU Blue Card form the largest group here with almost two thirds, followed by the general settlement permit for skilled workers created by the FEG (pursuant to Residence Act, Section 18c (1)) with one fifth.

The distribution of the most common nationalities shows the importance of both the EU Blue Card and the Western Balkans regulation (see Figure 6). While India, with 13%, has by far the largest share of a single state, a quarter of all resident labour migrants are nationals of a Western Balkan state. The absolute number of persons from the Western Balkan is significantly higher than that of holders of a title within the framework of the Western Balkans regulation, which once again illustrates that migration from these states is by far not limited to this legal basis. For example, around 15% of persons from Western Balkan countries hold a residence permit for skilled workers with recognised vocational training (Residence Act, Section 18a).

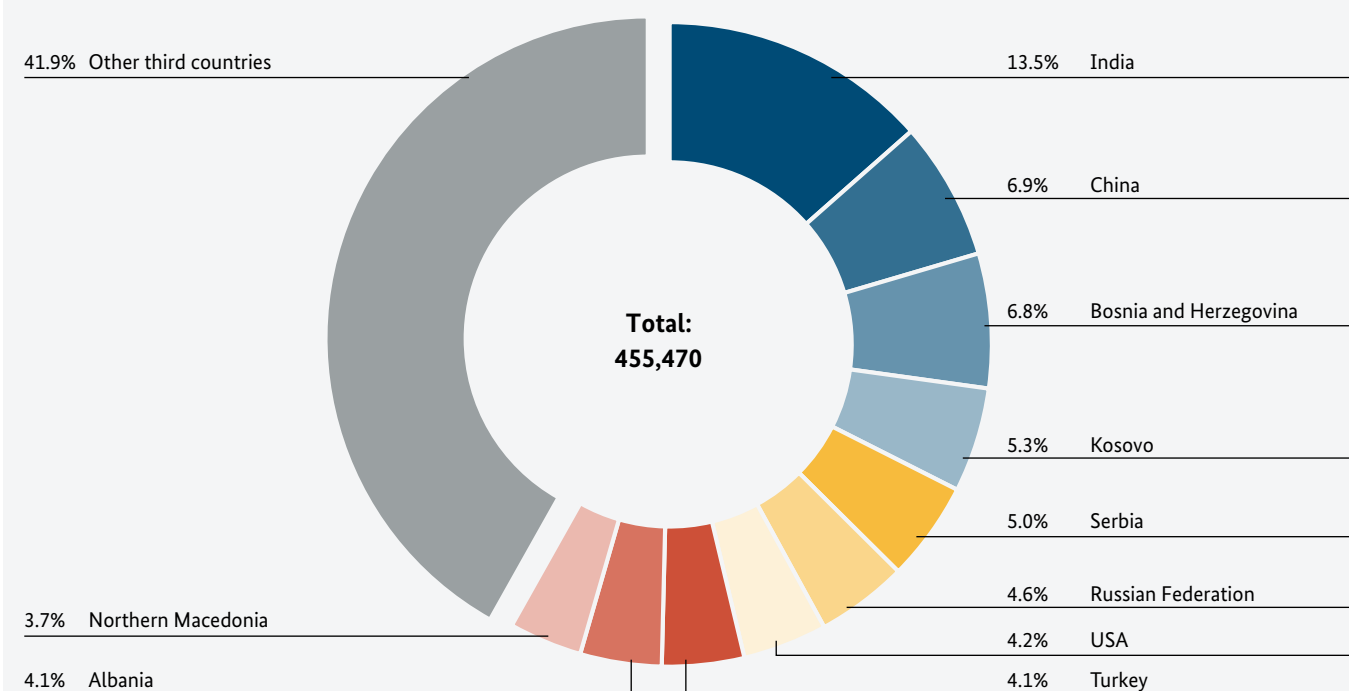
Similar to educational migration, a comparison with the nationalities shown in Chapter 3.2 for all persons with first-time issuance of a residence permit for labour migration without a previous residence title in 2022 (see Figure 2) shows that Chinese nationals are of greater significance for the number of persons residing at the end of the reporting under review. However, since 31 December 2019, the number of resident labour migrants with Chinese nationality has increased by only 14%, while the increase for Indian nationals is 56%. At the same time, Turkey, for example, plays a more important role in current migration movements, as illustrated by both the high share in the current issuance statistics and a 64% increase in the number of persons residing since 2019.

**Table 11: Third-country nationals residing in Germany on 31 December 2022 with a residence title in the context of labour migration, by individual residence title**

Residence title	Number
<b>Residence permits:</b>	<b>352,740</b>
Employment without qualification requirements (Residence Act, Section 18 (3) o.v.)	8,305
Qualified employment (Residence Act, Section 18 (4) o.v.)	14,040
Skilled worker with vocational training (Residence Act, Section 18a)	41,165
Skilled worker with academic training (Residence Act, Section 18b (1))	39,850
EU Blue Card (Residence Act, Section 18b (2) or Section 19a in conjunction with Employment Ordinance, Section 2 o.v.)	89,390
(Mobile) researchers (Residence Act, Sections 18d and 18f or Sections 20 (1), (8) and 20b (1) o.v.)	11,210
(Mobile) ICT card (Residence Act, Sections 19 and 19b or Sections 19b and 19d o.v.)	2,470
Other employment purposes (Residence Act, Section 19c (1), (2) and (3)), including	113,215
<i>au pair</i> (Section 19c (1) in conjunction with Employment Ordinance, Section 12)	3,485
<i>certain nationals</i> (Section 19c (1) in conjunction with Employment Ordinance, Section 26 (1))	11,640
<i>Western Balkans regulation</i> (Section 19c (1) in conjunction with Employment Ordinance, Section 26 (2))	62,195
<i>distinct practical professional knowledge</i> (Section 19c (2))	1,865
Civil servants (Residence Act, Section 19c (4) or Section 18 (4a) o.v.)	75
Qualified persons with suspension of deportation (Residence Act, Section 19d (1) and (1a) or Section 18a o.v.)	8,950
European voluntary service (Residence Act, Section 19e or Section 18d o.v.)	205
Job seeking, of which	11,645
<i>for skilled workers with vocational training</i> (Residence Act, Section 20 (1))	50
<i>for skilled workers with academic training</i> (Residence Act, Section 20 (2) or Section 18c o.v.)	755
<i>after course of study</i> (Residence Act, Section 20 (3) no. 1 or Section 16 (5) o.v.)	10,405
<i>after research activity</i> (Residence Act, Section 20 (3) no. 2 or Section 20 (7) o.v.)	190
<i>after vocational training</i> (Residence Act, Section 20 (3) no. 3 or Sections 16b (3) and 17 (3) o.v.)	185
<i>after recognition of foreign professional qualifications</i> (Residence Act, Section 20 (3) no. 4 or Section 17a (4) o.v.)	60
Self-employment (Residence Act, Section 21 (1), (2), (2a))	2,875
Freelance activity (Residence Act, Section 21 (5))	7,370
Other residence permits	1,965
<b>Settlement permits:</b>	<b>102,735</b>
Skilled workers (Residence Act, Section 18c (1))	20,660
Holders of an EU Blue Card (Residence Act, Section 18c (2) or Section 19a (6) o.v.)	67,200
Particularly highly qualified skilled workers (Residence Act, Section 18c (3) or Section 19 o.v.)	2,605
Graduates of German universities (Residence Act, Section 18b o.v.)	9,555
3 years of self-employment (Residence Act, Section 21 (4))	2,715
<b>Total:</b>	<b>455,470</b>

Source: AZR as of 31/12/2022

**Figure 6: Third-country nationals residing in Germany on 31 December 2022 with a residence title in the context of labour migration, by most common nationalities**



Source: AZR as of 31/12/2022

As expected, the age structure of resident labour migrants differs somewhat from that of persons with a first-time issuance of a residence permit for gainful employment without a previous residence title. While the share of persons under 26 years of age in the total number of labour migrants is 8%, which is significantly lower than in the sta-

tistics on the issuance of residence permits (19%), there are more persons over 35 years of age (37% compared to 28%). At 33%, the share of women is slightly higher than that of persons with first-time issuance of a residence permit in the reporting period (30%).

## 6. Third-Country Nationals on the German Labour Market

The focus of this report lies on the presentation of those migrants, whose stay in Germany is clearly definable as subject to the purpose of educational or gainful employment migration according to the AZR. Therefore, in Chapter 5, with regard to labour migration, only third-country nationals residing in Germany with a title specifically related to gainful employment were considered. Nevertheless, as described above, a large number of other residence titles also entitle people to work in Germany (e.g. titles for family or humanitarian reasons or settlement permits according to Residence Act, Section 9 or 9a). The share of members of these groups who are actually active in the German labour market cannot be shown in more detail on the basis of AZR data, as actual employment is not recorded.

In the following, the situation of third-country nationals on the German labour market is briefly outlined, based on statistics from the BA (Federal Employment Agency 2023a). Table 12 shows the number of third-country nationals who are employed subject to social insurance contributions in Germany as of September 2022.<sup>24</sup> If one compares the figures published by the Federal Employment Agency with those from Chapter 5.2, it is noticeable that the number of all third-country nationals subject to social insurance contributions in Germany is many times higher than that of the resident labour migrants. Although the latter, with a total of over 450,000 persons, also includes self-employed or freelancing activity, the total number of third-country nationals employed in Germany subject to social insurance contributions is almost six times higher, at about 2.6 million.

Compared to September 2021, this number has increased by about 312,800 persons or 14%. The growth is thus higher than in the previous year (+9%) and also the period before the COVID-19 pandemic (2019: +10%). In 2020, the increase was significantly lower at 4% due to the pandemic.

With regard to the main countries of origin, there are both similarities and differences to the analyses on resident labour migrants (Figure 6). The two most common nationalities of all third-country nationals employed in the German labour market are Turkish and Syrian. Turkey, as the country of origin of more than one fifth of the persons, is clearly

ahead of the other countries. Syria follows in second place with about 8%, Ukraine in third place with 5%.

While many Turkish nationals - mainly due to the recruitment of foreign workers and their families who moved to Germany in the last century - have been in Germany for a long time on average or were already born here, the Syrian employees are in all likelihood largely migrants from the refugee movements of the last decade. This can be seen in the AZR data by the high share of residence titles for humanitarian or family reasons. Among the Ukrainians, there are a large number of people who fled to Germany last year due to the Russian war of aggression.

This is also reflected in the clearly different rates of change. While the number of employees with Turkish citizenship, as in previous years, shows the lowest growth rate among the ten most common countries of origin, it is significantly higher for Syrian employees at 14%. Due to refugee movement in the last year, the largest increase can be seen in Ukrainian employees, whose number has more than doubled.

The eight most important countries of origin for asylum also play a significantly larger role in the total number of employees subject to social insurance contributions, with one fifth, than in the number of persons staying in the context of labour migration (approx. 7%).

As in the case of labour migration, the Western Balkan states (together 17%) are also among the most important countries in terms of total employment, especially Bosnia and Herzegovina, Kosovo and Serbia. However, the Russian Federation also has a similarly high relevancy. India and China, which account for about one fifth of all residents in the context of labour migration, are only in seventh and fifteenth place respectively in the overall consideration of the labour market, with a combined share of only 6%. However, among the main countries of origin, India shows the second highest percentage increase after Ukraine.

The ten most important countries of origin of employees subject to social insurance contributions also differ significantly in the share of female employees. The proportion of women from Syria, Afghanistan and Iraq is particularly low, at less than one-fifth each, while the majority of people

<sup>24</sup> As there is a waiting period of six months for the data, the figures for the end of 2022 cannot be used in this report.



from Ukraine and the Russian Federation are female. At this point, however, it must be noted that these differences do not directly reflect the different labour force participation rates of women. As Chapter 5 shows, the share of women in the resident population also varies greatly between the individual countries of origin and thus the extent of female labour force potential.

Third-country nationals are also increasingly employed at the so-called "*Helfer*" level, where the respective job does not require explicit training. At around 34%, the share is significantly higher than that of German employees (13%), but slightly lower than that of EU nationals (39%). Highly qualified jobs at "*Spezialist*" or "*Experte*" level, on the other hand, are rarer (19%) than among German employees (30%), but somewhat more frequent than among persons from the EU (15%). However, the shares of the individual qualification levels vary greatly for the individual nationalities both for persons from the EU and from third countries. While persons from the Western Balkans as well as from the central countries of origin of asylum are employed more frequently than average at the "*Helfer*" level (38 and 44% respectively), more than half of the Indian nationals work in highly qualified jobs (57%). However, the analyses underline that the majority of nationals from the first two groups also work in jobs that require a qualification.

Analyses by the Federal Employment Agency show that the employment rate for third-country nationals is significantly lower than that of the German population (71%). Here, nationals of the Western Balkans show similar values as persons from the EU Member States (62% in each case). Other third-country nationals (excluding the eight central countries of origin for asylum and Ukraine) are again significantly lower at 53%. In terms of the unemployment rate, persons from the Western Balkans are closer to the other third-country nationals (9 and 10% respectively) and thus slightly above EU nationals (7%) and the German population (5%; Federal Employment Agency 2023b).

The employment statistics show that the importance of the main countries of origin of labour migration for the entire labour market should not be underestimated. However, the number of labour migrants is still at a rather low level compared to other types of immigration, such as refugee-related migration or family reunification. The increasing recovery of current immigration for educational and employment purposes from the pandemic-related cuts (see Chapter 3) and the planned extensions of the legal regulations (see Chapter 2) will play an important role in future developments.

**Table 12: Third-country nationals with employment subject to social insurance contributions in Germany by nationality (as of 30/09/2022)**

Nationality	Employees subject to social insurance			Difference compared to the same month of the previous year	
	Number	Share	Proportion of women	Absolute	Percentage
<b>Total third-country nationals*</b>	2,591,926	100.0%	36.2%	312,830	13.7%
<b>Main asylum countries**</b>	516,843	19.9%	17.3%	65,410	14.5%
<b>Western Balkans</b>	445,744	17.2%	36.9%	50,436	12.8%
<b>Top 10 nationalities</b>					
Turkey	562,354	21.7%	34.4%	17,599	3.2%
Syria	199,180	7.7%	14.3%	24,995	14.3%
Ukraine	118,100	4.6%	61.4%	62,440	112.2%
Bosnia and Herzegovina	111,514	4.3%	41.3%	9,222	9.0%
Russian Federation	107,017	4.1%	59.0%	10,589	11.0%
Kosovo	106,811	4.1%	30.2%	13,731	14.8%
India	105,515	4.1%	30.1%	24,991	31.0%
Serbia	102,352	3.9%	40.4%	8,796	9.4%
Afghanistan	89,435	3.5%	12.5%	10,310	13.0%
Iraq	65,298	2.5%	19.9%	9,791	17.6%
Other	1,024,350	39.5%	39.6%	120,366	13.3%

\* Foreign nationals excluding EU states, Iceland, Liechtenstein, Norway and Switzerland.

\*\* Afghanistan, Eritrea, Iraq, Iran, Nigeria, Pakistan, Somalia and Syria.

Source: Federal Employment Agency 2023 (own calculations)



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# **Annex:**

## **First-time Issuance of Residence Titles in the Context of Educational and Labour Migration by Federal State**

- Third-country nationals with first-time issuance of a residence permit in 2022
  - Total number of persons
  - Persons without a previous residence title
  - Persons with change of status
- Third-country nationals with first-time issuance of a settlement permit in 2022
  - Total number of persons

## Third-country nationals with first-time issuance of a residence permit in the context of educational and labour migration in 2022

## Total number of persons

	Vocational training (Residence Act, Section 16a)	(Preparation for) course of study (Residence Act, Section 16b)	Recognition of foreign professional qualifications (Residence Act, Section 16d)	Language courses and school attendance (Resident Act, Section 16f)	Other educational or training measures (Resident Act, Sections 16e and 17)	Educational migration	Skilled worker with vocational training (Resident Act, Section 18a)	Skilled worker with academic training (Resident Act, Section 18b (1))	EU Blue Card (Resident Act, Section 18b (2))	(Mobile) researchers (Resident Act, Sections 18d and 18f)	(Mobile) ICT card (Resident Act, Sections 19 and 19b)	Other employment purposes: civil servants (Resident Act, Section 19c)	Of which Western Balkans regulation (Section 19c (1) in conjunction with Employment Ordinance, Section 26 (2))	Qualified persons with suspension of deportation (Resident Act, Section 19d)	European voluntary service (Residence Act, Section 19e)	Job seeking (Resident Act, Section 20)	Self-employment (Resident Act, Section 21 (1), (2), (2a))	Freelancing (Resident Act, Section 21 (5))	Labour migration	Total
Baden-Württemberg	2,505	5,015	465	495	15	8,495	2,455	1,570	4,720	905	255	6,320	3,120	590	20	725	50	105	17,715	26,205
Bavaria	2,515	8,985	580	525	50	12,650	2,740	2,625	8,370	725	330	7,800	4,345	520	10	715	110	70	24,015	36,665
Berlin	855	9,190	160	455	10	10,670	1,020	3,590	9,180	565	55	2,855	660	145	10	2,535	125	1,420	21,500	32,170
Brandenburg	245	1,085	65	105	5	1,505	245	320	500	165	5	485	260	35	5	120	15	15	1,905	3,410
Bremen	90	1,160	50	20	5	1,325	110	225	295	60	/	180	45	5	5	265	15	5	1,170	2,495
Hamburg	385	1,275	105	65	5	1,835	515	885	1,620	155	45	905	160	110	5	175	20	40	4,470	6,305
Hesse	805	3,130	260	220	20	4,440	1,315	1,520	3,475	360	275	3,645	1,255	195	15	430	65	50	11,345	15,785
Lower Saxony	1,350	3,450	495	255	5	5,555	1,335	855	1,895	330	35	2,030	905	300	25	300	35	25	7,170	12,720
Mecklenburg-Western Pomerania	430	390	75	30	/	925	175	135	205	75	/	195	55	35	/	40	0	10	870	1,800
North Rhine-Westphalia	2,085	9,545	660	555	65	12,910	2,240	2,750	5,610	890	375	5,480	2,535	690	20	1,105	120	100	19,390	32,295
Rhineland-Palatinate	620	1,620	590	110	15	2,955	625	465	1,010	145	20	1,540	640	125	5	155	25	10	4,125	7,080
Saarland	140	515	35	15	/	710	100	115	200	70	/	135	60	5	5	20	10	10	665	1,375
Saxony	735	2,535	210	145	10	3,635	455	610	1,165	425	15	615	250	80	5	380	10	45	3,805	7,440
Saxony-Anhalt	420	1,870	45	35	5	2,375	200	285	395	180	5	290	170	35	/	120	/	10	1,520	3,895
Schleswig-Holstein	460	580	160	75	15	1,290	390	265	375	100	5	555	270	145	10	70	10	5	1,935	3,225
Thuringia	435	1,430	30	30	5	1,930	295	310	360	135	185	265	110	30	5	210	5	5	1,815	3,745
Total	14,075	51,780	3,990	3,120	225	73,195	14,225	16,525	39,365	5,285	1,610	33,295	14,845	3,050	140	7,365	625	1,930	123,410	196,605

/ Data based on values of less than three persons.

Source: AZR as of 31/03/2023

**Third-country nationals with first-time issuance of a residence permit in the context of educational and labour migration in 2022**  
**Persons without a previous residence title**

	Vocational training (Residence Act, Section 16a)	(Preparation for) course of study (Residence Act, Section 16b)	Recognition of foreign professional qualifications (Residence Act, Section 16d)	Language courses and school attendance (Residence Act, Section 16f)	Other educational or training measures (Residence Act, Sections 16e and 17)	Educational migration	Skilled worker with vocational training (Residence Act, Section 18a)	Skilled worker with academic training (Residence Act, Section 18b (1))	EU Blue Card (Residence Act, Section 18b (2))	(Mobile) researchers (Residence Act, Sections 18d and 18f)	(Mobile) ICT card (Residence Act, Sections 19 and 19b)	Other employment purposes: civil servants (Residence Act, Section 19c)	of which Western Balkans regulation (Section 19c (1) in conjunction with Employment Ordinance, Section 26 (2))	Qualified persons with suspension of de- portation (Residence Act, Section 19d)	European voluntary service (Residence Act, Section 19e)	Job seeking (Resident Act, Section 20)	Self-employment (Resident Act, Section 21 (1), (2), (2a))	Freelancing (Resident Act, Section 21 (5))	Labour migration	Total
Baden-Württemberg	1,495	4,640	410	490	15	7,025	515	495	2,215	695	230	5,705	2,970	580	10	30	15	75	10,560	17,585
Bavaria	1,680	8,110	525	460	35	10,810	685	770	4,425	600	310	7,150	4,105	505	5	20	55	25	14,550	25,365
Berlin	520	8,270	145	425	5	9,370	135	1,045	6,465	340	45	2,490	615	140	5	65	35	880	11,640	21,010
Brandenburg	180	1,005	60	90	/	1,340	85	80	270	130	5	450	250	35	5	5	5	10	1,080	2,420
Bremen	35	1,070	45	15	5	1,170	25	30	100	50	/	145	40	5	/	5	10	/	375	1,545
Hamburg	160	1,125	100	60	5	1,450	140	225	850	130	40	830	155	100	/	10	5	20	2,355	3,805
Hesse	435	2,715	235	190	15	3,590	470	330	1,780	275	240	3,195	1,205	195	10	15	30	25	6,565	10,155
Lower Saxony	880	3,020	440	240	5	4,585	320	250	740	230	35	1,880	870	275	10	10	15	10	3,780	8,365
Mecklenburg-Western Pomerania	385	350	70	30	/	835	35	55	65	65	0	175	50	30	/	5	/	5	435	1,270
North Rhine-Westphalia	1,225	8,360	590	515	35	10,720	590	695	2,550	665	345	5,030	2,415	655	10	40	80	40	10,705	21,425
Rhineland-Palatinate	425	1,475	575	105	5	2,585	220	125	350	115	20	1,420	615	115	/	5	15	5	2,385	4,975
Saarland	120	480	35	10	/	650	30	25	70	60	/	120	60	5	5	/	10	10	325	975
Saxony	600	2,260	200	135	10	3,205	80	165	510	310	10	560	245	75	5	10	5	20	1,745	4,950
Saxony-Anhalt	375	1,785	40	35	/	2,235	60	65	135	120	5	265	160	35	/	5	/	5	695	2,930
Schleswig-Holstein	345	520	145	65	10	1,090	115	85	180	85	5	520	260	145	5	/	5	/	1,140	2,235
Thuringia	395	1,315	30	25	/	1,765	80	70	105	85	185	245	110	30	5	5	/	5	815	2,580
<b>Total</b>	<b>9,260</b>	<b>46,505</b>	<b>3,650</b>	<b>2,865</b>	<b>150</b>	<b>62,425</b>	<b>3,585</b>	<b>4,515</b>	<b>20,815</b>	<b>3,950</b>	<b>1,470</b>	<b>30,185</b>	<b>14,120</b>	<b>2,925</b>	<b>80</b>	<b>220</b>	<b>280</b>	<b>1,130</b>	<b>69,155</b>	<b>131,585</b>

/ Data based on values of less than three persons.

Source: AZR as of 31/03/2023

**Third-country nationals with first-time issuance of a residence permit in the context of educational and labour migration in 2022**  
**Persons with change of status**

	Vocational training (Residence Act, Section 16a)	(Preparation for) course of study (Residence Act, Section 16b)	Recognition of foreign professional qualifications (Residence Act, Section 16d)	Language courses and school attendance (Residence Act, Section 16f)	Other educational or training measures (Residence Act, Sections 16e and 17)	<b>Educational migration</b>	Skilled worker with vocational training (Residence Act, Section 18a)	Skilled worker with academic training (Residence Act, Section 18b (1))	EU Blue Card (Resident Act, Section 18b (2))	(Mobile) researchers (Resident Act, Sections 18d and 18f)	(Mobile) ICT card (Resident Act, Sections 19 and 19b)	Other employment purposes: civil servants (Resident Act, Section 19c)	of which Western Balkans regulation (Section 19c (1) in conjunction with Employment Ordinance, Section 26 (2))	Qualified persons with suspension of de- portation (Resident Act, Section 19d)	European voluntary service (Residence Act, Section 19e)	Job seeking (Resident Act, Section 20)	Self-employment (Resident Act, Section 21 (1), (2), (2a))	Freelancing (Resident Act, Section 21 (5))	<b>Labour migration</b>	<b>Total</b>
Baden-Württemberg	1,010	370	55	30	/	<b>1,470</b>	1,940	1,075	2,505	210	25	615	150	10	5	695	40	35	<b>7,155</b>	<b>8,620</b>
Bavaria	830	875	55	65	10	<b>1,840</b>	2,060	1,850	3,940	130	25	650	235	15	5	690	55	45	<b>9,465</b>	<b>11,300</b>
Berlin	335	920	15	30	5	<b>1,300</b>	885	2,545	2,715	225	10	365	45	5	5	2,470	85	540	<b>9,855</b>	<b>11,160</b>
Brandenburg	65	80	5	15	5	<b>165</b>	160	240	225	35	/	35	5	/	/	115	5	5	<b>825</b>	<b>990</b>
Bremen	55	95	5	/	/	<b>155</b>	85	190	195	10	/	35	5	/	/	265	5	5	<b>795</b>	<b>950</b>
Hamburg	225	150	5	5	5	<b>385</b>	375	660	770	25	/	75	10	10	5	165	15	20	<b>2,115</b>	<b>2,500</b>
Hesse	370	415	25	30	5	<b>850</b>	845	1,190	1,695	85	35	450	50	/	/	415	35	25	<b>4,780</b>	<b>5,630</b>
Lower Saxony	470	430	55	15	/	<b>965</b>	1,015	605	1,155	100	/	150	35	25	10	295	20	10	<b>3,390</b>	<b>4,355</b>
Mecklenburg-Western Pomerania	45	40	5	5	/	<b>90</b>	145	80	140	10	/	20	5	/	/	35	/	5	<b>440</b>	<b>530</b>
North Rhine-Westphalia	860	1,190	70	40	30	<b>2,190</b>	1,650	2,055	3,060	225	35	445	120	35	10	1,065	45	60	<b>8,685</b>	<b>10,875</b>
Rhineland-Palatinate	195	140	20	5	10	<b>365</b>	400	340	660	30	/	115	30	10	5	150	10	10	<b>1,740</b>	<b>2,105</b>
Saarland	25	35	/	/	/	<b>60</b>	70	90	130	10	/	15	/	/	/	20	/	/	<b>340</b>	<b>400</b>
Saxony	135	275	10	10	/	<b>430</b>	375	445	655	115	/	55	5	5	/	370	10	25	<b>2,060</b>	<b>2,485</b>
Saxony-Anhalt	45	85	5	5	/	<b>135</b>	140	225	260	60	/	25	10	/	/	115	/	5	<b>830</b>	<b>965</b>
Schleswig-Holstein	115	60	15	5	5	<b>195</b>	275	185	195	15	/	35	15	/	5	70	5	5	<b>795</b>	<b>990</b>
Thuringia	45	115	/	5	/	<b>170</b>	215	235	255	50	/	20	/	/	/	205	5	5	<b>1,000</b>	<b>1,165</b>
<b>Total</b>	<b>4,815</b>	<b>5,275</b>	<b>345</b>	<b>260</b>	<b>75</b>	<b>10,770</b>	<b>10,640</b>	<b>12,010</b>	<b>18,550</b>	<b>1,335</b>	<b>140</b>	<b>3,110</b>	<b>725</b>	<b>125</b>	<b>65</b>	<b>7,140</b>	<b>340</b>	<b>795</b>	<b>54,255</b>	<b>65,025</b>

/ Data based on values of less than three persons.

Source: AZR as of 31/03/2023

### Third-country nationals with first-time issuance of a settlement permit in the context of educational and labour migration in 2022

#### Total number of persons

	Skilled workers (Resident Act, Section 18c (1))	Holders of an EU Blue Card (Resident Act, Section 18c (2))	Particularly highly qualified skilled workers (Resident Act, Section 18c (3))	3 years of self-employment (Resident Act, Section 21 (4))	Total
Baden-Württemberg	1,160	1,885	15	25	3,090
Bavaria	1,610	2,680	30	20	4,335
Berlin	1,150	2,940	25	20	4,130
Brandenburg	130	180	/	5	320
Bremen	75	125	/	15	215
Hamburg	415	665	10	20	1,105
Hesse	835	1,205	10	35	2,085
Lower Saxony	500	770	10	15	1,290
Mecklenburg-Western Pomerania	35	80	/	/	120
North Rhine-Westphalia	1,040	2,050	45	55	3,190
Rhineland-Palatinate	285	355	/	20	660
Saarland	45	70	/	/	115
Saxony	315	395	10	5	730
Saxony-Anhalt	95	105	/	/	205
Schleswig-Holstein	145	135	5	10	290
Thuringia	160	120	/	/	280
<b>Total</b>	<b>7,995</b>	<b>13,760</b>	<b>165</b>	<b>245</b>	<b>22,170</b>

/ Data based on values of less than three persons.

Source: AZR as of 31/03/2023

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