

Educational and Labour Migration Monitoring: Issuance of Residence Titles to Third-Country Nationals; Annual Report 2021

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Federal Office
for Migration
and Refugees

REPORTS ON MIGRATION AND INTEGRATION – SERIES 1

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

Annual Report 2021

Johannes Graf



Forschung



Research Centre
Migration, Integration and Asylum

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Summary

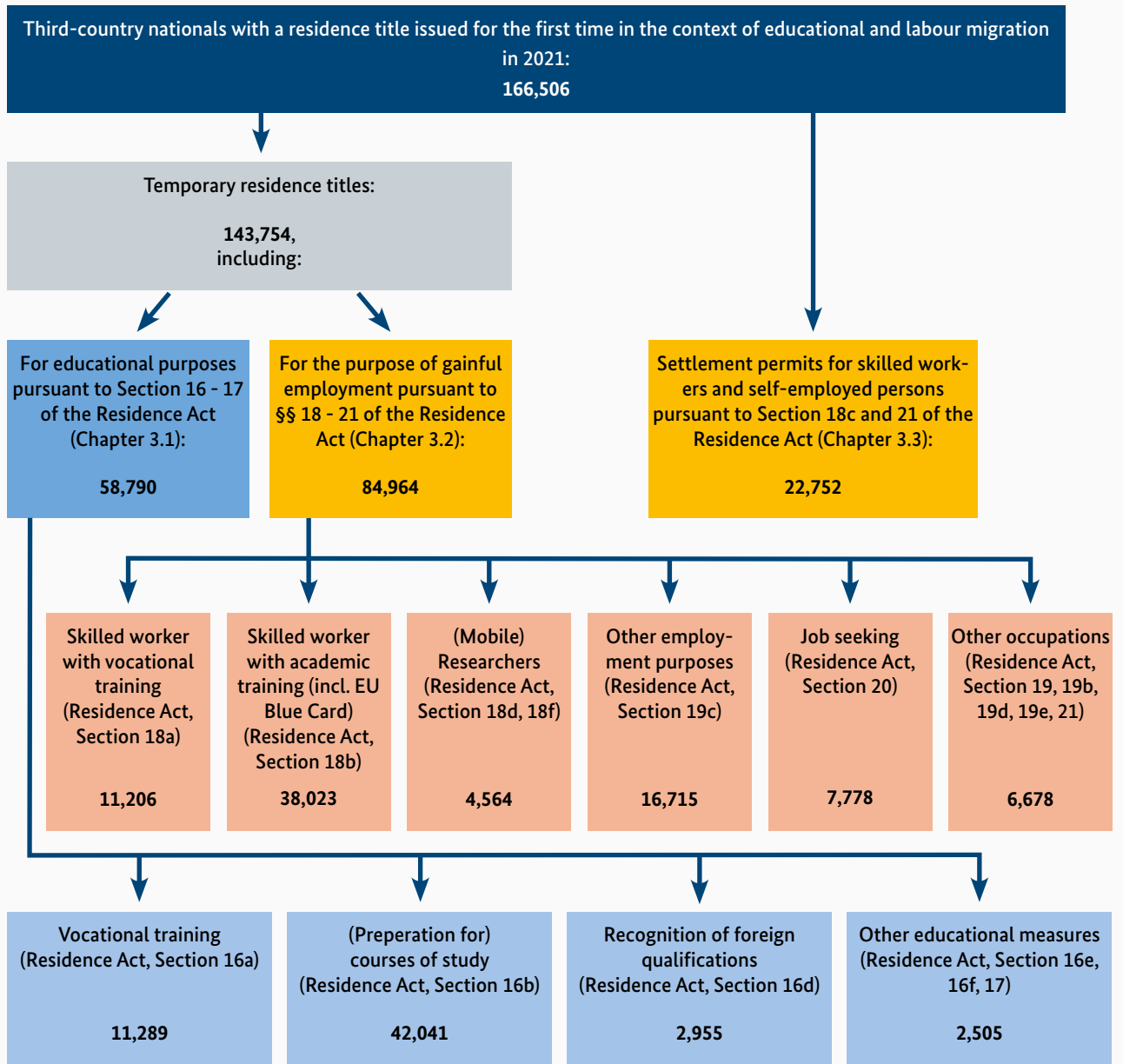
KEY TRENDS

- Educational and labour migration to Germany recovered somewhat in 2021 after experiencing a decrease in the previous year caused by the COVID-19 pandemic. At the same time, restrictions on international mobility persisted in limiting the immigration of skilled workers.
- In 2021, about 46,000 persons who had not previously held a residence title in Germany were granted a title in the area of educational migration. In the context of labour migration, this number amounted to around 40,000 persons.
- At almost 80%, the share of persons with no previous residence title was significantly higher in the education sector than in the employment sector at only 46%. This indicates a particularly high significance of prior stays for labour migration, e.g. in the sense of an educational measure.
- For educational migration, students accounted for the vast majority of persons with first-time issuance of residence titles, while for labour migration, the EU Blue Card continued to be of particular importance. In addition, the new titles for academic and non-academic skilled workers introduced by the Skilled Immigration Act are beginning to establish themselves as well.
- As it was the case in previous years, India and China were the quantitatively most significant countries for student migration in 2021. For other educational measures, Vietnam was found to be of particular importance. In the field of labour migration, India also ranked first.
- The number of educational migrants residing in Germany as of 31 December 2021 has increased slightly compared to the same date in the previous year (+1.8%), albeit still falling short of the levels recorded in 2019. Similar to the year before, the number of labour migrants residing in Germany continued to rise (+10.2%).

RELEVANT LEGAL AND POLITICAL DEVELOPMENTS IN THE YEAR UNDER REVIEW - CHAPTER 2

- In the first half of 2021, there were still significant restrictions on educational and labour migration from numerous third countries in light of the COVID-19 pandemic. In June 2021, these restrictions were largely lifted for fully vaccinated people.
- The restrictions caused by the pandemic continued to have an impact on the number of visitors to German diplomatic missions abroad as well as to foreigners authorities in Germany, which ultimately affected the issuing of visas and residence permits.
- In 2021, the Federal Employment Agency finalised the first mediation agreements under the Skilled Immigration Act with Indonesia, the Indian state of Kerala, as well as with Mexico and Colombia.
- The reform of the Blue Card Directive requires EU member states to expand the legal basis of the EU Blue Card in national law.
- The transitional phase, established when the United Kingdom left the European Union, during which the rules of freedom of movement regulations continued to apply, ended on 1 January 2021, requiring newly immigrating British nationals to obtain residence titles in accordance with the Residence Act.

FIRST-TIME ISSUANCE OF RESIDENCE TITLES IN THE CONTEXT OF EDUCATIONAL AND LABOUR MIGRATION - CHAPTER 3



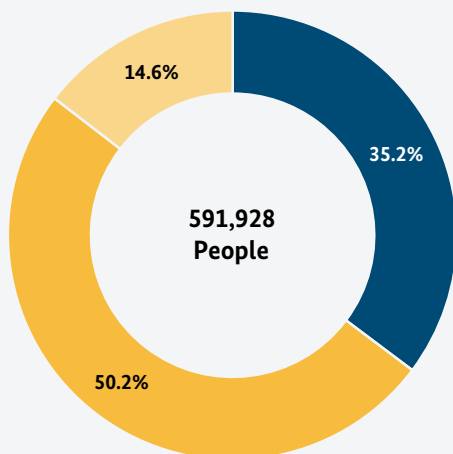
- According to the Central Register of Foreigners, a total of about 59,000 educational migrants and 108,000 labour migrants received their respective residence titles for the first time in 2021. Within the category of labour migration, approximately 23,000 persons were issued settlement permits for skilled workers and self-employed persons.
- Considering all persons who were granted a residence title within the scope of educational migration for the first time, almost 80% of them did not previously hold any other residence title, which in most cases indicates recent immigration. For temporary titles in the context of labour migration, the figure was significantly lower at 46%. The remaining persons changed their status from a previously existing residence title.

SELECTED CHANGES OF STATUS IN THE CONTEXT OF EDUCATIONAL AND LABOUR MIGRATION - CHAPTER 4

- Changes of status between different residence titles play a particularly important role in the transition from an educational measure to employment.
- In 2021, about 28,500 persons changed from a residence permit for an educational measure to a title for job seeking or directly into employment. More than 5,000 additional persons took up employment after searching for a job in this way.
- Around 13,500 persons changed from a residence title for educational and labour migration to a general settlement permit pursuant to Sections 9 or 9a of the Residence Act or to a residence title due to family related reasons.

RESIDENT THIRD-COUNTRY NATIONALS IN THE CONTEXT OF EDUCATIONAL AND LABOUR MIGRATION - CHAPTER 5

As of 31 December 2021, more than 590,000 third-country nationals holding a residence title for educational or labour migration were registered as residing in Germany.



- Residence permits for education and training
- Residence permits for gainful employment
- Settlement permits for skilled workers and self-employed persons

- Persons with a residence permit for educational measures made up about one third of the total group. About a quarter of all educational migrants resident in Germany held a Chinese or Indian citizenship. More than 90% were between the ages of 18 and 35, with 45% being women.
- The largest groups of labour migrants resident in Germany were nationals from India, China and Bosnia and Herzegovina. Compared to educational migration, this group was significantly older with about two-thirds being male. In addition, more than one fifth already held a settlement permit.

1. Introduction and Database

The Research Centre of the Federal Office for Migration and Refugees (BAMF) 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 2019.¹

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 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 free movement, no differentiation can be made according to the purpose for 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.² 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)³, which are registered by them in the AZR. This report focuses on residence titles, which are granted for the purpose of education (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, in cases of family reunification. Most of the residence titles issued for reasons of international law, humanitarian or political

reasons also entitle their holders to engage in 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 displayed in this report therefore do not represent the entire labour force potential of third-country nationals or their degree of participation in the education system. In order to classify the importance of these migration groups for the German labour market, the general employment statistics of the Federal Employment Agency will be discussed at the end of this report.

Another large labour force potential results from the immigration of foreign nationals of EU member states. According to the AZR, approximately 90% of the EU nationals who moved to Germany in 2021 were between the age of 16 and 64, and therefore eligible for employment. For this reason, a further report by the Research Centre entitled "Freedom of Movement Monitoring: Migration of EU Nationals to Germany" (Graf 2022) is published alongside the present monitoring. In this report, the AZR figures on immigration, emigration and residence of EU nationals in 2021 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 residence title was taken into account when evaluating the data of the AZR. This prevents a person from being included in the statistics on the issuance of residence permits more than once. In consequence, the number of persons issued a title falls short of what would have been the case if every single permit issued in the reporting period was considered.

Furthermore, the statistics on the issuance of residence titles are compiled on a three-month follow-up recording period ending on March 31, 2022. In this way persons who received their title in the respective reporting period, but whose entry in the AZR was not made until the first quarter of 2022, are also included in the data. This ultimately increases the reliability of the data because longer processing times at the foreigners authorities are taken into account.

The statistics on first-time issuance of residence titles in the context of educational and labour migration presented in this report only consider 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

1 For a more detailed account of the differences between the two publications, see Graf 2021.
2 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.
3 In the following, both EU Blue Cards and (Mobile) ICT-Cards will be subsumed under the term residence permit for better readability. In the same way, the EU permit for permanent residence (according to Residence Act, Section 9a) is also included under the term settlement permit.

visas issued by the German diplomatic missions abroad⁴). 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. issuances without extensions).⁵ 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 previously no entry ("first-time issuance without previous title"). In most cases, the latter refers to changes from a visa or issuances after visa-free entry. In individual cases, however, the list may also include persons who had previously resided in Germany (e.g. with a residence title that had already expired, a permission to remain pending the asylum decision or a temporal suspension of deportation⁶). At the same time, status changes may also include new arrivals who have already changed their original title in the year of 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 BAMF publication "Das Bundesamt in Zahlen". While this report focuses on the **period of issuance**, i.e. only residence titles that were issued within the reporting period are considered, the two publications mentioned above do focus primarily on the **immigration period**, i.e. all persons who entered the country in the reporting period are displayed, regardless of whether they were issued a residence title in the respective year. Differences between these evaluation logics arise, among other things, from the fact that 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 do not apply for their residence title until the first months of the following year. Those differences are amplified by the fact that visas with validity periods up to 12 months have gained in importance through the FEG – naming the fast-track procedure for skilled workers as one example.

This report will first provide an overview of relevant political and legal changes in the field of educational and labour migration that occurred in the reporting year (Chapter 2). This is followed by a presentation of all third-country nationals who were granted a residence title for the first time in the context of educational and labour migration in 2021. In addition to the specific legal basis, differentiations can also be made according to nationality, age and gender of the persons. Chapter 4 takes a closer look at certain forms of status change, for example from an educational measure to gainful employment. After an analysis of third-country nationals residing in Germany for the purpose of education or employment at the end of 2021 (Chapter 5), this publication concludes with an overview of the scope of total employment of third-country nationals subject to social insurance contributions in the German labour market based on the employment statistics of the Federal Employment Agency (Chapter 6).

4 Visas issued by the German diplomatic missions abroad are stored in a separate visa file within the AZR.

5 This also applies to changes from immediate predecessor titles prior to the implementation of the Skilled Immigration Act as well as changes between entries in the AZR that only constitute a marginal change of the legal basis.

6 It can be assumed that a particular quantitative relevance exists for titles under Section 18d of the Residence Act which apply to qualified persons with a temporal suspension of deportation (see Chapter 3.2).

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

As in the previous reporting year, 2021 was overshadowed by the effects and restrictions of the COVID-19 pandemic. Although no comprehensive entry bans were imposed, as it was the case in the beginning of the pandemic in March 2020, a considerable restriction of international mobility can still be assumed, especially for third-country nationals.

After entry restrictions for individual third countries were unreservedly lifted upon recommendation by the Council of the European Union in July 2020, this so-called "positive list" has since been regularly adjusted to current circumstances. For nationals outside this list, it remained prohibited to enter Germany in the first half of 2021, unless entry was considered absolutely necessary. In the area of labour migration, this included, among others, employment in the health sector, the transport sector as well as seasonal workers. In the case of other skilled or highly qualified workers, the respective employer had to confirm upon entry that the employment in Germany was economically necessary and that its exercise required the physical presence of the employee. Entry for occupations by persons without formal qualifications – for example within the framework of the Western Balkans regulation – was only feasible in individual cases. Likewise, the possibilities of entering the country in order to look for a job or a vocational training place could only be utilised to a very limited extent. Finally, educational migrants were restricted from entering the country, unless the educational measure could not have been carried out entirely from abroad. As of 25 June 2021, these restrictions were lifted for fully vaccinated persons.

With the increasing spread of virus mutations, so-called virus variant regions have been defined, for which stricter restrictions of entry apply. For third-country nationals with no existing residence and residence permit in Germany, immigration from these countries is only possible in exceptional cases. If certain countries are classified as high-risk regions, persons from these countries are also subject to extended testing and quarantine regulations.⁷

In addition, the COVID-19 pandemic had an impact on the procedures of German diplomatic missions abroad as well as domestic foreigners authorities, which sometimes led to delays in the issuance of visas and residence permits. For example, there were temporary closures of visa offices. At the same time, various special regulations were introduced in Germany that would allow (prospective) skilled workers to remain in Germany, for example, by not withdrawing their EU Blue Card if receiving short-time working compensation led to the minimum salary limits of the EU Blue Card being undercut.

As of January 2021, newly immigrating nationals from the United Kingdom are subject to the same legal residence regulations as other third-country nationals who are not entitled to the freedom of movement regulations. The transitional period stipulated in the EU withdrawal agreement, which allowed British nationals to continue making use of the free movement right of persons within the EU internal market, expired at the end of 2020. Since these persons therefore also require titles under the Residence Act for new immigration from 2021 onwards, this monitoring report will, for the first time, include UK nationals as well. Persons who were already entitled to reside in Germany before 1 January 2021 as well as their family members will generally not be affected by the new residence regulations.⁸ As of 1 January 2021, nationals of the United Kingdom were also added to the list of persons who, on the grounds of Section 26 (1) of the Employment Ordinance (BeschV) and after a priority check by the Federal Employment Agency (BA), are allowed to take up any employment in Germany, irrespective of their level of qualification.⁹

The data for the reporting year 2021 includes around 350 British nationals who have been granted a title for the first time as part of educational migration and 1,100 who have been granted a title as part of migration for gainful employment. They are primarily students, academic professionals or persons who have made use of the regulation pursuant to Section 26 (1) of the Employment Ordinance.

⁷ As of June 11, 2022, all entry restrictions have been provisionally lifted, with the exception of the regulations concerning virus variant regions. However, at the time the report was produced, no such classification was in place for any state. Only non-German nationals residing in the People's Republic of China continue to require a qualifying reason for entry (Federal Foreign Office 2022).

⁸ For a detailed overview of the regulations on the residence of British nationals in Germany, see Federal Employment Agency (2022).

⁹ Second Ordinance amending the Employment Ordinance and the Residence Ordinance of 18.12.2020 (BGBl. I p. 3046).

The so-called Western Balkans regulation (Section 26 (2) Employment Ordinance), according to which third-country nationals from the Western Balkan states¹⁰ can immigrate to Germany for the purpose of employment and regardless of their qualifications, was also extended. However, the priority check still applies here. The number of first-time approvals by the Federal Employment Agency was limited to 25,000 annually. The extension came into force with the Sixth Ordinance Amending the Employment Ordinance on 1 January 2021 and applies up to the end of 2023.¹¹

In August and December 2021, the Federal Employment Agency concluded the first two mediation agreements under the Skilled Immigration Act (FEG) with Indonesia and the Indian state of Kerala. The agreements enable care workers to be recruited to Germany within the framework of the "Triple Win" program, which is run in collaboration with the "Deutsche Gesellschaft für Internationale Zusammenarbeit" (GIZ). Apart from "Triple Win", no other mediations are possible on the basis of this agreement. Migrants can thereby initiate the recognition procedure for their foreign professional qualifications right after entering Germany. Under normal circumstances, such a procedure concluded with a notice of recognition would have already been necessary for the granting of a visa. Moreover, a mediation agreement has also been reached with Mexico, which includes cooks as well as care workers, while another agreement has been signed with Colombia for electronics technicians and gardeners.

In the area of seasonal workers from third countries, a mediation agreement had already been signed with Georgia in 2020, according to which nationals of that country can work as seasonal workers in Germany without having to obtain a visa. In 2021, the first harvest workers entered Germany on this basis. In addition, the arrangement was extended to nationals of the Republic of Moldova (Federal Employment Agency 2022a).

At the EU level, a reform of the Blue Card Directive was adopted in October 2021.¹² Among other things, it provides for more flexibility with regard to the minimum salary required, an opening of the EU Blue Card to beneficiaries of international protection, seasonal workers and family members of EU citizens, an extension to non-academic professionals with at least three years of professional experience in the ICT sector, as well as improvements in the area

of changing employers, family reunification and internal EU mobility. EU member states have two years to transpose these provisions into national law.

The coalition agreement of the current federal government, which was signed in December 2021, envisages further measures in the field of educational and labour migration, including turning the Western Balkans regulation into a permanent regulation, the introduction of an opportunity card for workers based on a points system as a second pillar alongside existing immigration law, a general extension of the EU Blue Card to non-academic professions, as well as a reduction of hurdles in the recognition process of foreign qualifications (SPD/Bündnis 90/Die Grünen/FDP 2021).

¹⁰ Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia and Serbia.

¹¹ Sixth Ordinance amending the Employment Ordinance of 27.10.2020 (BGBl I p. 2268).

¹² 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.

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

This chapter focuses on the number of third-country nationals who were granted a temporary residence title in the form of a residence permit (incl. EU Blue Card and (Mobile) ICT-Card) or an unlimited residence title in form of a settlement permit (incl. EU permit for permanent residence) for the first time in Germany in 2021. Thus, extensions of residence titles are not included in these figures.¹³ The total number of persons with initial permits can then be further divided into two groups: Persons without a previous title¹⁴

¹³ This also includes changes from titles from the Residence Act prior to the entry into force of the FEG (old version; o.v.) to equivalent titles after its entry into force (e.g. change from a residence permit for qualified employment according to Section 18 (4) Residence Act (o.v.) to a residence permit according to Section 18a or § 18b (1) Residence Act), which are considered as extensions. In addition, changes between AZR storage cases with only marginal changes in the legal basis are also removed from the data.

¹⁴ Issuances to persons for whom no valid residence title was previously recorded in the general data stock of the AZR. Most of the times, these are changes from a visa and issuances after visa-free entry. In individual cases, however, it may also include persons who have already been in Germany before (e.g. with a residence title that has already expired, a permission to remain pending the asylum decision or a temporal suspension of deportation).

and persons with a change of status¹⁵ (see chapter 1 for a detailed methodological presentation).

3.1 Residence Permits in the Context of Educational Migration

In Sections 16 and 17 the Residence Act regulates the legal basis for educational migration to Germany. This includes opportunities to study at a German university or to prepare for a course of study (Section 16b), as well as opportunities for school-based or in-company vocational training (Section 16a). Furthermore, measures for the recognition of already existing foreign qualifications are also included (Section 16d). In addition, there are options for an EU study-related internship (Section 16e) or attendance at a language course,

¹⁵ Issued to persons who, according to the general data stock of the ARZ, were previously in possession of another valid residence title (i.e. excl. visas; incl. (permanent) residence cards for family members of nationals of a member state of the EU/EEA or Switzerland).

Table 1: Third-country nationals with first-time issuance of a residence permit in the context of educational migration in 2021, by legal basis and type of issuance

	With first-time issuance in 2021	Thereof persons	
		without previous title	with change of status
Vocational training (Residence Act, Section 16a)	11,289	6,032	5,257
(Preparation for) course of study (Residence Act, Section 16b)	42,041	35,385	6,656
Recognition of foreign professional qualifications (Residence Act, Section 16d)	2,955	2,648	307
EU study-related internship (Residence Act, Section 16e)	111	97	14
Language courses and school attendance (Residence Act, Section 16f)	2,265	2,032	233
Search for a training position or university application (Residence Act, Section 17)	129	45	84
Total	58,790	46,239	12,551

Source: AZR as of 31/03/2022

a student exchange program or, in special cases, regular school attendance (Section 16f).

With the entry into force of the FEG, all job seeking titles, including those after a successful educational measure, were transferred to the area of labour migration (Residence Act, Section 20; see Chapter 3.2). So-called seeking titles that lead to an educational measure are, however, listed under Section 17 of the Residence Act. They include both the title for applying to university, which already existed before the enactment of the FEG, as well as the newly introduced title for seeking a training position.

Table 1 shows the number of third-country nationals who were granted a residence title for educational migration for the first time in 2021. These persons are then further subdivided according to whether they were already in possession of another residence title - possibly also from the field of educational migration. In total, almost 59,000 persons were granted such a title in 2021. Approximately 80% of these are persons for whom no title had previously been registered in the AZR and who can therefore generally be assumed to be recently migrated.

With around 42,000 first-time issuances, (prospective) students under Section 16b of the Residence Act¹⁶ account for by far the largest share of 72% of all educational migrants. The central residence title for studies is the residence permit for a full-time course of study in accordance with Section 16b (1) of the Residence Act, which accounts for more than 90% of first-time issuances. Further 6% received a title for a study-preparatory language course without admission to studies pursuant to section 16b (5) No. 2 of the Residence Act.

In addition to the persons shown in this table, there is another group of study-related educational migrants. Third-country nationals 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 special 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 are able to secure their livelihood). The BAMF issued around 520 such certificates for the first time in 2021.

Persons with first-time issuance for vocational training, pursuant to Section 16a of the Residence Act, make up a

total of 19% of all educational migrants with an issuance in 2021. Compared to students at a higher education institution, they have significantly more often held another title in Germany beforehand (see Chapter 4.1). Residence titles for school-based vocational training in accordance with Section 16a (2) of the Residence Act make up only a very small proportion (5%) of the initial grants in this area. The clear majority are titles for in-company vocational training pursuant to Section 16a (1) of the Residence Act.

The other legal bases make up only about one tenth of all educational migrants who were granted a residence title for the first time. Most of them are persons who have been granted a residence title for the recognition of a foreign vocational qualification in accordance with Section 16d of the Residence Act or for participation in a language course according to Section 16f (1) of the Residence Act.

When assessing the figures displayed, it should be noted that especially in the case of residence permits for the purpose of applying for a course of study or seeking a training position according to Section 17 of the Residence Act, yet also in the case of adjustment measures pursuant to Section 16d of the Residence Act, there is an increased probability that a change of status will take place within the same reporting period after the permit has been issued or that the seeking permit will lose its validity if it is not successful. In order to ensure that each person is included in the statistics not more than once, only the most recent residence title of a person at the end of the reporting period is evaluated within the scope of the analyses presented here. If all persons who received a corresponding residence title in 2021 were taken into account - irrespective of whether the title was still valid at the end of this period or whether the person held another residence title in the meantime - the individual case numbers would be higher. Persons who received a seeking title in the reporting period and then directly changed to another title are included in the set of status changes with their most current title at the time of evaluation. In some cases, however, residence permits for search purposes are not issued to new arrivals at all. The persons stay in Germany during the search with the respective D visa and then directly receive the desired title or leave if the search was unsuccessful. They are then included in the first-time issuance of the destination title without a previous title or are not included in the statistics at all. Yet, according to the Federal Foreign Office, only 37 visas were issued in 2021 in the framework of seeking a training position, pursuant to Section 17 (1) of the Residence Act.

The issuance statistics presented in this report can be compared with those of the previous year only to a limited extent. Since evaluations according to the concept of first-time issuance have only been carried out since the FEG came into force in March 2020, there are no evaluations for

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

2020 as a whole. Nevertheless, some interesting indications are revealed with regard to current developments. For example, the figures for students with first-time issuance and no previous title are almost twice as high in 2021 as they were in the last ten months of 2020. Most of the other purposes of residence also show increases, which indicates a slow recovery of educational migration from the restrictions caused by the pandemic, especially for new immigrants.

What follows is a closer look at the socio-demographic structure of the persons that were granted a residence title for the first time in the context of educational migration in 2021 and who did not previously hold any other title. In these cases, new immigration can be assumed to a large extent, which is why an analysis of this group allows for a better assessment of potential changes in the entire group of educational migrants residing in Germany. Otherwise, changes in the status of persons already resident in Germany would distort the picture. The persons without a previous title are then further subdivided into students and other educational migrants.

If we look at the distribution of nationalities of educational migrants without a previous title, it is noticeable that it significantly differs between persons who entered Germany to study or prepare for studies and the rest of educational migrants (see Table 2). While persons from China and above all India represent by far the largest group of students, these countries rank only in 10th and 13th place, respec-

tively, in terms of other educational migration. In contrast, Vietnamese nationals, who account for slightly less than one-fifth of other educational migrants, comprise only about 1% of all students. More than 95% of Vietnamese educational migrants outside the scope of Section 16b of the Residence Act received titles for in-company training or further training in accordance with Section 16a (1) of the Residence Act.

There are also clear differences in the age distribution between students with first-time issuance of a residence title without a previous title and other educational migrants (see Figure 1). While more than 60% of the students were between 18 and 25 years old, the proportion for other educational migrants was less than half. On the other hand, there were both younger people and a significantly higher proportion of older people. However, even for other educational migration, under 18-year-olds and over 35-year-olds remained the exception.

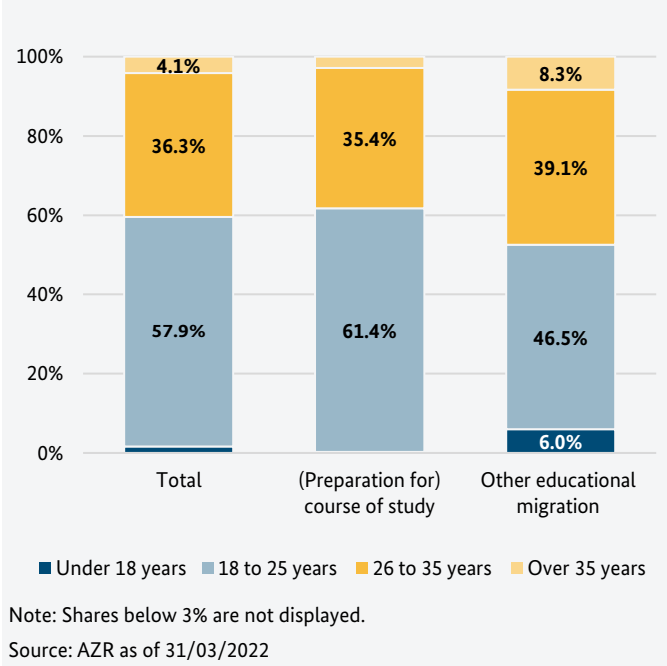
Differences between the two forms of migration can also be identified with regard to gender distribution (see Figure 2). The majority of students who have been granted a residence title for the first time and without a previous residence title are male, whereby India as the central country of origin is particularly significant here, having a share of women of only 28%. In contrast, among students from Iran, the USA, the Russian Federation and South Korea, there were more women than men. With respect to other edu-

Table 2: Nationality of persons with first-time issuance of a residence permit in the context of educational migration in 2021 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	17.3%	India	22.0%	Vietnam	18.9%
2	China	10.5%	China	12.8%	Morocco	7.2%
3	Vietnam	5.4%	Turkey	5.4%	Philippines	5.5%
4	Turkey	4.5%	Iran	4.1%	Kosovo	5.0%
5	USA	3.9%	USA	3.7%	USA	4.7%
6	Morocco	3.9%	Pakistan	3.5%	Bosnia and Herzegovina	4.6%
7	Iran	3.4%	Russian Federation	3.4%	Tunisia	3.5%
8	Russian Federation	2.9%	Morocco	2.9%	Syria	3.1%
9	Pakistan	2.7%	Egypt	2.7%	Serbia	3.1%
10	Egypt	2.3%	Republic of Korea	2.5%	China	3.0%
	Other third-country nationals	43.3%	Other third-country nationals	37.2%	Other third-country nationals	41.4%
	Total	46,239	Total	35,385	Total	10,854

Source: AZR as of 31/03/2022

Figure 1: Age structure of third-country nationals with first-time issuance of a residence permit in the context of educational migration in 2021 without a previous title



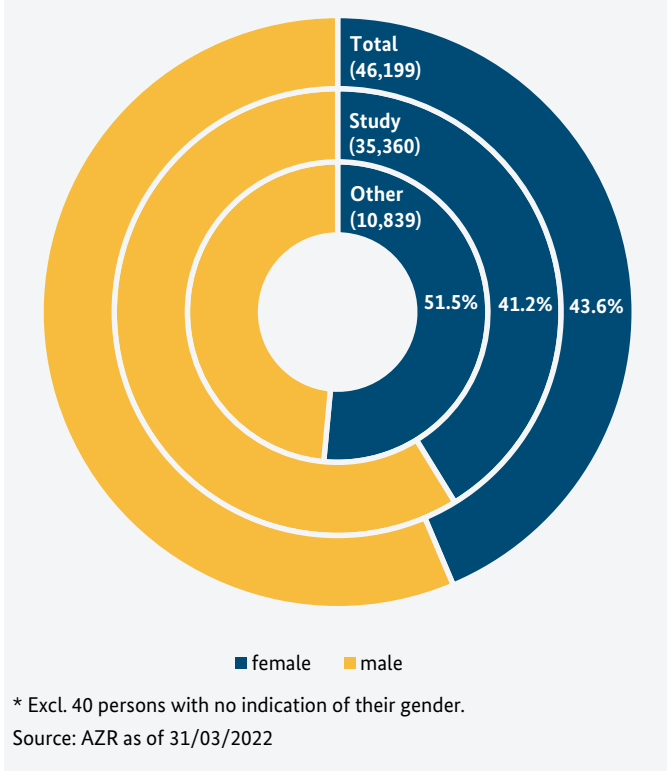
educational migration, the proportion of women exceeds half at the overall level as well. Among the ten most common nationalities, men make up the majority only in the cases of Morocco, the USA and Syria.

3.2 Residence Permits in the Context of Labour Migration

In the area of labour migration, the German residence law provides numerous different options for obtaining a residence permit. These are regulated in Sections 18 to 21 of the Residence Act. Table 3 shows the number of persons who were granted such a permit for the first time in 2021. Again, a distinction is made between persons for whom no residence permit was previously registered in the AZR and who are therefore assumed to be new immigrants and those with a change of status.

In the reporting year 2021, a total of approximately 85,000 persons were granted a residence permit for the first time in the context of labour migration. Looking at the total number of persons granted a residence permit for the first time in the reporting period, the EU Blue Card is the quantitatively most important individual title with approximately 24,500 persons. This corresponds to almost 30% of the total labour migration. The two residence permits for skilled workers with vocational training (Residence Act, Section 18a) and academic training (Residence Act, Section 18b (1))

Figure 2: Gender structure of third-country nationals with first-time issuance of a residence permit issued in the context of educational migration in 2021 without a previous title*



are still significantly behind at the moment, with approximately 11,200 and 13,500 persons respectively.

Furthermore, Section 19c of the Residence Act is of great importance for the current extent of labour migration to Germany. With approximately 16,700 persons granted a residence title for the first time in the reporting period, this figure includes one fifth of all immigrants. However, this involves a large number of individual legal bases. Section 19c (1) of the Residence Act includes all persons for whom the individual paragraphs of the Employment Ordinance (BeschV) or an intergovernmental agreement stipulate that a person may also receive a residence permit for gainful employment irrespective of a recognised qualification as a skilled worker. This includes persons who can clearly be assumed to be qualified, e.g. executives pursuant to Section 3 of the Employment Ordinance or employees in science and research according to Section 5 the Employment Ordinance, even if the qualification is not officially recognised in Germany. Section 19c (1) of the Residence Act also includes the Western Balkans regulation (in conjunction with Section 26 (2) of the Employment Ordinance), which represents the largest individual legal basis within Section 19c of the Residence Act with over 3,000 persons, followed by the special

Table 3: Third-country nationals with first-time issuance of a residence permit in the context of labour migration in 2021, by legal basis and type of issuance

	With first-time issuance in 2021	Thereof persons	
		without previous title	with change of status
Skilled worker with vocational training (Residence Act, Section 18a)	11,206	3,016	8,190
Skilled worker with academic training (Residence Act, Section 18b (1))	13,516	2,993	10,523
EU Blue Card (Residence Act, Section 18b (2))	24,507	11,040	13,467
(Mobile) researchers (Residence Act, Section 18d and 18f)	4,564	3,173	1,391
(Mobile) ICT-Card (Residence Act, Section 19 and 19b)	1,079	955	124
Other employment purposes; civil servants (Residence Act, Section 19c), of which	16,715	13,245	3,470
<i>Au pair</i> (Section 19c (1) in conjunction with Employment Ordinance, Section 12)	2,358	2,336	22
<i>Certain nationalities</i> (Section 19c (1) in conjunction with Employment Ordinance, Section 26 (1))	2,467	2,023	444
<i>Western Balkans regulation</i> (Section 19c (1) in conjunction with Employment Ordinance, Section 26 (2))	3,056	2,361	695
<i>Distinct practical professional knowledge</i> (Section 19c (2))	688	347	341
Qualified persons with suspension of deportation (Residence Act, Section 19d)	3,312	3,217	95
European Voluntary Service (Residence Act, Section 19e)	114	65	49
Job seeking (Residence Act, Section 20), including	7,778	196	7,582
<i>for skilled workers with vocational training</i> (Section 20 (1))	35	3	32
<i>for skilled workers with academic training</i> (Section 20 (2))	510	83	427
<i>after course of study</i> (Section 20 (3) No. 1)	6,988	94	6,894
<i>according to research activity</i> (Section 20 (3) No. 2)	107	7	100
<i>after vocational training</i> (Section 20 (3) No. 3)	95	2	93
<i>after recognition of a foreign professional qualification</i> (Section 20 (3) No. 4)	43	7	36
Self-employment (Residence Act, Section 21 (1), (2), (2a))	644	283	361
Freelancing (Residence Act, Section 21 (5))	1,529	755	774
Total	84,964	38,938	46,026

Source: AZR as of 31/03/2022

regulation for selected other nationalities¹⁷ (Section 26 (1) of the Employment Ordinance) and au pair activities (Section 12 of the Employment Ordinance) with around 2,500 persons each. In addition, Section 19c (2) of the Residence Act contains the new regulation introduced by the FEG for persons with extensive practical professional knowledge. Up to this point, the regulation has been limited to the field of information and communication technology by Section 6 of the Employment Ordinance. However, with just under 700 persons granted a title for the first time under this legal basis, their number is still relatively small. Section 19c (3) and (4) of the Residence Act regulate employment in the public interest and by civil servants. Titles under these two paragraphs, however, account for less than one per cent of first-time issuances under Section 19c of the Residence Act.

If one looks at the persons with a residence permit issued for the first time in the context of labour migration in 2021 as a whole, in contrast to educational migration, persons with a change of status form the majority. However, the proportion varies considerably between the different residence titles. While the share of status changes for the new skilled worker titles introduced by the FEG pursuant to Sections 18a and 18b (1) of the Residence Act lies between 70 and 80%, for the EU Blue Card this only accounts for slightly more than half. This contrasts with persons who have been granted a title for other employment purposes pursuant to Section 19c of the Residence Act: over 80% of whom did not previously hold another title. Among persons who were granted a permit for the first time for the purpose of seeking employment, the share is as high as 97%. This is mainly due to the fact that persons who have previously completed an educational measure or activity in Germany (studies, research, training or qualification measures) account for more than 90% of the total number of titles issued in this area. By definition, the first-time allocations for qualified persons with a suspension of deportation (Residence Act, Section 19d) are persons who have previously resided in Germany with a temporal suspension of deportation. Since this is not a residence title, they are included in the statistics as persons without a previous title.

With regard to job seeking titles pursuant to Section 20 (1) and (2) of the Residence Act, it should again be noted that, due to the evaluation system at hand, the relevant figures do not include persons who changed to another title during the reporting period. Also, persons who enter Germany with a long-term visa (D visa) for such a job search are sometimes not granted any residence permits for the purpose of job seeking at all by the foreigners authorities. If the search is successful, there is a direct transition from the job seeking visa to a title for subsequent employment;

if the search is unsuccessful, the person leaves again. 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 ascertained. According to the visa statistics of the Federal Foreign Office, in 2021 a total of 923 D visas were issued by German diplomatic missions abroad for the purpose of seeking employment (in accordance with Section 20 of the Residence Act). Of these, 84% were academic professionals. Yet, this figure may include multiple issuances to the same person as well as issuances to persons who ultimately did not enter Germany at all.

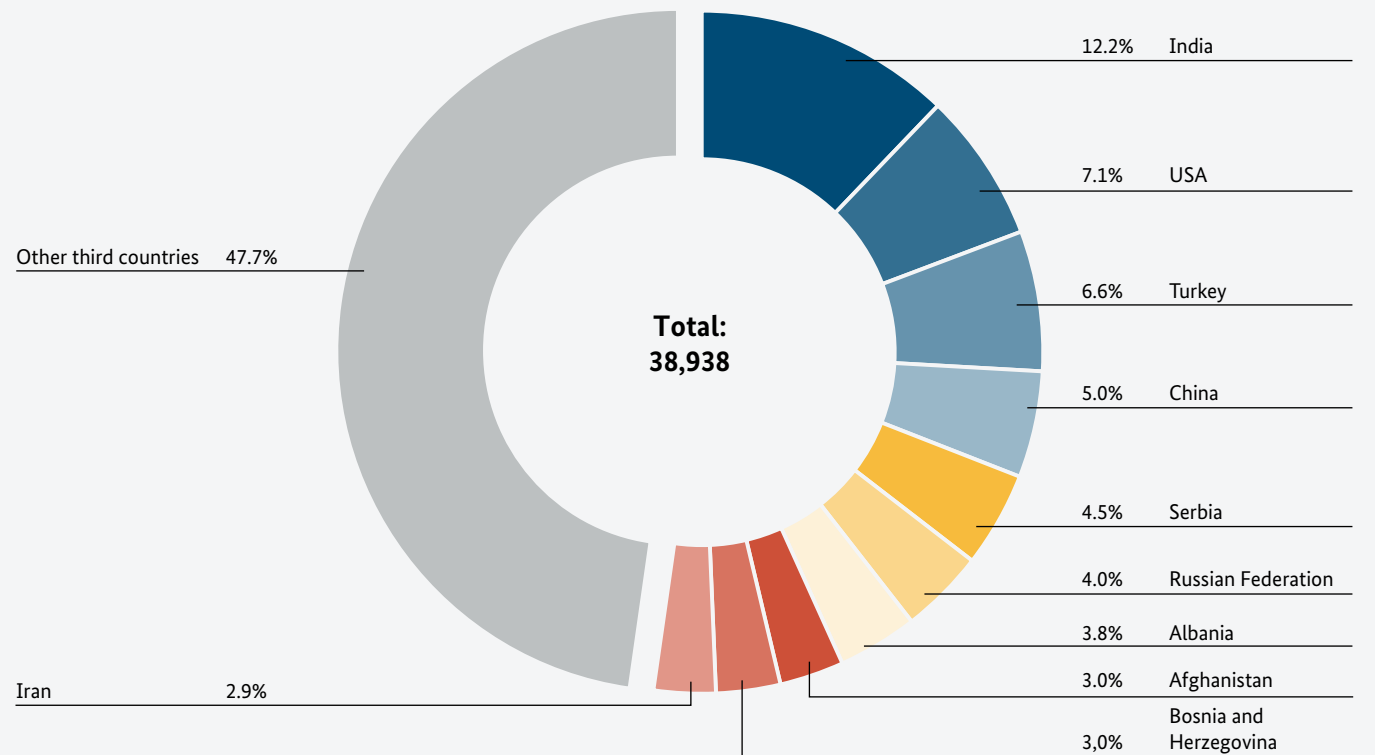
In addition, in the area of labour migration, analogous to the regulations for students, there are possibilities for persons who hold a corresponding residence title in another EU member state to carry out short stays in the context of their work without a German residence title issued specifically for this purpose. However, in 2021, the BAMF only issued the necessary mobility certificates for researchers (according to Section 18e of the Residence Act) in about 15 cases for the first time. For holders of ICT cards (according to Section 19a of the Residence Act), there was only one first-time issuance for short-term mobility in the period under review.

Like in the case of educational migration, the statistics on labour migration can only be compared with the values recorded in 2020 to a limited extent, given the different evaluations periods. Nevertheless, the figures also indicate a recovery from the pandemic-related restrictions. For most of the legal bases, the values for persons with first-time permit without a previous title in 2021 are significantly higher than those from March to December 2020.

Only for persons who have received their titles within the framework of the Western Balkans regulation a clear decline can be seen. Between March and December 2020, there were still around 7,400 persons who were granted a title for the first time under this legal basis, whereas in 2021 this number will be just over 3,000. However, when analyzing the figures for 2020, it must be taken into account that a large proportion of these persons entered the country before the beginning of the mobility restrictions imposed by the COVID-19 pandemic. The influx of persons under the Western Balkans regime was subject to particularly severe restrictions from the beginning of the pandemic until mid-2021 (see Chapter 2). Initial evaluations from visa statistics also indicate that there has already been a significant increase in the number of visas issued under the Western Balkans regime in 2021. However, these persons apparently either did not enter Germany by the end of 2021 or did not receive their residence title until 2022. A corresponding increase should therefore become apparent in the evaluations of the 2022 semi-annual report.

¹⁷ Andorra, Australia, Canada, Israel, Japan, the Republic of Korea, Monaco, New Zealand, San Marino, the United Kingdom and the USA.

Figure 3: Nationality of third-country nationals with first-time issuance of a residence permit in the context of labour migration in 2021 without a previous title

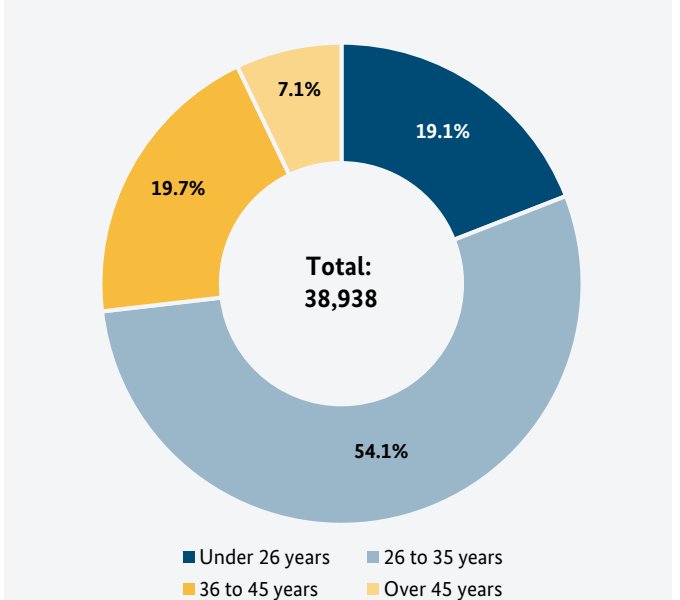


Source: AZR as of 31/03/2022

Figure 3 shows the most frequent nationalities of persons with a first-time issuance of a title in the context of labour migration in 2021. As in the case of educational migration, only those persons are considered who did not previously hold a title and who can therefore be assumed to be recently migrated. As it was the case for educational migration, Indian nationals account for the largest share. At the same time, all other groups are somewhat closer together. The Western Balkan states taken together account for a share of around 17%, which is significantly lower than the share recorded between March and December 2020 (35%). As will become apparent in the following, the distribution of nationalities differs significantly depending on which residence titles are considered and, consequently, which qualification requirements are taken into account.

Figures 4 and 5 provide an overview of the socio-demographic structure of recently arrived labour migrants. They are a relatively young and a predominantly male group. While almost three quarters of the persons were 35 years old or younger at the time of the evaluation, only 7% were over 45 years of age. Moreover, only slightly more than one third of the persons are female. If one takes a closer look at women with first-time issuance and without a previous title, it becomes apparent that they were somewhat younger than the male labour migrants: While more than a quarter of the women were under 26 years old, only 15% of the men were.

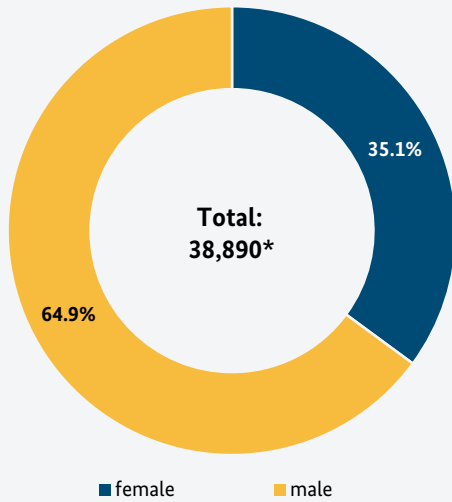
Figure 4: Age structure of third-country nationals with first-time issuance of a residence permit in the context of labour migration in 2021 without a previous title



Source: AZR as of 31/03/2022

The age distribution also differs significantly in some cases with regard to nationality. Among nationals from India, for example, not even every tenth person was under 26 years of age, compared to one in five people from the Western

Figure 5: Gender structure of third-country nationals with a residence permit issued for the first time in the context of labour migration in 2021 without a previous title



* Excl. 47 persons with no indication of their gender and one person who is registered as divers.

Source: AZR as of 31/03/2022

govina have particularly low proportions of women, below 30%. Afghan nationals were in fact almost entirely male in the current reporting period, although these were almost exclusively qualified persons with a suspension of deportation in accordance to Section 19d of the Residence Act.

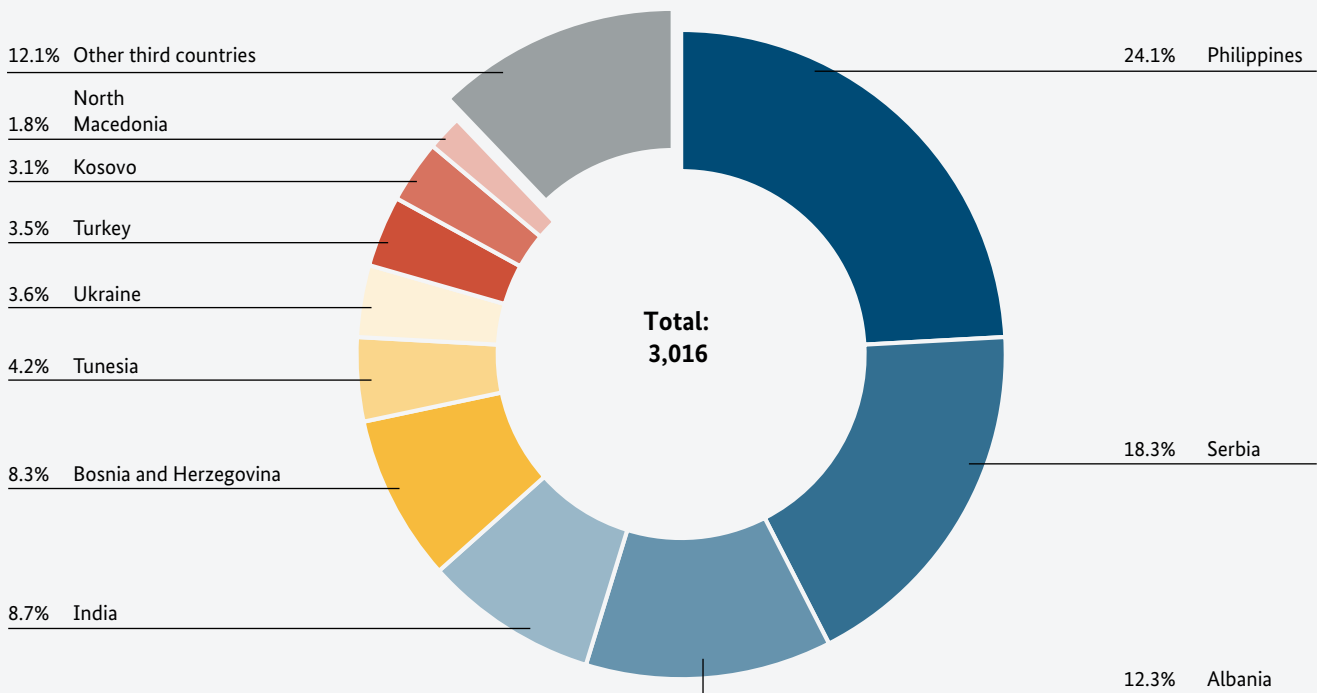
3.2.1 Skilled Workers with Vocational Training (Residence Act, Section 18a)

In the following, the residence permits for skilled workers, which were reformed by the FEG, will be examined in more detail. As in the cases of educational and labour migration, the group of persons who were granted the respective title for the first time without a previous entry of another title will be evaluated according to nationality, age and gender.

The residence permit pursuant to Section 18a of the Residence Act offers the possibility of taking up gainful employment with vocational training officially recognised in Germany. In 2021, around 3,000 persons who had not previously held another residence title in Germany made use of this option (see Table 3). In terms of their socio-demographic structure, these persons differ significantly from the total number of labour migrants. Philippine nationals make up for just under a quarter of the total group of persons. Slightly less than half of all persons come from the Western Balkan states, with Serbia standing out with a particularly high proportion.

Balkans. At the same time, a significantly larger proportion of Western Balkan nationals (8%) were over 45 years of age than it was the case for India (approximately 2%). Furthermore, nationals from India, Turkey and Bosnia and Herze-

Figure 6: Nationality of third-country nationals with first-time issuance of a resident permit pursuant to Section 18a of the Residence Act in 2021 without a previous title



Source: AZR as of 31/03/2022

With regard to the age distribution, there are no significant differences between skilled workers under Section 18a of the Residence Act and the overall group of labour migration. Merely the proportion of under 26-year-olds is slightly lower (13%), while that of 26 to 35-year-olds is somewhat higher (62%). At 62%, however, there are significantly more women in this group, which, taken together with the high proportion of Filipino nationals (72% women), indicates a considerable relevance of the care sector. More detailed evaluations regarding specific sectors are not stored in the AZR.

3.2.2 Skilled Workers with Academic Training (Residence Act, Section 18b)

Two different titles for gainful employment have been available to officially recognised academic professionals since the FEG came into force. While the title under Section 18b (1) of the Residence Act is open to all persons with academic training in Germany if all other requirements are met, an additional minimum salary is required for the issuance of an EU Blue Card.¹⁸

¹⁸ The minimum salary (annual gross) in 2021 was 56,800 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 shortage occupations) and earned at least 44,304 euros (annual gross) in 2021 (cf. Residence Act, Section 18b (2)).

Table 4 shows the approximately 14,000 persons who were granted one of the two residence permits under Section 18b of the Residence Act for the first time without a previous residence title, broken down by the ten most common nationalities. Differences to the basic population on the one hand and between the two paragraphs of Section 18b Residence Act on the other hand are noticeable.

As it is the case for first-time issuances for the labour migration as a whole, Indian nationals form the largest group for both Section 18b (1) and (2) of the Residence Act. For EU Blue Cards, however, the proportion is significantly higher than for the general title for skilled workers with academic training, at almost a quarter. At the same time, the importance of the Western Balkan states for the EU Blue Card is significantly lower (6% compared to 16%). Otherwise, seven out of ten of the most common nationalities for the entire Section 18b of the Residence Act are also found among the top 10 of the two individual residence titles.

With regard to the age distribution, a lower proportion of persons under 26 years of age can be observed for Section 18b of the Residence Act compared to overall labour migration (7% compared to 19%). This can mainly be attributed to the EU Blue Card (5%), while persons with a title according to Section 18b (1) of the Residence Act account for the

Table 4: Nationality of third-country nationals with first-time issuance of a residence permit pursuant to Section 18b of the Residence Act in 2021 without a previous title

Rank	Total		Academic professional (Residence Act, Section 18b (1))		EU Blue Card (Residence Act, Section 18b (2))	
	Nationality	Share	Nationality	Share	Nationality	Share
1	India	21.3%	India	9.5%	India	24.5%
2	Turkey	9.4%	Ukraine	7.7%	Turkey	10.0%
3	Russian Federation	7.2%	Turkey	7.4%	Russian Federation	7.6%
4	Iran	4.6%	USA	5.7%	Iran	4.7%
5	Ukraine	4.4%	Russian Federation	5.7%	USA	3.9%
6	USA	4.3%	Kosovo	5.4%	Ukraine	3.5%
7	China	3.6%	Bosnia and Herzegovina	4.8%	China	3.4%
8	Brazil	3.1%	Iran	4.4%	Brazil	3.3%
9	Egypt	2.7%	China	4.2%	Egypt	2.8%
10	United Kingdom	2.3%	Serbia	3.0%	Pakistan	2.3%
	Other third-country nationals	37.0%	Other third-country nationals	42.1%	Other third-country nationals	34.0%
	Total	14,033	Total	2,993	Total	11,040

Source: AZR as of 31/03/2022

same proportion as non-academic skilled workers under Section 18a of the Residence Act (13%). Although a university degree must generally be completed before a residence permit can be issued under Section 18b of the Residence Act, a certain amount of professional experience is often additionally required for the EU Blue Card in order to earn the minimum salary.

If we look at the proportion of female persons who were granted a residence title for the first time without a previous residence title, we see that at the summarised level of Section 18b of the Residence Act, the proportion of females is slightly lower than in the case of labour migration as a whole (32% compared to 35%). However, this varies greatly between the two sub-groups. While the proportion of women among persons who have been granted a residence permit for the first time in accordance with Section 18b (1) of the Residence Act is significantly higher (46%) than for total labour migration, it is relatively low (28%) among holders of an EU Blue Card. The four most common nationalities all have a share of women of less than 30% each, while Chinese nationals are the only group in the top 10 to exceed a proportion of women over 40%. In contrast, the share of women for academic specialists in accordance with Section 18 (1) of the Residence Act is more than half for five of the ten most common nationalities and only for Kosovo it is less than 30%.

3.3 Settlement Permits in the Context of Labour Migration

The central settlement permits for skilled workers in the context of gainful migration are bundled in Section 18c (1) to (3) of the Residence Act. In addition, there is also the possibility of obtaining a settlement permit as part of a successful realization of self-employment after three years (Section 21 (4) of the Residence Act). Most other migrant workers can make use of the possibility of a general settlement permit under Section 9 of the Residence Act (see chapter 4.4).

As Table 5 shows, in 2021 almost 23,000 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 (22,641 cases or 99.5%). Although a settlement permit pursuant to Section 18c (3) of the Residence Act can also be granted to highly qualified persons without prior residence in Germany in

Table 5: Third-country nationals with a first-time issuance of a settlement permit in the context of labour migration in 2021, by legal basis

	With first-time issuance in 2021
Skilled workers (Section 18c (1) Residence Act)	7,300
Holders of an EU Blue Card (Section 18c (2) Residence Act)	15,024
Particularly highly qualified skilled workers (Section 18c (3) Residence Act)	158
3 years of self-employed activity (Section 21 (4) Residence Act)	270
Total	22,752

Source: AZR as of 31/03/2022

special cases, in 2021 this only happened in 16 cases, according to the AZR.¹⁹

In relation to the total number of first-time issuances, Section 18c (2) of the Residence Act is the most frequent settlement permit for former holders of an EU Blue Card in the context of labour migration. About two thirds of the group of 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 significant importance, accounting for almost one third of the persons. Settlement permits according to Sections 18c (3) and 21 (4) of the Residence Act were only granted to relatively few persons.

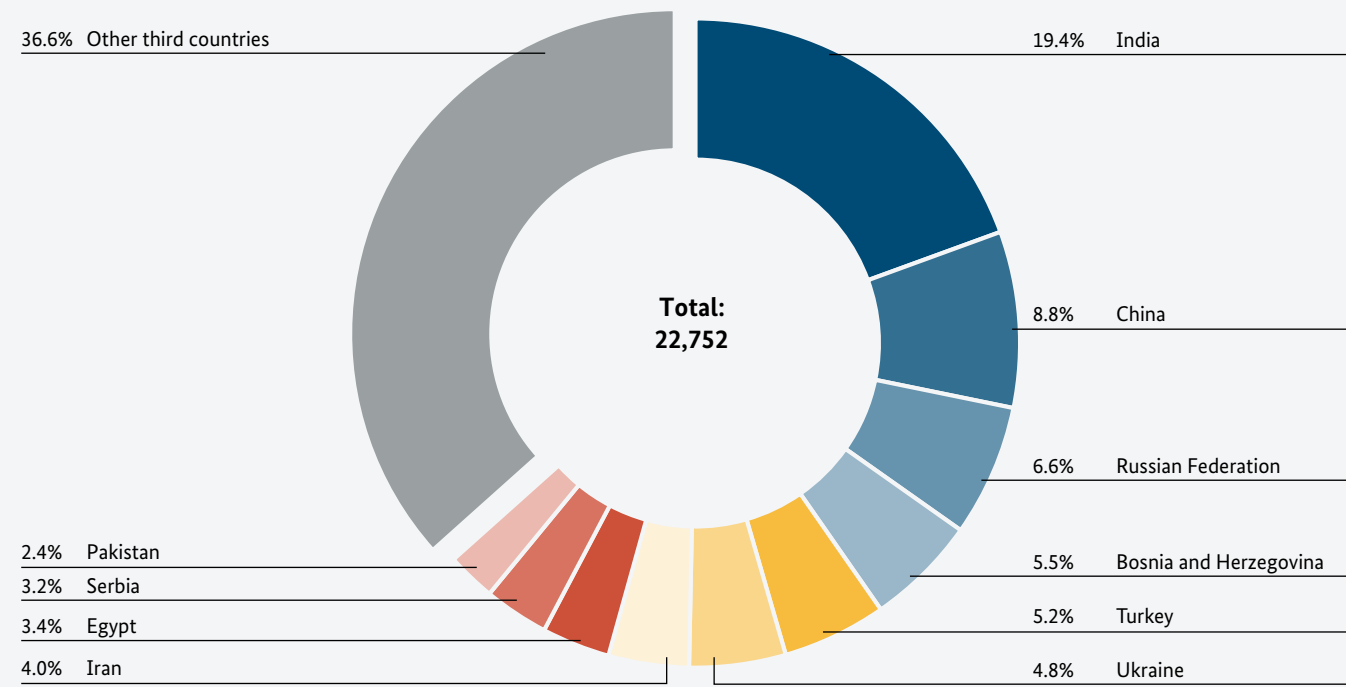
In contrast to the residence permits, the socio-demographic structure regarding settlement permits is shown for all persons who were granted a residence permit for the first time. This means that the evaluations also include persons with a change of status, as these are by far the most relevant for the changes in the total number of persons with a settlement permit.

Due to the high significance of the EU Blue Card for the settlement permits under consideration and the general focus on academic labour migration prior to the entry into force of the FEG, there is a clear similarity to the distributions shown for Section 18b (2) of the Residence Act with regard to nationalities. Eight of the ten most common nationalities are identical between these two groups (see Table 4 and Figure 7). The particularly high proportion of Indian persons can also be attributed to this. At the same time, the share of Western Balkan states is about twice as high (12%)

¹⁹ In the case of all other first-time issuances without a previous residence title, it is to be assumed that previous stays already existed, but that the corresponding title had already been deleted from the AZR at the time of re-entry.



Figure 7: Nationality of third-country nationals with first-time issuance of a settlement permit in the context of labour migration in 2021



Source: AZR as of 31/03/2022

as for the EU Blue Card, with a high share being recorded for Bosnia and Herzegovina in particular.

With regard to the age distribution, the proportion of persons under 26 years of age is very low at only one percent due to the fact that they have already completed a previous stay. Nevertheless, the group does not appear to be particularly 'old'. The proportion of persons over 45 is just as low at 5%. With more than two thirds, the majority of persons ranged between the ages of 26 and 35. At 35%, the proportion of women corresponds to that of labour migration as a whole.

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

The evaluations presented in Tables 1 and 3 for persons who were granted a residence title for the first time 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 changes between the individual title groups.

For this purpose, particularly relevant types of status changes are discussed 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 from third countries of nationals entitled to freedom of movement, will also be considered. Changes can occur both from the current legal basis as well as from the residence titles before the FEG came into force. Due to the number of potential possibilities, a precise presentation of all changes of status in the reporting period is not feasible and, due to the very small number of cases, not expedient.

4.1 Changes to Titles in Educational Migration

Of the approximately 59,000 persons who were granted a residence title for the first time in the context of educational migration in 2021, around one fifth already held a residence title in Germany (see Table 1).

Of the approximately 6,700 persons with a change of status to a study title pursuant to Section 16b of the Residence Act, three quarters already held a residence title for educational migration (see Table 6).²⁰ Of these, the vast majority (approximately 70%) were other study titles. These are mainly changes from a study preparation measure to a degree program and changes between full- and part-time studies. Almost every fifth change from another educational title was due to a language course or school attendance.²¹

Only slightly more than every fifth change of status to a study title came from the area of labour migration. Residence permits for job seeking are the most common initial titles. These are primarily search titles after an already completed degree. The former title for a job without qualification requirements according to Section 18 (3) Residence Act (old version; o.v.) is of significance as well. Changes that have already taken place from the successor titles according to section 19c (1) of the Residence Act, which allow a more precise differentiation on the basis of the Employment Ordinance, suggest that these are primarily changes from an au pair activity or a voluntary service. Changes from other parts of the Residence Act to educational migration titles are the exception, accounting for a total of only 4% of cases.

²⁰ 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 March 1, 2020, they have been included in the area of "residence for gainful employment" since March 1, 2020. For the sake of better comprehensibility, titles for job seeking that were granted under both the old and the new version of the Residence Act are fully subsumed under the titles for gainful employment in this report.

²¹ The former section 16b (1) of the Residence Act (o.v.) is a central initial title, which also included school-based vocational training.

Table 6: Third-country nationals with change of status to study titles in 2021

Previous right of residence	Number
Educational migration	4,927
Other study titles (Residence Act, Section 16 or Section 16 (1), (6) and (9) o.v.)	3,507
Study application (Residence Act Section 17 (2) or Section 16 (7) o.v.)	275
Vocational training (Residence Act, Section 16a or Section 17 (1) o.v.)	206
Language course and school attendance (Residence Act, Section 16f or Section 16b (1) o.v.)	908
Other titles on educational migration	31
Labour migration	1,468
Employment without qualification requirements (Residence Act, Section 18 (3) o.v.)	260
Qualified employment (Residence Act, Section 18 (4) o. v.)	147
Specialists with academic training (Residence Act, Section 18b (1))	99
Au pair (Residence Act, Section 19c (1) in conjunction with Employment Ordinance, Section 12)	83
Voluntary service (Residence Act, Section 19c (1) in conjunction with Employment Ordinance, Section 14 (1) No. 1)	108
Job seeking (Residence Act, Section 20 or Section 16 (5) or Section 16 (5), 17 (3), 18c and 20 (7) o.v.)	488
Researchers (Residence Act, Section 18d or Section 20 o.v.)	99
Other titles for labour migration	184
Other residence titles	261
Total	6,656

Source: AZR as of 31/03/2022

In the case of persons with a change of status to another title for educational migration (Residence Act, Sections 16a, 16d, 16e, 16f, and 17), initial titles for labour migration form the majority (see Table 7). In this context, changes to a title for a voluntary service are particularly evident (Residence Act Section 19c (1) in conjunction with Employment Ordinance, Section 14 (1) No. 1). The high figure for

changes from Section 18 (3) of the Residence Act (o.v.) can most likely be attributed to such previous employment. Furthermore, 40% of the persons with a change of status already came from the field of educational migration, two thirds of whom were former students. Almost 90% of the status changes were aimed at titles for vocational training in accordance with Section 16a of the Residence Act.

Table 7: Third-country nationals with change of status to other residence titles of educational migration in 2021

Previous right of residence	Number
Educational migration	2,356
Course of study (Residence Act, Section 16b or Section 16 (1), (6) and (9) o.v.)	1,570
Language courses or school attendance (Residence Act, Section 16f or Section 16b (1) o.v.)	525
Other titles for educational migration	261
Labour migration	3,283
Employment without qualification requirements (Residence Act, Section 18 (3) o.v.)	740
Au pair (Residence Act, Section 19c (1) in conjunction with Employment Ordinance, Section 12)	221
Voluntary service (Residence Act, Section 19c (1) in conjunction with Employment Ordinance, Section 14 (1) No. 1)	1,775
European Voluntary Service (Residence Act, Section 19e or Section 18d o.v.)	140
Other titles for labour migration	407
Other residence titles	256
Total	5,895

Source: AZR as of 31/03/2022

4.2 Changes from Education to Job Seeking and Employment

After completing a course of study, training or a recognition measure, a residence title can usually be applied for in order to look for a job or directly for a follow-up job corresponding to the qualification acquired. Under certain circumstances, however, it is also possible to change from an unfinished educational measure to gainful employment (e.g. if there is already another professional qualification for a job as a skilled worker).

In 2021, approximately 28,500 persons changed directly from a residence title in the context of educational migration to a residence permit for gainful employment or job search (see Table 8). Persons who first changed from an educational measure to a title for job search and then directly on to gainful employment in the reporting period are listed in these statistics exclusively on the basis of these two titles as a change of status from job seeking to gainful employment (see Table 9).

Of the direct status changes from educational to labour migration considered here, a quarter led to a title to search for a job according to Section 20 of the Residence Act. However, these are almost exclusively former students. A similar proportion of these changed to the two residence permits for skilled workers with higher education pursuant to Section 18b (1) and (2) of the Residence Act (28% and 29%). Around three quarters of former holders of other educational migration titles changed directly to a title for skilled workers with vocational training in accordance with Section 18a of the Residence Act, yet 12% also changed to an EU Blue Card. Of the changes from other educational migration, 57% were from titles for vocational training and 34% from titles for recognition measures.

Table 8: Third-country nationals with change of status from educational migration to residence permits for labour migration in 2021

Current right of residence	Change from		Total
	studies (Residence Act, Section 16 as well as Section 16 (1), (6) and 9 o.v.)	other educational migration	
Skilled worker with vocational training (Residence Act, Section 18a)	81	6,732	6,813
Skilled worker with academic training (Residence Act, Section 18b (1))	5,477	469	5,946
EU Blue Card (Residence Act, Section 18b (2))	5,637	1,024	6,661
Researcher (Residence Act, Section 18d)	743	42	785
Other employment purposes (Residence Act, Section 19c (1) - (3))	366	419	785
Self-employed and freelancing (Residence Act, Section 21)	251	63	314
Job seeking (Residence Act, Section 20)	7,117	119	7,236
Other residence permits for labour migration	27	20	47
Total	19,699	8,888	28,587

Source: AZR as of 31/03/2022

4.3 Changes from Job Seeking to Employment

Changes of status from an educational measure to gainful employment can also lead via a residence title for job seeking in accordance with Section 20 (3) of the Residence Act. In addition, Section 20 (1) of the Residence Act opened up the previously existing possibility for academic professionals to enter Germany from abroad to look for a job to persons who completed a non-academic vocational training.

In 2021, more than 90% of the approximately 5,900 persons with a change of status from job seeking had previously held a seeking title which requires a previous stay in context of an educational or research activity (see Table 9). The overwhelming majority were persons with a change of status from a title to job search after a study or research activity. These changes resulted primarily in titles for skilled workers with higher education pursuant to Section 18b (1) of the Residence Act and significantly less frequently in an EU Blue Card. Former students who transfer directly from their studies to gainful employment (see Table 8) thus appear to switch more frequently to better-paid jobs within the framework of an EU Blue Card than those who first obtain a job seeking title after completing their studies.

Table 9: Third-country nationals with a change of status from a job seeking title to another residence permit for labour migration in 2021

Current right of residence	Change from job seeking title				Total
	for skilled workers with vocational training (Residence Act, Section 20 (1))	for professionals with academic training (Residence Act, Section 20 (2))	after studies/ research activities (Residence Act, Section 20 (3) No. 1 and 2 as well as Section 16 (5) and 20 (7) o.v.)	After training/ recognition measure (Residence Act, Section 20 (3) No. 3 and 4 as well as Section 16b (3), 17 (3), 17a (4) o.v.)	
Skilled worker with vocational training (Residence Act, Section 18a)	16	3	17	164	200
Skilled worker with academic training (Residence Act, Section 18b (1))	23	219	3,085	33	3,360
EU Blue Card (Residence Act, Section 18b (2))	10	197	1,532	63	1,802
Researchers (Residence Act, Section 18d)	3	15	114	1	133
Self-employment and freelancing (Residence Act, Section 21)	1	24	243	7	275
Other residence permits for labour migration	4	29	58	8	99
Total	57	487	5,049	276	5,869

Quelle: AZR zum Stichtag 31.03.2022

4.4 Changes from Education or Employment to Other Residence Titles

Persons who hold a title for an educational measure or for gainful employment generally 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. It has been particularly common to change from a title for gainful employment to a general settlement permit pursuant to Section 9 of the Residence Act or a EU permit for permanent residence in accordance to Section 9a of

the Residence Act, as soon as the basis for entitlement had been reached with, among other things, at least five years of residence.²² Furthermore, there are frequent changes from the field of educational and labour migration to residence titles for family reasons according to Sections 28 to 36a of the Residence Act.

²² Stays for educational purposes are generally not taken into account. Furthermore, it is not possible to change from a title pursuant to Section 19c (1) of the Residence Act in conjunction with Section 26 (2) of the Employment Ordinance (Western Balkans Regulation) if approval of the Federal Employment Agency, on which the title is based, was granted on the basis of the version of the Employment Ordinance in force since 1 January 2021.

Table 10: Third-country nationals with a change of status from a residence title for labour migration (Residence Act, Section 18 - 21) to a permanent title according to Section 9 and 9a of the Residence Act in 2021

Previous right of residence	Current right of residence		Total
	Residence Act, Section 9	Residence Act, Section 9a	
Employment without qualification requirements (Residence Act, Section 18 (3) o.v.)	895	69	964
Qualified employment (Residence Act, Section 18 (4) o.v.)	1,908	621	2,529
Skilled worker with vocational training (Residence Act, Section 18a)	225	50	275
Skilled worker with academic training (Residence Act, Section 18b (1))	83	79	162
(Former) holders of an EU Blue Card (Residence Act, Sections 18b (2) and 18c (2) or Residence Act, Section 19a o.v. in conjunction with Employment Ordinance, Section 2 or Residence Act o.v., Section 19a (6).	106	531	637
Western Balkans regulation (Residence Act, Section 19c in conjunction with Employment Ordinance, Section 26 (2))	365	22	387
Self-employment or freelancing (Residence Act, Section 21)	130	126	256
Other residence permits for labour migration	276	170	446
Total	3,988	1,668	5,656

Source: AZR as of 31/03/2022

In 2021, approximately 5,700 persons changed directly from a residence title in the context of labour migration to a permanent title pursuant to Sections 9 or 9a of the Residence Act, with the former forming the majority with over 70% of the persons (see Table 10). Slightly less than half of the total changes were made from a former residence permit

for qualified employment in accordance with Section 18 (4) of the Residence Act (o.v.). Moreover, persons with a title for employment without qualification requirements (Residence Act, Section 18 (3) o.v.) as well as (former) holders of an EU Blue Card increasingly changed to such a settlement permit.

Table 11: Third-country nationals with a change of status from a residence title in the context of educational and labour migration (Residence Act, Sections 16 - 21) to a residence title for family reasons (Sections 28 - 36a) or a (permanent) residence card in 2021

Current right of residence	Change from										Total
	course of study (Residence Act, Section 16b or Section 16 (1), (6) and (9) o.v.)	vocational training (Residence Act, Section 16a or Section 17(1) o.v.)	language course and school attendance (Residence Act, Section 16f or Section 16b (1) o.v.)	other educational migration	employment without qualification requirements (Residence Act, Section 18 (3) o.v.)	qualified employment (Residence Act, Section 18 (4) o.v.)	EU Blue Card (Residence Act, Section 18b (2) as well as Section 19a o.v. in conjunction with Employment Ordinance, Section 2)	job seeking after studies (Residence Act, Section 20 (3) No. 1 as well as Section 16 (5) o.v.)	self-employment and freelancing Activities (Residence Act, Section 21)	other labour migration	
Spouses and partners* of Germans (Residence Act, Section 28 (1) Cl. 1 No. 1)	1,466	305	327	42	217	308	67	221	154	435	3,542
Parent with custody to Germans (Residence Act, Section 28 (1) Cl. 1 No. 3)	343	133	32	4	111	148	33	20	33	127	984
Spouses* of a foreign person (Residence Act, Section 30)	874	143	82	51	172	231	119	183	44	302	2,201
Other residence titles for family reasons	55	19	23	-	23	26	5	3	45	35	234
(Permanent) residence card for family members of persons entitled to EU freedom of movement	258	44	43	10	124	150	35	50	49	175	938
Total	2,996	644	507	107	647	863	259	477	325	1,074	7,899

* This category also includes registered civil partnerships.

Source: AZR as of 31/03/2022

Somewhat more frequent than changes to settlement permits according to Sections 9 and 9a of the Residence Act were changes to residence titles for family reasons (Residence Act, Sections 28 - 36a) or (permanent) residence cards for relatives of nationals entitled to freedom of movement (see Table 11). These legal bases offer a right of residence that is independent of the individual's own educational measure or employment, but at the same time usually entitles the holder to both.

Approximately 7,900 third-country nationals changed from a residence title for educational and labour migration to a family-related title in the reporting period. Of these, 12% were relatives of EU, EEA or Swiss nationals entitled to freedom of movement who changed to a (permanent) residence card. The largest proportion, with almost half of the persons, were spouses of German nationals who received a corresponding title pursuant to Section 28 (1) Cl. 1 No. 1 of the Residence Act. Slightly more than a quarter of the

persons changed to a residence title for spouses of another foreign person.

More than half of these changes of status came from the field of educational migration and here mainly from student titles. These legal bases increasingly include younger people, which enhances the likelihood of starting a family during the stay. Furthermore, there are larger proportions of people changing from qualified employment (Residence Act, Section 18 (4) o.v.) or employment without qualification requirements (Residence Act, Section 18 (3) o.v.). The differentiation of the various legal bases of Section 19c of the Residence Act, which has been possible since the entry into force of the FEG, shows that a large proportion of the changes from Section 18 (3) of the Residence Act (o.v.) are presumably those from the Western Balkans regulation, but increasingly also persons who previously carried out an activity as part of a voluntary service (Section 14 (1) No. 1 of the Employment Ordinance).

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 apprenticeship and labour market, this chapter presents the number of third-country nationals who were resident in Germany with such a residence title at the end of the reporting period on 31 December 2021. This includes both persons who received a title under the old regulations of the Residence Act and persons with titles that were newly added or amended by the FEG. As in Chapter 4, all titles for job seeking in the field of labour migration are summarised, even if they were issued in the field of educational migration under the old regulations. The totals of persons residing in the two areas are thus not directly comparable with the pre-2020 editions of the reporting series.

5.1 Educational Migration

As of the reporting date of 31 December 2021, a total of almost 210,000 third-country nationals were registered in the AZR, residing in Germany with a residence title for educational purposes (see Table 12 and Figure 8). This corresponds to a slight increase of 3,599 persons or 1.8% compared to the same date of the previous year. Particularly in the first half of 2021, the pandemic-related decline in the number of educational migrants which was recorded throughout 2020 was reversed. Nevertheless, their number remains below that of December 31, 2019 (-6.0%).

With almost 80% of the resident migrants, titles for (the preparation for) courses of study represented the most frequent basis for a stay of third-country nationals in Germany for educational purposes. This corresponds roughly to the proportion presented in Chapter 3.1 with regard to persons who were granted a residence title for the first time in the context of educational migration and without a previous title (see Table 1). For this group, the number of persons is roughly at the level of the previous year and, at -9.9%, still significantly below the figure for December 31, 2019 and thus the period before the COVID-19 pandemic began. This is most likely a result of the fact that, due to the pandemic, third-country nationals could only enter the country to study if they were actually obligated to attend the courses in person (see Chapter 2). Initial analyses covering the

Table 12: Third-country nationals residing in Germany as of 31 December 2021 with a residence title in the context of educational migration, by legal basis

Residence title	Number
In-company vocational training (Residence Act, Section 16a (1) or Section 17 (1) o.v.)	30,072
School-based vocational training (Residence Act, Section 16a (2))	881
Language courses or school attendance (Residence Act, Section 16f or Section 16b (1) o.v.)	8,342
(Preparation for) course of study (Residence Act, Section 16b or Section 16 (1), (6), (9) o.v.)	164,575
Application to study (Residence Act, Section 17 (2) or Section 16 (7) o.v.)	221
Measures for the recognition of foreign professional qualifications (Residence Act, Section 16d or Section 17a (1), (5) o.v.)	4,341
Search for a training position (Residence Act, Section 17 (1))	44
EU study-related internship (Residence Act, Section 16e or Section 17b o.v.)	175
Total	208,651

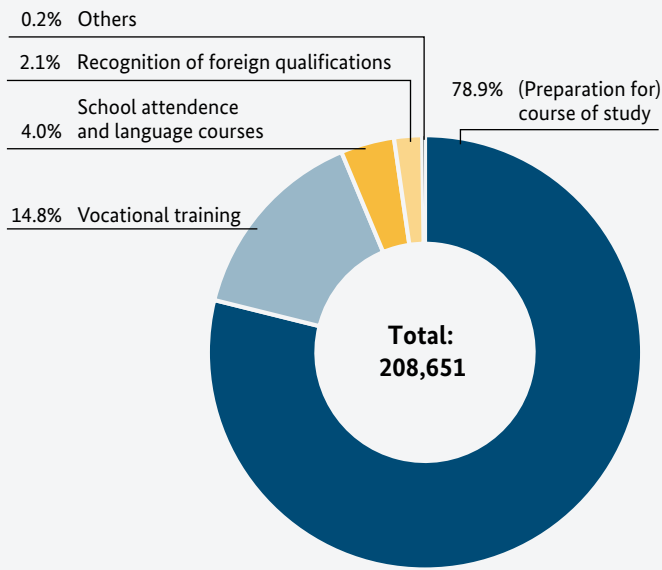
Source: AZR as of 31/12/2021

beginning of 2022 indicate that there has already been a significant recovery in the number of students in this year's first quarter. This may also be related to the fact that the residence permits of persons who entered the country for the winter term of 2021/2022 were not issued or entered into the AZR until the beginning of 2022.²³

With a further 14%, persons staying for vocational training formed the second largest group. In contrast to students, the numbers of this group have already recorded a significant increase compared to December 31, 2020 (+13.5%). This is followed by persons with stays for language courses

²³ In contrast to the statistics on the issuance of residence permits, the AZR evaluation of persons in residence does not use a three-month follow-up period for methodological reasons.

Figure 8: Third-country nationals residing in Germany as of 31 December 2021 with a residence title in the context of educational migration, by type of residence title



Source: AZR as of 31/12/2021

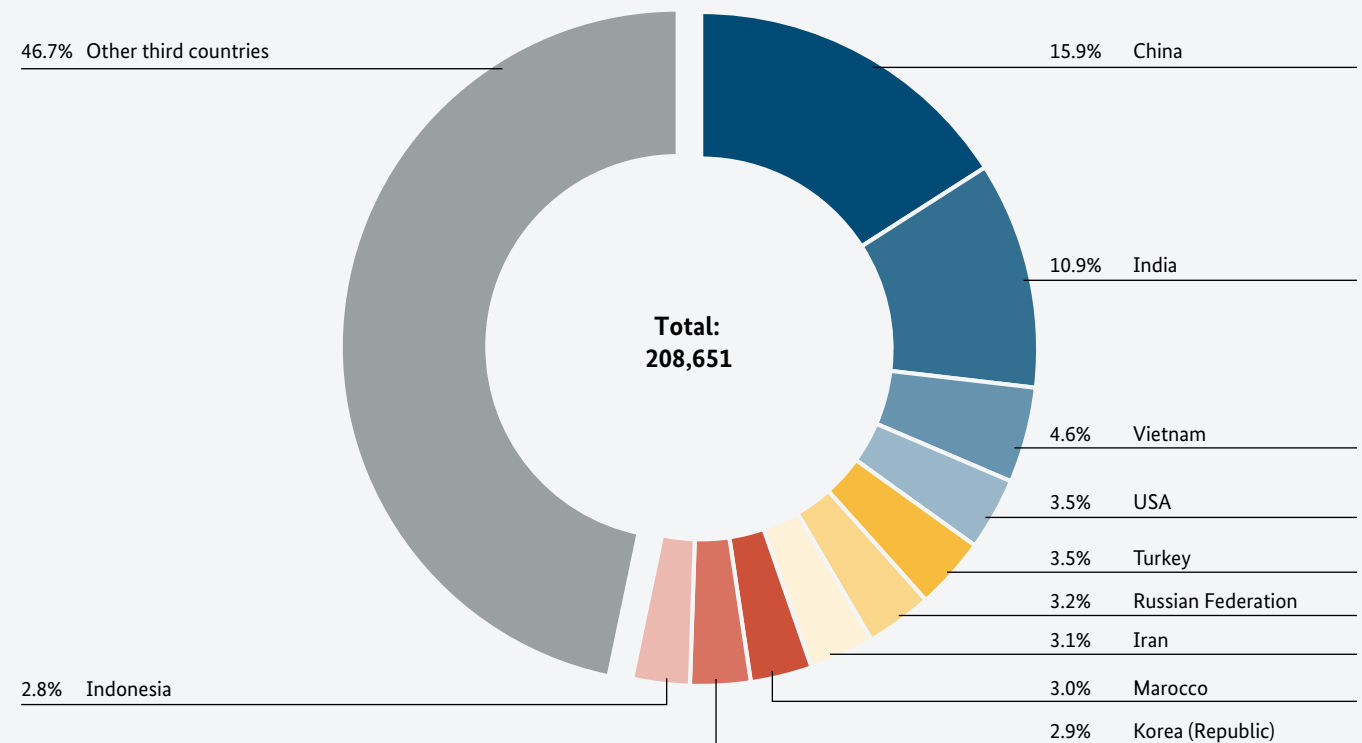
or school visits²⁴ with a share of 4% as well as measures for professional recognition accounting for 2%.

With 16% of all educational migrants from third countries residing in Germany, China is the quantitatively most important country of origin in this area. In addition, more than every tenth person has an Indian citizenship (see Figure 9). This means that for these two countries, the proportions are more or less reversed in comparison to persons who were granted a residence title for the first time in the reporting period without a previous title. In relation to the resident students, Indian and Chinese nationalities account for almost every third nationality, in relation to other educational migration, not even every tenth. Here, Vietnamese nationals make up the largest group with 12%. In General, there is a higher degree of heterogeneity in terms of nationalities among other educational migrants.

Also, with respect to the age structure, there are deviations from the persons who were granted a residence title for the first time in the reporting period without a previous title. As was to be expected for persons who have been in Germany

²⁴ 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 hand.

Figure 9: Third-country nationals residing in Germany as of 31 December 2021 with a residence title in the context of educational migration, by most common nationalities



Source: AZR as of 31/12/2021

for a longer period of time, resident migrants are somewhat older. Those under 26 years of age make up slightly less than half, while the figure for first-time issuances without a previous residence title was still around 60%. In both cases, however, more than 90% of the persons are between the age of 18 and 35. The gender ratio of 55% men and 45% women is very similar to that of persons in the statistics on the issuance of residence permits (44% women), with women also accounting for more than half of the persons outside of courses of study.

5.2 Labour Migration

As of the reporting date of 31 December 2021, in addition to educational migrants, a total of over 380,000 third-country nationals were recorded in the AZR as residing in Germany holding a residence title for the purpose of gainful employment at that time (see Table 13). This means that the number has increased by approximately 35,000 persons or 10.2% since December 31, 2020, and 17.2% compared to December 31, 2019. In contrast to educational migration, the number of persons residing in the context of labour migration has thus continued to rise despite the pandemic-related restrictions. One possible explanatory factor is the fact that educational measures are always limited to a defined, sometimes relatively short period of time, while stays for gainful employment can potentially last longer and can also lead to corresponding settlement permits. In the case of educational migration, a higher number of outflow can therefore be assumed – resulting from both, departures and changes in status - which, in combination with a lower level of immigration especially in 2020, led to a decrease in the number of persons residing in Germany.

Table 13 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 somewhat lower at 6.3%.

The EU Blue Card (24%) as well as the newly structured title for other employment (Residence Act, Section 19c (1) to (3)) with a share of 28% are of central importance with regard to residence permits. In the latter, the so-called Western Balkans regulation (in conjunction with Section 26 (2) of the Employment Ordinance) accounts for more than half of the persons. However, these are also included in the former title for employment without qualification requirements (Residence Act, Section 18 (3) o.v.). The general skilled worker titles according to Sections 18a and 18b (1) of the Residence Act form increasingly larger groups, with approximately 28,000 persons each. In the future, the shares of the old legal bases will continue to gradually decline, while the titles of the FEG will gain in importance.

More than 86,000 persons, and thus one fifth of the resident labour migrants, already have a settlement permit in context of gainful employment. At 26.1%, this group shows a significantly higher increase compared to the previous year, as it was the case for temporary labour migration. Former holders of an EU Blue Card (pursuant to Residence Act, Section 18c (2) or Section 19a (6) o.v.) represent the largest group with two thirds of all settlement permits, followed by the former legal basis for graduates of German universities (according to Residence Act, Section 18b o.v.).

The distribution of the most common nationalities shows the importance of the EU Blue Card on one hand and that of the Western Balkans regulation on the other (see Figure 10). While India has the largest share of a single state with close to 13%, more than a quarter of the resident labour migrants have the citizenship of a Western Balkan state. A comparison with the nationalities shown in Chapter 3.2 for all persons with a first-time issuance of a residence permit for labour migration in the reporting period and without a previous title reveals the minor importance of the Western Balkan states and China in the period under consideration. At the same time, the USA and Turkey, for example, play a more important role for current migration movements than for those already residing.

As expected, the age of the resident labour migrants differs somewhat from that of the 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 among all resident labour migrants stands, at 7%, significantly lower than in the statistics on the granting of residence permits (19%), more persons are over 35 years of age (37% to 27%). At 33%, the proportion of women is only slightly below that of persons who were granted a residence permit for the first time in the reporting period (35%).

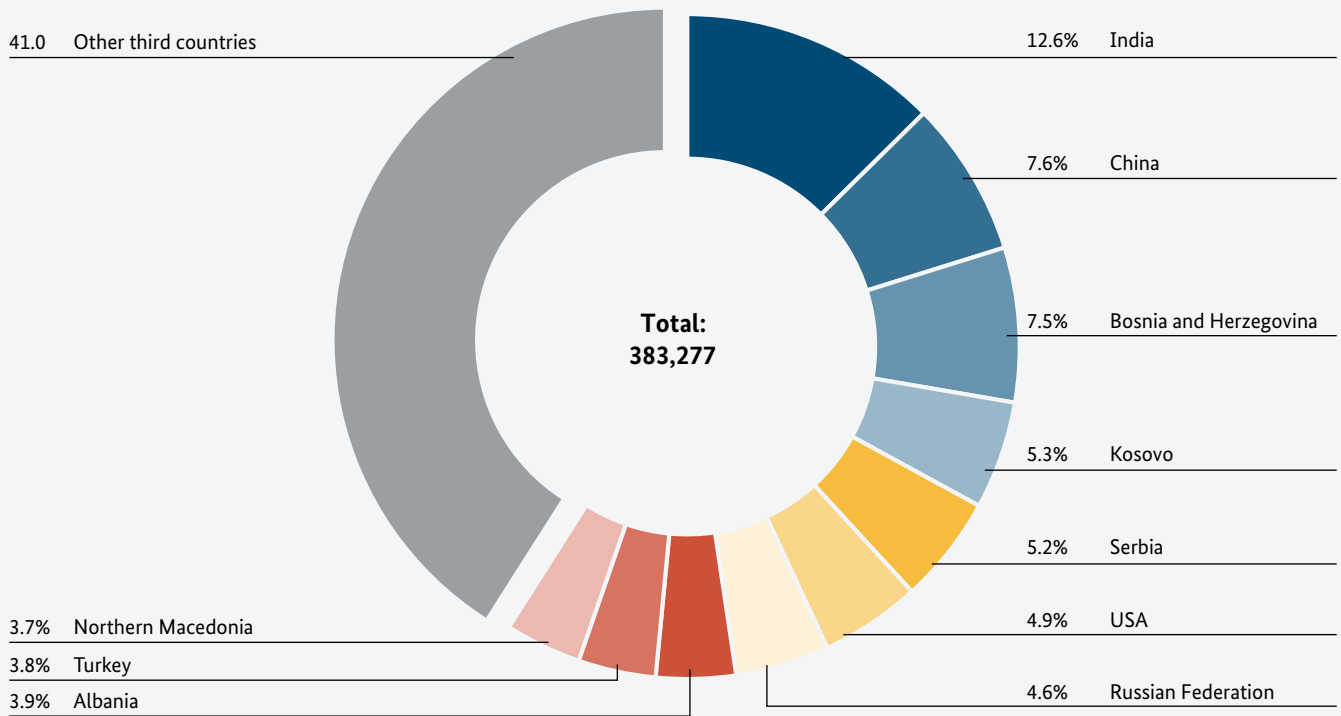
Table 13: Third-country nationals residing in Germany as of 31 December 2021 with a residence title in the context of labour migration, by legal basis

Residence title	Number
Residence permits	297,047
Employment without qualification requirements (Residence Act, Section 18 (3) o.v.)	17,320
Qualified employment (Residence Act, Section 18 (4) o.v.)	29,993
Skilled worker with vocational training (Residence Act, Section 18a)	28,634
Skilled worker with academic training (Residence Act, Section 18b (1))	28,220
EU Blue Card (Residence Act, Section 18b (2) or Section 19a in conjunction with Employment Ordinance, Section 2 o.v.)	69,869
(Mobile) researchers (Residence Act, Sections 18d and 18f or Sections 20 (1), (8) and 20b (1) o.v.)	8,287
(Mobile) ICT-Card (Residence Act, Sections 19 and 19b or Sections 19b and 19d o.v.)	2,019
Other employment purposes (Residence Act, Section 19c (1), (2) and (3)), including	82,434
<i>Voluntary service (Employment Ordinance, Section 14 (1) No. 1)</i>	2,189
<i>Certain nationalities (Employment Ordinance, Section 26 (1))</i>	8,818
<i>Western Balkans regulation (Employment Ordinance, Section 26 (2))</i>	45,989
<i>Distinct practical professional knowledge (Residence Act, Section 19c (2))</i>	1,244
Civil servants (Residence Act, Section 19c (4) or Section 18 (4a) o.v.)	51
Qualified persons with suspension of deportation (Residence Act, Section 19d (1) and (1a) or Section 18a o.v.)	6,085
European voluntary service (Residence Act, Section 19e as well as Section 18d o.v.)	182
Job seeking, including	11,643
<i>for skilled workers with vocational training (Residence Act, Section 20 (1))</i>	48
<i>for skilled workers with academic training (Residence Act, Section 20 (2) or Section 18c o.v.)</i>	757
<i>after studies (Residence Act, Section 20 (3) No. 1 or Section 16 (5) o.v.)</i>	10,455
<i>after research activity (Residence Act, Section 20 (3) No. 2 or Section 20 (7) o.v.)</i>	124
<i>after vocational training (Residence Act, Section 20 (3) No. 3 or Sections 16b (3) and 17 (3) o.v.)</i>	192
<i>after recognition of foreign professional qualifications (Residence Act, Section 20 (3) No. 4 or Section 17a (4) o.v.)</i>	67
Self-employment (Residence Act, Section 21 (1), (2), (2a))	3,019
Freelancing (Residence Act, Section 21 (5))	7,146
Other residence permits	2,145
Settlement permits	86,230
Skilled workers (Residence Act, Section 18c (1))	12,163
Holders of an EU Blue Card (Residence Act, Section 18c (2) as well as Section 19a (6) o.v.)	57,207
Particularly highly qualified skilled workers (Residence Act, Section 18c (3) as well as Section 19 o.v.)	2,540
Graduates of German universities (Residence Act, Section 18b o.v.)	11,761
3 years of self-employment (Residence Act, Section 21 (4))	2,559
Total:	383,277

Source: AZR as of 31/12/2021



Figure 10: Third-country nationals residing in Germany as of 31 December 2021 with a residence title in the context of labour migration, by most common nationalities



Source: AZR as of 31/12/2021

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, only third-country nationals residing in Germany with a title specifically related to gainful employment were considered with regard to labour migration. 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, Sections 9 or 9a) and third-country nationals who hold a (permanent) residence card as relatives of EU citizens can usually work as well. The proportion of members of these groups who are actually active in the German labour market cannot be shown in more detail on the basis of the AZR data, as actual employment is not recorded.

In the following, based on statistics from the Federal Employment Agency, the general situation of third-country nationals on the German labour market is therefore briefly outlined (Federal Employment Agency 2022b). Table 14 shows the number of employed third-country nationals, subject to social insurance contributions in Germany as of September 2021.²⁵ Comparing the figures of 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 much higher than the number of resident labour migrants. Although the latter, with a total of over 380,000 persons, even includes those with self-employment and freelancing activities, the total number of third-country nationals employed in Germany and subject to social security contributions is around six times higher, at almost 2.3 million.

Compared to September 2020, this number has increased by about 180,000 persons or 8.8% respectively. The growth is thus again significantly higher than in the previous year (+2.4%) and almost corresponds to that in 2019 (+9.8%). With regard to employment subject to social insurance contributions, this indicates a recovery of the labour market, which has been weakened by the pandemic (Fuchs et al. 2021).

With regard to the main countries of origin, there are both similarities and differences to the evaluations on resident labour migrants (Figure 11). 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 almost a quarter of all persons, is clearly ahead of all other countries. Syria follows in second place with about 8%. 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 living in Germany for a long time or were even born here in the second or third generation, the Syrian employees are in all likelihood largely migrants from the refugee movements, which unfolded in the last decade. This is also reflected in the clearly different rates of change. While the number of employees with Turkish citizenship shows the lowest growth rate among the ten most frequent countries of origin, the highest increase, both in absolute and percentage terms, of over 32,000 persons or 22.5%, can be seen among employed Syrian citizens, subject to social insurance contributions. According to the AZR, Turkish nationals are mainly registered with settlement permits such as Section 9 of the Residence Act or titles for family reasons, even if a large proportion of them may originally have been former labour migrants or their relatives. Syrian nationals, on the other hand, are primarily covered by residence titles for humanitarian or family reasons.

The eight most important countries of origin for asylum as a whole also play a significantly larger role in the total number of employees subject to social insurance contributions (approximately 20%) than in the number of persons staying in the context of labour migration (approximately 6%).

As it was the case for labour migration, the Western Balkan states (together about 17%) and especially Bosnia and Herzegovina, Serbia and Kosovo are among the most important states in terms of employment. However, the Russian Federation also has a similarly high significance as these three states. India and China, which account for about one fifth of all residents in the context of labour migration, are only in seventh and fourteenth place respectively when it comes the overall consideration of the labour market, with a combined share of only 6% of all employees. However, India shows the second highest increase among the main countries of origin, both in absolute and percentage terms.

²⁵ As there is a six-month waiting period for the data, the 2021 year-end figures cannot be used in this report.

The ten most important countries of origin of employees subject to social insurance contributions also differ significantly in the proportion of female employment. The proportion of women from Syria and Afghanistan is particularly low at just over 10% each, while the majority of people from Ukraine and the Russian Federation are female.

The employment statistics show that the main countries of origin of labour migration have a great importance for the entire labour market that should not be underestimated. However, the number of labour migrants is still at a low

level compared to other types of immigration, such as refugee-related migration or family reunification. The expanded regulations of the FEG are expected to lead to an increase in the importance of skilled labor migration from third countries in the future. The results of this annual report indicate that labour migration from third countries seems to be recovering from the effects of the COVID-19 pandemic. Whether the new possibilities of the FEG can subsequently have a greater impact will be revealed by further reporting as part of the Educational and Labour Migration Monitoring.

Table 14: Third-country nationals with employment subject to social insurance contributions in Germany, by nationality (as of 30/09/2021)

Nationality	Employees subject to social insurance contributions			Change compared to the same month of the previous year	
	Number	Share	Proportion of women	Absolute	Percentage
Total third-country nationals¹	2,279,096	100.0%	35.0%	183,811	+8.8%
Main asylum countries²	451,433	19.8%	15.2%	67,830	+17.7%
Western Balkans	395,308	17.3%	36.8%	23,722	+6.4%
Top 10 nationalities					
Turkey	544,755	23.9%	33.9%	11,182	+2.1%
Syria	174,185	7.6%	12.0%	32,041	+22.5%
Bosnia and Herzegovina	102,292	4.5%	41.6%	4,742	+4.9%
Russian Federation	96,428	4.2%	59.2%	5,971	+6.6%
Serbia	93,556	4.1%	40.8%	5,295	+6.0%
Kosovo	93,080	4.1%	29.1%	6,355	+7.3%
India	80,524	3.5%	28.0%	14,283	+21.6%
Afghanistan	79,125	3.5%	11.2%	10,274	+14.9%
Ukraine	55,660	2.4%	62.5%	4,446	+8.7%
Iraq	55,507	2.4%	17.8%	8,407	+17.8%
Other	903,984	39.7%	38.9%	80,815	+9.8%

¹ Foreign nationals excluding EU states, Iceland, Liechtenstein, Norway and Switzerland.

² Afghanistan, Eritrea, Iraq, Iran, Nigeria, Pakistan, Somalia and Syria.

Source: Federal Employment Agency (own calculations)

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Annex:

First-Time Issuance of Residence Titles in the Context of Educational and Labour Migration by Federal States

- Third-country nationals with first-time issuance of a residence permit in 2021
 - 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 2021
 - Total number of persons

Third-country nationals with first-time issuance of a residence permit in the context of educational and labour migration in 2021

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 (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) <i>(Including Western Balkans regulation Section 19c (1) in conjunction with Employ- ment Ordinance, Section 26 (2))</i>	Qualified persons with suspension of depor- tation (Residence Act, Section 19d)	Job seeking (Residence Act, Section 20)	Self-employment (Residence Act, Section 21 (1), (2), (2a))	Freelancing (Residence Act, Section 21 (5))	Other residence permits	Labour migration	Total
Baden-Württemberg	2,202	4,018	412	386	25	7,043	2,197	1,546	3,206	745	147	3,192	685	19	916	52	74	12,779	19,822
Bavaria	2,072	7,467	469	399	38	10,445	2,272	2,065	5,321	600	179	3,741	539	17	876	97	91	15,798	26,243
Berlin	835	6,818	130	323	18	8,124	769	2,831	5,512	626	29	1,687	127	2	2,452	139	1,077	15,251	23,375
Brandenburg	199	767	48	62	14	1,090	277	235	259	155	8	207	34	7	91	14	7	1,294	2,384
Bremen	91	1,058	47	12	5	1,213	91	201	183	39	3	137	14	1	265	7	7	948	2,161
Hamburg	327	975	63	46	11	1,422	365	634	978	141	32	514	101	7	221	26	44	3,063	4,485
Hesse	673	2,928	217	156	12	3,986	1,029	1,182	1,985	231	156	1,987	185	11	533	53	31	7,383	11,369
Lower Saxony	1,150	2,502	320	196	12	4,180	997	771	1,202	281	21	936	190	9	384	32	29	4,988	9,168
Mecklenburg-Western Pomerania	279	332	79	16	7	713	116	145	153	71	-	90	43	1	49	9	9	686	1,399
North Rhine-Westphalia	1,522	7,942	522	344	59	10,389	1,584	2,227	3,456	706	396	2,557	764	18	1,067	127	85	12,987	23,376
Rhineland-Palatinate	440	1,359	342	108	12	2,261	469	363	628	130	12	719	160	6	146	24	13	2,670	4,931
Saarland	104	404	10	16	3	537	44	89	146	52	2	77	1	-	25	4	2	442	979
Saxony	477	2,425	142	111	10	3,165	321	517	744	407	6	282	67	2	376	27	30	2,779	5,944
Saxony-Anhalt	219	1,297	37	23	3	1,579	127	203	246	139	5	119	36	2	122	9	10	1,018	2,597
Schleswig-Holstein	304	511	97	50	11	973	364	224	242	77	3	338	194	7	72	19	9	1,549	2,522
Thuringia	395	1,238	20	17	-	1,670	184	283	246	164	80	132	36	5	183	5	11	1,329	2,999
Total	11,289	42,041	2,955	2,265	240	58,790	11,206	13,516	24,507	4,564	1,079	16,715	3,312	114	7,778	644	1,529	84,964	143,754

Source: AZR as of 31/03/2022

Third-country nationals with first-time issuance of a residence permit in the context of educational and labour migration in 2021

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)	<i>Including Western Balkans regulation (Section 19c (1) in conjunction with Employ- ment Ordinance, Section 26 (2))</i>	Qualified persons with suspension of depor- tation (Residence Act, Section 19d)	Job seeking (Residence Act, Section 20)	Self-employment (Residence Act, Section 21 (1), (2), (2a))	Freelancing (Residence Act, Section 21 (5))	Other residence permits	Labour migration	Total
Baden-Württemberg	926	3,512	359	361	18	5,176	464	354	1,167	520	127	2,359	429	678	13	16	14	28	5,740	10,916
Bavaria	1,177	6,244	427	333	29	8,210	641	513	2,381	445	161	2,964	754	528	4	31	45	52	7,765	15,975
Berlin	439	5,622	112	295	13	6,481	115	623	3,398	360	26	1,345	98	122	2	74	49	584	6,698	13,179
Brandenburg	150	672	43	50	2	917	131	43	118	109	8	187	47	34	3	4	7	3	647	1,564
Bremen	31	904	40	12	3	990	24	47	55	34	3	99	18	12	1	1	5	2	283	1,273
Hamburg	117	751	48	39	7	962	79	136	476	114	30	431	30	95	4	9	13	16	1,403	2,365
Hesse	243	2,350	190	124	7	2,914	353	209	815	166	135	1,586	200	184	7	11	22	9	3,497	6,411
Lower Saxony	654	2,051	293	187	8	3,193	308	193	403	193	17	794	164	313	7	4	15	10	2,257	5,450
Mecklenburg-Western Pomerania	233	287	78	14	7	619	12	36	60	58	-	64	7	40	1	1	4	5	281	900
North Rhine-Westphalia	709	6,616	455	323	29	8,132	443	489	1,381	531	349	2,043	361	728	8	29	79	27	6,107	14,239
Rhineland-Palatinate	244	1,188	324	97	10	1,863	183	78	212	97	7	593	127	156	3	1	10	6	1,346	3,209
Saarland	67	361	10	16	-	454	6	24	50	41	2	47	8	1	-	1	2	-	174	628
Saxony	335	2,094	137	99	5	2,670	65	93	249	261	5	249	33	65	1	8	8	8	1,012	3,682
Saxony-Anhalt	188	1,201	31	18	1	1,439	39	41	107	70	2	101	21	36	2	2	2	4	406	1,845
Schleswig-Holstein	182	444	83	50	3	762	103	71	100	61	3	275	38	191	6	3	8	-	821	1,583
Thuringia	337	1,088	18	14	-	1,457	50	43	68	113	80	108	26	34	3	1	-	1	501	1,958
Total	6,032	35,385	2,648	2,032	142	46,239	3,016	2,993	11,040	3,173	955	13,245	2,361	3,217	65	196	283	755	38,938	85,177

Source: AZR as of 31/03/2022

Third-country nationals with first-time issuance of a residence permit in the context of educational and labour migration in 2021

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)	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) <i>(including Western Balkans regulation Section 19c (1) in conjunction with Employ- ment Ordinance, Section 26 (2))</i>	Qualified persons with suspension of depor- tation (Residence Act, Section 19d)	Job seeking (Residence Act, Section 20)	Self-employment (Residence Act, Section 21 (1), (2), (2a))	Freelancing (Residence Act, Section 21 (5))	Other residence permits	Labour migration	Total	
Baden-Württemberg	1,276	506	53	25	7	1,867	1,733	1,192	2,039	225	20	833	157	7	6	900	38	46	7,039	8,906
Bavaria	895	1,223	42	66	9	2,235	1,631	1,552	2,940	155	18	777	273	11	13	845	52	39	8,033	10,268
Berlin	396	1,196	18	28	5	1,643	654	2,208	2,114	266	3	342	37	5	-	2,378	90	493	8,553	10,196
Brandenburg	49	95	5	12	12	173	146	192	141	46	-	20	4	-	4	87	7	4	647	820
Bremen	60	154	7	-	2	223	67	154	128	5	-	38	3	2	-	264	2	5	665	888
Hamburg	210	224	15	7	4	460	286	498	502	27	2	83	10	6	3	212	13	28	1,660	2,120
Hesse	430	578	27	32	5	1,072	676	973	1,170	65	21	401	34	1	4	522	31	22	3,886	4,958
Lower Saxony	496	451	27	9	4	987	689	578	799	88	4	142	26	13	2	380	17	19	2,731	3,718
Mecklenburg-Western Pomerania	46	45	1	2	-	94	104	109	93	13	-	26	1	3	-	48	5	4	405	499
North Rhine-Westphalia	813	1,326	67	21	30	2,257	1,141	1,738	2,075	175	47	514	97	36	10	1,038	48	58	6,880	9,137
Rhineland-Palatinate	196	171	18	11	2	398	286	285	416	33	5	126	30	4	3	145	14	7	1,324	1,722
Saarland	37	43	-	0	3	83	38	65	96	11	-	30	2	-	-	24	2	2	268	351
Saxony	142	331	5	12	5	495	256	424	495	146	1	33	6	2	1	368	19	22	1,767	2,262
Saxony-Anhalt	31	96	6	5	2	140	88	162	139	69	3	18	10	-	-	120	7	6	612	752
Schleswig-Holstein	122	67	14	-	8	211	261	153	142	16	-	63	5	3	1	69	11	9	728	939
Thuringia	58	150	2	3	-	213	134	240	178	51	-	24	-	2	2	182	5	10	828	1,041
Total	5,257	6,656	307	233	98	12,551	8,190	10,523	13,467	1,391	124	3,470	695	95	49	7,582	361	774	46,026	58,577

Source: AZR as of 31/03/2022

Third-country nationals with first-time issuance of a settlement permit in the context of educational and labour migration in 2021

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	1,124	2,395	17	27	3,563
Bavaria	1,671	3,514	31	24	5,240
Berlin	1,007	2,558	18	18	3,601
Brandenburg	124	173	-	7	304
Bremen	84	158	2	11	255
Hamburg	360	681	7	24	1,072
Hesse	711	1,212	11	31	1,965
Lower Saxony	379	861	6	14	1,260
Mecklenburg-Western Pomerania	50	81	-	1	132
North Rhine-Westphalia	944	2,199	48	54	3,245
Rhineland-Palatinate	189	384	6	44	623
Saarland	35	59	1	2	97
Saxony	272	355	4	3	634
Saxony-Anhalt	100	134	1	4	239
Schleswig-Holstein	107	144	4	5	260
Thuringia	143	116	2	1	262
Total	7,300	15,024	158	270	22,752

Source: AZR as of 31/03/2022

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