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Migration Partnership Facility

Re-thinking approaches to labour migration?
Potentials and gaps in EU member states' migration infrastructures

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TABLE OF CONTENTS

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INTRODUCTION

Europe's working-age population is declining. Employers in EU member states face large and persistent skill and labour shortages in a range of professions at various skill levels and in diverse sectors ranging from construction to care or information technology. Against this background, the recruitment of third country nationals (TCNs[1]) to the EU has increased in importance as one of the strategies to fill labour market shortages although, for now at least, not in sufficient numbers to cope with demand. At the same time, migration remains a sensitive political topic and levels of socio-political acceptance for an increase in labour immigration varies across EU member states.

ECDPM, together with OSMOS, Labor Mobility Partnerships (LaMP) and CASE, has mapped labour market needs and analysed the national migration systems of all 27 EU member states with the aim to investigate how prepared the respective infrastructures are to respond to growing demand for workers. Of particular interest was to understand how existing modalities and labour migration pathways could be utilised pragmatically as well as where gaps and possibilities for adaptations may lie. This policy brief highlights our key findings and trends for the European Union as a whole, based on our analysis of the 27 EU member state case studies, addressing the following questions:

- For which sectors will labour migration likely play a role in the future to address labour market shortages?
- How do national debates and public narratives determine the scope for labour migration policy reforms?
- What shape and form do the different migration systems and existing pathways take?
- Where are gaps and what are possible steps for adapting labour migration systems?

Research for this mapping took place between July 2023 and February 2024 and involved desk review and a limited number of interviews per country with government actors, agencies, social partners as well as experts for each case study. Changes in the political context, legal frameworks or other evolutions in the EU or EU member state context after February 2024 have not been systematically captured.

1 In this research we refer to Third Country Nationals (TCNs) as nationals of a non-EU country.

THE ROLE OF LABOUR MIGRATION IN FILLING CURRENT AND FUTURE LABOUR MARKET NEEDS

The European Labour Authority reports that across the EU '**labour shortages are not only persistent but expected to increase**'. Our mapping shows that most EU member states have structural, persistent and increasing labour and skills shortages at different skill levels. Four in five SMEs in the EU say they find it generally difficult to find workers with the right skills.[2] Shortages affect the majority of occupations.[3] The working age population in the EU is expected to decline by 27 million over the next three decades, while societies are ageing, putting further pressure on labour markets. While the EU consists of a patchwork of local labour markets with variations in their characteristics, in the EU overall, a lack of skilled workers as well as labour mismatches diminishes Europe's growth and innovation potential.

These common trends across the EU have implications for everyday lives of Europeans as pointed out by EC President Von der Leyen in her 2023 **State of the Union speech**: In EU member states, hospitals are postponing treatments because of a lack of nurses, parents struggle to reconcile work with family due to lack of childcare options, restaurants and bars run reduced hours during peak season because of lack of staff.

Increased opportunities for labour immigration, from a strictly economic point of view, will likely have to be considered at least as a partial solution to this challenge in the coming decades.[4] To illustrate, **Portugal** has a growing immigrant population, and it will need an increasing number of labour immigrants to respond to labour shortages caused by an ageing population. **Latvia**'s current strategy focuses on attracting highly-skilled foreign labour in sectors like life sciences, smart materials and information and communication technologies (ICT), which is reflected in the official list of professions that suffer from labour shortages. In **Poland**, migrant labour plays a vital role in the economy, and migrants will continue to be important for both lower- and highly-skilled professions. In **France** labour migrants are well represented in service, construction, hospitality, and IT occupations – many of which face shortages. In **Italy**, the increase in planned recruitments of immigrant personnel is widespread for all professional levels.

In **Estonia**, many of the sectors for which shortages are anticipated in the future are also those which currently employ migrant workers. Foreign labour plays an important role in the Swedish economy, primarily in agriculture and forestry. Employment sectors among Swedish-born, foreign-born and work permit holders differ, suggesting that labour migration serves mainly sectors that require additional workforce that is unavailable in **Sweden.** This is also the case for some economic sectors in the **Czech Republic**. **Germany** has reviewed its labour migration framework to better serve the needs of its labour market and to be prepared to fill shortages through international recruitments in the future. And in **Ireland** labour migrants contribute to key sectors such as healthcare and ICT – both listed as experiencing shortages.

Most EU member states view immigration of Third-country nationals (TCNs) as part of the policy measures to address shortages, but often not as the priority one. Creating active international migration policies is seen as important but in many EU member states they rank behind tapping into, upskilling and better matching existing labour in the country.[5] For 50% of SMEs in the EU on the other hand, easier procedures for hiring workers from outside the EU and for recognising foreign qualifications would help their company in recruiting staff with the required skills.[6]

2 EC (2023): **European Year of Skills – Skills shortages, recruitment and retention strategies in small and medium-sized enterprises – September 2023 – Eurobarometer survey**

3 EURES reports that 85% of all occupations are affected by shortages in 2023 in one or more EU member states. See ELA (2024): **How to deal with labour shortages**.

4 This however goes hand in hand with a discussion on the type of economies, growth and welfare systems that EU member states want to build in the future and the role that labour immigration plays in it.

5 Eurofund (2021): **Tackling labour shortages in EU Member States**

6 EC (2023): **Survey highlights skills shortages in small and medium-sized enterprises (SMEs)**

Common definitions, data sources to determine labour shortages and update cycles differ across EU member states and a clear link between labour or skill shortage data and migration policy is not implemented in all EU member states. Most common links are 'shortage occupation lists' for specific skills or professions (updated in various time cycles and through different methodologies across EU member states) that provide either deviations from specific application requirements for work permits (e.g. exemption from labour market tests, lower salary threshold), allow for fast-track procedures or both. Political and administrative hurdles have in some EU member states led to inefficient implementation of existing tools (e.g. shortage lists linked to migration policy not keeping pace with dynamic labour market shifts). In other EU member states interviewees highlighted that improving the granularity and expressiveness of data involving the private sector actors in determining the type of skills and workers needed could help strengthen the value of such lists (e.g. in **Luxembourg**).

A few countries, such as **Ireland** and **Hungary**, have adopted 'Ineligible Occupations Lists' next to shortage lists to specify those occupations not eligible for work permits.

Figure 1 below provides an overview of how EU member states aim to link labour shortage to labour migration policy.

Figure 1: Link between identified labour shortages and migration policy and labour migration pathways

Austria	Belgium	Bulgaria
Shortage Occupation Lists for Red-White-Red Card fast-track and exemption from labour market test	Exception for labour market test for bottleneck occupations for skilled and medium-skilled positions	No specific identified links
Croatia	**Cyprus**	**Czech Republic**
Shortage occupations are exempt from labour market test	No specific link	National list of economic sectors for seasonal workers
Denmark	**Estonia**	**Finland**
Positive List Programme as one of the labour migration pathways	Certain occupations are exempt from quota system	Certain sectors and occupations are exempt from the labour market test
France	**Germany**	**Greece**
Shortage occupation list with exemption from labour market test	Bottleneck occupation list with lower salary thresholds (incl. for Blue Card) and providing higher points for Germany's '*Chancenkarte*'	No shortage list linked to labour migration pathways but bilateral agreements for temporary labour migrants to fill labour shortages exist
Hungary	**Ireland**	**Italy**
The Hungarian Card for 'talent shortage' roles & list with professions 'off limit' to labour migrants from non-EU member states under the Guest Worker Permits	Critical Skills Occupation List (labour market test exemption, lower salary threshold) Ineligible occupations List (not eligible for employment permit)	No strong link, quotas assigned to specific sectors

Latvia	Lithuania	Luxembourg
Slightly lower remuneration required for EU Blue Card for professions on shortage list	Shortage worker list (exempt from labour market test – but governed by quota)	Shortage list roles exempt from labour market test
Malta	**Netherlands**	**Poland**
Vacancy Exemption List as part of Key Employee Initiative exempts from labour market test	No specific link	Shortage list exempts from labour market test
Portugal	**Romania**	**Slovakia**
No specific link	Shortage list of occupations linked to process determining quotas	List of shortage occupations exempt from labour market test
Slovenia	**Spain**	**Sweden**
List of shortage occupations exempt from labour market test	The Catalogue of Hard-to-Fill occupations informs the visa regime in Spanish consulates	Work permit for industries that require a high level of investigation

Across EU member states, the specific shortage sectors and the degree of urgency differ. The construction, (health and long-term) care, agriculture (especially seasonal work), tourism and hospitality, transportation, manufacturing and ICT appear as key sectors for current and future labour immigration across the EU member states case studies. The shipping and maritime sectors are also featured prominently as key sectors in some EU MS. Additionally, key factors behind labour shortages include the green transition, which is expected to spur growth across various sectors but may create challenges in filling vacancies. Similarly, the digital transition is contributing to a growing demand for IT professionals, exacerbating shortages in the field. Yet, shortages differ not only across EU member states but across regions within EU member states and they are dynamic. The feature of the proposed EU Talent Pool to allow EU member states to tailor shortage occupations to their own specific situation therefore appears important.

Growth is expected mostly in sectors in need of medium- to highly-skilled people rather than in sectors characterised by lower-skills. For instance, as CEDEFOP points out, in **Belgium**, **France, Germany**, **Italy**, **Ireland**, **Luxembourg** and **Sweden** more vacancies for experts in STEM jobs were available than unemployed people with a STEM background. Similar pictures emerge for IT occupations across the EU, including for instance in the **Czech Republic** where in 2021 there existed 25 IT vacancies for every unemployed person with an IT background.[7]

This does not mean, however, that there is no need for medium- and lower-skilled migrants as well. Especially in tourism, agriculture, hotel, domestic work, care and construction sectors, a number of EU Member States have challenges to fill positions through national employees. Across the EU, it is primarily in these sectors in which TCNs are overrepresented compared to EU citizens.[8] For example **Croatia**, similarly to other EU member states, has a labour market influenced by seasonality. The tourism industry relies heavily on temporary workers who come for three to four months during peak tourist season.

7 Cedefop (2023): **Skills in transition: the way to 2035**

8 **European Commission (2024): Statistics on migration to Europe.**

Several EU member states will require labour with technical and vocational level education. In **Sweden** for example, employers struggle to hire graduates from TVET programs, especially in fields related to technology and manufacturing. In the **Netherlands**, there is economic interest of employers in the agricultural and horticultural sector as well as the technical installation sector at vocational training. Faced with the same challenge, **Germany makes** it easier for workers with vocational training level and with practical knowledge to immigrate to **Germany** through its new Skilled Immigration Act. In **Portugal**, the agricultural, construction, and hospitality sectors heavily rely on migrant labour. Although there are fewer migrant workers in the industry sector, demographic challenges have increased the need for highly-skilled migrants in industry and IT. Most new jobs in **Portugal** until 2030 will require highly-qualified workers, but low-skilled job openings are twice the EU average. Labour immigration is expected to continue focusing on low-skilled jobs, as Portuguese citizens are less inclined to take these roles. In **Poland**, migrant labour currently plays a vital role particularly in low-skilled occupations such as agriculture, manufacturing and services, but also increasingly in IT. **Greece** is also facing a serious problem of labour shortages, in a contradictory environment, in which the unemployment rate remains high, yet businesses cannot find personnel across skill levels, especially in the agriculture, construction, tourism and technical service sectors (plumbers, electricians, car mechanics etc.).

Interestingly, some countries such as **Sweden** have decided to restrict the entry of lower-skilled workers by raising salary thresholds, with potential consequences for sectors such as agriculture, for example. It is yet unclear how employers will adapt, it may be that this migration policy contributes to specific shortages of workers in the short- to medium-term yet eventually lead to better working conditions for foreign and domestic workers. These measures may also affect staff in critical sectors such as health, that tend to enter with a low salary and transition into higher-paid jobs later.

Embracing a pragmatic – though selective – approach to labour migrants

Like the OECD, EU-level aggregated data shows that at the end of 2022 permits given for family reunification reasons (35%) exceed the percentage of those given for work reasons (20%).[9] For some EU member states, such as **Sweden**, employment has replaced family reunification as the first reason for entry. For others, such as **Austria**, family reunification still plays a large role trumping those entering for work in numbers. In **France**, permits issued for work reasons come third after family and education. This shows that legal migration of TCNs overall is not always primarily economically driven.

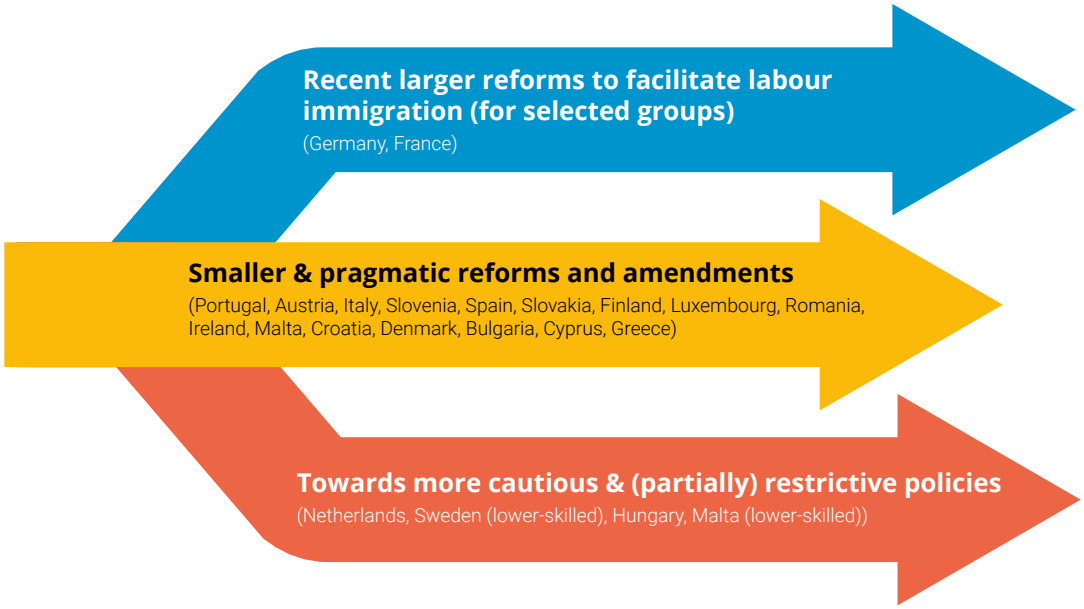
Many EU member states aim to change this. Across the EU, with some notable exceptions, there has been a trend towards pragmatic solutions to recruit TCNs driven by economic and business needs. However, while the recruitment of foreign workers has increased in importance it does not seem to take place in sufficient numbers to cope with demand.

In most cases smaller scale reforms or amendments have been introduced during past years with the aim to make it easier, at least for some sectors, skill-levels or professions (e.g. through fast-track, simplified procedures and exemptions) to receive permits. Many EU member states have already or have the aim to reduce processing times for permits. In general, labour immigration policy and legislations are dynamic and subject to frequent reforms in many EU member states.

There has been a trend of increasing quotas in some EU member states. For instance, **Austria**, **Finland**, **Italy**, **Portugal**, **Romania**, **Slovakia**, **Slovenia** and **Spain** have increased quotas or expanded shortage lists and or adjusted salary requirements to introduce flexibility. In 2022, **Romania** set the quota at 100.000 which is more than 13 times the number of permits compared to five years earlier. **Luxembourg** recently relaxed work and residence rights and eased access to the labour market to family members of foreign nationals as well as students and international protection applicants – measures likely to increase the rate of foreign nationals in workforce participation. Cyprus has made it easier for TCN students to enter the labour market in shortage occupations. **Germany** has introduced a larger-scale reform introducing more flexibility.

In various EU member states one can observe the simultaneous introduction of stricter as well as more liberal measures targeting different skill-levels. **Malta** for instance has introduced new labour migration pathways for key specialists while at the same time aiming to restrict TCN labour immigration overall (especially lower-skilled). **Portugal** has announced the intention to drop one of its most frequently used pathways for labour – entering as a tourist changing status while in country.

9 **European Commission (2024): Statistics on migration to Europe**



Several EU member states have witnessed a growth in the issuance of residence or short-term permits during the past years. According to Eurostat data, first permits issued for employment have increased during the past years in all EU member states with the following exceptions: **Czech Republic** and **Poland** issued fewer first permits for employment in 2022 compared to 2018. **Hungary** and **Slovakia** increased such permits in 2022 compared to 2018 but decreased them from 2021 to 2022. In **Estonia**, **Latvia** and **Sweden** the permits issued on the grounds of employment have remained relatively stable over the past five years (some showed a drop during COVID-19).

Illustrative examples of EU member states with increase in yearly permits issued to TCN labour migrants during past year(s)

- Flemish region (Belgium) for Work permit B
- All Belgian regions increase in issued single permits
- Croatia
- Denmark (steady increase of work-related permits 2017 -2022)
- France
- Ireland (increase in employment permits over past five years)
- Italy
- Poland (10-fold increase in work permits issued between 2011 and 2021)
- Romania (increase in work permits)
- Slovenia
- Spain (increase in issued “work visas” & “highly-skilled visa”)

Illustrative examples of EU member states that have increased quotas for TCN labour migrants

- Italy
- Romania

In terms of labour migration policies, a few countries like **Hungary, the Netherlands** and **Sweden** however follow an opposite trend and aim to reduce migration numbers, at least concerning low-skill labour migrants. As part of the paradigm shift of **Sweden**’s new migration policy an objective is to reduce the number of workers in low-paid occupations. **Hungary** has enacted reforms that are likely to make it harder for employers to recruit

or retain lower-skilled workers. At the same time both **Sweden** and **Hungary** have relaxed permit requirements for highly-skilled talent. The **Netherlands** increasingly aims to reduce admission numbers of certain migrant categories and in general labour migration is seen as a last resort to respond to shortages in the labour market. Next to the needs of the private sector and the economy, issues such as the capacity of the society to host labour migrants (in terms of housing, services, etc.) as well as fair treatment of migrant workers, play a role.[10]

Some EU member states are deliberating not only how to better attract but also how to retain and better integrate talent and this issue has grown in importance. In a number of EU member states the validity period of permits have been revised upwards. In few countries it includes the question about strengthening integration through easier possibilities for longer-term stay options, i.e. decreasing the time to apply for permanent and long-term residence. Common challenges for retention and attraction include creating an inclusive environment for labour migrants, language barriers, as well as legal complexities.[11]

National debates, political and public narratives on labour migration

National and regional political debates, as well as the level of social acceptance around immigration of workers strongly influence possibilities to adapt and improve systems to provide better opportunities for migrants to fill labour shortages. National debates around labour migration in EU member states differ, with implications for their interest to explore EU Talent Partnerships and likely too their participation in the upcoming EU Talent Pool as a tool to support foreign recruitment.

The EU has developed the Talent Partnerships (TPs) and the EU Talent Pool as part of other measures to respond to these dynamics:

Box 1: The EU Talent Partnership Framework and the EU Talent Pool

The **Talent Partnerships**, first introduced in the Commission's New Pact on Migration and Asylum in 2020 are intended to enhance legal pathways to the EU while engaging partner countries strategically on migration management. Talent Partnerships seek to match the skills of workers in partner countries with labour needs in EU member states, providing a policy and funding framework to facilitate greater mobility for workers from non-EU countries to study, work or train in EU countries. The Talent Partnerships place a significant emphasis on mutually beneficial mobility schemes, prioritising the development impact for partner countries. The EU Commission has during the past years, together with EU member states, engaged in negotiating Talent Partnerships with five priority countries: Tunisia, Morocco, Egypt, Bangladesh and Pakistan.

The **EU Talent Pool** European Commission proposal is part of the EU's '**Skills and Talent Mobility Package**' launched in November 2023. Its aim is to match employers in the EU with jobseekers from outside the EU and to facilitate their recruitment thereby giving the EU a boost in the race for talent globally. The proposal is currently being negotiated by the co-legislators.

Overall, in almost all EU member states there is **high sensitivity around the topic of migration, which affects discussions and policy-making on labour migration of non-EU nationals**. However, beneath the overall EU wide trends, many nuanced stories emerge regarding labour migration policy. Some EU member states' governments aim to clearly separate broader discussions on migration (including on stemming irregular migration, dealing with asylum and reception, facilitating return and reintegration) from approaches to labour migration (framed in terms of economic needs, recruitment of skills and talent). In others, the broader debates concerning migration (at times triggered by irregular migration or a rise in asylum next to labour migration) and the pressures that migration overall creates on services and housing (e.g. in **Malta** and the **Netherlands**) has influenced political directions and conditions for admitting TCNs for work reasons. In these countries, we observe an increasing politicisation of labour migration. At times different priorities exist also between the regional and national levels (e.g. **Belgium**). Reports about working conditions for foreign workers and their treatment in spe-

10 The Dutch Advisory Council on Migration has framed the debate in terms of a welfare approach to labour migration considering all these aspects.

11 Nigitsch et al. 2024. **Cultivating talent: Exploring effective talent attraction and retention practices in and beyond the EU**. ICMP MPF Policy Brief.

cific sectors (especially in agricultural and hospitality) have contributed to an increase in control measures and to restrictions with a view to incentivise employers to improve working conditions (including for nationals) (e.g. in **Sweden**).

Public acceptance towards labour migrants also depends on skill levels, place of origin and on perceptions regarding the successful integration of migrants.

Attitudes towards migrants in **Estonia** differ according to the skill level of workers. There is little sign of intentions to recruit lower-skilled workers. Highly-skilled workers in the ICT sector on the other hand are sought after. This is similarly the case in **Malta**, which has recently introduced stronger regulations for TCNs working in the tourism industry while seeking highly-skilled labour through special initiatives. The public attitude in **Slovenia** towards labour immigration is generally positive, although sentiments towards people seeking international protection. In **Poland**, attitudes vary according to where migrants are coming from: migrants from Eastern European countries, particularly Ukraine are generally accepted, while there is less of a welcome towards non-European migrants. This is true in other countries as well, with labour migrants from countries considered close culturally being more accepted in general. In **Ireland**, traditionally displaying welcoming attitudes towards immigrants, a rise in negative sentiments towards refugees and asylum seekers has been noted, although this has not yet led to a strong contestation of labour immigrants. In **Hungary** negative attitudes towards migrants – including labour migrants – prevail. Yet since 2022, the government has – despite anti-migrant rhetoric – allowed several ten thousands of workers from Asia to enter the country to fill labour shortages. Dutch society has voted for a new government which aims to restrict all types of migration to varying degrees and irrespective of skill-level, although economically it still strongly relies on knowledge workers. **Romania** has become more open to recruiting TCNs while **Latvia**n society seems to reflect a more reserved public attitude towards labour migrants, generally more accepting of those from countries closer to **Latvia** than those further away. **Luxembourg** – which highly depends on a foreign workforce – is generally welcoming towards labour migrants. In **France,** immigration of labour is a sensitive political topic with those supporting parties on the right and left political spectrum sharing very opposing views and directions.

Similarly, in **Austria**, labour immigration remains sensitive though it is seen more positively concerning highly -skilled workers. In **Germany**, current acceptance of labour immigration mainly stems from the strong economic need of SMEs. **Denmark** is balancing the need for labour migrants with the deterrence of irregular migration. The goal is to address the gaps in the workforce while balancing social cohesion and possible pressures on the welfare system. **Bulgaria** can be described as moderately open concerning labour immigration, as the government balances labour market needs and recruitment of TCNs with interests of the domestic labour force. In contrast, Portuguese society is, compared to some other European countries, less critical towards labour immigration. The current government ascribes it an important role for the economic future of the country and has taken active steps to modernise its migration system.

Concerning the EU level, EU member states at large seem to be cautious for the EU to play a strong role in coordinating and setting the agenda regarding the attraction of international skills and talent. While the EU-level offers the advantage of a larger, unified labour market and increased global attractiveness, competition between member states remains a concern. Member states are still striving to attract talent individually, and there is internal competition for skilled labour. Building higher levels of trust and cooperation among member states is crucial for fully realising the potential of a coordinated EU labour migration policy.

COMMONALITIES AND DIFFERENCES IN THE COUNTRIES' LEGAL LABOUR MIGRATION PATHWAYS AND MIGRATION INFRASTRUCTURE

What shape do existing labour migration pathways take within the legal migration system?

Diversity and complexity of pathways

The shape and form of legal labour migration pathways determine the possibilities for employers to hire workers and for labour migrants to access the labour markets. **The immigration systems of EU member states differ significantly in the type of labour migration pathways that exist, the yearly number of migrant workers admitted and the procedures and criteria for receiving work permits** or accessing alternative ways allowing migrants to access the labour market. Most EU member states utilise schemes and pathways beyond those agreed at EU level (e.g. EU Blue Card, Intra-Corporate Transfer, etc.).

Most of the systems have over time introduced various exceptions to the general rules to allow for more flexibility in responding to economic needs. This has however also led to a myriad of pathways in EU member states and levels of complexity that often makes it difficult for potential immigrants and employers to navigate. We found about 290 pathways across all EU member states[12].

Generally, EU member states require labour migrants to have a **combined permit for residence and work (single permit) or a valid work permit** to access the labour market. Many EU member states then differentiate specific pathways or schemes that have varying conditions attached to them for obtaining such permits. Where EU Member States differ is how these permits can be obtained and whether foreigners can enter the country before obtaining work/residence permits.

Most commonly, **application takes place before entry** whereby either the employer or the potential immigrant applies to the relevant authorities for the permit. In most EU member states TCNs need to apply for a relevant visa first (e.g. a long-stay visa that allows entry into the country for employment) and then apply for the single or residence permit once in the country, which can add to the complexity of procedures.

Austria, Estonia, Germany and **Portugal** do not require a work permit to be issued before entering the country for specific categories of TCNs. Up until now **Portugal** has allowed foreigners to enter the country as tourists with a tourist visa and then obtain a work/residence permit when already in the country and having found a job. This possibility has however been abolished in recent reforms. For eligible candidates with a minimum level of qualification, experience and sufficient funds, **Germany** offers a job search visa for six months. **Austria** offers such a visa to very highly-skilled workers as part of its points-based scheme. **Estonia** offers possibilities for short-term employment based on registration in **Estonia** after having entered the country on a valid visa. Quite a few EU member states, like **Spain** or **Belgium**, extend job-search visas to students that have completed higher education in the EU member state. Some EU member states do not require the labour migrant to wait for a single permit before commencing work. **Slovenia**, for example, has a provision for certain workers involved in the recovery from floods and landslides, who can take up work as soon as the Employment Service of **Slovenia** issues its consent without having to wait for the single permit to be issued by the administrative unit.

12 This figure has to be taken with a grain of salt. There exists no clear definition of what constitutes a labour migration 'pathway'. For instance the Austrian Red-White-Red Card has several subcategories targeting different labour immigrants (regular seasonal workers, self-employed, employed, in shortage occupations etc.). We counted those as separate pathways even though all receive a Red-White-Red Card. What is considered a separate pathway is often specific to each EU Member State and rather than aiming to find a common harmonised definition, we followed each EUMS communication about entry pathways for TCNs. Moreover pathways are introduced and closed as part of reforms fairly regularly.

A myriad of criteria and requirements

EU member states have introduced **various criteria and requirements that foreign workers need to meet to qualify for work or for single permits.** These differ for different types of workers and pathways but often involve a labour market test, salary criteria, educational or skill requirements next to a job offer or employment contract. A rare feature in EU member states migration policies are points-based systems. These can be found in **Germany**'s and **Austria**'s labour migration system. In some EU member states requirements apply to employers as well (e.g. registration) or employers can be certified to qualify for fast-track procedures when recruiting TCNs (such as in **Finland** or the **Netherlands**). As a rule, pathways are open to migrants who work in various sectors. To attract workers in specific sectors, labour market shortage (see figure 1) lists provide room for exemptions and for fast-track procedures.

To illustrate, in **Poland**, the procedure for obtaining a work permit usually includes a labour market test (conducted by *Poviat* labour offices). The employer must prove that for at least 30 days they have not been able to find an employee from **Poland** or another EU MS for a given position. **Lithuania** also applies a labour market test for its temporary residence permit (with exemptions for professions on the shortage list) next to relevant required proof of qualifications, work experience and salary standards. Similarly, in **Estonia**, the employer needs to receive permission from the **Estonian** Unemployment Insurance Fund to hire a TCN which is based on several conditions. The employer must pay a salary above the annual average wage in **Estonia**, although this does not apply to all professions. There are exceptions for this when it concerns experts, top specialists, family migration and short-term employment. **Malta** also applies a labour market test exemption for occupations on the vacancy exemption list or the Key Employee or Specialist Employee Initiative.

So does **Ireland** – next to a minimum salary level – with the exemption of occupations on the Critical Skills Occupation List. **Italy** requires employers to demonstrate the unavailability of Italian and EU workers for the position and demands documentation that adequate accommodation exists (as is the case with several other EU member states). The **Netherlands** applies a labour market test as a rule (with exceptions) as well as minimum income requirements. Exemptions exist for highly-skilled schemes that enjoy simpler and faster access (such as for the *Kennismigrant*). Next to specific qualification requirements employers need to be recognised as sponsors if they want to apply for permits for highly-skilled TCN workers. **Portugal** had a fairly unbureaucratic system for issuing work permits if a job has been secured after entering **Portugal** with a tourist visa, which has been especially important for lower-skill work. Other work permits and visas require the support of well-established companies during the visa application process and are feasible for highly-skilled migrants only.

Pathways tied to specific sectors exist at times for seasonal work (especially hospitality, tourism, agriculture) and in some EU member states for specifically sought-after professions. However, beyond seasonal and short-term work few pathways exist however on a sectoral basis. **France** is an exception as it has introduced a new residence permit specifically for medical professions as part of its 2023 immigration bill. Dedicated pathways for TCNs to work in specific professions or in specific sectors sought after could be one way forward as recently concluded by an assessment of long-term care workers needed in many EU member states. Such dedicated pathways can be helpful to uphold standards on skills and working conditions.

Flexible exemptions in EU labour migration systems

EU member states have developed schemes to introduce **exemptions to the general rules** (e.g. quotas, labour market test), often for **short-term employment,** for **certain income- or skill-levels** (mainly highly-skilled)**,** for **shortage sectors** or for **certain nationalities.** This shows that **legal migration systems often adapt to specific needs and that there is flexibility to do so given sufficient political sponsorship**.

To illustrate, the **Belgian** regions have introduced exemptions for those who earn a specific minimum salary and in specific occupations as well as for those in shortage occupations. In **Italy**, exemptions exist for autonomous or subordinate (employed) work where future needs cannot be predicted to receive permits outside the numerical ceilings (quotas). They can also access simplified procedures. The EU Blue Card pathway is also outside the quota system. **Italy** also exempts workers who have completed government-supported special education and training programs (such as through the MPF-funded skills and mobility initiatives with Egypt, Tunisia, and Morocco), along with other categories of workers, from the requirement to fall within the quota. We can find such exemptions to the general rule in all EU member states.

In some EU member states a majority of permits are issued for pathways that are exempt from the general rules. In **Croatia**, for instance, the labour market test was meant to be a key mechanism to regulate entry of labour migrants, yet due to exceptions 75% of applications are not subjected to it.

At times exemptions are for specific nationalities. In **Poland**, the most used pathway for labour migration is by an employer declaring their intention to entrust work to a foreigner, often referred to as an 'employers' declaration', which is exempt from a labour market test. It is open only to people from six non-EU Eastern European countries, who enter **Poland** predominantly to carry out low-skilled work for up to two years.[13] Further exemptions from the labour market test requirement exist for sectors that have labour shortages and for citizens of certain countries. Citizens of Armenia, Belarus, Georgia, Moldova, Russia and Ukraine performing nursing and care work or working as domestic help for natural persons in a household are not subject to labour market tests. **France** has entered into several agreements with partner countries which include terms and conditions specific to each country. For nationals from Senegal, Gabon, Tunisia, Benin, Cape Verde, Burkina Faso and Congo for instance with professions on the shortage occupation list attached to the agreement no labour market test is necessary. **Germany** under the Western Balkan Regulation provides exemptions for citizens of Albania, Bosnia and Herzegovina, Kosovo, North Macedonia, Montenegro and Serbia. If they have a job offer and passed a labour priority review, they do not necessarily need their qualifications recognised. **Portugal** has introduced simplifications and new visa forms for citizens from the Community of Portuguese Language countries. While **Portugal** has a temporary stay and short-term visa for seasonal workers, this pathway has not been used much in practice given that there has been – until recently – the possibility of entering as a tourist and obtaining a permit after finding a job. Many other EU member states have such specific exemptions for specific nationalities.

Box 2: How many labour migrants are admitted? EU member states approaches to quotas

Across EU Member states there are a variety of approaches towards quotas or contingents. Several EU member states, such as Finland, Latvia, Portugal, Sweden, the Netherlands, Poland or Belgium do not introduce (effective) quotas for labour migrants. They regulate the number of entries through the conditions that apply.

Only very few, such as **Estonia** establish general yearly immigration quotas (ceilings) without breaking them down further. In Estonia, one of the key features of the legal labour migration system is the national quota system, which is set at 0.1% of the population for the issuing of temporary residence permits. While the quota system does have some exemptions for certain sectors, employers have criticised it for blocking them from meeting their labour needs. As a result, most migrant workers enter Estonia not via temporary residence permits but through temporary or seasonal work schemes outside the quota.

More common are EU member states that have introduced **quotas (or contingents) for specific sectors** (or break down their annual quotas), specific pathways or cap the number of streamlined procedures (e.g. exempting labour market tests). Some have quotas attached to applicants of countries where bilateral agreements exist or for specific groups of migrants and skill levels (e.g. seasonal workers, specific nationalities). This is the case for example for **Lithuania**, **Austria**, **France**, **Czech Republic**, **Romania**, **Slovakia**, **Ireland**, **Italy**, **Germany**, **Denmark**, and **Greece**. **Romania**, for example, has set a quota for 100.000 workers to fill shortages across different sectors in 2023 increasing it by 75.000 from the previous 2021 quota of 25.000 workers. **Lithuania** applies a yearly quota for labour immigrants on shortage lists that do not need to pass a labour market test. **Italy**'s labour immigration system operates primarily through a quota system established by an Annual Decree, which determines the maximum number of work permits and allocates reserved quotas for citizens from countries with significant migration pressure.

In **Portugal**, a quota system (based on labour needs per sector of activity) existed in the law between 2001 and 2007. In 2007 the quotas per sector were replaced by an 'overall' quota. In practice, however, neither the definition of the quotas per economic sector, nor that of the overall quota has had any practical consequences. The entry of immigrants who enter the labour market takes place today largely with little predetermination in terms of the number of foreign nationals admitted.

13 The Employers' Declaration used to provide access to the labour market for six months but has recently been revised.

For some pathways the admission numbers per year are low. This was observed for instance in recent start-up and entrepreneur schemes and in some EU member states for EU Blue Cards. In rare cases, pathways are not utilised at all. The **Netherlands** has introduced a **scheme** that makes it possible to apply for a work/residence permit for seasonal work (in line with the EU Seasonal Workers Directive), this pathway is however rarely used in practice as a strict labour market test by the Employee Insurance Agency (UWV) so far has prevented workers from entering through that route.

Innovations in specialised schemes

Innovations to date focus mainly on the highly-skill sector. Several EU member states have recently introduced **specialised schemes for specific sectors,** also mainly focusing on highly-skilled labour facilitating their entries in various ways. This shows that for specific sought-after groups it is possible to lower barriers to entry and create pathways.

To target workers in highly-skilled sectors, **Poland** has introduced a '**Poland** Business Harbour' scheme to attract workers from select countries to work in **Poland**'s growing ICT sector. **Estonia** has three innovative pilot schemes for highly-skilled workers: a Digital Nomad visa; a start-up visa; and an e-residency service. **Lithuania** has a Start-up visa as well. **Latvia** introduced several innovative pathways for highly-skilled workers. **Portugal** aims to attract highly-skilled workers with its Tech Visa, a Start-up visa as well as most recently with a digital-nomad visa and residence permit. The **Netherlands** put in place a **start-up scheme for innovative entrepreneurs** in 2015, a pilot residence scheme for key essential personnel of start-ups as well as a scheme for self-employed people, who must prove that they serve the needs of the Dutch economy. **France** has introduced a Tech Visa (a scheme part of the Talent Passport residence permit).

Box 3: Successful labour migration pathways filling labour shortages in the case study countries

In many EU member states a number of pathways are being perceived as working well by interviewees, especially regarding the attraction of highly-skilled migrants. In **France**, the national 'Talent Passport' for various groups of highly-skilled migrants is viewed positively by government actors and agencies interviewed for the study as it facilitates access to workers – though some noted scope for further simplification.

The EU Blue Card Scheme is perceived positively as well. The **Dutch** 'knowledge migrant scheme', which applies a minimum salary criterion, is considered efficient and effective in filling skill needs in the highly-skilled and higher paid professions such as IT sectors and thus in serving some sectors of the Dutch knowledge economy. Almost two thirds of TCN labour migrants to the Netherlands come through this scheme. However, several sectors with shortages are excluded from the knowledge worker scheme due to salary or skills requirements.

Portugal has reduced bureaucratic procedures and has developed a comparatively efficient and flexible system for employers to hire needed skills in the fluctuating agricultural and tourism sectors.

In **Poland**, the Employer's Declaration and in **Estonia**, the registration for short-term work have been important ways to recruit migrant workers for physical work in sectors considered low-skilled, such as industrial, construction, agriculture and household employment.

Several countries have introduced Digital Nomad visas, including **Estonia**, **Germany**, **Portugal**, the **Czech Republic**, **Spain**, **Slovenia** and **Italy**, **Malta**, **Latvia**, **Hungary**, **Greece**, Cyprus and **Croatia** showing a trend towards increasing options in the digital age and attracting skills and talent of a **new work generation**.

An increasing number of EU member states have made positive experiences with **permits for entrepreneurs and start-ups,** though admission numbers are often not significant overall.

In several EU MS (as part of overall increase in TCN labour immigration), there has been a growing trend in the admission of seasonal and short-term workers (e.g. in **France** and in **Poland**). Some EU MS have introduced options for seasonal workers to avoid having to re-apply for work permits if they come multiple times and to ease their entry while fostering circular mobility. Examples include **Austria**'s '*Stammsasonier*' option (which falls

outside the contingency and is exempt from labour market tests as well as a possibility to get access to an RWR card). **Spain** also has a four-year visa for the seasonal labour force which allows entry for nine months each year.

Where are key barriers in the migration systems limiting the possibility of filling labour market needs?

Each country we looked at faces specific challenges concerning future recruitment of workers and ensuring that legal migration pathways exist to support filling labour market shortages. As the global competition for talent will become more acute, European member states will increasingly have to ensure their attractiveness for workers at various skill levels.

EU member states' labour immigration systems are usually selective towards highly-skilled migrants whilst opportunities for lower-skilled or lower-paid migrants from outside the EU are more restricted (often to temporary or seasonal work). While offering opportunities for highly-skilled migrants who earn a minimum monthly market salary and meet qualification requirements, the **Netherlands** does not extend such opportunities for lower-skilled and lower-paid migrants from outside the EU. **Ireland**'s system favours highly-skilled occupations even though foreign labour may also be needed in other (medium- and low-skilled) occupations. **France**'s pathways cater mainly to the highly skilled while the medium- and lower-skill segments of the labour market are not supported by a labour migration policy geared to them. In **Belgium**, while pathways generally favour highly-skilled workers, there has recently been a notable shift, with an increasing number of permits being granted to workers in medium-skilled positions in bottleneck occupations as well as those subject to labour market testing. **Finland** has adopted a stronger focus on high-income labour migrants while adding administrative burden to non-certified employers.

This situation means that in some EU member states immigration of TCNs cannot optimally help to fill growing gaps in the labour market for medium- or lower-skill levels, such as in healthcare, construction or agriculture, though these vary and the possibility to fill these with citizens and migrants already in the country differs for each country. Still, in the future there could be more opportunities for labour migration pathways for medium-skilled or lower-skilled migrants covering for instance specific positions in shortage sectors. In some EU member states the absence of pathways for temporary or seasonal workers seems to have led to a situation whereby companies rely increasingly on services of external employment agencies. National politics around labour migration of low-skilled migrants is however in many cases not favourable for comprehensive reforms.

A key challenge for many EU member states is the **complexity of existing procedures**. In many instances interviewees described work permit or single permit procedures as complex and strict with lengthy processing times. This is especially the case for pathways for medium- or lower-skill levels – when they exist. Depending on the pathways and member states, admission procedures often take between two to eight months for residence and work permits - even longer if recognition of qualifications is required. Some EU member states have introduced fast-track procedures, e.g. for professions on shortage lists. Yet, there are often complex systems and several institutions involved in decisions on permits.

These aspects are perceived as an obstacle to the attractiveness of EU member states. Further simplification, and investment into administrations and efficient procedures accompanied by digitalisation are pending tasks for many EU member states – some of which have begun to reform their systems. This may include ensuring adequate staffing and conditions in administrative units, streamlining institutional steps in permit procedures, and offering information in various languages, among others.

Another aspect is how existing pathways are being communicated to potential TCNs. Several EU Member States interested in attracting TCNs have built dedicated websites providing information to potential applicants (for some, such as **Germany**, they include advertised positions) about existing pathways and requirements. Yet, in others such information is difficult to access. The envisaged EU Talent Pool could offer an opportunity to provide accessible information for each EU member state in a user-friendly way.

HOW WELL PREPARED IS THE LEGAL INFRASTRUCTURE FOR IMPLEMENTING TALENT AND SKILLS PARTNERSHIPS: POSSIBLE ADAPTATIONS?

The EU Commission has called EU member states to engage in the development of EU Talent Partnerships with priority countries and to enhance legal migration pathways by launching new mobility schemes. The approach that EU member states have taken in developing specific partnerships on labour migration with third countries, which could provide experience and a basis also for the EU Talent Partnerships differs widely.[14] Messages that emerge from the research show that such partnerships are most viable if they are established with countries with cultural proximity, language and existing economic, diplomatic or other ties.

What is visible is that EU member states increasingly look towards (bilateral) partnerships in several corridors to recruit workers which are relevant for their labour market needs. **Finland** for example is targeting four countries: Vietnam, Brazil, the Philippines and India with its Talent Boost Scheme. **Germany** has entered into a labour mobility agreement with Kenya, amongst other partners. **Austria** is looking towards agreements with the Philippines and India (next to some other priority countries) to recruit skilled workers. Many EU member states have their own specific schemes and bilateral arrangements. **Denmark** cooperates with India for labour recruitment as part of a green strategic partnership. Since 2017, **Bulgaria** has been negotiating and concluding bilateral agreements on labour migration with third countries, including in the Western Balkans, Central Asia as well as Mongolia. Bilateral agreements exist already with Armenia, Moldova and Georgia.

A growing number of EU member states have also engaged in the mobility pilots funded by the EC under the MPF (**Migration Partnership Facility**). Participating countries found the schemes to be a good testing ground but focused on partner countries that work for their national, and regional labour markets while aiming to ensure that initiatives foster their own national competitive advantage. There are however also differences in the objectives of such pilots. While some use them for entry points and part of longer-term recruitment strategies, many (especially in the earlier pilots) also conceptualised them as skills programmes with some circular or short-term mobility and training without necessarily having in mind to fill labour market shortages.

For further ambitions in leveraging Talent Partnerships, would legal migration systems be ready and do pathways to enter the countries exist? Where would adaptations be necessary? The answers vary per country, yet all could introduce adaptations to the existing system to support the environment for making most of the Talent Partnerships as a tool.

Attracting talent: Expanding and better utilising existing pathways

Many EU member states will either need to better tap into the potential of existing (innovative) labour migration pathways and/or introduce new/adjust existing pathways to ensure their labour migration systems are resilient and adaptable to future challenges. This would not only help make EU member states more attractive destinations but would be essential for Talent Partnerships to function at scale.

For some EU member states developing a comprehensive labour migration strategy to attract (and retain) labour migrants can help in meeting the future needs of their labour markets (e.g. **Latvia**). Others already have such strategies (e.g. **Luxembourg**, **Cyprus**). Some may need to create new or streamline existing pathways, for others it is about tapping better into the potential of existing pathways that may not yet have taken off and are sub-optimally used.

As discussed, the extent to which existing pathways for labour migration could support the mobility component of Talent Partnerships (and specifically for those selected as pilot countries) differs for each EU member state – as does the (political) scope and possible ways for adjusting them.

14 The EC does for instance not publish the list of EU member states that are part of the EU Talent Partnership Framework due to the political sensitivity of the topic.

Most often EU member states' pathways are not geographic or sector specific. Admitting TCNs as part of Talent Partnerships would therefore fall under the general rules for labour migrant admission. For each partnership it would be useful to analyse whether existing national admission criteria could be a hindrance or could help facilitate the recruitment in specific identified sectors and for specific partner countries and labour migration corridors that would fall under the partnership.[15]

Our research has found that possibilities for adjusting labour migration pathways in EU member states can be classified into three broad areas:

First, to facilitate recruitment as part of Talent Partnerships, partner countries would need to be included into existing eligibility lists for geographically restricted pathways, if they exist. For those countries that have implemented (recruitment) quotas as part of bilateral agreements with third countries already, doing the same in the context of EU Talent Partnerships would be a likely way forward.

Second, amending or adapting skills, language and salary or other requirements so that TCNs from partner countries and possibly part of skills schemes are likely to qualify. Lowering annual income requirements is described in many EU member states as a possibility to include other skill levels. As adaptations and smaller reforms are regularly implemented, such factors can be easily adjusted in support of Talent Partnerships. In many of the EU member states looked at, political readiness for measures that facilitate recruitment (if not for very specific high-skill sectors) may however be limited.

Third, to provide specific exemptions to citizens of partner countries, (e.g. to drop the requirement of labour market tests for countries with bilateral agreements) or to allow them access to fast-track procedures – as some EU member states are already doing for specific nationalities.

Adaptations to systemic aspects in support of labour migration pathways

Our analysis also found that improvements to systemic aspects of labour migration systems in the EU will be crucial beyond looking at available pathways. The following systemic elements are prerequisites for successful implementation of migration and mobility partnerships with third countries.

Involvement of multiple stakeholders

All countries have experience – to varying degrees – in **balancing interests and perspectives of public actors** (and here several ministries and agencies which can diverge in their approach), **private sector stakeholders as well as NGOs**. Setting up Talent Partnerships requires considering economic and education/skills development perspectives, labour market needs, employers' concerns, international cooperation and development aspects as well as socio-political deliberations. Bringing these divergent perspectives together in a politically sensitive climate can be challenging. Yet, examples exist from the case studies where positive outcomes were the result of good cooperation between several actors. In many EU member states social and economic partners are consulted by the government and have an influence on labour immigration policy. In those EU member states where this is not yet the case, improvement of the dialogue between policymakers and social partners (such as trade unions, employers' federations and NGOs) could help to better serve migrant workers' interests, economic needs and to further increase attractiveness towards migrant workers. This dialogue will also need to be an important cornerstone of EU Talent Partnerships and more broadly to increase access to international talent through other schemes.

Data, Labour market analysis and forecasts

The lack of accessible data, analysis, and statistics on shortage sectors and forecasted labour market needs hinders cooperation. Additionally, insufficient information from third countries about how their labour supply could match national demands further impedes progress in organising cooperation. Such data and knowledge is important for choosing possible partners to devise effective labour mobility and talent partnership schemes.

Moreover, data on the use of pathways, including the number of issued visas per category or pathway, profession or sector, nationality, and gender, is currently inconsistent across the EU. Some EU member states collect this data more systematically than others and make it more transparent. For others it is difficult (without significant administrative hurdles) to have access to such data. Across EU member states, there also seems to be over-

15 Our mapping and the overview of pathways presented on the dedicated website could support this.

all little systematic data collection or monitoring on whether and how respective national reforms contribute to the use of existing pathways and to what extent the criteria and requirements support attraction, labour market integration and retention efforts.

Some EU member states have started to study the potential of partner countries with the idea to gather information that can support labour market and skills matching. These studies are scattered and provide information on partners' labour market characteristics and skills needs. Yet, these approaches are not coordinated at the European level leading to possible duplication of data.

Partner countries' authorities are faced with several enquiries to share similar information. Work under the MPF has contributed by providing data on priority partner countries of the Talent Partnerships in the form of a **dashboard**. Across the EU, harmonising data collection and information-sharing could be useful to work more efficiently in the context of the Talent Partnerships and beyond..

Streamlining procedures of issuing permits

Many EU member states aim to streamline procedures and reduce processing times. Yet, the lengthy time it takes to process residence and work permits in many EU member states is considered by employers as an obstacle to hiring workers from third countries. Streamlining procedures and accelerating visa delivery for priority sectors is important for establishing effective schemes with a functioning mobility component. Beyond envisaged processing times noted above, administrative barriers include the collection and effective review of required documents such as diplomas, birth certificates and certificates of good conduct in origin countries. These aspects can be addressed through capacity building activities with public employment agencies in partner countries and they also fit into European policies of supporting a digital transformation agenda.

Many of the case studies highlight the need to invest financial and human resources to relevant departments processing permits and investing in technology, training and staff development to establish efficient systems.

Recognition of foreign qualifications

Recognising skills and qualifications is an important element of labour migration or mobility partnerships. Our case studies show that systems for recognising and validating foreign qualifications, skills and knowledge (including skills obtained in informal learning settings) can still be streamlined, better digitised and made more flexible to account for a variety of skills. In most of the EU member states they are not working optimally. Moreover, underutilisation of skills is a phenomenon found across EU member states and largely ascribed to inefficiencies and hurdles in the EU member states skills and qualifications recognition systems. The Spanish EU Presidency reported that in 2019, 48% of highly-skilled migrants were working in low-or medium-skill jobs, compared to only 20% of EU citizens.

For example, in **Malta**, faster and more efficient processes to recognise qualifications and support for upskilling would facilitate a better match between migrants' skills and labour market needs. In **Poland,** skill recognition has become one of the main barriers to getting the new arrivals from Ukraine into work. Another implication of the absence of efficient skill recognition systems is that it is common for migrants in **Poland** to work in jobs lower than their qualification. **Luxembourg** is aiming to reform its skills and qualification recognition system to become more attractive to international workers. **Ireland** also faces an issue of 'underemployment' of TCNs. In **Croatia**, streamlining processes and reducing requirements for documentation as well as providing clear guidelines could help expedite recognition. **Estonia** also has a complex recognition system, which in practice can mean that access to the **Estonia**n labour market for specific professions is restricted.

In this context it is of key importance that EU Member States pay attention to and implement measures suggested in the EU Commission's recommendations on the recognition of qualifications of TCNs.[16] Enhancing capacities of relevant authorities to simplify and expedite recognition procedures, and providing support and information to TCNs, employers, public employment services etc. are key steps in that direction. A stronger service orientation towards specific professions or sectors (especially regulated professions) to support skill and qualification recognition processes of TCNs could help make processes more efficient. This can for example be achieved through establishing professional qualification centres that assist with local regulations, social context, career guidance, upskilling possibilities and language training.

16 European Commission (2023): **EC Recommendation of 15.11.2023 on the recognition of qualifications of third-country nationals**.

In several EU member states some more flexible practices have been introduced regarding skills in specific sectors, such as Information Technology (IT). Several EU member states have taken steps towards this end and for instance introduced recognition of prior experience in IT (or other shortage) sectors rather than formal qualifications (**Germany**, **Austria**, **France**, **Sweden**). Yet at European level there is still a long way to go to ensure that such systems can optimally support labour migration.

Introducing and operationalising the EU Talent Pool

The negotiations on the EU Talent Pool are ongoing at the time of writing and research has examined the perspectives of the main actors in the EU Member States, both from a strategic and operational point of view. A key factor in whether EU member states will join the EU Talent Pool is how they can adapt it to their national specificities (such as adjusting the shortage sectors) and whether sufficient safeguards are in place.

SUGGESTIONS FOR THE WAY FORWARD

The findings of our mapping of EU member states show that there are growing needs for skills, knowledge and workers at various skill levels. With demographic changes and changing economies these may become more profound in the coming decades. Socio-political acceptance of an increase in labour migration however differs across EU member states and will play an important role in shaping future approaches to labour migration. Questions about the type of economies that EU MS envisage for their future and the role of labour immigration in it are equally important.

Legal migration systems offer a variety of options for labour migrants from third countries to enter the EU member states and often cater more strongly to highly-skilled TCNs. For several sectors these work well. Yet, labour migration systems do not always optimally respond to changing economic needs and even if formal migration pathways exist, flanking measures and bureaucratic hurdles can impede their effectiveness.

Labour immigration systems in the EU are however also vastly different as they have emerged over time and follow national-level politics, societal needs and debates as well as (regional) labour market and economic needs. Giving specific EU-wide suggestions is thus only possible at a very high and general level. The following points emerge as key areas for attention for EU member states governments' and the EU Commission - many of which are already being tackled by EU Commission proposals or national activities to some degree but will need further attention.

Data, analysis and tools to link labour market and migration policies

- Review and strengthen links between labour market analysis (shortage occupations) and migration policy and tools (EU Talent Pool; EU Talent Partnerships) & review shortage occupations regularly to reflect better the dynamism of labour markets.
- Collect and publish national data on the existing use of labour migration pathways allowing analysis on their effectiveness in reaching stated objectives.
- Utilise AI and digital tools to integrate dynamism of labour markets in labour migration policy (selection, screening and matching) and explore AI solutions for facilitating human-centred integration measures.

Attraction of skills, talent and workers

- Streamline and adapt existing pathways, reduce complexity and overlap.
- Invest in access to easy-to-understand information about labour migration pathways.
- Introduce enhanced (circular) mobility options and create mobility opportunities for medium- to lower-skilled labour migrants.
- Embrace EU Talent Partnerships and similar holistic schemes with countries that make sense from a national perspective (cultural reasons, existing ties and relations, labour market matching etc.). While EU Talent Partnerships alone may not be sufficient to fill labour market shortages at scale, engaging in pilot schemes and the overall political framework can shed light on what further adaptations or possible changes are needed in EU member states migration infrastructures to make systems fit for the future and ready to attract skills and talent.
- Develop strategies focusing not only on talent attraction but also on retention of labour migrants (consider existing labour migration pathways, integration, pathways to long-term-residence and citizenship at national/EU level, branding and communication, service-orientation, language etc.).
- Find the right balance between (tougher) approaches to irregular migration while creating and maintaining an appealing and welcoming culture for labour immigrants.

Skill recognition

- Further strengthen procedures for validation and recognition of (formal & informal) skills, qualifications and experience with a focus on supporting labour migrants to utilise their skills and potential.
- Develop online tools in different languages to help third-country nationals access necessary information on and support with the recognition of their skills and qualifications

Joint EU engagement with partner countries

- Increase cooperation at EU-level to provide consular services in specific countries to effectively recruit third-country nationals through shared consular assistance and labour market services that allow sharing resources for visa processing, interviews, document verification etc. (e.g. when some EU MS are not represented in the partner country with their own consular or labour market services).
- Explore other possibilities for EU Delegations to support EU MS in consular and labour market services respecting national competences.
- Consider increasing the role of the EU Delegations on labour migration through establishing labour and skills mobility and information officers (or Talent Partnership liaison advisors in priority countries) in relevant partner countries that can help meet EU's labour and skills market. These positions could support information and interest-exchange as well as advise on cooperation strategies and be accessible to EU Businesses.

Collaboration between government and private sector

- Establish and engage in dialogue structures between government and private sector on labour migration policies, their implementation and their interaction with wokforce planning, labour market dynamics and competitiveness.
- Establish cooperation as part of bilateral or EU-level migration and mobility agreements on migrant skills provision, integration and retention measures.
- Increase cooperation on the provision of up-to-date data on labour shortages and skill gaps to inform policies with a view to establish accurate and dynamic shortage occupatoin lists.

The economic need for attracting skills, talent and workers is likely to become more pressing in the future. Joining forces and exchanging experiences at EU level will be an important strategic part of the future of EU's competitiveness and in attracting talent.

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