



EMN Spanish Presidency Conference

Shaping the future of EU legal migration: Where are we and where do we want to go?

16-17 November 2023
CONFERENCE REPORT

The conference “Shaping the future of EU legal migration: Where are we and where do we want to go?” took place in Madrid on 16–17 November 2023. It brought together an exceptional group of high-level speakers from European institutions, national authorities from both EU and non-EU countries, business organisations, and experts in the field of labour migration. The conference was held in the context of the Spanish Presidency of the Council of the EU, one year and a half after the adoption of the Skills and Talent Package and shortly after the adoption of the EU Talent Pool legislative proposal. In this key moment, the event sought to reflect on progress made and long-term projections for labour migration to the EU.

SUMMARY OF DISCUSSIONS¹

WELCOMING REMARKS AND OPENING OF THE CONFERENCE

Ylva Johansson (European Commissioner for Home Affairs) addressed the longstanding nature of labour migration and posed a hypothetical scenario questioning the repercussions in the EU if all migrant workers were to cease working. Emphasising migrants' integral role in various sectors such as construction, agriculture, and healthcare, the Commissioner underscored their significance in local communities. Acknowledging the symbiotic relationship between host countries and countries of origin, the Commissioner's speech highlighted the economic impact of legal migration, including remittances and addressing labour shortages. The Commissioner referred to the proposal for a Talent Tool that the Commission presented that week. The discourse extended to the importance of migrants in the context of the green transition and combating the challenges of aging demographics in Europe through re-skilling and up-skilling initiatives. The tragic loss of lives in incidents like those off the coast of Greece was remembered, shedding light on the need to fight migrant smuggling. Special attention was given to supporting strategic initiatives like Talent Partnerships for overall migration management and to advocating for the recognition of complementary labour pathways. The Commissioner stressed the need for a transparent narrative

¹ The following summaries have been produced by the European Migration Network (EMN) Service Provider (ICF) and the Spanish Presidency (through EMN Spain).

about Europe's dependence on migration to address labour shortages in key sectors existing already now. The Commissioner closed with a call to combat racism as a crucial factor for attracting and retaining skilled individuals, highlighting the adverse impact of discrimination on the willingness of migrants to move to the EU.

Isabel Castro (Spanish Secretary of State for Migration, Ministry of Inclusion, Social Security and Migration) opened by stating the Spanish Presidency of the Council extended a warm welcome to participants and expressed enthusiasm for the collective discussion on the role of labour migration within its overarching priorities. Emphasising the integral connection between labour migration, demographic challenges, and security concerns, the Spanish Presidency underscored the need to shape the future of both labour migration and the European Union. Recognising the pressing issue of ageing demographics in Europe, the discussion was framed as crucial for the EU's sustainability. Core principles, such as respect for human rights, adherence to fundamental EU values, and the promotion of interculturalism, tolerance, and inclusion, were highlighted as essential components. She emphasised that the Spanish Presidency was advocating for collaborative efforts with third countries and countries of origin to enhance global stability, ultimately contributing to the creation of a more robust and inclusive society.

HIGH-LEVEL SESSION 1: EUROPEAN LABOUR MIGRATION POLICIES TO FACE DIFFERENT CHALLENGES

Moderated by **Jesús Fernández-Huertas** (Associate Professor of Migration & Labour Economics at Universidad Carlos III in Madrid), the panel focused on an analysis of challenges, and more specifically, whether the measures being adopted at national and EU level on labour migration would be sufficient or which other tools could be considered. Echoing the opening speeches, the moderator highlighted four major elements to address: 1) aging demographics in Europe, 2) labour shortages, 3) the green transition, and 4) the digital transition, in a way that would be a “win-win-win” scenario (for EU Member States, countries of origin, and migrants themselves).

Nicolas Schmit (European Commissioner for Jobs and Social Rights (online intervention)) reiterated that the EU is facing labour shortages across various sectors, crucially also in those pivotal for the green and digital transition. He acknowledged that under-represented groups, encompassing women, disabled individuals, migrants, and others, needed to be taken more into consideration. The EU had focused on legal and strategic methods to compete effectively in the global race for talent. The Commissioner highlighted the EU Talent Pool initiative as an effort to ensure robust safeguards for equal treatment and fair working conditions. Confidence in the reliability of job-matching was deemed essential, with a commitment to prevent social dumping. He concluded by emphasising the importance of having a collaborative approach involving stakeholders from the private sector, public sector, and social enterprises, alongside governmental and civil society entities to address these challenges collectively.

Ylva Johansson (European Commissioner for Home Affairs) agreed with Commissioner Schmit on the importance of developing partnerships with countries of origin regarding training workers, and to facilitate matching between employers and employees, which is the main aim of the EU Talent Pool. The EU Talent Pool focused on a more strategic and more European approach to labour migration. She highlighted that its purpose is not to override the competence of EU Member States, but rather to work together at both national and EU level for a better overall outcome. She noted labour mobility is not new, thus the need for scaling-up initiatives for labour mobility should not be seen as a threat, rather that the importance migrants have in our economy today should be recognised. Protecting migrant workers from exploitation and irregular migration was a high priority for the European Commission which was working on different areas to this end. In parallel, the Commissioner stressed the importance of shifting the narrative on migrant workers from seeing them as unqualified labour force to talents and to ensure the same rights for everyone. The Commissioner also referred to the importance of the EU acquis on labour migration, notably in

ensuring equal treatment with EU citizens in certain areas and in protecting workers from exploitation. For example, the Seasonal Workers Directive² targeted an area where it was known workers are being exploited and the Single Permit Directive³ enabled people to have more time to find a new job if they had left an exploitative workplace. EU Member States were providing mentorship to support workers differentiate between the regular labour market and grey and black markets.⁴ Lastly, the Commissioner stated the importance of increasing swift returns for those who did not have the right to stay. She emphasised the link between increasing legal pathways and the fight against migrant smuggling in order to reduce irregular migration to Europe.

In response to a question from the audience on how to encourage EU Member States to participate in Talent Partnerships, the Commissioner encouraged EU Member States to participate, believing that as more Member States join, the more the benefits of such partnerships would become visible as an EU umbrella. In response to a question on how to protect smaller EU Member States from potential asymmetries in the Talent Pool, the Commissioner responded that she saw no disadvantage for smaller EU Member States as the Talent Pool depended on the active and voluntary participation of employers to fill the labour shortages present in any given country.

Isabel Castro (Spanish Secretary of State for Migration, Ministry of Inclusion, Social Security and Migration) highlighted how migration could be a solution not only by attracting highly qualified workers, but also those with medium to low qualifications. The normative situation of the last few years had meant a significant change on the promotion of legal migration and to establish more stability in circular migration. She stressed that slow bureaucratic processes needed to be revisited to make the processing of applications simpler, more effective and faster. Critically, an effort also needed to be made so that workers were informed of their rights, including the involvement of the private sector in this process. The irregular economy needed to be addressed to reduce the risk of labour exploitation both for the benefit of individual workers and the labour market as a whole. She agreed on the need to combat racism as a fundamental cornerstone of a democratic society.

Javier Moreno Sánchez (MEP, (S&D, Spain)), referred to the protests taking place at the time of the conference, showing political tensions were being reflected on the street. He emphasised that the rights of workers needed to be respected in integrating third-country nationals into society. He emphasised collaboration with third-country nationals, including ways to incentivise circular migration and ways for migrant workers to return to their country of origin to reduce the risk of brain drain. He noted that entire sections of the Directives were dedicated to the protection of workers from exploitation and the ongoing negotiations surrounding them. Cultural and linguistic integration, informing people of their rights, and employers' sanctions were all critical cornerstones. He emphasised the importance of increasing contact and exposure to different cultures in society in order to reduce the fear of differences. He also stated that it was critical for both workers and enterprises to be informed of EU level initiatives and how they worked; if they were not visible, they would not be used. From the perspective of enterprises, it needed to be clear if they could contract someone and how long it would take, noting that if the processes were too lengthy the need may no longer be there once they were completed.

² Directive (EU) 2014/36 of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers, <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1422353192491&uri=CELEX:32014L0036>, last accessed on 13 December 2023.

³ Directive (EU) 2011/98 of the European Parliament and of the Council of 13 December 2011 on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State, <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32011L0098>, last accessed on 13 December 2023.

⁴ More information on this is available in the EMN study on Attracting and protecting the rights of seasonal workers in the EU and the United Kingdom, 2020, https://home-affairs.ec.europa.eu/news/emn-study-attracting-and-protecting-rights-seasonal-workers-eu-and-united-kingdom-2020-12-08_en#:~:text=Seasonal%20workers%20mainly%20consist%20of,most%20frequent%20country%20of%20origin, last accessed on 13 December 2023.

Damian Boeselager (MEP, (Greens/EFA, Germany)), provided insights on how labour migration policy could help solve the issues the EU was facing, stating that the way labour migration is talked about, regulated, and implemented was of critical importance. He stressed that the debate on labour migration should be separated from the debate on asylum. He differentiated his approach from that of Commissioner Johansson by distinguishing the discourse around international protection as 'how can we help you' versus that of labour migration as 'how can you help us' while being mutually beneficial. Acknowledging the right to *seek* asylum and that safe, legal pathways are not always available, he noted that looking to reduce irregular migration may not necessarily reduce the number of irregularly staying migrants. Another point brought up by the MEP was the importance of national level implementation of EU Directives, seconding Javier Moreno Sánchez's point. He suggested that national ministries should view labour migration from an economic perspective, rather than focusing too heavily on controlling the process in fear that it would be abused. Even under the Trump administration, the United States was a more attractive destination for third-country national workers than the EU. He highlighted the EU Talent Pool, the Long-Term Resident Directive and the Blue Card Directive as tools that could support the EU to become more attractive. The implementation of processes related to labour migration has been marked by extended timelines and prolonged waiting periods, notably also in the context of family reunification. He agreed with Commissioner Johansson on the benefits of having a European approach to simplify processing procedures. He underscored that the migrant workers who were arriving were individuals deserving of care, emphasising the necessity to enhance the quality of services provided and to ensure a more dignified experience for them.

Birgit Ahrens (Senior Project Officer, Eurochambres) brought the perspective of social partners and the private sector into the debate and how they could be involved to support the creation and implementation of the proposed strategies. She began by providing information from an economic survey that Eurochambres runs every year. The survey for 2024 marked the 31st edition and gathered responses from more than 43 000 companies across Europe.⁵ Companies had indicated that labour costs and the lack of skilled workers were among their top concerns for next year. When 800 representatives from private enterprises were asked whether labour migration would help provide them with the talents they need, 88% had replied yes, signalling that companies were well aware they could not manage without migrant labour in the future. Small and medium-sized enterprises (SMEs) grappled more significantly with the challenges posed by labour shortages, as they needed to simultaneously strategize how to remain competitive in the market. Businesses expressed an interest in being part of the dialogue on discussions for onboarding third-country nationals into the workforce. Countries notably had diverse approaches for how to process skills qualifications; there was a collective call for more standardised and expedited procedures to alleviate unneeded complexities. She emphasised the need for a holistic integration process, comprising language learning, civic integration, and intercultural communication skills. She nominated the Archipelago Project⁶ as an example of strengthening vocational education and training (VET) programmes in countries of origin, where providing information on worker's rights was also critical as standard practices could vary greatly.

HIGH LEVEL SESSION 2: EXTERNAL DIMENSION OF LABOUR MIGRATION POLICIES – TOOL AND GOOD PRACTICES

Moderated by **Héctor Cebolla Boado** (Research Scientist at the Spanish Council for Scientific Research in Madrid), the panel discussed the Talent Partnerships that the European Commission initiated, with interested Member States and key partner countries to foster mutually advantageous

⁵ Ecochambres Economic Survey 2024 (EES2024) Report, 2023, <https://www.eurochambres.eu/publication/eurochambres-economic-survey-2024-ees2024-report/>, last accessed on 13 December 2023.

⁶ Archipelago, An African-European vocational training initiative https://international-partnerships.ec.europa.eu/policies/programming/projects/archipelago-african-european-vocational-training-initiative_en, last accessed on 13 December 2023.

mobility schemes, skills development and training. The discussion highlighted the significance of investing in skills development and training in third countries, to ensure that labour migration leads to brain gain for all parties.

Margaritis Schinas (Vice-President of the European Commission) addressed the key issues and good practices that would strengthen the external dimension of labour migration. Vice-President Schinas underscored the importance of responsibility and solidarity among Member States, stressing its relevance in addressing migration challenges collectively. He also mentioned the need for strategies to enhance the role of employers within cooperation partnerships with third countries, highlighting the potential of the EU Talent Pool to aid in job matching and the need for faster and better recognition of qualifications to avoid 'brain waste'. To this end, he urged employers to adopt a more proactive role in public debates advocating for policies that support orderly and legal mobility to help address EU labour shortages. Furthermore, he emphasised that employers should not stop at recruiting workers but also undertake the responsibility of training them to allow for re and up-skilling of EU labour force, inter alia through vocational training. Vice-President Schinas underscored the unprecedented availability of resources, particularly from the EU recovery and resilience funds, for upskilling purposes. He encouraged employers to utilise them, particularly for qualifications recognition, to ensure a well-equipped workforce. He emphasised the global race for talent, and that the EU is lagging behind countries like the USA, Canada, Australia and New Zealand; he stressed the need for stronger engagement from the EU in legal migration schemes and talent partnerships to attract talent before it was too late.

Ylva Johansson (European Commissioner for Home Affairs), when asked about the key elements to be considered when boosting Talent Partnerships and effective training of workers, stressed the importance of establishing partnerships based on trust and mutual benefit; she highlighted the importance of bilateral schemes which can be complemented and reinforced by the Talent Partnership umbrella at the EU level. For Commissioner Johansson, these partnerships should aim to attract individuals from third countries in a legal and safe manner, to prevent exploitation in the labour market in receiving countries; she provided the example of how the partnership with Tunisia had been helpful in combatting migrant smuggling. Providing comprehensive training opportunities on a large scale is critical. When asked about the possible ways to strengthen the role of employers within cooperation schemes, she stressed the need for employers to step up their engagement and the need to streamline bureaucratic procedures for them to manage talent mobility efficiently alongside their business operations. Commissioner Johansson also suggested encouraging employers to broaden their perspectives when reviewing qualifications and not focus solely on competitors' strategies, with a view to achieving adequate matching between employer needs and candidate skills.

Sarahí Cerna (Honduran Minister of Labour and Social Security) stated that the current government in Honduras was actively supporting the enhancement of regular and safe migration practices, in line with the main points discussed throughout the panel. Regarding the best way to strengthen the role of employers to foster sound labour migration, Minister Saharí Cerna placed the emphasis on their fundamental role as sponsors of migration, aiding individuals in acquiring skills to be sent abroad upon request from foreign countries. He identified language barriers as the primary challenge for employers, although she highlighted efforts were underway to train and qualify their workforce. However, Minister Saharí Cerna also raised concerns about the numerous requirements imposed by employers, which she identified as potential hindrances in facilitating labour migration.

Younes Sekkouri (Moroccan Minister for Economic Inclusion, Small Business, Employment and Skills) opened his intervention addressing a shift in perspective among origin countries, focusing on

the external dimension of migration to tackle their internal economic challenges. He highlighted the need to scale up Talent Partnerships and for policies benefiting destination and origin countries, as well as individuals themselves and investment in capacity building projects, to ensure success in labour migration strategies. He also pointed to the need to consider the entire process and what could be guaranteed for workers, not only employment per se. Housing, for instance, is also an essential component to consider when planning. Regarding the possible strategies to strengthen the role of employers within cooperation partnerships and leveraging the EU Talent Pool, Minister Younes Sekkouri highlighted two potential directions: 1) employers could either bear high costs to retain talent that are important to its core business, and release the other workers who are not essential, or 2) employers can look to acquire talent only when necessary based on the dynamics of the market, potentially looking for workers who have been trained by competitors. He stressed the importance for governments to establish a framework to address the needs of employers where there is a good balance and communication structure between the micro-level of employers, the intermediate level of professional groups of employers, and the macro level of government. He suggested this would support employers better understand where it is crucial to invest. He also suggested considering companies' financial capacity and acknowledged that talent attraction is costly.

Imran Ahmad (Minister of Expatriates' Welfare and Overseas Employment of Bangladesh), in response to the leading question of the debate regarding possible methods to bolster the role of employers within cooperation partnerships, made a reference to the EU's bilateral agreements with sending countries, emphasising the necessity for employers to guarantee the recognition of qualifications and experience. Minister Imran Ahmad also noted divergent requirements between sending and receiving countries as possible factors that could hinder mobility. He also insisted on the need to articulate the EU's competency standards to encourage third countries to align needs more adequately, and stressed the need to work on improving recognition of prior learning. An example cited was the positive cooperation highlighted in the Memorandum of Understanding (MOU) with Greece. During his intervention, Bangladeshi Minister Imran Ahmad highlighted that migrants bear significant labour market access costs. He also mentioned the importance of remittances received after workers have migrated abroad.

Isabel Castro, (Spanish Secretary of State for Migration, Ministry of Inclusion, Social Security and Migration), strongly emphasised the need to promote dialogue that is inclusive of the needs of origin, transit, and destination countries and effective practices to enhance the external dimension of labour migration policies. At the same time, she elaborated on the need to strengthen the market between the EU and third countries for the external dimension. She acknowledged the catalogue of hard-to-fill occupations, drawn up by employers and unions, which had been opened up to new jobs. The regulations in Spain had improved the national labour market situation and the priority was to continue making progress in this field. Regarding the role of employers being strengthened within cooperation partnerships, Isabel Castro placed the emphasis on how the labour market directly defined employers' specific needs. She highlighted that translating these needs from macro to micro levels was crucial, underlining that without the commitment of businesses in addressing political migration priorities, progress in this realm would be unattainable.

Zulfiqar Haider (Federal Secretary Ministry of Overseas Pakistanis and Human Resource Development), in response to inquiries on how to boost Talent Partnerships and the effective training of workers, highlighted the challenge of the inability to effectively connect professionals from Pakistan with external job markets. He placed emphasis on the necessity to bridge this gap, expressing concerns over the lack of significant progress in this endeavour. He directly addressed the need to capitalise on strengths and suggested to establish skill accreditation centres and to rationalise policies in collaboration with the EU, drawing insights from accreditation systems in

other Asian countries for learning opportunities. Regarding the possibilities for strengthening the role of employers in cooperation schemes, he identified three primary stakeholders from the perspective of sending countries: governments, employers, and employees. He nominated the ILO model as an example of multistakeholder collaboration. He acknowledged a willingness to build upon best practices, particularly stressing the need to understand the employer's perspective as they were pivotal catalysts for labour migration.

Mounir Ben Rjiba (Secretary of State for Tunisian Foreign Affairs, Migration and Tunisians Abroad Ministry) highlighted Tunisia's extensive experience in external migration and collaboration with the EU in legal migration since the 1980s, advocating for various perspectives on labour migration. He expressed his willingness to continue promoting legal migration for young skilled migrants to several European countries and referenced specific Talent Partnership projects that have facilitated Tunisian workers' employment in EU countries (e.g. Germany, France, and Italy). Additionally, he noted Tunisia's ongoing efforts and strong commitment to combat irregular migration by facilitating legal migration, particularly highlighting the strategic partnership with the EU reflected in the Memorandum of Understanding (MOU). Regarding the effective involvement of employers in ensuring suitable matching between their needs and candidates' skills, he placed emphasis on the necessity for business competitiveness and fostering durable partnerships between public-private entities, organisations, and educational institutions that are mutually beneficial. He also mentioned the importance of finding a balance approach to avoid brain drain.

Ambassador Naela Gabr (Egyptian Chair of the National Coordinating Committee for Combatting and Preventing Illegal Migration and Trafficking in Persons) elaborated on Egypt's involvement in fostering legal migration by promoting the training of youth to partake in labour opportunities. Emphasising migration grounded in solid qualifications and skills, she stressed the need for both origin and destination countries to benefit. She underscored the need for cooperation initiatives to identify origin countries' needs, providing comprehensive data on overseas job opportunities and advocating a pragmatic approach for sending skilled workers abroad through tailored training aligned with destination countries' requirements. She also expressed Egypt's openness to private sector proposals while emphasising the importance of government support for local worker training.

HIGH LEVEL SESSION 3: COMPLEMENTARY LABOUR PATHWAYS

Moderated by **Amparo González Ferrer** (Spanish Deputy Director General for Migration Analysis, Ministry of Inclusion, Social Security and Migration) highlighted the importance of complementary labour pathways in providing ways for refugees to find protection as well as employments and opportunities for training. Insights from a variety of stakeholders had showed the benefits of using complementary labour pathways and how they could be implemented in practice.

José Luis Escrivá Belmonte (Spanish Minister of Inclusion, Social Security and Migration) discussed significant changes Spain had undergone in the last three years in its legal migration framework, focusing on legal pathways to address labour shortages, benefit countries of origin, and counter irregular migration. Notably, Spain has been a global leader in creating a framework for digital nomads and had successfully implemented the Blue Card Directive. Circular migration, especially for seasonal work, had been prioritised, allowing extended stays and creating incentives for return. Legislative measures for the resettlement of refugees had surpassed quotas when refugees could fill gaps in the labour market. Spain engaged at EU level, advocating for third-country nationals to accumulate stay periods in order to qualify for long-term residence status. Spain has been involved in partnerships with the USA, UNHCR, and IOM that included the creation of safe mobility offices in Latin America, focusing on settlement with job opportunities. The influx of 200 000 Ukrainians to Spain highlighted the challenges third-country nationals faced when they arrived, including language barriers, qualification recognition, and labour market matching. It had

emphasised the need for digital solutions and public-private partnerships, particularly for SMEs. Spain recognised the importance of preparation in the sending country for successful labour migration programmes, which necessitated the involvement of international organisations and capacity building programmes. Despite these efforts, communication strategies and resource allocation needed to be improved to combat negative narratives on migration and to emphasise the benefits of migration. He concluded by highlighting that private sector engagement is crucial, urging companies to adopt a long-term perspective, invest in training, and systematically integrate refugees into the workforce, acknowledging the current and future need to address labour market shortages.

Uzra Zeya (Under Secretary of State for Civilian Security, Democracy, and Human Rights, USA) discussed how the United States has been promoting labour pathways through safe mobility offices. Under President Biden's administration, the USA had initiated its largest safe mobility initiative, although she stressed the necessity for collaborative efforts between countries. Safe mobility offices were being established in various Latin American and Caribbean (LAC) countries, reflecting a joint partnership between nations and UN agencies. This collective approach was deemed essential not only to address shared migration and displacement challenges but also to fulfil domestic objectives, promoting prosperity for the USA population. The collaboration extended to Canada, where joint efforts on private sponsorship had resulted in the establishment of Welcome Corps,⁷ aiming to settle over 100 000 refugees and leverage best practices. A dedicated labour market strand, known as Welcome Corps at Work, was being developed, emphasising the integration of labour pathways into ethical recruitment programmes. Efforts were underway to secure financing for host countries from the private sector, underscoring a commitment to a comprehensive and sustainable approach to refugee resettlement. Regarding complementary legal pathways, she highlighted the importance of being creative with tools that already exist. Research showed that refugees and other persons benefitting from international protection had improved businesses; investment in seasonal and circular visa programmes had also been seen to be beneficial.

Amy Pope (Director General, International Organization for Migration (IOM)) opened by stating that refugee resettlement pathways should not be affected by complementary labour pathways. However, she also acknowledged that a considerable number of individuals would not be covered by the Geneva Convention but would be extremely vulnerable, particularly due to factors like climate change. Global estimates indicate that over 300 million people reside in areas that are or will be heavily affected by climate challenges. The imperative for such pathways was underscored by their potential to aid those who may not possess high or medium skills. The innovative approach of safe mobility offices, such as Welcome Corps, was particularly promising, as these proactive initiatives delved into the informal skills of target groups. Yet, she acknowledged that the identification of these vulnerable groups would be very complex, emphasising the work on this that lay ahead. Options for regular pathways needed to be expanded so that journeys become less dangerous; the entire journey needed to be taken into consideration when developing solutions, not just upon migrants' arrival to Europe. Partnerships with third countries could help prevent people from winding up in the hands of smugglers.

Gillian Triggs (Assistant High Commissioner for Protection, Office of the UN High Commissioner for Refugees (UNHCR)) presented the need to find innovative and durable solutions in light of the escalating numbers of displaced persons and refugees. While UNHCR took the lead in resettlement, overall numbers remain low. A promising avenue was labour complementarity, particularly for individuals who could not return to their home country and did not meet the criteria for traditional resettlement. This approach targeted a distinct profile of refugees, primarily those of working age with a keen interest in employment. There was a notable shift in the narrative, recognising the demand for young and energetic labour in recipient countries. The key, she said, lay in effective

⁷ Welcome Corps website, <https://welcomecorps.org/>, last accessed on 13 December 2023.

matching. UNHCR worked to support the assessment and improvement of skills, but successful integration depended on aligning these skills with the specific needs of the recipient countries. She noted the importance of understanding how complementary labour pathways were experienced, highlighting that they should be assessed looking at the entire journey. The protection needs for human beings were often the same whether they had fled climate change or war, which needed to be acknowledged and would require a multi-stakeholder approach to provide the support needed.

The moderated discussion that followed involved the perspective of enterprises as well as a beneficiary of the Spanish reception system.

Virginia Garrido (Country, People & Culture manager of IKEA Ibérica) provided the experience of IKEA, highlighting how working with refugees had been beneficial, and emphasised their resilience and optimism. IKEA had collaborated with UNHCR to build a strategic plan to finance training positions for individuals joining IKEA's workforce. As part of their comprehensive approach, they organise meetings in cafes to facilitate interactions between employees and refugees, fostering language learning and mutual understanding. Moreover, refugees are given priority access to employment positions within the company. Another crucial element of their initiative involved reshaping the narrative surrounding refugees, aiming to communicate positive outcomes more broadly. This commitment extended to a desire to showcase the effectiveness of their approach to other companies, promoting a model that not only integrated refugees into the workforce but also actively engaged with and supported them in the various facets of their professional journey.

Saharu Cisse (Refugee beneficiary of the Spanish reception system) provided first-hand experience as someone who received training in a reception centre in Spain and found employment. The company he worked for provided substantial support and follow-up with him which he found to be very helpful. He recalled the long waiting times during the asylum procedures when he could not do much. While waiting for a decision, many practical matters were difficult, such as opening a bank account or finding a rental apartment. There were additional courses available to him, including now that he had been employed, although time constraints limited his ability to participate. He outlined the long, arduous and perilous journey to Spain and recalled some of the people he had travelled with. If he had had the option to change something about his journey, he would have preferred to be able to arrive directly in Spain. His experience presented the multifaceted challenges individuals face during the asylum-seeking procedure.

OPENING REMARKS FOR THE EXPERT SESSIONS ON DAY 2:

Michael Shotter (Director of Migration and Asylum, Directorate-General for Migration and Home Affairs, European Commission) thanked colleagues from EMN Spain and the Spanish Ministry for the organisation of the conference and high-level discussions. Reflecting on conclusions from the first day, he emphasised the need for all relevant stakeholders to collaborate in Talent Partnerships and the need to invest in legal pathways. He also took a moment to celebrate the EU Talent Pool. Zooming in on particular sectors and long-term outlooks, he noted the urgency with which the EU would need to meet its growing domestic needs. Lastly, he announced that the European Commission was conducting a feasibility study on how to attract foreign workers to work in the long-term care sector.

Santiago Yerga (the Spanish General Director of Migration at the Ministry of Inclusion, Social Security and Migration, Spain) remarked that the topic of labour migration was an interesting one for the future of the EU. He noted the need to create coherence throughout legal and policy proposals across EU Member States, in view of supporting regular, orderly and humane migration. He echoed statements from previous speakers in stating the need to change how migration is viewed and discussed, advocating for a perspective that views it as an opportunity rather than a threat. He stated how Spain's reforms had provided an example of strong and positive changes in

their national labour market. Additionally, he underscored the potential of circular migration schemes not only leveraging learned skills but also in contributing to the development of countries of origin. This perspective reinforced the broader discourse on migration as a dynamic force for positive change that is mutually beneficial.

EXPERT SESSION 1: PROGRESS, ACHIEVEMENTS, AND BEST PRACTICES ON LABOUR MIGRATION POLICIES

Moderated by **Blanca Breñosa Sáez de Ibarra** (Spanish Deputy Head of Legal Affairs Unit, Ministry of Inclusion, Social Security and Migration), the panel addressed regulatory frameworks and current reforms from a technical point of view. The aim was to identify good practices and analyse lessons learnt.

Anita Vella (Head of Unit, Legal Pathways and Integration, Directorate-General for Migration and Home Affairs, European Commission) opened the floor by sharing developments on the Skills and Talent Package, notably the EU Talent Pool, the Single Permit Directive and Long-term Residents recasts, and Talent Partnerships. She noted that the results of the Skills and Talent Package would start to be seen in the coming months and outlining the legal basis of the EU Talent Pool, which aimed to match employers with migrant workers, serving as a starting point for information on qualifications' recognition. She also shared the progress made in talent partnerships with Bangladesh and Pakistan and in other plans aimed at streamlining the matching process between potential vacancies and third countries' assets. Additionally, she referred to the newly launched Labour Migration Platform, which united employment and migration authorities to address different labour migration topics, notably labour shortages, seasonal workers, EU Talent Pool – the further advancement of such joint work and coordination will be key to the successful implementation of the EU Talent Pool in the future.

Sónia Pereira's (Portuguese Board Direction Member of the Agency for Integration, Migration and Asylum (AIMA)) intervention focused on Portugal's recent reforms in the immigration institutional frameworks. She highlighted two important changes that have been implemented in Portugal regarding immigration: on the one hand, new legislation has been adopted, and on the other hand, a new institutional framework has been established, both of which are related to Portugal's commitment to safe, regular and orderly migration. Legislative changes regarding immigration law include the creation of a visa for job searching, with a validity of 120 days (extendable for an additional 60 days) that includes the commitment of an applicant to register with a national public employment service, a special focus on migrants from Portuguese speaking countries (also known as the CPLP Community), and bilateral labour agreements with India and Morocco. Regarding structural changes, she explained that the reform of the Foreigners and Borders Service ("SEF") separated 1) security matters that are now assigned to the police force and 2) administrative procedures regarding asylum and integration matters that are handled by the newly established Migration Agency, with the understanding that integration begins with documentation. A digital transformation is foreseen in its future evolution. To Sónia Pereira, the revised integration approach would aim for greater transversal involvement, fostering inter-ministerial alliances and improved coordination among various government bodies, local municipalities, and civil society organisations.

Ainara Dorremochea (Spanish Head of Legal Affairs Unit, Ministry of Inclusion, Social Security and Migration) discussed reforms that had been undertaken in Spain regarding two distinct regimes in migration: 1) a general regime that included students, low to mid-level workers, and family reunification, and 2) a special regime that focused on highly qualified workers, enhancing talent attraction in direct collaboration with companies and professionals. Spanish Head of Legal Affairs Unit, Ainara Dorremochea highlighted that these reforms were strategically designed to better address labour shortages and align with the current national demographic situation. In this regard,

plans to transpose the Blue Card Directive aimed to harmonise both regimes rather than create competition between them. She also stated how certain modifications had been made to residence permit validity and conditions to suit the present times. Ainara Dorremocha reported that, regarding circular migration, Spain was looking to extend work permits, exemplified through collaborative efforts with Morocco. Additionally, she presented a forthcoming Digital Nomads Law, effective from January 2024, that would cater to remote workers post-pandemic. She emphasised that all authorities needed to be included from the beginning, from different ministries as well as public companies, and that listening to one another would be critical in identifying problems and finding solutions.

Jean-Christophe Dumont (Head of the International Migration Division in the Directorate for Employment, Labour and Social Affairs, Organisation for Economic Cooperation and Development (OECD)) began by stating how all countries were dealing with similar issues on labour shortages and emphasised the need to invest in updated data that was needed for policy evaluations. He then addressed the impact of new digital and green transitions on job profiles and skills, stressing the need for an innovative approach rather than just from a legal perspective. Highlighting ongoing transversal approaches in countries like Italy, the Czech Republic, Germany or France, Jean-Christophe Dumont emphasised the necessity for evaluations to align needs. Labour requirements also needed to match available skills, including soft skills such as those required for positions in the long-term care sector that are harder to quantify. He advocated for adapting labour migration to artificial intelligence (AI)-powered recruitment systems and mitigating risks in talent partnerships through closer engagement with employers, emphasising the importance of understanding their business models for rebuilding trust. Jean-Christophe Dumont suggested a new approach to look at migration as an economic strategy that would involve both attracting and retaining talent in the short and long term. He underscored the importance of cooperation across stakeholders in identifying needs and developing solutions that should include state governments, individual employers and industries, as well as trade unions. He provided concrete examples from New Zealand and Canada on how these could be applied in practice. Additionally, he highlighted the significance of Skills Mobility Partnerships, urging a focus on what employers gain to promote labour migration mobility, while acknowledging the lack of data as a potential barrier to effective exchange.

Martina Huber (Representative from the European Union Agency for Fundamental Rights (FRA)) presented outcomes from a report recently published by FRA,⁸ which not only showed that long-term residence statuses reduced the risk of labour exploitation, but it also showed how they can attract migrants with a wider set of skills. FRA's representative Martina Huber stressed that initiatives aimed to enhance administrative transparency in permit granting would be welcomed. However, concerns still persisted regarding the inefficiency of recognising qualifications, which was identified by her as a continuing barrier. When queried about strategies to promote integration, Martina Huber highlighted the significance of implementing existing measures, particularly emphasizing the pivotal role of long-term residence due to its broader access to social rights. Martina also stated how FRA's integration efforts involve cooperation across various levels, acknowledging temporary status as a challenge. She flagged that research done on temporary protection proved that qualification recognition mechanisms can be improved, including the recognition of practical skills and increasing the provision of information available for job seekers and employers.

⁸ European Union Agency for Fundamental Rights (FRA), 'Improving migrant integration through stronger EU laws', 2023, <https://fra.europa.eu/en/news/2023/improving-migrant-integration-through-stronger-eu-laws>, last accessed 13 December 2023.

EXPERT SESSION 2: A SECTOR-WIDE VISION: LONG-TERM CARE, TRANSPORT AND CONSTRUCTION SECTORS

Moderated by **Christophe Van Hemelryck** (Policy Officer, EMN Belgium), the panel analysed examples from specific sectors where vacancies in the coming years are foreseen. He referenced the European Commission's Employment and Social Developments (ESDE) 2023 report on addressing labour shortages and skills gaps in the EU and reflected on the resilience of EU labour markets.⁹ The moderator outlined the future outlook within the long-term care, transport, and construction sectors with their respective projected labour shortages, job creation prospects, and anticipated demand.

Aude Boisseuil (General Delegate, European Federation for Family Employment & Home Care (EFFE)) provided insights on the long-term care sector, highlighting challenges that arose from it being a largely de-regulated sector. Some 2.6 million workers in the long-term care sector were employed directly by families, where approximately 91% of the workers were women, many of whom were above 50 years of age. She highlighted three major challenges in the sector: 1) the social tolerance and acceptance of not declaring such work is an obstacle also in terms of skills recognition; 2) affordability has become difficult to ensure for families, particularly given that higher prices for such services directly impacted the most precarious families in Europe; and 3) social dialogue remained blocked while it could be a main avenue to make the sector more attractive by recognising the skills needed for homecare jobs. She noted that work on this sector should not only focus on attracting foreign workers to fill labour needs, but towards regularising those who are already in Europe. She highlighted the Single Permit Directive as a measure that could protect workers from abusive situations by making it easier to change employer. While the sector is important, it remains relatively in the dark due to large amounts of undeclared work.

Marina del Corral (General Director of CEAPs (Business Circle of Personal Care)) elaborated on the long-term care sector situation, specially within Spain's national context. About 20% of the population in Spain is above 65 years of age, with an increasing request from elders to maintain their personal autonomy for as long as possible. The understandable desire for people to stay in their homes as long as possible emphasised the persistence of shortages in this field and the need for qualified labour to fill the labour gaps. The Baby Boomer generation going into retirement and the care needed is a topic being addressed all over the world.

Ignacio Pérez-Carasa (General Director for International Relations from ALSA company) provided the point of view of the transport sector in Spain, giving concrete statistics on the decrease in bus-driver licenses over the course of the past five years by about 7 000. Considering how many drivers there currently were, how many were projected to leave, and how many were projected to join over the next ten years, an estimated 160 000 drivers were foreseen to be missing. The sector was looking at how to incorporate younger workers into the industry. He noted that despite the Talent Partnership Spain had with Morocco, there were no Moroccan drivers in the sector. He announced that a pilot project would take place for bringing migrant workers into the transport industry, where seven workers from Morocco would be brought to Spain. As the licences in Morocco are not valid in Spain, there was a need for a period of recognition and revaluation through theoretical and practical exams, highlighting issues around qualification recognition that could be made more efficient. However, unlike the long-term care sector, the transport sector is not precarious; in Spain, the salaries are regulated by unions and also applied to third-country national workers, with an average salary of € 25 000 per year. The main barriers to getting a job in the transport sector were being granted a work permit, obtaining a valid driver's licence, and Certificate of Professional Competence (CPC) regulations.

⁹ European Commission, 'Employment and Social Developments (ESDE) 2023', <https://ec.europa.eu/social/main.jsp?catId=738&langId=en&pubId=8553&furtherPubs=yes>, last accessed 13 December 2023.

Florian Micco (Project Manager, Certification & Standards from International Road Transport (IRU)) emphasised that the trucking industry is grappling with a shortage of drivers, exacerbated by an aging workforce approaching retirement. Preparation for the impending gaps would require skills gained not only through training but also through experience. Despite the sector often being perceived negatively, he underscored the complexity of soft skills required, as drivers are exposed to stressful conditions such as dealing with traffic, the pressure to deliver on time, and being responsible for the lives of those onboard the vehicle. Prompted by projections that indicated a future increase in demand for drivers, he suggested a need to reshape the sector's image to highlight skill and expertise, challenging existing stereotypes. He outlined several strategies that could be taken on board to address the labour shortages: the driving age could be lowered to attract younger workers (e.g. the current age is 21 in most EU Member States and could be lowered to 18 years of age); conditions for drivers could be enhanced (e.g. through the improved quality of highways); and compliance with CPC regulations could be facilitated. He elaborated on the last point, emphasising that it needed to be made easier and clearer to companies how they can identify the right workers, particularly since companies expressed willingness to invest in training programmes for their employees. He called for a shift in mindset regarding visa permit regulations, viewing migration not only as a past practice but as an opportunity and long-term strategy. Acknowledging the significant role that road transport played in the economy, he suggested there should be a push to stabilise the profession and support the integration of newcomers into society. Overall, the discussion underscored the potential of migration as an opportunity and leverage, particularly when viewed from the employer's perspective within the context of the road transport industry.

Massimiliano Musmeci (General Director for the Italian Construction Sector Association (ANCE)) provided a concrete example of how employers are acting to fill labour shortages they are facing in the construction sector in Italy. He outlined three projects that were being conducted in Italy. Initiatives involved introducing sector-specific programmes in schools to familiarise students with potential careers, training and the re-integration of prisoners. Around 100 schools were cooperating with trade unions to provide the trainings. This proactive approach aimed to generate early interest and awareness among students about the sector. Secondly, a project specifically tailored to refugees had been initiated by the Ministry of Labour and the Ministry of Interior together with trade unions to provide refugees with the possibility to attend Italian vocation and educational training (VET) programmes. The programme was originally established for unaccompanied minors, with the first results announced in September 2023; out of around 600 participants who had completed the training, 260 had already found employment. Thirdly, he outlined an ongoing project with UNHCR. A new law in Italy allowed employer associations to carry out linguistic and civic training programmes in countries of origin together with experts from the sector to provide training. An agreement with Tunisia, signed in October 2023, exemplified this approach. The collaboration with the Ministry of Labour and other entities aimed to recruit 80 young individuals with a VET degree in construction and at least one year of working experience. From the 2 000 candidates, 40 would be selected for language and cultural courses specific to the sector, directly connecting them with companies and providing financial support in collaboration with the IOM. He highlighted that 'situational Italian' language skills were taught to speed up integration on the job. Additionally, he pointed to the International Academy of Construction Lawyers (IACL)¹⁰ that facilitated the exchange of information within the construction sector to foster productive partnerships. These multifaceted projects showcased Italy's commitment to addressing diverse aspects of labour market integration through proactive education and multistakeholder collaboration.

CLOSING OF THE CONFERENCE

Carlos Mora (Spanish General Director of Humanitarian Attention and Social Inclusion of Migration) expressed gratitude to the organisers, moderators, speakers, technical staff and the

¹⁰ International Academy of Construction Lawyers (IACL) webpage, <https://iint-acl.org/>, last accessed 13 December 2023.

Spanish Ministry for their participation in the conference and their dedicated work on legal migration towards securing the future of the EU. He highlighted the importance of dialogue, inclusion, and strengthening the social safety net in addressing labour shortages in the EU. Acknowledging the need to mobilise talent, the European Commission presented initiatives on talent partnerships and legal migration to enhance the EU's appeal for foreign professionals. Emphasis was placed on promoting skill recognition, involving third countries in training schemes, ensuring safe working conditions, and addressing undeclared work to attract workers with diverse skills and talents, as well as to promote regular, orderly and humane migration. He cited IKEA's employment of refugees as an exemplary model for mobilising and structuring labour migration schemes within companies. Underlining the economic necessity of considering migration to address future labour gaps, the call was made to view migration as an opportunity to create wealth in Europe, particularly focusing on the main sectors covered throughout the conference. Talent Partnerships were highlighted as crucial for realising and strengthening collaborations that enable countries to address their labour needs effectively, concretely stressing the financial support and the improvement of training in third countries. He urged everyone to be mindful of evolving regulations and emphasised the potential to advance efforts in making Europe more attractive to foreign workers. The changing legal landscape provided an opportunity to refine strategies and policies, ultimately contributing to the region's ability to attract and retain diverse talents.

KEY TAKEAWAYS

- Aging demographics, labour shortages, the green transition and the digital transition are four key elements to consider in finding “win-win-win” scenarios regarding labour migration.
- All relevant stakeholders need to be engaged in building solutions from the beginning, including EU institutions, national governments, countries of origin, the private sector, trade unions, civil society and migrants.
- Some speakers emphasised that the fight against migrant smuggling should include increasing legal pathways and partnerships with third countries, while others urged that the discourses on labour migration and international protection should be kept separate since the motivations and processes for moving are fundamentally different.
- There was agreement on the need for a more European approach to unify legal and policy instruments across EU Member States, to inform workers of their rights, to inform employers of available options and to simplify procedures.
- A long-term perspective should be taken and investment should be made in capacity building, digital solutions, obtaining data for policy evaluation and updating labour shortage occupation lists.
- Speakers urged for a shift in discourse on migration to view it as a dynamic force for positive change rather than an obstacle, to view migration policy as more integrally linked with economic policy, and to change negative stereotypes on jobs where labour shortages are foreseen.
- EU-level policy tools and frameworks that were in the spotlight included:
 - EU Talent Pool
 - Talent Partnerships
 - Blue Card Directive
 - Single Permit Directive recast
 - Long-Term Resident Directive recast
 - Labour Migration Platform
- Recordings from the conference can be found [here](#).