

Designing legal pathways into Sweden Opportunities, challenges and added value

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Europe is grappling with ageing populations, declining birth rates and growing labour shortages, and immigration could play an important role in addressing these structural challenges. At the same time, many people who seek better opportunities abroad, or who are forced to flee, struggle to access safe and legal pathways because of restrictive immigration rules and asylum policies focused on deterrence in many destination countries. This raises the question of whether current immigration frameworks in European countries are fit for purpose.

Drawing on the interdisciplinary socio-legal study *Designing Legal Pathways into Sweden: Opportunities, Challenges and Added Value*, this Policy Brief uses Sweden as a case study to examine how new safe and legal pathways for refugees and other migrants could be designed and implemented. Such pathways could help to meet labour market needs, expand education-linked mobility that contributes to skills supply, and support broader demographic goals, while simultaneously contributing to solutions for people in need of protection and providing refugees and migrants with safe alternatives to risky and irregular travel. The study's main conclusion is that Sweden would benefit from reducing barriers within its immigration system and from piloting new legal migration programmes and complementary pathways for refugees, which could be gradually adjusted and scaled over time.

Background and Purpose

In 2016, the New York Declaration, adopted by the United Nations General Assembly in response to growing movements of migrants and refugees worldwide, initiated a process that resulted in the adoption of the Global Compact on Refugees (GCR) and the Global Compact for Safe, Orderly and Regular Migration (GCM) in 2018. The Declaration acknowledged that, although refugees and migrants fall under different legal frameworks, they share universal human rights and similar vulnerabilities, as they often move together within mixed migration flows.

In line with this, both Compacts call for the expansion of legal pathways to admission as part of national immigration legislation, including migration for work and study purposes. While the GCR promotes 'complementary pathways' for people in need of protection, the GCM focuses on regular migration routes for migrants. Yet scholars have argued that measures under the GCM could also support asylum seekers and refugees (Costello 2019). Developing legal pathways to Europe for both people in need of protection and migrants with skills in demand is also among the aims of the EU's New Pact on Migration and Asylum (EC 2020).

The rationale for expanding legal pathways lies at the intersection of migration and asylum policy. Europe is facing significant demographic pressures, including an ageing population that is declining in many places, alongside severe labour shortages across all skill levels. Migration is widely regarded as essential to mitigating these trends, even though it cannot reverse population decline in the long term. Consequently, many European states are seeking to attract foreign workers and international students. At the same time, the number of people displaced by conflict, persecution and human rights violations continues to rise, reaching more than 123 million in 2024 (UNHCR, 2025), while access to territorial asylum and durable solutions, such as voluntary return, local integration and refugee resettlement, has become increasingly limited.

Sweden has supported the Global Compacts and has a long history of receiving migrants and assisting people in need of protection, which it can build on. It also faces domestic challenges, rooted in demographic trends and labour shortages, suggesting that new legal migration and complementary pathways would be beneficial. Against this background, this Policy Brief, together with the accompanying Delmi study, aims to address the question of

how Sweden could design and implement new pathways for refugees and migrants, that is, people with and without recognised grounds for protection, in order to achieve several objectives: meeting labour market needs; creating education opportunities that contribute to skills supply; addressing demographic challenges; and finding solutions for people in need of protection.

Previous Research

This Policy Brief and the study underpinning it engage with two main bodies of literature in order to address the research question: studies examining the notion of 'mixed migration' and the 'asylum–migration nexus', and scholarly work on complementary pathways.

Mixed migration

The term 'mixed migration' was introduced by the United Nations High Commissioner for Refugees (UNHCR) in the early 2000s in the context of rising numbers of people migrating irregularly and of public debates on irregular migration, border security and asylum (Kraler and Hendow 2024). The International Organization for Migration (IOM) defines mixed migration as 'complex population movements including refugees, asylum seekers, economic migrants and other migrants'. The main characteristics of mixed migration include 'the irregular nature of and the multiplicity of factors driving such movements, and the differentiated needs and profiles of the persons involved' (IOM 2008).

Long (2015) has argued that mixed migration flows often defy attempts to separate 'refugees' from 'migrants'. Refugees flee because of persecution, but they may also be affected by poverty and economic hardship. Similarly, while migrants may not qualify for protection as refugees, they may nonetheless be seeking to escape violence or oppression. Consequently, protection-related circumstances can overlap with other drivers of migration, an intersection commonly referred to as the 'asylum–migration nexus', which together can shape a person's decision to migrate (Castles 2003; Oelgemöller 2021).

Complementary pathways

To respond to mixed migration challenges, the UNHCR is promoting a 'route-based approach' that seeks to engage states worldwide in ensuring international protection for refugees, while upholding rights and creating

opportunities also for migrants along key routes (UNHCR 2024). One of the solutions within this approach is the establishment of additional legal pathways for refugees, referred to as 'complementary pathways' in the GCR. These pathways must complement, but cannot replace, access to asylum and resettlement, which remains the traditional instrument for transferring refugees from first countries of asylum to other host countries.

Since the number of resettlement places offered by states falls far short of the needs identified by the UNHCR, this has led to the promotion of additional pathways. These include humanitarian admission and community sponsorship for refugees, which relies on the support of local communities in host countries to facilitate refugees' integration, as well as complementary pathways that could be developed on the basis of existing immigration channels, such as work, education and family reunification, by removing obstacles that currently render them inaccessible to people in need of protection.

Because complementary pathways remain an emerging area of academic inquiry, the literature is dominated by policy-oriented reports produced by international organisations, NGOs and think tanks. While academic research in this field is growing, it remains limited. This Policy Brief and the accompanying study therefore draw primarily on the authors' previous work on Sweden, including Parusel (2020) and Vankova (2022a/b; 2024).

Methodology

The report that underlies this Policy Brief comprises qualitative desk research, specifically a review of the extant literature on managed migration, legal pathways and complementary pathways. The project also entailed the analysis of international, EU and Swedish legal and policy documents, including government bills and the legislative history behind the relevant legislation. Moreover, the utilisation of administrative statistics from government agencies is also evident.

Furthermore, the authors conducted fifteen semi-structured interviews with experts, stakeholders and practitioners in Sweden and abroad, who were identified as relevant to the design, development and implementation of legal pathways. The interviewees were involved in the development of labour immigration policies, or had practical experience with the immigration

process, the recruitment of foreign workers, students and researchers, the recognition of qualifications, and admission programmes for people in need of protection. The interviewees also included researchers and experts from employer organisations and trade unions. The interviews were conducted digitally between June and November 2025 using a standardised questionnaire that was adapted to the individual interviewed in each case.

Demographic trends, labour market needs and immigration in Sweden

Recent years have seen a decline in the rate of population growth in Sweden. The demographic shift towards an ageing population, coupled with declining fertility rates and reduced immigration, is already precipitating population decline in certain regions. Should these trends persist or intensify, Sweden may face a nationwide decline in population, with profound ramifications for labour supply, the financing of the welfare system, and other fundamental state functions. It is evident that immigration is becoming increasingly significant.

Labour shortages in Sweden are already evident across multiple sectors and occupations, not least in the healthcare sector, the construction industry, engineering, and professions with technical specialisations. Despite the fact that labour demand is subject to fluctuations in accordance with economic cycles, it is inevitable that certain regions will encounter acute shortages. Some vacancies could in theory be filled by groups with higher unemployment rates, such as young people and foreign-born women. However, it is improbable that all unemployed individuals can be matched to existing vacancies. Immigration will thus continue to play a pivotal role in addressing Sweden's labour market demands.

Against this backdrop, understanding Sweden's recent immigration patterns becomes essential. Over the past decade (2015–2024), total immigration to Sweden has fluctuated between roughly 82,000 and 163,000 people per year, according to figures from the population registry. A peak occurred in 2016, following the large arrival of asylum seekers in 2015, while a low point was reached in 2020 during the COVID-19 pandemic. In 2024, around 116,000 people immigrated to Sweden.

The number of first residence permits issued—excluding extensions—has recently shown a declining trend, according to statistics from the Swedish Migration Agency. In 2025, approximately 89,000 first permits were granted, the lowest level in five years. Work permits have been one of the largest categories during this period, although their numbers have also fallen since 2023. Study permits increased between 2020 and 2024 but decreased again in 2025.

Migration and asylum policy changes in Sweden

In 2015, Sweden took a restrictive turn to immigration, especially targeting family-related immigration and people seeking international protection. The main aim, still pursued today, has been to reduce Sweden's attractiveness as a destination for asylum seekers and their family members, but the system for labour immigration has also undergone significant changes. Some of these changes substantially and rapidly altered employers' opportunities to recruit from abroad and the composition of the group of incoming workers from non-EU countries. In 2008, Sweden had switched from a strict, state-controlled approach to a liberal, employer-driven system and then, after some time, gradually introduced new restrictions again. A very significant step in a more selective and control-oriented direction was taken in 2023, when a much higher pay threshold for work permits was introduced.

As for international students, Sweden has long endeavoured to be an attractive destination, and over time, Swedish higher education institutions (HEIs) have managed to attract increasing numbers. Politically, the admission of students has mostly been viewed positively. However, there has not been a dedicated strategy to retain them after their graduation and recently, the political discourse on international student mobility has to a certain extent shifted its focus towards system 'abuse', i.e., international students using their stay in the country not for studying purposes but mainly for working. Furthermore, Sweden's attractiveness as a destination for students is negatively impacted by factors such as a relatively high cost of living, the legal requirement for third-country students to be able to support themselves during their time in the country, and tuition fees. This limits the admission of students from poorer households or low-income countries.

When it comes to legal pathways for people in need of protection, Sweden has a long history of receiving refugees via resettlement. The Government sets an annual quota and, on this basis, the Migration Agency, in cooperation with UNHCR, selects refugees for transfer to Sweden. The annual quota was 5,000 until 2022 but was then cut to 900. Apart from resettlement, Sweden has not been active in creating additional legal pathways for people in need of protection. However, there are some small programmes that could be regarded as complementary pathways because they link protection aspects to work or research in the country. One example is the 'Cities of Refuge' programme, where municipalities can offer writers, musicians and artists sanctuary. Another example is 'Scholars at risk', which aims to protect scholars and promote academic freedom by arranging temporary positions at Swedish HEIs.

Legal pathways into Sweden: Current barriers

Legal and non-legal barriers restrict access to Sweden for non-EU workers and students and disproportionately deter applicants from low-income countries.

- The **pay threshold** that was introduced in 2023 – and is intended to be increased further – hinders access to Sweden for people seeking jobs in occupations that are not exempted from these rules.
- Companies need a stable and predictable framework to plan and carry out recruitment. **Frequent changes** to Swedish immigration law create uncertainty and can make it difficult for non-experts to interpret and apply the rules correctly.
- Sweden generally grants migrants **temporary residence permits** that must be renewed for several years before permanent status becomes available. As a result, many face legal uncertainty—especially when frequent migration law changes make continued eligibility uncertain and status change opportunities are limited.
- In regulated professions, especially in the healthcare sector, the **recognition of foreign qualifications** is often cumbersome and can take a long time. Sometimes, recognition procedures can only start when a person is already legally residing in Sweden. **Language requirements** can also be a significant obstacle.

- There are also non-legal barriers, such as long **processing times** for certain types of permits or extensions of permits. In addition, the so-called 'talent expulsions' still occur. They are often caused by mistakes by employers regarding working conditions, which can make it impossible for foreign workers to renew their permits (Eliasson 2021).
- **Mixed messages** to different groups of potential migrants can also be an issue. Sweden tries to portray itself as an attractive destination for highly skilled people. At the same time, it sends messages of deterrence to asylum seekers and low-waged workers. Negative branding targeting one group can unintentionally spill over and deter people who Sweden would like to attract.

Removing barriers and testing new approaches step-by-step

Mitigating Sweden's labour shortages and demographic challenges would require addressing the above-mentioned barriers to access for workers and students. The next step would be to engage in innovative approaches that have not been used before. These could include piloting bilateral labour migration agreements or launching sector-specific 'talent partnerships' with third countries (Parusel 2023). To do this, Sweden could take inspiration from good practice in other EU countries and use EU funding. New agreements could target not only citizens of the respective partner country but also migrants and refugees residing there, and establish work- and study-based complementary pathways.

However, complementary pathways for refugees need to be created in respect of existing international refugee law and human rights standards, as well as other relevant rights enshrined in international and EU law, such as the right to seek asylum and protection against refoulement, the right to family life and non-discrimination and rights related to access to the labour market and protection from exploitation. Furthermore, including refugees in labour and student migration schemes requires specific facilitation measures, which should be understood as support to meet existing immigration law requirements.

A **step-by-step** approach along the following points is recommended:

- **Identifying shortages and needs** for foreign labour in Sweden in cooperation with relevant actors and establishing new migration pathways as part of Sweden's strategy to address its labour market needs.
- **Removing existing barriers and facilitating access for refugees** through measures such as accepting or providing (refugee) travel documents, employing a flexible approach to how background checks are conducted, providing more accessible skills assessment and recognition of qualification procedures for refugees, or introducing dedicated or tailored work permit processing channels.
- **Forming a national partner coalition.** This could include state bodies, international organisations such as UNHCR, IOM and ILO, civil society actors, employer organisations, trade unions, integration actors, law firms and other private actors and organisations that have networks in first countries of asylum. The most important function of such a coalition would be to ensure coordination between relevant actors involved in the refugee and migration policy domains, that do not necessarily work together.
- **Incentivising employers** to engage in such pathways through different policy measures.
- **Identifying and informing** target groups in first countries of asylum and **providing matching options by using the already established international good practice in this aspect**, such as allowing for broad eligibility criteria that allow for all people in need of protection with the right profiles to apply.
- **Piloting projects** for specific sectors or occupations, backed up by (initial) targeted funding.

As far as study-based pathways are concerned, the necessary steps for new pathways would be similar, but would need to involve higher education institutions and other relevant actors in the education system. Extra focus would be needed on post-arrival support and integration, so that those who are admitted to study can transition to the labour market after graduation.

Conclusions and Recommendations

If implemented with due consideration for the applicable international and EU standards, work- and study-based legal pathways for migrants and complementary pathways for refugees could bring benefits to all parties involved: they can contribute to mitigating demographic challenges in host countries, help to meet their labour needs, contribute to positive narratives about international migration and refugee protection, and present refugees and migrants with safe alternatives to irregular travel. They can also benefit third countries that have a surplus of unemployed workers and support first countries of asylum.

This Policy Brief and the underlying study show that many stakeholders in Sweden including employers, universities, civil society and migrant-led organisations have a strong interest in such pathways, driven by the need for additional workers and students, as well as wanting to support people in need of protection. Demographic and labour market trends in Sweden support this view. Since 2015, however, Sweden has been limiting its legal migration channels in areas such as labour migration, family reunification and resettlement. This has been driven by an overall ambition to reduce immigration to Sweden and combat the exploitation of foreign workers, and there has been little political appetite for new or expanded pathways. However, our research and data suggest that Sweden would benefit from engaging in new approaches, thereby tapping into new talent pools. This could be done through small-scale pilot schemes at first and then scaled up.

To create real added value, certain challenges need to be addressed in line with the following recommendations:

- The temporariness and precariousness of residence permits in Sweden is a major issue. There is a need for better safeguards for cases where workers lose their jobs, such as longer periods for them to look for a new job without losing their permits, offering more flexibility when it comes to tying the work permit to a specific employer or occupation, or – at least for some sought-after occupational groups – fast tracks to permanent residence. Initiatives by trade unions or employer organisations to help foreign workers find new jobs when they become unemployed, should be expanded. While this recommendation applies to all potential labour pathways – those for migrants as well as those for

refugees - the issue is particularly relevant for potential beneficiaries of complementary pathways.

- The (still relatively new) pay threshold for labour immigration from third countries is an obstacle to creating legal and complementary pathways because it can exclude early-career professionals and other people who have low salaries when they take their first jobs. If a pay threshold is nevertheless considered necessary, it should be kept at a modest and predictable level or remain as stable as possible over time.
- Processing times for residence permits need to be short if Sweden wants to avoid discouraging employers, third-country workers and international students.
- There is a need for reliable support structures that can assist foreign workers, students and other immigrant groups with residence and work permit matters. Such structures would not only benefit individuals but also reduce burdens for the Migration Agency and the Migration Courts.
- Sweden should consider testing new migration policy approaches, such as complementary pathways or talent partnerships. Instead of simply leaving the recruitment of workers from third countries to employers, the state could take a more hands-on approach and consider bilateral cooperation on labour and student migration with selected third countries. A step-by-step approach could be taken, starting with the building of coalitions among relevant stakeholders, including companies, to launch new legal and complementary pathways. Sweden could also join forces with other EU Member States, some of which already have experiences in this area, to launch partnerships and new pathways together. Since these types of migration arrangements are strictly managed, there is no risk that they would jeopardise Sweden's doctrine of 'regulated immigration'.

Over the past ten years, the Swedish Government has focused on restricting immigration flows from third countries. This has been accompanied by a predominantly negative political narrative about immigration and asylum highlighting problems and challenges instead of opportunities and benefits. While migration is indeed a complex phenomenon with many societal impacts, one-sided negative messaging is not helpful in the context of demographic trends, labour market needs and international commitments that make immigration a necessity. This means that if new legal and

complementary pathways are to be created and promoted, the messaging around migration should be reconsidered. Policymakers should not only emphasise control efforts and restrictions, but also acknowledge the past, present and future contributions of migrants and refugees to Swedish society. Otherwise, it will be hard to create public acceptance for new and complementary pathways.

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Delmi Policy Brief 2026:1
Stockholm 2026
ISBN 978-91-89993-50-1

The authors are fully responsible for the report's contents including its conclusions and policy recommendations.

