

Legal migration for work and training

Mobility options to Sweden for those not in need of protection

Many migrants undertake irregular and dangerous journeys to Europe and then apply for asylum without being able to assert accepted grounds for protection. For years, EU Member States including Sweden have struggled to find solutions to this problem. One question that is raised is what alternative, legal pathways, there are for migrants who are not considered in need of protection, such as immigration opportunities for work or studies. The Swedish system for labor migration is an interesting example to look at in this context. This system could be further developed to help address the challenge of irregular migration.

Labour and student migration as alternative pathways

What safe alternatives exist to irregular and dangerous migratory journeys? This question has raised increased attention among migration policy-makers but also researchers and human rights organizations. It has been argued, for example, that EU Member States should widen and enhance their resettlement programs for refugees, and thus try to mitigate the problem that many refugees today travel irregularly because they have no other realistic option to be admitted to Europe. The introduction of humanitarian visas has also been proposed for this group,

as well as admission through private sponsorship projects, where organizations or groups of individuals sponsor a refugee who is then legally admitted and integrated.

Asylum seekers and people who have no apparent reason for protection in Europe often travel in contravention of existing legal immigration frameworks. Irregular migration flows to Europe and Sweden are mixed, and refugees as well as other migrants often travel on the same routes. While many of those who are not considered in need of protection might never be detected, others apply for asylum although their chances to be granted legal residence are very small.

There seems to be little evidence that legal pathways such as labor immigration schemes or the admission of young people for purposes of academic studies or vocational training can reduce irregular migration flows. But European labor immigration programs tend to be selective and focus on highly skilled or skilled migrants from other well-developed economies. International students often come from other wealthy countries as well. Entry channels for people who do not already have formal qualifications or at least vocational education are rare. Even where legal admission channels for less advantaged people exist, we do not know whether such migration opportunities can reduce irregular migration pressures and unsuccessful asylum claims. What we do know from the European context is that irregular immigration has sharply increased over the last 10 years or so, while opportunities for e.g. African citizens to legally migrate to the EU for purposes of work have almost disappeared.

Addressing irregular migration by expanding legal migration opportunities

Creating legal and orderly migration opportunities is an idea that has gained considerable traction recently, both at an international level and in the context of attempts in Europe to address challenges of irregular and mixed migration.

In 2017, the European Commission announced a set of pilot projects, to be implemented by EU Member States together with countries in Africa, to enable legal migration for work or training purposes. The underlying assumption of this initiative was that incentives for irregular migration could be reduced by expanding legal migration opportunities. EU destination countries would profit by recruiting foreign workers to industry sectors with a shortage of workers, and people with migration aspirations would be able to migrate safely and legally instead of putting their hopes in dangerous and illegal journeys. It was also ex-

pected that opening more legal migration channels would improve relations between Europe and Africa in the sense that it could increase the willingness of African states to cooperate with EU partners regarding the prevention of unsafe migration and the return of irregular migrants from Europe to Africa.

So far, most migration partnership efforts and legal migration pilot projects have remained isolated and small-scale. It is, therefore, relevant to investigate how accessible the already existing legal migration channels for workers and students are, especially for those potential asylum seekers who have few to no chances to get protection. Such systems could be reformed in a way that benefits the economies of the receiving states, the sending countries, and the potential migrants themselves.

The Swedish labor immigration system from a migration management perspective

Sweden is internationally known for its exceptionally liberal labor immigration regime, which opens doors not only to highly-skilled, but also low- and even unskilled migrants as well as seasonal workers. The existing statistical data shows that among all labor migrants coming to Sweden, many (although not a majority) are from countries that also figure among the main countries of origin of asylum seekers (such as Syria, Ukraine, Iraq, Iran or Russia). This suggests that the labor immigration system can indeed represent a safe alternative to irregular journeys and unsuccessful asylum claims for some. However, employers in Sweden who need foreign labor have no incentives to recruit workers from countries that are relevant sources of irregular migrants, and the Swedish government does not interfere with employers' choices in terms of where in the world to look for suitable workforce. Concerning immigration for education purposes, Sweden has long tried to be an attractive destination for foreign

Table 1: Nationality overlaps, labour immigration and asylum, 2009-2018

Residence permits for work purposes	2009-2018	Asylum applicants	2009-2018
India	56 095	Syria	120 586
Thailand	44 975	Afghanistan	66 099
China	21 096	Somalia	38 411
Syria	11 801	Iraq	38 243
USA	11 255	Eritrea	33 738
Ukraine	10 999	Stateless	31 149
Iraq	10 255	Serbia	17 525
Turkey	10 002	Iran	15 330
Iran	8 006	Kosovo	10 249
Pakistan	6 931	Albania	9 559
Russia	6 182	Russia	7 798
Serbia	4 712	Georgia	7 001
Canada	4 598	Mongolia	6 472
Brazil	4 372	Ukraine	5 133
Egypt	4 199	Ethiopia	4 988
Australia	4 080	Bosnia and Herzegovina	4 770
Bangladesh	4 066	Morocco	4 445
Mongolia	4 029	Macedonia	4 358
Vietnam	3 545	Nigeria	4 213
Bosnia and Herzegovina	2 855	Uzbekistan	3 752

Source: Migrationsverket.

Note that the number of asylum seekers that receive a permit to stay is generally lower than the total number of people seeking asylum.

university students and has managed to attract a growing number of young people from a great variety of countries. But the cost of living in Sweden is high and students must show that they can financially support themselves while in Sweden. This is a tough requirement, particularly for students from developing countries. The introduction of tuition fees in 2011 has certainly exacerbated this issue.

Opportunities for reform

Although any proposals to expand legal migration opportunities to Sweden for people from poorer countries might

appear politically unrealistic, the search for credible responses to the phenomenon of wide-spread irregular and mixed migration is ongoing. Sweden's open labor immigration system provides opportunities for reform, and new initiatives to use this system to provide migrants an alternative to unsuccessful asylum claims could be tested. The idea is not to reverse the intended goals of the existing immigration frameworks for work and studies or to transform these into instruments of humanitarian admission, but to ask how these frameworks perform as potential remedies to the challenge of irregular and unsafe migration.

- Sweden could improve the matching of suitable workers in third countries with employers in Sweden who have vacancies through new job-matching services via the internet or by foreign representations of Swedish companies, employers' associations or state agencies. Such matching initiatives could be piloted and prioritized in a limited number of sending countries of irregular migrants and asylum seekers.
- Efforts could also be made to prepare job-seekers in relevant third-countries for employment in shortage occupations in Sweden, by providing suitable vocational and language training either before or after admission, or at both stages. This could be tested on a pilot-basis.
- An innovative approach would be to involve diaspora groups in Sweden into job-matching. Sweden has several well-established diaspora groups, which also include business owners and entrepreneurs, such as the Iraqi or Somali diasporas.
- To enhance or widen legal pathways for studies in Sweden, more scholarships and funded exchange programs would be useful. This could help counterbalance the effect of the introduction of tuition fees for university studies in Sweden, which has reduced the number of incoming students from developing countries. Such countries are often sending countries of irregular migration to Europe.
- More attention could be devoted to admission options for education other than academic studies, such as

vocational training or courses at folk high schools. A main barrier concerning non-academic studies in Sweden is the financial support requirement, which closes this route to many potential young migrants from poorer countries. Sponsorship by public or corporate institutions could be explored, especially if the admission of students and trainees is linked to qualifications leading to professions for which there is a shortage in Sweden.

Apart from these ideas, bilateral cooperation on the admission of third-country workers or students might be a useful strategic complement to the existing "country-blind" labor immigration framework in Sweden. Under the current system, which delegates the power to recruit from abroad to employers, strategic cooperation with specific countries at a governmental level might appear controversial. Other countries in Europe take a more hands-on approach, which can be useful from a migration management perspective, if – for example – the admission of workers, students or trainees from a specific country also facilitates bilateral cooperation in terms of the return of irregular migrants to that country. A legitimate and practical way forward could be to test bilateral cooperation with a third country with an established diaspora in Sweden.

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