



## **Ad-Hoc Query on policies for circular migration and temporary labour migration schemes**

**Requested by SE EMN NCP on 9<sup>th</sup> June 2014**

**Compilation produced on 13<sup>th</sup> August 2014**

**Responses from Austria, Belgium, Bulgaria, Cyprus, Estonia, Finland, France, Germany, Hungary, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Romania, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom plus Norway (21 in Total)**

*Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.*

### **1. Background Information**

In a recent government bill, the Swedish government has proposed a range of legislative changes aiming at encouraging circular migration and promoting positive impacts of migration on development. Among other measures, a permanent residence permit shall in the future only be revoked when a migrant stays outside Sweden for two years or more, according to the government. Labour immigrants with temporary residence permits shall be allowed to spend certain periods of time outside Sweden and still be able to qualify for a permanent residence permit after a number of years. Also, persons with temporary residence permits for doctoral studies shall be able to apply for a permanent residence permit after seven years, even in cases where they have spent certain periods of time outside Sweden.

**EMN Ad-Hoc Query: Policies for circular migration and temporary labour migration schemes**

***Disclaimer:*** *The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.*



To assess these proposals in a European context, the Swedish Migration Board would like to know whether other (EU Member) States have similar or other policies regarding facilitated circular migration and/or repeated temporary stays for labour migrants. Circular and temporary migration is also a topic of interest in the framework of international cooperation activities of the Migration Board. In view of the fact that the EMN has conducted, in 2010 and 2011, a comparative study on circular and temporary migration, this query only asks for policy changes and measures that have occurred in 2011 or later.

We would like to ask the following questions:

1. Does your (Member) State have a policy to encourage circular migration?
  - a) If yes, does this policy refer to “spontaneous”/”naturally occurring” or “managed” circular migration, e.g. in the form of specific schemes for managed labour migration, or both?
  - b) If yes, what measures have been introduced since 2011 or are envisaged for the future?
  
2. Has your (Member) State, in 2011 or later, introduced any programmes for temporary stays of workers from third-countries or entered into any bilateral agreements for such stays?
  - a) If yes, please provide some detail on these programmes and/or agreements (e.g. length of stay of the foreign workers, skills required (highly skilled/low-skilled), specific labour market sectors/jobs, which third-countries participate in the programme/agreement, possibility of repeated stays). If it is not possible to describe all programmes/agreements in detail, please provide internet links or attach reports, studies or evaluations of these programmes/agreements.
  - b) If no, in general, is there a policy in your (Member) State to enter into any bilateral agreements with specific third-countries regarding temporary labour immigration or is such a policy envisaged?




We would appreciate your response by **7<sup>th</sup> July 2014**.

**2. Responses**

		<b>Wider Dissemination?</b>	
	<b>Austria</b>	<b>No</b>	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	<b>Belgium</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. Belgium has <b>no specific policy on circular migration</b>: there are no explicit references to this concept in policy or legislation. This being said, as described in the national EMN report on “Temporary and circular migration in Belgium” (January 2011), the legislative framework allows some forms of temporary and back-and-forth mobility, and a few projects on the issue were done.</li> </ol>





**EMN Ad-Hoc Query: Policies for circular migration and temporary labour migration schemes**

***Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.***

			<p>No major developments can be mentioned on this topic since 2011. The existing framework allows for maintaining one's residence status while returning from time to time and even for longer periods, to one's country of origin (specific absence and re-entry provisions, described on p. 29 and following of the <a href="#">report</a>). The issuance of multiple entry visas allows migrants to come regularly to Belgium, while maintaining their main point of interests in their country of origin.</p> <p>Source and more information: Belgian Contact Point to the European Migration Network, <i>Temporary and circular Migration in Belgium. Empirical evidence, current policy practice and future option</i>, a study made by Dirk Vanheule, Annika Mortelmans, Marleen Maes, Marie-Claire Foblets, January 2011. Available on: <a href="http://www.emnbelgium.be/publication/temporary-and-circular-migration-belgium-emn">http://www.emnbelgium.be/publication/temporary-and-circular-migration-belgium-emn</a>.</p> <p>2. No.</p>
	<b>Bulgaria</b>	<b>Yes</b>	<p>1. No, but in the <i>National Strategy on Migration, Asylum and Integration (2011-2020)</i> it is especially underlined that the circular migration should be promoted in future.</p> <p>2. Yes, in 2011 a Bilateral Framework Agreement for exchange of labour force for the purposes of temporary employment was signed between Bulgaria and Israel. The specific conditions for reception of the labour force in each country were to be set in separate documents called "<i>Procedure for implementation of the Agreement</i>". Due to that the Framework Agreement was used so far only for the reception of Bulgarian construction workers in Israel, such document is not prepared with respect to the reception of Israeli workers in Bulgaria. This does not mean that Israeli workers will not be employed in the scope of the Framework Agreement in Bulgaria in future, but then the conditions for the reception of these workers will be set out in a separate document.</p>
	<b>Cyprus</b>	<b>Yes</b>	<p>1. Cyprus does not have a policy encouraging circular migration.</p> <p>2. (b) There is currently no policy to enter into any bilateral agreements with third-countries regarding temporary labour immigration.</p>
	<b>Estonia</b>	<b>Yes</b>	<p>1. a) Estonia does not have a separate policy priority for circular migration. However there is a separate regulation for short-term employment. A person may work in Estonia temporarily for up to 6 months during a year. Employment in Estonia is permitted to a third-country national, who stays legally in Estonia on the basis of visa or on the basis of visa-free stay and whose employment has been registered with the Police and Border Guard prior to the commencement of work.</p> <p>b) As a part of measures to facilitate the arrival of highly qualified workers from third countries a separate category of senior (top) specialist was introduced to the Aliens Act (§ 106.).</p> <ul style="list-style-type: none"> <li>- Senior or top specialist is a foreigner who has professional training or experience in any area of activity, whose employer is registered in Estonia and has agreed to pay the foreigner at least the latest annual average wages in Estonia published by Statistics Estonia, multiplied by the coefficient 2.</li> </ul>

**EMN Ad-Hoc Query: Policies for circular migration and temporary labour migration schemes**

***Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.***

			<p>According to the regulation for registration short-term employment in Estonia (RT I 2010, 61, 436) Police and Border Guard Board shall carry out registration of the short-term employment within 10 business days as of the day following the acceptance of the application. However there is a provision for expedited procedure (the employment is considered registered on the same calendrical day of the registration) for the following groups:</p> <ul style="list-style-type: none"> <li>- for employment as a teacher or lecturer in Estonia in an educational institution which complies with the requirements established by legislation;</li> <li>- for scientific research, provided that the alien has appropriate professional training or experience for such activities;</li> <li>- For employment as top specialist, provided that the alien has appropriate professional training for employment in such sphere.</li> </ul> <p>2. a) N.A. There are no such programmes nor bilateral agreements in this area. b) N.A. No such agreements with third-countries regarding temporary labour immigration have been envisaged.</p>
	<b>Finland</b>	<b>Yes</b>	<p>1. No.</p> <p>2. a) No. b) There is no policy in Finland to enter into bilateral agreements with third countries regarding temporary labour immigration nor is such a policy envisaged.</p>
	<b>France</b>	<b>Yes</b>	<p>1. a) Yes, in 2006, a new policy on labour immigration was implemented in France, focusing more on socio-economic requirements. Two measures, created by the law of the 24th July of 2006, aim in particular at encouraging circular migration: the introduction of new residence permits and the joint management agreements of migratory flows. b) The new draft law on immigration, which will be submitted at the end of 2014, aims at improving reception and integration of international talents. The draft law provides for a generalisation of multi-annual residence permits for this group, e.g. high-level students, highly qualified workers, employees on assignment, scientists-researchers, artists, investors and entrepreneurs.</p> <p>2. a) Since 2011, France has signed youth mobility agreements (in particular with Canada, Georgia, and Bosnia) but they have not been ratified yet. b)/</p>
	<b>Germany</b>	<b>Yes</b>	<p>1. No. German law is designed for a gradually solidifying permanent residence.</p> <p>2. No.</p>
	<b>Hungary</b>	<b>Yes</b>	<p>1. No, there is no strategy in force explicitly on circular migration in Hungary, yet the national Migration Strategy adopted in 2013 for the period of 2014-2020 includes reference to the facilitation on circular migration, within the frames of the strategy related to legal migration. As for the set goals and objectives in relation to the envisaged development of international dimensions, the</p>




**EMN Ad-Hoc Query: Policies for circular migration and temporary labour migration schemes**

***Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.***

			<p>Hungarian Migration Strategy explicitly points out the importance of utilizing the opportunities provided by circular migration. More precisely, it is laid down in the Strategy that circular migration can and is aimed to stimulate the presence of those third-country nationals in Hungary who actively contribute to the growth of national economy (highly qualified workers, investors) and the development in the field of science (students, researchers). At the same time, it may also contribute to the reduction of negative effects (for example in terms of the phenomenon of brain-drain) faced by the countries of origin, that bears relevance especially with regard to Hungarians living in neighbouring countries.</p> <p>Consequently, according to the Migration Strategy, third-countries and the scope of persons that could be the objects of facilitated circular migration relevant to Hungary should be identified, and following the examination of the opportunities in this regard, proposals should be submitted in order to develop regulations, provisions, measures and agreements for the facilitation of this form of migration.</p> <p>2. Yes.</p> <p><u>National provisions regarding seasonal employment of foreign workers:</u>          Seasonal work can be undertaken in the fields of agriculture, horticulture, animal husbandry, and fishing, in possession of a work permit and a seasonal work visa.          The agricultural seasonal work permit, regulated by Government Decree 445/2013 (XI. 28.), may be granted for the employer for up to one hundred eighty days within a calendar year, the extension of it is not possible. Preliminary examination of the validity of demand for labour in the certain market sector is carried out together with the processing of application submitted, by the regionally competent Employment Centre. Thus there is an examination of the actual labour market situation before the decision on the issue of the temporary working permit for seasonal worker third-country nationals is taken. In case the period of seasonal employment does not exceed sixty days within one calendar year, the permit shall be issued without an examination of the labour market situation.</p> <p>Visas for seasonal workers (seasonal employment visas) are issued for third-country nationals entitling them to enter and stay for longer than ninety days but no longer than six months within any 180-day-long period for the purpose of seasonal employment in Hungary (Section 14 (1) b) of Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals).          For more information see: <a href="http://www.bmbah.hu/jomla/index.php?option=com_k2&amp;view=item&amp;id=69:visa-for-seasonal-workers&amp;Itemid=823&amp;lang=en#">http://www.bmbah.hu/jomla/index.php?option=com_k2&amp;view=item&amp;id=69:visa-for-seasonal-workers&amp;Itemid=823&amp;lang=en#</a> (Official website of the Hungarian Office of Immigration and Nationality)</p> <p><u>Bilateral agreements regarding temporary migration:</u>          Bilateral contracts with third countries concerning legal migration only exist in the sphere of Working Holiday Scheme (WHS) in Hungary. The so-called ‘Working Holiday Program/Scheme’ encourages cultural exchange by allowing young adults (aged 18-30/35 years) from partner countries, to have an extended holiday in Hungary, and young Hungarians to have holidays in partner countries. During these holidays they may engage in work or study but the primary reason for the visit is the holiday. Agreements within the frames of the Working Holiday Scheme have been established with New Zealand in 2011 and with the Republic of Korea in 2013 (promulgated by the Act LIV of 2012 and the Act of LXIV of 2013). Hungary also signed an agreement with Taiwan in 2014, the entry into force of it is foreseen in autumn 2014. Hungary is currently negotiating WHS Agreements with Australia, Canada, Japan, Argentina, and Chile.</p> <p>The Schemes operate on the basis of set quotas of people who can benefit from the bilateral agreements. Within the frames of these kinds of co-operations, a right to stay for the nationals of the certain third-country is provided for up to 12 months, for this</p>
--	--	--	---



**EMN Ad-Hoc Query: Policies for circular migration and temporary labour migration schemes**

***Disclaimer:*** The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

			<p>period a temporary residence permit is issued in Hungary. It is, however, important to note that these bilateral agreements are established not primarily with the aim to facilitate employment of third-country nationals. For further information, see: <a href="http://hungarianconsulate.co.nz/working_holiday_en.html">http://hungarianconsulate.co.nz/working_holiday_en.html</a></p>
	<b>Italy</b>	<b>Yes</b>	<p>1. In agreement with Directive No. 2003/109/EC, Italian legislation provides that TCNs who are absent from EU territory for 12 months or longer, or from Italian territory for 6 years or longer, lose their EU long-term residence permit. This means that the TCNs who have a EU long-term residence permit may certainly <i>move abroad</i>, especially to other MSs. (By the way, TCNs with a EU long-term residence permit are likely to have a job and are among the best integrated TCNs). Legislative Decree No. 12/2014 (implementing Directive No. 2011/51/EU) may also encourage circular migration. It extends the EU long-term residence permit to the holders of international protection status (refugees and subsidiary protection): and the Italian Government has declared that the aim of the Decree is to favour the integration of the holders of international protection status and «make mobility easier within the European Union».</p> <p>2. No. Generally speaking, also the Italian policy for labour immigration from third countries is not country-specific.</p>
	<b>Latvia</b>	<b>Yes</b>	<p>Latvia has not implemented any new legislation regarding circular and temporary labour migration since completion of the EMN study on the relevant issue.</p>
	<b>Lithuania</b>	<b>Yes</b>	<p>1. Yes. Lithuania changed its legislation related to the possibility to regain a permanent resident's status after having spent a certain period of time in another country, and introduced a longer time frame for highly qualified workers (EU Blue Card scheme).. Usually, in order to obtain a permanent residence permit, the person must live in Lithuania for a continuous period of 5 years. However, the requirement of 5 years residence is not applied to a TCN, who previously was a permanent resident of Lithuania and did not become a permanent resident of another EU Member State, and who</p> <ul style="list-style-type: none"> <li>– spent less than 6 months in another EU Member State or</li> <li>– spent less than 12 months in a third country. If the TCN previously resided in Lithuania as a highly qualified worker (EU Blue Card scheme), the period of absence is prolonged to 24 consecutive months if s(he) can prove that his/her absence was due to work, engagement in legal activities or studies in this/her country of origin.</li> </ul> <p>A permanent residence permit will not be revoked to TCNs as long as the period of time referred to in points (1) and (2) is not exceeded.</p> <p>This policy refers for spontaneous/naturally accruing circular migration. This measure, as it concerns highly qualified workers, has been introduced in 2012.</p> <p>2. No.</p> <ul style="list-style-type: none"> <li>– However, Lithuania and Canada concluded a bilateral agreement on youth exchange allowing young people to improve language skills, study and work during vocations. The agreement became effective on the 1 October 2010.</li> </ul>




**EMN Ad-Hoc Query: Policies for circular migration and temporary labour migration schemes**

***Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.***

			- No.
	<b>Luxembourg</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. a) No. b) There are negotiations ongoing on a bilateral agreement with the Cape Verde.</li> <li>2. a) + b) see answer to question 1.</li> </ol>
	<b>Netherlands</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. No. The implementation of the circular migration pilot (so called Blue Birds) was stopped on the 1st of September 2011. The start of the pilot was on the 1<sup>st</sup> of March 2010.</li> <li>2. For highly skilled migrants and for certain activities The Netherlands has specific programmes to allow temporary stay for foreign employees. There are schemes in which a work permit is obligatory and schemes in which it is not. All schemes are applicable to all nationalities from outside the EEA. <p><b>Exemptions from work permit:</b></p> <ol style="list-style-type: none"> <li>1. <u>Assembly and reparation of machinery/Installation and implementation of software</u> No work permit is needed for employees who assemble or repair machinery or install or implement software for a Dutch customer in the Netherlands that is delivered or developed by a foreign company. The assembly/reparation and installation process needs to be completed within 12 contiguous weeks (within 36 weeks). For installing the software a requisite is that the software involved has been developed by this company sending its IT specialists to the Netherlands to install or implement it. In case these situations do not apply, the employer can request a work permit and no labour market test will be carried out.</li> <li>2. <u>Trial to exempt technology companies from requirement to obtain workpermits</u> The Ministry of Social Affairs and Employment is conducting a trial (for two years till July 2015) to exempt major technology companies from having to obtain employment permits for the employees of foreign customers whom they host temporarily. The employees, from outside the EEA, come to the Netherlands to carry out such activities as: <ul style="list-style-type: none"> <li>- learning to operate equipment bought in the Netherlands;</li> <li>- Checking goods ordered from the Netherlands.</li> </ul> The trial is limited to companies with an annual turnover of at least €50 million, and the goods ordered must be worth more than €5 million. Making the rules more flexible in this way saves these Dutch companies time and red tape.</li> </ol> <p><b>Work permit without labour market test</b> <b>In the following schemes a work permit is needed, but the labour market test is waived.</b></p> <u>Inspection of goods/training</u> When a Dutch company delivers goods that need to be inspected or certified the employee of the foreign company may come to the Netherlands to carry out these activities. The foreign employer needs to apply for a work permit, but the labour market test will be waived. The same applies to companies who send their employees for training reasons concerning the delivery of the goods. A work permit without a labour market test is also needed for foreign employees that come to The Netherlands to repair</li> </ol>

**EMN Ad-Hoc Query: Policies for circular migration and temporary labour migration schemes**


***Disclaimer:*** The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

			<p>or assemble machines that have been delivered by their employers.  Maximum stay for these categories: one year.  <u>Intracorporate transfers</u>  The labour market test is also lifted in cases of intracorporate transfers of key personnel, trainees and specialists. In order to qualify for this procedure the corporation in question needs to have minimum annual worldwide turnover of €50 million.  Furthermore the salary thresholds applicable to highly skilled migrants are also applicable here.  Maximum stay: three years.</p>
	<b>Poland</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. Yes. There is a scheme called ‘simplified procedure’ dedicated to short term labour migrants from chosen 6 countries: Armenia, Belarus, Georgia, Moldova, Russia and Ukraine (third countries bordering Poland and/or Eastern Partnership countries). Although it is not precisely designed as ‘circular migration scheme’ it fosters circularity. The scheme allows citizens of the above mentioned countries to perform work in Poland for six months within the twelve consecutive months without work permit provided they are in possession of declaration of employer registered in the local labour office. The scheme is the most popular formula of employment of foreigners in Poland and is mainly applied in such sectors of economy as agriculture and construction. <ol style="list-style-type: none"> <li>a) Scheme refers to naturally occurring/spontaneous circular migration and to a large extent it responded to the already existing pattern of migration to Poland, which was predominantly of a temporary and circular nature.</li> <li>b) The scheme in its initial form was established in 2006 but it has undergone many changes since then. It gradually evolved into the most significant (statistically) formula of employment of foreigners in Poland. In 2011 Minister of Labour and Social Policy introduced some changes generally aimed at improvement of conditions and safety of employment of migrants (for example written contract requirement). Since 2014 the group of countries which citizens are eligible to perform work within the scheme has been broadened to citizens of Armenia. According to the recommendation set out in the document “Migration policy of Poland – current state of play and further actions” adopted in 2012 the scheme should be further pursued and developed. The implementation of the adopted in 2014 the 2014/36/UE Seasonal Work Directive (at least to some extent) affect the future shape of the simplified scheme.</li> </ol> </li> <li>2. <ol style="list-style-type: none"> <li>a) No</li> <li>b) Development of an active labour migration policy tools such as bilateral agreements on labour migration with chosen countries are among recommended future directions of migration policy set out in the policy document “Migration policy of Poland – current state of play and further actions”. At present Ministry of Labour and Social Policy is analysing the possibility of concluding such agreement with major immigrant sending country – Ukraine.</li> </ol> </li> </ol>
	<b>Romania</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. One of the strategic objectives of the National Immigration Strategy 2011-2014 is promotion of legal migration benefiting for all parties: Romanian society, immigrants and countries of origin.</li> <li>2. N/A.</li> </ol>
	<b>Slovak Republic</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. No. It is only stated in the Migration Policy of the Slovak Republic: Perspective until the year 2020 that the Slovak Republic has to focus, among other things, on “updating of the preconditions creating the legal framework allowing entry of migrants to the</li> </ol>





**EMN Ad-Hoc Query: Policies for circular migration and temporary labour migration schemes**

***Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.***

			<p>labour market, participation in seasonal work, temporary and circulating migration, short-term employment forms, etc.”</p> <p>a) N.A. b) N.A.</p> <p>2.</p> <p>a) Since 2011, Slovak Republic has signed several bilateral agreements on social security: e.g. in 2011 with Australia and Israel, in 2012 with Serbia and in 2013 with Turkey. It also signed a bilateral work agreement on youth mobility with Canada in 2011. As for the future prospects, Slovak Republic intends to sign more agreements with third countries on social security (e.g. Macedonia and Russian Federation).</p> <p>b) Slovak Republic encourages labour migration. Filling vacancies is in compliance with the national legislation as well as with the legislation of the European Union. Current policy aims at stimulation of the legislation and procedures which would deal with the cooperation of the Slovak Republic with third countries in order to encourage the arrival of qualified migrant workers to Slovakia. Moreover, it seeks to increase the number of bilateral cooperation agreements in the field of economic migration with third countries. It is crucial to support activities for making Slovakia attractive for labour migration which could be beneficial for both sides.</p>
	<p><b>Slovenia</b></p>	<p align="center"><b>Yes</b></p>	<p>1. End of 2010 the Government adopted the Strategy for economic migration 2010-2020 in which limiting a "brain drain" and concept of circular migration are one of many elements of a new measures for improving efficiency of the economic migration management which needs to be in accordance with current requirements of the labour market needs. In the light of achieving Strategy's objectives an important role is playing the Agreement between the Government of the Republic of Slovenia and the Council of Ministers of Bosnia and Herzegovina on the employment of citizens of Bosnia and Herzegovina in the Republic of Slovenia. The agreement, which is an actually national scheme, was ratified in November 2012 and enters into force on 1st March 2013. The Agreement introduces some elements of "managed" circular migration and addresses the issue of the effects of brain drain, as well as stipulates more favourable conditions in the case when it comes to so called "professional employment" (so called highly qualified or qualified workers) which relate to the conditions for the issuance and renewal, as well as the termination of the work permit. According to the Agreement, Bosnia and Herzegovina has the possibility, in accordance with its laws, to restrict the employment of individual occupational groups for which the analysis of the situation and the needs of the labour market assesses that their departure to Slovenia could undermine the labour market situation in Bosnia and Herzegovina. The Agreement provides that on the basis of the employment contract concluded for a period of at least one year, a work permit valid for three years can be issued to a migrant worker. In the meantime, a migrant worker has to be in the first year of employment employed with an employer who has filed an application for a work permit, but for the next two years under the same license he can freely choose the employer and the employment is not tied to ex-ante control of the labour market. Under the condition that prior to the expiry of the work permit migrant worker has been employed for at least one year, or that he has been granted the right to family reunification, and has a contract of employment concluded for at least one year, migrant worker can prolong his residence permit for a further three years, otherwise he can voluntary return to Bosnia and Herzegovina. Returning to Slovenia for employment is possible after a minimum of 6-month period, the authorities of Bosnia and Herzegovina, in charge of</p>


**EMN Ad-Hoc Query: Policies for circular migration and temporary labour migration schemes**

***Disclaimer:*** The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

			<p>employment, can also rejects re-enter to Slovenia if the alien has in the meantime refused suitable employment in Bosnia and Herzegovina.</p> <p>2. As above.</p>
	<b>Spain</b>	<b>Yes</b>	<p>1. Yes. e.g: with Morocco for seasonal workers. Spain collaborates with authorities of countries of origin in the recruitment procedure and for all programme.</p> <p>a) If yes, does this policy refer to “spontaneous”/”naturally occurring” circular migration, or “managed” circular migration, e.g. in the form of specific schemes for repeated labour immigration, or both?</p> <p>Managed circular migration.</p> <p>b) If yes, what measures have been introduced since 2011 or are envisaged for the future?</p> <p>The technology Department of the Ministry of Employment and Social Security is currently working on the improvement of the software aimed to ease the management of the authorisations. Furthermore, on the framework of the partnership, the exchange of data with the aim of speeding up the authorisations of the campaign (strawberry) is being improved.</p> <p>2. Yes there are temporary stays of workers from third countries. There is a useful instrument in the Spanish immigration policy called the “Collective management” that allows hiring workers residing abroad, selected in their home countries from generic bids submitted by employers. These agreements are for agriculture works. These are the countries with which Spain has signed agreements on regulation and management of migration flows: Colombia, Ecuador, Morocco, Mauritania, Dominican Republic and Ukraine. There are also countries with which Spain has partnership instrument signed this matter: Gambia, Guinea, Guinea Bissau, Cape Verde, Senegal, Mali, Níger, México, El Salvador, Philipinnes, Honduras, Paraguay, and Argentina. More information.</p> <p><a href="http://extranjeros.empleo.gob.es/es/InformacionInteres/InformacionProcedimientos/Ciudadanosnocomunitarios/hoja052/index.html">http://extranjeros.empleo.gob.es/es/InformacionInteres/InformacionProcedimientos/Ciudadanosnocomunitarios/hoja052/index.html</a>  <a href="http://extranjeros.empleo.gob.es/es/InformacionInteres/InformacionProcedimientos/Ciudadanosnocomunitarios/hoja054/index.html">http://extranjeros.empleo.gob.es/es/InformacionInteres/InformacionProcedimientos/Ciudadanosnocomunitarios/hoja054/index.html</a></p> <p>There are also two bilateral agreements on temporary work (working holidays) for young people between the ages 18 and 30 (agreements between Spain and Canada and New Zealand).</p> <p>c) If no, in general, is there a policy in your (Member) State to enter into any bilateral agreements with third-countries regarding temporary labour immigration or is such a policy envisaged?</p>
	<b>Sweden</b>	<b>Yes</b>	<p>1. Yes. In a recent government bill, the Swedish government has proposed a range of legislative changes aiming at encouraging circular migration and promoting positive impacts of migration on development. Among other measures, a permanent residence permit shall be revoked only when a migrant stays outside Sweden for two years or more. Labour immigrants with temporary residence permits shall be allowed to spend certain periods of time outside Sweden and still be able to qualify for a permanent residence permit after a number of years. Also, persons with temporary residence permits for doctoral studies shall be able to apply for a permanent residence permit after seven years, even in cases where they have spent certain periods of time outside Sweden.</p> <p>a) This policy refers to “spontaneous”/”naturally occurring” circular migration. Sweden does not currently have a policy for</p>


**EMN Ad-Hoc Query: Policies for circular migration and temporary labour migration schemes**

***Disclaimer:*** The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

			<p>“managed” circular migration.</p> <p>b) In 2009, the Swedish government had appointed a Parliamentary Committee to examine the connection between circular migration and development. The final report of the Committee, published in 2011, included several proposals, including allowing longer periods of absence from Sweden without the loss of residency status. Following up on the proposals of the Committee, the government now envisages a range of legislative changes, as mentioned above.</p> <p>2. No. Generally speaking, the Swedish policy for labour immigration from third countries is not country-specific, which means that it is not focused on attracting migrants from specific countries. Nor is it limited to migrants with certain skills. As an exception to this rule, there are a few bilateral agreements on temporary work (vacation jobs) for young people between the ages 18 and 30 (agreements between Sweden and Australia, Canada, New Zealand and South Korea respectively). As these agreements do not regulate labour migration between Sweden and the respective countries in general and only target the mobility of young people, they are not considered as labour migration programmes or agreements in the sense of this ad hoc-query.</p> <p>a) Not applicable.</p> <p>b) No. There is currently no such policy.</p>
	<p><b>United Kingdom</b></p>	<p align="center"><b>Yes</b></p>	<p>1. The UK Government has a selective approach to migration that aims to:</p> <ul style="list-style-type: none"> <li>– reduce net migration;</li> <li>– attract the brightest and best migrants and</li> <li>– tackle abuse of the Immigration system.</li> </ul> <p>The UK’s migration policies are therefore managed to support this approach.</p> <p><u>On Settlement</u></p> <p>Once a migrant has a permanent residence permit it will only lapse if the migrant has remained outside of the UK for over two years. There are a number of temporary work routes which lead to settlement either within five years or ten years, depending on the route. In five year routes, a migrant can spend up to 180 days a year outside the UK without losing their ability to apply for permanent residence after five years. Furthermore, a national of a member country of the European Economic Area can acquire permanent residence following a period of five years residence in the United Kingdom in accordance with the Immigration (European Economic Area) Regulations 2006.</p> <p><u>Skilled Work Routes</u></p> <p>The UK’s skilled work routes can lead to settlement. They are managed by requiring migrants to have specific skills and qualifications as well as a sponsor in the UK; and requirements on sponsors advertising the roles. For example for a migrant to enter the UK through the Tier 2 (General) skilled route:</p> <ul style="list-style-type: none"> <li>• the migrant must have a sponsor.</li> <li>• the job must either be on the Shortage Occupation List or the employer must carry out a Resident Labour Market Test (RLMT) to determine whether suitable settled workers are available.</li> <li>• the migrant must have an intermediate level of English.</li> <li>• there is an annual limit on applicants from outside the UK.</li> <li>• this route leads to settlement for those earning £35,800 or more, or working in shortage occupations or PhD-level occupations.</li> </ul>

**EMN Ad-Hoc Query: Policies for circular migration and temporary labour migration schemes**

***Disclaimer:*** The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

			<p><u>Temporary Work Routes</u>                  The UK has a number of temporary work routes for short stays. These are managed by setting quotas on specific routes e.g. for migrants on the Youth Mobility Scheme or placing requirements on migrants to work or train in specific sectors, to have a sponsor and satisfy certain maintenance requirements.                  Further details of work routes can be found on gov.uk at: <a href="http://www.gov.uk/browse/visas-immigration/work-visas">www.gov.uk/browse/visas-immigration/work-visas</a>.</p> <p>a) These policies refer to managed circular migration.                  b) Measures that have been introduced since 2011 to the work routes for temporary stays include:</p> <ul style="list-style-type: none"> <li>(i) Increased minimum salary requirements.</li> <li>(ii) Increased required skill level of jobs that migrants would be allowed to undertake whilst in the UK.</li> <li>(iii) Amended the level of English Language required.</li> <li>(iv) Increased maintenance requirements.</li> <li>(v) We replaced the Post Study Work visa, which allowed students to stay without working or in low skilled work for two years, with a new, more selective system which provides good opportunities for graduates to stay and work. When they finish their studies, students can stay, providing they get a graduate level job.</li> <li>(vi) The introduction of niche schemes to attract highly talented graduates. E.g. the new Graduate Entrepreneur route which allows up to 2,000 graduates to stay in the UK if they have a genuine business idea endorsed by their Higher Education Institution or UK Trade and Investment.</li> </ul> <p>2. The UK implements its commitments regarding the admission of temporary workers where they are supplying services under the Mode 4 provisions of multilateral and bilateral trade agreements. It also operates youth mobility schemes which permit participants to take employment during their stay under agreements with particular countries. It is not, however, the Government's policy to enter into bilateral agreements with third countries for the specific purpose of facilitating the entry of temporary labour. As mentioned above, further details of work routes can be found on gov.uk at: <a href="http://www.gov.uk/browse/visas-immigration/work-visas">www.gov.uk/browse/visas-immigration/work-visas</a>.</p>
	<p><b>Norway</b></p>	<p align="center"><b>Yes</b></p>	<p>1. Yes, to a limited extent. The Norwegian government introduced a new Immigration act in January 2010. In principal only minor changes were made that affected labour immigration. The changes are applicable to, among other things, that if an immigrant applies as a specialist and wants to work in an industry in which a collective agreement applies, he/she must be paid the collective wage rate; employees from foreign companies can obtain a residence permit for up to six years, and employers can submit an application for a residence permit on behalf of employees and their family members. There aren't many new measures because there just hasn't been much focus on stimulating circular migration. The closest Norway's policy comes to an actual measure is the possibility for granting seasonal workers 6 month visas.</p> <p>a) This policy refers to "spontaneous"/"naturally occurring" circular migration.                  b) The government has made some legislative changes, as mentioned above.</p> <p>2. No. The Norwegian government has not introduced any programmes since 2011.                  a) Not applicable.</p>

**EMN Ad-Hoc Query: Policies for circular migration and temporary labour migration schemes**

***Disclaimer:*** *The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.*

			b) No. There is currently no such policy.
--	--	--	---

\*\*\*\*\*