



AD HOC QUERY ON 2021.26 TALENT PARTNERSHIPS

Requested by COM on 27 April 2021

Responses from Austria, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden (23 in Total)

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1. Background information

This Ad-hoc query aims to collect information for the purposes of the EMN Inform on Legal Pathways. It aims at collecting information contributing to the development of the future Talent Partnerships and complementary pathways related to work. To reach that aim, the proposed inform will map EMN Member States' relevant experiences. At the same time, as outlined in the Concept note for EMN contribution to innovation in migration, the aim is to identify and suggest innovative methods and approaches and be forward looking in terms of future opportunities and challenges (not for making policy recommendations).

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With regard to Talent Partnerships, focus on gathering information from EMN NCPs concerning sectors and nationalities targeted in existing or planned partnerships with third countries and unilateral legal migration framework/schemes^[1]. Such measures aim at providing opportunities for persons residing in a third country to come to the EU for the purpose of study, training or work. They involve temporary and long- term migration, as well as circular migration. The Inform will also look into how skills shortages that cannot be filled with the national and legally staying migrant workers already available in EU countries are taken into account in the development of such measures and mechanisms of involving employers and national employment authorities. In addition, such measures aim at skills development and economic development of countries of origin.

2. Questions

- 1. Are any specific nationalities/countries of origin or sectors/ professions targeted in existing and/or planned partnerships with third countries? Yes/No. If yes, please describe nationalities and sectors targeted in each of those measures.**
- 2. Are any specific nationalities/ countries of origin or sectors/ professions targeted in work related legal migration frameworks/schemes implemented at national or local level in your EMN Member State? Yes/No. If yes, please describe nationalities and sectors targeted in each of those measures.**
- 3. Regarding partnerships with third countries and work-related legal migration frameworks/schemes in your EMN Member States,**
 - a) Are skills/occupational shortages taken into account in the development of those measures? Yes/No Please describe.**
 - b) Are employers and national employment authorities involved in the development and implementation of such measures? Yes/No. If applicable, could you please describe in detail what such involvement looks like?**

We would very much appreciate your responses by **25 May 2021**.

3. Responses

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¹ If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

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| | | Wider Dissemination ² | |
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| = | EMN NCP Austria | Yes | <p>1. The 2020-2024 government programme of the current Austrian People's Party-Green coalition provides for training partnerships with business and educational institutions in Austria and locally, albeit within the framework of development cooperation. At the university and research level, there are international cooperation programmes under the umbrella of "Scientific and Technical Cooperation" (STC). Within the framework of these STC agreements and arrangements, bilateral research projects are carried out with selected partner countries. Funding is provided for travel and accommodation expenses of researchers, as well as project-related material costs. Active agreements currently exist with the following third countries: Argentina, Albania, Bosnia and Herzegovina, China, India, North Macedonia, Montenegro, Serbia, South Africa, Republic of Korea, Ukraine and Viet Nam (https://oead.at/de/kooperationen/internationale-hochschulkooperationen/w...). No other partnerships in the sense of the "talent partnerships" proposed by the European Commission exist in Austria.</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>2. Yes, occupations or sectors. In 2011, Austria introduced a criteria-based immigration system for third-country nationals, the so-called Red-White-Red Card (RWR Card, Art. 41 Settlement and Residence Act). The government</p> |

² A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."

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| | | | <p>programme 2020-2024 of the current Austrian People's Party-Green coalition also provides for a further development of the RWR card (available in German, see the link Aus Verantwortung für Österreich – Regierungsprogramm 2020–2024 (dieneuevolkspartei.at)).</p> <p>The RWR Card entitles the holder to temporary settlement and employment with a specific employer or self-employment. In addition to the general requirements for issuance (proof of sufficient means of subsistence and health insurance coverage covering all risks as well as no threat to public order and security) and the existence of a concrete employment offer, special requirements for issuance must also be met. In addition to qualifications, professional experience and language skills, the demand on the Austrian labor market can also be a relevant criterion. The country of origin is not a selection criterion for the issuance of a RWR Card. The specific conditions for issuance (admission criteria) depend on the affiliation to one of the following groups of persons:</p> <ul style="list-style-type: none"> - Very highly qualified workers - Skilled workers in shortage occupations - Other key workers - Graduates of an Austrian university - Self-employed key workers - Start-up founders <p>The admission of skilled workers in shortage occupations takes place in occupations that are defined annually in a regulation for skilled workers (Art. 13 Act Governing the Employment of Foreign Nationals). The 2021 shortage occupation list includes 45 Austria-wide occupations (e.g. roofer, electrical technician, certified nurse, nursing assistant) and 56 regional occupations (e.g. hairdresser, restaurant chef) that apply only to one or more provinces. Only if the specified occupation is qualified as a shortage occupation by inclusion in the Regulation for Skilled Workers can the applicant be admitted as a skilled worker. If an occupation is found "only" on the regional list, admission is only possible in the named province.</p> <p>For the temporary employment of seasonal workers and harvest workers from third countries (Art. 5 Act Governing the Employment of Foreign Nationals), annual quotas are set for the forestry, agriculture and tourism sectors. The country of origin plays no role in the issuance of employment permits.</p> <p>---</p> |
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| | | | <p>Source: Ministry of the Interior</p> <p>3.</p> <ol style="list-style-type: none"> 1. Yes, both the shortage occupation list and the quotas for seasonal workers and harvest workers depend on Austria's economic development and the associated labor demand. The job shortage rate (ratio of vacancies to registered jobseekers in an occupation) is decisive for the definition of shortage occupations. 1. Yes. The employer and employee representatives (social partners) are involved in drawing up the annual shortage occupation list. They can make proposals for the definition of shortage occupations within the framework of the legal requirements (Art. 13 para 1 Act Governing the Employment of Foreign Nationals). The Public Employment Service examines and decides on procedures for issuing a Red-White-Red Card and on employment permits for seasonal workers and harvest workers. Here too, employer and employee representatives are involved as members of the Public Employment Service's regional advisory board. <p>---</p> <p>Source: Ministry of the Interior</p> |
|  | <p>EMN NCP Bulgaria</p> | <p>Yes</p> | <ol style="list-style-type: none"> 1. Yes. At the moment Bulgaria has bilateral agreements for regulating labour migration conducted with: Armenia, Georgia and Moldova. Negotiations with Ukraine and Belarus are in the initial phase. There is a mandate for starting negotiations with Albania, Azerbaijan, Kyrgyzstan, Turkmenistan and Uzbekistan. The confirmation of interest from Tajikistan, Mongolia and Northern Macedonia is still expected. Only Kazakhstan rejected the invitation for negotiations. 2. Yes. 1/ countries of origin – as answered in Q1. 2/ there are no specific sectors/professions. However, in the bilateral agreements seasonal workers are usually specifically mentioned. |

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| | | | <p>3. a) Are skills/occupational shortages taken into account in the development of those measures? No. For Bulgaria, these agreements are a particularly suitable tool to help address the problems of labour shortages, as they provide unimpeded access to the Bulgarian labour market for citizens of these countries without a work permit, but only with registration with the Employment Agency.</p> <p>b) Are employers and national employment authorities involved in the development and implementation of such measures? Yes/No. If applicable, could you please describe in detail what such involvement looks like? Yes. The national representative organizations of employers are involved in the process of drafting of these bilateral agreements as members of the National Council on Labour Migration and Labour Mobility. The Bulgarian Employment Agency participates in drafting, negotiating and especially in the implementation of these agreements as competent authority.</p> |
|  | EMN NCP Croatia | No | This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further. |
|  | EMN NCP Cyprus | Yes | <p>1. No</p> <p>2. No</p> <p>3. N/A</p> |
|  | EMN NCP Czech Republic | Yes | 1. No. The Czech system of migration management is not based on formal bilateral or multilateral partnerships with migrant's countries of origin. Legal migration pathways are established based on discussions of the Council of Economic and Social Agreement, which is the body considering amount and profiles of immigrants needed based on the overall demand of the labour market. Due to specific |

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| | | | <p>characteristics of the labour market (high number of persons employed in industry), the Czech Republic is convinced that all new initiatives on the EU level in legal migration area must be complementary and non-binding to national mechanisms, without affecting states' competencies in this area.</p> <p>2. Yes. Based on the current needs, the Czech Government, after consultation with employers and unions representations, regularly updates national schemes for legal migration with particular on meeting the needs and shortages in the labour market. Such programs currently exist, for instance, for Ukraine, Mongolia or the Philippines. For example, only Ukrainians, who are the most important country of origin, may apply for a national non-extendable "special work visa" valid for up to 12 months that is granted to medium-qualified, low-qualified or unqualified workers in selected sectors of economy – agriculture, food industry, forestry.</p> <p>3. a) Yes. However, the schemes are not based on formal partnerships with third countries, but on the schemes/quotas for particular nationals. Skills/occupational shortages are taken into account, but a specific migration scheme for migrants in shortage occupations has not been introduced in the Czech Republic so far. b) Yes. All important issues concerning labour migration management are regularly discussed by a special working group of the Council of Economic and Social Agreement which is an institutionalized platform for social dialogue among the government, trade unions and employers representatives (tripartite body). Employers' associations and chambers of commerce are represented in this working group and so are the public employment services.</p> |
|  | <p>EMN NCP Estonia</p> | <p>Yes</p> | <p>1. There are currently no such partnerships in place or planned with third countries in place in Estonia. There were IOM-led public consultations together with the Ministry of Economic Affairs and Communications and the Ministry of the Interior about developing partnerships with selected third countries (Georgia and Moldova) few years ago. These did not materialize due to limited interest from the private sector in Estonia. Most of Estonian companies are SMEs interested in hiring 1-2 workers</p> |

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| | | | <p>possibly on ad-hoc basis, which could not be facilitated as easily in the framework of planned partnerships.</p> <p>2. While there are no formal schemes in place targeting specific sectors or countries, the overall legal migration system in Estonia is designed to facilitate the mobility of highly-skilled migrants, especially in the ICT sector. For instance, all ICT workers and top specialists are exempt from the migration quota. The Estonian Startup Visa for startup founders and workers (launched in 2017) and the Digital Nomad Visa for remote workers (launched in 2020) also disproportionately benefits workers in ICT sectors.</p> <p>3. a) Yes. All changes to work-related legal migration legislation and relevant measures are developed in cooperation with professional associations and other relevant social partners. In addition, the overall labour market situation and skill needs for Estonia's economic development are monitored by the OSKA organisation (https://oska.kutsekoda.ee/en/).</p> <p>b) Yes. Employers and national employment authorities are consulted when any revisions and developments are made to the Aliens' Act. They are invited to send in their opinions and when applicable and relevant, participate in roundtable discussions. The discussions about possible partnerships with Moldova and Georgia happened in close cooperation with employers.</p> |
|  | EMN NCP Finland | Yes | <p>1. Yes, provisionally, for planned partnerships, Eastern European countries, region of South- and Southeast Asia.</p> <p>2. Yes, see question 1.</p> <p>3. a) Yes, measures focus on skills/occupational shortages together with skills/occupations related in boosting innovation and international growth.</p> <p>b) Yes</p> |

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|  | <p>EMN NCP France</p> | <p>Yes</p> | <p>1. The nationalities and professional sectors targeted by partnerships for the professional mobility of third-country nationals are determined by several bilateral arrangements and agreements. These agreements provide for specific terms and conditions, specific to each country, to promote the professional mobility of foreign nationals from countries that have signed an agreement with France.</p> <ul style="list-style-type: none"> • Twelve bilateral agreements offer third-country nationals the opportunity to work in France after completing their studies. These agreements allow young graduates (with a degree at least equivalent to a master's or professional license, depending on the country) to seek and hold a job in France that is related to their training and whose salary is above a threshold set by decree (set at 1.5 times the monthly minimum gross wage, namely approximately 2,200 euros gross per month). France has signed a bilateral agreement with the following partner countries: Benin, Burkina Faso, the Republic of Mauritius, Tunisia, Cape Verde, the Republic of Congo (Brazzaville), Gabon, India, Montenegro, Serbia, Georgia and Bosnia-Herzegovina. <p>This possibility also exists in common law and the applicable rules depend on the degree obtained and the bilateral agreements. However the foreign student from a country that has signed an agreement with France on migration flows or professional migration, can benefit from the shortage occupations list provided for in this agreement and a lower salary threshold.</p> <ul style="list-style-type: none"> • In addition, the Young Professionals program (dispositif jeunes professionnels, https://www.ofii.fr/procedure/recruter-un-travailleur-etranger/), is managed by the French Office of Immigration and Integration (OFII). This program allows young people who are already involved in active working life to gain professional experience in France for a maximum of 18 months (with the exception of Canada, Russia, Montenegro and Bosnia-Herzegovina, for which the maximum duration is 12 months renewable once). This program helps them improve their career prospects when they return to their country of origin. This program is implemented through bilateral agreements signed by France with 17 countries: Argentina, Benin, Canada, Cape Verde, Republic of Congo (Brazzaville), Gabon, Georgia, Mauritius, Montenegro, Morocco, New Zealand (agriculture only), Russia, Senegal, Serbia, Tunisia and the United States. The authorized periods of employment vary by country and agreement, as do the annual quotas and targeted employment sectors. • In addition, the Working Holiday Program (Programme vacances travail, PVT) is also a form of professional immigration partnership with third countries. The working vacation program is aimed at French nationals and nationals of third country partners aged 18 to 30 who wish to |
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| | | | <p>expatriate for a maximum of one year for tourism and cultural purposes, with the possibility of working on site to supplement their financial means. The framework of this program is specified in a reciprocal manner by a bilateral agreement. France has thus concluded 15 reciprocal bilateral agreements: with Argentina (2011), Australia (2003), Brazil (2013), Canada (2013), South Korea (2008), Japan (1999), New Zealand (1999), Hong Kong (2013), Colombia (2015), Chile (2015), Uruguay (2016) and Russia (2009 within the framework of an "agreement on professional immigration").</p> <p>All of the measures described above exempt employers from the labour market test requirement.</p> <ul style="list-style-type: none"> Finally, with regard to seasonal work, France concluded agreements with Morocco and Tunisia in 1963, which provide Tunisian and Moroccan seasonal workers with certain special admission procedures. Thus, a pre-selection of candidates is organized, paid for by Morocco and Tunisia. A procedure for sending anonymous CVs has also been put in place for Moroccan nationals. This consists of recruiting workers solely on the basis of professional criteria in order to combat irregular immigration. However, the criterion of employment status remains applicable and the duration of work in France is limited to 6 months per 12-month period. <p>2. See Q1: all agreements that target sectors or nationalities concern professional immigration.</p> <p>3. 3)a) Some bilateral agreements include lists of shortage occupations that differ from the list provided for under ordinary law (list annexed to the Order of April 1, 2021 on the issuance, without opposition to the employment situation, of work permits to foreign nationals who are not nationals of a Member State of the European Union, of another State party to the European Economic Area or of the Swiss Confederation) This is the case for the agreements concluded with: Benin (16 occupations listed in the agreement), Burkina Faso (64 occupations listed in the annex to the agreement), the Republic of Congo (Brazzaville) (15 occupations listed in the agreement), Gabon (9 occupations listed in the annex to the agreement), Georgia (50 occupations listed in the annex to the agreement), Mauritius (61 occupations listed in the annex to the agreement) .</p> <p>The lists established by the bilateral agreements were defined on the basis of the shortage occupations list for nationals of the new member states subject to a transitional period and taking into account the specificities of each country. The lists mentioned in the bilateral agreements take into account occupations among those identified as being subject to restrictions on the free movement of</p> |
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| | | | <p>employees, as well as occupations where recruitment difficulties have arisen (due to part-time work, difficult work organization, geographical distance) and occupations selected at the express request of the partners in relation to the level of shortage and the needs.</p> <p>However, these lists are not regularly updated to follow the evolution of the job market.</p> <p>As mentioned in Q2, under some bilateral agreements, foreign nationals may not be subject to the employment situation principle (working vacation visas, young professionals, France-Russia agreement).</p> <p>For several bilateral agreements, specific quotas have been set by the two partner states. The annual quotas set by the bilateral agreements are specified on the website of the Ministry of the Interior at the following address: https://www.immigration.interieur.gouv.fr/Europe-et-International/Les-accords-bilateraux/Les-accords-bilateraux-relatifs-a-la-mobilite-professionnelle (in French).</p> <p>3)b) In principle, the social partners are involved in the discussions to identify labour shortage and in parliamentary debates. Article L. 414-13 of the CESEDA specifies that the list, drawn up at national level by the administrative authority, of occupations and geographical areas characterized by recruitment difficulties is established "after consultation with representative employers' and employees' trade unions".</p> <p>Thus, the representative employers' and employees' trade unions were consulted to prepare the shortage occupations list published on April 1, 2021.</p> <p>However, it seems that some professional sectors were not consulted when the previous shortage occupations list was drawn up in 2008. Thus, the occupations for which there were recruitment difficulties were based on different nomenclatures than those of the professions on the shortage occupations list published in 2008.</p> |
|  | EMN NCP Germany | Yes | <p>1. There are several existing partnership programmes with some third countries[M31], for example the „Triple-Win“ project, a cooperation between the Federal Employment Agency and the German Society for International Cooperation (GIZ) GmbH, to recruit and train nursing staff from Serbia, Bosnia und Herzegowina, the Philippines and Tunisia to support the health sector and the „Hand in Hand for International Talents“ for Brazil, India and Vietnam project to increase the work force in numerous sectors outside the health sector. Germany also initiated and still takes part in the THAMM</p> |

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| | | | <p>project ("Towards a Holistic Approach to Labour Migration Governance and Labour Mobility in North Africa") with Tunisia, Egypt and Morocco with focus on knowledge transfer for the active management of migration in the partner countries as well as piloting placement of qualified personnel and trainees to Germany.</p> <p>2. Yes. As regards nationalities, a special regime applies to nationals of Andorra, Australia, Israel, Japan, Canada, South Korea, Monaco, New Zealand, San Marino, the United Kingdom and the United States of America. Nationals of these countries may take up any employment – not only employment for skilled workers; the Federal Employment Agency has to declare its consent in advance (the Agency conducts an employment condition test as well as a labour market test). Moreover, regarding nationalities, a special regime also applies to the Western Balkans on the basis of the so-called „Regulation for the Western Balkans“ which was a reaction to a high influx in the German asylum system from the Western Balkans in the past. It allows work migration from the Western Balkans (Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia and Serbia). Nationals of these countries may enter for the purpose of work irrespective of their qualification, Section 19c (1) Residence Act in connection with Section 26 (2) of the Employment Regulation. They need however a concrete job offer as well as the consent of the Federal Employment Agency (which i.a. includes an employment condition test and a labour market test). There is a limit of 25.000 consents per year. The necessary visa needs to be obtained from the competent German Embassy or mission abroad. The regulation is valid until end of 2023.</p> <p>As regards sectors, more favourable rules apply to IT personnel, that may enter Germany without formal, but only practical qualification requirements under certain conditions, Section 19c (2) of the Residence Act in connection with Section 6 of the Employment Regulation. The legal requirements are i.a.: a minimum gross salary of currently 51,120 EUR annually; at least three years of professional experiences in the relevant area obtained in the last seven years and, in principle, sufficient command of the German language (B1 of the Common European Framework of Reference for Languages). In addition, section 16d (4) of the Residence Act provides for preferential rules regarding residence titles for the purpose of recognition of foreign qualifications. These apply to nationals of countries with whom the German Federal Employment Agency has implemented a so-called „Vermittlungsabsprache“ regarding certain professions, i.a. health and care professionals.</p> |
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| | | | <p>3. a) Are skills/occupational shortages taken into account in the development of those measures? Yes/No Please describe. Yes. The Federal Employment Agency uses, for example, the instrument of a comprehensive analysis approach which offers orientation towards the needs and potentials for the German economy.</p> <p>b) Are employers and national employment authorities involved in the development and implementation of such measures? Yes/No. If applicable, could you please describe in detail what such involvement looks like? Yes. National employment authorities and employers are involved through evaluation and assessment of the labour market in relation to sectoral shortages and needs, potentials and skills and qualification which form the basis for placement agreement contracts for certain categories of professionals from some countries, who can enter without prior recognition (see answer 2)</p> |
|  | EMN NCP Hungary | Yes | <p>1. No</p> <p>2. No</p> <p>3. N/A</p> |
|  | EMN NCP Ireland | Yes | <p>1. No. In terms of the employment permit system Ireland does not target any specific nationalities/countries of origin, sectors/professions or have existing Talent Partnerships with third countries. Ireland's employment permits system does not currently plan Talent Partnerships with third countries.</p> <p><u>International Medical Graduate Training Initiative [IMGTI]</u> By agreement with the HSE (Health Service Executive), the Department of Health and the relevant graduate medical training bodies in the State, the Department of Justice, via Atypical Working Scheme, supports qualified doctors from Gulf States who seek to enter the State for the purpose of engaging in post-graduate training offered by relevant training colleges in the State [Royal College of Surgeons in Ireland, Royal College of Physicians in Ireland, College of Anaesthetists Ireland etc].</p> |

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| | | | <p>Permission is initially granted to a maximum of 24 months and can be renewed for an additional 12 months, by application, if the relevant training is still being undertaken. These doctors must register with the Irish Medical Council and much of their training takes place on site at participating hospitals where they patient care.</p> <p>2. No. Ireland does not target any specific nationalities/countries of origin. Ireland's Employment Permits scheme operates on the basis of focus on skills and labour shortages, is vacancy led and by design, is driven by the changing needs of the labour market, expanding and contracting in tandem with its inherent fluctuations. The system is managed through the critical skills and ineligible occupations lists, which respectively prioritise specified in-demand skills and identify occupations for which a labour supply is available in the EEA and are ineligible for a permit. However, Critical Skills Occupations are targeted in Ireland's employment permits framework. The Critical Skills Occupations List is defined by Regulation under the Employment Permits Acts. Occupations on the Critical Skills List include engineering professionals, ICT professionals and healthcare professionals. The most recent Critical Skills List is available here: https://enterprise.gov.ie/en/What-We-Do/Workplace-and-Skills/Employment-...</p> <p><u>Background Note on Ireland's labour migration framework</u></p> <p>Ireland's labour migration needs from third country nationals are met via (1) the Employment Permits system 2) immigration (residence) permission allowing labour market access in certain circumstances without the need for an employment permit and 3) the Atypical Working Scheme allowing entry and employment for up to 90 days and for certain roles not covered by the employment permits system such as self employed persons.</p> <p>It should be noted that Ireland does not participate in the EU legal migration acquis other than the original Researchers' Directive 2005/71/EC. The Blue Card, ICT or Seasonal Workers' Directives do not apply to Ireland.</p> <p><u>Employment Permits</u></p> <p>(a) Aim</p> <p>The State's general policy is to promote the sourcing of labour and skills needs from within the workforce of the European Union and other EEA states. However, where specific skills prove difficult to source within the EEA, and where such recruitment may benefit the State's economic or social</p> |
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| | | | <p>development, employment permits enable us to supplement our domestic skills and labour supply by allowing enterprises to recruit nationals from outside Ireland and the European Economic Area (EEA). The system is provided for in the Employment Permits Acts. A description of employment permit policy is available here: https://enterprise.gov.ie/en/What-We-Do/Workplace-and-Skills/Employment-...</p> <p>(b) Format</p> <p>Two occupations lists are set out under Regulations to establish which occupations are eligible for an employment permit in Ireland. The Critical Skills Occupations List sets out critical skills occupations which are eligible for a Critical Skills employment permit. The Ineligible Occupations List sets out those occupations which are <u>not eligible</u> for an employment permit. Occupations which are not on the ineligible list may be eligible for an employment permit, if the job fulfils other criteria (e.g LMNT, remuneration threshold).</p> <p>When deciding on which occupation to include on either list, the Department of Enterprise, Trade and Employment uses evidence provided by the Expert Group on Future Skills Needs (EGFSN), Skills and Labour Market Research Unit (SLMRU), Solas and other research bodies, submissions through a public consultation and input from relevant Government policy Departments with the process overseen by an inter departmental government group, the IDG on Economic Migration Policy. Further information on the role of the EGFSN is found here: https://enterprise.gov.ie/en/What-We-Do/Workplace-and-Skills/Employment-...</p> <p>(c) Main components</p> <p>Categories of employment permit are as follows:</p> <ul style="list-style-type: none"> • Critical Skills Employment Permit • General Employment Permit • Intra-Company Transfer Employment Permit • Exchange Agreement Employment Permit • Dependant Employment Permit • Contract for Services Employment Permit • Sport and Cultural Employment Permit • Reactivation Employment Permit • Internship Employment Permit |
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| | | | <p>Note: From 6 March 2019, spouses or de facto partners of Critical Skills Employment Permits or Researchers on a Hosting Agreement in accordance with Directive 2005/71/EC may access the labour market without the requirement to hold an employment permit subject to relevant immigration permission granted by the Department of Justice.</p> <p>In general, all General Employment Permit applications and Contract for Services Employment Permit applications must satisfy a Labour Market Needs Test. Applications for occupations on the Critical Skills Occupations List do not need a Labour Market Needs Test.</p> <p><u>Atypical Working Scheme</u></p> <p>The Atypical Working Scheme is administered by the Department of Justice, which has primary responsibility for migration management in Ireland. The Atypical Working Scheme provides a streamlined mechanism for certain other employment situations which are not governed by the Employment Permits Acts or by current administrative procedures under the Employment Permits Acts. For further information see: http://www.inis.gov.ie/en/INIS/Pages/atypical-working-general</p> <p>Atypical working permissions can be granted for contracts for services/Intra-Corporate transfers (15-90 days) where a skills shortage is identified, and for certain positions in the medical sector (locum doctors and nurses undergoing a clinical adaptation process). Occupations on the Ineligible List of Occupations cannot get an atypical permission. Most permissions granted are in ICT and healthcare sectors. Most permissions are for contracts of up to 90 days (contracts of less than 14 days are not covered by the scheme). If the third country national is in the State for less than 90 days, registration for immigration permission is not required. For stays of longer than 90 days, registration is required.</p> <p><u>Other access to the labour market without an employment permit</u></p> <p>Ireland operates a system of immigration stamps denoting the conditions on which the third country national may live in Ireland. Further information on immigration stamps is available at: http://www.inis.gov.ie/en/INIS/Pages/registration-stamps All third country nationals who are in Ireland for longer than 90 days must register with the immigration authorities (Department of Justice in Dublin; An Garda Síochána (national police) outside Dublin) and will obtain the EU-format Irish Residence Permit and the relevant immigration stamp in their passport. For example, employment permit holders receive Stamp 1. Stamp 4 permission allows access to the labour market without further conditions. Among the categories who may obtain a Stamp 4, are Critical Skills Employment Permit holders after 24 months of holding a Critical Skills Employment Permit.</p> |
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| | | | <p>3. a) Yes <u>Employment Permits</u> See answer to question 2. The Employment Permits scheme is vacancy led and is by design, driven by the changing needs of the labour market, expanding and contracting in tandem with its inherent fluctuations. The system is managed through the critical skills and ineligible occupations lists, which respectively prioritise specified in-demand skills and identify occupations for which a labour supply is available in the EEA and are ineligible for an employment permit. <u>Atypical Working Scheme</u> The Scheme operates on the basis of the Ineligible List of Occupations operated by the Department of Enterprise, Trade and Employment as the competent authority in the State with remit to determine the needs of the national labour force.</p> <p>b) Yes <u>Employment Permits:</u> See answer to question 2. The occupations lists are subject to a twice-yearly evidence based review involving evidence provided by the Expert Group on Future Skills Needs (EGFSN), Skills and Labour Market Research Unit (SLMRU), Solas, and other research bodies, submissions through a public consultation and input from relevant Government policy Departments with the process overseen by an inter departmental government group, the IDG on Economic Migration Policy. <u>Atypical Working Scheme</u> The Department of Justice is represented on the IDG on Economic Migration Policy referred to above.</p> |
|  | <p>EMN NCP Italy</p> | <p>Yes</p> | <p>1. At the moment, there are no existing or planned partnerships with third countries.</p> <p>2. Within the framework of the annual programming of entry flows into Italy of third-country nationals for employment reasons, through the quota system, the last Flows Decree 2020 (30.850 subordinate, seasonal, non-seasonal and self-employed non-EU workers are eligible) has reserved 6.000 quotas for non-seasonal subordinate jobs in the road haulage for third parties, construction and tourism-hotel sectors for citizens from Albania, Algeria, Bangladesh, Bosnia-Herzegovina, Korea (Republic of Korea), Côte d'Ivoire, Egypt, El Salvador, Ethiopia, Gambia, Ghana, India, Japan, Kosovo, Mali, Morocco, Mauritius, Moldova, Montenegro, Niger, Nigeria, Pakistan, Republic of North Macedonia,</p> |

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| | | | <p>Senegal, Serbia, Sri Lanka, Sudan, Tunisia, Ukraine and the countries that will conclude cooperation agreements on migration during 2020.</p> <p>In addition, with reference to the 18.000 quotas for seasonal employment in the agricultural and tourism-hotel sectors, 6.000 quotas were reserved, on an experimental basis, for workers from Albania, Algeria, Bangladesh, Bosnia-Herzegovina, Korea (Republic of Korea), Ivory Coast, Egypt, El Salvador, Ethiopia, Philippines, Gambia, Ghana, Japan, India, Kosovo, Mali, Morocco, Mauritius, Moldova, Montenegro, Niger, Nigeria, Pakistan, Republic of North Macedonia, Senegal, Serbia, Sri Lanka, Sudan, Tunisia and Ukraine, whose applications will be submitted in the name and on behalf of the employers' representatives (Cia, Coldiretti, Confagricoltura, Copagri, Lega cooperative and Confcooperative).</p> <p>3. The Italian quota system is based on a number of criteria, such as nationality, partly the needs of the domestic labour market, and bilateral agreements with countries of origin. However, this system is mainly set for low-skilled workers.</p> <p>With reference to question a), the programming of labour flows is based on an ad hoc survey that assesses the need for foreign workers in the industrial and service sectors with regard to the skills needed by these sectors. However, the focus of this mapping does not take into account other key sectors that employ low and/or medium-skilled foreign workers, such as agriculture and domestic/assistance work. Regional administrations are involved in the consultation process, but the analysis of foreign labour needs does not contain in-depth analyses of individual districts or local labour markets.</p> <p>With reference to question b), the most representative workers' and employers' organisations at national level send opinions to the Ministry of Labour and Social Policy, which is responsible for planning migration flows for work purposes, in the period preceding the adoption of the annual Flows Decree. These opinions contribute to the definition of the number of quotas and to the subdivision by type (entries for seasonal and non-seasonal work, by nationality or by agreements with third countries, etc.).</p> |
|  | <p>EMN NCP Latvia</p> | <p>Yes</p> | <p>1. No, Latvia does not have any partnerships with third-countries of origin and is not planning to start developing them in the nearest future.</p> |

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| | | | <p>2. There has been an attempt to define professions in which there is a lack of national labour supply. Mainly, these are the professions where highly-qualified employees are required. For employees invited to work in these professions shorter deadlines and simplified procedure of application for a residence permit has been introduced. However, after the introduction of the list of professions (in 2018), the decision has been made to apply most of these measures horizontally (in all cases of employment), therefore one can conclude that this list does not have any practical significance anymore.</p> <p>3. a) Latvia does not have any partnerships with third countries and special legal migration frameworks/schemes apart from those stipulated in the EU legislation; the only exception is the list of professions mentioned in the answer for Q.2 and to elaborate that list the shortages were taken into account.</p> <p>b) any measure introduced is being discussed widely with the employer's organizations. First, all drafts of legislative documents, are published on website for a public discussion. Later on, when a project is sent for opinions to other ministries, employer's organization as well as trade unions can submit their opinion on the draft document.</p> |
|  | <p>EMN NCP Lithuania</p> | <p>Yes</p> | <p>1. YES.</p> <p>The Digital Explorers project funded under the EU Mobility Partnership Facility aims to facilitate knowledge exchange between Lithuanian and Nigerian ICT sectors supported by an on-going collaboration between public, private and non-profit organizations in Lithuania and Nigeria. The project is implemented in two stages. In 2019, there was a project facilitating legal migration for junior ICT specialists from Nigeria (at least 1-2 years of experience) for the period of 1 year. During the ongoing stage, the project offers a 6-month traineeship program for entry-level data analysts and data scientists from Nigeria. T</p> <p>he project is implemented by Enterprise Lithuania (an NPO established by the Ministry of Economy and Innovation), Afrikos tyrimai ir konsultacijos VŠĮ, Code Academy Kids VŠĮ, Diversity Development Group VŠĮ and Ventures Platform Foundation.</p> |

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| | | | <p>2. YES.</p> <p>Besides the community-wide migration pathways introduced via directives (Blue Card, researchers, intra-corporate transfers), there are two main mechanisms in Lithuania that seek to shape labor migration by facilitating procedures for <u>specific sectors/professions</u>.</p> <p>First, as per Article 44 of the Law on the Legal Status of Aliens, the director of the Employment Service approves annually the list of professions of which there is a shortage in Lithuania. Foreign employees whose profession is on this list are not subject to the labor market test and do not require a work permit. The Minister of Social Security and Labor approves the yearly quota for how many such employees in each economic sector (services, industry, construction, and agriculture) are exempt from the labor market test (the quota for 2021 is 32 200). As per Article 44(1), the Minister of Economics and Innovations also approves the list of high qualification professions of which there is a shortage in Lithuania. Foreign employees whose profession is listed on this list are exempt from the labor market test and can get temporary residence permits for longer periods of time, provided that they have an employment contract for at least a year and receive a salary of more than 1.5 average monthly wage. Second, Article 45(1) of the Law on the Legal Status of Aliens facilitates the creation of companies (start-ups) that involve the implementation of economically or socially significant innovations.</p> <p>The Law on the Legal Status of Aliens also contains provisions that target <u>specific nationalities/countries of origin</u>.</p> <p>Articles 40(1) and 49(5) of the Law establish facilitated requirements for citizens of Australia, Japan, UK, US, Canada, New Zealand, and South Korea who intend to work or engage in other legal activities in the Republic of Lithuania. Citizens of the above-mentioned countries:</p> <ul style="list-style-type: none"> • can work and engage in other legal activities (including self-employment) without a work permit (58(4)); • are exempt from the requirement to be employed by the original employer and to perform only the job described in the original employment contract (62(2)2); • can invite their family members who can obtain temporary residence permits easier (43(6)); • are subject to reduced requirements for the retention of the temporary residence permit in case they lose employment (i.e., according to 50(1), they can be unemployed for 3 consecutive months once without losing the temporary residence permit) |
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| | | | <p>The Description of the Procedure for Issuing a Visa approved by Order No. 1V-899/V-330 of 28 December 2017 of the Minister of the Interior and the Minister of Foreign Affairs creates a migration scheme that facilitates the procedure for citizens of Australia, Japan, UK, US, Canada, New Zealand and South Korea and their family members to obtain a 6-month long national visa. Migrants under this scheme are required to submit fewer documents and a proof or a guarantee of financial resources for 3 months only.</p> <p>Since 21 September 2020, this scheme includes citizens of Belarus as well.</p> <p>3. a) YES. The Digital Explorers project focuses on the ICT sector, which is included in the List of high qualification professions of which there is a shortage in Lithuania. On the other hand, the migration schemes for citizens of Australia, Japan, UK, US, Canada, New Zealand, and South Korea targets specific nationalities, rather than skills or professions.</p> <p>b) YES. The implementation of the Digital Explorers project involves employers – companies that employed the ICT specialists during the first stage in 2019 or are currently training them. The Employment Service participates in this process to the extent that its participation is required (decisions regarding the labor market test).</p> <p>There is no special or additional involvement by either employers or the Employment Service in the earlier-mentioned facilitated migration scheme for citizens of Australia, Belarus, Japan, UK, US, Canada, New Zealand and South Korea.</p> |
|  | <p>EMN NCP Luxembourg</p> | <p>Yes</p> | <p>1. Yes. Luxembourg signed a bilateral agreement with Cape Verde on 13 October 2015 (Agreement between the State of the Grand Duchy of Luxembourg and the Republic of Cabo Verde on the concerted management of migration flows and development in solidarity).</p> <p>There are two cases foreseen by this agreement:</p> <p>a) Exchange of young professionals: This agreement provides a first professional experience to young</p> |

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| | | | <p>professionals from Cape Verde who want to come to work to Luxembourg to improve their career perspectives in a company that carries out an activity of health, social, agricultural, craft, industrial, commercial or liberal nature. The scheme targets individuals between 18 and 35 years of age. They must hold a diploma corresponding to the qualification required for the job offered or have professional experience in the field of activity concerned. The related posts must not have been declared vacant. In the case of regulated professions, the conditions of exercise are defined by Luxembourg. The duration of the exchange can be from three months to eighteen months. The number of young Cape Verdean admitted may not exceed 10 per year.</p> <p>b) A residence permit for an employed person in Luxembourg shall be issued under a simplified procedure to a Cape Verdean national to exercise one of the occupations listed in Annex II to this agreement, which are:</p> <ul style="list-style-type: none"> 1 Directors, executives and managers 12 Administrative and commercial service managers 121 Administrative service managers 122 Sales, marketing and development managers 13 Production and specialised services managers 133 Information and communications technology managers 2 Professional and scientific occupations 21 Technical scientists 211 Physicists, chemists and related professionals 212 Mathematicians, actuaries and statisticians |
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| | | | <p>213 Life scientists</p> <p>214 Specialists in technical sciences (except electrical engineering)</p> <p>215 Electrical engineers</p> <p>216 Architects, planners, surveyors and designers</p> <p>22 Health specialists</p> <p>221 Medical doctors</p> <p>222 Nurses and midwives</p> <p>223 Traditional and complementary medicine specialists</p> <p>224 Paramedical practitioners</p> <p>226 Other specialists in health professions</p> <p>24 Business administration specialists</p> <p>241 Finance specialists</p> <p>242 Specialists in administrative functions</p> <p>43 Sales, marketing and public relations specialists</p> <p>25 Information and communications technology specialists</p> |
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| | | | <p>251 Software and multimedia designers and analysts</p> <p>252 Database and computer network specialists</p> <p>26 Justice, social science and cultural specialists</p> <p>261 Lawyers</p> <p>263 Social scientists and clergy</p> <p>This list of occupations may be amended by an exchange of letters between the two Parties.</p> <p>To facilitate the vocational training, reception and integration of salaried workers, the number of residence permits shall be limited to 50.</p> <p>2. No.</p> <p>3. a) Are skills/occupational shortages taken into account in the development of those measures? Yes/No Please describe.</p> <p>No. As it was explained in question 1 there is a list of occupations in which the salaried worker residence permit procedure is facilitated in accordance with article 6 of the agreement. However, some of the occupations of the list are included in the list for recruiting Blue Card Holders using the lower salary threshold.</p> <p>b) Are employers and national employment authorities involved in the development and implementation of such measures? Yes/No. If applicable, could you please describe in detail what such involvement looks like? No.</p> |
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|  | EMN NCP Malta | Yes | <p>1. No</p> <p>2. There are no formal frameworks or schemes. Requests are in accordance with labour market demands.</p> <p>3. N/A</p> |
|  | EMN NCP Netherlands | Yes | <p>1. Yes, specific nationalities/countries of origin or sectors/professions are targeted in existing partnerships with third countries. It concerns the following partnerships:</p> <p><u>Partnerships for the purpose of study</u></p> <p>Studying in the Netherlands (StuNed): The scholarship programme StuNed is part of the bilateral cooperation between the Dutch and Indonesian government.[1] It is aimed at strengthening and further developing knowledge in Indonesia through allowing students to follow a programme in the Netherlands. Annually, over 200 Indonesian students receive this scholarship for a master's programme (less than two years) or short course (two to twelve weeks). The focus of this programme is on the following sectors that are considered important by Indonesia and the Netherlands: International Trade; Finance and Economics; Transport, (Agro) logistics and Infrastructure; Security and the Rule of Law; and Agro-Food and Horticulture. The scholarship is managed by Nuffic (the Dutch organization for internationalisation in education) on behalf of the Dutch embassy in Indonesia.</p> <p>Orange Knowledge Programme (OKP): This five-year programme was implemented in 2017 by Nuffic. The programme provides various options for the development of knowledge and capacity of persons and institutions in 52 countries.[2] To this purpose, the Netherlands has designated four themes on which OKP will focus. These are food and nutrition; water, energy and climate; sexual and reproductive health and rights; and security and the rule of law. A number of focus points have been determined per country, for which OKP facilities can be used. The prioritised sectors have been compiled by the embassies in the relevant countries. In addition, the partners or organisations that wish to support the embassy have also been identified. One component of the programme consists of scholarships for</p> |

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| | | | <p>professionals in order to take courses and master programmes. Around 7,770 scholarships are available for short courses and around 1,500 scholarships for master's programmes. OKP is funded by the Ministry of Foreign Affairs with a budget of € 192.2 million. In particular, countries in Africa, Southeast Asia and some countries in Central and South America participate in the programme.</p> <p>Holland Scholarship Programme (HSP): The Holland Scholarship is on the one hand meant for international students from outside the European Economic Area (EEA) who want to do their bachelor's or master's in the Netherlands. On the other hand is the Holland Scholarship meant for Dutch students who want to do their bachelor's, masters or a short time study experience outside the European Economic Area (EEA). For incoming students the focus is on talented students, whereby 'talented' is not further specified. For outgoing students the program aims to target a wide and diverse range of students, including first generation students, students with a migration background, or students with a physical or mental disability. Annually around 570 incoming and around 1540 outgoing students receive a Holland Scholarship. No specific countries are designated with special attention.</p> <p><u>Partnership for the purpose of work</u> Match project: within this demand-driven circular migration project, labour market shortages in four European countries are addresses (Italy, Belgium, Luxemburg and the Netherlands).[1] This is achieved by enabling an estimated 210 migrants from Nigeria and Senegal to work for a period of 1-2 years in companies within sectors where specific labour shortages have been identified. In the Netherlands, the International Organisation for Migration (IOM) works in partnership with the Netherlands-Africa Business Council (NABC), in order to promote legal pathways for highly skilled candidates from Nigeria and Senegal to work temporarily in Dutch companies. This is primarily within the ICT, technology and digitalization sectors. In this project candidates are targeted who, through their temporary work placement, are provided with the opportunity to upscale their skills in the Netherlands and increase their employability upon return to their home countries. Moreover, MATCH implements complementary activities in order to increase the impact of the project, such as the offering of various trainings to the selected candidates, engagement of labour migrants in projects in their home country to facilitate skills and knowledge transfer to their communities of origin, and the facilitation of exchange between</p> |
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| | | | <p>employer organisations and employment agencies in the participating EU countries and organisations in Nigeria and Senegal.</p> <p>[1] Nuffic Neso Indonesia (n.d.). http://www.nesoindonesia.or.id/beasiswa/stuned/stuned-english-version. Consulted on 2 October 2018.</p> <p>[2] Nuffic (n.d.). https://www.nuffic.nl/en/subjects/orange-knowledge-programme-overview/. Consulted on 24 September 2018.</p> <p>[1] MATCH - IOM Nederland (iom-nederland.nl)</p> <p>2.</p> <p>Yes, specific nationalities/countries of origin or sectors/professions are targeted in work related legal migration frameworks/schemes implemented at national level. Please see rhw only existing scheme in this regard:</p> <p><u>Structural scheme for specialised cooks in the Asian Catering Industry</u></p> <p>Since October 2019 the structural scheme for specialised cooks who want to work in the Asian Catering Industry entered into effect. The structural scheme entails e.g. that there will be no more annual quota. If necessary for their restaurants, employers of Asian restaurants[1] have been able to bring specialised cooks to the Netherlands since 1 October 2019 without a quota and without first having to make recruitment efforts. The period of validity of the GVVA (single permit) for this purpose of stay is longer than usual: they may not work in the Netherlands for one, but for two years. This is on condition that no Dutch or European cook is available who can do this work (this the so-called labour market priority assessment by the Employee Insurance Agency (UWV)[2]). Normally speaking, the vacancy must be reported five weeks in advance. By derogation from this, restaurants have had to report their vacancies to the UWV three weeks in advance before an application can be made for a permit to bring a cook employed in the Asian hospitality sector to the Netherlands since 1 October 2019. Just as in the case of temporary arrangements, rules are attached to the permits that the employer must make efforts to train and/or additionally train local staff in order to fill vacancies.</p> <p>[1] The scheme applies to restaurants with one or more of the following cuisines: Chinese, Indian, Indonesian, Japanese, Korean, Malaysian, Thai, Tibetan and Vietnamese.</p> |
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| | | | <p>3.</p> <ol style="list-style-type: none"> 1. Yes. However, mostly for the development of talent partnerships with third countries skills/occupational shortages are not taken into account, with the exception of the Match project (see question 1). Also mostly for the development of work-related legal migration frameworks/schemes, skills/occupational shortages are also not taken into account, with the exception of the scheme for Asian cooks (see question 2). 2. Yes, for the scheme for Asian cooks the Employee Insurance Agency is involved in the development and implementation of the scheme, together with the Ministry of Social Affairs and Employment. Employers are not involved in the development/implementation, although they submit the applications. This is not the case for the Match-project. |
|  | <p>EMN NCP Poland</p> | <p>Yes</p> | <ol style="list-style-type: none"> 1. Poland is interested in solutions in the field of programs aimed at attracting international talents and highly-skilled and with rare qualifications employees. The directions currently being considered in the context of possible partnerships in the future or in the scope of EU's Talent Partnership, include the Western Balkans and the countries of the former USSR, such as Azerbaijan, Uzbekistan, Kazakhstan. However, the discussion on this subject is currently open and might involve some new directions. 2. A foreigner can be entrusted work in Poland because they obtain a work permit and stay in Poland legally. An important exception to the rule that a work permit is a prerequisite for legal work performance by a foreigner covers nationals of 6 states: Armenia, Belarus, Georgia, Moldova, Russia, and Ukraine, working for 6 months during 12 consecutive months, covered by the declarations on entrusting work entered in the register of declarations by the local Labour Office. It's a simplified procedure (shorter in time and with no need to apply for the work permit) designed for the preferred region engendered from the Eastern Partnership. Also, as a rule, Poland did not apply preferences for specific professions or qualifications for a significant time. For almost 300 professions since mid-2018, the exemption from the so-called labor market test in the procedure of obtaining a work permit has been introduced. This solution was positively assessed, among others by employers, and contributed to the increase in the number of work permits issued, in particular for skilled manual labor |

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| | | | <p>professions. An example of solutions developed in this area is the “Poland. Business Harbor ”developed to enable the arrival and transfer of professional activity to Poland of highly qualified managers and IT workers from Belarus.</p> <p>3. So far - Poland has not applied its solutions related to the designed legal labour migration paths based on the sectoral needs of the economy. Access to the labour market of foreigners is regulated by national law. The unique solutions introduced, such as the described before "declaration procedure", derived from the preferential migration policy for specific geographic and cultural areas (the so-called Eastern Bloc). Nevertheless, work is currently underway in Poland on various reforms and the introduction of new, innovative legal solutions, corresponding to the needs of the dynamically changing economic situation locally and globally. Namely, the labour market reform and works on defining the new changed directions of activities in the field of migration state management, specifically labour migration policy. As part of the ongoing work on reforms, issues related to the most recent needs of the labour market (employers, entrepreneurs, professionally active and jobseekers) are taken into account. The shortages in the labour market are analyzed to be able to create an institutional and legal order that best suits the contemporary situation of the domestic market. The institutional system in Poland is dispersed, nevertheless, state bodies such as the National Labor Inspectorate, the Ministry of Interior and Administration, and the Ministry of Labour cooperate in the development of new documents regulating the management of labour migration and, more broadly, the country's migration policy.</p> |
|  | <p>EMN NCP Portugal</p> | <p>Yes</p> | <p>1. No</p> <p>2. Not for countries of origin but there are certain areas which are preferred such as innovation and technologies. As an example there is the “StartUP Visa” Program. The support and promotion of entrepreneurship and innovation have been identified has strategic priorities for the country. The “Startup Visa” Program, created by IAPMEI, has been established in the framework of ongoing efforts to attract foreign investment. The “Startup Visa” Program welcomes</p> |

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| | | | <p>foreign entrepreneurs that intend to develop projects capable to generate “startups”, built on new ideas and business models, thus contributing to attract highly qualified professionals.</p> <p>Another one is the “Tech Visa” which is a certification program addressed to technological and innovative companies aiming at granting visas or resident permits to highly qualified third country nationals, interested in working in such companies.</p> <p>The “Tech Visa” ’s objective is to simplify access to highly qualified professionals, in particular in the field of technology, foreigners to the European Union, to jobs created by portuguese companies. Therefore, the program is aimed at technological and innovative companies, in the global market, looking to attract highly qualified and specialized professionals to Portugal.</p> <p>3. a)NA b)No. Because these are political measures set up for economic and social development aiming at capture foreign investment and to develop entrepreneurship in the field of technologies. These programs are developed and set by IAPMEI - Agency for Competitiveness and Innovation.</p> |
|  | <p>EMN NCP Slovakia</p> | <p>Yes</p> | <p>1. No. The Slovak Republic (SR) currently does not have concluded agreements covering labour mobility with third countries, which would target specific sectors or professions where labour shortages are identified.</p> <p>In bilateral cooperation area covering the mutual employment of nationals and labour migration, the SR currently focuses on youth working holiday programmes. Here the formal tools of bilateral agreements as well as less formal tools as memorandums of understanding are used. The SR concluded agreements on working holiday programmes with Canada, New Zealand, Japan, Australia, Argentina, etc. The interest to use the programme is mainly from the side of the Slovak citizens. Participation of the citizens of the second party is minimal.</p> <p>The only agreement on mutual employment of citizens, the SR has concluded is with Russian Federation, this is however not executed.</p> <p>Currently the International Organization for Migration (IOM) in cooperation with European Commission within the project financed from Structural Reform Support Programme is preparing for the Ministry of Labour, Social Affairs and Family of the SR a Labour Mobility Scheme[1]. Within the Scheme it is</p> |

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| | | | <p>proposed that in the area of bilateral cooperation with the countries of origin of foreign workers the SR focuses on Skills mobility partnerships. These partnerships should progressively take into account the development on the labour market and future of employment, digitalization and automatization, globalization of labour market as well as demographic changes. In the process of selecting particular countries or regions it is advised to take into account objective factors such as labour market needs (both in country of origin and destination country), information on age and education structure of the population of the country of origin, wage differences, education recognition, geographical proximity and related costs for recruitment, competition with other destination countries and political will to conclude such international agreements.</p> <p>[1] The proposed Labour Mobility Scheme which was prepared on the basis of a complex evidence-based research comprises number of measures. The aim of proposed measures is mainly to facilitate and accelerate admission of foreign workers to the Slovak labour market. The aim is also to contribute to the effective labour migration policy, increase the attractiveness of Slovakia for foreign workers by means of a set of stimulative measures and at the same time to facilitate the integration of foreign workers into society. The proposal is planned to be finished by September 2021.</p> <p>2. Not at the moment. In the proposed Slovak Recovery and Resilience Plan which was published within the inter-ministerial consultation (March 2021), the SR declares an interest for the need of high-qualified labour force in different sectors. Focus on selected countries of origin is not specified. Within the Labour Mobility Strategy of Foreign Workers in the Slovak Republic until 2020 with the prospect until 2030 a regular quarterly elaboration of professions shortages list was set. In case of these professions the labour market test is not needed when entering the Slovak labour market. The SR at the moment applies a system where the Office of Labour, Social Affairs and Family within the process of granting the residence permit for the purpose of employment expresses consent on the possibility to fill the vacancy within 5 days from the day when the request is received from the Foreign Police Department. Simplified conditions for the employment of third-country nationals in professions where shortages are identified in regions with registered unemployment rate lower than 5% are set by the relevant legislation (Act No. 5/2004 on Employment Services). In the Labour Mobility Scheme which is under preparation (see question1) it is proposed to introduce measures which will focus on foreign workers in professions where labour shortages were identified,</p> |
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| | | | <p>highly qualified foreign workers, talents and professionals in strategic sectors as well as low-qualified foreign workers and seasonal workers. This will be done on the basis of labour market needs analysis which identifies labour shortages in complex as well as less complex professions. While preparing the labour shortages list it is proposed to analyse number of indicators and prepare them in the form of a synthetic indicator which will bring a more complex result of the labour market research. Based on the synthetic indicator value it would be possible to classify the occupations based on their need for the Slovak labour market. Flexibility and predictability of the system lies in social partners dialogue based on which the minimal value of the index for profession shortages will be set.</p> <p>3.</p> <ol style="list-style-type: none"> 1. Not at the moment. 2. No. <p>However, within development cooperation financed from the SlovakAid a so called Private Sector Engagement Programme is created in order to effectively engage the private sector in the development cooperation of the Slovak Republic. In the past the Programme financed several projects with labour migration element, e.g. Business Plan – Elaboration of Student and Labour Mobility Scheme of IT Uzbek Students[1] or Feasibility Study – Mobility Scheme of Moldovan IT Students for the purpose of soft and hard skills transfer in the IT area. [2]</p> <p>Private sector is actively involved also in projects with labour migration elements financed from Development Projects Grants Scheme through SlovakAid. This concerns e.g., projects like Skilled workforce for the Moldovan IT sector: Digital education for young women and creation of a Cyber Security Academy[3] and Mobility scheme for Ukrainian IT students to enable transfer of soft and hard skills from Slovakia to Ukraine in cooperation with Universities and private sector[4].</p> <p>The projects can be realised in all countries within the ODA eligible countries OECD/DAC list.</p> <p>As for the cooperation with employers' associations it is to be mentioned that the current list of professions shortages which can be filled by third country nationals without the labour market test is prepared in cooperation with employers' associations.</p> <p>Also, in the process of elaboration of the above described Labour Mobility Scheme the employers' associations were involved.</p> |
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| | | | <p>[1] The main outcome of the project is a business plan within which the financial sustainability of business of Uzbek IT students in the scope of mobility scheme is examined. The project finished in February 2021.</p> <p>[2] The main outcome of the project is a Feasibility Study within which the possibility to prepare a mobility scheme for Moldovan IT students is examined. The project finished in 2019.</p> <p>[3] The aim of the project is to support digital education for young women, the creation of a Cyber Security Academy and the establishment of a new IT laboratory in Moldova. The project is ongoing until summer 2021.</p> <p>[4] The aim and innovation of the project was the creation of study and mobility scheme of Ukrainian students for the purpose of professional knowledge and soft skills transfer from Slovakia to Ukraine. The project finished in second half of 2020.</p> |
|  | EMN NCP Slovenia | Yes | <p>1. Yes. National assembly passed a law ratifying the Treaty on employment of Bosnian citizens on 21.11.2012, while law on ratification of the Treaty on employment of Serbian citizens has been passed on 28.5.2019. Treaties determine procedures and conditions for employment of Serbian and Bosnian citizens in Slovenia.</p> <p>2. See answer on first question.</p> <p>In addition, in 2020 Slovenia adopted the Order determining the occupations in which the employment of a foreigner is not tied to the labour market. This means that in these occupations third country nationals can be employed without the labour market test.</p> <p>There are 8 occupations on the list, as follows:</p> <ul style="list-style-type: none"> - truck drivers, - welders, - tool makers, - electricians, - cooks, - electro mechanics, - builders, |

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| | | | <p>- carpenters.</p> <p>3. No.</p> |
|  | EMN NCP Spain | Yes | <p>1. No</p> <p>2. Yes, Morocco. Offering legal pathways to come and work in Spain from Morocco enhance legal, safe and orderly migration, which also help in filling vacancies in certain sectors and in job matching. So, it is a win-win situation for the countries of origin, transit, destination, for the migrant and for the private sector. The GECCO yearly Order is published in Spain, which regulates the conditions, requirements and characteristics of circular migration scheme applicable to TCN's. The GECCO Order has been a fundamental instrument of Spanish policy in this sector, even before the publication of the Directive and applies mainly to those countries with which Spain has signed a bilateral agreement. The main sector for which it is used is agriculture. Spanish regulation also provides for the possibility of other temporary work (less than a year), in industry or services, which would fall outside the scope of the GECCO Order but cannot be considered Seasonal work within the cases covered by the Directive. Most temporary workers are hired in spring and summer for red fruit collection campaigns, mostly from Morocco and are women. These workers are critical to the coverage of these jobs, which are previously offered at the national level and only when they cannot be covered in this way, are they offered for TCN's. Nevertheless, we also consider other countries, such as Colombia, Ecuador, Mauritania, Ukraine and the Dominican Republic, in the first place, because we have migratory agreements with these countries; and, in second place, we include countries with which we have other cooperation instruments: Gambia, Guinea, Guinea Bissau, Cape Verde, Senegal, Mali, Niger, Mexico, el Salvador, the Philippines, Honduras, and Paraguay. Morocco has been chosen because it has the workforce needed for the harvest season, it is geographically quite close to the South of Spain and is a strategic partner in the migratory field. This programme has been running for many years, widely recognized as a good practice in the field of circular migration, in which several stakeholders are involved: government, private sector and trade</p> |

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| | | | <p>union organizations. This programme takes into account the labour market needs both in the country of origin and in the country of destination, proving the positive impact of a well-managed migration policy. Through this programme, we bring every year thousands of women from Morocco to work at the strawberry harvest in the south of Spain, filling year after year the urgent labour shortages existing in this field.</p> <p>3. Yes, skills/occupational shortages are taken into account: the jobs are previously offered at the national level and only when they cannot be covered in this way, are they offered for TCN's. For the hiring in origin programme in Morocco- GECCO- we publish annually a call for participants (employers and employees), and their selection is carried out by the Spanish and Moroccan authorities, respectively. So, it is through a legal instrument, implemented with cooperation of the national authorities in the country of origin.</p> <p>In this case, the matchmaking is quite easy, because there is no need for a skills recognition process. Mind you, the added value of the programme is that many of the participants are repeaters, as they come to Spain every harvest season, spend some months in our country doing their job, and, once it is over, they go back to Morocco, till next year. So, there are many women that have been doing this every year for ten or more years, and in fact they usually work for the same employer too. So, the matchmaking is not difficult whatsoever. Regarding the job visa programme with Argentina, the aim of the project was facilitating the matchmaking, so we encouraged the participants to begin the job seek from Argentina, online, so that when they arrived in Spain the matchmaking was closer (but Spanish authorities are not responsible for the matchmaking).</p> <p>These actors participate in the management of the yearly arrival of Moroccan seasonal workers to Spain:</p> <p>Main actors:</p> <ul style="list-style-type: none"> - Secretary General for Employment in Morocco - ANAPEC, in Morocco, which is responsible for the selection of the candidates. - Spanish Labour, Migration and Social Security Office in Morocco, which works closely with ANAPEC in the selection of the candidates. - Directorate-General for Migrations (Subdirectorato-General for Immigration), that manages the yearly circular migration programme. - Government Representation office in Huelva |
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| | | | <ul style="list-style-type: none"> - The Spanish Ministry of Foreign Affairs, that issues the visas. <p>Other actors:</p> <ul style="list-style-type: none"> - Andalusian employment service (SAE) - Andalusia regional government - Law enforcement bodies - Labour inspectorate, - Social Security Treasury Office - Companies and agri-food cooperatives participating in GECCO (ASAJA, FREEELVA, COAG, Fresón de Palos, UPA, APCH, and Cooperativas Agroalimentarias Huelva) - Trade unions (UGT and CC.OO) - NGOs |
|  | EMN NCP Sweden | Yes | <p>1. No, Sweden does not currently operate partnerships of this kind with third countries.</p> <p>2. No, the Swedish labour immigration framework does not focus on specific countries of origin, nationalities or sectors. The Swedish system is employer-driven and open to labour migrants from all countries. The government (or legislator) does not interfere with employers' recruitment preferences. The system is also open to all sectors/professions. (However, for certain branches / industries additional safeguards and checks are in place to prevent misuse of the system and exploitation of foreign workers.)</p> <p>3. a) No. Sweden does not currently operate partnerships. As regards the general work-related legal migration framework, the Swedish system is employer-driven. Employers may recruit foreign workers regardless of profession and there are no labour market tests. (However, third-country nationals who apply for a permit to work in a shortage occupation can under certain circumstances apply for such a permit from within Sweden. The general rule is that permits have to be applied for from abroad, i.e. before a third-country arrives in Sweden.)</p> |

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| | | | <p>b) Sweden does not currently operate partnerships but the Swedish system for labour immigration is employer-driven. This means that it is up to the employers to decide whether they want to recruit workers from abroad, from where, and for what occupations. The Swedish legislator has provided a legal framework for labour immigration to Sweden, which the employers can use in accordance with their own needs. There are no quantitative or qualitative targets for work-related immigration from third countries.</p> |
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