



Opinion of the European Economic and Social Committee

**Factual and legislative analysis for an effective integration of third country nationals (TCNs) in the
EU labour market**

(own-initiative opinion)

(C/2025/764)

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1. Conclusions and recommendations

1.1. The development of a comprehensive European Union (EU) labour immigration policy has been slow and difficult since the entry into force of the Treaty of Amsterdam which conferred a competence to the EU in the field of immigration. EU policy is governed by directives and the overall outcome has been that EU directives have achieved a minimal level of harmonisation, leaving a significant degree of discretion to the Member States.

1.2. The EESC points to the fact that organised labour mobility in the EU is governed by a highly fragmented and overly complex framework that consists of several EU Directives and co-existing national legislation. Different categories of migrant workers are governed by different Directives and regulations, each covering different aspects and stages of the migration process.

1.3. The EESC believes that rather than being complementary to national policies, EU policy targets similar workers. This is particularly problematic for highly skilled workers, who represent, both quantitatively and qualitatively, the main category of workers the EU wants to attract and retain. The EU should not, and need not, seek to substitute national labour immigration policies with EU policies. Rather, the latter should be complementary to the former and any EU intervention should be carefully justified in relation to the principle of subsidiarity.

1.4. With labour shortages manifesting themselves as a common European challenge, which vary both between Member States and between the different sectors of the labour market itself, and may be linked to the labour conditions of the sector or profession, they also require a common response. Harnessing the potential of a single EU labour market, instead of operating as 27 separate labour markets, would put the EU in a better position to compete for migrant workers in the 'global race for talent'.

1.5. The EESC would like to bring to the attention of the European Commission a short-term option for integrating migrant labour into the EU, which could involve building on the current sectoral approach with legislation that specifically targets sectors relevant to the EU's industrial policy. The EU's long-term approach should be to pursue and implement a common labour migration policy that avoids internal competition, sets clear common objectives and aligns a set of instruments with those objectives, thereby putting the EU in a better position to compete internationally.

1.6. The EESC highlights the need to prescribe clear regulations on migrants' access to working visas and work permits, as well as ensure recognition of their diplomas and professional qualifications. Regarding the problem of the recognition of migrants' diplomas ⁽¹⁾, it would be important to develop European qualification and competency standards, which could resolve this issue.

1.7. The EESC would draw particular attention to the need to facilitate migrants' access to the labour market by developing policies and action plans that aim to promote the inclusion of migrants (with particular provisions for women) in the labour market by addressing their specific needs and developing effective cooperation between governments, trade unions, social entities and employers' organisations on the design and funding of vocational training for migrants, ensuring that language and citizenship classes are also made available to asylum seekers and refugees.

1.8. The EESC underlines the importance of ensuring that officially recognised representatives of migrant communities liaise with representatives of the private and public sectors and trade unions. It also stresses the importance of migrant communities participating in civic life. A good pan-European initiative would be to establish a 'European Council for the Integration of Migrants and Refugees' (ECIMR), linking recognised migrant associations and communities with the various European forums.

1.9. Irregular migrants working in the informal labour market are often employed in low-skilled jobs. The European legislative framework on sanctions and measures against employers of illegally staying third-country nationals (Directive 2009/52) is in place. In order to avoid third country nationals (TCNs) using irregular pathways to come to Europe, bilateral agreements with sending countries could include the regularisation of irregular migrants, with parallel agreements for access to low-skilled or seasonal work, with the sending country then being required to accept back anyone who attempts to enter the EU irregularly.

1.10. The EESC would like to give particular attention to the situation of asylum seekers and refugees. They often face administrative restrictions in accessing the labour market, and in becoming self-employed, as only a small number of European countries grant immediate access to the labour market to asylum seekers.

1.11. The EESC stresses the importance of enforcing bans on recruitment agencies found to have engaged in unethical or abusive practices, and of maintaining blacklists of agencies with a history of exploitation. It would like to see employers prohibited from entering into contracts with blacklisted agencies and penalties imposed for non-compliance.

1.12. The EESC proposes the establishment of a mechanism (observatory) at European level to serve as a hub for advice on how to develop legislative frameworks for: regulating migration-related issues; supporting projects promoting intercultural development; tackling exploitation; and promoting dialogue between researchers, policy-makers, and civil society representatives working on migration problems.

1.13. The EESC would like to see the development of educational programmes in schools to build knowledge of different cultures, languages and religions, and would advocate migrants' active involvement in the activities of political parties, trade unions and migrant and diaspora associations. The promotion of mutual and reciprocal awareness of social and cultural differences to facilitate better understanding between host and migrant communities is equally important. In this respect, the role of civil society organisations could be crucial, as they can help develop better-informed societies and thus serve as a liaison in host societies.

⁽¹⁾ OJ C, C/2024/4067, 12.7.2024, ELI: <http://data.europa.eu/eli/C/2024/4067/oj>, <https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/talent-mobility-package>.

1.14. The EESC is in favour of promoting the application of the EU Regulation 1231/2010 ⁽²⁾ to extend EU social security coordination rules to nationals of non-EU countries legally resident in the EU and in a cross-border situation, as one of the main conditions for the social inclusion and integration of migrants and the prosperity of host countries.

1.15. The EESC would like to see better, seamless and more readily available access to EU funding by ensuring complementarity between the two major integration funds, the AMIF and ESF+, for example by implementing coordination mechanisms at national level and ensuring that the social inclusion component of the ESF+ programmes is accessible to migrants and refugees, as Member States are not obliged to allocate any of the 25 % earmarked for social inclusion to migrants.

1.16. The EESC welcomes the strengthening of the external dimension by supporting development cooperation, migration diplomacy and regional cooperation frameworks on labour migration within and outside the EU's immediate neighbourhood. Regional initiatives can facilitate dialogue, information exchange, and policy coordination among countries of origin, transit, and destination, promoting harmonised approaches to migration management and addressing common challenges, including irregular migration, smuggling, and trafficking.

1.17. The EESC would encourage exploring mechanisms for the promotion of circular migration, whereby migrants move between their countries of origin and destination on a temporary basis, to maximise the benefits for both sending and receiving countries while minimising potential social and economic challenges.

1.18. The EESC believes that the future economic growth of Europe will depend on its capacity to better harness people's skills and talents and promote innovative technologies and businesses. Therefore, a key priority should be the elimination of barriers to migrants' access to the labour market and the provision of opportunities for the development of their skills and talents. To that end, as current measures are fragmented and incomplete, a broader reform agenda is needed aimed at ensuring economic competitiveness and enabling the EU to truly compete in the global race for talent. In short, the case for a better European labour migration policy is clear. By adopting a comprehensive and coordinated approach, the EU can harness the potential of labour mobility to drive economic growth, address demographic challenges, promote social inclusion, and uphold the rights of all workers.

2. Overview of the current labour migration trends within the EU

2.1. The **New Pact on Migration and Asylum** serves as the EU's overarching regulatory framework with regard to asylum seekers. The political agreement reached between the European Parliament and the Council sets the stage for what is hoped to be fair, efficient, and sustainable migration management over the long term.

2.2. Furthermore, at EU level there are also the **legal pathways**. The legal pathways comprise several Directives, such as the EU Blue Card Directive, the Seasonal Workers Directive, the Intra-Corporate Transfers (ICT) Directive, the Long-Term Residence Directive, the Single Permit Directive and the Research and Educational Purposes Directives. It should be noted that the Council of the EU, in its final vote on 12 April 2024, approved the revised Single Permit Directive. The recast instrument is designed to improve application processes, increase labour market mobility and make it easier to escape exploitation ⁽³⁾.

2.3. The EU remains committed to providing safe and legal pathways for those in need of protection through the **EU resettlement programmes** which enable the most vulnerable refugees to reach Europe without having to resort to using criminal smuggling networks or endanger their lives by taking perilous routes.

⁽²⁾ Regulation (EU) No 1231/2010 of the European Parliament and of the Council of 24 November 2010 extending Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009 to nationals of third countries who are not already covered by these Regulations solely on the ground of their nationality (OJ L 344, 29.12.2010, p. 1).

⁽³⁾ See <https://www.consilium.europa.eu/en/press/press-releases/2024/04/12/legal-migration-council-gives-green-light-to-single-work-and-stay-permit-for-non-eu-nationals/>.

2.4. On the other hand, there is the **EU Talent Pool**, which aims to make it easier to match supply and demand. Recognising that facilitating job matching and ensuring equal and fair working conditions for third-country nationals can help attract talent from non-EU countries, as part of **the Skills and Talent Mobility package** ⁽⁴⁾, the **EU Talent Pool** ⁽⁵⁾ aims to facilitate the recruitment of jobseekers from non-EU countries in occupations that are experiencing EU-wide shortages at all skills levels ⁽⁶⁾.

2.5. Recently, the Commission presented the **Labour skills and shortages** action plan. The plan sets out actions in five areas ⁽⁷⁾ to be implemented swiftly at the EU, national, and social-partners level; these include: supporting the activation of underrepresented people in the labour market; providing support for skills development, training and education; and improving working conditions in certain sectors.

2.6. In addition to EU-level Directives and Regulations, each Member State has its own **national immigration policies** governing labour migration. These policies may include various types of work permits, residency permits, and schemes for skilled workers, students, researchers, and other categories of migrants.

2.7. Some Member States have **bilateral agreements** with non-EU countries to facilitate labour migration. These agreements may cover specific sectors or categories of workers and provide for streamlined procedures for recruitment, work permits, and residency.

3. General comments

3.1. The EESC agrees with the Commission that creating labour pathways for TCNs to the EU should undoubtedly be a central component of a comprehensive and balanced migration policy. As the Commission acknowledges, the development of legal pathways to Europe for work purposes not only helps alleviate the pressure on irregular routes, but also enables the EU and its Member States to attract talent and skills contributing to the economic prosperity of the whole Union.

3.2. In addition, the EESC points to the fact that demographic pressures also create the need for labour, hence demography is a key factor for migration in Europe. It is the factor that can change the narrative on perceptions. Member States urgently need to cover their labour needs but also to strengthen their social welfare and pension systems. Proactive migration policies could significantly improve the demographic situation in Europe.

3.3. A reduced workforce in Europe, which varies between Member States and between the different sectors of the labour market itself, and may be linked to the labour conditions of the sector or profession - will have major economic consequences, as fewer people will be contributing to pension financing, consumption will fall, and social protection will be limited. The working age population is shrinking, which is leading to shortages in the labour force in a number of sectors, including healthcare, social care, farming, construction, hospitality, catering, information technology and financial services. Therefore, migration could be very beneficial for Europe, if the necessary policy measures are implemented.

⁽⁴⁾ Commission Communication of 15 November 2023 on Skills and Talent Mobility (COM(2023) 715 final).

⁽⁵⁾ Proposal for a Regulation of the European Parliament and of the Council establishing an EU Talent Pool (COM(2023) 716 final).

⁽⁶⁾ OJ C, C/2024/4067, 12.7.2024, ELI: <http://data.europa.eu/eli/C/2024/4067/oj>.

⁽⁷⁾ Supporting the activation of underrepresented people in the labour market

- Providing support for skills development, training and education
- Improving working conditions in certain sectors
- Improving fair intra-EU mobility for workers and learners
- Attracting talent from outside the EU

<https://ec.europa.eu/social/main.jsp?langId=en&catId=89&furtherNews=yes&newsId=10790>.

3.4. The EESC reiterates that in contradiction to most of the populist anti-migrant rhetoric stating that migrants are a heavy burden for the social protection system, a recent OECD study on the fiscal impact of migration for all European OECD countries showed that migrants contribute more in taxes and social contributions than they receive in individual benefits ⁽⁸⁾.

3.5. The EESC regrets that despite the recognition of needs, the response to enabling migration access to the EU labour market faces many challenges, namely legal, language and cultural barriers, discrimination and bias, skills recognition and credential evaluation and recognition, mobility restrictions, social exclusion and integration challenges as well as, in some cases, limited access to social protection and exploitative working conditions ⁽⁹⁾.

3.6. The EESC believes that participation in civic life is extremely important for the creation of a 'sense of belonging' among TCNs in the host society as well as the creation of conditions of mutual acquaintance, partnership and acceptance.

3.7. Following the good practice of several Member States that have set up Councils for the Integration of Migrants and Refugees in certain municipalities, the idea could be extended as a pan-European policy. The 'European Council for the Integration of Migrants and Refugees' (ECIMR) would be of an advisory nature and aim at strengthening integration and acquainting TCNs with the structures and procedures of the EU.

3.8. The EESC would like to stress the point that migration should be perceived as an opportunity, not a risk. The absence of a coordinated migration policy at European level has paved the way for the rise of ungrounded fears amongst the European population, fears which have been subsequently exploited by some political forces and media outlets to present a distorted image of migration as a threat.

3.9. The EESC challenges the common misconception that migrants are a threat to the local population by taking their jobs and exploiting social security systems. It draws the attention of the Commission and of the authorities of the Member States and their societies to the positive impact of migration on European economic development and calls for European policies to contribute to taking full advantage of the opportunities provided by migration.

3.10. The EESC welcomes the fact that recently concluded revisions of the EU Blue Card Directive, as well as ongoing reforms of the Single Permit Directive, may help to improve their functioning. Lower and more flexible eligibility thresholds for the Blue Card, for example, can widen its scope. The proposed recast of the Single Permit Directive, aimed at simplifying and clarifying its scope, may make it more effective, albeit without addressing entry conditions for lower and medium-skilled migrants.

3.11. The EESC welcomes the fact that the EU Talent Pool ⁽¹⁰⁾ may help coordinate Member State policies. It also welcomes the fact that it includes built-in safeguards to avoid exploitative and unfair practices, and points out that third-country nationals recruited through the EU Talent Pool will have the same rights and obligations as EU workers once they are in employment, including regarding the respect of EU laws and principles to ensure smooth integration into local communities.

⁽⁸⁾ International Migration Outlook 2021 © OECD 2021, p 121.

⁽⁹⁾ See more in the EESC study on seasonal workers, Rossella Soldi and Simona Cavallini, 22 April 2023 – Revised 12 May 2023, <https://www.eesc.europa.eu/sites/default/files/files/qe-05-23-186-en-n.pdf>.

⁽¹⁰⁾ OJ C, C/2024/4067, 12.7.2024, ELI: <http://data.europa.eu/eli/C/2024/4067/oj>.

3.12. The EESC notes that the Member States can decide how to achieve a directive's aims and, therefore, have broad discretion when implementing it into national law. It regrets the fact that the legislative framework is largely detached from key EU policy areas. Member States' hesitance to make use of EU legislation is certainly a result of the fact that EU rules allow for more favourable provisions to be established in national law. Hence the EU's legislative acquis on labour migration reinforces rather than challenges or complements national preferences. Relying on national solutions will not address the challenge, as intra-EU competition is likely to result in divergences between Member States' ability to fulfil EU industrial strategy objectives.

Brussels, 4 December 2024.

The President
of the European Economic and Social Committee
Oliver RÖPKE
