

Towards a well-being approach in labour migration policy

ADVISORY MODELS ON LABOUR MIGRATION IN THE NETHERLANDS AND ABROAD

An exploratory study



Adviescommissie voor
Vreemdelingenzaken

ACVZ

The Advisory Committee on Migration Affairs (*Adviescommissie voor Vreemdelingenzaken, ACVZ*) consists of ten experts. The ACVZ is an independent advisory body established by law. The Committee advises the government and Parliament on migration issues. It examines policy and legislation and indicates possible areas of improvement. The ACVZ issues practical recommendations aimed at solving both existing and anticipated problems.

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Advisory Committee on Migration Affairs

Turfmarkt 147

2511 DP The Hague

Email: acvz@acvz.org

Website: www.adviescommissievoorvreemdelingenzaken.nl

Tel.: 070 3704300

This ACVZ publication was prepared by:

Monique Kremer

Sonja Avontuur

Lambert Obermann

Huub Verbaten



Summary

- The opportunities that labour migration from outside the European Union offers to Dutch society are currently not being sufficiently considered and utilised. Unlike in many other countries, there is no body in the Netherlands that advises the government on this subject in a structured manner. It is very important for the government to seek such advice.
- When choosing an advisory model, it is essential to decide what one aims to achieve with labour migration. The ACVZ distinguishes three aims: 1) fulfilling employer demand for workers; 2) ensuring a properly functioning labour market; 3) contributing to well-being.
- According to the ACVZ, 'contributing to well-being' ought to be the aim of labour migration. Moreover, it is the aim that most closely corresponds to the current government policy, the final report of informateur Tjeenk Willink and the necessary broad social embedment.
- Well-being concerns the quality of life in the here and now and the extent to which this is or is not achieved at the expense of that of future generations and/or of people in other parts of the world. In terms of labour migration, a well-being approach involves looking at the opportunities that this migration offers to society in the Netherlands (and other parts of the world) and weighing up all the interests at stake: of employers, employees, migrants and society at large.
- Opting for a well-being approach means that consultation of various groups in society, including experts, employers, employees, local administrators and citizens, will have to be included in the process of advising the government. Given the complexity and the associated range of interests to be considered, the ACVZ advocates entrusting the supervision of this process to an interdisciplinary group of government advisers or to an independent advisory body. The Netherlands would become a global pioneer, if it were to set up an advisory model with this aim, which also involves broad citizen consultation. In this regard, there are lessons to be learned from Canada, in particular.

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1. Rationale

Is migration perfectible? Migration and the labour market touch on numerous social issues.¹ A great deal of uncertainty exists regarding how many and which labour migrants will be needed in future, whether there will be sufficient housing for them and whether they will integrate into society or leave the country again. As a result of the coronavirus crisis, there is a growing awareness that our economy needs to be able to withstand external shocks. This raises questions about the role that migrants (can) play in this respect and whether or not migration policy should be reconsidered in that light.

More than half of the migrants to the Netherlands are EU citizens who are permitted to move freely between the Member States. The Dutch labour migration policy for migrants from outside the EU is aimed primarily at strengthening the knowledge economy and attracting highly educated people. For other vacancies, it must always be checked first whether they can be filled by Dutch citizens and other EU citizens (i.e. the 'priority work' criterion under the Foreign Nationals (Employment) Act (Wav) must first be met).

Why the current policy is inadequate

[Statistics Netherlands \(CBS\)](#) has shown that between 6,000 and 12,000 people come to the Netherlands each year under the knowledge migrant scheme (i.e. almost two thirds of all labour migrants from outside the EU). Compared to several other European countries, the Netherlands has relatively few knowledge workers (accounting for 4.2% of the Dutch labour force in the 2016-2018 period)². So the notion that pursuing a welcoming migration policy automatically leads to highly skilled migrants choosing to come to the Netherlands appears to be a misconception. Other factors, such as the business climate, also play a role. Even if they do choose the Netherlands, many of the migrants prove to be transients these days and eventually end up leaving again ([The Netherlands Scientific Council for Government Policy \(WRR\)](#)). Of the knowledge migrants who came to the Netherlands in 2009, more than 80% left the country again within 10 years ([CBS](#)). Of course, this is not a problem – it is part and parcel of a dynamic global economy – but it is undesirable if we had preferred them to stay.

The [ACVZ](#) previously concluded that, unlike the top segment, the middle segment of the labour market is not supported by a labour migration policy that is specifically geared to it. For less labour-intensive work or for lower-paid specialist work which is subject to increasing shortages in the labour market, the Netherlands uses a restrictive framework, which is set out in the Foreign Nationals (Employment) Act. There is nothing wrong with the 'priority workforce' criterion in

¹ The ACVZ provides advice on issues in relation to migration and the labour market. See: www.adviescommissievoorvreemdelingenzaken.nl/werkprogramma---programmaliijnen.

² It should be noted, however, that the definition used for international knowledge workers is much broader than for the group covered by the Dutch knowledge migrant scheme: all highly educated individuals who were born in a country other than their country of residence. The study compared the Netherlands with 13 other European countries.

the Wav: employment must serve an essential Dutch interest. The fact is, however, that most employers find the application procedure to obtain a work permit for persons from outside the European Economic Area too complex and time-consuming. The criterion is rigidly applied to each individual application, whether it concerns a 'vital' sector, one with structural shortages or a sector for which there is expected to be a surplus in future. Apart from a few (historical) exceptions, such as the Asian hotel and catering industry, the Dutch government does not make sector-specific agreements. The long and the short of it is, the Netherlands has no labour migration policy at the meso (sector-oriented) or macro level for dealing with situations other than the extreme cases involving, for instance, a knowledge migrant who works for a company like ASML on the one hand, and an Asian wok chef on the other. In the vital sectors, such as healthcare, there is certainly room for this ([ACVZ](#)). The opportunities that labour migration from outside the European Union offers to Dutch society are currently not being sufficiently researched, considered or utilised.

Why a new advisory model for labour migration is desirable

The Netherlands deserves to have a system that is flexible and future-oriented. The labour market is undergoing sweeping change. In the Netherlands and the rest of the EU, there are structural shortages of skilled workers in some economic sectors, such as ICT, health and specific professions. The percentage of employers reporting difficulties in filling jobs is on the rise. Shortages are greatest among highly skilled professions: engineers, technicians and ICT specialists. However, there are also specific shortages of workers educated at the senior secondary vocational level, such as professionals in sectors such as healthcare, education and construction, which are also set to increase, whereas the options for meeting those needs through labour migration are limited. The current policy is mostly reactive in nature. Legal labour migration is made possible only when there are shortages. Proactive policy requires thinking through which forms of labour migration will be necessary and desirable³ in future. The connection between this and, for example, the [national knowledge and innovation agendas](#) in the top sectors, is clear.

The [Netherlands Interdisciplinary Demographic Institute \(NIDI\) and CBS](#) recently published the final report '*Population 2050 in focus*' ('*Bevolking 2050 in beeld*'). Their results show that demographic developments – especially with regard to migration and an ageing population – are forcing us to focus on the future. They expect a shortage of workers and propose addressing this with a combination of three possible solutions: increasing the participation of women, raising the retirement age and increasing labour migration. Having an agile workforce, including labour migrants, is therefore becoming ever more important. A new government will be faced with choices in this area.

It is also wise to focus more on how labour migration can promote social cohesion ([WRR](#)). We note that sections of the population do not view labour migration in an

³ See the passage on page 237 of the WRR report that raises the question of the desirability of some companies being entirely dependent on cheap, low-skilled foreign workers.

entirely positive light ([Postmes e.a. 2017](#)). In 2017, respondents' opinions about residence permits being issued when employers deem it necessary were on average still fairly positive, but were less positive when it came to EU migration. With regard to highly educated foreign workers, 53% felt that issuing residence permits to employees was a reasonably to very good idea, but there was less support as regards low-skilled employees: only 40% thought issuing residence permits to these individuals was a reasonably to very good idea.⁴ In order to gain support, it makes sense to think about how citizens can play a greater role in, and have more control over, policies that also affect them.⁵

The [taskforce Broad Social Reconsiderations Towards a flexible migration chain](#) proposes the establishment of an independent migration planning office:

'The planning office can be given the mandate to focus on all aspects of migration (narrow variant) or it can be mandated to focus on a broader area that includes related subjects (such as the Dutch labour market and demographic developments). To be effective, the planning office needs to have a certain scale, along with a significant scientific basis and international orientation, among other things.'

Well-being as a starting point for future labour migration

In an open letter to the future Minister of Migration, the [ACVZ](#) proposes the establishment of a *Committee on future labour migration and well-being*. This proposal is based on previous advice issued by the ACVZ.⁶ More or less migration is not the starting point. It is about balancing all the interests at stake: those of employers, migrants *and* society at large. It is not only about labour market and admission policies, but also visions for the future as regards well-being, including in the area of housing, labour participation and economic needs.

Viewing labour migration from the perspective of well-being is an obvious choice. Indeed, well-being is increasingly used instead of gross domestic product (GDP) in government policy and [Tjeenk Willink](#) also emphasises this in his coalition advice. The term has become commonplace as a result of discussions in the Lower House of the Dutch Parliament about the WRR report [Towards a learning economy](#) from 2013. The temporary, politically broad, parliamentary committee 'Broad concept of well-being' was then set up. This committee issued its final report in 2016, which was subsequently discussed in Parliament. The Lower House decided to ask CBS to develop a *Monitor of Well-Being* in line with the committee's report. Since 2018, it has always been presented on Accountability Day (the third Tuesday in May).⁷

⁴ Postmes e.a., *Support for migration policy (Draagvlak migratiebeleid)*, 2017, p. 56. In a survey (2017), respondents were asked questions about five different aspects of support, including labour migration. The researchers caution the reader about extrapolating percentages and numbers from this study to the Dutch population as a whole.

⁵ See among others the passages on pages 3 and 7 of [informatie Tjeenk Willink's final report 30 April 2021](#).

⁶ ACVZ, 'Call for a sustainable migration policy' ('Oproep tot een duurzaam migratiebeleid'), (2020), Exploratory study: legal channels for migrant workers (2019), Futures study: Onwards to 2030 (2018), Temporary labour migration, 2015-2035 (Tijdelijke arbeidsmigratie, 2015-2035) (2009).

⁷ See p. 36 of the WRR report [Better work](#) (Het betere werk) from 2020

CBS' definition of well-being is as follows: 'Well-being concerns the quality of life in the here and now and the extent to which this is or is not achieved at the expense of that of later generations and/or of people in other parts of the world.'⁸ This exploratory study recommends the development of an advisory model for labour migration from outside the EU with well-being as its starting point. This also means that citizens must be consulted.

Structure of the exploratory study

In this study, we will first look at three possible aims of labour migration. We look at both positive and negative aspects of that objective. We will then discuss who should advise the government about labour migration and which actors should be involved in the process. We will also look at how the advisory model for labour migration is arranged for in other countries, in order to work out what the Netherlands can learn from it.

⁸ See [Introduction – Monitor of Well-being & the Sustainable Development Goals 2020 | CBS](#)

2. What is the aim of labour migration?

The first question to be answered is what the aim of labour migration from outside the EU is. We will discuss three objectives (from narrow to broad):

1. Fulfilling employer demand for workers
2. A properly functioning labour market
3. Contributing to well-being

Objective 1: Fulfilling employer demand for workers (narrow approach)

One can choose to look only at the direct needs of employers (Option 1). This makes it a fairly straightforward exercise: outstanding vacancies that are difficult to fill must be identified and listed and an assessment must be made of vacancies which are expected to be difficult to fill in future, after which it is determined how many labour migrants are required and what their profile should be.

There are then two possible approaches for linking labour migration to labour market shortages.

The first approach is 'demand-driven': granting accelerated or simplified admission to migrants who have a concrete job offer in predetermined professions for which a shortage exists. In a demand-driven model, migrant workers would therefore be employed in the relevant roles as intended. However, it requires precise definition, especially in terms of which sectors are eligible, and regular adjustments would be needed in response to labour market developments. Employers would play a role in the admission procedure for migrants who come to work for them.

The second approach is 'supply-driven': increasing the supply of workers by attracting migrants with specific education and skills who are therefore expected to reduce labour shortages in certain sectors, without any effort being made to match these migrants with predetermined professions for which a shortage exists (i.e. migrants would arrive without having received a concrete job offer). The advantage of this approach is that employers would not be burdened with admission procedures and potential labour migrants need not apply for jobs from abroad. But the risk of this approach is that, in practice, labour migrants might not end up finding work at the intended level and in the intended sector.

A combination of both approaches is also possible (demand-driven for some sectors and supply-driven for others). Quotas (setting a maximum number of labour migrants) and/or a points-based system (only migrants with a minimum number of points would be allowed to migrate/apply) could be used in either approach.

The first disadvantage of this 'narrow variant' is that it would be guided largely by the short-term interests of employers. The history of migration has taught us that employers may shift the long-term costs of integration onto society ([WRR](#)). Levels of labour participation and education levels of past groups of guest workers and their children that have lagged behind those of the native population are an example of this. A model in which employers not only arrange for work and decent

housing, but also for the (re)training, (partial) integration and potential return of labour migrants, can address this disadvantage.

A second disadvantage is that the 'narrow variant' is based on the idea that it is possible to unequivocally identify shortages of labour and skills on the labour market. However, this is not the case because there are no universally accepted definitions for these. The determination of whether or not a 'shortage' exists and when skills are to be regarded as such is context-dependent.⁹ A labour shortage may be perceived to exist in certain professions, such as highly-skilled technical professions or among order pickers at a distribution centre. But if wages were to go up or working conditions were to improve (in the case of order pickers), would there still be a labour shortage? In short, shortages are not set in stone.

Objective 2: A properly functioning labour market (intermediate approach)

Another approach involves taking a properly functioning labour market as the starting point for the advisory model (Option 2). Employers benefit from being able to quickly fill hard-to-fill vacancies with well-trained labour migrants. It is likely to also contribute to a properly functioning labour market, but these benefits will not necessarily coincide. Indeed, shortages in certain sectors can be a symptom of a poorly functioning labour market, for example due to poor working conditions. Reducing these shortages by hiring migrants only perpetuates these poor working conditions. Moreover, the constant demand from employers for cheap and low-skilled labour from outside the EU may inhibit innovation and investment aimed at increasing labour productivity. Other solutions to labour market shortages can also be considered, such as increasing the employment rate of working age people who already live in the Netherlands. The NIDI and CBS, for example, propose an increase in the number of hours worked by women. Another possibility is to ensure that the existing local labour supply is better aligned with demand, for example by trying to increase enrolment in courses with good employment prospects (and promoting precisely those courses among potential study migrants).

A disadvantage of this intermediate approach is that only taking the proper functioning of the labour market into account, means that the broader general interest, such as whether the sector has added value for the Netherlands, is disregarded. Take agriculture, horticulture and intensive livestock farming, for example, which have a considerable impact on the climate. This approach leaves little or no room for local interests and citizen participation. Is the increasing demand for labour migrants in those sectors still justifiable or will there be alternatives in future, such as relocating businesses abroad, for example carrying out flower cultivation in Ethiopia?

In 2020, the coronavirus crisis led to the realisation that there were other groups of labour migrants who were essential for the Netherlands in addition to just

⁹ See for example [Bridget Anderson, Friedrich Poeschel, and Martin Ruhs, Covid-19 and Systemic Resilience: Rethinking the Impacts of Migrant Workers and Labour Migration Policies, EUI Working Paper RSCAS 2020/57](#)

knowledge migrants. The labour migrants that the Netherlands now appreciates work in, among others, the healthcare and transport sectors and as seasonal workers in agriculture and horticulture. The Netherlands did not introduce new policies or procedures to promote the access of non-EU migrants to essential sectors ([EMN 2020](#)). An advisory model aimed at a properly functioning labour market would likely have better responded to this need.

In addition, the objective of ensuring a properly functioning labour market offers the opportunity to reach sector-specific agreements which are binding on employers. It is then possible, for example, to make agreements in the healthcare sector that investments will simultaneously be made in better jobs and that opportunities will be made available for training abroad.

Objective 3: Contributing to well-being (broad approach)

A much broader approach involves looking at the extent to which labour migration contributes to well-being (Option 3). Well-being concerns the quality of life in the here and now and the extent to which this is or is not achieved at the expense of that of future generations and/or of people in other parts of the world. Well-being is the starting point of the government's policy and a properly functioning labour market is part of it. A well-being approach also emphasises the need for quality jobs to be available for all. Labour migration can help certain sectors that are of great importance to the Dutch economy to continue to flourish and vital sectors to continue to function, but it can also help sectors survive that do not contribute much and, for example, are very polluting for the environment. A well-being approach can help prioritise labour migration in socially valuable sectors and labour migration that makes a contribution to solving societal challenges.

This approach can also ensure better account is taken of the public support and assimilation capacity of society. It is important to not only measure but also to work on acquiring support, both at the national and local levels ([ACVZ 2021](#)).

Labour migrants not only work, but also have to live somewhere (either with or without their partner and children), make use of services (education, healthcare) and participate in Dutch society. Therefore, it is also important to consider what impact the arrival of labour migrants will have on housing, education and healthcare. Adequate housing is crucial and often proves to be a bottleneck. The assimilation capacity of society also has an impact on the appeal of the Netherlands as a host country for the desired labour migrants (e.g. whether or not there are sufficient places available at international schools and whether or not the country has affordable housing for labour migrants).

Finally, a broader and comprehensive approach to labour migration would at the same time make it possible to achieve other worthwhile goals. For example, the Dutch government could make legal labour migration – from countries relevant to migration policy – possible (one of the six pillars of the comprehensive approach to migration, [Government](#)). This is the '*strategic country approach to migration*' ([ACVZ](#)), whereby the admission of labour migrants is regulated through bilateral or EU partnerships with countries that cooperate in preventing irregular migration

and human trafficking, and in accomplishing the return to the country of origin. The well-being approach also necessitates taking the interests of the people in the countries of origin into account¹⁰, such as increasing the socio-economic prospects of young people who have few opportunities in their own countries or strengthening trade between them.

¹⁰ The concept of well-being consists of three components: well-being in the 'here and now', well-being 'in the future' and well-being 'elsewhere'. Well-being 'elsewhere' concerns the effects of Dutch choices on jobs, incomes, (non-renewable) resources and the environment in other countries. See [Introduction – Monitor of Well-being & the Sustainable Development Goals 2020 | CBS](#)

3. Who takes the lead in providing advice?

The second question to be answered is: who will advise the government on the admission of non-EU labour migrants? This refers to who will make the final consideration, how much expertise will be involved in the process and how stakeholders other than the appropriate parties, such as citizens¹¹, can be involved. Who should take the lead and determine what will be included in the advice? In our view, there are three options for this:

- A. Promoters of interests
- B. Independent experts
- C. Government body

Actors A: Promoters of interests

Leaving the identification of needs to the promoters of interests involved in the chosen objective of the advisory model (Option A) is an option. This has the advantage of being assured of support when the final advice on labour migration is provided. How easy this is to achieve will depend on the aim of the advisory model. If Objective 1 (meeting employer demands) is chosen, it will be easy, as this can then be left to the employers (Confederation of Netherlands Industry and Employers (VNO-NCW), Dutch Federation of Small and Medium-sized Enterprises (MKB-Nederland)).

Objective 2 (properly functioning labour market) is also straightforward: it can then be left to employers' and employees' organisations and the market (policymaking by consensus between government, employers and the trade unions :the 'polder model'), forecasts by the Employee Insurance Agency (UWV), Research Centre for Education and the Labour Market (ROA), CBS and others under the supervision of, for example, the Social and Economic Council (SER)). However, the polder model mainly safeguards the interests of employers and trade unions, and these do not always match those of the entire society.

In the case of Objective 3 (well-being), it is more complex. After all, many interests would have to be taken into account and many organisations would therefore have to be included in the discussion. This includes the interests of citizens and local communities; these can be identified, for example, through citizen consultation. Having these organisations and citizens manage this process together is difficult to achieve. In terms of Objective 3, the more obvious solution is therefore to leave the supervision to a group of independent experts (Option B) or to the government (Option C) which would then arrange for the consultation of all stakeholders, citizens and local communities.

¹¹ It is impossible to speak of *the* opinion of the citizens or the population, as a wide variety of opinions exist within these groups of people. Research (Postmes et al., 2017) shows that citizens' support for national migration policy (a rather abstract issue for most people) and the same people's support for migration policy at the local level (the concrete situation in one's own municipality or neighbourhood) differ quite a bit. This is also important to consider when approaching this issue.

Actors B: Independent experts

Another possibility is to have the provision of advice on labour migration carried out by independent experts, (scientists and people who work in this field) (Option B). This could be an organisation that fits in with the Dutch system of advisory councils and knowledge institutions or a planning agency. Of course, they would consult the promoters of interests but the independent experts who also consider the research results would be responsible for the final assessment. The advantage of this option is that the results would be objective and based on research rather than on negotiations between stakeholders. Which objective is chosen will determine the composition of an expert committee. Objective 1 would, above all else, require economic expertise, Objective 2 would likely require the involvement of economists, occupational psychologists and occupational sociologists, while a broader commission, based less on occupational expertise would be needed for Objective 3.

Actor C: The government

Finally, entrusting the provision of advice to a government agency (Option C) is also an option. In this scenario, officials with an academic university education who work in a research department/strategy department would assess the need for labour migrants depending on the chosen objective (1-3). They would also consult stakeholders (interest representatives, citizens) and researchers. The advantage of this option is that the advice would be in line with the political reality. The disadvantage is that there would be no independent provision of advice, so the advice might be influenced more by politics than by reality.

Productive combination of relationships

In the Dutch context, it ultimately mainly comes down to the relationships between the various actors. Strong connections between promoters of interests, experts, citizens and government are essential. More horizontal discussions are crucial: is it possible to reach solutions through discussion on an equal footing? The so-called 'climate tables' are an interesting example of how this can be organised in the Dutch context. In these consultative bodies, representatives of government authorities, the business community and civil society organisations, acting under the supervision of the SER, discussed how to achieve the reduction of greenhouse gas emissions in the Netherlands by 2030 and 2050. 'Migration tables', supervised by the government, might also be an interesting option.

Citizen consultation

Another complex but urgent question is how to include citizen consultation, and which citizens are the appropriate ones to consult. Civic forums exist in various forms. Good participation takes time. The starting point is that it is not about asking for a judgement (opinion), as in the case of a one-off internet consultation for legislation, for instance,¹² but rather, a *periodic consultation*. This can be achieved through well-organised, procedurally fair discussions, over a longer

¹² www.internetconsultatie.nl

period of time, involving many different participants (stakeholders). In this model, both those in favour of and those against (labour) migration tend to be committed and informed people. Citizens could be involved in the discussion concerning the extent, the form and the preconditions, for example, by means of an overview of trends and figures 'Migration illustrated' ('Migratie in beeld') ([Research and Documentation Centre \(WODC\)](#)). Participants are sometimes selected by drawing lots. In addition, various sources of information are consulted in the process (see also the [Brenninkmeijer Commission](#)). This can be done at both the national and local level (per province or municipality), as support at the different levels can vary considerably. Such citizens' forums help enable the expression of various views in society and the exchange of ideas about them and creation of the right conditions for labour migration. If the aim of labour migration proves broader than the fulfilment of employer demands or the promotion of a properly functioning labour market, paying more attention to the citizens' ideas is an obvious choice. After all, it is about the well-being of all.

Advisory model

In the Dutch context, the various parties will have to be on board: independent experts, social partners, citizens. A strong connection between those who carry out the advisory role and the government policymakers is essential. This will ensure that the final advice is adopted by the government. In view of the complexity and the associated range of interests to be taken into consideration with well-being as a starting point, the ACVZ advocates entrusting the provision of advice to an interdisciplinary group of government advisers or to an independent advisory body.

4. Advisory models used in the Netherlands and abroad

The Netherlands does not yet have an advisory model for labour migration. Other countries do already have one, however. We are of course better off not simply copying other countries' models. However, we ought to try and learn something from them. We will consider what the aim is (labour market shortages, properly functioning labour market or well-being) of the models used in various countries and who is involved in their application.

The Netherlands

The Netherlands does not yet use a macro-level model to analyse the expected need for workers and to translate that into a specific proactive approach to the admission of labour migrants from outside the EU/EEA.

In the Netherlands, the UWV periodically publishes a forecast of labour market demands and shortages at national and regional level (UWV, 2018) and CBS publishes on labour market tension, including in its 'Labour Market Dashboard' ('Dashboard arbeidsmarkt'). In addition, the Research Centre for Education and the Labour Market (ROA) issues publications on labour market developments in the Netherlands. Neither the UWV nor the ROA discuss labour migration in their reports; nor is Dutch labour migration policy in any way tailored to these reports.

Germany

The current German labour migration system is tailored to the supply and demand of migrant workers and the economic strategy of the German federal government. Efforts are focused on solving the problem of 'shortage occupations' (ACVZ [2019](#)). Since March 2020, Germany has succeeded in attracting more skilled workers from outside the EU (Federal Office for Migration and Refugees (BAMF) [2020](#)). This offers an opportunity for skilled workers from countries outside the EU to come to Germany for six months to look for work. This is subject to the condition that they demonstrate a basic command of the German language and that they can provide for themselves. Based on demographic developments in Germany, the need for skilled workers and the call for labour migration from German industry, the German government decided to offer new immigration options. The German model focuses mainly on a properly functioning labour market (intermediate approach) and is implemented by the Ministry of Labour and Social Affairs in close cooperation with the Ministry of the Interior and their agencies. However, it also includes a strategic country approach to migration through policies favouring skilled workers from certain countries, such as Albania and Tunisia. The idea is that this could reduce irregular migration. Although well-being is not the leitmotiv, this does mean it has an element of that.

United Kingdom

The United Kingdom (UK) has a 'Migration Advisory Committee' ([MAC](#)) that advises the government on migration issues. The committee is responsible for providing transparent, independent and evidence-based advice. The main topics the committee deals with are the effects of immigration, the limits on immigration in

relation to the points-based system and the identification of shortages in the labour market. The MAC compiles a '*Shortage occupation list*' on behalf of the government. The government then makes its own assessment to determine the need for migrants. The government often does not follow the MAC's advice. On 1 January 2021, the UK introduced a [points-based system](#) for migrants (MAC [2020](#)), based on the system used in Australia, Canada and New Zealand, which gives the government greater control over labour migration. The key goal of the UK model is to ensure a properly functioning labour market (intermediate approach); independent experts from the MAC provide advice to the UK government.

Republic of Ireland

Ireland has a mechanism in place for identifying professions in which there is a shortage of labour for which employers can recruit workers from outside the EU/EEA without a labour market test being performed. Professions eligible for the work permit are listed in the so-called *Critical Skills Occupation List*; ineligible professions are then listed in the *Ineligible List of Occupations*.

The Irish government seeks advice from the independent expert group [Expert Group on Future Skills Needs](#) on the future demand for workers and related labour market issues affecting business growth and employment. This includes advice on the need for labour migration. The expert group consists of representatives of ministries and agencies, employers' organisations, employees' organisations and education institutions. The Irish model focuses on a properly functioning labour market (intermediate approach).

Australia

Each year, the Australian government determines the size and composition of the migration programme during the budgeting process (MPI [2019](#)). This programme is developed following broad-based public consultation with stakeholders, including the business community and local communities from all states and territories. The views of different communities, economic and labour force forecasts, international research, net migration from abroad and economic and fiscal models are all taken into account in the programme's planning. The Australian model focuses primarily on a properly functioning labour market (intermediate approach) under the supervision of the Department of Home Affairs and the Department of Employment, Skills, Small and Family Business and their agencies. In Australia, the *Skilled Occupation Lists* form the focus. Stakeholders can respond to the draft lists through (internet) consultation. The Ministry of Employment, Skills, Small and Family Business then makes the assessment and establishes a *Medium and Long-term Strategic Skills List*, a *Short-term Skilled Occupation List*, and a *Regional Occupation List*.

Canada

Each year, the Canadian government presents a three-year projection of migrant admissions ([Immigration Levels Plan](#)). The plan indicates how many immigrants Canada will invite for permanent residence in the context of its economic, family, refugee and humanitarian programmes. Under the supervision of Employment and

Social Development Canada, future labour market trends are forecast at national level (ESDC [2019-2028](#)). Immigration, Refugees and Citizenship Canada updates trends based on information obtained in qualitative interviews with key sources on occupational shortages. Before setting the desired target numbers for permanent migration, this department also includes public opinion through a stakeholder survey (IRCC [2020](#)). In 2020, virtual round-table conversations were organised throughout the country by the Minister of Immigration and the Parliamentary Secretary. In 2020, more than 1800 stakeholder organisations, including national, provincial and local government authorities, (sectors of) the business community, civil society organisations and chambers of commerce and science, were invited by email to respond to an online questionnaire. The stakeholder survey questions dealt with priorities, desired levels of permanent migration (target numbers) and a new *Municipal Nominee Programme*. There are no targets for temporary labour migration or migration for study purposes.

The Canadian model focuses on a properly functioning labour market and is the only one that also has features of a well-being approach (broad approach). This is shown by the various interests of (local) government authorities and stakeholders that the government weighs up, in an effort to achieve a diverse and inclusive society in addition to economic growth. The process includes broad public consultation under the government's supervision. Despite the Covid-19 pandemic, there is growing support for migration in Canada ([2020](#) survey). The success of a model is supported by a variety of factors including the existence of a separate immigration department, the determination of target figures, the consultation of many national *and* local organisations and the existence of welcome centres for newcomers (WRR [2021](#)) and private sponsorship programmes in which citizens participate.

A new combination

As far as the above-mentioned examples of models from other countries are concerned, the ACVZ expressly advises against simply copying these. Certain elements of them can definitely be adopted, but the chosen model will ultimately have to be in keeping with the Dutch government's key objectives, local conditions and various interests in the Netherlands. Moreover, the support for labour migration differs by country. In the Netherlands, interesting elements could conceivably be singled out as building blocks. For example, the use of labour market forecasts (UWV, CBS and ROA) combined with a list of professions for which there is a labour shortage that can be periodically adjusted by a (new) advisory body (experts), and the holding of round table discussions (e.g. under the supervision of the government or SER) and the conducting of (online) stakeholder surveys (by the government or a new advisory body, including national support research (Netherlands Institute for Social Research (SCP) supplemented by local research.

5. EU tools to identify shortages of and demand for labour

A report issued to the European Parliament proposed improving labour matching for migrants from within and outside the EU through the introduction of an EU-wide 'Labour Market Information System' (LMIS) and an EU projection system for labour demand (EU [2015](#)). European bodies that can supply information to the LMIS include the European Employment Observatory, EU Labour Force Survey, European Vacancy Monitor, EU Skills Panorama, Cedefop Skills Forecast and the European Job Mobility Portal (EURES). The role of private matching services in international labour migration should also be improved and regulated.

The European Commission commissioned the OECD to investigate the possibility of adopting elements of the 'Expression of Interest' (EoI) model used by Australia, Canada and New Zealand to attract qualified migrants. Migration candidates can be selected for multiple programmes, at different skill levels, for temporary or permanent residence using the EoI model. During the pre-selection process, the potential migration candidate indicates their interest in a programme and states their skills (education, work experience, language proficiency and other relevant factors). In the second step, the migration service selects the best candidates.

Adopting (elements of) an EoI model in the Dutch context would require an extensive overhaul of the regulations. This could be tested in a pilot project involving a maximum number of candidates, for instance.

An OECD report (OECD [2019](#)) argues that the EoI model cannot be directly implemented throughout the EU, due to both constitutional (Member States retain exclusive authority when it comes to issuing permits) and contextual differences (divergent national labour migration policies reflect different labour market situations in the various Member States). However, the report points to several ways in which elements from the EoI can support the EU framework for legal labour migration. It proposes three different scenarios:

- *basic option*: an EU-wide pool of pre-screened highly qualified candidates in line with existing national or EU schemes (Blue Card, researchers etc.).
- *sector option*: one or more EU-wide pools with ranking and prioritisation of candidates based on standard criteria. This is aimed at creating EU-wide pools of migrants with specific skills which are in demand (e.g. ICT, healthcare).
- *supply-driven option*: migration flow for highly qualified candidates on the basis of a residence permit or job seeker visa.

The European Commission announced its plans to attract talent from outside the EU in its 2019-2024 strategy (EU [2020](#)). The conclusion of a political agreement with the European Parliament on the adjustment of the rules with respect to knowledge migrants is an initial result of this (EU [2021](#)). It remains to be seen when the proposal on the creation of an EU talent pool will follow.

MEPs have adopted an own-initiative report on new avenues for legal labour migration ([2021](#)). Among the options on the table, MEPs point to the development of sectoral labour migration, but also to long-term residence, intra-EU mobility or family reunification rights. 'We are looking forward to seeing the Commission move the European framework for legal migration forward', including through submission of legislative proposals, they say.

6. Conclusion: Well-being as a starting point for the provision of advice

The Netherlands does not yet have a mechanism in place for advising the government on a structural basis about labour migration from outside the EU as this relates to the demands of the labour market and by extension to the prosperity of the Netherlands. As a result, the opportunities that labour migration offers for Dutch society are not adequately researched, considered and utilised. In this exploratory study, we have looked at what a labour migration advisory role might look like and we gave several examples of models used in other countries for this purpose. While it is important for us to learn from other countries' models, the complete adoption of a particular model is not advisable. After all, what works best for a particular country is context dependent and a new advisory model for the Netherlands must work well in the Dutch context.

The ACVZ recommends opting for an advisory model that serves the well-being of Dutch society in a broad sense and is future-oriented and sustainable.

This is in line with the objectives of recent government policy, and allows room for the concerns of sections of the population. While an advisory model aimed solely at fulfilling employer demands or at creating a resilient labour market is, relatively speaking, easier to achieve, it does not adequately take many aspects into account that are also important to Dutch society, such as economic innovation, housing issues, healthcare and social cohesion and good local embedment.

Given the complexity and the associated range of interests to be considered, the ACVZ advocates the establishment of *an interdisciplinary advisory role that provides advice to and is in close contact with the government*. Both an independent advisory body and a government agency could fulfil this role. Various groups in society would be consulted, including experts, employers, employees, local administrators and citizens. The latter will be the biggest challenge, as there is still little experience in this area. We stand to learn the most from Canada in this regard. But an advisory model aimed at well-being, including citizen consultation, would place the Netherlands at the forefront internationally. It will therefore mostly be a matter of *'learning by doing'*.

7. Schematic overview of possible advisory models on labour migration in the Netherlands

Supervision: A = promoters of interests, B = independent experts, C = government

Aim	Supervision (Options)	Advantages	Disadvantages	Countries that have 'ingredients'
Supplementing labour market shortages	Employers (A) OR Economists (B) OR Central government research department (C)	Short-term problems solved quickly, guaranteed work with demand-driven variant	Not future-oriented, no wider interest and no social costs taken into account	
Functioning of the future labour market	Employers together with trade unions (A) Economists, labour sociologists and occupational psychologists (B) OR Central government research department (C)	May be sector-oriented, interests of workers in the Netherlands can be taken into account, may be in line with economic strategy (e.g. top sectors)	Broader interests are not taken into account (such as social challenges in healthcare or greening of the economy) and there is no local embedment that is required for support	Germany ¹³ (C) UK (B) Republic of Ireland (B) Australia (C)
Well-being	Employers, employees, civil society, citizens, local community jointly (A) OR Interdisciplinary experts (B) OR Central government research department (C)	Inclusive model, support, all interests can be taken into account, maximisation of well-being, future-oriented	Complex exercise to balance all interests and translate them into concrete advice	Canada (C)

¹³ The German model also contains an element which is part of the well-being concept: a strategic country approach.

For all three models:

Advantages	Disadvantages
<p>Migration management and better coordination between ministries so that labour market policies are no longer based on ad hoc measures. Planning of migration, education, integration, housing, etc. made possible in the longer term.</p>	<p>Methodological problems (statistics do not include all job vacancies/unemployed; problems with definitions of professions with shortages/sector, problems with projections in different areas).</p>
<p>Better matching of supply with demand and the various needs of employers and various stakeholders and government.</p>	<p>The balance between supply and demand remains difficult to establish because, even within one and the same field, there are both unemployed job-seekers and vacancies that employers have difficulty filling.</p>
<p>Advice provided to the government (and Parliament) focuses on the intended migration to the Netherlands. An advisory model reduces the risk of fact-free politics. It can help gain support for migration.</p>	<p>External factors are driving the political debate. The labour market projection is influenced by, among other things, regional mobility, the situation on the housing market and technological, economic, social and political developments.</p>