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The Reform of the Swedish labour immigration policy ratified on 15th December  
2008

*A critical Case study on how Sub-Saharan Africa migrants make use of the reform and what impact it have on the individual migrants, the sending and receiving country.*

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**ABSTRACT**

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Since December 2008, the Swedish government implemented new labour immigration policy, which gives employers the opportunity to employ workers from outside of EU and the EEA to come and work in Sweden, and it allows labour migrants outside of EU and EEA to seek for jobs in Sweden. This thesis paper investigated on how the ratification of the Swedish labour immigration policies has impact on Sweden and the Swedish labour market, individual migrants and the sending countries based on the liberalization of the labour immigration policy in December 2008.

The results show controversial issues of employers exploiting migrant's workers, wage dumping and causing brain drain for the sending countries. Perhaps the actual and final findings show a *win-win situation* in migration, and how Sweden should set up investigative body to investigate work places and implement strong regulations of preventing cheating of migrants workers in terms of wage, brain drain and exploitation of migrant workers that will be based on the implementation of the labour immigration policy and also to foster the Swedish employment standard.

Key words: *15<sup>th</sup> December 2008 Labour Immigration Policy, The Swedish Model, Migration Theories, EU Blue Card*

### **List of Abbreviations**

- AMS - Swedish Labour Market Board (Arbetsmarknadsstyrelsen)
- AMV - The Labour Market Board (Arbetsmarknadsverket)
- EEA -European Economic Area (EU, Iceland, Lichtenstein and Norway)
- SAP - Swedish Social Democrat
- EU -European Union
- EURES -European Employment Services
- ILO -International Labour Organisation
- IOM -International Organization for Migration
- LO - The Swedish Trade Union Confederation (Landsorganisationen)
- OECD -Organization for Economic Cooperation and Development
- HSI Highly Skilled Immigrants
- SACO -The union confederation for university graduates,
- SN -Employers Association
- ER -Employer Respondent
- EPR -Employee Respondent

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## 1. INTRODUCTION

Since 1970s, labour migrants coming to Sweden has drastically reduced due to the regulation of labour immigration policy and also the general perspective of immigration also become different as the migration flows to Sweden was dominated by asylum seekers (Regeringen 2008). The International Organization for Migration explained and defined labour migration as a “cross-border mobility for the aim of employment in a foreign country” (IOM, 2008).

The Swedish minister of migration pointed out “migration is an active force in our increasingly globalised world and to foster free mobility and use the experience and knowledge of immigrant workers, hence perspectives of immigration have to be changed” (Tobias Billström, 2008). The perspective Changed of labour immigrants by the Swedish government in the year 2008 has had a significant impact on the Swedish labour market and the development of national labour immigration policies. However, in 1999, during a meeting in Tampere, the participation of Swedish government of the meeting changed the discussion of labour movement from the domestic level to the international level (European Parliament, 1999). The discussions of the controversial issues of labour immigration and the difficult challenges of allowing labour migration from developing countries (European Parliament, 1999) to the member states of the European Union.

Furthermore, in 2004, the European Commission presented a proposal of directives of labour migration during the Hague Programme, which was classified as an action plan for the regulation labour immigration policy. The primary aim of the proposed guidelines is to implement labour migrant regulations and high legal policies to govern labour immigration within the Union. The Blue Card system was the primary directive proposed (E.C open door for qualified workers). The EU with their statistics assumed that two workers will be necessary to support one pensioner in 2050, and the aging population alongside with the minimum level of highly skilled migrant workers arriving at the EU have derived into the proposed Blue Card directive. Therefore, the main objectives of the Blue Card was to attract highly skilled workers from developing countries to obtain temporary work permit in the EU member state and to foster socioeconomic growth (European parliament 2008).

The realization of the Lisbon Treaty was based on the implementation of the Blue Card, which it explains what the EU can do and policies and regulation the EU can impose on their member states (Europa 2009). The main reason of the formalization of the Lisbon Treaty has

additionally been to establish “some of the ground rules for cooperation.” Sweden ratified the Lisbon Treaty in the year 2008 and the view of the political conditions of the European Union. The Swedish Government was interested in the increment of labour migration, in order to promote free cross-border mobility and make use of the experience and knowledge of labour immigrants (Tobias Billström, 2008). Although Sweden recruitment of labour migrants from developing countries somehow includes advanced personnel or highly-skilled workers. The recruitment process had similarity to the Blue Card directives from the EU. But the reform of the Swedish labour immigration policy approved on December 2008 was unique because the reform of the immigration policy was more open, which it also allow employers to recruit workers from third country nationals into low-skilled jobs without any restrictions (OECD 2011).

Perhaps, this thesis paper aim to investigate the uniqueness of the Swedish labour immigration policy of December 2008, and how migrants from the Sub-Saharan Africa make use of the reform and what impact it has both the sending and receiving (Sweden) countries.

### **1.1 Aim of Research**

The reform of labour immigration policy in 2008, by the Swedish Government to open doors for labour migrants outside EU and EEA to Sweden. The labour immigration policy was aimed to be more employer driven, to enable employers to employ workers from outside Sweden or in the EU (T. Billstöm, 2008).

However, based on the main aim of the reform of the Swedish labour immigration policy ratified on December 2008, the recruitment of workers from third countries into high-skilled occupations or low-skilled occupations in case workers could not be recruited domestically. The Swedish Migration Board (Migrationsverket) might issue work and resident permit for migrant's workers after it had conferred the National Labour-Market Board (Arbetsmarknadsstyrelsen AMS).

Therefore, the reason and aim of this study is to investigate the important of the reform of the Swedish labour immigration policy of December 2008, and how migrants from sub-Saharan Africa make use of the reform, and what impact it have on immigrants countries and Sweden.

The reforms of the labour recruitment process will be discussed by applying different theories focusing on social, political, and economic migration processes of labour immigration from Sub-Saharan Africa, in order to make it easier to understand the policies implemented by

the Swedish government. Moreover, for the research to be more practical and to understand the significant and knowledge of the reform of the Swedish labour immigration law, the study has been based on qualitative research studies and empirical data from interviews from Sub-Saharan Africans living in Sweden.

As the aim of this research is to investigate the reform of Swedish labour immigration policy of December 2008, of Sweden and how sub-Saharan Africans make use of the reform and its impact on immigrants countries and Sweden. Perhaps, it will be done by investigating:

- *The Swedish labour immigration policy ratified on December 2008 and how migrants from Sub-Saharan Africa conferred to the reform.*
- *What consequences the labour immigration reform has on the Swedish labour market and what impact it has on immigrant countries, specifically Sub-Saharan Africa.*

## **2. PREVIOUS RESEARCH**

Data collection of this thesis was specifically based on the reform of the Swedish labour immigration policy, which it was implemented in 2008. Perhaps, empirical information has been found in previous and current research papers, articles and reports on a similar topic, and these sources had further foster and contributed to this study.

To start with this thesis paper was based on the publication on the government offices of Sweden (Regeringskansliet) website by Tobias Billström. The minister for migration and asylum policy (2008), concerning how Sweden opens doors for migrants and also the Report on Sweden's Lisbon Reform Programme, which was conducted by the Confederation Of Swedish Enterprise (svensknäringsliv) (2006).

The report and the publication served as a general principle to understand the Swedish 2008 labour immigration reform. For instance, Tobias Billström, explained that their government predecessor established commissions to investigate labour and skills shortages and the capacity needed for labour immigration. And demography issues were a significant reason for the 2008 labour immigration reform. First and foremost, he cited that people living in Sweden or other EU countries could not fill labour shortages in Sweden and the aging and overpopulation, and a small

number of people of working age would have to help a higher percentage of the population in future” (Billström, 2008). These publications have played a pivotal role for this thesis.

However, since the 2008 labour immigration policy reform, different scholars, researchers and institutions have been performed research about the reform. For example, the publication on the government offices of Sweden (Regeringskansliet) website and the Report on Sweden's Lisbon Reform Programme which conducted by the Confederation Of Swedish Enterprise (svenskt Näringsliv) (2006) was critical scrutinized. Also, an article by Lucie Cerna (2009) examines the 2008 liberalization of the Swedish labour immigration policy, and classified it as a "Slight Revolution" Lucie article contains much important information on how the impact of the reform have on native high-skilled labour, native low-skilled labour and capital.

The aim of this bachelor thesis has persuaded for selecting the parts of the 2008 labour immigration policy reform that have been considered to have a major impact on labour migrants living in Sweden, specifically sub-Saharan Africans. Furthermore, the main aim of this thesis was critically combined with the responds from respondents, which they are part of this study and published theories of migration. To have more understanding of the labour immigration reform, and its impact on labour migrants in Sweden and why labour immigrants from Sub-Saharan Africa migrate to Sweden. Different theories that explain the reasons why migrants move to Sweden and theories that explain the contemporary labour market changes and specifically the changes of labour demand by employers have been useful. Authors such as Castle and Miller (2009) have under the theory of Neoclassical theory, explain the push and pull factors of migration. It explains why individual decide to move from one country to another. Also, Masey et al. (1998) cited the importance of remittances for the migrants to secure self insurance and social protection under the theory of the New Economics theory. Finally, these establish together with studies and statistics published by the International Labour Organisation (ILO), Organization for Economic Cooperation and Development (OECD). The International Organization for Migration (IOM) contributed to the capability of understanding the Swedish 2008 labour immigration policy, and its impacts on migrants, sub-Saharan Africa countries and Sweden.



### **3. METHOD**

Quantitative and qualitative studies have been major research methods use in conducting a research. Quantitative and qualitative research methods are significant research tools, and while the former is considered to be more measurable and exact, the latter is said to be more subjective.

In this thesis paper, a qualitative research method has been chosen. The qualitative method is characterised by the interaction between the collection of material and the analysis, and by using a qualitative research method, interviews were conducted, and semi-structured interview method was used to collect data and other information for this thesis paper. Keith F. Punch (1998) cited that interviews are " good in terms of accessing people's perceptions, and understanding situations of reality." Hence, this is defined as a research that utilizes open-end interviewing to explore and understand the attitudes, opinions feelings of respondents or group of individuals. Perhaps qualitative research can be of many forms; focus groups, in-depth interviews, accompanied shops and workshop. An in-depth interview was used to organized with different respondents and also it was done in the form of conversation in formal places, especially African Churches in Lund and Malmö.

However, the prerequisite and the general characteristics of the methodology were accomplished through the use of qualitative research method. Unlike the quantitative research method, in qualitative research the perspective of the study comes from the research subjects rather than representing the point of view of the researcher. However, through the conducted interviews, the researcher is involved with the question, which allows for focus on the details that is important in the understanding of specific situations (Bryman, 2008).

#### **3.1 Structure of Research Paper**

First and foremost, this thesis paper is based on research overview that investigates the primary source of the 2008 Swedish labour immigration policy reform. The secondary sources used are publications, articles and reports that discuss the recruitment of labour from developing countries to the EU and Sweden. In addition to these documents, historical aspects of relevance for understanding the impact of 2008 reform of the labour immigration policy have been presented. Furthermore, the empirical data used for this thesis is mainly interviews, which twenty respondents were selected for the interviews for the data for this thesis, and out of the twenty respondents, fourteen were employees, and six were employers.

However, based on the research methods, the respondents were informed of the reasons of the interview in advance and intention to record the conversation was also attained. The interviews have been transcribed in order to get easier access to the empirical data and conduct the analysis. Since in-depth interview methods were used, the interview questions used are neither restricted nor limited as they seek to achieve answers from a broader perspective.

### **3.2 Selection of Respondents and Data Collection**

The selection of interview respondents was made for the purpose on how migrants from sub-Saharan Africa make use of the reform of Swedish Labour Immigration policy in 2008. And what impact it has on migrant countries and Sweden, which the respondents aimed at only sub-Saharan Africans. Twenty people interviewed; fourteen out of them were employees, and six were employers who have been involved in labour recruitment processes for their private companies. In order to protect the integrity of the respondents, their names will not be revealed. For more empirical information from the respondents, questionnaires were given to the respondents; the interview and questionnaire guides followed the same set-up and have been constructed in order to obtain the most relevant information from the respondents.

Furthermore, interviewing twenty people was a major challenge, because my respondents feel the topic being discussed is hypothetical and sensitive. Perhaps, with the help of a formal letter from the supervisor of this thesis stating that the research interview was strictly for educational purpose and the answers from the respondents will be strictly confidential. And also the close relation of trust with my respondents also helped getting answers from my respondents, although some respondents reject and refused to be interviewed or answer the questionnaires. The interviews were conducted with various Sub-Saharan Africans from different countries, which six were employers, five were employees with skilled job and nine were graduate students with an unskilled job. The interviews were mainly conducted in African Churches in Lund and Malmö.

## **4. BACKGROUND: LABOUR IMMIGRATION TO EU & SWEDEN**

This section gives the historical overview as well as current aspects of labour immigration from developing countries to EU and Sweden. Section 4.1 discusses the main measures on labour immigration within the European Union. In the section 4.2 summary of the past labour

immigration to Sweden as a member state of EU, is outlined. At the end of this section, the Swedish 2008 labour immigration reform, are discussed and explained.

#### **4.1 Labour Immigration to EU**

The European Union discussed the importance to meet the challenges of its member states' the high unemployment rate and rapidly aging population and one significant measure that is believed to decrease these issues is to demand the labour immigration from countries outside the European Union. The controversial debate issue in the European Union is about Migration. The agreements on demand of labour immigration from third countries are described in the *Amsterdam Treaty* that was ratified in May 1999. The Amsterdam Treaty represented significant paradigm to the EU commitment to work together in the field of justice, home affairs, security and importantly regard to immigration and asylum, which Article 63 cited for legislative measures of third country nationals (COM, 2003: 336).

In May 1999, the EU Councils met in Tampere that implemented comprehensive guidelines on policies to developed the EU immigration and asylum policy, fair treatment of third country nationals and the management of migration flows (COM, 2003: 5). Article 63 pointed out the directive on the long-term resident status of third-country nationals and their free movement and the right to work. Furthermore, the contemporary politics was focused on the Lisbon Treaty that showed the importance and advantages of recruiting high-skilled labour immigrants from outside EU.

Furthermore, the *Amsterdam Treaty* also emphasized “*The future of the European Employment Strategy*” that meant for the sustainable integration of third country nationals into the labour market. And proposes guidelines that member states commit themselves to reducing the unemployment gap between non-EU and EU nationals (COM, 2003:7).

Nevertheless, the Hague Programme sets out ten priorities for the EU with the aim of strengthening the area of security, freedom and justice, and management of migration flows was the top priority. Based on the Hague Programme, the EU Commission was with a view to adopting a balanced approach to deal with migration, by the implementation of a common immigration policy (COM, 2005:184). However, the commission directive of immigration policy was to target high-skilled third-country nationals because the commission agenda was to find solutions to the shortage of labour and respond to demographic challenges (L. Cerna, 2013: 181).

For instance, the commission estimated that by 2020, there will be a shortage of about one million professionals in the health sector and by 2015 it was estimated that shortages of information and communications practitioners will be between 384,000 (L. Cerna, 2013: 180). Hence, to achieve the Hague Programme, the Commission sets five directives dealing with migration policies to the member states. One of the proposed directives was the EU Blue Card scheme, and the purpose of the Blue Card scheme is to allow high- skilled workers from third countries with a job offer to work in a EU country (L. Cerna, 2013: 186).

Furthermore, the Blue Card scheme is classified as a regulation of EU labour migration policy and as the first directive on TCNS labour immigration to be adopted by the EU. It also provides geographical mobility for TCNs, and it gives the opportunity for highly-skilled migrants to bring their families and work permit is also offered to the spouse (L.Cerna, 2013: 186). Moreover, the Blue Card scheme being a step of the regulation of EU labour migration policy, it was difficult to come into agreement among member states because some member states were concerned about training opportunities for their citizens. While others feared losing supreme power in migration matters (L. Cerna, 2013: 186). Also, in terms of the Blue Card scheme, L. Cerna (2013) argued that, there is tensions between member state and EU level migration policies, because since intra-EU migration is limited, member states have opted for other policies to attract high-skilled immigrants, for example many member states (e.g. Czech Republic and France) already had national HSI policies towards TCNs in place, serving as alternatives to the Blue Card (L. Cerna, 2013:187). Perhaps, the EU directive on TCNs labour immigration, the member states regulates TCNs numbers and conditions for the highly-skilled migrants, despite the Blue Card scheme.

#### **4.2 Labour Immigration and the Swedish Model**

Many decades ago, Sweden has a tradition of labour immigration to foster the socio-economic transformation of the country since 1970s through liberalization of the Swedish labour market, such as wide-ranging active labour market programmes, high levels of union density and collective agreement coverage rates, generous unemployment insurances. The absence of direct state interference in collective wage bargaining, extensive employment protection laws, and high minimum wages determined by collective agreements (Skedinger 2008). All these form part of the Sweden welfare state and classified as a paradigm of "*Swedish model*." Although the

perception of labour immigration has changed subsequently and migration has followed a new path due to the post-war period, which expanded the Swedish economy that increase the demand of labour. Hence, the then Blue-collar trade union confederation (LO) and the Social Democratic Party (SAP) were concerned that unregulated labour migration policies were incompatible with the goal of increasing workforce participation rates in the 1960s.

Furthermore, in the late 1960s the system of labour immigration was tightened, and the period of restrictive labour immigration, which lasted until the 2000s, begun and in the 1970s immigration flows were increased mainly asylum seekers and their family (Wadensjö et al. 2012). However, from the 1960s until the year 2008, the Swedish labour immigration system was relatively restrictive. The changed of perception of the Swedish labour immigration policy was also based on the changes of government in 2006, which proposed a new labour immigration policy in 2008 with the aim of making it more employer driven (L. Cerna, 2009:3). The new labour immigration policy was the fundamental ideology that came into insistence when Sweden joined the European Union in 1995. Hence, the Swedish labour market has been open for EU labour immigrants due to EU's market with free movement of people ideology (L. Cerna, 2009:13).

Initially, the ability for third countries national to enter into Sweden for job purposes was only allowed when highly-skilled worker could not be recruited domestically. The Swedish Migration Board (Migrationsverket) issue work and resident permit to immigrants after it had conferred to the National Labour-Market Board (Arbetsmarknadsstyrelsen, AMS), and it was based on some particular circumstances. However, for many years the then ruling government (The Social Democrats) concerned about the changes in the Swedish labour immigration policy to opening its borders to labour immigrants (L. Cerna, 2009:13).

Nonetheless, the demographical challenges the EU is undergoing recent years have a crucial impact on the labour market. For instance, from aging population, labour shortages and decreasing competitiveness, perhaps High-Skilled Immigration has been regarded as a solution to fill labour shortages, respond to demographic needs and develop a knowledge-based economy (L. Cerna, 2013:181). However, Sweden also faced demographic challenges of aging population that cause vacancies in the labour market. The labour shortage started to hurt companies, which companies and the government appeared to be seeking for more open policies. For instance recruitment of Highly-Skilled Immigrants from outside the EU/EEA or Switzerland (L. Cerna,

2009:17) to contribute the socioeconomic development. Furthermore, in 2001 there was a proposal for the liberalization of the Swedish labour immigration policy by employers and other authorities. For example, the Swedish Association of Local Authorities (Kommunförbundet) and the Swedish Federation of County Councils (Landstingsförbundet) were concerned of Highly-Skilled Immigrants from outside the EU/EEA or Switzerland (L. Cerna, 2009:18). But the then government (Social Democrats) worked together with LO to refused any policy change with the intentions to focus on making the unemployed and the refugees back into the labour market (L.Cerna, 2009; 16).

Nevertheless, when the then Swedish government (the social Democrats) lost the 2006 elections to the Swedish Centre-Right Government and since they were no longer in government. The new Swedish government (Centre-Right Government) proposed liberalizing the Swedish labour immigration policy by opening its borders to labour immigrants in order to decrease labour shortages and pressure on increasing wage levels (L. Cerna, 2009:24). The new legislative proposal was ratified on the 15th of December 2008. The new legislative proposal gives opportunities to employers and companies to recruit workers of their choice with the specific skills and competency from anywhere not necessarily prioritizing Swedish or EU citizens. And also three-month visa for workers looking for a job in Sweden, specifically non-EU nationals to come to Sweden to find work (L. Cerna, 2009:24).

### **4.3 Recruitment Process of nonEU/EEA Nationals**

Swedish labour recruitment process was based on the decisions from union movement and employers because they have strong and carries considerable power to influence government policy-making that affect HSI. For example, L. Cerna (2009) argued that restrictive HSI policies are likely to take place in countries with high union and employer centralisation (L. Cerna, 2009:5). However, in Sweden, the three union confederations (LO, TCO, SACO) and the employers association (SN) are involved in negotiations of policies with the government and the Swedish National Labour-Market Board (AMS) determined labour market shortages, job vacancies and consulted unions and employers (L. Cerna, 2009:14). But the relationship between the unions and the Social Democrats remained stable, while the link between unions and the government was broken as SAP was no longer in power.

Nonetheless, in October 2003, before Sweden liberalising its labour immigration policy, the employers association (SN) presented a report (Arbetskraftsinvandring) about the need Swedish government to allow more immigrant workers into Sweden. Under the condition that they had been assigned to a job, which they tried to ease the recruitment of migrant workers (L. Cerna, 2009:18). The report explained that, the AMS had the power to assess that sectors were short of labour, and job-seeking workers from outside the EU/EEA were then welcomed to the Swedish labour market, provided they were part of the identified shortage groups. Perhaps unemployed workers already in the labour market had priority for jobs in Sweden. Also, employers and companies had to show that they were not able to find the kind of workers needed in Sweden or elsewhere in the EU/EEA or Switzerland, in order to be allowed to take on a worker from somewhere else in the world (L. Cerna, 2009:19).

However, as the new Swedish (centre-right) government liberalised its labour immigration in 2008 to make HSI system more employer driven, it still gives an opportunity and right to unions to state their opinion within a specific time (5 days). However, it is also adequate for employers to prove that they had advertised but was not able to find through the European Union's EURES system and the Swedish Labour-Market Board, perhaps offering pay and terms and conditions in line with sectoral collective agreements. Hence, immigrants workers would initially receive a work permit for two years and could apply for an extension of another two years if they were still employed at the renewal date (Federation, 2007). Moreover, with the new legislative proposal of the labour immigration policy, employers would have a lot of responsibility since they would determine the demand for jobs. And in turn, the responsibility would be passed on to the Migration Board to check all documents and conditions and finally issue the work permit (L. Cerna, 2009:26).

### **5. The Swedish Labour Immigration Policy: 15/12/2008.**

The major implication of the liberalization of the Swedish labour immigration policy on the 15th of December 2008 is a greater opportunity and empowerment of employers to recruit labour to satisfy their choice. It also enable employers to be more independent in terms of recruiting personnel from third country nationals, and consider to know best should in case they want to recruit workers from third country nationals and also known as best judges of their needs (OECD 2011). It was based on the bill proposed by the incumbent centre-right government, which came

to power after the Swedish national election in 2006, with the motive of implementing more liberal labour immigration policy by making it easier to recruit workers from third countries.

The Migration Board can check all documents and conditions from the employer, and make sure that the principles of community preferences is respected by every employer, before finally issue the work permit to third country nationals or immigrants from elsewhere (L. Cerna, 2009:26). Perhaps employers are free to recruit workers for any job in any sector, provided they have to prove to the Migration Board that the principle community preferences are respected. By showing that they advertised job vacancy through Swedish Labour-Market and the European EURES system. And the wage and work conditions can be in keeping with collective agreements or prevailing Swedish standards within the occupational sector, and with the effective minimum wage at SEK 13000 month (ca EUR1420) (OECD 2011). The EURES is a cooperation network created to facilitate the free movement of workers within the EU, EEA and Switzerland, and it partnered with employment services, trade union and employers organizations (Europa, 2009).

The reform of the Swedish labour immigration policy in 2008, also give an opportunity for labour immigrants to get permanent residence, after the possibility of renewal of their permit after 48 months from initial 24 months of a residence permit. The work permit is also connected to a specific employment and specific employer during the initial permit period (L. Cerna, 2009:21). It also gives a chance to job-seekers from a third country to be granted visa, based on the possibility the applicant have an occupation for which there was an explicit need in Sweden. However, the wages, insurance coverage and other terms of employment had to be equal to those required by Swedish collective agreements because Sweden does not accept dump wages of employers recruiting labour from a third country (L. Cerna, 2009:22). Moreover, students who had the intentions to live and work in Sweden at the completion of their studies can have three month's visa to apply for work and residence permits without having to first leave Sweden (T. Billström, 2008). Which third country nationals living in Sweden on a job-seeker visa does not have to leave the country in order to apply for a particular job which has expressed a need of workforce.

Nevertheless, the reform of the Swedish labour immigration policy is considered as a "*unique policy*" because Sweden reform of the labour immigration policy shifted from restrictive system to the "most open labour migration system among OECD countries. Although many OECD and EU countries have given employers the option to recruit workers from abroad, but



they have decided to restrict non-seasonal labour migration to skilled occupations. Moreover, the definition of "skilled" varies from country to country and few have allowed a limited recruitment of workers for low-skilled jobs. But Sweden is the only OECD country where employers can recruit third country nationals into low-skilled occupations without sectoral restrictions (OECD 2011). However, based on the data from the Migration Board of Sweden, the number of work and resident permits issued after the reform of the Swedish labour immigration policy ratified on the 15th December 2008 has increased tremendously (cf table 1 pg 19)

**Table I**

Year	All	Refugee or corr.	Quota of which	Con-vention refugee	Conscientious objector (ceased as of an incl. 1 Jan 1997)	De facto refugees (ceased as of and incl. 1 Jan 1997)	Person in need of protection (as of incl. 1 Jan 1997)	Humanitarian <sup>1)</sup>	Impediments to en-forcement	Temporary leg. (children and families with children)	Previous asylum-related temporary permit	Temporary permits	Family <sup>2)</sup> reunification	of which family reunification of refugees	Labour market	Students	Adopted children	EEA Agreement <sup>3)</sup>
1980	12 669	4 062	--	--	--	--	--	--	--	--	--	--	7 786	--	--	821	--	--
1981	12 186	3 857	--	--	--	--	--	--	--	--	--	--	7 938	--	--	391	--	--
1982	13 072	6 266	--	--	--	--	--	--	--	--	--	--	6 440	--	--	368	--	--
1983	10 253	3 668	--	--	--	--	--	--	--	--	--	--	6 149	--	--	476	--	--
1984	13 624	5 413	--	--	--	--	--	829	--	--	--	--	6 561	--	--	509	1 141	--
1985	16 108	7 314	--	--	--	--	--	968	--	--	--	--	6 944	468	--	478	1 372	--
1986	22 868	11 486	--	--	--	--	--	2 198	--	--	--	--	9 670	1 451	--	467	1 245	--
1987	28 649	14 042	1 457	2 326	1 679	5 374	3 206	3 767	--	--	--	--	12 387	2 503	--	678	1 320	--
1988	33 076	16 152	1 476	3 658	1 170	5 984	3 767	3 767	--	--	--	--	15 053	3 652	--	855	1 003	--
1989	44 516	24 879	1 559	3 079	136	6 066	14 039 <sup>4)</sup>	3 927	--	--	--	--	18 029	5 430	--	821	787	--
1990	37 120	12 839	1 455	2 167	14	3 927	5 276	3 927	--	--	--	--	22 221	5 189	--	1 143	917	--
1991	41 948	18 663	1 732	1 404	18	3 916	11 693	3 916	--	--	--	--	21 230	6 869	--	969	1 086	--
1992	34 602	12 791	3 402	615	4	2 447	6 323	2 447	--	--	--	--	19 662	7 112	--	1 233	916	--
1993	58 769	36 482	937	1 025	2	4 000	30 518 <sup>5)</sup>	4 000	--	--	--	--	19 796	7 553	--	1 611	880	6 040
1994	78 860	44 875	7 431	785	12	3 060	33 587 <sup>6)</sup>	3 060	--	--	--	--	25 975	10 508	--	1 086	894	--
1995	32 290	5 642	1 956	148	1	1 401	2 136 <sup>6)</sup>	1 401	--	--	--	--	19 707	8 040	--	1 504	794	4 649
1996	31 390	4 832	1 629	128	--	1 651	1 424	1 651	--	--	--	--	18 816	3 908	--	1 771	807	5 164
1997	36 132	9 596	1 180	1 310	--	--	739	6 367	--	--	--	--	18 910	3 785	--	2 376	694	4 556
1998	39 070	8 193	1 127	1 099	--	--	987	4 980	--	--	--	--	21 673	4 612	--	2 665	804	5 735
1999	37 033	5 597	546	678	--	--	814	3 559	--	--	--	--	21 881	4 122	--	2 802	879	6 074
2000	69 490	10 546	1 501	480	--	--	1 141	7 424	--	--	--	--	22 840	3 538	15 759	3 073	976	7 366
2001	56 872	7 941	1 089	307	--	--	815	5 730	--	--	--	--	24 524	4 104	12 809	3 989	758	6 851
2002	54 396	8 493	1 042	482	--	--	956	6 013	--	--	--	--	22 346	4 632	10 135	4 585	869	7 968
2003	56 787	8 460	942	647	--	--	545	4 326	--	--	--	--	24 553	4 753	10 249	5 509	762	9 234
2004	58 811	6 140	1 822	546	--	--	729	3 043	--	--	--	--	22 337	3 085	8 529	6 021	625	14 959
2005	62 483	8 859	1 263	760	--	--	1 174	2 487	--	2 510	635	21 908	2 004	5 985	6 837	805	16 069	--
2006	86 436	20 096	1 526	963	--	--	3 728	3 657	--	14 823	299	28 668	3 759	6 257	7 331	523	29 461	--
2007	86 095	18 414	1 845	1 113	--	--	10 208	3 938	262	318	606	124	28 975	7 691	9 859	8 920	540	19 387
2008	90 021	11 237	2 209	1 834	--	--	5 278	1 571	136	14	31	64	33 184	10 665	14 513	11 188	503	19 398
2009	98 644	11 265	1 936	1 824	--	--	6 164	955	200	148	87	37	37 710	8 273	17 954	13 487	622	17 608
2010	91 458	12 130	1 786	2 364	--	--	6 814	860	309	57	29 837	57	29 837	3 166	16 373	14 188	450	18 480
2011	93 134	12 726	1 886	2 870	--	--	6 148	1 345	392	75	32 114	57	32 114	3 037	17 877	6 836	350	23 220
2012	111 090	17 405	1 853	4 617	--	--	9 095	1 328	462	50	40 873	50	40 873	7 897	19 936	7 092	283	25 501
2013	116 587	28 998	2 187	7 646	--	--	17 227	1 378	466	94	39 763	94	39 763	10 763	19 292	7 650	243	29 712
<b>TOTAL</b>	<b>1 757 565</b>	<b>442 332</b>	<b>48 884</b>	<b>44 985</b>	<b>3 036</b>	<b>37 726</b>	<b>72 562</b>	<b>174 895</b>	<b>2 227</b>	<b>17 665</b>	<b>637</b>	<b>1 544</b>	<b>714 320</b>	<b>156 729</b>	<b>185 527</b>	<b>129 635</b>	<b>24 063</b>	<b>261 466</b>

-- Details are missing.  
<sup>1)</sup> As of and incl. 31 March 2006. Particularly distressing circumstances  
<sup>2)</sup> Family reunification of certain key persons are not included as of and incl. 2005.  
<sup>3)</sup> As of and incl. 1 May 2006. rights of residence and residence permits to 3rd country nationals resident in another EU country.  
<sup>4)</sup> 6 096 granted pursuant to the Government's 1989 Decision on amended asylum praxis.  
<sup>5)</sup> 17 651 granted pursuant to the Government Decision on family praxis, spring of 1994.  
<sup>6)</sup> 614 granted pursuant to the Government Decision on family praxis, spring of 1995.

Source: The Swedish Migration Board

The table shows the number of resident permits granted by the Swedish Migration Board between the years of 1980-2013.

## **6. Theoretical Framework**

The theoretical perspective of this thesis paper will explain and give understanding of how Sweden liberalise their labour immigration policy. Perhaps, Sweden liberalised its labour immigration policy on 15th December 2008.

The decisions of International movement of people are based on different ideologies and objectives, the theoretical perspectives that explain the decisions of individual to migrate and demand of labour by receiving countries will be discussed. To increase the understanding of the process of labour market changes in Sweden, the structural transformation theory and other theories will be used to achieve a greater understanding of the intentions behind the liberalization of the Swedish labour immigration policy ratified on the 15th December 2008.

### **6.1 Segmented Labour-Market Theory;**

This theory argues how individuals or families mainly cause international migration by essential demand of labour by the developed countries and not only the decision. For instance, the implementation of labour immigration policy in Sweden that allowed companies to employ immigrant workers from different countries around the world with two years work permit. The policy might encourage people to migrate to Sweden to search for a job opportunity and hence increase immigrant workers in Sweden. However, this theory explains the important role of employers and state in international migration and the prolonged existence of migration even when wage differentials are broad decline (Castles & Miller 2009: 24).

There has been empirical evidence that employers in developed countries usually employ immigrant workers based on human capital, and also structurally demand both skilled workers and lower-skilled workers to carry out production tasks (Castles & Miller 2009: 23). However, the skilled workers migrants commonly requested by host countries have negative effects for the sending countries, by causing a "Brain Drain." For instance, a medical doctor or a lawyer from Ghana migrated to Sweden to be employed to the labour market by performing cleaning services or picking berries at the northern part of Sweden.

Although both skilled and unskilled migrants employed to the labour market of the host countries are willing to work irrespective of the nature of jobs and wage level, whether skilled or unskilled jobs with low or high level wages by employers of the host countries. Because most migrants have specific aims to earn money for a specific goal that will improve their status or

well-being at home by building a house, paying for school, buying land, acquiring consumer goods (Massey et al. 1998: 29-30). For example, looking at the standard of living between Sweden and a country like Ghana, the low wages Ghanaian migrant in Sweden might earn will be valuable in Ghana. Therefore, they are willing to accept any job opportunity irrespective of their human capital because of the hard currency remittances and live low profile in Sweden.

## **6.2 The Theory of Structural Transformation**

The Theory of Structural Transformation explains the global changes from an industrialized to a more informational and communicative contemporary world (Edvardsson, 2007:2). Moreover, the occupational changes of the modern world have evolved into the creation of the informational society (W. Frank, 2006:2). The advocates of the structural transformation method, which is associated to the theory of the Informational Society, pointed out the improved importance of education, health and professional services. Nevertheless, some scholars and researchers argue that modern companies require a high competent workforce, which is adapted to the work skills of the post-industrial society. Which a miss-match problem between the demand of workers and the actual supply of employees exist in many modern societies. Hence, labour shortage occurs which it can be evident in relative or absolute terms.

Furthermore, the relative labour shortage can usually be solved by changes in wage levels, and it can be partial, regional or general, depending on the attribute of their essence. A partial labour shortage is present when the demand of workers within a certain branch such as the health care exceeds the supplied workforce of the profession. A local labour shortage is linked to a geographical area such as part of the country or a specific city. The general labour shortage is a result of demographical changes of the population, and the labour shortage occurs because of aging population (Edvardsson, 2007: 73). However, researchers and scholars within the field of relative labour shortage, suggests that all labour market participants have an incentive of obtaining a higher skill level in accordance with the informational and scientific development of the contemporary world. Nonetheless, when the lack of labour last for a longer time in a country, it might have a negative impact on the economy. Because it gives the opportunity for Highly-Skilled Immigrant to enter into the labour market with a longer or permanent job contract that in a way block the employment opportunity of the indigenous people.

### **6.3 Neoclassical Theory**

The Neoclassical theory (push and pull theory) adopted as part of the theoretical approach of this thesis paper because it explains more on why people decide to move from one country to another with the effect of the push and pull factors. Castle and Miller (2009) pointed it out that; the Neoclassical theory as the process by which individual factors are responsible for the movement of migrants from one place to another and these factors might be differences in wages and job opportunities. Push factors such as lack of economic opportunities, lack of social security benefits, low standard of education and low-income wages. And the pull factors can be attributed to certain attracting factors that tend to attract migrants to specific receiving countries such as sound social protection benefits policy, demand for labour, excellent economic opportunities, standard educational system, political freedom, good health care and good income wages.

Neoclassical theory assumes that potential migrants have perfect knowledge of wage levels employments in the destination regions and that their migration decisions were based on these economic factors (Castles and Miller 2009: 22). Moreover, most sending countries lack the pull factors, which promote labour commodification, where people sell their economic well-being services outside their country of origin in the form of emigration to the international labour market. Concurrently labour commodification has been common in sub-Saharan Africa (Ghana) due to the wage difference and the employment opportunity abroad. This theory argues that, the differences in wage and employment opportunities between countries and the migration cost help people to move (Massey et al. 1998: 17).

Furthermore, this theory explains migration on the macro and micro level, Massey explained that the differential in wages causes workers from low wage or labour-surplus country to move to the high wage or labour-scarce country (Massey et al. 1998: 18). Which the neoclassical theory classified the wage difference between two countries as the macro level. In terms of the micro level, the neoclassical theory explains that individuals decide to migrate irrespective of the wage difference because they can be most productive and maximize their wellbeing or skills in another country than the country of origin (Massey et al. 1998: 19)

However, some scholars and researchers have argued about the neoclassical theory because of the "Brain Drain" caused by movement. For instance, Hass (2010) argued that the migration has been a major problem that destabilizing product of poverty and undermining development. Therefore, this problem should be solved through migration restrictions policies

(Haas, 2010:6), and their principal concern is about the "brain drain" emigration cause. ". Even though most governments of most sending country have been relatively active towards the emigration of unskilled and lower educated citizens, but the actions and behaviour towards the emigration of skilled citizens have usually been more negative. It is considered to deny poor countries of their scarce skilled and professional labour resources in which the countries have invested many years of education (Baldwin, 1970).

#### **6.4 The New Economics Theory**

This theory argues the assumption that individuals look at the labour market and the differences of wage between countries before migrating. For example, the theory of new economics explain the situation in Ghana, some household decides to help a member of the household with the motive that in the future they can also help other family members also to migrate or join them at the country of destination. They also support the family financially through remittance, usually the head of the family bear the cost of migration and it can be done by borrowing the money from a friend or even the chief of their community.

Castle and Miller cited out that, individuals do not only make migration decisions but also by families, households and sometimes communities. With not only with the purposes to earn higher wages, but also they constitute the costs, benefits and risks involve in migrating to other countries. Perhaps to diversify income sources and to provide resources for the investment in existing activities such as a family farming or business (Castles & Miller 2009:24). Also, Sonja pointed it out that the family is an important determinant of migration, considering the influence on migration motives of the individual's role in the family, the socialization within the family, and the social network provided by the family (Sonja Haug 2008:589).

Furthermore, families frequently make this decision in the form of self-insurance and social protection because they belief when their economic conditions at home worse and there is a high-income risk arising from crop price fluctuations. They can rely on the migrant remittances for support (Massey et al. 1998:22), these factors constitute a considerable proportion of emigration.

## **7. ANALYSIS**

In this section, the reasons and impact of the reform of the Swedish labour immigration policy that was ratified on the 15th of December 2008 will be analysed. Employers and employees that the new labour immigration policy has an impact on them were interviewed, and their viewpoints are presented in correlation with the established theories on the subject matter. However, for the understanding of the liberalization of Swedish labour immigration policy in the year 2008, the concept of "*Swedish model*" has been discussed that explained further the regulation of the Swedish labour market. Nonetheless, labour migration to the EU was also considered to explain further the differentiation between the labour immigration to the EU and labour immigration to Sweden and how the reform of the Swedish labour immigration policy ratified on the 15th December 2008 classified as a "*unique policy*." However, the responds from the interviews for this thesis, which give the empirical evident and understanding of the reform of the Swedish labour immigration policy and what impact it have on individual migrants, sending and receiving (Sweden) countries are also applicable.

### **7.1 The Reform and Implementations**

In this section, the liberalization of the Swedish labour immigration policy ratified on the 15th December 2008 will be discussed. Section 7.2 will present the actual policy reform and the common opinion among the respondents towards the changes and it impact on the individual migrants. Section 7.3.1 and 7.3.2 are aiming at increased understanding of what impact the reform of the Swedish labour immigration policy have on the sending countries and Sweden, and if the policy can be advocated by the Swedish employers or to find another solutions to demographical challenges on the Swedish economy and the Swedish labour market.

### **7.2 Ceasing the Agency-based Labour-Market Test (AMS)**

One of the main reasons of the liberalization of the Swedish labour immigration policy ratified on the 15th of December 2008 is to abandon the agency-based labour market consideration, and have a governmental agency determine the labour demand. The employers will decide if they consider an employment of labour migrants as a solution to meet their required demand (Billström, 2008:6). According to the director of the Confederation of Swedish Enterprise, Jan-Peter Duker, the former process performed by the Swedish employment services in correlation

with trade unions of announcing labour market demand to be considered as “unacceptable” (Billström, 2008:6). Duker supported the policy reform as he claims that the employer knows best of the qualifications that are requested for a particular position. Hence, labour demand should thereby be determined from the perspective of the employer and not by a state agency, and also, employers are the best judges of their needs (OECD 2011).

The centre-right government in Sweden elected in 2006 aimed by a proposal to introduce a more flexible system of recruiting personnel from countries outside of EU/EEA. And to cease the labour market test on the part of the National Labour-Market Board (AMS) and do it more employer-driven, which the proposal was passed and turned into law on December 15th, 2008. However, since I'm African, and EU nationals possess the right to hold employment in any EU member state, their recruitment is a challenge and complicated (ER 13.04.2014). Four of the respondents interviewed for this thesis paper that owned their private companies in Sweden confirmed that the opportunity they have for the recruitment of third country nationals allowed them to recruit workers from their home country and sometimes family members. *For example, I offered a job to my two siblings who were studying here in Sweden in my cleaning company last year, when their students permits was about to expired. The job serves them the opportunity to renew their resident permit for two year's work and resident permit* (ER, 2014.04.13). Based on the employer respondent described the reform serve as an opportunity for international students who are willing to stay in Sweden after their studies to receive resident permit irrespective of their occupational sector. And easily for employers to help their families to acquire resident permits in Sweden, which it described the recruitment processes as easy and flexible, because if all documents are submitted to Swedish Migration Board with an employment contract the permit will be issued.

Nevertheless, it reaffirmed the liberalization of the Swedish labour immigration policy, which gives job-seeker and family reunification visas. Which allow third country nationals (Sub-Saharan Africans) to stay in Sweden after a job interview in order to apply for a work permit and migrants workers can bring their families and work permit is offered to the spouse (L Cerna, 2013:186). Moreover, student with higher education can apply for work and resident permit without having to leave Sweden (Billström, 2008). Employer respondents cited" *there are a lot them looking for a job, because of economic hardship they don't want to go back home" and due to that it easy to control them when they are working for you* (ER, 20.04.2014). The employers

interviewed confirmed that although they can recruit workers from Third country (Sub-Saharan Africa) but sometimes they don't because most unemployed graduate students, migrants with job-seeker and family reunification visas are searching for a job. Hence the employer respondents positively acknowledged the liberalization of the 15th December 2008 labour immigration policy. Also, Expert Report performed by the Swedish Globalization Council in April 2008; Philippe affirmed that liberalizing the Swedish labour migration policies would be beneficial for the Swedish economy. According to him, a reformation of the Swedish labour market is necessary to "increase flexibility and employability" (Philippe, 2008:41)

Although the liberalization of the Swedish labour immigration policy allow employers to recruit High-Skilled Immigrants from third countries by first of all respecting the community preferences, by showing that they advertised job vacancy through Swedish Labour-Market and the European EURES system. The main purpose of the EURES department is to give employers and employees' assistance regarding labour market issues. But the responds from the employer respondents of this thesis, the EURES system is not all that necessary because employers only need to use the EURES system when they are employing newly workers from third country. Hence some third country nationals, specifically Sub-Saharan Africans are already unemployed with either family reunification or job-seeker visas looking for a job in Sweden, and hopefully most are suitable for a specific position because most are graduate with higher education with job-seeker visas.

Furthermore, to reaffirm the recommendation made by the Swedish Globalization Council and the employer respondents of this thesis paper. The interviews for this thesis were extended to employees from the Sub-Saharan African to know what impact does the liberalization of the Swedish labour immigration that was ratified on the 15th December 2008 have on them. However, the responds from our employee respondents were practically based on the push and pull factors of migration. For instance, *"I studied post graduate in Human Right in Sweden but currently worked full-time in a cleaning company as a cleaner. Although the salary is not enough, but because of the political instability and low job opportunities in my home country I decided to do this job, and not going back home now, maybe in the future I will"* (EPR: 20.04.2014). Also, *"my brother, its very hard, the job is very hard, and the salary is not good, but a beggar has no choice. And I have to stick to the job because I don't want to go back home, because nothing is there and I'm the bread-winner of my family"* (EPR 2014.04.20). Furthermore,



four of the employee respondents interviewed for this thesis, came to Sweden with family reunification visas, and the intentions of not returning to their home country. For example, *I came to Sweden because of my wife and had no education when I came, start my education here in Sweden and now working as assistance nurse (undersköterska) with good salary compare to the salary to be received if working in my home country* (EPR: 20.04.2014). Moreover, with the responds from the employee respondents, it can be analysed that the push and pull factors of migration, and the migrant's network had a greatest impact on the decision to work in Sweden. It, therefore, vindicates the Sociological Capital theory and the Neoclassical theory used for this thesis.

However, analysing and scrutinizing the liberalization of the Swedish labour immigration policy of recruiting workers from third countries to Sweden. The responds from the respondents of this thesis pointed out two main challenges, there is the possibility of exploitation of labour and wage dumping as a result of the new independence of the Swedish employers handling the recruitment process. Perhaps applying the analytical core of lesson drawing within the facilitated coordination mode of governance to the Swedish case, the explanations that can be drawn from the statements presented is that wage dumping needs to be prevented in time.

### **7.3 Consequences of the sending countries & Sweden**

#### **7.3.1 Sending Countries (Sub-Saharan Africa):**

Migration is considered as a way of bringing development to a society or country, this is because of the motive of economic and social remittances from migrants. Castles and Miller revealed that the government of labour-sending countries see migration as economically vital, partly because they hope it reduce unemployment and provide training and industrial experience, mainly because of the worker remittances (Castles & Miller 2009:139).

Considering the liberal view of migration that provides remittance for the sending countries, remittance plays a relevant role in the development of the sending countries. For example, it tends to improve the standard of living of families and contribute to poverty reduction (Castles & Miller 2009:60). Because, migrants send money to their families to support in providing basic needs and invest in human capital, migrants also transfer home their adopted skills and attitudes from foreign countries, which foster socioeconomic development. Example from a respondent of this study " *The work I'm doing now is unskilled work and is not my field of studies, but*

*considering the "Hard-Currency remittances" it a lot and will not able to earn that when I work in my home country professionally. Therefore, I support my family and siblings in their education by sending money home monthly (EPR 2014.04.27)*

Moreover, Massey revealed that the investment made by migrants and their families directly increase productivity (Massey et al. 1998: 291) and the remittances boosting the socioeconomic development of the sending countries. One way the other it is also causing harm to the sending countries, because, emigration of highly skilled workers or emigrants of human capital causes "brain drain." Which creates bottlenecks in production and lowers the productivity of complementary workers, then international migration necessarily undermines economic development of sending countries (Massey et al. 1998: 291-292).

### **7.3.2 Sweden:**

Although as sending countries are experiencing "Brain Drain," where highly skilled workers migrating to earn higher wages, self-insure against risk or self-finance of production or consumption, post-industrial patterns of economic growth in receiving countries yield a bifurcation of labour market (Massey et al. 1998:279). However, looking at Table.1, it explained and described the tremendous increment of resident permits the Swedish Migration Board has issued from 1980-2013. For instance, according to the table.1 resident permits for the Swedish labour market increased from 9859 to 19292. Hence, it shows the December 15th, 2008 reform of the Swedish labour immigration policy had considerable impact on the Swedish labour market.

Moreover, the increment might cause a bifurcation of labour market in Sweden because of the empirical evidence from the respondents of this thesis. Perhaps, immigrants workers accept lower wages from employers, whether in primary sector or secondary sector, but native workers in Sweden are classified to be in the primary sector with high pay wage and not ready to accept any offer by their employers. Because of the differential of standard of living between developing and developed countries, the lower wage of an immigrant in developed countries appear to be generous in developing countries (Massey et al. 1998:30). Therefore based on the responds from the respondents of this thesis, immigrants tend to accept any offers their employer offers them. Although it depends on the human capital of the immigrants whether skilled or unskilled but usually immigrants think about the hard-currency remittances and intention to live or prolong their stay in Sweden.

Nevertheless, the high and low wage, a concentration of employers, managerial, administrative and technical expertise leads to a concentration of wealth and a strong ancillary demand for low-wage services (Massey et al. 1998:279). Which might cause lower wages and unemployment because employers may turn to employ immigrants workers willing to accept lower wages. Moreover, some employers prefer illegal aliens to legal foreign workers in order to avoid social security payment (Castle & Miller 2009:187). Nonetheless, this what employer respondent described the recruitment process of the Swedish labour immigration policy as flexible and easy. Based on the benefit and the opportunity to offer low wages to the migrants workers from the Sub-Saharan Africa. However, as highly skilled immigrants migrating to Sweden, it helps the Sweden to gain human capital, which foster economic benefits, including higher rates of innovation and also increase in productivity (HD report 2009:83).

Furthermore, there is empirical evidence that continuing immigration can increase crimes and diseases (Massey et al. 1998:288). Because immigrants workers are coming from different parts of the world (Sub-Saharan Africa), they might have different behaviours and diseases that they can easily spread it into the society of the receiving countries. For example, a highly criminal immigrant can have an influence on the native or causes criminal acts that increase crimes in Sweden. Also immigrants with infectious diseases such as HIV and other sexually transmitted diseases can also be high since affected immigrants can easily spread it in the receiving country and vice versa to sending countries, because migrants can bring significant health risks and bad behaviour to families at home and the society as a whole (HD report 2009:75).

In a nutshell, Highly Skilled Immigrants from Sub-Saharan Africa due to emigration, the continent losses a significant amount of its future labour-force as well its human capital. Perhaps, it cause "*Brain Drain*," with highly educated individuals living their home countries and migrating to other countries to search for a job and later settle permanently in those countries of destination. According to Beine et al. (2008), they define brain drain as the transfer of human capital, which affect migration of high-skilled individuals from the developing to the developed countries (Beine et al., 2008: 631), and it is one of the most, for many countries, scarce resources (human capital). Therefore, migration is to be seen as "*win-win*" situation, this thesis paper has highlighted how the liberalization of the Swedish labour immigration policy that was ratified on the 15th December 2008 caused sending countries, specifically Sub-Saharan Africa to loss labour

force and human capital. Although, one will argued that Sub-Saharan Africa also benefit from the remittances from the labour immigrants in Sweden.

Moreover, the consciousness of the effect of brain drain that might have upon the socioeconomic development of Sub-Saharan Africa have to be realized, hence, considering brain drain, its effects and the incentives behind those international transfers of human capital has become essential. Perhaps, the government of Sub-Saharan Africa must implements measures and regulations to control and manage the push factors that foster emigration of it citizens. The Swedish government must also implement policies that will regulate and control immigrants into the country to ensure peace and sustainable socioeconomic development.

## **8. CONCLUDING DISCUSSION**

One of the main conclusions that can be evident from the analysis of this thesis paper is that, the liberalization of the Swedish labour immigration policy seen as a "*Unique Reform*." Because the changes of the Swedish labour immigration law has been recognized by the government and individual as more liberal since the reform does not refer to any particular skill level of the labour migrants. The Swedish labour immigration policy ratified on the 15th December 2008 refers to migrants who meet the labour demand expressed by the employers. For instance the employer respondents, who were part of this study, where employers from different companies with skilled and unskilled jobs. It could be viewed as a positive outcome of the law changes as the new law leaves the employers with the final decision of whom to recruit. For instance, the employer respondents of this thesis were from different countries in Sub-Saharan Africa confirmed that most of their workers are from Africa as well because they think it's easy to work with their fellow Africans.

Nevertheless, it's obvious that the economical and demographical improvements are matters that have been acknowledged and given a primary concern in Sweden. When regulating immigration policies, its believe that the labour demand is a long-term assumption with clarity needs to be taken in consideration in the policy-making of today. Because with the responds from respondents for this thesis, it is difficult to justify that the labour migrants recruited will stay only a limited time because they show no intentions of returning to their home countries. Hence, may eventually lead to a negative demographical outcome, as the labour migrants themselves might grow older in Sweden. According to statistics presented by ILO, the average rate of return is 50

percent among the temporary migrants, which gives an indication of a rather high number of labour migrants that may remain permanently in Sweden (Lowell & Finlay, 2001:13).

Furthermore, the reform made the Swedish job bank (Platsbanken) and the EURES recruitment services a preference of choice by the employer. And employers were obligated to advertise a job vacancy at Swedish Job Bank (Platsbanken) and EURES's services when recruiting labour migrants from third countries for any occupation in any sector. As a consequence of the increased possibility for the employers to independently govern their recruitment process, the use of the Platsbanken and EURES may turn out to be of less importance. Because Swedish employers tend to employ unemployed individual migrants with temporary resident permit in Sweden, for example, international students and those with family reunification visas. Perhaps the employer respondents of this thesis reaffirmed the interest of employing unemployed foreign students and individual with family reunification visas. However, the reform also increased the number of foreign students coming to Sweden until the Swedish government regulated its policies governing international students by introducing tuition fees for international students in 2011. Because as a student you don't need to go back to your home country after studies before searching for a job. Which some respondents of this study highlighted that its causes exploitation of workers and the possibility of wage dumping by employers to maximize profit. As a result of the decreased impact by state agencies to regulate the recruitment process and the increased opportunity of the employers to freely choose their employees.. Table.1 shows that from 2007-2010, the number of students increased from 8920 to 14188 respectively, and it reduced from 14188 in 2010 to 6836 in 2011 when the Swedish government introduced tuition fees for students from out the EU/EEA and Switzerland.

To sum up, what can be derived from the studies is that since the reform gives employers the opportunity to recruit labour and they are known as the best judges of their needs. The possibility of exploitation of labour and wage dumping is high. Therefore, the Swedish Migration Board must establish a board to control workplaces. For example, the Swedish government can set up investigative body to investigate workplaces, which employers use the 15th December 2008 reform of the Swedish labour immigration policy to employ illegal immigrants. With not the intention to deport illegal immigrant worker but to make sure employers are complied with the necessary requirement to employ workers such as self-insurance, welfare policies, and minimum wage. The investigation can help Sweden to control

and restrict employers who exploit and employ illegal immigrant workers and also gain all taxes needed from employers.

Lastly, since migration is commonly seen as win-win situation, which receiving countries gain human capital, which foster their productivity and socioeconomic development. And in return sending countries also have remittances from migrants who also have a significant impact on the socioeconomic development. It is therefore necessary to include migration flows as an important component of socio-economic transformation programs in both Sweden and sending countries. Perhaps, Sweden must see to it that policies restricting migration flows must minimize. Rather they should regulate their labour immigration and constitutional laws and security to prevent employers and immigrants to cause harm in their country.

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### **ANNEX: Interview Guide**

- (1) Sex Male / Female
- (2) Age 18-25/ 25-35/ 35-45 / 45-Above
- (3) How long you lived in Sweden: 1week-3mnths/ 3mnths-1Year/ 1year-3years/ 3Years-Above.
- (4) Level of Education: None / Primary School/ High School/ Undergraduate degree/  
Postgraduate degree/ Doctoral Degree.
- (5) How did you obtain permit to Sweden: By: Invitation/ Family Reunion/ Education / Job/  
Asylum.
- (6) Do you work in Sweden: Yes / No
- (7) If Yes, what kind of job: Skilled / Unskilled
- (8) To what extent did you able to secured your job: By: Employer / Yourself / Third Party
- (9) Are you temporary worker or permanent worker: Temporary / Permanent.
- (10) Are you registered or member of the Swedish Labour Union: Yes/ No.
- (11) If No, do you have intentions to be a member or registered: Yes/ No.
- (12) So, do you have the intentions to go back to your home country: Yes / No.
- (13) As a student/employer/Employee how do you see or what effect the reform of the 2008  
Swedish labour immigration policy have on you?
- (13) If No, to what extent and what purpose do you decided to live in Sweden: