



## Questions and Answers: An improved EU Blue Card scheme and the Action Plan on Integration

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#### The EU Blue Card

##### The EU Blue Card Directive was only adopted in 2009 – why is a revision necessary?

The EU Blue Card was designed to attract highly skilled workers from abroad, address labour and skills shortages and strengthen the EU's competitiveness and economic growth. The EU has to compete for a global pool of talent with a growing number of other destinations. The EU Blue Card scheme has however proven to be insufficiently attractive and underused, with only a limited number of Blue Cards issued. Restrictive admission conditions and the existence of parallel rules, conditions and procedures across the EU are creating a burden for employers and applicants and have limited the use of the scheme.

Currently, the overall number of permits – be it national permits or EU Blue Cards – that Member States issue to highly skilled workers is lower than in the main competitor countries (such as the U.S., Canada or Australia). Of all non-EU migrants coming to OECD countries, only 31% of the high-educated migrants choose an EU destination. Therefore, there is a clear need for further EU action to step up the attractiveness of the Union and its Member States in the eyes of highly skilled workers. This is also reflected in the results of the [public consultation](#) carried out on the Blue Card between May and September 2015. A total of 76 % of the respondents to the public consultation believed that more should be done at EU level to improve the attractiveness of EU Member States for highly skilled migrants. The ease of getting a permit was the issue singled out most often (63 % of respondents).

In the future, structural changes in the EU's economies will continue to increase the demand for higher skills that are not immediately available in the labour market, creating further skills shortages that cannot be filled by the existing EU workforce. For example, in the ICT sector, 756.000 unfilled vacancies for highly skilled ICT professionals are expected by 2020. In the health sector, a shortfall of around 1 million highly skilled workers is estimated by 2020 which means that around 15 % of total care would not be covered compared to 2010.

In his [Political Guidelines](#), President Juncker announced his intention to promote a new European policy on legal migration to address skills shortages and attract talent to better cope with the demographic challenges of the EU, including through a review of the EU Blue Card.

The United Kingdom, Ireland and Denmark are not taking part in the adoption of this Directive and are not bound by or subject to its application.

##### What rights does the Blue Card entail?

Under the new scheme, Blue Card holders will be given immediate and more flexible labour market access, more flexible and easier access to move and work in another EU Member States, the possibility for self-employment on the side, immediate family reunification and facilitated and faster access to EU long-term residence status.

##### How will the changes improve harmonisation, simplification and efficiency?

With the aim of making the EU Blue Card a truly EU-wide scheme, conditions, procedures and rights are more harmonised. Parallel national schemes for the same group that is eligible for the Blue Card would not be allowed. With the new proposal, a single EU-wide scheme for highly skilled third-country nationals will be established. However, it does not propose a unified scheme whereby an EU Blue Card issued by one Member State would be mutually recognised by all Member States and provide unlimited intra-EU mobility.

##### Why is it necessary to abolish parallel national schemes?

Only those national schemes that are directly competing with the EU Blue Card for the same people will cease to exist. The revised EU Blue Card will be a significantly more inclusive scheme than the current

one and is designed to replace most national schemes targeting highly skilled workers. It is not efficient or clear from the viewpoint of applicants, employers or Member States' administrations to have parallel sets of rules applicable to the same category of persons. In all EU legal migration schemes that have been adopted since 2009 (for intra-corporate transferees, seasonal workers and most recently for students and researchers), parallel schemes of Member States have been abolished and streamlined into one system to improve clarity. Once the new EU Blue Card is implemented across Member States instead of the current patchwork of national rules, it becomes a scheme that is easily promotable towards employers and potential migrants. As a result, the Union will be better able to support its Member States in making their labour markets more visible and competitive in the global race for talent.

### **Will the new EU Blue Card mean less liberty for Member States to define their labour migration policies?**

No, Member States will maintain their Treaty-based prerogative to define the volumes of highly skilled workers to be admitted from third countries. Labour market tests also remain possible where serious disturbances in the national labour market, such as high levels of unemployment, so require. Moreover, Member States can set national shortage lists which will determine the use of a lower salary threshold to attract the workers their labour markets most urgently need.

### **How will the changes affect the admission conditions and scope of the Blue Card?**

The revised proposal includes more inclusive and flexible admission conditions but the scheme remains targeted to highly skilled workers only. Applicants still need a job contract or a job offer, but the required minimum duration of the initial contract is brought down from 12 to 6 months to align more with labour market realities and many national schemes. It also makes the scheme more harmonised yet still adaptable to the national needs and circumstances of the Member States through nationally set salary thresholds (within a range provided in the Directive) and shortage lists (with a lower threshold).

### **How will the changes affect the target groups of the Directive?**

The most important change when it comes to the scope of the Blue Card is the extension of the personal scope to **beneficiaries of international protection, if they fulfil the regular conditions**. The EU Blue Card remains a scheme for highly skilled workers, so in that sense the scope will not change; however, beneficiaries of international protection residing in Member States, having the right to work under asylum rules, will be given access to the scheme. This means that if the beneficiary of international protection has a highly skilled job and fulfils all the conditions, he or she can obtain an EU Blue Card in any of the 25 Member States applying the Directive (the United Kingdom, Ireland and Denmark currently do not apply the Directive).

### **Why the extension to beneficiaries of international protection? How will this help them accessing the job market?**

With the new proposal, by obtaining an EU Blue Card, highly skilled beneficiaries of international protection become more visible to employers and are able to access labour markets in other Member States. They will be able to take up employment across Member States in accordance with their skills and education and fill shortages, including in situations where there are no vacancies in their field of expertise in the Member State that granted them protection. This facilitates their labour market participation, their ability to provide for their own livelihood, and benefits the host societies.

### **Why was the scope not extended to cover third-country national entrepreneurs or service providers who are also highly skilled?**

The Blue Card will remain a scheme for workers with an employment contract, as the details of the scheme are tailored for this group only. However, the Commission will continue its work developing the EU legal migration policy to support the EU's competitiveness through added mobility of other highly skilled persons, as announced in its [Communication](#) of 6 April 2016. Ways will be explored to attract innovative entrepreneurs who can boost economic growth and help creating jobs. Moreover, as part of a REFIT evaluation of the existing legal migration instruments, the Commission will examine whether there is a need for specific EU rules on international service providers within the context of trade agreements.

### **Will the new scheme also make it easier for graduates and workers from third countries to work in the EU?**

Yes, the new scheme introduces more facilitation for recent graduates and workers in shortage occupations (a lower salary threshold applies) to increase the retention of foreign talent educated in the EU and facilitate their entry from abroad. Equivalence between professional experience and formal qualifications is also guaranteed to adapt to today's labour market realities in which employers sometimes need specific professional experience and skills instead of formal educational qualifications.

## How will procedures be affected?

There will be faster and more flexible procedures: applications can be submitted either abroad or in EU territory, and the maximum processing time is brought down from a maximum of 90 to 60 days. In addition, Member States are given the option to introduce a special fast-track procedure for recognised or **trusted employers**, fulfilling certain criteria, who will profit from an even speedier procedure with fewer conditions for the employee to fulfil to reduce administrative burdens. The recognition procedure is regulated at national level; however, such a procedure must be transparent and not entail disproportionate or excessive administrative burden and costs for employers.

## How does the Commission intend to improve intra-EU mobility?

The new proposal will bring more clarity on short-term business trips across the EU by harmonising their definition and adapting to the needs of EU Blue Card holders, employers and today's labour markets. Currently, this is a grey zone and practices vary greatly across Member States.

It will also be easier for Blue Card holders to move to other Member States to take up a new job. Intra-EU mobility will be allowed after 12 months of residence in the first Member State. Some conditions are waived (such as presenting qualifications for unregulated professions) but the national salary threshold still needs to be fulfilled to protect the workers from social dumping as well as the national labour market.

In particular the mobility of EU Blue Card holders across Member States will be facilitated in two ways:

1. EU Blue Card holders will be able to carry out **short-term business trips** without having to obtain any authorisation other than the EU Blue Card. Currently, there are diverging practices across Member States, which hampers legal certainty and thereby the ease of conducting business trips.

2. When **moving to a second Member State to take up highly skilled employment** in a new job, EU Blue Card holders will still have to apply for a new EU Blue Card but it will be remarkably easier compared to the first admission. Namely, they will profit from the following facilitations:

- They will be able to move to another Member State **after 12 months of residence in the first Member State** (compared to 18 months under the existing rules) and **after 6 months** of residence in second, third and further Member States.
- If the profession is not regulated in the Member State concerned – which would require presenting a specific set of documents – the worker **does not have to prove again that he or she has sufficient qualifications**, be it education or experience, as it was already checked in the first Member State.
- **Evidence of sickness insurance or address** will not have to be provided in the second Member State – in these aspects the migrant is trusted to comply with relevant policies and practices in each Member State without having to prove it beforehand.

## Can you apply for an EU Blue Card if you don't have a job offer/contract?

No, and this will not change. The EU Blue Card – similarly to existing schemes in Member States – will remain demand-driven: the migrant will need to have **a job contract or offer** in the Member State concerned before being eligible for a permit and also fulfil the other conditions. However, in order to better match today's labour market realities, the required minimum length of the contract is **shortened from 12 to 6 months**. This will bring more potential workers into the scheme's remit.

## Will third country nationals have to prove they are highly skilled?

Yes. Evidence of being highly skilled continues to be required for the new EU Blue Card. As an alternative to higher education qualifications, equivalent **professional experience** will also have to be recognised by Member States – this is optional under the current rules.

## What about the salary conditions?

**The salary threshold**, as defined in the existing EU Blue Card Directive (at least 1.5 times the average salary in the Member State concerned), risks excluding a substantial share of highly skilled workers in many Member States. It is also higher than the thresholds applied in corresponding national schemes. Therefore, the Commission proposes to lower the requirement and give Member States a range within which to set their national salary threshold. Member States will be able to go as low as to equal the national average salary and as high as 1.4 times the national average salary.

## Are there exceptions to this threshold?

**A lower salary threshold** will be offered to two groups: recently graduated professionals and workers in shortage occupations. **Young professionals** may struggle to achieve the regular salary threshold at the beginning of their career. With this provision, the EU would offer easier access to the scheme with a threshold amounting to 80% of the regular one. Likewise, if an occupation suffers from **labour**

**shortages** in a particular Member State, that Member State may list that occupation so that a similar lower salary threshold will apply to obtain an EU Blue Card.

### How will access to long-term residence be affected?

Accelerated access to permanent residence is an important element of attractiveness (as identified by the public consultation). In view of this, under the new rules, EU Blue Card holders having resided in one Member State for a continuous period of three years will be eligible for the EU long-term resident status. Alternatively, if their residence has lasted for the standard period of five years, periods spent in different Member States holding different residence permits can be taken in account.

### How many EU Blue Cards have been issued in the past?

So far the EU Blue Card has only been successful in a small number of Member States, particularly in Germany which has issued almost 90 percent of all cards since 2012. The Commission seeks to increase and replicate this success across the EU, essentially by making the scheme more inclusive while improving the rights associated with it.

EU Blue Cards granted during 2012-2014 (first permits)			
2012	2013	2014	
BE	0	5	19
BG	15	14	21
CZ	62	72	104
DE	2 584	11 580	12 108
EE	16	12	15
EL	0	n/a	n/a
ES	461	313	39
FR	126	371	597
HR	n/a	10	7
IT	6	87	165
CY	0	0	0
LV	17	10	32
LT	n/a	26	92
LU	183	236	262
HU	1	4	5
MT	0	4	2
NL	1	3	0
AT	124	108	128
PL	2	16	46
PT	2	4	3
RO	46	71	190
SI	9	3	8
SK	7	8	6
FI	2	5	3
SE	0	2	0
EU25	3 664	12 964	13 852

Source: Eurostat EU Blue Cards by type of decision, occupation and citizenship [migr\_resbc1]; Last updated on 12/02/2016 and extracted on 27/05/2016

### How has the new Directive been developed and have stakeholders been involved?

The Commission has consulted widely with stakeholders and experts regarding the improvements to the EU Blue Card scheme. An online public consultation was conducted between 27 May and 30 September 2015, to give stakeholders the opportunity to present their views on the EU Blue Card and the EU's labour migration policies. 625 contributions from different stakeholders, ranging from EU citizens, third-country nationals, employers, trade unions, to NGOs, ministries of EU Member States, international organisations, and various other civil society actors were received. In addition, an Expert Group on Economic Migration has supported the Commission during the preparatory work. Moreover, the OECD conducted an analysis of the EU's labour migration policies in its series "[Recruiting Immigrant Workers: Europe 2016](#)", part of an the EU financed OECD project "*Review of Labour Migration Policy in Europe*", which has also contributed to the review of the EU Blue Card. It assesses how the EU can better manage labour migration in the context of population ageing and the global

competition for skills. The results OECD analysis is also made public [today](#). In addition, the Commission is also today publishing an Impact Assessment on the proposal for a new EU Blue Card which provides a detailed account of its evaluation and policy development activities.

## **Action Plan on the integration of third-country nationals**

### **Why an Action Plan on the integration of third-country nationals now?**

The successful integration of legally resident migrants and refugees is essential for making migration a benefit for host societies. Today's Action Plan is part of the set of actions announced in the Commission's [Communication](#) of 6 April 2016, and represents the Commission's commitment to step up EU efforts for integration.

Measures included in the **New Skills Agenda for Europe** which will be presented later this week are also relevant for third-country nationals and will support their integration.

### **What are the main challenges for third country nationals legally residing in the EU?**

Today, there are around 20 million third-country nationals legally residing in the EU who make up 4% of its total population. Evidence shows that they are disproportionately affected by unfavourable outcomes in terms of education, employment and in accessing decent housing. In 2015, migrants' employment rate was 12.4 pp lower than that of host countries nationals (53.6% compared to 66%), with women having particularly low rates (45%). Third-country nationals are often under-employed, even when holding university diploma. Educational underachievement is twice as high among first generation migrants (42%) as compared to students with native-born parents (20%), and still high for the second generation (native-born with foreign-born parents) at 34%. In 2014, 49% of third-country nationals were at risk of poverty or social exclusion compared with 22% of host-country nationals. Furthermore, Member States are currently confronted with the challenge of providing for the integration of those who have recently arrived in the context of the refugee crisis, once they have obtained protection status.

### **Who is the target group for this Action plan?**

The Action Plan supports the integration of all third-country nationals legally residing in the EU, irrespectively of the reason why they have migrated and for how long. Some of the actions set out by the Action Plan specifically target the needs and challenges of refugees, in view of the current high number. Newly-arrived refugees face specific problems, such as vulnerability resulting from traumas suffered, lack of documentation including as regards qualifications, inactivity prior to and during asylum procedures, but also cultural and language barriers.

Actions to support the integration of third-country nationals need not, and should not, be at the expense of measures to benefit other vulnerable or disadvantaged groups or minorities. These should rather be seen as complementary. This Action Plan does not concern nationals of EU Member States who have a third country migrant background through their parents or grandparents, nor EU nationals who have exercised their right to free movement and their family members.

### **What does the Action plan consist of?**

Whilst the competence on integration lies primarily with the Member States, the EU can establish measures to provide incentives and support for Member States in promoting integration of third country nationals residing legally in their territories. This Action Plan provides a common policy framework which should help Member States as they further develop and strengthen their national integration policies for migrants from third countries, and describes the policy, operational and financial support which the Commission will deliver to support them in their efforts.

### **Which are the main areas that the Action Plan touches upon?**

The Plan includes actions across all the policy areas that are crucial for integration:

- **Pre-departure and pre-arrival measures:** including actions to prepare migrants and the local communities for integration;
- **Education:** including actions to promote language training, participation of migrant children in Early Childhood Education and Care, teacher training and civic education;
- **Employment and vocational training:** including actions to facilitate recognition of qualifications and skills and promote early integration into the labour market and migrants entrepreneurship;
- **Access to basic services:** such as housing and healthcare;
- **Active participation and social inclusion:** including actions to support exchanges with the receiving society, migrants' participation in cultural life and fighting discrimination.

It also presents tools to strengthen coordination between the different actors working on integration at national, regional and local level – for example through the creation of a European Integration Network

promoting mutual learning between Member States – and a more strategic approach on EU funding for integration in order to maximise EU financial support to Member States' policies in this area.

### **What has the EU done in the field of integration so far?**

The EU has been supporting Member States in their integration policies for several years already. In 2014 the Justice and Home Affairs Council reaffirmed the [EU Common Basic Principles for Immigrant Integration Policy](#) adopted in 2004, which set out a common approach to immigrant integration across the EU.

In 2011, the European Commission set out a [European Agenda for the integration of third-country nationals](#), calling for a strengthened and coherent approach to integration, across different policy areas and government levels. The [European Website on Integration](#) provides a database of good practices in the field of integration. The Commission has developed, in dialogue with the Member States, common indicators to monitor results of integration policies. The EU has supported integration actions also through dedicated funding and more broadly through instruments addressing social and economic cohesion across Member States.

### **An economic take on the refugee crisis**

#### **What are the likely economic impacts of the recent arrivals of refugees to Europe?**

The European Commission is also today publishing a Commission Staff Working Document on the potential economic impact of the recent large inflow of refugees. A number of *assumptions* have been adopted for the *projections* presented in the document. These assumptions should by no means be construed as official Commission forecasts of actual refugee flows, but are merely used to model potential macroeconomic effects.

Based on these assumptions, the impact on GDP under these scenarios could be small but positive (EU GDP could increase by an additional 0.2% by 2017, compared to a baseline scenario), provided that appropriate integration policies are put in place. The short-term impact on growth is mainly driven by additional spending, while labour market participation is expected to be key in determining the impact in the medium to long term.

The economic impact is likely to be more significant in those Member States welcoming the most refugees. It will also be determined by whether the asylum seekers transit or stay. In Germany, for example, GDP could increase by 0.4%-0.8% by 2017.

According to the Staff Working Document, in the medium to long term, the macroeconomic effect of the inflow of refugees depends on how well and quickly refugees are integrated into labour markets. If well integrated, refugees can contribute to a better performance of the labour market and help to address demographic challenges and improve fiscal sustainability. How well refugees can integrate into labour markets depends on factors such as the characteristics of the migrants (e.g. age distribution and skills), as well as the structure, cyclical position and integration policies of the destination countries.

#### **How does the Staff Working Document feed into the Migration Agenda of the European Commission?**

The Staff Working Document "An economic take on the refugee crisis" focuses on the domestic side of the economy and points to the economic effects of the recent refugee inflows. It also shows the economic benefits of integration and there by complements other analyses.

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