

The EU Blue Card in the Baltic and Nordic Region

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Attracting and Keeping the Talent



- Global war of talent (Hankin, 1997)
 - an increasingly competitive environment for recruiting and retaining talented employees.
 - a mindset that emphasizes the importance of talent to the success of organizations.
- Most skilled migrants do not go to the EU and prefer the North-America and Australia. The EU is the principal destination for low-skilled and medium-skilled workers from the Maghreb (87%), while 54% of highly qualified migrants from these countries go to the US and Canada.
- Need for EU level regulation
 - business argument,
 - demographic argument,
 - competition argument
 - Are admitted under common rules
 - Enjoy the same level or rights throughout the EU
 - Will have possibility of moving from one MS to another so as to adapt and respond promptly to fluctuating demands for highly qualified migrant labour



Measures for attracting and keeping the Highly Qualified



- The EU level measures
 - Directive 2004/114/EC (International students, pupils)
 - Directive 2005/71/EC (Researchers)
 - Directive 2009/50/EC on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment
- Member State level measures
 - focus on certain groups of individuals (e.g. self-employed workers, entrepreneurs, investors, researchers, intra-corporate transferees)
 - focus on occupations (e.g. IT, healthcare, academia, sport). In addition to sectors, some specific niche skills are in demand;
 - offering fast-tracking of procedures, unrestricted access to the labour market, and the provision of information and employer sponsorship, improved rights, benefits and (tax) incentives.



The Blue Card Directive



- The directive was adopted in 2009, transposed by MS in 2011.
- Higher professional qualifications
 - higher education qualifications (relevant to the profession and sector) or,
 - at least five years of professional experience of a level comparable to higher education qualifications (relevant in the profession or sector specified in the work contract/ job offer)
- Admission criteria
 - an obligation to produce a work contract or binding offer
 - with a salary of at least 1.5 times the average gross annual salary paid in the MS
- Labour market access
 - for the first two years employment is restricted to the paid activities which meet the conditions for admission



The Blue Card Directive

- Temporary unemployment
 - Once up to three consecutive months during the validity of the BC
- Promoting intra-EU mobility
 - After 18 months of legal residence
- Favourable family reunification rights
 - Right to bring one's family along
 - Labour market access
- Advantageous access to long-term residence
 - five years of legal and continuous residence, two years in the MS where the LTR application is lodged
 - cumulative periods of residence in different MS to fulfil residency requirement
 - temporary absence up to 12 consecutive months, 18 months within 5 years
 - temporary absence up to 24 consecutive months as EC long-term resident



Migration in NB8 region



- Over 175 000 first residence permits in 2012 (+ 10, compared to 2011)
- The main reason for migration is family reunification(40%), followed by remunerated reasons (25%)
- Over 43 000 first residence permits for work:
 - 29% (12 500 permits) highly-skilled workers
 - 5.3% (2 300 permits) researchers
 - 0,08% (35 permits) EU Blue cards + 26 admitted family members
 - Highly-skilled come mainly from India, China, the US, Pakistan and Russia
 - Researchers come mainly from China, India, the US, Russia and Iran
- In 2013 there were 74 EU Blue Cards issued
 - LT 40 EE 12 SE 2
 - LV 13 FI 7 Total 74

Top 5 Nationalities for the EU Blue Card: Russia, Ukraine, Belarus, Brazil

Main professions: IT and communication technology, health, business and administration, science and engineering professionals

Source: Eurostat, EMN NCPs



The EU Blue Card in NB8 region



	EE*	LV**	LT**	FI*	SE**	NO*	DK**
EU Blue card	12	13	0	7	0	N/A	N/A
Highly skilled workers	N/A	106	N/A	991	4 751	2 510	4 088
Researchers	20	0	2	583	1 126	51	644
Seasonal workers	0	0	0	0	5 349	1 953	0
Other remunerated activities	528	650	2 161	3 357	7 294	3 449	4 400
Remunerated activities reasons (Total)	560	769	2 163	4 938	18 520	7 963	9 132

Source: Eurostat, Police and Border Guard Board EMN NCPs

* 2013, ** 2012



Has the EU Blue Card become the Flagship of the EU's Labour Immigration Policy?



- Compromise
 - The Directive has set forth minimum standards providing for a common floor, not a common ceiling
- Factors that have influence the adoption of the BCD
 - EU enlargement (concern of some MS that inflows of CEE immigrants would undercut domestic workers)
 - Global economic crisis started during ongoing BC negotiations. Most MS were facing political opposition towards a more open highly-skilled immigration and it was difficult to justify admitting more immigrants.
 - Before the Lisbon Treaty entered into force in December 2009, immigration policy at the EU level was under unanimity. All MS had to agree on the BCD, the European Parliament only issued an opinion
- Voluntary
 - MS can implement national skilled migration schemes in parallel with BC



National Schemes vs Blue Card in 2012



Member State	EU Blue Card	Highly skilled worker	Member State	EU Blue Card	Highly skilled worker
Germany	2 584	210	Italy	6	1695
Spain	461	1136	Poland	2	314
Luxembourg	183	21	Portugal	2	313
Austria	124	1158	Finland	2	748
Czech Republic	62	69	Hungary	1	0
Romania	46	0	Netherlands	1	5514
Latvia	17	106	Belgium	0	98
Bulgaria	15	0	Greece	0	0
Estonia	16	433*	Cyprus	0	600
Slovenia	9	0	Lithuania	0	0
Slovakia	7	0	Malta	0	0

Source: Eurostat, Police and Border Guard Board, Unemployment Insurance Fund,

* estimated first residence permits for work (Managers, Professionals and Technicians and associate professionals)



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Conclusions



- According Labour Force Survey, in EU-27 between 2008 and 2012, there has been a slight increase in the proportional employment of third-country nationals in high-skill occupations in the total employed population (from 4.06% to 4.29%, Eurostat)
- The EU BCD is the first European scheme with the objective to attract highly qualified workers from outside the EU.
 - It is demand driven, forward-looking and in accordance with the Europe 2020 strategy.
- Highly skilled immigration was supposed to be the least controversial migration category
 - Even though the BC signals that the EU welcomes highly-skilled TCN, the BCD demonstrates that most MS are not willing to delegate decisions on their labour market needs to EU institutions
- BCD does not create the right of admission
 - When moving to the second MS admission conditions have to be compiled again, which in turn can apply national quota, which can hamper intra-EU mobility.
- The BC is valid up to four years
 - thus missing the five-year residence period for EU long term residence status



Conclusions



- Impact of the BCD on national labour market depends largely on the economic and political situation on a MS.
 - MS succeeded in creating a large margin of manoeuvre in the directive. MS can adapt standards of the directive to their national needs – this results in low level of harmonisation and the extent to which the directive promotes the intra-EU mobility of highly-skilled TCN will remain limited.
- Though welcomed at the EU level, it has been difficult to obtain BC support of all MS beyond a minimum framework because national highly-skilled immigration policies vary considerably.
 - This has led to an agreement on the lowest common denominator, with an opt-out of three MS (DK, IE, UK)
 - The use of the BC scheme remains optional and co-exists with the national schemes in place, including bilateral conventions with selected third countries. Directive does not remedy the potential of existing competition among such schemes, but contributes to creating a complex multi-layered system
- In June 2014 the European Commission will report to the European Parliament and the Council on the application of the BCD in the MS and will propose necessary amendments



THANK YOU!

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