



EUROPEAN COMMISSION - PRESS RELEASE

'Blue Card': Commission warns Member States over red tape facing highly qualified migrants

Brussels, 27 February 2012 – Three Member States are still making it too difficult for highly skilled people to come and work in the EU, prompting the Commission to act. Despite having been warned in July 2011, Austria, Cyprus and Greece have not yet transposed the rules of the Blue Card Directive, which should have been implemented before 19 June 2011. This is why the European Commission today issued reasoned opinions (Article 258 TFEU) requesting **Austria, Cyprus and Greece** to bring their laws into line with EU legislation.

The EU Blue Card Directive puts in place common and efficient rules that allow highly skilled people from outside Europe to come and work in our labour markets, filling gaps that cannot be filled by EU nationals. It establishes a fast-track admission procedure for these foreigners and ensures a common set of social and economic rights, such as equal treatment with nationals as regards working conditions and pay, as well as access to goods and services.

If Europe is to secure economic prosperity, remain competitive and maintain its welfare systems, it needs immigrant workers. The current economic and financial crises makes this need all the more pressing, while highlighting the need for common rules and a comprehensive and balanced EU migration policy.

Today, the Commission also decided to end the proceedings against Malta ([IP/11/1247](#)), Romania and Luxembourg. These countries were late in implementing the Blue Card Directive, leading the Commission to start legal proceedings against them, but they have now brought into force the national legislation necessary to apply the Directive.

Background

The Blue Card Directive ([Directive 2009/50/EC](#)) was adopted on 25 May 2009 and Member States had until 19 June 2011 to transpose its provisions into national law. All EU Member States except Denmark, the UK and Ireland are bound by the Directive.

The EU Blue Card scheme helps attract highly qualified migrants to Europe, supporting Member States' and EU companies' efforts to fill gaps in their labour markets that cannot be filled by their own nationals, other EU nationals or legally resident non-EU nationals. It provides a common and simplified procedure applicable in the EU Member States bound by the Directive and ensures that potential migrants know what they need to do, whichever Member State they are planning to go to, rather than having to face 24 different systems.

Once a Member State grants a Blue Card to a migrant, after two years that person can then benefit from free access to highly qualified employment positions in that Member State and can also move to another EU Member State where their skills may be needed. Coupled with preferential rules for acquiring long term resident status and for family reunification, the Blue Card scheme presents an attractive package to potential highly qualified migrants.

It is a demand-driven instrument which does not grant a right of admission and respects Member States' prerogative to determine the volume of labour immigrants entering their territory for the purpose of highly qualified employment.

The Blue Card Directive is one building block of a comprehensive and balanced EU migration policy, which has a role to play not only in filling shortages in national labour markets but also in helping to face demographic challenges.

The Directive does not prevent Member States from having their own system of national residence permits for highly skilled migrants, but such national permits cannot grant the right of residence in other EU Member States that is guaranteed under the Blue Card Directive.

For more information

[MEMO/12/134](#)

Homepage of Cecilia Malmström, Commissioner for Home Affairs

http://ec.europa.eu/commission_2010-2014/malmstrom/welcome/default_en.htm

Homepage DG Home Affairs:

http://ec.europa.eu/dgs/home-affairs/index_en.htm

EU Immigration portal:

<http://ec.europa.eu/immigration/>

Contacts :

[Michele Cercone](#) (+32 2 298 09 63)

[Tove Ernst](#) (+32 2 298 67 64)