

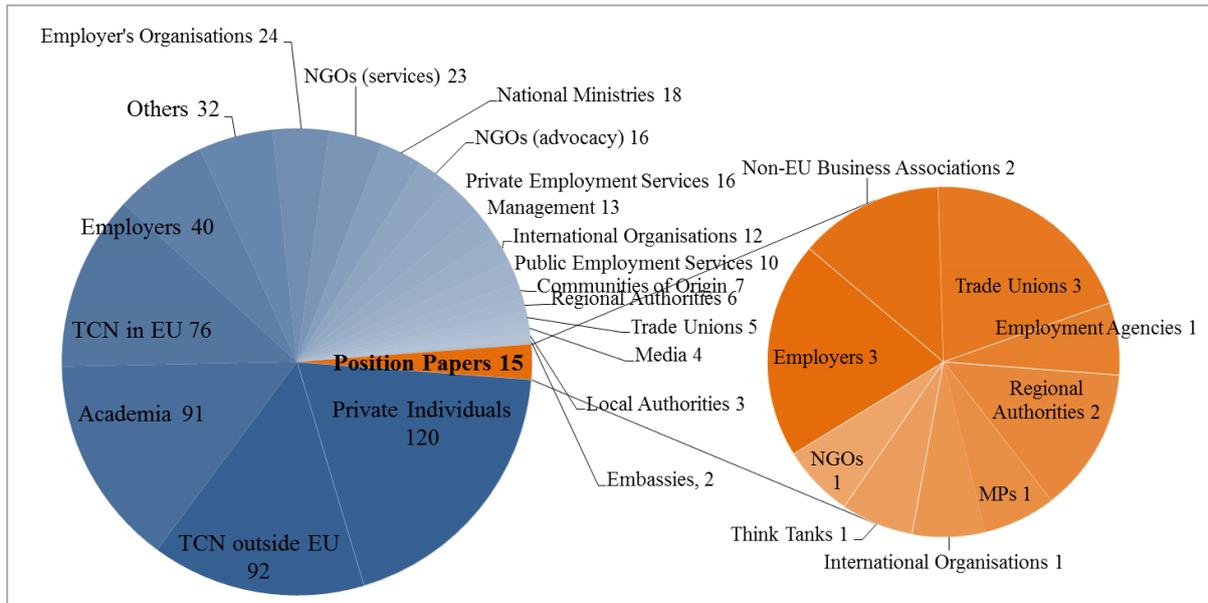
Brussels, 6 April 2016

**SUMMARY OF REPLIES
TO THE PUBLIC CONSULTATION
ON THE EU BLUE CARD
AND THE EU LABOUR MIGRATION POLICIES
FOR HIGHLY SKILLED WORKERS¹**

¹ *This summary has been made by the Commission staff (DG HOME) for information and transparency purposes. The results of the consultation and the views and opinions expressed therein do not necessarily reflect the position of the European Commission on the issues raised.*

1 INTRODUCTION

In the context of the review of the EU Blue Card Directive², the Commission launched a public consultation, inviting stakeholders to share their views on the EU Blue Card and on various aspects of the EU’s labour migration policies for highly skilled workers. The consultation, accessible online between 27 May and 30 September 2015, resulted in a total of 625 contributions, of which 610 were responses to the online survey and 15 were position papers.



In the online survey, respondents were asked to self-identify as one of 20 categories, including individuals – EU citizens or third-country nationals (TCN) – or as employers, employers’ organisations, trade unions, non-governmental organisations (NGOs), national ministries of EU Member States, regional and local authorities, international organisations, and various other civil society actors. These 20 categories were grouped into 6 profiles with specific sets of questions; some questions were asked to all while others only to certain profiles. Below each graph with results of responses in this summary a box with highlighted profiles indicates to which profile the specific question was posed:

| | |
|--|---|
| | The question applies for the profile |
| | The question does not apply for the profile |

The questions of the consultation covered a variety of issues grouped in five topical chapters:

1. **The EU Blue Card**
2. **Availability of information**
3. **Attractiveness of the EU as migration destination**
4. **Labour markets**
5. **Recognition of foreign qualifications**

² Council Directive 2009/50/EC of 25 May 2009, OJ L 155, 18.6.2009, p 17–29.

This summary, compiled by the Commission, presents a selection of the results of the public consultation. Key questions were selected for each chapter, based on the relevance of the questions and the representativeness of the responses. The full results of the public consultation and all replies are available online on the [website of DG Migration and Home Affairs](#).

2 SELECTED RESULTS FROM THE ONLINE QUESTIONNAIRE

2.1 The EU Blue Card

Main points:

- The findings indicate that the **Blue Card is not yet widely known as an instrument for attracting highly skilled third-country nationals (TCN) to the EU** and the degree to which it is known **varies according to the category of respondents to the public consultation**. Overall, only 55 % of the respondents to this question had heard of the Blue Card before participating³. While almost 68 % of TCN inside the EU, 61 % of employers and 91 % of employers' organisations had heard about the Blue Card, only 52 % of TCN outside the EU and 51 % of academics had heard about the Blue Card prior to their participation in this survey. Out of the private individuals 73 % had never heard of the Blue Card.
- Highly skilled TCN in the EU who were recruited under a different scheme than the EU Blue Card, indicate amongst the **possible reasons for being issued a national permit instead of a Blue Card**: the failure to fulfil the salary requirement; cost saving by employers who opt for less expensive schemes; and lack of awareness among employers.
- Amongst those who heard of the EU Blue Card scheme, **a large majority (71 %) finds that its attractiveness could be improved**, even though with a certain variation amongst the categories (see question 1.2).
- **Although 63 % of respondents consider the current admission conditions adequate**, there are wide variations amongst categories. Of the 37 % of respondents who do not consider the current admission conditions adequate, a majority (65 %) suggests that the **current salary requirements**⁴ should be made **more flexible**.
- **A great majority of respondents (80 %) considers that the EU Blue Card could be more attractive if its scope would be extended**, with the exception of the national ministries (43 %). An expansion of the scope to entrepreneurs or aspiring entrepreneurs in high-tech sectors likely to create high-growth employment receives significant support (39 %) and, above all, more facilitation for **international graduates** of European universities (58 %) and **job-seeking permits** for highly skilled (59 %) or for sectors experiencing labour shortages (56 %) receive support from a majority of respondents.
- **Fast-track entry procedures (44 %) and a clear, streamlined and uniform scheme (41 %) are seen by all respondents as the most important to improve the scheme's attractiveness**. Also important are unrestricted access to the labour market (27 %), availability of integration measures (25 %), rights and equal treatment (24 %), favourable family reunification conditions (21 %) and promotion and information (17 %). TCN in and outside the EU value most fast-track entry procedures (49 %), unrestricted access to the labour market (37 %), and a clear, streamlined and uniform scheme (29 %).

³ Note that the public consultation is not a representative survey but a voluntary, online public consultation in which a selection-bias towards respondents who have knowledge of the labour migration policies can be expected.

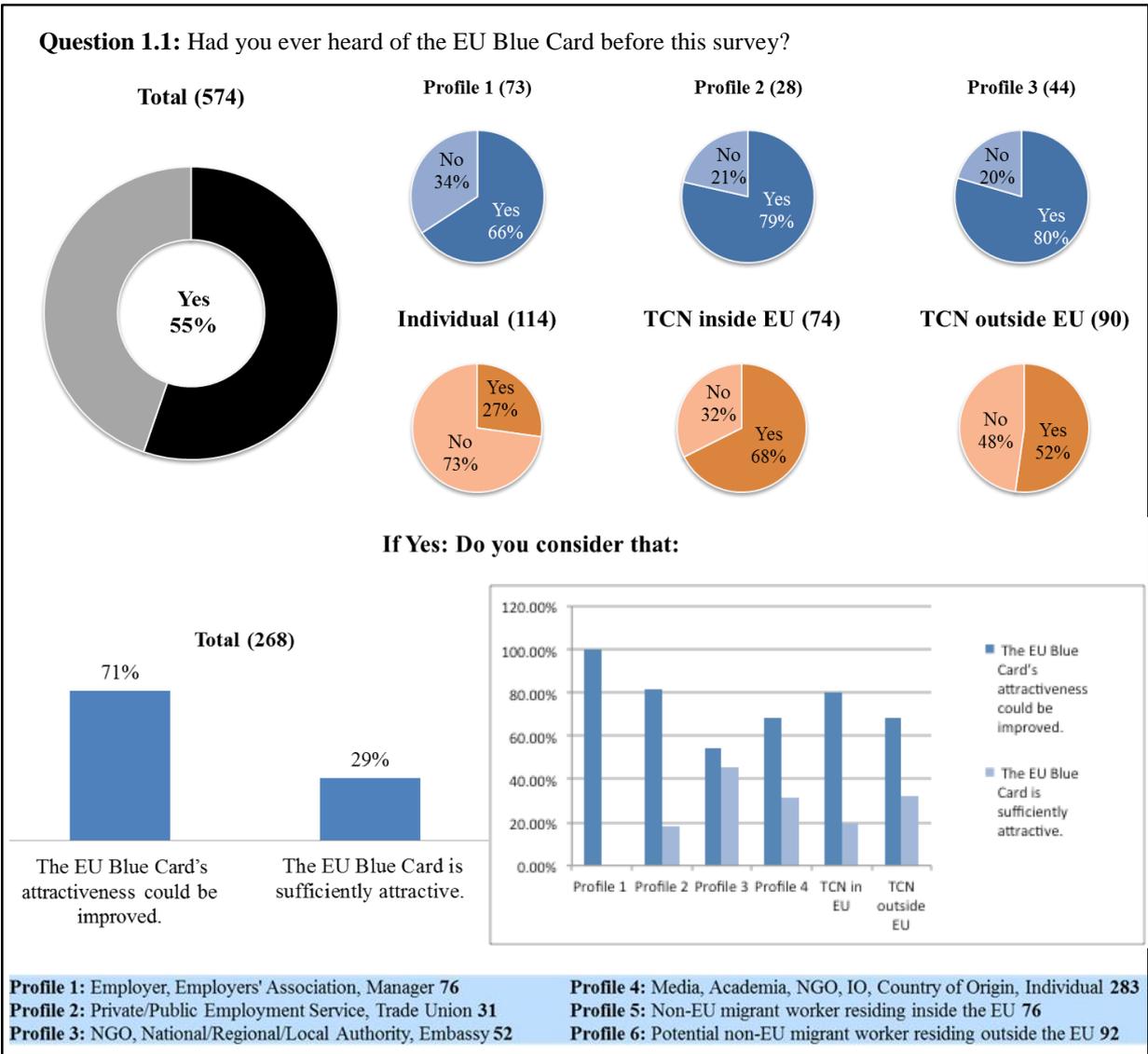
⁴ 1,5 times the average gross annual salary in the Member State concerned.

- **A majority of respondents (53 %) considers that one unified and visible EU-wide scheme would make the EU as a whole more attractive for highly skilled workers, while 34 % consider that it would be better to keep parallel national programmes for highly skilled migrants in addition to the Blue Card⁵.**
- **The most popular arguments in support of the unified EU-wide scheme are that it would improve the clarity and simplicity for potential highly skilled migrants (74 %), offer easier mobility between EU Member States to react to labour market changes (53 %), and improve the attractiveness of the EU for highly skilled migrants (49 %). In contrast, those who favour parallel national schemes consider that these allow a better alignment of national policy preferences with national needs (71 %), offer more options for potential migrants (57 %), and allow Member States to differentiate themselves from other Member States and improve their relative attractiveness (51 %)⁶.**

⁵ The remaining 13 % had no opinion.

⁶ Multiple answers were possible.

Selected questions and responses:

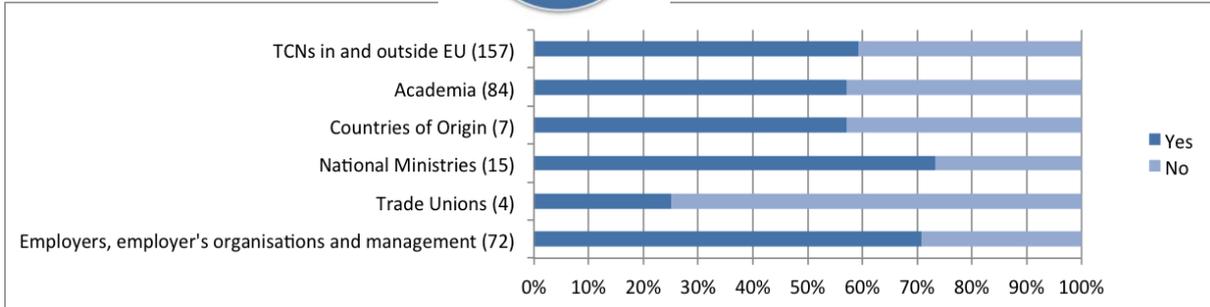
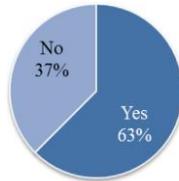


The responses to **question 1.1** on the familiarity with the Blue Card before participating in the public consultation varied according to the category of respondents. While 91 % of employers' organisations and 61 % of employers had previously heard about the Blue Card, this was not the case for most individuals (73 %) who responded to the survey. Of those who already knew the Blue Card, 71 % considered that the Blue Card's attractiveness could be improved. Profile 3, which includes national ministries, regional and local authorities, is least in favour of improvements to the Blue Card (only 55 %).

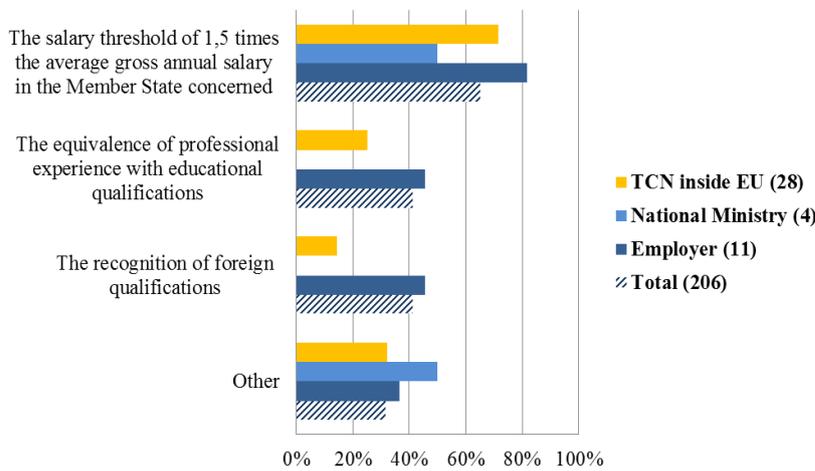
Question 1.2: When highly skilled TCN already working in the EU were asked if they were aware of any specific reason why they were recruited under a different programme than the EU Blue Card, their responses indicated that possible reasons include: (1) failure to fulfil the salary requirement, (2) cost saving by employers who opt for less expensive schemes, and (3) lack of awareness among employers. In one case the national immigration officers stated that it was too complicated to get an EU Blue Card.

Question 1.3: Do you consider that the admission conditions of the current EU Blue Card Directive are adequate?

Total (555)



If no, which ones should be made more flexible?



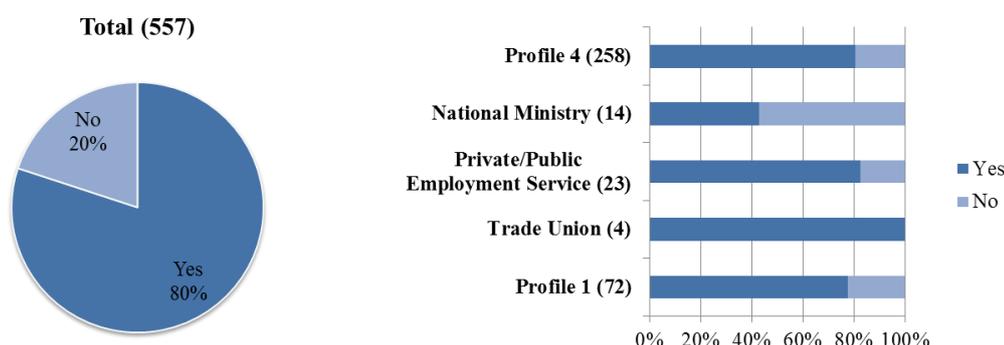
If other, please specify (selection):

- A pre-established process for the recognition of the company sponsoring the Blue Card as a reliable and trusted partner that would take full responsibility of the resource allocated to the specific country for the specific period of time.
- The binding work contract together with the salary minimum do not support entrepreneurs and shareholders or co-shareholders that would like to work in their own company, particularly if this is a start-up.

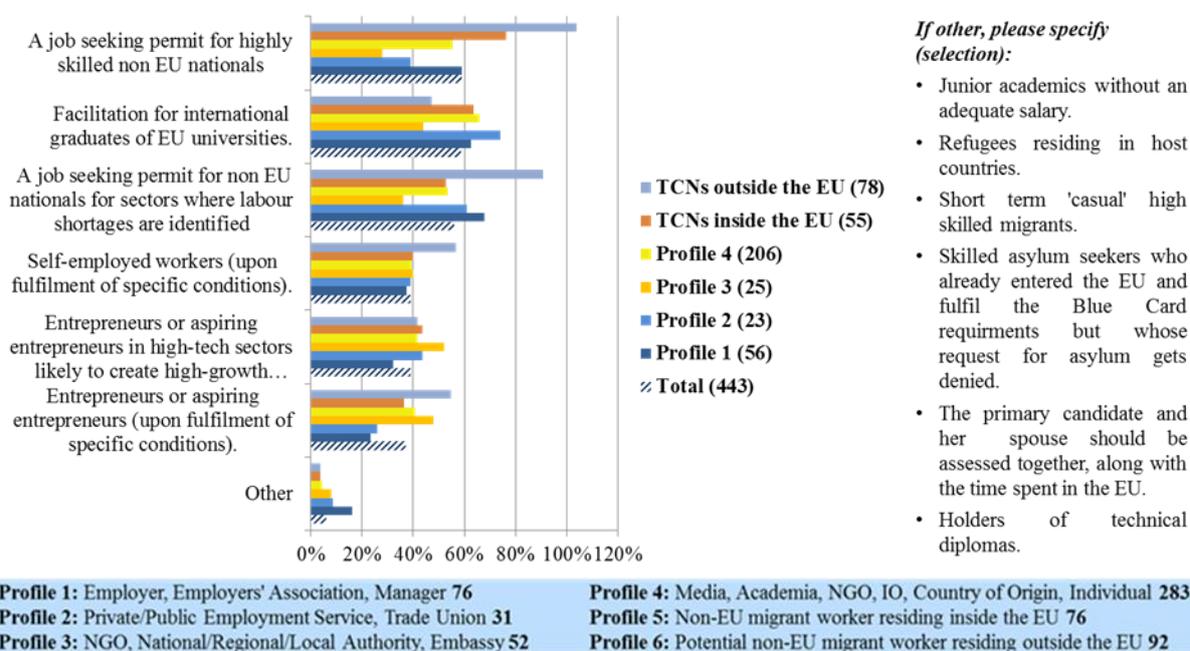
Profile 1: Employer, Employers' Association, Manager 76
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The responses to **question 1.3** from all participants in the public consultation indicate that 63 % of all participants consider the current admission conditions adequate.

Question 1.4: Do you consider that the EU Blue Card scheme could be more attractive if its scope was to be expanded to certain additional categories?

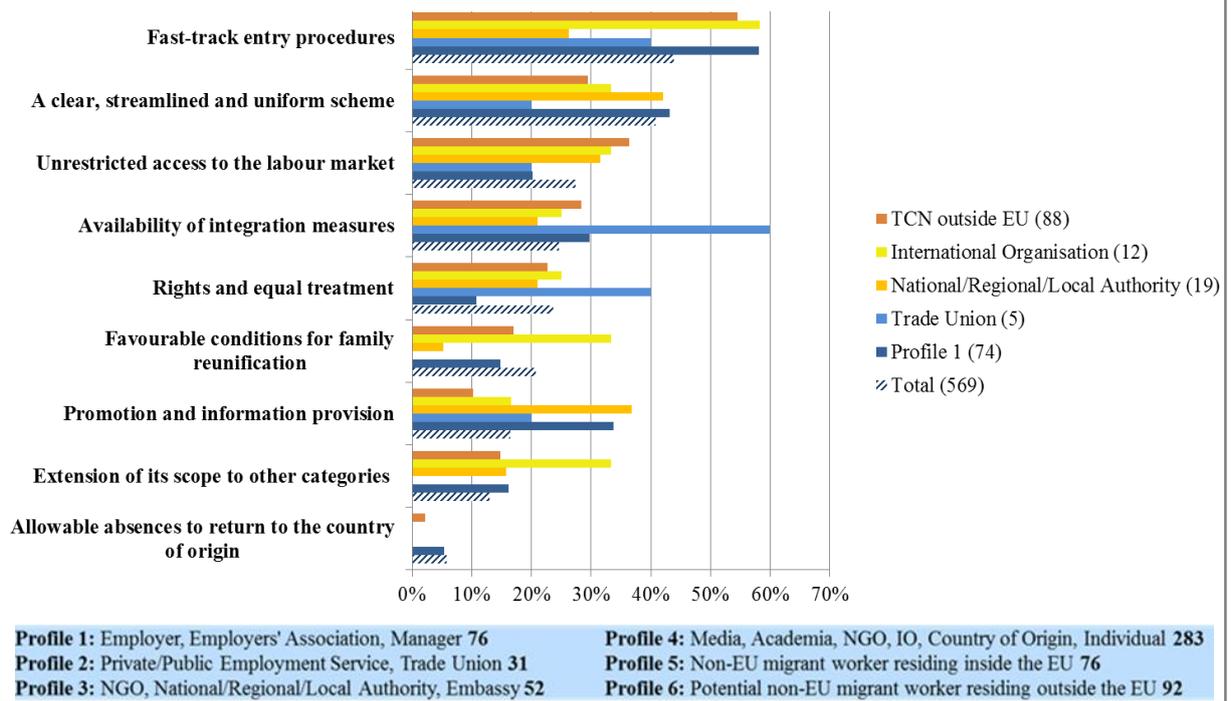


If yes, please indicate the specific categories/cases. *Multiple answers possible.*



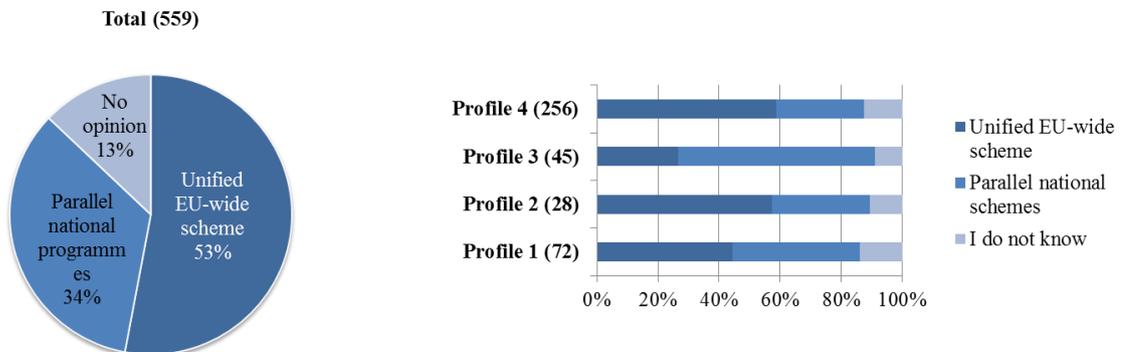
Regarding the scope of the Directive, the responses to **question 1.4** indicated that a large majority (80 %) was of the opinion that the Blue Card scheme could be more attractive if its scope was to be expanded.

Question 1.5: What aspects are most important for the attractiveness of the EU Blue Card? Please indicate the factors you consider important. *Max. three answers possible.*

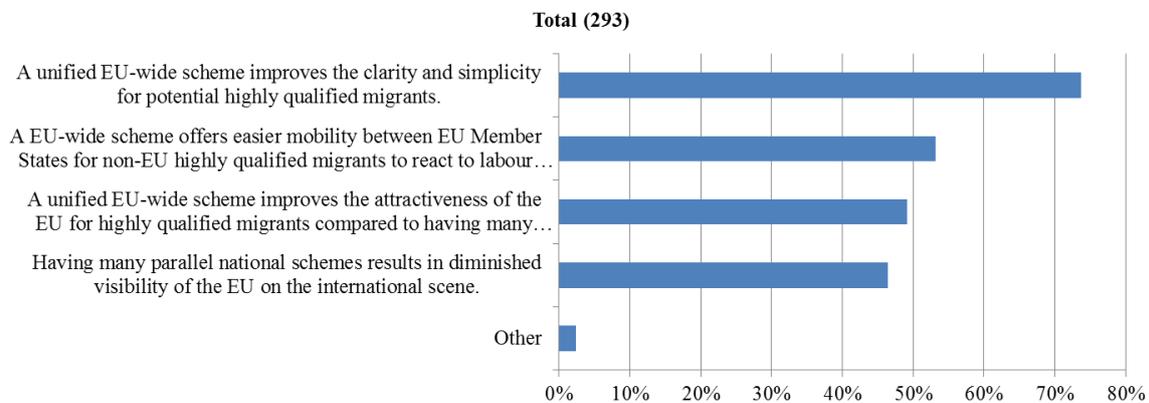


The responses to **question 1.5** reveal that the respondents most directly affected by the measures, namely employers and potential highly skilled workers, prioritize fast-track entry procedures and a clear, streamlined and uniform scheme over an extension of the scope.

Question 1.6: In your opinion, in order to make the EU as a whole more attractive for highly qualified migrant workers, is it better to [A] opt for one unified and visible EU-wide scheme, such as an improved EU Blue Card without parallel national programmes, or [B] to keep parallel national programmes for highly qualified migrant workers in addition to the EU Blue Card?



If [A], why? Please indicate the factors you consider important. *Multiple answers possible.*



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The importance of a coherent and uniform system is also reflected in the responses to **question 1.6**, where a majority pronounce themselves in favour of a unified and visible EU-wide scheme, such as an improved EU Blue Card without parallel national schemes.

2.2 Availability of Information

Main points:

- There are **great variations in the availability of information** between the categories of respondents, and significant differences between actual and perceived availability of such information depending on the category.
- **According to more than 60 % of potential employers and to more than 70 % of potential highly skilled workers still outside the EU⁷, no adequate information about national immigration systems is available.** Nevertheless, less than a quarter (24 %) of the employers and employers' organisations in this consultation relied on a third party to help with immigration procedures and almost 80 % of the TCN who are already residing in the EU indicated that information about national immigration systems was readily available.
- **Most employment services, trade unions, NGOs⁸, national/regional/local authorities and embassies raise awareness about possibilities to recruit from abroad.** Only 34 % of respondents from these categories indicated that they do not provide that kind of information to employers and/or potential non-EU workers and almost half (46 %) inform both groups. Furthermore, 71 % of the private employment services act as direct intermediaries between employers and employees⁹.
- **Employers in search of potential highly skilled migrant workers in third countries mostly rely on professional contacts (65 %), private intermediation agencies (39 %) and public employment agencies (37 %)¹⁰.** 91 % of employers are satisfied with these channels.
- Highly skilled TCN in and outside the EU mostly tend to use the following channels to obtain information on job vacancies in the EU: **online job boards (64 %), social media (58 %, e.g. LinkedIn), the EURES job portal (48 %), professional contacts (35 %) and public employment agencies (33 %)¹¹.** Overall 66 % of TCN were satisfied with these channels.
- Nonetheless, 73 % of other stakeholders¹², besides directly affected ones such as employers, TCNs and Member States, have the impression that adequate information about recruitment possibilities is not available to employers and potential migrants.

⁷ This question was directed to profile 2 and 4.

⁸ Providing assistance, as opposed to advocacy NGOs in profile 4.

⁹ The same is true for 33 % of the public employment services..

¹⁰ Multiple answers were allowed.

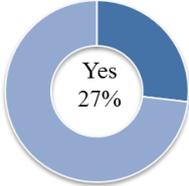
¹¹ Multiple answers were allowed.

¹² Profiles 2 and 4: private and public employment organizations, trade unions, media, private individuals, academia, NGOs (advocacy), international organisations, organisations or authorities of the countries of origin and others.

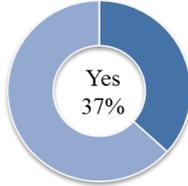
Selected questions and responses:

Question 2.1: Do you think adequate information on national immigration systems is easily available to...

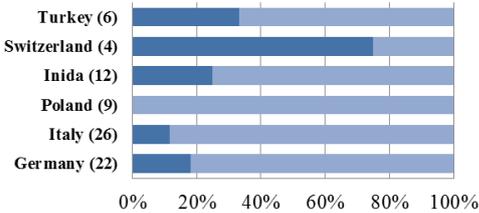
...potential migrants (294)



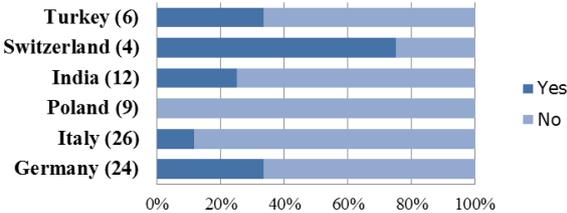
...employers (269)



Respondents from...

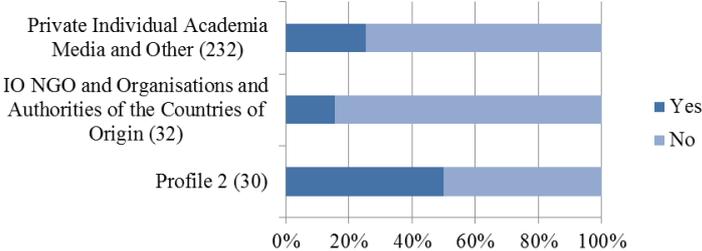
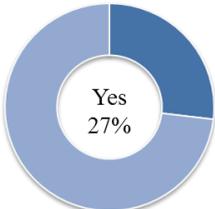


Respondents from...



Question 2.2: Is adequate information available to employers and potential migrants about recruitment possibilities?

Total (72)

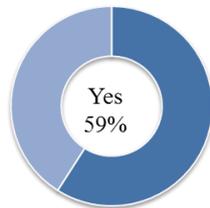


- Profile 1:** Employer, Employers' Association, Manager 76
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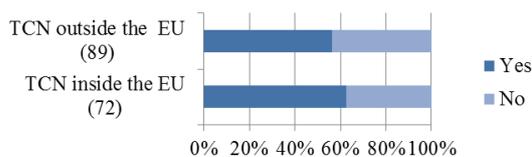
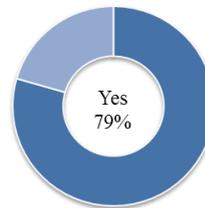
Questions 2.1 and 2.2 were addressed to trade unions, private/public employment services, the media, academia, NGOs (advocacy), international organisations, organisations and authorities from the countries of origin and individual EU citizens. Only 27 % of respondents believed that adequate information was available to migrants and 37 % thought this was the case for employers. Respondents from within the EU tended to be more critical concerning the availability of information.

Question 2.3/2.4: Did you/do you easily find information about...

(2.3)...job vacancies/labour shortages (161)



(2.4)...legal ways to come to Europe (85)



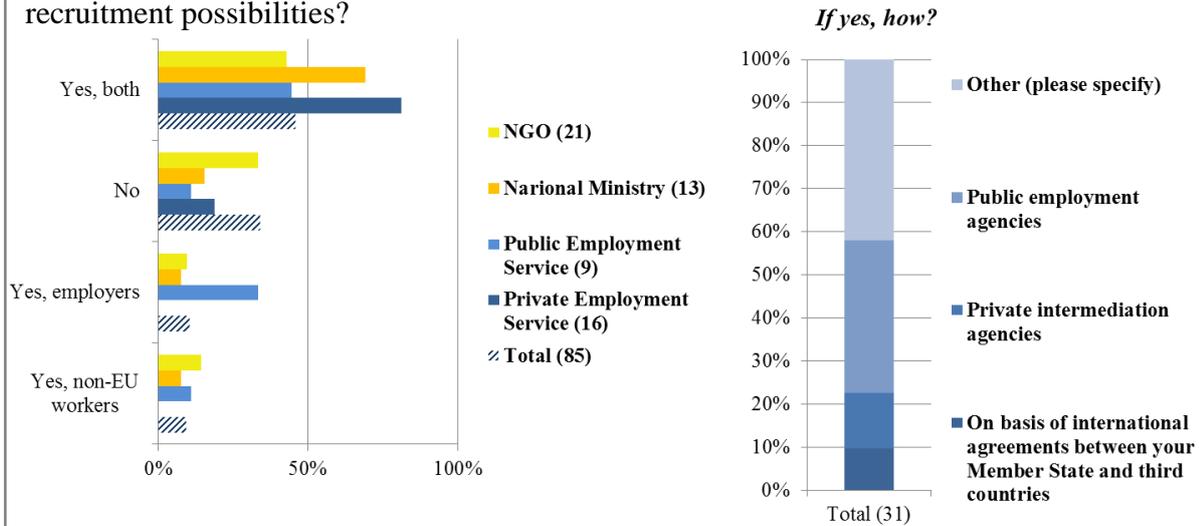
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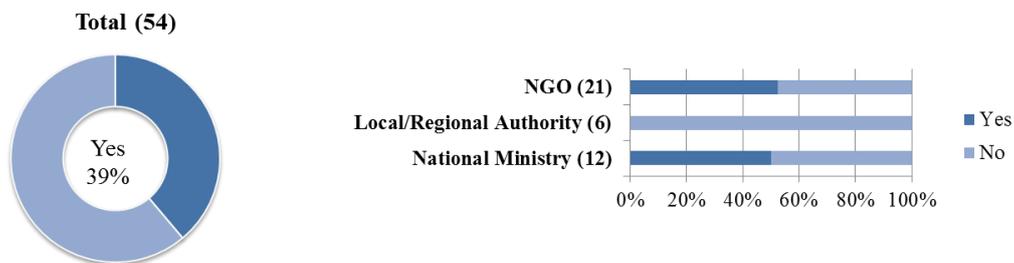
Question 2.3 was addressed to (potential) migrant workers inside and outside the EU and asked about the ease of access to information about job vacancies and labour shortages. Almost 60 % report no difficulty in finding information about job vacancies and labour shortages. The share of positive replies is slightly higher for TCN already residing inside the EU (62 %) than for those still outside of the union (56 %). Frequently reported difficulties involved language barriers, the dispersion of information on a multitude of local sites as well as lack of experience with typical European recruitment procedures.

Question 2.4 was only directed towards TCN inside of the EU. Contrary to the responses in question 2.1, almost 80 % of the TCN inside of the EU reported no difficulties in finding information about legal ways to come to Europe.

Question 2.5: Do you inform employers and/or potential non-EU workers about recruitment possibilities?



Question 2.6: Do you put employers and employees in touch (so called job-matching)?



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Questions 2.5 and 2.6 focused on the provision of information to both TCN and their potential employers. Almost 50 % of all respondents to question 2.5 claimed to inform both employers and migrant workers about recruitment possibilities. With 33 %, NGOs were the most likely not to provide any assistance. A vast majority of private employment services (81 %) responded on the other hand that they assisted both groups and public employment services focused particularly on employers, whom 78 % they assist¹³. Of those organisations that provided information on recruitment possibilities, 10 % did so "on [the] basis of international agreements between [their] Member State and third countries", 13 % relied on private intermediation agencies, 35 used public employment agencies and 42 % indicated other alternatives, such as: personal and professional contacts, websites and other media channels, (multilingual) hotlines, job portals, 'Virtual Welcome Centres', brochures, etc. Differences exist between actors and national ministries for instance rely to 75 % on public employment agencies.

¹³ Overall, 33 % of them are exclusively supporting employers and the other 44 % both employers and TCN.

2.3 Attractiveness of the EU as migration destination

Main points:

- **The EU is considered to be a highly attractive destination because of the high levels of personal safety, legal security, environmental protection standards and quality of life enjoyed within its borders¹⁴.** In addition, the ease of mobility between different Member States was also seen as an important element contributing to the EU's attractiveness with a total of 64 % positive or very positive evaluations¹⁵. **At the opposite end of the scale, the challenges to obtaining a permit emerged as a major deterrent factor.**
- **Measures to streamline entry procedures were singled out as crucial to increase attractiveness,¹⁶ as was facilitation of the recognition of foreign qualifications.** Among the employer's organisations 91 % underlined the need for streamlined admission conditions¹⁷. Easy access to mobility between Member States, to family reunification and to permanent residence was also frequently mentioned as major factors in the EU's appeal as a migration destination.
- **76 % of all respondents endorsed further EU-level action to improve the EU's attractiveness for highly-skilled migrants;** as did four (FR, IE, LV, NL) out of the nine Member States represented through their national ministries. At the same time, 75 % of all respondents thought that their national system for managing labour migration does not adequately address the dual challenge of employers' immediate needs and long-term demographic and social developments¹⁸.
- **Germany emerged as the most attractive migration destination in the EU as 32 % of TCN list it as their destination of choice in the EU. The US and Canada were the major non-EU destinations.** With respectively 11 % and 9 %, France and the Netherlands were the second and third most attractive Member States. Factors mentioned by TCN in favour of the US included the entrepreneurial environment, lower taxes and unemployment rate as well as unrestricted mobility between states. Canada convinced through its open and flexible immigration policies, easy access to permanent residency and citizenship as well as flexible recognition of qualifications.

¹⁴ More than 30 % of respondents assessed the EU's attractiveness on these factors as very positive.

¹⁵ The questions did not differentiate between freedom of movement within the Schengen area and facilitation of work and residence in other Member States as provided by the Blue Card.

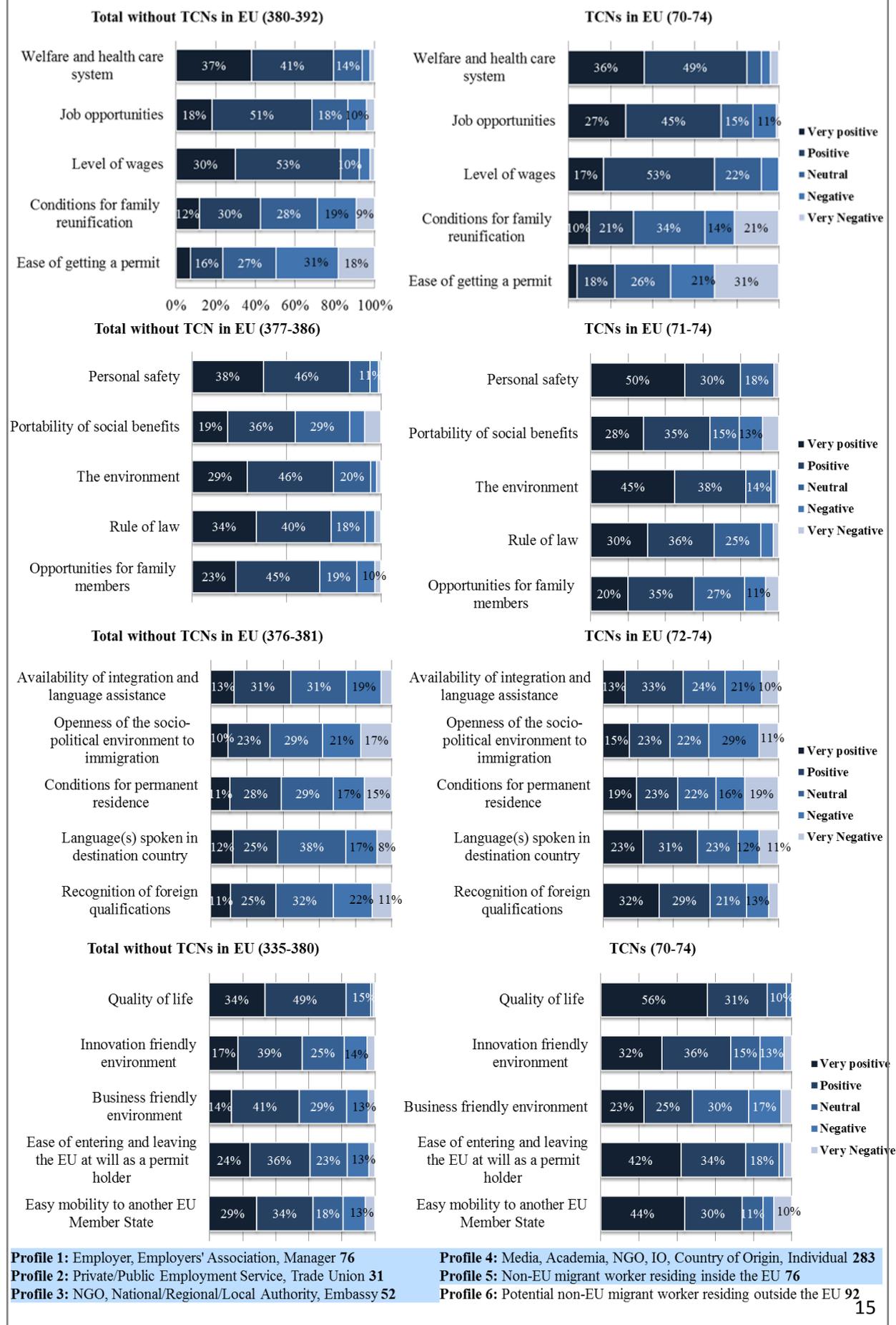
¹⁶ More than 60 % of respondents deemed this item important.

¹⁷ TCN could not express their views on this topic.

¹⁸ Of the 20 respondents to this question based in France 90 % thought their national system inadequate, as did 80 % of academics.

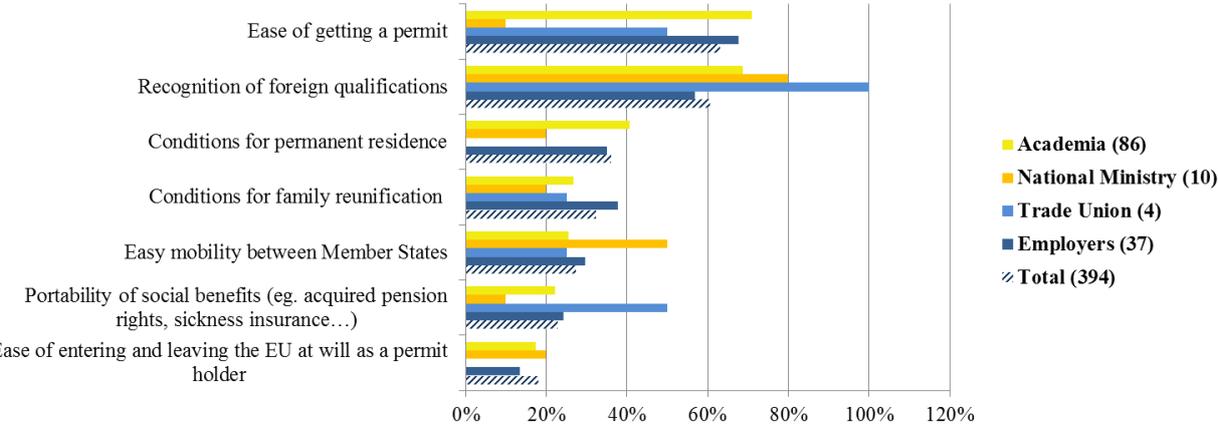
Selected questions and responses:

Question 3.1: How would you rate the attractiveness of the EU on the following factors?



All categories of respondents, except non-EU migrant workers outside of Europe, were invited to respond to **question 3.1** and to rate the EU's attractiveness on 20 different factors on a scale from "very negative" to "very positive". The ratings by TCN already in the EU are have been separated in the graphical representation of the results. With 83 % of all respondents assessing the quality of life in Europe as attractive or very attractive this factor is leading the ranking, closely followed by personal safety, seen positively by 83 %. With only 23 % positive or very positive evaluations, the ease of getting a permit appears as a tangible deterrent. The next most negatively assessed factor, the openness of the socio-political environment to immigration, was assessed as positive or very positive by 34 % of all respondents.

Question 3.2: On which of the following issues could the EU do more to improve its attractiveness as a migration destination for highly qualified non EU migrants? *Maximum*



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Question 3.2 that was addressed to all but the two categories of TCN, asked about ways to increase the EUs attractiveness. Here the ease of getting a permit was mentioned by more than 60 % of respondents and 91 % of the 23 employers' organisations. The recognition of qualification appeared to be less of an issue for employers, with only 39 % of employers' associations and 57 % of individual employers mentioning it as one of their three top concerns, but overall 60 % of respondents thought that the EU could become significantly more attractive if the recognition of foreign qualifications were to be streamlined. This was also by far the major concern of the national ministries, 80 % of which mentioned this as a priority.

2.4 Labour markets

Main points:

- **A majority (54 %) of the participating employers and employers' associations indicated that they or their members had previously employed TCN. The vast majority of TCN (86 %) were highly qualified¹⁹.** More than half (61 %) of the employers and employer's associations declared that they were employing TCN under exactly the same working conditions and at the same salaries as their domestic employees. 13 % admitted that TCN received lower salaries or worked under more flexible working conditions. 25 % of the employers who had never before employed a TCN explained this with the high administrative burden.
- **A vast majority of all respondents (85 %) considered it necessary to recruit migrant workers, including entrepreneurs, from outside the EU to address labour shortages in particular sectors/occupations in the EU.** Out of the 22 employers' organisations that participated, none questioned the need for continued labour migration to the EU²⁰. The support rate among national ministries was 67%²¹.
- **78% were also in favour of further initiatives at EU level to improve the effectiveness of existing tools for the identification of labour and skills shortages,** in particular with regards to highly skilled jobs.
- **Of the TCN already residing in the EU, almost half (48 %) experienced job seeking in Europe as relatively straightforward and simple.** This figure differed however considerably between Member States. While 62 % of TCN in Germany reported having easily found a job, this was true for only 37 % of those residing in France²².
- **Around half of all TCN reported being interested in setting up a business in the EU.** This was equally true both for migrants already residing legally inside the EU, and for those still in a third country²³.

¹⁹ In general it has to be noted that the group of respondents is self-selected and that the results of this questionnaire have to be read as indicative rather than representative in any sense.

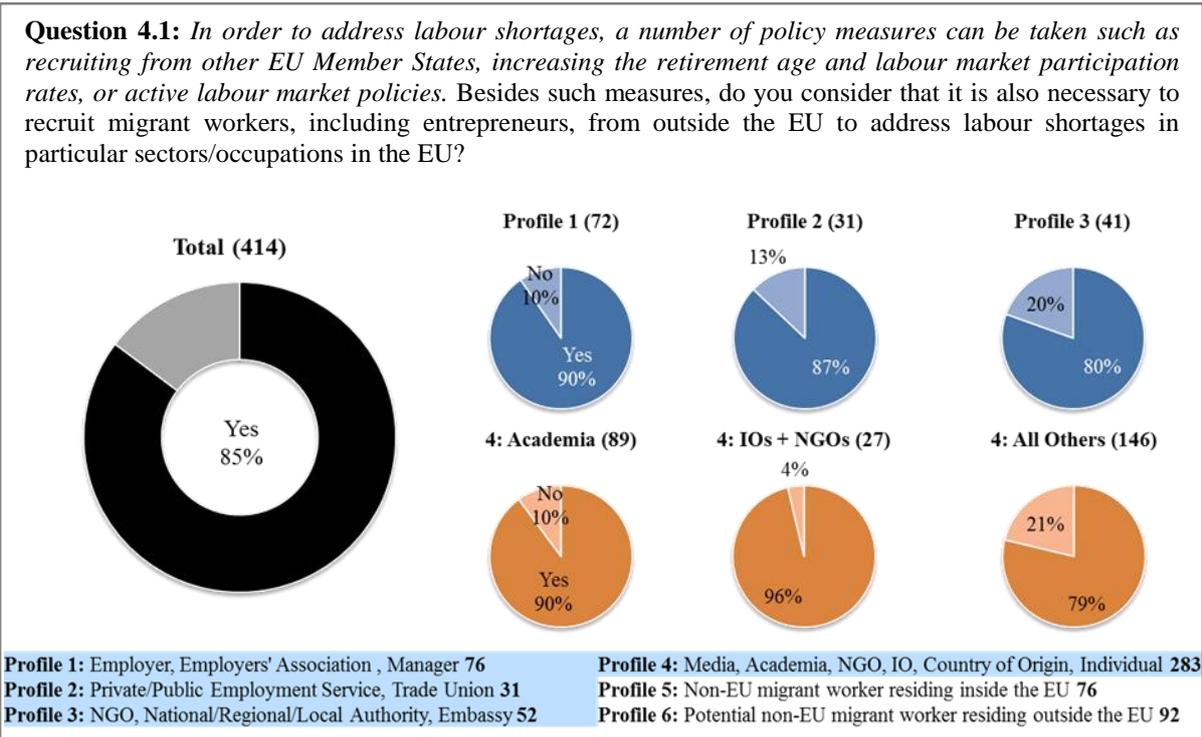
²⁰ See question 1 on page 4 for more details.

²¹ The two embassies took opposing views, but the number of participants was too low to warrant a separate analysis.

²² See question 2 on page 4 and 5 for more details.

²³ The second group comprises non-EU migrant workers and entrepreneurs currently outside of the EU but considering or having considered migrating to the EU.

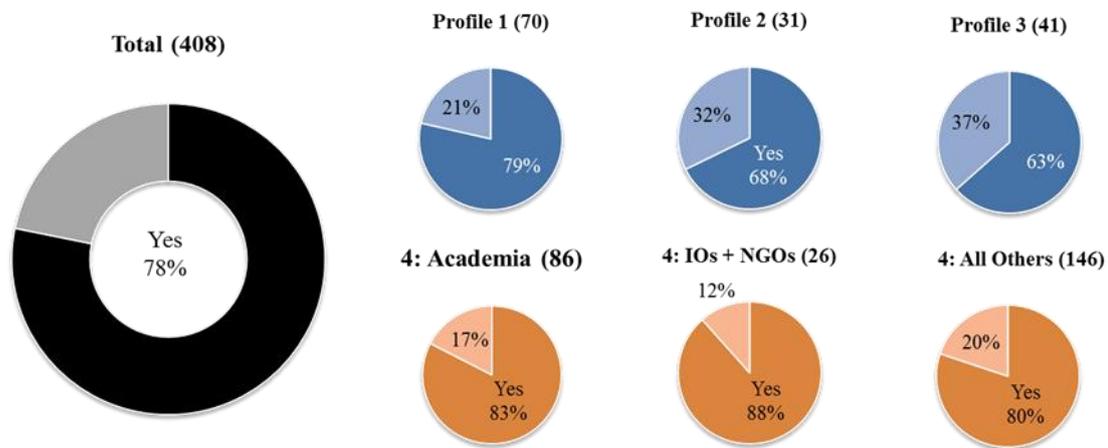
Selected questions and responses:



Question 4.1 was posed to all participants except for those who had previously identified themselves as TCN living either in the EU or abroad. A vast majority of all 414 respondents (85 %) to this specific question was in favour of continued labour migration to the EU. More precisely, a separate analysis of the four different profiles reveals that 90 % of all employers and employer's associations, 87 % of all trade unions as well as public and private employment agencies, 80 % of all service-providing NGOs, embassies as well as national, regional and local authorities, and finally 84 % of those respondents belonging to profile 4 support labour migration from outside of the EU. Disaggregating the four profiles further to look at the individual categories one finds, for instance, that 90 % of academics and all participating public employment services, regional and local authorities and international organisations²⁴ consider continued labour migration from outside the Union necessary.

²⁴ International organisations represented include the UNHCR, IOM, UNDP, and UNDP JMDI.

Question 4.2: Do you think that further initiatives at EU level, in particular with regards to highly skilled jobs, are necessary to improve the effectiveness of national tools for the identification of labour and skills shortages?



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Question 4.2 was attributed to the same group of participants, ie. all respondents except TCN inside and outside the EU. Of those, 78 % were of the opinion that "further initiatives at EU level, in particular with regards to highly skilled jobs, are necessary to improve the effectiveness of national tools for the identification of labour and skills shortages". There exists, again, some variation between the different profiles, with around 80 % of the respondents in profile 1 and 4²⁵, but only about 70 % of profile 2²⁶ and 60 % of respondents in profile 3²⁷ in favour of further EU initiatives to improve the identification of skills shortages.

Those respondents who were in favour of further EU-level initiatives emphasized the need for a better understanding of labour-matching and more efficient tools for identification of labour shortages, as well as the benefits of coordinating Member States individual efforts and create greater opportunities for mutual learning²⁸. Those not in favour of additional action at EU level, on the other hand, judged the existing tools to be sufficient, underlined the role for market forces and employers and criticised the existing tools for being too administratively difficult.

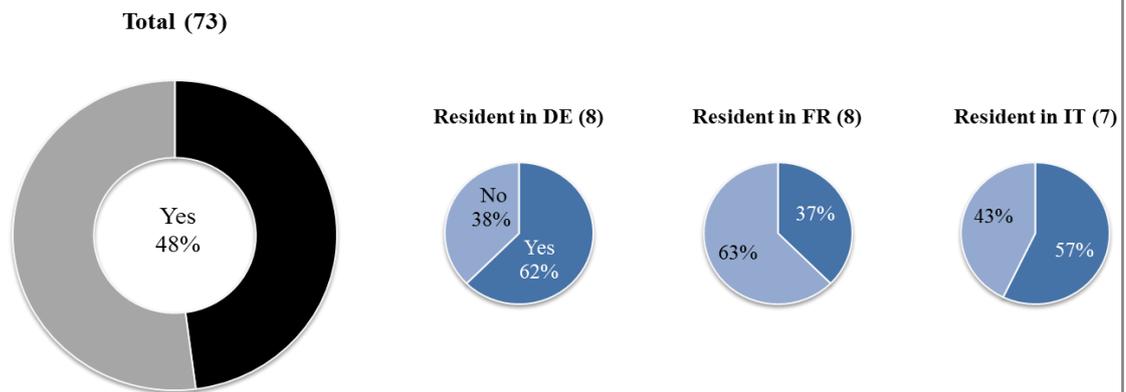
²⁵ Employer, Employers' organisations, managers, media, academia, advocacy NGOs, organisations and authorities of the countries of origin, private individuals and others.

²⁶ Private and Public Employment Agencies and Trade Unions.

²⁷ NGOs providing support and counselling; national, regional and local authorities and embassies/consulates.

²⁸ Throughout the questionnaire respondents were frequently given the opportunity to specify their selection among the multiple choice option through addition comments in their own words.

Question 4.3: Did you manage to find a job easily in the Member State where you are working?

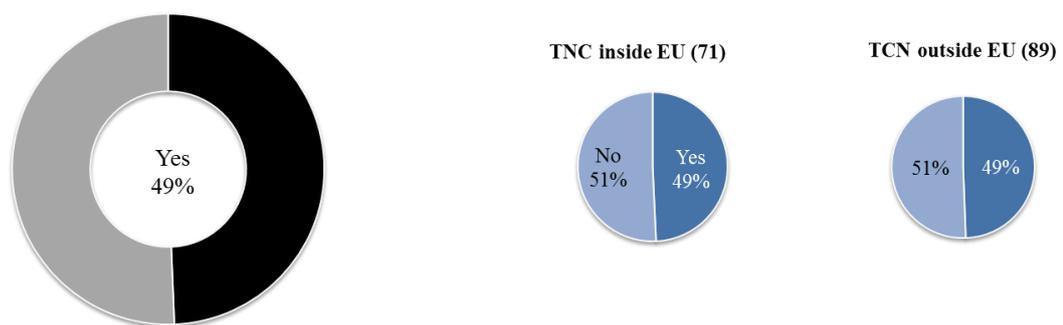


Profile 1: Employer, Employers' Association, Manager 76
Profile 2: Private/Public Employment Service, Trade Union 31
Profile 3: NGO, National/Regional/Local Authority, Embassy 52

Profile 4: Media, Academia, NGO, IO, Country of Origin, Individual 283
Profile 5: Non-EU migrant worker residing inside the EU 76
Profile 6: Potential non-EU migrant worker residing outside the EU 92

Question 4.3 was exclusively directed towards TCN residing legally within one of the Member States. Of the 76 TCN inside the EU who participated in the questionnaire, all but three (i.e. 73) responded to this question and 48 % of the respondents indicated that they had easily found a job in the EU. The results differed significantly depending on the Member State where the TCN established themselves. While 62 % of those living in Germany found the search for a job little challenging, this was only true for 37 % of those residing in France. Responding to question 9, a majority (59 %) of TCN also indicated that they easily found information about job vacancies in EU Member States and/or about labour market shortages in particular sectors or particular Member States.

Question 4.4: (If you were to move to Europe), would your intention be to start up a business?



Profile 1: Employer, Employers' Association, Manager 76
Profile 2: Private/Public Employment Service, Trade Union 31
Profile 3: NGO, National/Regional/Local Authority, Embassy 52

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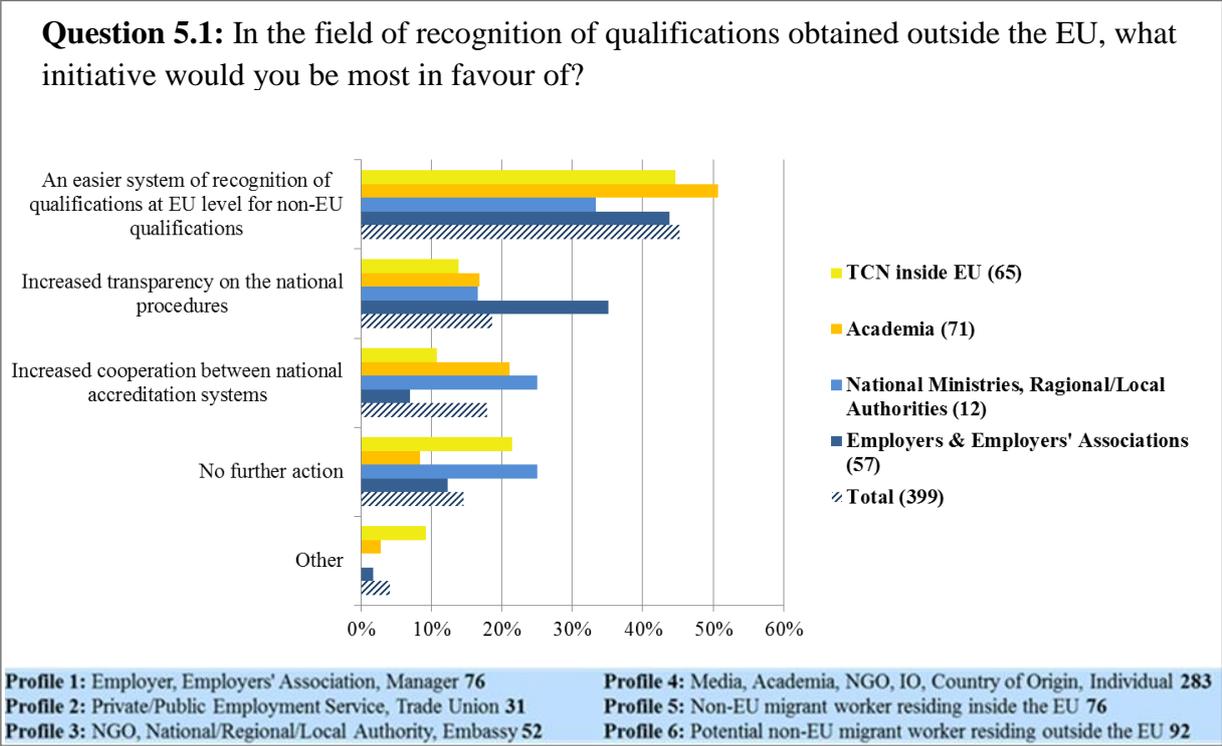
Question 4.4 was addressed to TCN inside and also to those outside of the EU. Apart from the differences in the number of respondents, with 71 responses from inside and 89 from outside of the EU, the picture that emerges is practically identical, with about half of all respondents in both groups indicating that they harbour plans to set up a business in the EU.

2.5 Recognition of foreign qualifications

Main points:

- **According to employers, the recognition of foreign qualifications is a lengthy and complicated procedure.** For only 16 % of the 19 employers or employers' associations that had to get a worker's foreign qualifications recognised the procedure took less than 1 month. More than half of them (53 %) had to wait for more than 3 months or never had the qualifications in question recognised.
- **According to the national ministries the procedure should take 1 to 3 months on average.** For regulated professions, half of the national ministries and consulates were unable to say how long the procedure tends to take in their country and the other half indicated a period of 1 to 3 months. For unregulated professions, 20 % of those ministries able to provide an answer claimed that procedures would take less than 2 months and not one admitted that procedures ever take longer than 3 months. Nevertheless, 37% of the NGOs providing support to this process suggested that the recognition of foreign qualifications on average takes 3 to 6 months for unregulated professions.
- **TCN tend to report rather positive experiences.** While 32 % of the TCN resident in the EU indicated being employed below their level of qualifications, 81 % of them reported that their foreign qualifications were recognized at the same level as in the country where they were obtained and 76 % considered the recognition procedure had been straightforward and simple. In addition, 64 % received the recognition in less than 1 month.
- **Most stakeholders support an easier system of recognition of qualifications at EU level for non-EU qualifications.** Asked to select their favourite measure in the field of recognition of qualifications obtained outside the EU, 45 % chose an easier system of recognition of qualifications at EU level for non-EU qualifications. Employers' associations, however, were on average mostly in favour of increased transparency on the national procedures (67 %) and many public employment agencies wished to see closer cooperation between national accreditation systems (43 %).

Selected questions and responses:



A vast majority of responses to **question 5.1** favoured an easier system of recognition at the EU level. A majority of national, regional and local authorities also expressed their support for this measure. Employers and employers' associations were uniquely numerous in supporting increased transparency in the national procedures.