



EUROPEAN COMMISSION

## FAQ

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# Frequently Asked Questions: the EU Blue Card Directive

## What is the EU Blue Card Directive?

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 25 different systems.

Once a Member State grants a Blue Card to a migrant, he/she can start working in the job for which the Blue Card was granted. After two years that person can then benefit from free access to other 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.

## Does it prevent Member States to determine which workers, and how many, they admit to their territory?

The Blue Card scheme 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.

## How many Blue Cards have been delivered so far?

All Member States bound by the Directive have transposed the Directive in their legislation and can deliver Blue Cards to highly skilled third-country national applicants.

3 664 Blue Cards were granted in **2012**. Most Blue Cards were granted by Germany (2 584; 70,5%), Spain (461; 12,6%) and Luxembourg (183; 4,99%). On the other side of the scale, Poland, Portugal and Finland each granted 2 Blue Cards, the Netherlands and Hungary granted 1 while Belgium, Cyprus, Greece and Malta issued none.

In **2013**, the number of Blue Cards granted increased to at least 15 261<sup>1</sup>. Most Blue Cards were granted by Germany (14 197)<sup>2</sup>, Luxembourg (306) and France (304).

The late transposition of the Directive in many Member States and the fact that this is still a relatively new scheme needs to be taken into account when looking at these numbers (e.g.: Sweden and Lithuania only transposed in 2013).

The top countries of origin in 2012 were India (699), China (324), Russia (271), United States (313) and Ukraine (149), out of 96 countries. The first statistics for 2013 appear to confirm this ranking.

### **Why a Communication reporting on the implementation of the Directive?**

The aim of the Communication is to give an overview on the way the EU Blue Card Directive has been applied and promoted since its entry into force across the EU.

It assesses the main aspects related to the attractiveness of the EU Blue Card, followed by a brief overview of how measures were enacted in the national legislations. Insofar as possible, particular attention is paid to the impact of national schemes for highly qualified migrants (Article 3(4)), the criteria for admission (Article 5), notably the salary threshold, and the conditions for residence in other Member States (Article 18).

### **What are the main areas for improvements?**

The Blue Card Directive only sets minimum standards and leaves much leeway to Member States through many "may-clauses" and references to national legislation. The result is that Member States apply and promote the EU Blue Card in considerably different ways. These policy choices are part of the explanation of the large differences between Member States in numbers of Blue Cards granted, together with their size and economic situation. In addition, national schemes for attracting highly qualified migrants in many Member States continue to compete with the EU Blue Card and with each other.

Some Member States have to address deficiencies in their transposition of the Directive. Many Member States have to improve the communication of data and information in application of the Directive. The provision of information to potential highly qualified migrants and employers should also be improved.

### **Will the Commission propose amendments to the Blue Card Directive?**

Given the short time of application the Commission is not proposing amendments to the Directive.

The Commission will increase its efforts to ensure that the Directive is correctly transposed and implemented across the EU, including by addressing potential problems directly with the Member States, and, where necessary, by launching formal infringement proceedings.

Potential highly qualified migrants and employers should be better informed about the EU Blue Card. The Commission will make the best use of existing websites, e.g. the [EU Immigration Portal](#), and encourages Member States to improve their provision of information and to raise awareness via all relevant channels.

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<sup>1</sup> Provisional data – not covering all Member States bound by the Directive.

<sup>2</sup> Preliminary data for Germany.