

September 2016

## The New EU Blue Card Directive

*Impact Assessment (SWD(2016) 193, SWD(2016) 194 (summary)) of a Commission proposal for a Directive of the European Parliament and of the Council on the conditions of entry and residence of third-country nationals for the purposes of highly skilled employment (COM(2016) 378 final)*

### Background

This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's [Impact Assessment](#) (IA) accompanying the above [proposal](#), submitted on 7 June 2016 and referred to Parliament's Committee on Civil Liberties, Justice and Home Affairs. With this initiative, the European Union (EU) aims to attract highly skilled workers from outside the EU with the objective of mitigating labour and skill shortages as well as addressing demographic challenges in the EU.<sup>1</sup> In particular, the EU intends to make Europe more competitive with the new Blue Card Directive in comparison to other popular destination countries for immigrants, such as the USA or Canada. The recast of the Blue Card Directive seeks to amend existing rules first adopted in 2009,<sup>2</sup> which have proven to be ineffective.

The proposal for a new Blue Card Directive is among the key priorities of the Commission under President Jean-Claude Juncker. In addition, the *European Agenda on Migration* of 13 May 2015<sup>3</sup> emphasised the need for an EU-wide scheme to attract highly skilled third-country nationals.

### Problem definition

The IA identifies two 'problem areas' relating to (1) the EU's failure to attract and retain highly skilled workers from third countries and (2) the EU's failure in admitting other talented and highly skilled third-country nationals (IA, pp. 6-12). Concerning the former problem area, the IA specifies that this relates in particular to, first, the current ineffective rules of the Blue Card scheme, which apply in parallel to national highly skilled systems and, second, the missed opportunity to retain third-country national graduates and former researchers in the EU. Regarding the second problem area, the IA indicates that the EU not only lags behind in attracting innovative third-country national entrepreneurs and service providers, but also highlights 'the waste of skills and human capital of (highly skilled) beneficiaries of international protection and asylum applicants' (IA, pp. 11-12). The IA clearly identifies the problems requiring possible EU action and visualises them in a problem tree illustrating context, problem drivers and consequences (see Annex 3).

<sup>1</sup> For further information, see M. Remáč, '[The EU Blue Card Directive](#)', EPRS Implementation Appraisal, December 2015; A. Stuchlik and E.M. Poptcheva, '[Third-country migration and European labour markets - Integrating foreigners](#)', EPRS Briefing, July 2015.

<sup>2</sup> Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment.

<sup>3</sup> European Commission Communication of 13 May 2015, A European Agenda on Migration, COM(2015) 240.

The IA presents drivers relating to problem areas 1 and 2, as well as drivers outside the scope of migration policy. The main driver related to problem area 1 is ‘a regulatory failure, i.e. it is linked to the weaknesses of the current overall EU regulatory framework on admitting HSW [highly skilled workers]: the rules across the Member States are incoherent, ineffective and inefficient with high barriers of entry and complex and diverging admission procedures’. The numerous national schemes along with the EU Blue Card Directive, which is applied differently in Member States, have created a ‘complex framework of different administrative procedures’ (IA, pp. 12-13).

As far as problem area 2 is concerned, the IA specifies that there are no EU schemes and only few national schemes that are specifically targeted at entrepreneurs or service providers. Moreover, other categories are explicitly excluded from the scope of application of the current Blue Card scheme even if they fulfil the conditions, such as highly skilled applicants for, or beneficiaries of, international protection (IA, p. 14). The IA identifies national welfare and tax systems, wage level and the language spoken as drivers outside the scope of migration policy (IA, p. 12).

## **Objectives of the legislative proposal**

The two *general* objectives of the Commission proposal are to improve the EU’s ability to (1) attract and retain highly skilled third-country nationals in order to contribute to enhancing the EU’s competitiveness and addressing the consequences of demographic ageing, and (2) respond to demands for highly skilled third-country nationals, and to offset skill shortages by means of better labour force (re)allocation through increased inflows, occupational and intra-EU mobility (IA, p. 19).

The IA presents the following six *specific* objectives: first, to create an effective EU immigration system for highly skilled third-country nationals; second, to increase the number of highly skilled third-country nationals admitted based on demand; third, to harmonise and simplify the admission of highly skilled third-country nationals; fourth, to promote integration of highly skilled third-country nationals and their families with favourable residence conditions and rights; fifth, to improve possibilities for intra-EU mobility; and sixth, to develop the ‘EU Blue Card’ brand to improve the EU’s image as an attractive destination (IA, p. 20).

## **Range of options considered**

The IA presents a number of what are known as policy option packages (POPs) combining legislative options concerning admission conditions, the rights of EU Blue Card Holders, and the relationship between the EU Blue Card and parallel national schemes for highly skilled third-country nationals. Three horizontal policy options (POs), including one non-legislative option (PO-A), can be added to any of the above stated legislative packages. PO-A could also be self-standing in addition to the baseline situation (IA, pp. 21-29). The IA discards three options since they would not address the identified problem areas or would affect the division of competences (IA, pp. 21-23).<sup>4</sup> The POPs considered are the following (IA, pp. 25-28):

### **POP 0: Baseline scenario**

This option would retain the current Blue Card without changes. Current legislation monitoring and enforcement activities would continue, including activities to enhance the recognition of foreign qualifications. However, none of the problems identified would be solved, including a shrinking work force and skill shortages in highly educated labour (IA, pp. 14-18).

### **POP 1: Extending the scope by making it accessible to a significantly wider group, including (some) medium skilled workers**

This option would make the Blue Card available to some medium-skilled workers, as salary and qualifications would be set as alternative rather than cumulative conditions. The level of rights would be the same as in the current situation.

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<sup>4</sup> The discarded options include: repealing the Blue Card Directive; the introduction of a point-based expression of interest system; and extending the Blue Card Directive to cover skilled international service providers.

**POP 2: Modifying admission conditions and rights without extending the scope beyond highly skilled workers**

Option 2 has three sub-options varying the target group and remains within the scope and framework of the current directive. All sub-options foresee facilitated conditions, procedures and an enhanced level of rights.

**POP 2(a): Making the Blue Card accessible to a wider group of highly skilled workers**

This sub-option would extend the scope of HSW eligible for the Blue Card, facilitate admission and set enhanced residence and mobility rights. Member States would be able to adapt the scheme to some extent, but parallel national schemes would be abolished.

**POP 2(b): Making the Blue Card a tool to attract a selected group of the most highly skilled workers**

This sub-option would transform the Blue Card into a rather selective, exclusive instrument. Eligible workers would benefit from fast and easy admission as well as from extensive rights. Parallel national schemes would be allowed.

**POP 2(c): Creating a two-tier Blue Card targeted at different skill levels of highly skilled workers**

This sub-option would combine sub-options POP 2(a) and POP 2(b), creating a Blue Card with two levels to address different categories of HSW: a first level for a big group of HSW and a more selective second level with faster access to long-term residence and easier intra-EU mobility. Parallel national schemes would be abolished.

**POP 3: A unified standard EU-wide Blue Card: very selective, yet very attractive**

Option POP 3 would introduce a standard EU-wide set of Blue Card rules applicable across the Member States. There would be no scope for Member States to adapt any of the conditions or rules of the Blue Card to the national labour market. All Member States would have to mutually recognise the Blue Card and provide unlimited intra-EU mobility. Parallel national schemes would be abolished.

The horizontal options are (IA, pp. 28-29):

**PO-A (non-legislative option): Actions to improve the effectiveness of the Blue Card**

This option would provide for non-legislative action to foster the implementation of the Blue Card and to promote the brand. Key elements would include, among other things, practical cooperation between the Member States, exchanges of best practices, as well as practical measures to improve the recognition of foreign qualifications and skills and job matching.

**PO-B: Extending the Blue Card to innovative entrepreneurs**

Option PO-B would extend the scope of the Blue Card to cover not only HSW but also innovative entrepreneurs (thus self-employed workers), and a separate set of admission conditions and rights for this group.

**PO-C: Extending the Blue Card to highly skilled beneficiaries of international protection and asylum applicants**

This option would provide highly skilled beneficiaries of international protection and asylum applicants access to the Blue Card. The IA distinguishes between two main sub-categories/sub-options: (i) beneficiaries of international protection and (ii) asylum applicants.

The IA presents a variety of options, including a non-legislative one, in a rather succinct way. The table comparing entry conditions, procedures, rights, intra-EU mobility and relation with parallel national schemes for each option is helpful for a better understanding of the specificities each option entails (IA, pp. 26-28). Detailed descriptions of the policy options are provided in Annex 13. However, not all of the options appear viable. POP 2(c) would create a seemingly complex two-tier Blue Card scheme. Moreover, it is clear from the start that POP 3, providing for a uniform, high salary threshold across the EU, is very problematic – something the Commission itself admits. The IA considers **POP 2(a)** as the **preferred option**, in combination with the **horizontal non-legislative option PO-A**, and points out that **PO-C** (both or one of the sub-categories) **'could as well be added'** (IA, pp. 52-53).

## Scope of the Impact Assessment

The IA assesses the legal feasibility and impacts of the policy options in section 6. In view of legal feasibility, the IA identifies POP 3 as raising serious issues in terms of subsidiarity and proportionality. However, the IA deliberately decided to retain this option, due to its potentially high harmonising value and effectiveness (IA, p. 30). The IA identifies the economic and social impacts of each option (no significant environmental impact is expected) rating from a scale of -3 (significant negative impact/cost/loss) to +3 (Significant positive impact/savings/gains), along with overall consistent motivations. The IA also assesses the options in terms of their relevance and effectiveness, efficiency, and coherence with other EU policies. It is specified that the selected impacts are assessed qualitatively, and 'where possible, quantitative analysis has been made, based on a number of key assumptions' (IA, p. 30). The POPs are assessed in a large table, which is useful for comparison, but the information is presented in a very dense form; the horizontal options are assessed separately (IA, pp. 31-49).

With regard to relevance and effectiveness in achieving the objectives, the IA rates POP 2(a) (the preferred option) as highest, followed by POP 2(c) and POP 3 (IA, p. 49). The IA considers that several options would have a positive economic impact, namely POP 1, POP 2(a) and (c), POP 3, and PO-B. However, in some of the packages, these would be countered by some negative effects, such as the selective character of options POP 2(b) and POP 3. The economic impact is calculated by using a series of key assumptions relating to the displacement effect on local workers, intra-EU mobility, remittances, additional revenue for higher education, and the impact on innovation and research (see Annex 14), which could merit further examination. In addition, the figures provided appear at times in rather broad ranges. For instance, the economic impact is estimated to lie between €1.4 and €6.2 billion for POP 2(a), or between €1 and €6.9 billion for POP 2(c). It would have been helpful if the IA had cited the sources of the figures provided directly in the table.

In terms of social impact, the IA points out that all options would have a positive impact on third-country HSW. POP 1 would be the most favourable as regards impact on TCN in quantitative terms, but would provide limited to no additional procedural facilitation, rights or intra-EU mobility. For the same reason, the IA states, POP 1 is likely to have a negative impact on EU citizens and the domestic labour markets. POP 3 could prove problematic, as it would risk giving more rights to third-country nationals than to EU citizens and other beneficiaries of free movement rights. Most options would also have a positive impact on fundamental rights, in particular under POP 2(b) and POP 3 (IA, p. 50).

The Commission rates all options as neutral to positive regarding administrative costs, cost/benefit effectiveness and practical or technical feasibility, with POP 2(a) having the most positive impact (IA, p. 51).

## Subsidiarity/proportionality

The proposal is based on Articles 79(2)(a) and (b) of the Treaty on the Functioning of the European Union (TFEU), in connection with Article 79(1) TFEU. These provisions specify the EU's competence to develop a common immigration policy in line with the ordinary legislative procedure. The IA explains that 'the principle of subsidiarity applies since this is an area of shared competence' (referring to Article 79(5) TFEU, which lays down the prerogative of Member States to determine the volumes of admission of third-country nationals for the purpose of work) (IA, p. 18).

The IA presents strong arguments substantiating the need for an EU-wide HSW immigration scheme. The IA emphasises that 'the goal of making the EU as attractive as traditional immigration countries can arguably only be achieved if the EU acts internationally as a single player.' The IA further states that Member States acting alone may not be able to compete in the international competition for highly skilled third-country national professionals. According to the Commission, 'the EU added value of a well-functioning Blue Card is based on providing one transparent, flexible, attractive and streamlined scheme for HSW, that can better compete with schemes in traditional immigration countries', (IA, p. 18). Moreover, the IA points out that the main added value of an EU-wide scheme is intra-EU mobility, which allows a better response to demands for highly skilled labour and

contributes to offsetting skill shortages. With regard to proportionality, the IA states that the EU legal framework for migration currently consists of a number of directives, leaving room for manoeuvre for Member States. Proposing a regulation instead of a directive would seem disproportionate to achieve the identified objectives. The IA points out that POP 3 could raise issues in terms of subsidiarity and proportionality (IA, p. 19).

At the time of writing, three reasoned opinions, submitted by the Czech Senate and Parliament and the Bulgarian National Assembly, raise a number of subsidiarity concerns, such as with regard to the prohibition of parallel national systems for the purposes of highly skilled employment.<sup>5</sup> The deadline for contributions was 22 September 2016.

## **Budgetary or public finance implications**

The explanatory memorandum to the legislative proposal states that there are no implications for the EU budget (explanatory memorandum, p. 12). The IA specifies the estimated administrative burden costs for the Member States, which are based on a number of assumptions (Annex 15). Particularly, the volume of Blue Cards issued is decisive for each scenario. The average EU administrative costs for Member States for issuing Blue Cards under POP 2(a) (the preferred option), are estimated to lie between €6.5 and € 27.9 million (EU-25 aggregate). The IA points out that the application fees levied by the Member States will reduce or even fully offset the total burden on Member States' finances (Annex 15, p. 203). Member States will also generate revenue from income tax paid by the HSW, which was taken into account in the calculations of the economic impact.

## **SME test/Competitiveness**

In section 6 of the IA, under economic impacts, the Commission assesses the impact on SMEs as well as the impact on growth and competitiveness for each option individually. Regarding impact on SMEs, the IA considers POP 1 as having the most significant positive impact (+3), followed by POP 2(a) and POP 2(c) (both +2), and POP 3, and PO-B (both +1). POP 2(b), PO-A and PO-C are rated as having no impact (0) when compared to the baseline. The positive impact on SMEs can be attributed to an increased pool of third-country workers to fill labour market shortages, lower HSW recruitment costs, facilitated occupational mobility between jobs, enhanced intra-EU mobility or a 'trusted employer scheme' (IA, pp. 32, 34-35, 38, 40, 43).

The IA also points out that legal fees paid by employers or individuals to obtain legal assistance when applying for an EU Blue Card, are an equally significant burden, particularly for SMEs (Annex 15, p. 197). Concerning the 'trusted employer scheme' under POP 2, the IA states that 'specific safeguards would be put in place (e.g. criteria related to the transparency of the procedure and the proportionality of the costs) to ensure that SMEs also have the financial and practical means to become recognised' (Annex 13, p. 159).

In view of the impact on growth and competitiveness, the IA describes POP 1 as having the most significant positive impact (+3), followed by POP 2(a) and POP 3 (both +2), POP 2(c) (+1/+2), PO-B (+1), followed by PO-A and PO-C as having no impact (0) and, finally, POP 2(b) as possibly having a small negative impact (-1/0). The following elements can entail a positive impact on competitiveness: higher numbers of skilled workers, a larger pool of HSW trained in the EU, facilitated access for young professionals with EU qualifications, more student fees and expenditure, improved intra-EU mobility (IA, pp. 31-32, 34, 38, 40, 42). For POP 3, the effects on growth and competitiveness would be different across Member States and concerning POP 1, there could be a limited risk for displacement of EU workers.

## **Simplification and other regulatory implications**

The IA points out that the review of the Blue Card Directive, highlighted in the *European Agenda on Migration*, is consistent with other EU policies. The IA mentions, inter alia, EU policies aiming at upgrading the Single Market,

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<sup>5</sup> See the Platform for EU Interparliamentary Exchange (IPEX).

the European Commission's planned 'start up initiative', the new EU trade and investment strategy, the EU growth strategy, and policies to facilitate the mobility of EU nationals within the EU as well as to improve and upgrade the skills of EU workers (IA, p. 20). The review of the Blue Card would also be fully consistent with the Charter of Fundamental Rights and would strengthen some of the rights enshrined therein, especially on Articles 7 (respect for private and family life) and 15 (freedom to choose an occupation and right to engage in work). The EU legal framework on skilled migration will be corroborated with the implementation of the Intra-Corporate Transferees (ICT) Directive in late 2016, and the recast Students and Researchers Directive in 2018.

## **Relations with third countries**

The IA acknowledges that countries of origin can be negatively affected if their citizens leave crucial sectors of the local workforce ('brain drain'). However, the Commission considers the risk of brain drain as limited, due to the low numbers of Blue Cards, especially from the least developed countries, and emphasises that 'the directive already provides safeguards that can be activated if needed' (IA, p. 14 and Annex 8, pp. 29-39). It should be borne in mind that ethical recruitment (one of the 'safeguard measures') is entirely at the discretion of the Member States.

The IA further states that countries of origin can be positively affected through 'brain gain', circular migration and increasing remittance flows, in particular under POP 1 and POP 3 (IA, p. 51). The IA admits that circular migration policies are in their infancy and that conclusions cannot be drawn concerning their impact or effects on source countries, destination countries and the migrants themselves (Annex 8, p. 31). This is precisely why a more in-depth analysis of the concept of circular migration, its possible application in practice, and its potential effects on countries of origin would have been desirable. Likewise, it would have been useful if the topic of the brain drain amongst health professionals had been discussed in greater detail, considering its particular sensitivity and taking into account the legally non-binding nature of the WHO Global Code of Practice on International Recruitment of Health Personnel (Annex 8, pp. 38-39).

## **Quality of data, research and analysis**

The IA has been prepared using a wide variety of up-to-date and thorough research, analysis, evaluation and studies integrating comprehensive international insights and perspectives regarding systems to attract HSW, including a 2016 OECD/EU review on labour migration policy in Europe. Full references of sources and evidence are provided in Annex 1. It would have been useful, however, if the IA had provided a link to the external IA study that underpins the Commission's IA (IA, p. 6). The underlying logic for the specific combinations of POPs is based on sound academic research on the trade-offs between inclusiveness and increased rights and facilitated procedures: a high level of inclusiveness (meaning access is given to a larger group with a comparable lower skill or qualifications level) leads to lower level of facilitated procedures and rights granted and *vice versa* (IA, p. 24).

The Commission openly acknowledges that 'the analysis has been partly constrained by limitations in data availability' (IA, p. 6, see also Annex 12). This is due to insufficient communication of data and measures taken by Member States, as well as a lack of comparability between migration statistics. In addition, the Commission emphasises the difficulty of reliably estimating and quantifying the potential impacts of the policy options and of various factors that influence the attractiveness of a particular destination and labour migration flows.

## **Stakeholder consultation**

The IA identifies the stakeholders affected by the problem to be solved and by the proposed solutions. A wide range of stakeholder consultation was undertaken, including an internet-based public consultation on the EU Blue Card and the EU's labour migration policies from 27 May 2015 to 30 September 2015. A total of 625 individuals and organisations responded to the consultation. In terms of respondents, the public consultation appears to be balanced overall, however, it is noticeable that 28 employers' organisations provided input, in comparison to eight trade unions (Annex 2, p. 17).

The Commission carried out a broad range of targeted stakeholder consultations and organised a number of expert meetings (see Annex 2). With a view to gathering further expert knowledge on the review of the Blue Card Directive, the Commission set up an Expert Group on Economic Migration (EGEM) in early 2015 and consulted with the Skilled Migrants Expert Group, a sub-group of the European Migration Network. Internally, the Commission created an Inter-Service Group (IA, p. 6). The Commission also organised various bilateral and group meetings with Member States, business representatives, practitioners, academics, social partners, and international organisations, as well as with other EU institutions, including the EESC and the European Parliament.

The IA breaks down the stakeholder support for each option. Regarding POP 1, most stakeholders except for SME representatives consider that expanding the Blue Card to medium skilled workers would undermine its value as an instrument to attract HSW. Views diverge on whether to keep or abolish the salary threshold. Concerning POP 2(a), a majority of the respondents to the public consultation supports the abolition of any national schemes for HSW in favour of a truly EU-wide permit. The IA emphasises that all experts and most non-governmental stakeholders agree that improved intra-EU mobility should be one of the main value added outcomes of the Blue Card, and that most stakeholders and employers emphasise the need to streamline and simplify admission procedures, and make admission conditions more flexible. However, many experts, stakeholders and most Member States consider that national authorities should retain a degree of flexibility in the setting of the level of the threshold (IA, pp. 33 and 36).

POP 2(b) on a selective model does not have much support, although most stakeholders emphasised the need to maintain HSW as the focus of the Blue Card. Most Member States and SME organisations consider it important to keep labour market tests (IA, p. 39). POP 2(c), which emerged from EGEM discussions, did not have much support, due to its complexity (IA, p. 41). Regarding POP 3, a majority of the respondents to the public consultation supports the abolition of any national schemes for HSW in favour of a truly EU-wide permit. However, governmental and economic stakeholders opposed setting an EU-wide salary across the EU as well as the abolition of national schemes. This option also raises issues concerning subsidiarity (IA, p. 44).

Most stakeholders, both governmental and non-governmental, consider the measures under PO-A necessary. By contrast, there was much less support for PO-B, which would need a different regulatory framework. Several stakeholders, in particular employers, support the swift integration of beneficiaries of international protection into the labour market under PO-C, whereas views are more divergent regarding asylum seekers. The opinions of non-governmental organisations on the issue are not readily apparent from the IA (IA, pp. 45-48 and Annex 16).

## **Monitoring and evaluation**

The Commission envisages organising regular meetings with all Member States to discuss unclear issues that may arise during the implementation phase, while also checking the correct and effective transposition into the national laws of the participating Member States. Furthermore, the Commission will draw up a report evaluating the implementation, functioning and impact of the EU Blue Card three years after the transposition deadline, and every three years thereafter (IA, pp. 53-54). The IA identifies five operational objectives in line with the better regulation guidelines, which could, however, perhaps have been formulated in more measurable terms and been time-bound.

The IA further explains that the application of the Blue Card will be monitored against the policy objectives using 'potential' indicators (16 have been suggested), including the number of Blue Cards granted in the EU, overall number of HSW admitted, retention rate of third-country national graduates and former researchers, size and composition of HSW inflows into the EU compared to international benchmark countries, and mobility rate of HSW. The IA provides the data sources for each of these indicators (IA, pp. 54-55).

## Commission Regulatory Scrutiny Board

The European Commission's Regulatory Scrutiny Board (RSB) initially issued a [negative opinion](#) on a draft version of the IA on 4 March 2016. Two weeks later, on 18 March 2016, the RSB issued a [positive opinion](#) on a resubmitted version of 14 March 2016. The IA was thus revised within ten days and it took the RSB only four days to assess the revised IA. These short timeframes might be indicative of the importance attached to the present Blue Card initiative, but also the rush in which it was finalised. The RSB indicated the following shortcomings in its first opinion: (1) the problems identified should be better explained and the intervention logic and EU dimension clarified; (2) the objectives should be better aligned with the problem analysis and the link to other related EU initiatives should be explained in more detail; (3) the report should clarify how the policy packages assessed have been composed; (4) the report should better outline the impacts of the policy options on labour and skill shortages, and clarify which options are the most effective and efficient. The second opinion acknowledges improvements, but recommends further clarifications, in particular regarding points (2) and (3). The final IA report lists the RSB's main recommendations for improvement along with the various modifications undertaken in the IA report in Annex 1 on procedural information (Annex 1, pp. 6-7), as required by the better regulation guidelines. It appears that the recommendations were appropriately addressed in the final IA report.

## Coherence between the Commission's legislative proposal and IA

The legislative proposal seems to correspond to the preferred option identified in the IA, including the extension of the Blue Card to highly skilled beneficiaries of international protection. It appears that most of the monitoring indicators suggested in the IA (IA, pp. 55-54), which concern the Blue Card, were integrated into the proposed directive.

## Conclusions

The Impact Assessment makes a convincing case for the need for action to overhaul the current Blue Card Directive. The IA is substantiated by sound and comprehensive research (in the form of 16 annexes) and external expertise, as well as wide consultation taking international immigration systems aiming to attract highly skilled workers into account. Although not all of the options presented appear viable, the European Commission makes a genuine attempt to identify solutions to the problem. The limited data, about which the Commission is transparent, suggests that the quantitative evidence used in the IA, in particular regarding the economic impacts, might merit further exploration. Finally, it would have been useful if the IA had provided a link to the external IA study that underpins the Commission's IA.

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*This note, prepared by the Ex-Ante Impact Assessment Unit for the European Parliament's Committee on Civil Liberties, Justice and Home Affairs (LIBE), analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee(s) and Members more widely in their work.*

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