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Committee on Civil Liberties, Justice and Home Affairs

Public Seminar

The “EU Blue Card”: Towards a proactive legal immigration policy

Wednesday 25 June 2008, 15:00 – 18:30

Brussels

**Hemicycle
(Building Paul Henri Spaak (PHS))**

DRAFT PROGRAMME

Demographic forecasts expect that the size of the working-age population in the EU will decrease by 48 millions by 2050. On the other hand, EU enterprises are confronted with increasing vacancy rates, especially for highly skilled workers.

However, the EU has not yet succeeded in attracting the 'best and brightest', who continue to regard the EU as unattractive in comparison with countries such as the USA, Canada or Australia.

Several factors can explain this situation:

- The segmented approach of Member States, which does not convey the message that third-country highly skilled workers are needed in the EU;*
- The vast differences in the definition and admission criteria for highly skilled workers which clearly limit their mobility throughout the EU;*
- The length and complexity of admission procedures;*
- The deficient full social and economic integration of these workers, which is capital for retaining them.*

The Blue Card proposal¹ tries to remedy that situation and to improve EU's ability to attract and retain third-country highly skilled workers.

It is based on Article 63(3) (a) and (4) of the EC Treaty which foresees that the Council adopts measures concerning the conditions of entry and residence of third-country nationals, and standards on procedures for issuing the necessary permits as well as measures defining the rights and conditions under which nationals of third countries who are legally resident in a Member State may reside in other Member States. It follows the Policy Plan on Legal Migration² issued by the Commission in 2005. This foresaw the adoption of five legislative proposals on labour migration between 2007 and 2009, among which the Blue Card proposal.

The aim of this seminar is to hear contributions from experts and stakeholders and to discuss the content and the outstanding questions of the proposed Directive.

15:00 - 15:35 INTRODUCTION

- **Gerard DEPRez**, Chairman of the LIBE committee, welcoming remarks
- **Ewa KLAMT**, Member of the European Parliament and rapporteur on the *Proposal for an EU Blue Card Directive*
- Representative of the **European Commission**
- Representative of the **Slovenian Presidency of the Council**

¹ Proposal for a Council Directive on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment, see COM(2007) 637, 2007/0228 (CNS)

² see doc. COM(2005) 669 final and the legislative proposals adopted by the European Commission on the 17.06.2008

15:35 - 16:50

SESSION I

ANALYSIS OF THE PROPOSAL FOR A DIRECTIVE ON THE EU BLUE CARD

- How is "**highly qualified employment**" defined in the proposal?
- How will the **recognition of professional qualifications (including diplomas)** be dealt with? There is no common EU framework governing the recognitions of professional qualifications acquired outside EU, with the exception of the first recognition of qualifications for the professions for which minimum training requirements have been harmonised at the EU level. Consequently, qualifications that one Member State recognizes may be rejected by another Member State, which can cause problems when the Blue Card holders want to move to a second Member State.
- **Salary threshold:** several questions are raised:
 - Are the interests and economic capacity of small - and medium-sized enterprises taken into account?
 - Issue of disparity of minimum wages across Europe, which could cause problems in case of EU intra-mobility.
 - Possibility for Member States to "opt out" of the legislation by setting excessively high thresholds
- **Rights of the EU Blue Card holders** – issue of equal treatment
- Right to move to another Member State after two years of legal residence in the first Member State
- Is the Blue Card an **optional model** for the Member States - what is the leeway left to the Member States in granting or renewing an EU Blue Card (issue of zero quotas and reasons of labour market policy as grounds for refusal, question of more favourable provisions)? To what extent will national legal migration systems remain in force in parallel?
- Principle of **Community preference** - the preferential treatment of EU workers from the EU-12 expressed in the transitional arrangements is primary EC law and as such prevails over secondary legislation - in theory, the legislative proposal will not affect EU workers from the EU-12 - however, how can this work in practice?

15:35 - 16:20

Interventions by:

- **Sergio CARRERA**, Head of the Justice and Home Affairs Section and Research Fellow at Centre for European Policy Studies (CEPS)
- **David REISENZEIN**, Head of Development, Policy and Media Unit at International Organisation for Migration Vienna
- **Jan Tadeusz MASIEL**, Member of the European Parliament and draftsman for the Committee on Employment and Social Affairs on the *Proposal for an EU Blue Card Directive*
- **Wolfgang KREISSL-DÖRFLER**, Member of the European Parliament and shadow rapporteur for the PES group on the *Proposal for an EU Blue Card Directive*
- **Jeanine HENNIS-PLASSCHAERT**, Member of the European Parliament and shadow rapporteur for the ALDE group on the *Proposal for an EU Blue Card Directive*

16:20 - 16:50

Questions and Answers

16:50 - 17:40

SESSION II

The EU Blue Card seen by the business world and by the working people of EU

- What are the **needs of European economy**?
- What will be the EU Blue Card's **impact on the labour market**?
- The **interests of workers (EU citizens and migrant workers)** at European level - how are they defended and promoted with the aim of the improvement of their living and working conditions?

16:50 - 17:15

Interventions by:

- **Sverker RUDEBERG**, Chairman of the Immigration Working Group of Business Europe (the Confederation of European Business)
- **Barbara FABIAN**, DIHK - Association of German chambers of industry and commerce, Representation to the EU
- **Catelene PASSCHIER**, Confederal Secretary, European Trade Union Confederation (ETUC)

17:15 - 17:40

Questions and Answers

17:40 – 18:20

SESSION III

What is the way ahead?

- **The European Pact on Migration and Asylum** and the development of a **comprehensive European migration policy** - fundamental priority according to the Draft 18-month programme of the Council presented in June 2008
- Does migration for the purposes of highly qualified employment represent a **solution** to economic or demographic problems **for the long term or only in the short term**?
- Question of the **integration** of highly qualified workers.

17:40 - 18:00

Interventions by:

- **Daniel LECRUBIER**, Head of the Justice and Home Affairs section at the Permanent representation of France to the EU
- **Ewa KLAMT**, Member of the European Parliament and rapporteur on *the Proposal for an EU Blue Card Directive*
- **Jan Tadeusz MASIEL**, Member of the European Parliament and draftsman for the Committee on Employment and Social Affairs on *the Proposal for an EU Blue Card Directive*

18:00 - 18:20

Questions and Answers

18:20 - 18:30

CONCLUSION

18:20 - 18:30

Gerard DEPREZ, Chairman of the LIBE committee, closing remarks

ANNEX

PRACTICAL GUIDELINES FOR THE DEBATE

Presentations will be limited to 5 - 10 minutes (please see programme for details). During the discussion, so as to make it possible for the highest possible number of parliamentarians to intervene, speaking time will be limited to 3 minutes per contribution or question. The floor will be given to Members in the order in which requests are received. Speakers wishing to supplement their speeches may do so in writing by submitting documents (preferably in English or French **at the latest by 23.06.2008 at 12 o'clock**) in advance to the secretariat (email: ip-libe@europarl.europa.eu). These documents will be circulated during the meeting.

IMPORTANT NOTICE FOR THOSE WISHING TO ATTEND THE SEMINAR

This seminar is open to the public. However, for security reasons, participants who do not have a European Parliament access badge must obtain a pass in advance. Those wishing to obtain such a pass should contact the seminar secretariat (ip-libe@europarl.europa.eu) **before the 23.06.2008**. It is essential to provide us with your **full name, address and date of birth**. Without this information, the Security Service will not provide entry passes. You may withdraw your access badge from 2 p.m. to 3 p.m. on the day of the hearing at the entrance of the PHS building.

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