

## **Caritas Europa comments on the new EU “Blue Card System”**

On May 25<sup>th</sup>, 2009, the EU Council adopted the so-called “Blue-Card Directive”, aimed at facilitating entry and residence in the EU of third country citizens for the purposes of highly-qualified employment. The new scheme, not to be implemented until 2011 at the earliest, does not intend to replace nor prevent any Member States’ initiatives aimed at offering more attractive conditions to labour migrants.

For Caritas Europa the Directive contains some positive elements, such as the right to family reunification (although only within six months) with relatives having the right to work; accumulation of the time of residence in different Member States for purpose of acquiring long-term resident status after five years; equality of treatment and working conditions with nationals of the Member State concerned; and circular migration opportunities for up to 12 months.

Caritas Europa doubts whether the approved Directive can reach its ultimate goal of attracting highly qualified workforce. Additionally, it is regrettable that no solution is given at the EU level to address the main issue of low or unqualified labour migration, as no legal labour migration channels regarding medium or low skilled migrant workers are envisaged.

Caritas Europa finds that the new scheme does not properly foster mechanisms such as circular migration that should balance the benefits between all parties involved and compensate the negative effects that brain drain potentially has on countries of origin. So, according to the Directive, the “Blue Card” holder can only return to his/her country for up to 12 months, otherwise he/she loses residence permit. The organisation also underlines that the objective to encourage circulation could be addressed by concluding agreements between Member States and migrants’ countries of origin with a view to transferring acquired social security rights, or by providing benefits to promote return.

Even if we accept what seems to be an inevitable ‘battle for talents’, it must be observed that the level of income received by the workers or the length of their contracts (mandatory requirements for a “Blue Card” according to the Directive) are not necessarily (in principle and in fact) valid elements to measure the contribution that they can make to the receiving Member States.

Another weakness is linked to the fact that the competence to decide on territorial access remains with the Member States, thus presenting a series of other problems. Essentially, each Member State can still establish quotas for the entry of new non-EU workers in its labour market and is responsible for the recognition of qualifications and formal skills. Furthermore, labour demand and salary scales significantly vary between countries, and it will also be a task of the Member States to define them.

In conclusion, for the moment the European Union is not sufficiently equipped to reach the goal of making itself an attractive destination for highly-qualified professionals, while Europe itself is struggling with the loss of its own experts who move to other regions of the world with better work and life opportunities.

Brussels, June 2009 - For more information, please contact:

Peter Verhaeghe, Tel: +32 2 235 03 96, E-Mail: [pverhaeghe@caritas-europa.org](mailto:pverhaeghe@caritas-europa.org)