



EUROPEAN UNION

# Legal Migration

September 2016

In April 2014 Jean-Claude Juncker presented as part of his election campaign a five-point plan on migration, including a call for Europe to show more political determination when it comes to legal migration. The European Agenda on Migration, as presented by the Commission in May 2015 highlighted a new policy on legal migration as one of the four pillars to manage migration better in the long run. A smart management of migration requires not only a firm policy in addressing irregular flows while ensuring the protection of those in need, but also a proactive policy of sustainable, transparent, and accessible legal pathways. Providing safe and legal pathways to Europe for persons in need of international protection through resettlement helps fighting the criminal networks of smugglers and traffickers. Legal migration also makes a valuable contribution to the EU's economic development in the medium and long term, enabling us to respond to skills shortages and to ensure we have a workforce which is strong enough to maintain the European social model for our aging population. Member States are responsible for deciding how many third country nationals they admit for employment, study and research, while EU rules define common admission conditions, procedures and rights for applicants.

## NEW LEGISLATIVE INITIATIVES

NEW

EU  
RESETTLEMENT  
FRAMEWORK



On 13 July 2016 the Commission proposed to establish a **common European policy on resettlement** to ensure orderly and safe pathways to Europe for persons in need of international protection. While the Member States will remain the ones deciding on how many people will be resettled each year, collectively the EU will achieve a greater impact by coordinating national efforts and acting as a whole.

The Commission will provide **€10,000** from the EU budget for each person resettled.

The EU Resettlement Framework will contribute to the implementation of the **new Migration Partnership Framework** for cooperation with key third countries of origin and transit presented on 7 June. The priorities of the Migration Partnership Framework are saving lives at sea, increasing returns, enabling migrants and refugees to stay closer to home and, in the long term, helping third countries' development in order to address root causes of irregular migration.

The EU will also support the establishment of a UN-led global resettlement scheme to contribute to fair sharing of displaced persons and further discourage irregular movements - the EU Resettlement Framework is a direct demonstration of the EU's commitment to ensure safe pathways to Europe.

Resettlement is the transfer of non-EU national or stateless persons, who have been identified as in need of international protection, to an EU state where they are admitted either on humanitarian grounds or with the status of refugee.

NEW

NEW BLUE  
CARD SCHEME



On 7 June 2016 the Commission presented the proposal to reform the EU Blue Card scheme for highly skilled workers from outside the EU.

The proposal aims to improve the EU's ability to attract and retain highly skilled workers, in order to enhance the competitiveness of its economy and cope with demographic challenges.

## MAIN CHANGES PROPOSED

- a truly EU-wide scheme
- facilitated Intra-EU mobility
- lower salary threshold
- extension to highly skilled beneficiaries of international protection
- Improved rights

## EU ACTION PLAN ON INTEGRATION



NEW

The Commission adopted on 7 of June an Action Plan presenting a framework for action and concrete initiatives to support Member States in the integration of the 20 million non-EU nationals residing legally in the EU. Whilst the competence for integration policy lies primarily with the Member States, the EU plays an important role in supporting Member States' actions and policies on integration and in fostering cooperation between all relevant actors.

## KEY AREAS OF ACTION

- pre-departure and pre-arrival measures
- education
- employment and vocational training
- access to basic services
- active participation and social inclusion

## MAIN EXISTING LEGISLATION AND INITIATIVES

*\*The Directives apply to all EU Member States except for the United Kingdom, Denmark and Ireland.*

### STUDENTS & RESEARCHERS DIRECTIVE

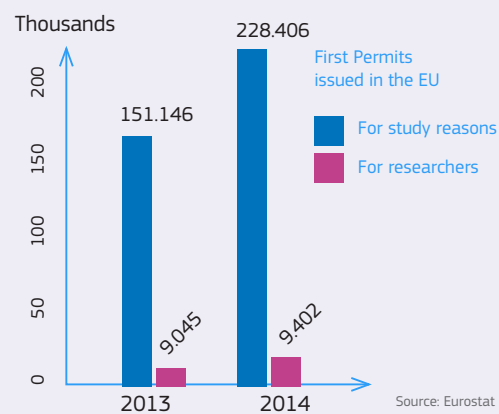


The Directive regulates admission conditions, procedures, and rights for young and talented third-country nationals

#### Who can apply\*?

- students
- researchers
- trainees and volunteers covered by the European Voluntary Service

\*Member States may extend the scope of the Directive to all volunteers, to school pupils under exchange schemes and to au pairs



### INTRA-CORPORATE TRANSFEREES DIRECTIVE



The Directive makes it easier and quicker for multinational companies based outside the EU to temporarily assign highly skilled employees to subsidiaries situated in the EU through a fast-track entry procedure and a combined work and residence permit. It also facilitates their intra-EU mobility.

Member States will need to report on the number of permits issued starting in 2017.

### SEASONAL WORKERS DIRECTIVE



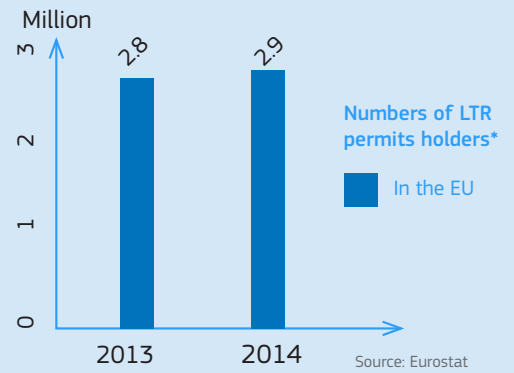
The Directive sets out rules for the entry and stay and on the rights of seasonal workers from third countries in a Member State for a **maximum period of between 5 and 9 months over any 12 month period.**

Member States will need to report on the number of permits issued to seasonal workers starting in 2017.

## LONG-TERM RESIDENTS DIRECTIVE



The Directive allows Member States to grant long-term resident status to third-country nationals, including beneficiaries of international protection, who have resided legally and continuously in a Member State for 5 years and who fulfil a set of other conditions - such as stable and regular resources.



## FAMILY REUNIFICATION DIRECTIVE



The Directive regulates admission conditions, procedures, and residence rights for family members of third-country nationals residing in an EU Member State.

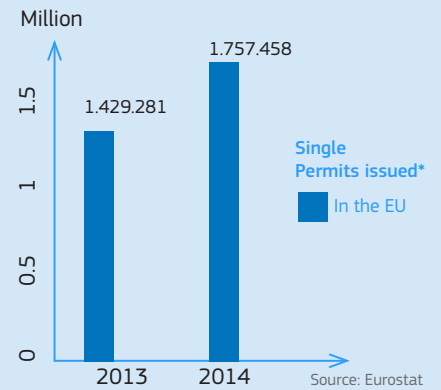
**Who can benefit from family reunification:** spouse, under-age children and the children of the spouse. EU States may also authorise reunification with an unmarried partner, adult dependent children, or dependent older relatives.

## SINGLE PERMIT DIRECTIVE



Single application procedure and a single permit combining work and residence for third country workers. It provides for a set of common rights to be granted (e.g. equal treatment with nationals as regards working conditions, access to certain social security benefits).

**Who can benefit:** Third country workers living in an EU Member state, or applying for work and residence there. Other third country nationals admitted for other purposes (e.g. family reunification) but who have the right to work.



## GLOBAL APPROACH TO MIGRATION AND MOBILITY (GAMM)



Third countries wishing to cooperate with the EU to:

- organise legal migration
- foster well-managed mobility
- prevent and combat irregular migration
- eradicate trafficking in human beings
- maximise the development impact of migration and mobility and promote international protection

**7 Mobility Partnerships** have been signed so far with the following countries: **Cape Verde, Moldova, Georgia, Armenia, Morocco, Azerbaijan, and Tunisia.**

This framework defines how the EU conducts its policy dialogues and cooperation with non-EU countries, based on clearly defined priorities and embedded in the EU's overall external action, including development cooperation.