European Commission

Immigration of International Students to the EU

European Migration Network Study 2012

Home Affairs

CONTENTS

DISCLAIMER **4**

EXPLANATORY NOTE **4**

EXECUTIVE SUMMARY **6**

1. INTRODUCTION **9**

1.1 Definition 10
1.2 Statistical Overview 10

2. EU AND NATIONAL POLICY CONTEXT **14**

2.1 EU Policy 14
2.2 National Policy 16
2.2.1 National context in the (Member) States *16*
2.2.2 National strategies *17*
2.2.3 National political and public debates *19*

3. MEASURES IMPLEMENTED BY THE (MEMBER) STATES **20**

3.1 Attracting International Students 20
3.1.1 Provision of Information *20*
3.1.2 Recognition of third-country qualifications *21*
3.1.3 Scholarships and grants *22*
3.1.4 Fast-tracking of applications *22*
3.2 Admission procedures 22
3.3 Measures applicable during study period 27
3.3.1 Extension of permits during the course of study *27*
3.3.2 Limits on the duration of permits for study *27*
3.3.3 Access to the labour market during study *28*
3.3.4 Entitlements *30*
3.3.5 Right to accompaniment by family members *32*
3.4 Period following the completion of study 33
3.4.1 Change in residence status *34*
3.4.2 Employment following study *35*
3.4.3 Initiatives relating to the economy and industry *37*

4. EVIDENCE OF THE MISUSE OF THE STUDENT ROUTE **37**

4.1 Types of misuse 38
4.2 Practical measures to detect and/or prevent misuse 39

5. INTERNATIONAL COOPERATION **40**

5.1 Bilateral/Multilateral agreements including Mobility Partnerships 40
5.2 Cooperation with EU (and EU-financed mobility) programmes or international organisations 42
5.2.1 Erasmus Mundus 43
5.2.2 Other measures including non-EU programmes, to facilitate international student mobility 44
5.3 Other forms of (non-legislative) cooperation with countries 45

6. IDENTIFIED IMPACTS OF INTERNATIONAL STUDENTS 45

6.1 Competition for study places 45
6.2 Participation in the labour market following completion of studies 45
6.3 Risk of brain drain 46
6.4 Revenues generated by international students 47
6.5 (Member) States' demographics 48

7. CONCLUDING REMARKS 49

ANNEX 1: ORGANISATIONS INVOLVED IN POLICYMAKING TO ATTRACT INTERNATIONAL STUDENTS IN (MEMBER) STATES 52

ANNEX 2: FEES FOR PROCESSING APPLICATIONS 56

ANNEX 3: TUITION FEES CHARGED IN THE (MEMBER) STATES 58

ANNEX 4: ACCESS TO THE LABOUR MARKET 61

DISCLAIMER

This Synthesis Report has been produced by the European Migration Network (EMN), which comprises the European Commission, its service provider (ICF GHK-COWI) and EMN National Contact Points (EMN NCPs). This report does not necessarily reflect the opinions and views of the European Commission, EMN Service Provider (ICF GHK-COWI) or the EMN NCPs, nor are they bound by its conclusions. Similarly, the European Commission, ICF GHK-COWI and the EMN NCPs are in no way responsible for any use made of the information provided.

EXPLANATORY NOTE

This Synthesis Report was prepared on the basis of National Contributions from 25 EMN NCPs (**Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary**, **Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal**, **Slovak Republic, Spain, Slovenia, Sweden, United Kingdom** and **Norway**)[1] according to Common Specifications developed by the EMN and followed by EMN NCPs to ensure, to the extent possible, comparability.

National Contributions were largely based on desk analysis of existing legislation and policy documents, reports (including previous EMN outputs), academic literature, political debate, media articles, internet resources and reports and information from national authorities (Ministries, Border Guards and other law enforcement agencies), NGOs and International Organisations. Statistics were sourced from Eurostat, again national authorities plus other (national) databases.

In order to complete the information gathered through secondary research, many (Member) States also undertook primary research which took the form of interviews and consultation with relevant stakeholders. Surveys were also undertaken in **Italy, Lithuania** and **Poland**. In **Italy**, an online survey was conducted (targeting international students in collaboration with universities all around the country which was completed also by fieldworkers), that covered approximately 1 200 international students. In **Lithuania**, two surveys were launched: A questionnaire targeting diplomatic missions of the Ministry of Foreign Affairs in the primary countries of origin of the international students and a survey covering 97 international students from seven universities. **Poland** sent a questionnaire to the Office for Foreigners as well as the Voivodship offices, the bodies responsible for granting residence permits.

It is important to note that the comments of this Report refer to the situation in the above-mentioned (Member) States up to and including 2012 and specifically the contributions from their EMN National Contact Points. More detailed information on the topics addressed here may be found in the available National Contributions and it is strongly recommended that these are consulted also.

When referring to (Member) States participating in Directive 2004/114/EC throughout the Synthesis Report, it is important to note that **Ireland**, **United Kingdom** and **Norway** did not participate in the adoption of the Directive, nor are they bound by it.

The (Member) States listed above are given in **bold** when mentioned in the Report and "(Member) States" is used to indicate the contributions from participating EU Member States plus from Norway. The listing of (Member) States in the Report results from the availability of information provided by the EMN NCPs in their National Reports.

[1] A National Report for **Malta** will also become available on the EMN Website.

EMN NCPs from other Member States could not, for various reasons, participate on this occasion in this Study, but have done so for other EMN activities and reports.

EXECUTIVE SUMMARY

The EMN Study on *Immigration of International Students to the EU* provides an overview of the immigration and mobility policies that are currently being implemented by the (Member) States to allow international students to enter into the EU for the purposes of study and where necessary, to move within the EU, also for the purpose of study. Such policies aim to both actively attract international students whilst at the same time preventing misuse of the international student route to migration. The study focuses on the migration of international students to the EU, including those who have progressed through several courses of study, for example, from a first to a second degree course. It does not include migrants who come to the EU for another purpose, even if they subsequently decide to undertake a course of study.[2]

International students represent a substantial proportion of the non-EU population in many (Member) States (Section 1.2). In 2011, over 2 million first residence permits were issued to third-country nationals; although the highest number of new permits was granted for family reasons, some 21% of all new permits were issued for education reasons. Of all new residence permits issued for education reasons in 2011, almost 190 000 were issued for study purposes, as per the Student Directive 2004/114/EC.

With regard to EU policy (Section 2.1), the importance and added value of international students is well-recognised, and such students are central both to EU education and migration policies, as well as being recognised in some Member States as a potential source of high-level skills to meet labour market needs in specific sectors. The EU's education policies strongly focus on advancing the EU as a centre of excellence in education and training and, to this end, the EU engages in a wide range of initiatives including regular policy dialogues, bilateral agreements and mobility programmes. The conditions of admission of non-EU students to study in EU (Member) States are regulated by Council Directive 2004/114[3], which provides for entry of third country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service[4] and lays down conditions also on residence and access to the labour market, amongst others.

Over recent years, (Member) States have put in place national policies (Section 2.2) with a view to attracting international students. Most policies are underpinned by a national strategy focussing on facilitating access to education and promoting the Member State as an attractive destination for international students. Some national strategies focus on attracting skilled students (mostly Master and Doctoral students) within a wider policy context of attracting highly skilled workers into the national labour market to meet skills shortages. Other strategies focus on attracting international students in order for national economies to benefit from the revenue streams which are associated with these students (from fees, living expenses etc).

The types of measures introduced in the (Member) States to attract international students vary, in line with national policy and strategy priorities set. With regard to attracting international students (Section 3.1), (Member) States focus on the provision of information to ensure that international students are well informed of the programmes and services offered in (Member) States, as well as the provision of scholarship and funding opportunities, with these opportunities often targeted to certain countries of origin where bilateral cooperation is in place. Over recent years, (Member)

[2] "Student" is principally understood as per Directive 2004/114/EC on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service (available at http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:375:0012:0018:En:PDF) though broader categories of student have not been excluded from the Study, where identified by (Member) States as (proportionally) substantial in number and have migrated to the EU for the purpose of study (e.g. vocational training and further education). It is important to note that **Ireland**, Denmark and the **United Kingdom** did not participate in the adoption of the Directive and thus are not bound by it, nor is Norway.

[3] http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:375:0012:0018:EN:PDF

[4] Ireland, Denmark, the United Kingdom and Norway are not bound by the Directive.

States have also initiated or increased the provision of, academic courses taught in English rather than in the national language.

For participating Member States, the Student Directive 2004/114/EC establishes conditions for entry and stay, and to facilitate entry, (Member) States have introduced flexible admission procedures (Section 3.2), with different visas or residence permits issued depending on the purpose and length of study, as well as fast tracking of applications in order to facilitate formalities for international students. However, international students still face challenges as a result of national regulations regarding their application for a visa/residence permit, such as having to visit the consular office of the Member States in person, which may be problematic where Member States have few diplomatic representations across the world. A range of different policies apply across the EU in fees charged for processing visa and residence permit applications. In some Member States these have been reduced or even waived for international students; in others, fees charged for residence permits have increased significantly over the past years.

During stay (Section 3.3), most (Member) States provide a number of entitlements to international students and allow accompaniment by family members. In line with the provisions of the Directive, international students have access to the labour market during study, with the number of permissible hours are often more favourable than those provided in the Directive, and in some cases, include self-employment. Some (Member) States offer international students unlimited access to the labour market, others opt to limit this to certain sectors of the economy and according to the needs of their national labour market, or may limit access for students during the first months of their stay. In practice, barriers for international students do exist even where work is permitted, for example, due to employer requirements to justify that no suitable national candidates are available for a specific post. Whilst very limited data is available on the common sectors and skills levels of international students, access appears to be mainly in low-skilled sectors which provide for additional income rather than a way of building experience or expanding professional networking which would assist them further following graduation.

Following completion of studies (Section 3.4), graduates can apply for relevant work permits / authorisation to stay on other grounds, without leaving the Member State, in the majority of (Member) States, subject to the national conditions in place. In relation to employment opportunities, various practices are apparent reflecting their overall national strategies. Limitations may be placed on the type of employment which can be obtained by former international students, for example, it may need to be relevant to the academic programme completed, or in some cases minimum wage requirements may apply. The majority of Member States permit self-employment, though there may be a requirement for the graduate to demonstrate access to investment and capital or relevance to sector-based priorities. In recent years, some Member States have introduced new programmes to retain graduate entrepreneurs from third countries. In some cases, graduates from third countries may be offered a period of stay in order to find work in the Member State; such conditions vary in relation to available support duration of stay, which can be up to 18 months.

Statistical evidence in relation to the misuse of the student route to immigration to the EU (Section 4) remains very limited; however, the majority of Member States reported some incidences of abuse, although this was considered an extensive problem in only three Member States. Different types of misuse of the student route (Section 4.1) identified include overstaying, non-attendance at study programmes, submitting an application for asylum following entry on a student permit, using the student status to move to another Member State and working outside the legal conditions. In some (Member) States, misuse has been more widespread in some educational sectors than others, such as in private sector language schools. To combat misuse, (Member) States implement a range of measures (Section 4.2) to reduce the risk of international students entering the Member State for reasons other than study. These include systems for checking qualifications and skills in order to ensure that their reasons for entry are compatible with the study programme. Licensing and/or inspection regimes have also been implemented by (Member) States in order to ensure that academic institutions are also not violating the use of the student permit and codes of conduct

introduced to encourage self-regulation in the educational sector admitting international students.

Access to educational opportunities for international students is also facilitated by international cooperation, in the form of a wide range of bilateral and multilateral agreements (Section 5.1), often set up within a framework of a broader set of strategic objectives, for example, to serve labour market needs or to facilitate trade. Direct agreements are also signed between individual universities and colleges (both public and private) and institutions in third countries in all (Member) States. EU (mobility) programmes (Section 5.2) have been effective in opening up opportunities to students from third countries, not only to study in a single EU Member State, but to move to other (Member) States to access further programmes of study. Some Member States have made changes in their standard application processes to facilitate the entry of, for example, Erasmus Mundus students including the simplification of administrative processes. Other (non-legislative) cooperation with third countries (Section 5.3) has also been established such as taking part in educational exhibitions/fairs in third countries as well as establishing international campuses by EU universities in third countries.

A number of impacts have been recognised by some (Member) States resulting from the immigration of international students (Section 6). These vary considerably across the Member States and are shaped by the national strategies and policies in place. Overall, the impacts are considered to be positive, with international students making in some cases substantial contributions to national revenue streams, through the payment of educational fees and in local labour markets and economies through their employment contributions and community spending on living costs. There is little evidence to suggest that international students are in competition with national students for study places. With regard to brain drain, this has not been considered to be of major concern though (Member) States have measures in place to prevent such a phenomenon.

Overall, the policies and practices for attracting international students to the EU have developed in the (Member) States, with more importance placed on this phenomenon in recent years. Though the approximation of national legislation on conditions for admission and stay has taken place, within the framework of EU legislation, differences do still exist both in policy and in practice at national level, particularly in relation to access to the labour market during and after completion of studies, but also in relation to the benefits provided to international students when accessing the labour market and during stay in general. These differences are in the main linked to the specific strategic and policy approach taken by Member States, and the degree to which national policies support the immigration potential of international students in the longer term, or a fixed term migration for the purpose of study. That said, Member States recognise also that practical barriers exist that must be tackled if EU and national policies are to be effectively implemented, and not themselves shape the decisions of international students in relation to their choice of Member State in which to study.

The overall aim of improving EU and national strategies and policies is to ensure that the EU can be considered as a world centre for excellence in education. Further legislative action at the EU level, aiming to provide for further improvements in admission conditions, rights during stay, including mobility, and ensuring safeguards for third-country nationals, in line with Treaty objectives, is likely to make an important contribution to delivering this objective.

1. INTRODUCTION

This Synthesis Report presents the findings of the main EMN Study for 2012 on "*Immigration of International Students to the EU*."[5] The aim of the study is to provide an overview of the immigration policies that are being implemented by (Member) States regarding international students from third countries, with a view to informing policymakers and practitioners in respect of actively attracting international students into the EU for the purposes of study, and preventing misuse of international student routes to migration. The EMN Conference 2012, organised by CY EMN NCP, within the framework of the Cyprus Presidency of the EU Council, consolidated the work undertaken by the EMN on this theme by directly informing the development of proposals amending the Students and Researchers Directives and supporting the policymaking process in the field of international students and immigration.

"Student" is principally understood as per Directive 2004/114/EC[6] on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service though broader categories of student are also considered, as defined by the (Member) States, where such categories are substantial in a national context and where students have migrated to the EU to access such forms of study (e.g. vocational training and further education).

The study focuses on the immigration of international students to the EU, including those who have progressed through several courses of study, for example, progressing from a first to a second degree course, and does not therefore include migrants who come to the EU for another purpose, even if they subsequently decide to undertake a course of study.

The 2011 Report from the Commission on the application of Directive 2004/114/EC[7] assessed the extent of its transposition and identified a number of steps for the Commission to take to ensure correct transposition and identified areas in which the Directive could be improved. The EMN study thus also aims to provide up-to-date and relevant information for policymakers by addressing a number of important issues identified in the Commission Report including expectations and legislative gaps which currently exist in the (Member) States which could be filled through the amendment of the Directive. These include:

- Measures to attract International Students;
- Procedures facilitating International Students' admission (entry and residence);
- The right to be issued a residence permit vs. other national (additional) provisions on visas and residence permits;
- Access to information which allows students to comply with admission conditions;
- Access to job seeking and/or the labour market both during and following completion of studies; and
- Synergies with (EU) Programmes stimulating mobility.

[5] Though reference in the title is made to the EU, Norway is also a member of the EMN and has contributed to the Study.

[6] **Ireland**, Denmark and the **United Kingdom** did not participate in the adoption of the Directive and thus are not bound by it, nor is **Norway**.

[7] Available at COM(2011) 587 final, available at http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52011DC0587:EN:NOT

1.1 Definition

For the purpose of this study, "*International student"* refers to "a third-country national[8] arriving in the EU from a third country for the purposes of study". International students are a heterogeneous group which includes exchange students coming for a short period of time through mobility and exchange programmes, to students who follow their whole course of studies in a (Member) State. The concept of "International Student" varies therefore from one (Member) State to another, depending on the different programmes associated with them.[9] This raises also problems of comparability between the Member States.

The International Standard Classification of Education (ISCED)[10] classifies education levels into six different levels, with higher education falling under Level 5 (First stage of tertiary education) and Level 6 (Second stage of tertiary education):

- Level 5 (First stage of tertiary education) is defined as Bachelor and Master Degree level in the (Member) States, with programmes having a cumulative theoretical duration of at least two years from the beginning of Level 5;
- Level 6 (Second stage of tertiary education) is defined as Doctorate Degree level (PhD) in the (Member) States with this level typically requiring the submission of a thesis or dissertation of publishable quality which is the produce of original research and represents a significant contribution to knowledge.

International students in ISCED category 4[11] are also included, in some instances where considered important by the (Member) States concerned, in the Study.

1.2 Statistical Overview

International students are a significant fraction of the third-country national population in many EU (Member) States. For example, Eurostat data[12] for 2011 has shown that over 2 million first residence permits were issued to third-country nationals and, although the highest number of new permits were granted for family reasons (30 %, 716 100), some 21 % (495 500) of all new permits were issued for education reasons. Of all new residence permits issued for education reasons in 2011, almost 190 000 were issued for study purposes as per the Student Directive 2004/114/EC. The number of residence permits issued as per the Directive thus represents approximately 40% of all residence permits issued for education reasons in 2011.

OECD research has shown that from 2000 to 2010, the number of international students in Europe

[8] Note that, in accordance with the EMN Glossary, a "*third-country national*" is "*Any person who is not a citizen of the European Union within the meaning of Article 20(1) of the Treaty on the Functioning of the European Union and who is not a person enjoying the Union right to freedom of movement, as defined in Article 2(5) of the Schengen Borders Code.*" This definition means that nationals of Norway, Iceland, Liechtenstein and Switzerland are not considered to be third-country nationals.

[9] The EMN Glossary defines, in the context of migration, a third-country national "student" as "a third-country national accepted by an establishment of higher education and admitted to the territory of a Member State to pursue as his/her main activity a full-time course of study leading to a higher education qualification recognised by the Member State, including diplomas, certificates or doctoral degrees in an establishment of higher education, which may cover a preparatory course prior to such education according to its national legislation" based on the definition of "student" under Article 2 of Council Directive 2004/114/EC.

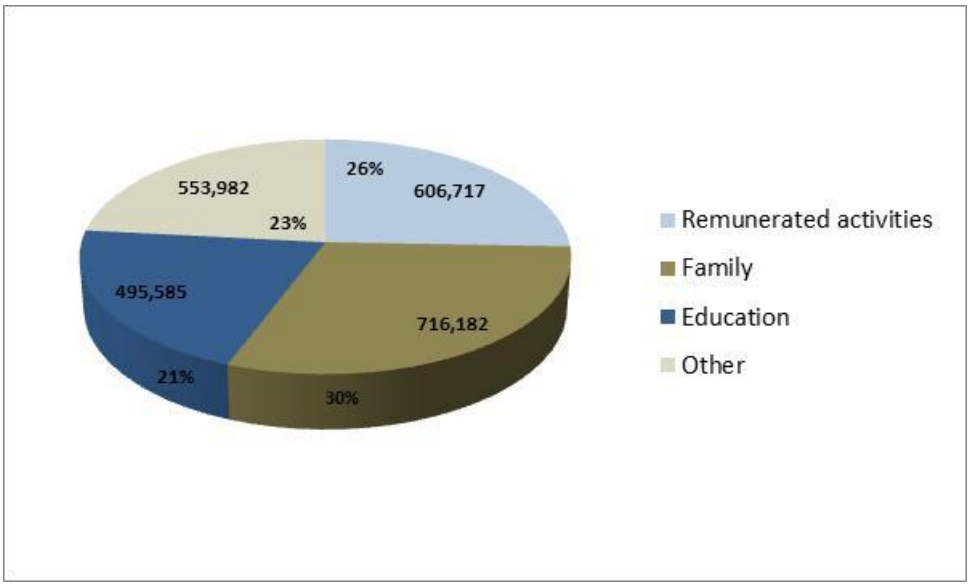
[10] Available at http://www.uis.unesco.org/Library/Documents/isced97-en.pdf

[11] Level 4 (Post-secondary non-tertiary education), which captures programmes that cross the boundary between upper secondary and post secondary education, from an international perspective, but which in terms of content, cannot be regarded as tertiary. Such programmes may be designed to prepare students for studies at level 5, and may allow entry to level 5, i.e. pre-degree foundation courses as well as short vocational programmes.

[12] Eurostat (June 2012) Residence Permit Statistics. Available at: http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Residence_permits_statistics#Residence_permits_by_reason

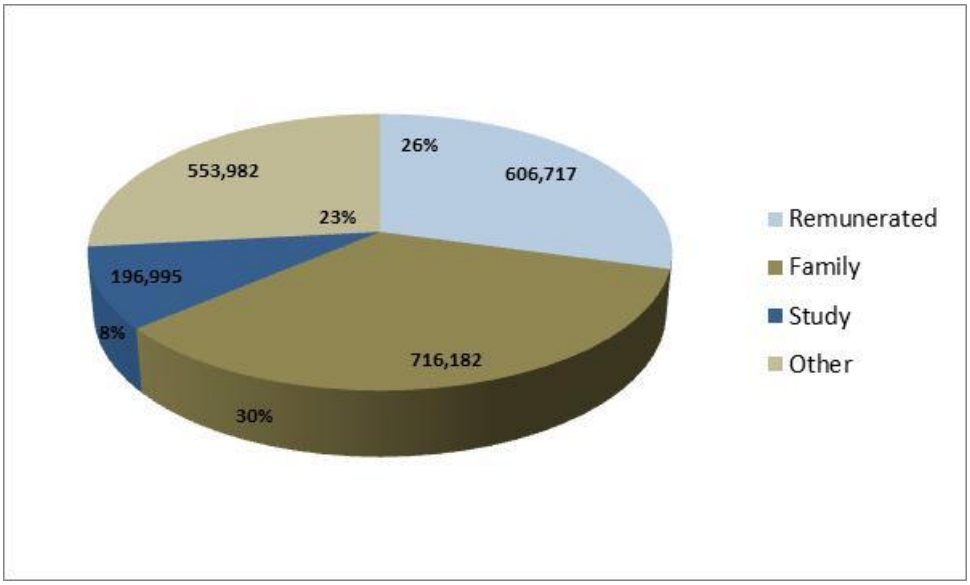
increased by roughly 114% which is considerably more than in North America, where the growth was only around 55%.[13] Worldwide the number of students enrolled outside their country of citizenship increased by 99% in the 2000-2010 period. Although Europe is the preferred destination (41%), followed by North America (21%), the fastest growing regions of destination are Latin America and the Caribbean, Oceania and Asia.[14]

Figure 1 First residence permits issued by EU Member states and Norway by reason in 2011



Source: Eurostat - Extracted January 2013
Note: The figure includes all educational reasons and not only third-level studies. Statistics regarding students refer to many groups of students programme students, exchange students and students that follow their whole studies in the country; students who seek credit- mobility (who follow some courses to collect some ECTS-Points and return) plus degree-seeking students (who follow a full Bachelor, Master or PhD degree).

Figure 2 First residence permits issued by EU Member States by reason per Directive in 2011

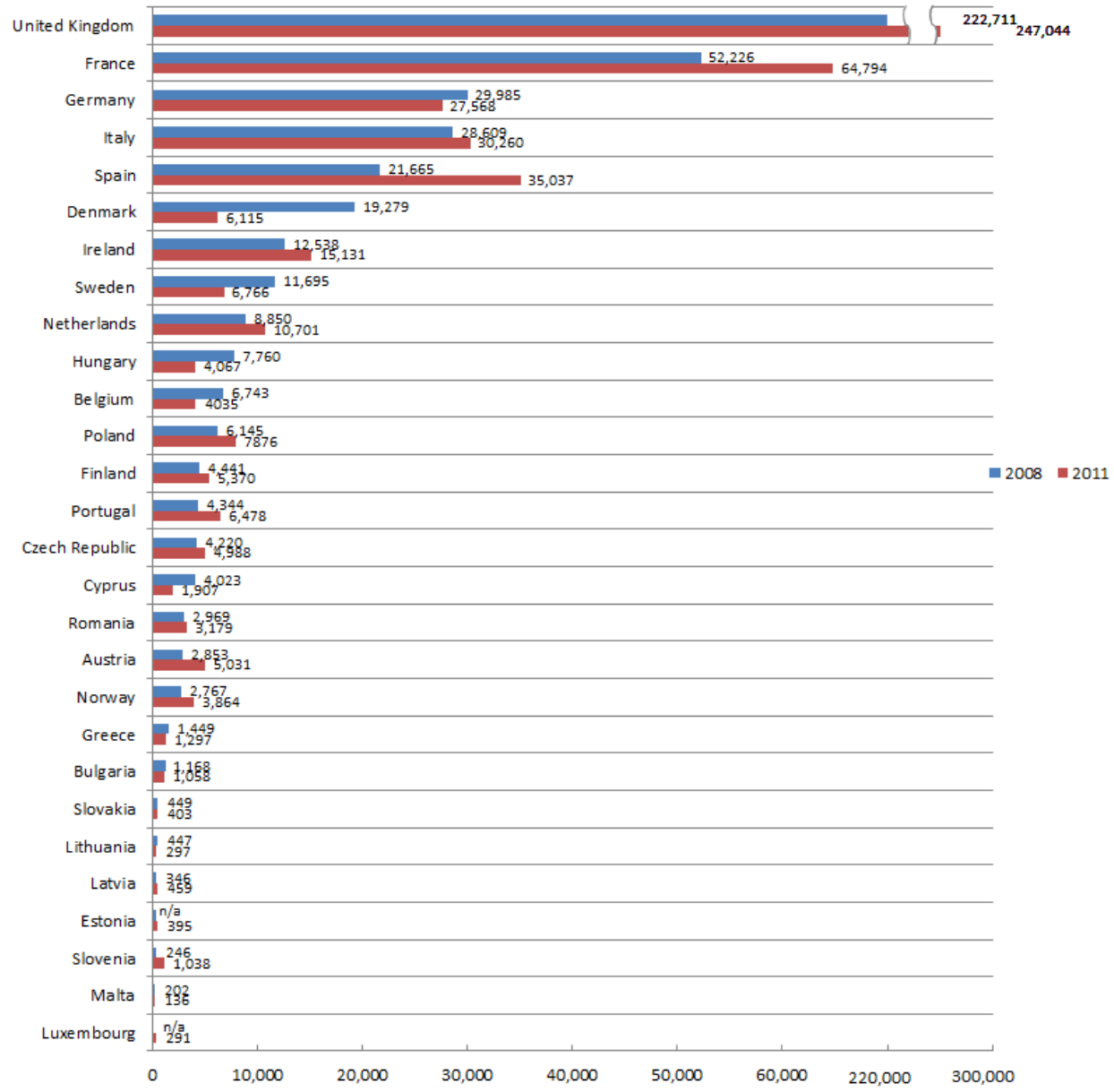


Source: Eurostat - Extracted January 2013
Note: The figure includes the number of first permits issued for study reasons as per Directive 2004/114/EC

[13] OECD (2012) Education at a Glance 2012: OECD Indicators. OECD Publishing. Available at: http://www.oecd.org/edu/EAG%202012_e-book_EN_200912.pdf p. 360
[14] OECD (2012) Education at a Glance 2012: OECD Indicators. OECD Publishing. Available at: http://www.oecd.org/edu/EAG%202012_e-book_EN_200912.pdf p. 361

The number of first permits issued for all education reasons has increased over the past years from 458 469 (2008) to 495 585 (2011), as outlined in Figure 3 below.

Figure 3 First permits issued for education reasons by (Member) State 2008 and 2011

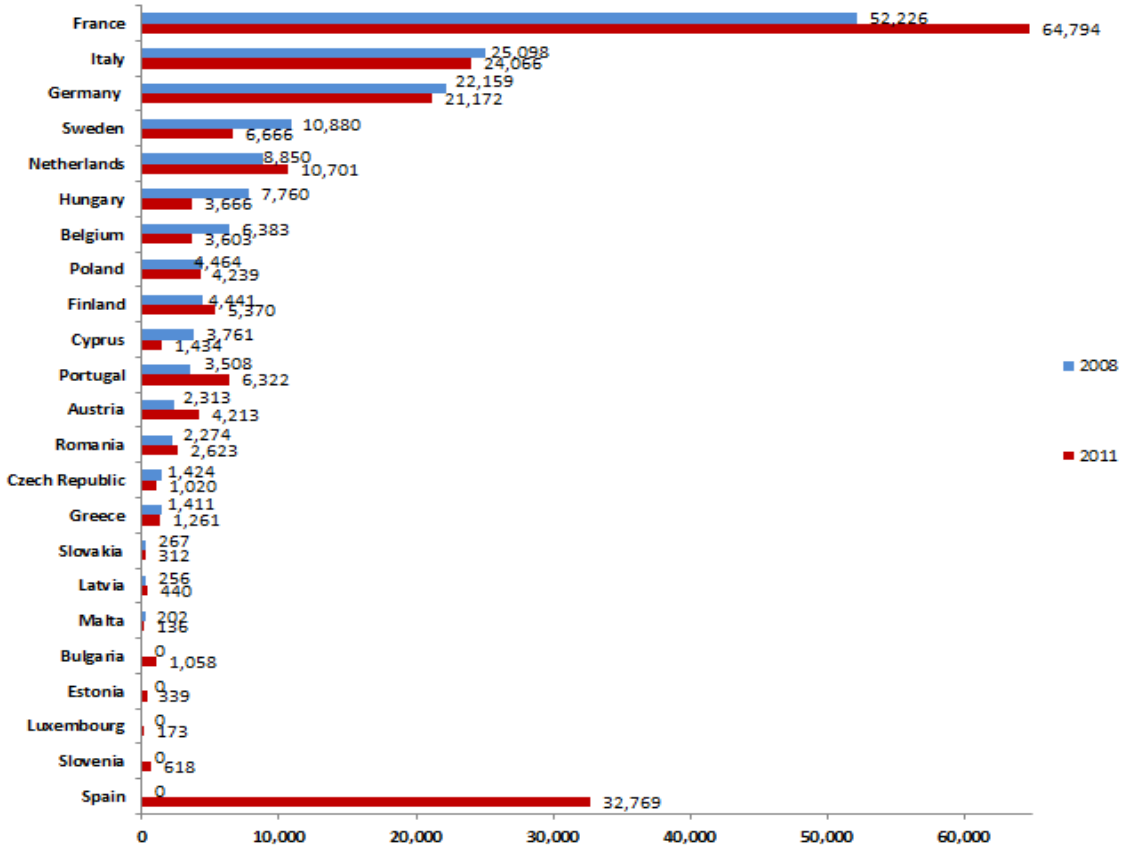


Source: Eurostat
Extracted January 2013
Note: Denmark, Ireland and the United Kingdom are not bound by the Student Directive.
In Luxembourg in 2008, the new Law on Free Movement of Persons introduced a category of student resident permit.
Incomplete data for Poland in 2008.

Figure 4 provides an overview of those permits issued as per Directive 2004/114/EC. The (Member) States issuing the largest number of first permits for study reasons in 2011 are **France, Italy, Germany** and **Spain**. Increases have occurred in **Austria**, **France**, C**zech Republic, Finland**, **Netherlands, Italy**, **Portugal** and **Slovenia** between 2008 and 2011. The increase in numbers demonstrates the increased migration of international students to the EU.

In **Ireland** and **United Kingdom**, there has also been an increase in the number of first permits for education reasons. In **Ireland**, this has increased from 12 538 (2008) to 15 131 (2011).

Figure 4 First permits issued for Study reasons as per Directive 2004/114/EC by (Member) State 2008 and 2011



Source: Eurostat
Extracted January 2013
Note: Denmark, Ireland and the United Kingdom are not bound by the Student Directive
Incomplete data for Poland in 2008.

With regard to permits issued for education reasons, as a share of all total valid permits, Table 1 below shows that there is considerable variation. In 2008, this ranged from 2% (**Slovenia**), 12% in **France** and 23% in **Hungary**. The share of valid permits for education reasons increased in some (Member) States between 2008 and 2011. This was the case, for instance, in **Portugal**, where the share increased from 4 to 17%. Decreases were also experienced in some (Member) States, with decreases of 1 to 2%.

Table 1: Permits for education reasons as a share of valid permits for education, family and remunerated activities, 2008 and 2011

	2008			2011		
	Total	**Education**	**Share**	**Total**	**Education**	**Share**
Austria	0	0	:	89 582	15 283	17%
Belgium	:	:	:	199 575	19 833	10%
Cyprus	87 664	14 129	16%	102 129	14 923	15%
Czech Republic	238 622	6 976	3%	201 027	9 807	5%
Estonia	8 038	431	5%	10 243	602	6%
Finland	57 152	6 140	11%	107 287	8 522	8%
France	1 079 454	130 465	12%	1 120 204	114 172	10%
Germany	1 387 426	117 234	8%	1 638 658	104 820	6%
Greece	476 327	6 102	1%	455 915	7 210	2%
Hungary	37 644	8 732	23%	42 726	8 352	20%
Ireland	104 336	37 936	36%	87 092	35 493	41%
Italy	2 368 931	87 260	4%	3 514 926	49 014	1%
Latvia	14 496	499	3%	14 772	705	5%
Lithuania	10 297	1 040	10%	2 496	11	0%
Luxembourg	:	:	:	19 540	585	3%
Malta	3 443	252	7%	3 477	382	11%
Netherlands	195 205	13 927	7%	211 134	17 960	9%
Poland	NA	NA	:	103 993	5 910	6%
Portugal	112 136	4 984	4%	38 617	6 373	17%
Slovenia	61 624	1 142	2%	41 313	1 722	4%
Slovak Republic	10 432	790	8%	15 565	900	6%
Spain	1 396 373	38 759	3%	1 342 392	49 435	4%
Sweden	178 189	19 260	11%	211 178	19 474	9%
Norway	51 008	4 449	9%	60 993	6 612	11%

Source: Eurostat
Extracted January 2013
Note: Totals represent the total number of valid permits for remunerated, education and family reasons
No data for United Kingdom

2. EU AND NATIONAL POLICY CONTEXT

This section provides an overview of the EU and national policy context regarding the immigration of international students to the EU. Such policies have been developing over recent years and have continuously attempted to address gaps and problems which exist at national level. A description of EU policy is firstly presented in Section 2.1, with national policy subsequently outlined in Section 2.2.

2.1 EU Policy

The importance and added-value of international students is well-recognised by the European Union. Promoting the mobility of third-country nationals to the EU for the purpose of study has been part of the EU's policy since 1994 with the adoption of the Council Resolution on the admission of third-country nationals to the territory of the (Member) States of the EU for study

purposes[15].

The EU's education policies strongly focus on advancing the EU as a centre of excellence in education and training and, to this end, the EU engages in a wide range of initiatives:

- **Regular policy dialogues** with third countries which are useful platforms to highlight the attractiveness of EU education and training;
- **Bilateral agreements** with a number of third countries (Australia, Brazil, Canada, China, India, Israel, Mexico, South Africa, United States) and cooperates with them through comparative studies, student exchanges, workshops and conferences on themes of common interest (e.g. qualifications frameworks, recognition of qualifications, credit transfer);
- **Programmes to encourage and support mobility:** Marie Curie Fellowships offer European research grants and Erasmus Mundus provides scholarships to international students. The EU considers these to be important tools to promote the European Union as a centre of excellence in learning, research and innovation around the world; and
- **Joint Consortia Scholarships** are available for students and researchers (from Australia, Canada, Japan, New Zealand, South Korea and the United States) who participate in joint consortia projects between the EU and the third country.

The grant and scholarship programmes described above contribute to the establishment of international scientific and academic networks among universities and alumni. Generally the universities maintain their own alumni networks. The EU has however also established various alumni associations, for example, the Erasmus Mundus Students and Alumni Association and OCEANS, an association set up to maintain links between former and future participants in the joint consortia partnerships with Australia, Canada, Japan, New Zealand, South Korea and the USA.

Practical examples of measures and tools developed under EU policy towards attracting international students include: the online portal "Study in Europe"[16] to promote the attractiveness of European Higher Education to students from other parts of the world. It was launched in 2008 and provides clear and up-to-date information about, for instance, the range of courses on offer in the (Member) States, admission procedures, costs, scholarship opportunities. It was part of a wide-ranging campaign to increase the number of international students in the EU. As part of this campaign, the Commission also developed a "Study in Europe Communication Tool-Kit" to support European universities and higher education institutions to better and more effectively market themselves internationally. The Commission also supports the ENIC (European Network of Information Centres in the European Region)/NARIC (National Academic Recognition Information Centres in the European Union) network which acts as a gateway for the recognition of academic and professional qualifications for those seeking to study and work in the EU. The EU Immigration Portal[17] also provides up-to-date, practical information on national and European immigration procedures and policies to potential migrants to the EU. The Portal also provides information for third-country nationals already living in the EU who would like to move from one Member State to another.

The latest Communication on the Global Approach to Migration and Mobility[18] (GAMM) also makes extensive reference to international students under its first pillar: Organising and Facilitating Legal Migration and Mobility. The GAMM advocates measures to further facilitate admission, residence and intra-EU mobility of third-country national students, and that this would potentially

[15] http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31996Y0919(04):EN:HTML
[16] Available at http://ec.europa.eu/education/study-in-europe/
[17] Available at http://ec.europa.eu/immigration/
[18] COM(2011) 743 final, available at:
http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0743:FIN:EN:PDF

enhance the EU's future innovation capacity and competitiveness and could serve to meet the EU's labour market needs.

The conditions of admission of non-EU students to study in EU (Member) States are regulated by Council Directive 2004/114[19], which provides for the entry of third country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service[20]. The Directive laid down conditions on, amongst others:

- **Entry and admission**, e.g. adequate financial resources, admission to an educational establishment, prior payment of tuition fees, knowledge of the language of the course to be followed;
- **Residence (visas and residence permits),** e.g. possibility for fast-track admission procedure for residence permits or visas of international students, residence permit may be refused on the grounds of public policy, security or health;
- **Employment** i.e. international students are allowed to undertake economic activities for at least 10 hours per week although may be restricted to certain sectors or periods (e.g. holiday periods).

In addition, the EU Visa Code (Regulation (EC) No 810/2009) makes provision for visa fee waivers for students, postgraduate students and accompanying teachers who undertake stays for the purpose of study or educational training. Measures to facilitate the entry of international students are described in Section 3 below.

2.2 National Policy

Within the overall EU context, (Member) States' strategies, policies and practices towards international students are now outlined. First, national policy frameworks regarding international students, with the national context in the (Member) States are presented (Section 2.2.1) followed by the national strategies (Section 2.2.2) and the national political and public debates (Section 2.2.3).

2.2.1 National context in the (Member) States

Most (Member) States (**Austria, Belgium, Bulgaria, Cyprus, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom, Norway**) national policies focus predominantly on attracting international students to the higher education sector (i.e. Bachelor, Master and PhD courses). The main policy drivers are linked to the internationalisation of the higher education sector with a view to attracting high-level skills and building global academic knowledge networks (by facilitating mobility of students and teaching staff) that drive economic regeneration and help to build more competitive economies. The latter is considered to be particularly important in current times of economic downturn.

In most instances there is not one overarching national policy on international students, instead it is often the responsibility of several Ministries and Departments across different policy areas: education, employment, migration, home affairs and foreign affairs (see also Annex 1). Many (Member) States (**Austria, Belgium, Cyprus, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Poland, Portugal, Spain, United Kingdom, Norway**) stipulate that the development of national policy on international students is shared between at least two Ministries in the abovementioned policy areas, and in some instances complemented by input from civil society and other actors (e.g. universities, student associations, rector conferences, business sector).

[19] http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:375:0012:0018:EN:PDF
[20] Ireland, Denmark, United Kingdom and Norway are not bound by the Directive.

In both **Hungary** and **Latvia** there is no national policy on international students in place. In **Latvia**, it is up to each institution of higher education to assess the necessity and available options in attracting international students and to develop and implement a corresponding strategy. In **Hungary**, only an action plan is in place which aims to strengthen the education of ethnic Hungarians living outside the territory of Hungary.

In terms of future policy developments, the **Netherlands, Poland** and **Slovenia** plan to amend their policy on international students. For example, the **Netherlands** and **Slovenia** plan to be a more attractive study destination for highly-skilled students. Moreover, the **Netherlands** also plans to better prevent the misuse of the student route by setting attainment targets for students and, more generally, collecting biometric data during the visa application process. **Poland** intends to introduce preferential admission and stay regulations for international students and university graduates. Regulations relating to admission and stay are described further in Section 3 below.

2.2.2 National strategies

The majority of (Member) States (**Austria, Belgium, Cyprus, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom, Norway**) policies are underpinned by a national strategy focussing on facilitating access to education and promoting the (Member) State as an attractive destination for international students The main aims of the strategies, described in turn below, vary between the (Member) States. Some national strategies focus on attracting skilled students (mostly Master and Doctoral students) within a wider policy context of attracting highly skilled workers into the national labour market to meet skills shortages. Other strategies focus on attracting international students in order for national economies to benefit from the revenue streams which are associated with these students (from fees, living expenses etc). There are, of course, overlaps in some (Member) States where some national strategies focus on achieving all of the above. The aims of the strategies are also reflected, to some extent, in the immigration rules in the (Member) States, with the application and issuance of visas and/or residence permits facilitated in many instances. This is further outlined in Section 3 below.

It is also to be noted that the diversity of (Member) States' approaches to international students results, in part, from the divergence of higher education systems at national level. (Member) States' interests in attracting international students can differ depending on whether the cost of accessing education is free (or low).

2.2.2.1. Attracting students

National strategies in **Austria, Belgium,**[21] **Estonia, France, Luxembourg**, **Netherlands, Slovenia, Spain** and the **United Kingdom** focus on attracting the "brightest and the best" international students, that is to say mostly Master and PhD students who contribute to the knowledge base of specific sectors important to the economy. Retention of skilled workers is also a key feature in **Austria, Estonia, Germany, Greece, Netherlands, Poland, Portugal** and **Slovenia** with this perceived as an important source for driving socio-economic growth and development, particularly due to demographic changes and shortages of skilled workers. Priority sectors such as engineering (**France**), business and law (**France,**[22] **Luxembourg**), have been identified in these strategies.

Several (Member) States (**Finland**, **France**, **Ireland**, **Luxembourg**, **Netherlands**, **Poland**, **Portugal**, **Spain**) have set targets relating to the number of international students (e.g. **Poland** aims

[21] Although no dedicated policy on international students is in place, Belgium has identified international students as an important recruitment source for doctoral and post-doctoral research.

[22] These are target fields of studies in France

to increase the share of international students from 1.4% in 2011 to 5% in 2020, **Spain** from 4.9% in 2012 to 10% in 2015 and **Finland** wants to increase the number of foreign degree students[23] by approximately 77% from 11 303 in 2007 to 20 000 in 2015) or the economic impact of international students (e.g. **Ireland** aims to increase the economic impact of international education to a total of €1.2 billion per year, an increase of €300 million on current levels). These targets are also aimed at impacting positively on the (Member) States' economies.

To meet these targets, Member States have undertaken efforts to facilitate the abovementioned objectives. For example, **Ireland** has streamlined relationships between visa offices abroad, education providers and the Garda National Immigration Bureau. Furthermore, in **France**, in addition to attracting international students for the so-called "priority fields of study", it is common to establish needs-based priorities with countries of origin through bilateral or cooperation agreements between universities (see also Section 5).

2.2.2.2. Attracting students from specific third countries

Strategies are also, in some instances, part of a wider (internationalisation of) higher education strategy (**Austria, Finland, France, Italy, Luxembourg, Netherlands, Poland, Portugal**) with specific emphasis on creating international university networks (e.g. joint degrees, exchange programmes or cross-border campuses, such as in **Spain,** and national (**Italy**) or regional (**Luxembourg)** universities located abroad) and enhancing students and teaching mobility (e.g. scholarship programmes). Emphasis is placed in some Member States (**Finland**, **France, Italy**, **Lithuania, Luxembourg, Netherlands, Poland, Portugal**) on specific third countries. For example, **France, Luxembourg,** and the **Netherlands** emphasised relations with BRIC (Brazil, Russia, India, China) countries, **Portugal** with Portuguese speaking nations.

Poland is planning to recruit students *inter alia* from regions or states that are a priority from the point of view of foreign policy (e.g. Eastern Partnership countries). In **Austria**, where there is traditionally a high regional concentration of international students from some countries, it is envisaged to broaden regional diversity and establish a more varied regional distribution of third-country students coming, especially in order to attract students from countries/regions that are of strategic importance for the economy, industry, science and research, such as South-East Asia or Latin America.

2.2.2.3. Provision of courses in English

An increase in the delivery of education in foreign languages (most importantly English) is a trend across all the (Member) States. All offer courses in foreign languages but the extent to which this takes place varies significantly. The **Netherlands**, for example, offers a high share of courses in English; roughly 75% of international study programmes are taught entirely in English. Moreover, in **Sweden**, the availability of study programmes in English is considered to be well-developed. Other (Member) States with lower numbers of English or foreign language courses recognise the importance it has as a pull-factor for attracting international students, e.g. **Finland, Lithuania**, **Poland, Slovak Republic, Slovenia** and **Spain** identified it as a priority area in their national strategies.

There is not only a high degree of variation between (Member) States on the delivery of courses in foreign languages, but there are also substantial differences between the needs and wishes of higher education institutions. The higher education providers are largely autonomous in deciding if and how (e.g. offering courses in foreign languages) to attract international students. In **Italy**, for example, the Polytechnic University of Milan has decided that all Master and PhD courses from 2014 onwards will be taught in English entirely. This has however sparked debates in Milan on the

[23] "Foreign students" refer to everybody who is not a Finnish citizen.

right of Italian students to study in Italian. In **Slovenia**, the higher education institutions are expected, as part of the internationalisation strategy of higher education, to develop a number of study programmes (post-graduate programmes being a priority area) in foreign languages by 2020 in order to attract more international students. In **Poland** and **Lithuania**, delivering courses in foreign languages was set as an important criterion for assessing the quality of education carried out by the Accreditation Committee. In longer term study, programmes in foreign languages will receive additional funding from the State budget.

In addition to the provision of courses in English, in the Czech Republic, the University of Economics in Prague recently launched an education programme in Russian targeted at students coming from the Russian Federation.

2.2.2.4. Role of Universities

National level strategies are often complemented by dedicated university strategies (or departments thereof) and therefore universities are a key player in attracting international students (e.g. **Finland**, **Luxembourg, Poland**). In (Member) States where no dedicated national policy is in place, such as **Latvia**, it is up to each institution of higher education to assess the necessity and available options in attracting international students and to develop and implement a corresponding strategy. Universities across the EU undertake a wide range of initiatives which can be divided into the following three broad groupings:

- Marketing by individual universities (e.g. in **Austria**, **Finland**, **Lithuania** and **Poland** many universities have an international relations office and market themselves through online channels and through study fairs abroad and other international events). Scholarship programmes are also a noteworthy example and are present in all (Member) States (except **Slovenia**) with some (**Italy, Lithuania, Luxembourg, Poland, Sweden**) reporting that reception/support facilities upon arrival and during stay are a useful tool. For example, in **Italy,** international mobility programs and scholarships are managed by the regional bodies for the Right to University Education (EDISU), which also provide various services such as access to canteen and accommodation in student halls of residences. In **Luxembourg**, agreements between the University of Luxembourg and China includes the provision of free lodging to Chinese students;
- Joint university cooperation initiatives offering joint degrees or cross-border campuses, e.g. the Spanish-Moroccan cross-border campus which is a form of inter-university cooperation between the University of Cadiz and Abdelmalek Essaâdi University (**Spain**), the seat of the University of Bologna in the Argentinean capital Buenos Aires, established in 1999 (**Italy**) and the Science without Borders agreement signed with Brazil (**France**); and
- University sector at large, e.g. in the **Netherlands** the joint institutions of higher education agreed upon a Code of Conduct with the aim to offer high-quality education to international students. By signing the Code the institutions agree to provide high-quality education, offer reliable and accessible information on courses and admission, and services for international students. A similar arrangement exists in **Estonia**, where all high education institutions which accept international students have signed the *"Agreement on Good Practices for the Internationalisation of the Higher Education Institutions"*.

Additional information on inter-university cooperation can be found in Section 5.

2.2.3 National political and public debates

The presence and impact of international students on a (Member) State's society has been debated in several (Member) States and generally relates to the following three broad themes:

- Employment and labour market access (e.g. **Austria**, **Finland, France, Germany, Luxembourg, Netherlands**),

- Misuse of the student route (e.g. **Belgium, Finland, Luxembourg, United Kingdom**); and
- Education delivery in foreign languages (e.g. **Finland**, **Greece, Italy, Latvia**).

Debates on employment and labour market access largely tend to focus on the impact of international students on the labour market in times of economic downturn and high unemployment. In the **Netherlands**, the Parliament raised questions on whether the increased emphasis on attracting international students would not be at the expense of investing in Dutch students. In **Finland** and **Germany,** active debates took place on how to best facilitate the access for international students to the labour market. In **France**, a circular of 31st May 2011 launched debates on obstacles encountered by large numbers of international graduates applying for a transfer from "student" to "employee" status. In the wake of the presidential elections in May 2012, it was repealed and replaced by a new circular on labour market access for international graduates.

The misuse of the student route has been a particular topic of debate in **Belgium, Finland** and the **United Kingdom.** In **Belgium**, debate centred on the misuse by third-country nationals of offers from private education institutions to enter the territory without the intention to study, while in **Finland**, the exploitation of the residence permit procedure was debated. In the **United Kingdom**, non-Government actors raised concerns during a national consultation process on international students about the misuse of visas for the purpose of study. The visa system has since then been tightened. More information is provided in Section 4.

Particular concerns had been raised in **Greece** and **Italy** on offering courses in foreign languages vis-à-vis the right of national students to study in their own language. Moreover, in **Latvia**, the most recent topic of discussion is whether state-financed higher education institutions should be allowed to offer study programmes in Russian (currently it is allowed only for private education providers). Offering programmes in the Russian language would help to attract more Russian-speaking students from former Soviet Union states. In **Poland** and **Lithuania**, public debate related to the necessity to attract students in the light of decreasing numbers of local students in universities.

Detailed information on individual policies and strategies in place in each (Member) State is provided in National Reports.

3. MEASURES IMPLEMENTED BY THE (MEMBER) STATES

This Section explores the measures implemented by the (Member) States to implement their national policies and strategies (outlined in Section 2), specifically in regard to attracting international students (Section 3.1), during admission (Section 3.2), during stay (Section 3.3) and following completion of studies (Section 3.3).

3.1 Attracting International Students

The following subsections outline the various measures implemented by the (Member) States for attracting international students. They also identify areas where improvement to current systems might be possible.

3.1.1 Provision of Information

There is a common view among the (Member) States that better information provision about study opportunities increases the number of international students coming to the EU. Hence, in each (Member) State, different actors promote their respective study environment and institutions of higher education to third-country national students. These promotions are mostly done by embassies and consulates, the Ministries of Education, institutions of higher education and independent foundations. These take various forms such as:

- Organising or participating in education fairs, conferences and forums abroad (**Austria**, **Belgium**, **Estonia, Finland, France, Ireland, Italy**, **Latvia, Lithuania, Poland, Netherlands, Slovak Republic, Spain, Sweden**);
- Providing information on study opportunities in the Member State in different languages, including on ministerial websites (**Austria**, **Belgium**, **Estonia**, Finland, **France, Germany, Greece, Italy, Lithuania, Poland, Norway, Sweden, United Kingdom**);
- Using brokers in third countries to facilitate recruitment (**Belgium, Ireland, Poland, Lithuania**);
- Campaigns targeted towards students of certain third countries (**Belgium**, **Bulgaria**, **Finland**, **France**, **Spain**, **Hungary**, **Ireland**, **Italy**, **Lithuania**, **Luxembourg**, **Poland**, **Netherlands**); and
- Making use of social media (e.g. Facebook, Twitter, YouTube) (**Austria**, **Estonia, Finland, Poland**); and
- Use of alumni networks (**Finland**, **Lithuania**).

There seems to be great interest to attract students from emerging economies in an attempt to strengthen economic ties with these nations. For example, **Belgium** and **Luxembourg** target China for the recruitment of students of higher education. Some institutions in **Belgium** work with brokers based in China to facilitate the recruitment.[24] **France, Poland** and **Lithuania** focus on attracting international students from third countries with whom they have strong historical ties to circumvent the challenge posed by differences in language.

Although these initiatives have been successful in terms of attracting more students, the system in most (Member) States still seems to be fragmented as a consequence of having a large number of actors working on their own to complete specific objectives. In most cases, the task of promoting the study environment is left for the educational institutions themselves, and these institutions often present themselves individually to education exhibitions rather than collectively. These educational establishments may not have answers to the overall enquiries (e.g. admission conditions relating to visas and residence permits) coming from students attending fairs or browsing their web pages. Hence, there seems to be a need to make the information provision less fragmented, given that in some (Member) States, lack of sufficient information is identified as the reason why fewer students are coming to study in relation to other countries. Most importantly, (Member) States do not seem to have initiatives in place to promote the EU as a whole as a study destination for international students, rather their own (Member) State.

3.1.2 Recognition of third-country qualifications

Overall, the (Member) States have systems in place for recognising third-country qualifications acquired elsewhere to facilitate the process of applications for admission. The efficiency of the recognition system has been identified as yielding a positive result on facilitating the entry of international students. For example, in **Austria,** a revision of the recognition system in 2012 shortened the validation time from six to three months.

In most (Member) States, international students may have their credentials inspected and authenticated in a national academic information centre established specifically for this purpose. This is the case in **Austria, Belgium, France, Germany, Latvia, Lithuania, Poland,**[25] **Portugal,**

[24] This was later discontinued due to the risk associated with brokers sending students who were not adequately qualified to enrol in the chosen education programme.

[25] This applies for higher education diplomas and academic degrees only, where recognition of those documents/degrees is not subject to international agreements. Secondary school certificates are notified by regional

Sweden and **Slovenia** where the respective National Academic Recognition Information Centres work in cooperation with higher education institutions to provide information and support to third-country nationals. By contrast, in **Finland, Poland**[26] and **United Kingdom**, it is up to each educational institution to decide on what qualifications are accepted.

3.1.3 Scholarships and grants

Third-country nationals have a variety of scholarships and grants to choose from. These grants are offered mainly by higher education institutions, the state, private research companies, scholarship funds or third parties. The way the recipients are determined differs, but factors such as bilateral and multilateral agreements with third country institutions, academic excellence, being of certain origin, are applied. The scholarships are also mostly directed to Master and Doctoral students.

Funding opportunities were identified by Member States as one of the main triggers of increased applications from international students. In (Member) States where higher education is free, such as **Finland** and **Norway**, there tends to be many applicants from third countries. Impacts of fees are discussed further in Section 5 below. All (Member) States, except in **Slovenia**,[27] offer scholarship opportunities to international students.

3.1.4 Fast-tracking of applications

Various methods of fast-tracking of applications for admission to the (Member) State occur in **Bulgaria, Germany, France, Netherlands, Portugal, Spain, Sweden** and **Slovenia**. As an example, in **Spain** there is a legislative framework stating that students from the education systems of (Member) States or other states subscribing to the applicable international agreements shall be able to gain admission to Spanish universities without needing to take entrance exams. Conversely, in other (Member) States (**Austria, Belgium, Cyprus, Czech Republic**, **Estonia, Finland, Latvia, Lithuania, Slovak Republic** and **Norway**), there are no legal provisions concerning fast-tracking of applications for admission and students must complete the processing of applications before the commencement of study.

3.2 Admission procedures

Under Article 12(1) of Directive 2004/114/EC, third-country national students who meet the conditions of Articles 6 and 7 have the right to be issued a residence permit and to have this permit renewed if the conditions continue to be met.[28] In most (Member) States, international students are only issued with a residence permit (some time) after their entry to the concerned (Member) State and have, therefore, first to apply for a short-stay or a long-stay visa. Table 2 below provides an overview of the rules regarding visas/residence permits in the (Member) States.

Depending on the type of study and the length of stay, (Member) States allow international students to study with a short-stay visa if the study period is under three months. With regard to the use of the facilities provided by the Visa Code, **Finland, Latvia**, **Lithuania, Poland** and **Spain** highlighted taking the provisions of the Visa Code into account when issuing short-stay visas to third-country nationals entering for the purpose of study, particularly with regard to the exemption of the visa fee. **Cyprus, Portugal** and **Slovenia** reported not currently making practical use of the facilities provided by the Visa Code since residence permits or national visas were issued to

education offices.

[26] In order to facilitate the recognition process, Poland concluded several bilateral agreements on mutual recognition of school certificates, higher education diplomas and academic degrees.

[27] International students are not entitled to state scholarships unless there are bilateral agreements (principle of reciprocity) as of 31 May 2012. Only Slovenian nationals and Slovenians living abroad are entitled to scholarships.

[28] Residence permits are granted for a specific period of time that tends to be shorter than the expected length of the programme of study."

students for their entry to the territory.

Table 2 Visas and Residence permits issued by (Member) States

Member State	Short-stay visa/long-stay visa/residence permit
Austria	International students need to possess a **residence permit** during their studies. They must apply for the residence permit from outside the Member State, and receive a **visa** to enter Austria and collect the residence permit within 6 months after being informed of their application, in any case within the validity period of the visa.
Belgium	International students need to apply for a **visa** in order to enter the country and then for a **residence permit** to stay for longer than three months in the country.
Bulgaria	International students should be holders of **long-term visa and residence permit.** The required **long-term visa** shall be issued by the Bulgarian diplomatic and consular missions. When the persons obtain a visa they may enter and apply for a **residence permit.** Decisions on their applications are made within 14 days, and in cases of factual and legal complexity this period may be extended to one month.
Cyprus	First an **entry visa** and then a **residence permit** once the international students enters the Member State.
Czech Republic	**Long-term visa** for the purpose of study (valid for 6 months) is required for study purposes other than those defined by the Directive 2004/114/EC **Residence permit** (valid for 1 year, renewable) is required for study as defined in Directive 2004/114/EC, including the study of preparatory courses organised by public higher education institutions
Estonia	A **visa** is required to have the right to stay in the country for up to six months. A **residence permit** must be applied for a longer stay.
Finland	**Visas (Schengen Visa Type C):** for studies not exceeding three months (citizens of visa-exempt countries can study in Finland for up to three months without a visa). **Residence permits**: for studies of longer duration.
France	**Short-stay visa**-Students wishing to pursue language tuition or any other form of short training course **Long-stay visa** (equivalent to a residence permit) is issued for a maximum of twelve months. It is granted to all international students wishing to pursue their studies in a French higher education institute.
Germany	International students must apply for a **visa** prior to entering the Federal territory. Residence permit application to be submitted upon arrival in the Member State to competent immigration authority.
Greece	**Entry visa** followed by **residence permit** issued in the Member State
Hungary	**For a period longer than three months**: Must be in possession of a national visa or a residence permit. A residence permit may be issued on study grounds to third-country nationals accepted b an establishment of higher education accredited in Hungary and admitted to the territory of Hungary to pursue as their main activity a full time course of study. Where the purpose of entry and residence is the pursuit of studies, a certificate from the relevant educational institution may be submitted.
Ireland	**Short-term visa** – For those attending courses under 3 months (typically language courses) **Long-term visa** – For courses over three months International students must register at the Garda National Immigration Bureau within the first three months of arriving. **Residence permit** is then granted.
Italy	**Visa required** (unless exempt) **for entry** for long-term and short-term study. **Residence permit** application within eight working days from the date entered.
Latvia	**Short-term visa** - if the period of study mobility is short (for example, isolated/language courses, summer school) and does not exceed 90 days in a half year starting from the day of first entry to the country **Temporary residence permit -** for long term education. Permit is issued for the entire period of studies but has to be extended every year. Application must be done from the country of origin, with few exceptions.
Lithuania	International students can stay in Lithuania holding either national long-term visa (for stay up to one year) or residence permit (for stays exceeding one year). The visa is issued by Lithuanian diplomatic and consular missions. When the persons obtain a visa they may enter and apply for a residence permit (in cases when their stay is longer than one year). **Temporary residence permit**: allows one to stay the entire period of studies, but has to be extended annually
Luxembourg	Once the applicant has obtained the authorisation of stay, the International students need to apply for a **visa** in order to enter the country (in case it is required) and then must apply for a **residence permit** to stay for longer than three months in the country.
Netherlands	**Regular Provisional Residence Permit** (MVV**)** – The MVV is a national visa that grants the holder of the visa entry into the Netherlands, enabling to apply for a **Residence Permit** for the intended stay of longer than three

Member State	Short-stay visa/long-stay visa/residence permit
	months.
Poland	Short-term Schengen type C (up to 90 days) or long-term D-type visas (up to one year). Students subsequently apply for a residence permit for a specified period of time. There is also the possibility to apply for a residence permit for a specified period of time directly from outside the Member State (there are however plans to waive such possibility). The residence permit is valid for a maximum of 1 year. The draft act on foreigners provides for prolonging it to 1 year and 3 months – in case of the first residence permit, the subsequent will be then issued for 2 years.
Portugal	**Residence visa**: to enter the territory of Portugal. This is a **long duration national visa**, since **short stay visas** are **not** issued for the purposes of studies. Students subsequently apply for a **residence permit**.
Slovak Republic	A third-country national whose primary reason for stay is study can be granted several types of temporary residence from which his/her rights and obligations are derived: a) temporary residence for the purpose of study; b) temporary residence for the purpose of special activity which arises from Slovak Government programmes or European Union programmes; c) temporary residence for the purpose of special activity which arises from an international treaty signed by the Slovak Republic; d) temporary residence of a third-country national which acknowledged status of a person with long-term residence in another Member State.
Slovenia	**Long-stay visa**: for the purpose of participating in a training course or other similar forms of education or training. Has a period of validity of **one year** **Temporary residence permit:** for students who want to pursue their studies in the Member State. In principle, a first temporary permit is also valid for **one year**
Spain	**Stay permit for study**: the length of stay shall be the same as the activity for which permission was granted, with a maximum limit of one year. The permit is extended annually. For a course of less than three months, students are allowed to stay in the Member State with a short-term visa with the possibility of an additional three months extension.
Sweden	**Visa**: for studies not exceeding three months **Residence permits**: for studies of longer duration
United Kingdom	**Student visitor visa**: for students who come to the UK for six months or less (or 11 months on an English language course) may be eligible to enter the UK with this type of visa
Norway	**Visitor's visa**: to participate in summer school and school programs lasting up to three months (90 days) **Residence permit**: Students, Ph.D. candidates and self-funded researchers who plan to stay longer than three months

Source: National Reports

Though the requirements for a visa or entry permit are commensurate to those of Article 6 and 7 of Directive 2004/114/EC, for those (Member) States which implement the Directive, it is often reported[29] that international students face different type of challenges as a result of national regulations regarding the application for a visa/residence permit, such as:

- As a rule, international students applying for a visa/residence permit must visit diplomatic or consular offices of the (Member) State in person to be interviewed on the reasons for their application. This may also be necessary to collect biometric details of the applicant. This has been reported as highly problematic to students wanting to study in, for example **Estonia**, **Finland, Lithuania** and **Luxembourg**, with few diplomatic representations across the world;
- (Member) States do not allow the submission of residence permit applications in consulates of other (Member) States. In **Finland**, there is currently a government proposal being prepared to amend this to allow diplomatic missions of other Schengen countries, external service providers and Finnish honorary consulates to also receive residence permit applications abroad;

[29] For further information, please see National Reports available at http://emn.europa.eu under "EMN Studies"

- Some (Member) States (**Austria**, **Estonia**, **Germany**, **Greece**, **Italy, Sweden**) generally only accept first-time applications for visas and residence permits lodged outside the Member State. In **Estonia**, an exception has been made for those students wishing to apply for Master's and Doctoral programmes. Such students can apply for temporary residence permits from within the Member State if they are staying legally. This also applies to international students with long-term residence permits in other (Member) States. Some exceptions also exist in **Sweden**;
- Decisions regarding applications are not given in written form which makes it difficult for the international student to lodge an appeal if the reasoning for refusal is not provided in writing. In **Bulgaria, Finland** and **Luxembourg,** a person is notified about the decision regarding their application in written form, assisting them to challenge the procedure.

In some (Member) States where different permits and visas are applicable for entry for the purpose of study, international students tend to choose the option which facilitates their entry as quickly as possible. For example, in **Lithuania**, international students have the option of applying for temporary residence permits from outside the Member State. However, universities usually advise students to apply for national multiple-entry visas instead, as the residence permit may take up to six months to process, while it only takes 15 days to issue a national visa. However, when international students enter on a national visa, the rights they can claim differ to those which can be claimed when obtaining a residence permit. For example, access to social security is limited. This is also the case in **Poland** where applying for a visa for entry takes a shorter time than applying for a residence permit in the country of origin and is less of a financial burden.

Fees for processing visa and residence permit applications are requested and a variation exists with regard to the amount charged, with different amounts charged for visas and residence permits. For example, in **Cyprus**, the fee for a residence permit is approximately €35, in comparison to the **Netherlands** where a residence permit without a Regular Provisional Residence Permit (MVV) is €300. Some (Member) States do not charge visa processing charges (e.g. **Finland, Italy, Poland**[30]) to higher education students from third countries. In **Italy** the visa fee is waived in case of a national visa for studies. Moreover, lower fees are charged in **Latvia** in the case of students, with students of some programmes (Master's and Doctoral) exempt from the fee.[31] It is not clear whether the rate of fees for permits and visas is a vital factor for international students when assessing the education systems in the (Member) States, though it can be considered that low administrative fees are an attracting factor. Fees charged for residence permits have increased significantly over the past years in a number of (Member) States, including **Finland**, **Netherlands**, **United Kingdom**.[32] On the contrary, in **Slovak Republic,** the fees for a Schengen visa as well as for a temporary residence permit for the purpose of study have been withdrawn as of 1st January 2012. A full overview is provided in Annex 2.

In addition to fees charged for residence permits, (Member) States also have variations in the fees charged for study courses. In **Finland**, though the increase of rates for permits has not been a vital factor since the number of applications has arisen, it is considered that tuition fees would have a

[30] No fees are charged for Schengen visas and long stay visas in **Poland** when bilateral agreements or the Minister for Foreign Affairs waive such fees (i.e. Ukraine, Belarus). Moreover, a long-stay visa does not apply to holders of the Card of the Pole and to scholarship holders taking up studies in Poland and from participants of Polish language courses regardless of citizenship.

[31] Students may, however, pay a higher fee if they wish to have an accelerated procedure.

[32] The UK does not issue residence permits. Such permits would comprise all initial permissions granted for an individual to reside within a country for at least three months and would exclude visitors. Whilst the UK does provide estimates of 'residence permits' for third country nationals who are granted permission to reside in the UK by reason, the UK system is actually designed to count decisions rather than the movement or residence of individuals. As a consequence, UK passenger arrivals (permissions to enter) are used to count the total number of passengers who enter the UK.

significant effect on attractiveness. A full overview of study fees charged in the (Member) States is provided in Annex 3.

3.3 Measures applicable during study period

This section provides an overview of different elements of the stay procedure. This includes the extension of permits during stay (Section 3.3.1), the time limits placed on the duration and extension of residence permits (Section 3.3.2) and access to the labour market during study (Section 3.3.3). Moreover, entitlements (Section 3.3.4) and the right to be accompanied by family members (Section 3.3.5) are also outlined.

3.3.1 Extension of permits during the course of study

The general rules regarding the extension of residence permits are similar in most (Member) States. International students are required to extend/renew the residence permits before they expire until the completion of their studies. In most (Member) States, international students can apply for extension of their residence permit from within the (Member) State by contacting the responsible national authority (e.g. Prefecture, Ministry) prior to the expiry of the permit. In many (Member) States, the temporary residence permit is issued for the duration of the study agreement, but it must be renewed annually. This allows national authorities to ensure that admission and residence conditions are still being complied with in full. In other (Member) States (e.g. **Luxembourg, Portugal** and **Sweden**), the temporary residence permit is valid for a minimum period of one year unless the cycle of studies is of a shorter period.

In general, when extending/renewing a "student" residence permit, (Member) States assess whether or not the proposed studies are genuine and serious. This assessment is based on several criteria, which include:

- As a general rule, the conditions for which the permit was first issued has to be met during the period for which a renewal is requested;
- Regular attendance and participation in examinations;
- Continuation of studies within the same degree course;
- Seriousness of proposed studies in the case of a change of course;
- An account balance from a bank to prove source of finance;
- Satisfactory progress in the studies must be documented and a report from the educational institution must be presented.

The specific criteria in relation to the status of the studies differ across (Member) States, and some may be stricter than others in order to prevent misuse. In **Lithuania**, **Slovenia** and **Slovak Republic**, the conditions for extension of permits are the same as the ones required in relation to initial entry. However, there are no specific criteria, such as marks received during the studies, progress rate and language skills that are considered when assessing students' applications to extend the duration of their stay.

3.3.2 Limits on the duration of permits for study

Though the general rules regarding the extension of permits are similar in most (Member) States, practices differ in relation to the imposition of caps on the length of time an international student can stay to complete a study programme.

For degree courses, the duration of the permit for study ranges from five years (**Luxembourg**) to

seven years (**Ireland**).[33] For a Masters' Degree, caps range from three years (**Luxembourg**) to six years (**United Kingdom**). In addition, **Ireland** imposes a three year cap on non-degree and language courses. [34] In **Italy**, the residence permit cannot be issued for more than three years beyond the legal duration of the courses of study.

Table 3 below provides an overview of the caps on permits reported by some (Member) States.

Table 3 Limits on permits for study

Member State	Time Limit
Cyprus	Residence permit issued for duration of studies plus **50% of that duration**.
Germany	Total residence period for the purpose of studies is **maximum ten years**.
Greece	Residence time cannot exceed the total duration plus **50% of that duration**. An **extra year** can be added for the learning of the Greek language.
Ireland	Degree programmes: **Seven year** time limit. Non-Degree and language programmes: **Three year** time limit Special exceptions may be made in the case of a student completing a Masters or Doctoral Degree.
Italy	Residence permit cannot be issued for more than three years beyond the legal duration of the courses of study.
Luxembourg	Degree courses: **Five year** time limit. Master's Degree: **Three year** time limit.
Sweden	No caps on the maximum length of time.
United Kingdom	Level 5 Degree: **Five year** time limit (Some courses such as architecture, medicine, law are exempt from the five year rule). Master's Degree: **Six year** time limit. Students aged 18 years or over must spend no more than three years studying below degree level in their lifetime.

Source: National Reports

In the **Slovak Republic**, all types of temporary residence permit which can be issued to international students can be repeatedly renewed, always for a maximum period of three or five years (depending on the type of the residence permit issued),

3.3.3 Access to the labour market during study

This Section provides an overview of the conditions for access to the labour market during study (Section 3.3.1), as well as the prominent sectors of work (Section 3.3.3.2) and opportunities for self-employment (Section 3.3.3.3).

3.3.3.1. Conditions for Access

Article 17 of Directive 2004/114/EC provides that international students shall be granted access to employment and self-employment with (Member) States establishing the maximum hours that can be worked (not less than the equivalent of 10 hours), taking into account the situation in the labour market.

Annex 4 provides an overview of the conditions in the (Member) States relating to international students' access to the labour market. Depending on the (Member) State in question, students can

[33] Prior to the introduction of the new regime on non-EEA student immigration in 2010, duration of studies did not feature in the decision to grant authorisation to land and/or remain. In the changes introduced under the new regime, non-degree and language students are now limited to three years residence in Ireland, with stay limited to a maximum of seven years for students on degree courses, except in special circumstances.

[34] *ibid*

supplement their income by working 10 (**Luxembourg**) to 25 hours (**Finland, Hungary**) a week. During holiday periods, students are allowed to work full time (approximately 38 to 40 hours per week). In the **Czech Republic** and **Sweden**, the access of international students to the labour market is not restricted. They may thus work as much as they like.

Though all (Member) States allow access to the labour market, in accordance with the provisions of Directive 2004/114/EC, limitations and strict conditions can limit such access. For example, in **Lithuania** and **Luxembourg**, although, in principle, international students are entitled to work, this right is only placed on international students from the beginning of the second year of their studies. In **Lithuania,** even though students are legally allowed to work up to 20 hours per week, getting a work permit is not easy since an employer wishing to hire a third-country national student needs to prove that he/she is unable to find a Lithuanian national or an EU national with the same skills as the international student. The survey carried out in **Lithuania** demonstrated that 71% of international students would like to work but due to barriers only 2% were able to fulfil the requirements and work. The same is the case in the **Slovak Republic**, where EU nationals are given priority over international students from third countries. However, students are allowed to work 10 hours a week without a work permit.

3.3.3.2. Prominent sectors of work

Data on the most common sectors of work and the skills required are not easy to come by in most (Member) States, but the information available suggests that international students are only allowed access to part-time work in low-skilled sectors which would purely provide them with additional income rather than a way of building experience or expanding professional networking which would assist them further following graduation.

Table 4 below provides an overview of some of the most common sectors identified in National Reports by some (Member) States. As it is highlighted, most of the sectors concern low-skilled positions. However, some Member States, such as the **United Kingdom** also report on international students working in sectors relevant to their studies such as IT, engineering, banking and medicine.

Table 4 Most common sectors for employment of international students (where reported by (Member) States)

Member State	Industry	Health and social services	Hospitality	Household activities e.g. cleaning	Security and Surveillance	Manufacturing activities	Manual Labour	Agriculture, husbandry and fishing	Retail	IT	Financial	Newspaper delivery	Childcare
Cyprus	X	X	X	X		X		X		X			
Finland				X								X	
France			X	X	X								
Latvia			X						X				
Netherlands			X						X				
Luxembourg			X										
Poland			X				X			X			X
United Kingdom		X	X							X	X		

Source: National Reports

3.3.3.3. Self employment

While employment is permitted for international students in all (Member) States during study, some (Member) States do not permit self-employment. In **Estonia** and **Slovenia**, international students are not eligible to pursue economic activities as self-employed persons with a student status. Therefore, if a student wishes to engage in self-employment activity he/she has to change his/her immigrant status.

(Member) States where self-employment is allowed include **Austria, Finland, Germany, Italy, Latvia, Slovak Republic**,[35] **Lithuania, Netherlands, Poland,**[36] **Spain, Sweden** and **Norway**. In **Poland**, international students of full-time studies or full-time doctoral studies, who were granted the residence permit for a specified period, can conduct business activity (including the most popular form - an individual business activity conducted by an individual - in case of which no minimal capital is required) according to the same rules as its citizens. International students are thus one of the few categories of third-country nationals, apart from refugees and settled migrants who are entitled to enter into economic activity according to the same rules as nationals.

3.3.4 Entitlements

There are differences across (Member) States in terms of the entitlements international students may demand from the State. Table 5 below provides an overview of the entitlements available to international students. The entitlements provided to international students are, in some instances, linked to whether they have access to the labour market. **Austria, Belgium, Estonia, Finland, France, Italy, Lithuania, Poland,**[37] **Portugal, Slovak Republic, Sweden, United Kingdom** and **Norway** provide international students who work with the same entitlements as their nationals and other EU citizens.

It is rare that (Member) States provide access to welfare when international students have not been involved in regular employment. The following welfare entitlements exist however:

- Housing assistance (**France**);
- Unemployment (**Norway**[38]).

In relation to public health benefits, this is also limited. Entitlements to public health care (without private insurance) do exist, however, in **Cyprus, France, Poland,**[39] **Portugal, Slovak Republic,**[40] **Sweden,**[41] **United Kingdom, Norway**.[42]

Table 5 Entitlements

Member State	Description
Austria	**Labour market entitlements**: The employer has to register the employee for insurance in general. Health

[35] Except for the international students who have been granted temporary residence for the purpose of special activity.
[36] Limited access is granted to students holding a residence permit granted in relation to taking up education (post-graduate studies, post-graduate medical internships as well as those pursuing medical specialties).
[37] Obligatory social insurance does not cover students who work under a contract of mandate and are under 26 years of age. However, they have the right to be covered by voluntary insurance.
[38] This only applies in **Norway** for legal residents who stay for at least 12 months.
[39] Only if they purchase a state health insurance. Students with documented Polish origin may apply to the higher education institution where they study for the payment of the insurance costs.
[40] Only international students following a study programme based on the international treaty.
[41] This applies in Sweden for all persons who take legal residence, i.e. who stay, or can be expected to stay, for one year or longer.
[42] This only applies in **Norway** for legal residents who stay for at least 12 months.

Member State	Description
	insurance will be included if the salary exceeds a certain amount.
Belgium	International students are provided with the same entitlements as national students.
Cyprus	**Public Health care entitlements**: Access to health care. **Welfare entitlements**: No access to welfare.
Estonia	**Labour market entitlements**: International students who are unemployed and for whom the employer has paid social tax and unemployment insurance premium have the same labour market services and supports as well as unemployment insurance indemnity as other Estonian citizens and residents. They also benefit from labour market services such as career counseling, labour market training and business start-up support.
Finland	**Residence permit entitlements**: International students moving to Finland solely for the purpose of studying do not have the right to residence-based social security **Labour market entitlements**: Students who work while studying are entitled to social security on the grounds of being employed. The employed person's sickness insurance applies to persons who are employed for a minimum of four months with their pay and weekly working hours meeting the requirements.
France	**Public Health care entitlements**: Access to health care **Welfare entitlements**: Social insurance and housing assistance. **Labour market entitlements**: International students who are paid employees have the same rights as their French counterparts.
Germany	**Welfare entitlements**: No housing benefits and social benefits except in cases of pregnancy.
Italy	**Labour market entitlements**: Eligibility for social welfare benefits is related to the establishment of regular employment.
Ireland	**Welfare entitlements**: Not entitled to any social security benefits and are not entitled to any form of social protection in the event of loss of work and cannot claim other social benefits related to sickness, unemployment or old age.
Lithuania	**Welfare**: No right to receive state social allowances, state-guaranteed support for unemployed persons and persons seeking employment as well as state-guaranteed medical care. **Labour market entitlements**: Those employed are covered by work related social insurance.
Latvia	**Welfare**: No right to receive state social allowances, state-guaranteed support for unemployed persons and persons seeking employment as well as state-guaranteed medical care.
Luxembourg	**Public Health care entitlement:** Access to health care. Students must pay a minimum contribution of €100.88 per month to the National Health Fund and they will have access to health services.
Portugal	**Labour market entitlements**: Within the limits in which they can engage in subordinate professional activities, international students enjoy the same labour rights as national citizens in terms of social security, tax benefits, trade union membership. **Public Health care entitlements**: International students are entitled to health care.
Poland	**Labour market entitlements**: Only students who have resided in Poland for many years and were granted a permit to settle, EU long-term resident status in Poland or another Member State and on this basis were granted a residence permit for specified period of time. **Public health care entitlements**: Access only if students purchase insurance. **Welfare entitlements**: Social assistance - Only students who have resided in Poland for many years and were granted inter alia permit to settle, EU long-term resident status in Poland or another Member State and on this basis were granted residence permit for specified period of time. Social security benefits – only students
Slovak Republic	**Welfare entitlements**: International students who are self-employed or employed have the same entitlements to sickness benefits, old age pension benefits. **Public Healthcare entitlements**: Only international students following a study programme on the basis of an international treaty have access to public health insurance, with the state paying insurance. Other students are obliged to establish a commercial health insurance policy. **Labour market entitlements**: In case the international student enters employment or commences business, he/she will become a person with mandatory public health insurance who is obliged to pay health insurance levies.
Sweden	**Welfare entitlements**: International students are not viewed as resident and are therefore not covered by the

Member State	Description
	resident-based social insurance. **Public Healthcare entitlements:** International students that stay, or can be expected to stay, for one year or longer will be registered in the population registry. They are then entitled to the same healthcare as all other legal residents. **Labour market entitlements**: Those employed are covered by work related social insurance including sickness benefits, pregnancy benefits, income related sickness benefit and income based old aged pensions. International students who work during their studies have the same work-related rights as persons with permanent residence permits even if the residence permit is only temporary and they are not registered in population register.
United Kingdom	**Labour Market entitlements**: If students have the right to work under a T4 visa, they are protected by the same legislation in relation to employers' duties as EU nationals. **Welfare entitlements**: On T4 visas, they do not have access to most state benefits. They have no recourse to public funds or state benefits. **Public Health care entitlements**: Access to the National Health Service.
Norway	There are no differences in rights of international workers and Norwegian workers. **Welfare and Health entitlements**: Legal residents who stay for at least 12 months will become Members of the National Insurance Scheme which gives access to healthcare, unemployment benefits. Students who stay for more than three months and less than 12 months may apply for voluntary membership. If they do not obtain such membership, they will only have access to emergency health care. International students at universities or colleges who have a valid student ID are entitled to health services on campus.

Source: National Reports

3.3.5 Right to accompaniment by family members

Austria, Belgium, **Finland**, **France**, **Germany**, **Hungary**, **Italy, Latvia**, **Netherlands Norway**, **Poland**, **Portugal**, **Slovak Republic**, **Slovenia**, **Spain, Sweden** and **United Kingdom** allow family members to accompany international students (as well as **Ireland** and **Norway** for PhD and Master students in cases)**.** In **Cyprus**, **Estonia**, **Lithuania** and **Poland**, the rules relating to accompaniment by family members are based on general rules in accordance with Directive 2003/86/EC[43] on the right to family reunification, which provides that the sponsor must be lawfully resident for a period of two years prior to having their family join them. In **Sweden**, the right to accompaniment by family members for international students is not regulated by law but accepted in practice.

For those (Member) States that provide for accompaniment by family members for international students, different practices and procedures are implemented. Firstly, with regard to family members, these include:

- In all (Member) States listed above, spouses. In several (Member) States, (registered) partners / cohabitants are also allowed (**Austria**, **Germany**, **Finland**, **Lithuania**, **Netherlands**, **Slovenia**, **Spain**, **Sweden**) and **Norway**. In **France**, **Poland** and the **United Kingdom**, the spouse must be at least 18 years of age.[44]
- Children are also included by all (Member) States, with their maximum age ranging from 18 to 21 years old, or older when disabled. Some (**Austria**, **Cyprus**, **Poland**, **Portugal**) make specific reference to adopted children and children of whom the student is a guardian also being included in certain circumstances.

[43]Directive 2003/86/EC on the right to family reunification, available at http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2003:251:0012:0018:EN:PDF. Note that **Ireland,** Denmark**, United Kingdom** and **Norway** do not apply this Directive in national law.

[44] In **Poland**, in special cases the spouse may be 16 years of age with the court's order though this only applies to women.

- Other 'dependants' are also considered, including persons under trusteeship in **Latvia** and 'supported' parents in **Lithuania** and **Italy**.

Though almost all (Member) States require the sponsor to provide proof of appropriate housing and sufficient income to support the family members, the threshold of sufficient income varies. In **Belgium**, the international student needs to have at least 120% of welfare benefits at their disposal in order to qualify for family reunification. In **Spain**, the international student must provide proof of 75% of the public income indicator for the first family member and 50% for the rest. In **Sweden**, proof of appropriate housing is not required, and there is no need for a student to guarantee sufficient means to support a family member if that person has sufficient income himself/herself.

Other requirements also exist:

- Minimum period of residence and/or minimum period of validity of the residence permit , reasonable grounds to acquire permanent residence(**France**, **Germany**, **Italy Lithuania, Poland**); and
- Not having been dependent on any form of welfare the year before the application (**Norway**).

The duration of the residence permit granted to the family member is linked to the residence permit of the international student. In some instances, the process for issuing the residence permit is facilitated. This is the case, for example, in **Finland**, where the residence permit applications of the student and their family member can be processed simultaneously. In **Estonia**, while in general a spouse can only reunify with a third-country national who has previously lived for at least two years, this requirement is not applicable for persons who have received a residence permit for Doctoral studies as they arrive with their spouse.

With regard to the entitlements for family members, almost all (Member) States restrict access to state support. Access to public health services is, however, permitted in **Italy** and **Portugal**, with **France** and **Portugal** also providing access to social welfare. Though (Member) States provide access to education for all minors accompanying the international student, **Ireland** does not provide minors with access to free state education, obliging them to attend fee-paying schools. **Sweden** permits access to public health care for all persons who stay in the country for one year or longer; this also includes dependents of international students.

Access to the labour market is granted by **Belgium, Estonia, Finland, France, Italy, Lithuania, Norway, Poland, Portugal, Slovenia, Slovak Republic, United Kingdom**, though in some cases this only extend to family members of researchers **(Belgium, Slovenia**) or students in post-doctorate education (**Belgium**). In **Finland**, **France, Italy, Portugal, Slovak Republic**[45] and **United Kingdom**, family members also have access to self-employment.

(Member) States seem to differ in opinion on whether the right to be accompanied by a family member is a determinant factor for international students when choosing their study destination. Though **Cyprus, France** and **Slovenia** did not identify this as an important factor, **Finland** and **Lithuania** considered this to be a more important factor for more mature or qualified students such as doctoral students. In **Lithuania**, 40% of surveyed international students indicated that the current regulation poses problems for them since they have limited possibility to bring their family for long term stay. **Lithuania** also considers it a factor for doctoral studies when determining the Member State.

3.4 Period following the completion of study

There are various practices in the (Member) States regarding the stay of international students after

[45] This is applicable only to a spouse of an international student.

the completion of their studies. Annex 4 provides an overview of the practices in place in each (Member) State whilst in this section, information is provided on the change in residence status (Section 3.4.1) as well on employment following study (Section 3.4.2).

3.4.1 Change in residence status

Graduates can apply for relevant work permits / authorisation to stay on other grounds without leaving, subsequent to a resident permit for study purposes in the majority of (Member) States: **Austria**, **Belgium**, **Czech Republic**, **Germany**, **Greece**, **Spain**, **Finland**, **France**, **Ireland**, **Italy**, **Latvia**, **Lithuania**, **Luxembourg**, **Netherlands**, **Poland**, **Portugal**, **Slovenia**, **Sweden**,[46] **United Kingdom**, and **Norway**. This is subject to national conditions in place.

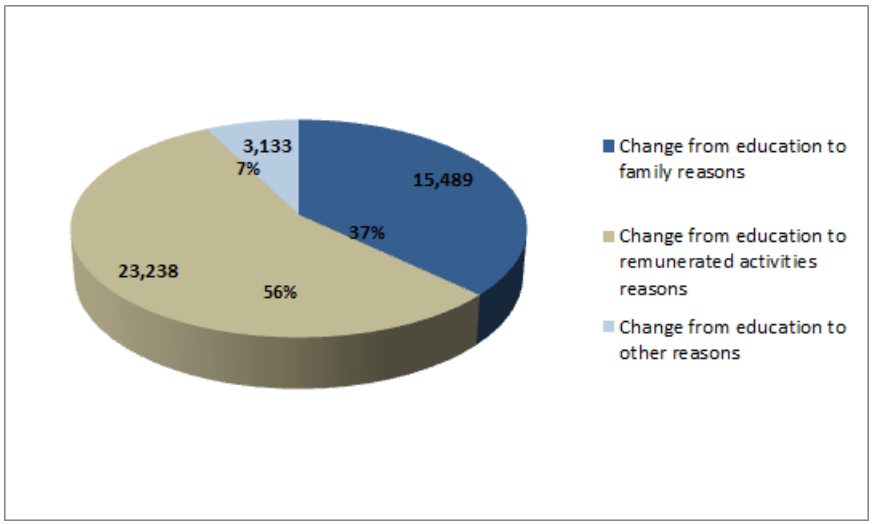
The varying practices described in this section relate to differing national strategic aims:

- To enhance the attractiveness of the (Member) State as a destination for study by providing access to the labour market (e.g. **Ireland**) and first professional experience before returning to the country of origin (**France, Luxembourg**);
- To fill labour market gaps existing in the economy (**Italy, Netherlands, United Kingdom**) (e.g. highly-skilled jobs).

Figure 5 provides an overview of the change of migration status from education to other reasons.

When examining the changes in residence permit status from education to family reasons, remunerated activities and other reasons in 2011, the figures demonstrate that for Member States bound by the Directive,[47] the change from education to remunerated activities constitutes around half of the total changes. For the other countries, this is 84% in 2011. For the first group of countries, nearly 40% concerns the change from education to family reasons, compared to 10% for the (Member) States in the second group.

Figure 5 Change of migration status from education to family, remunerated or other reasons in Member States bound by the Student Directive, 2011

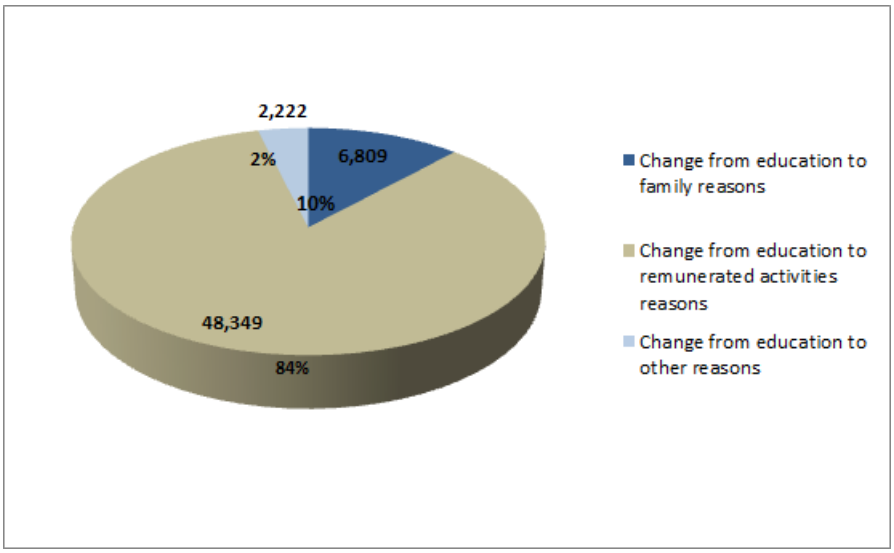


Source: Eurostat

[46] A precondition in **Poland** and **Sweden** is that the international student has found employment before the residence permit for studies expires. In **Sweden**, the introduction of a residence permit to look for employment after completion has been proposed and is currently considered by the Government offices.

[47] A distinction is made between those Member States who apply the provisions of the Directive and those who do not however the Directive does not include a provision relating to the change of status.

Figure 6 Change of migration status from education to family, remunerated or other reasons in Denmark, Ireland, United Kingdom and Norway, 2011



Source: Eurostat
Extracted January 2013

3.4.2 Employment following study

A number of factors relating to employment following study are described in turn below.

3.4.2.1. Opportunities to access employment

Following the completion of their study programme, many international students wish to stay in the (Member) State to access employment and put their acquired skills into practice. Two groups of (Member) States can be identified with distinct approaches for allowing access to employment following study:

- (Member) States that only allow international students to stay if they have a job or are continuously employed (**Belgium**, **Cyprus**[48], **Spain**, **Estonia**, **Italy**, **Latvia**, **Lithuania**, **Poland**,[49] **Slovak Republic**,[50] **Sweden**, and **United Kingdom**);
- (Member) States that allow international student graduates to stay in order to search for a job (**Austria, Germany, Finland, France, Ireland, Luxembourg, Netherlands, Portugal, Slovenia, Norway**)[51].

With regard to those (Member) States who allow international students to stay as a job-seeker, different conditions and time limits are imposed. For example, in **Luxembourg**, residence permits for students on Bachelor and Master programmes are valid until 31st October of the year they graduated. The student must find employment and obtain a work permit before this deadline. Afterwards the student will not be allowed to stay in the country. In **Ireland**, students are automatically allowed to stay for one year or six months depending on their level of qualification.

In **Sweden**, the introduction of a residence permit to look for employment after completion has been proposed and is currently considered by the Government offices.

[48] Only if employed for research purposes.
[49] In **Poland** and **Lithuania**, it is currently being considered to introduce the possibility for students to seek employment for six months (**Lithuania**) or one year (**Poland**) following study.
[50] Obtaining work permit is also a condition.
[51] There is not available information on how the conditions after completion of studies are in **Bulgaria**.

3.4.2.2. Requirements to be fulfilled

Usually the application for a work permit must be lodged in the (Member) States before the expiry of the study permit. There are various requirements regarding documentation and administrative procedures, and in some cases a quite extensive process is stipulated, e.g. **Latvia** where a vacancy must firstly be registered with the State Employment Agency and a request for "sponsorship" of a third-country national subsequently filed if the vacancy is not filled by an EU national.

For both groups of (Member) States identified above, there are certain requirements in place in order to transfer from student to work status. They relate to:

- Compliance between job and academic programme completed (**Austria**, **France, Germany**);
- Minimum wage requirements (**Austria**, **Belgium**, **Estonia**, **France**, **Netherlands**, **Sweden**,[52] **United Kingdom);**
- Access to capital or investment (for self-employment) (**Estonia**, **Slovak Republic, Sweden**);
- Compliance with annual quotas limiting permits or focusing on certain sectors (**Estonia**, **Italy**, **United Kingdom**);
- Documentation of employment contract, including confirmation from employer (**Austria**, **Germany**, **Latvia**, **Poland**, **Sweden**, **United Kingdom**).

In **Luxembourg** and **France**, limitations are placed on the type of employment which can be obtained, with international students having to engage in employment related to the academic programme completed.

Minimum wage requirements are in place in some (Member) States (**Austria**, **Belgium**, **Estonia**, **France**, **Netherlands**, **Sweden**, **United Kingdom**). In **Austria**, the minimum wage is equivalent to the gross minimum salary (€ 1 903.50 per month in 2012). **France** requires a monthly rate of at least 1.5 times the minimum monthly rate, whereas in the **Netherlands** and **United Kingdom** the annual minimum salary must be at least €26 931 and £20 000 (approximately €25 000), respectively. In **Italy**, the conversion to permit for work purposes occurs only when envisaged in the annual flow decrees and within scheduled quantitative limits that are usually low.

3.4.2.3. Access to self-employment

Stay after study for the purpose of self-employment is possible in **Belgium**, **Germany**, **Estonia**, **Spain**, **Finland**, **Italy**, **Lithuania**, **Netherlands**, **Poland**,[53] **Portugal**, **Slovak Republic**[54], **Sweden**, **Slovenia**, **United Kingdom** and **Norway**.

In **Estonia**, self-employment requires capital (€16 000) and in the **United Kingdom**, since April 2012, there is a new 'graduate entrepreneur' category, which is restricted to 1 000 places per year, and graduates must have access to £50 000 (approximately €62 000). In the **Netherlands**, a points based system operates focusing on those sectors of the economy that have been identified as best served by third-country national workers or entrepreneurs.

[52] In **Sweden**, although there are no minimum wages stated in legislation, the employer must offer terms of employment that are at least on the same level as Swedish collective labour union agreements or that are customary for the occupation or industry sector in question.

[53] A precondition is that the international student has set up a business activity before the residence permit for studies expires.

[54] Only if a student asked for change of the residence permit for self-employment purposes and this permit is granted to him/her.

3.4.2.4. Employment sectors

With regard to the profile of the international students engaging in employment after completion of studies, **Sweden** reports that IT-specialists (259 persons) as well as civil engineers and architects were most prominent in 2011, followed by newspaper distributors, caretakers, kitchen and restaurant personnel and cleaners. In **United Kingdom**, a report from the Department for Business, Innovation and Skills[55] show that 17% from a 2008 and 22% from a 2010 sample of international students[56] remained in the United Kingdom and were working three years after graduating. Of those in the 2008 sample, 77% were employed full time in 2010, 15% part time, 4% were volunteering or doing unpaid work; 4 percent were self employed / freelance. Of those likely to stay in the **United Kingdom** after completing their studies, 41% of all students were from Pakistan; 39% of all students from India, and 39% of all students from Nigeria. Chinese students were least likely to apply for a work visa afterwards.

3.4.3 Initiatives relating to the economy and industry

Though (Member) States, as described in the sub sections above, do allow international students to access the labour market following graduation, some national objectives exist which can have an impact on the international students wishing to stay in the territory, namely:

- A principle of students returning to their country of origin and reduction of brain drain (as found in **France** and **Luxembourg**)
- An overall aim to secure the available jobs primarily to the national work force (as found in **Italy** and **Lithuania**).

Though some (Member) States wish to attempt to fill gaps in the labour market with local workers and wish to prevent brain drain, initiatives are in place relating to cooperation and dialogue between industry/business and higher education. These initiatives have, as an aim, the enhancement of the national economy by filling particular labour market gaps which cannot be filled by a national workforce through the employment and training of international students. They include:

- The establishment of study programmes or fields of study which are advantageous to the national economy (e.g. English-language degree programmes based on labour market needs, such as nursing in **Finland** and fields of study considered strategic to the national economy in **Poland**);
- The establishment of work training programmes to offer work training opportunities to international students (**Finland**);
- The introduction of mentoring programmes providing third-country nationals with a mentor within the business community (e.g. the "Mentoring for Migrants" programme in **Austria** which aims at facilitating the efforts of migrants to find employment); and
- The provision of career services by universities (**Netherlands, Poland**).

4. EVIDENCE OF THE MISUSE OF THE STUDENT ROUTE

Evidence of past or present misuse of the student route to migration is reported by **Belgium**, **Cyprus**, **Estonia**, **Finland**, **France**, **Germany**, **Hungary**, **Ireland**, **Latvia**, **Luxembourg**, **Netherlands**, **Poland**, **Portugal**, **Sweden**, **Slovak Republic**, **United Kingdom** and **Norway**.

[55] Archer, W. and Cheng, J. (2012) Tracking international graduate outcomes 2011. BIS Research Paper No. 62. London: Department for Business, Innovation and Skills. Available at: http://www.bis.gov.uk/assets/biscore/higher-education/docs/t/12-540-tracking-international-graduate-outcomes-2011.pdf

[56] This refers to international students who stay in the United Kingdom rather than all international students.

Conversely, experts in Austria have stated that the misuse of the student route is not specifically a widespread problem. For the purposes of this Study, misuse relates to the improper use (or forgery) by third-country nationals of study visas and residence permits which are used purely to enter the (Member) State without the full intention of completing the associated study programme. Though (Member) States can detect certain types of misuse, the extent of misuse is currently difficult to measure since no extensive data exists.

4.1 Types of misuse

Since the specific scale and nature of misuse remain largely unanalysed, the types of misuse listed in Table 6 below are, to a large extent, based on assessments from the relevant national authorities and jurisprudence rather than statistics as such. Forged documents, non-attendance or lack of progress of studies are the most commonly observed indicators of misuse.

Table 6 Types of Misuse Detected

(Member) State	Entering other Schengen States	Over-staying	Work	Forged qualifications/ documentation	Non-attendance or – progress	Appl. for other permits during study	Misuse by sponsors	Application for asylum
Belgium		X	X	X	X	X		
Cyprus		X	X	X	X			X
Czech Republic				X	X			
Estonia					X			
Finland		X	X	X	X			
France			X	X	X	X		
Germany				X				
Hungary			X					
Latvia				X	X			
Lithuania	X		X	X	X			
Luxembourg		X	X	X[57]	X			
Netherlands			X		X			
Norway			X					
Poland	X	X	X	X	X	X		
Slovak Republic		X				X		
Slovenia					X			
Sweden				X	X			
United Kingdom		X		X	X		X	X

Source: National Reports

Misuse was reported as an extensive problem in **Cyprus** and **United Kingdom**. In **Cyprus** (only), the most common form of misuse is that of engaging in illegal employment outside the terms of

[57] One case observed.

permission of relevant legislation, and in addition, records for 2011 show that 440 students formally applied for asylum, out of a total of all applications of 1 770. A clear link between misuse of the student route and applications for international protection is only observed in **Cyprus**. In the **United Kingdom**, a number of reports and studies have highlighted the scale of misuse. For example, a United Kingdom Border Agency (UKBA) study[58] in 2010 found that international students accounted for 11% of all encounters and 15% of all arrests from UKBA enforcement activities - the majority or arrests were for working in breach and overstaying.[59]

Poland reports an increasing number of cases of visa abuse in certain third countried, in particular related to forged documents. Data show that in the academic year 2010/2011, after the first year of studies, 1 218 citizens of third countries dropped out (and yet not all universities notify drop-out to public authorities or do it with a significant delay).

In addition, it is worth noting that in **Cyprus**, **Ireland**, **Netherlands**, **Poland** and the **United Kingdom** misuse was apparent in private sector institutions, and in private non-university institutions. These include language schools, which are particularly prone to misuse in **Ireland** and the **United Kingdom**. Misuse is not exclusively reserved to the private sector in these Member States however.

The observations of misuse for the purpose of work are influenced by the various regulations and limitations in the (Member) States. For example, the fact that international students are allowed to work full time in **Sweden** means that such "misuse" is not an issue to the same extent as in **Luxembourg**, where there is a weekly limit of ten work hours. The misuse detected in **Luxembourg** is mostly related to students working more than the set weekly limit of work hours.

Due to the limited research undertaken on this matter, statistics on misuse could not be presented in this Synthesis Report. This could suggest that misuse is not considered a major issue by (Member) States.

4.2 Practical measures to detect and/or prevent misuse

In relation to the practical measures undertaken to detect and/or prevent misuse, these vary from one (Member) State to another. These include the following:

- Prevention with countries of origin including use of liaison officers (**Finland**);
- Checking qualifications and documentation of all or certain third-country nationals as part of the application process for a visa or residence permit: **Austria**, **Belgium**, **Cyprus**, **Germany**, **Estonia**, **Greece**, **Spain**, **Finland**, **France**, **Hungary**, **Ireland**, **Italy**, **Latvia**, **Lithuania**, **Netherlands**, **Poland**, **Portugal**, **Sweden**, **United Kingdom** and **Norway**;
- Language tests or other proof of language proficiency (**Belgium**, **Estonia**, **Finland**, **France**, **Hungary**, **Lithuania**, **Netherlands**, **Poland** and **United Kingdom**). Other tests are also applied. In **Cyprus**, public institutions require entrance tests to be taken by applicants or accept results from internationally recognised tests (e.g. GCE's), and in **Lithuania**, universities undertake specialised tests in the country of origin for specialised studies such as architecture or medicine;
- Licensing and/or inspection regimes for institutions where international students are enlisted (**Greece**, **France**, **Netherlands**, **Poland**, **Slovak Republic**, **United Kingdom** and **Norway**): Such regimes vary from state award or inspection schemes to self-regulatory initiatives of

[58] UK Border Agency (2011a) Points-based system Tier 4: attendance at privately funded colleges (including Annex: background information). March 2011. London: Home Office. Available at: http://www.ukba.homeoffice.gov.uk/sitecontent/documents/aboutus/reports/privately-funded-colleges/

[59] See also National Audit Office (2012) Immigration: The points-based system – student route. London: National Audit Office. Available at: http://www.nao.org.uk//publications/1012/points_based_immigration.aspx?alreadysearchfor=yes

the university sector. An example is the **United Kingdom** where all licensed institutions must achieve a "highly trusted sponsor" (HTS) status;

- The introduction of Codes of Conduct, e.g. the **Netherlands** where the Code of Conduct is an outcome of self-regulatory initiatives of the university sector where progress is monitored and deregistration leads to a termination of the right of residence

In addition to the practical measures identified above, the impact of fees on misuse has been discussed, with **Sweden** assuming that the misuse of the student route will decrease following the introduction of substantial tuition fees in 2011 as access to the Member State will be more financially burdensome.

5. INTERNATIONAL COOPERATION

The national strategies and policies outlined in Section 2 in many (Member) States have been reinforced by formalised approaches to enhance cooperation with the countries of origin of international students. This Section provides an overview of types of transnational cooperation between EU (Member) States and third countries that focus on or include provisions to facilitate the migration of international students to the EU. Such cooperation allows for a more controlled and directed approach, for example, in relation to the nationality of the student, the type and level of study, the admission conditions, and the duration of stay, as well as labour market access both during and after study. It then examines the arrangements in place to facilitate the intra-EU mobility of international students who arrive in one Member State for the purpose of study, and then move to a second Member States to continue or progress their studies. An overview is first provided of the type and scope of bilateral and multilateral agreement in place including mobility partnerships (Section 5.1), cooperation with EU programmes (Section 5.2) and other forms of non-legislative cooperation (Section 5.3).

5.1 Bilateral/Multilateral agreements including Mobility Partnerships

The majority of (Member) States (**Austria**, **Bulgaria**, **Cyprus**, **Germany**, **Estonia**, **Spain**, **France, Ireland**, **Italy**, **Latvia**, **Lithuania**, **Luxembourg**, **Netherlands**, **Poland**, **Portugal**, **Sweden, Slovak Republic, United Kingdom, Norway**) undertake international cooperation with third countries which have *inter alia* a focus on attracting international students, which takes the form of bilateral or multilateral agreements

The most common third countries that (Member) States have reported either bilateral or multilateral agreements are set out in Table 7[60] below:

[60] This table is not exhaustive

Table 7 Identified Bilateral/multilateral agreements held with (Member) States (non-exhaustive)

	Algeria	Libya	Brazil	Canada	Cape Verde	China	Egypt	India	Indonesia	Israel	Japan	Kazakhstan	Mexico	Moldova	Morocco	Russia	Syria	Turkey	Tunisia	Ukraine	USA	Vietnam	Senegal
Austria			X						X		X											X	
Bulgaria						X	X					X		X		X					X	X	
Cyprus						X		X				X					X			X			
Germany			X	X		X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X	X
Greece							X			X		X				X	X	X	X	X		X	
Estonia						X				X		X		X				X		X	X		
France	X		X	X		X		X			X		X			X					X	X	X
Italy			X			X		X		X								X					
Latvia						X	X	X		X			X	X				X		X	X		
Lithuania				X		X		X		X		X				X		X		X	X		
Luxembourg				X	X	X		X			X					X					X	X	
Netherlands						X								X									
Poland		X	X	X		X	X			X	X	X	X	X	X	X		X	X	X	X	X	
Portugal			X	X	X	X	X	X		X			X			X		X			X		
Slovak Republic						X				X		X		X		X		X		X	X		
Slovenia				X		X							X			X							
Spain	X					X					X	X				X				X	X	X	
Sweden			X			X		X								X				X			
United Kingdom			X			X		X													X		
Norway			X			X		X			X					X							

Typically, the agreements may cover a range of issues: competencies; target groups; scope of financial support; administrative costs and the arrangements for support for the international student in accessing a visa and residence permit.

The rationale for, and therefore the content of the agreements, shows some variation across the (Member) States. These variations include the following:

- Focus on attracting international students from specific third countries (**Austria**, **Italy**, **Latvia, Luxembourg, Poland, United Kingdom**). For example, the United Kingdom-India Education and Research Initiative which supports mutual recognition of learning and achievement and the development of joint Masters and Doctoral programmes[61]; the Marco Polo and Turandot Programmes facilitating visa issuance for Chinese students for language courses in **Italy** and a cooperation agreement in **Latvia** focussing on attracting students from Sri Lanka;
- Building long-term strategic cooperation with third countries (**Cyprus)** and coordinated management of migratory flows (**France**);
- Improving cooperation with trade partners and emerging economies (**Austria**, **Luxembourg, Norway)**. This focuses on specific regions such as North America (**Luxembourg, Norway**), Latin America (**Norway**), India and Russian Federation (**Luxembourg**).

In addition to agreements signed by the (Member) States at national or regional level, direct agreements are also signed between individual universities and colleges (both public and private) and institutions in third countries in all (Member) States. Such agreements may be at the level of the individual institution, or between specific departments. For the biggest university in **Estonia** (Tartu), there are some 60 bilateral cooperation agreements with higher education institutions in 21 countries. In **France**, it is estimated that there are some 7 000 agreements in place across all the member establishments of the "Grandes Ecoles",[62] and in Italy, some 12 000. In **Ireland**, 2,400 institutional links and partnerships were reported by the higher education institutions, 400 of which were with third country institutions in the US, Canada and China.

The purpose of these agreements is to:

- Stimulate student mobility including through joint degrees and the development of international programmes (**Austria**, **Cyprus**, **Belgium**, **France, Germany, Ireland**, **Netherlands, Poland, Spain**);
- Encourage increased research and technology cooperation between higher institutions and institutions in third countries (**Austria**, **France, Spain, Norway, Poland**);
- Exchange teaching staff (**Austria**, **Poland, Spain**);
- Provide for conditions regarding the payment of support and/or free housing for the exchange students (**Austria**, **Estonia, Poland**).

5.2 Cooperation with EU (and EU-financed mobility) programmes or international organisations

EU mobility programmes have been effective in opening up opportunities to students from third countries, not only to study in a single EU Member State, but to move to other (Member) States to

[61] See also the United Kingdom-China Partners in Education: Action Plan which supports PhD student exchange, work placements and vocational initiatives.

[62] As stated by the Conference of Grandes Ecoles (CGE)

access further programmes of study.[63] For international students, this mainly refers to the Erasmus Mundus programme.

5.2.1 Erasmus Mundus

In all Member States, the numbers of Erasmus Mundus students represent a very small proportion of all international students arriving for the purpose of study. In 2011, Erasmus Mundus joint programmes under Action 1 selected 1 249 non-EU masters students and 158 non-EU doctoral candidates for scholarships to start their studies in the academic year 2011-2012. These joint programmes (generally 2 years for a masters and 3-4 years for a doctorate) involved study or research in at least two of the universities within the consortium, requiring these international students therefore to make two or more successive arrangements for residence and possibly visa applications in these countries.

Under Action 2, scholarships are awarded for varying lengths of mobility at undergraduate, masters, doctorate, post-doctorate level, or for staff, and involve mobility to only one of the partner universities involved. In 2011, 46 partnerships were selected, and these partnerships plan to provide 5 331 scholarships for non-EU nationals to study/research at one of the European partner universities. Mobility under these scholarships was able to start in the academic year 2011-2012.

Together, all this represents less than 1.4% of the total number of first permits issued in Member States in 2011 for the purpose of study.

In terms of the documentary requirements for entry and stay, i.e. a visa and a residence permit, Member States do not differentiate between international students in general and those coming for the purpose of study under EU programmes which aim to enhance student mobility: the same immigration rules apply.

That said, several Member States have made changes in their standard application processes to facilitate the entry of Erasmus Mundus students. Simplification of administrative processes was noted in **France**, **Germany**, and **Portugal**, for example, by waiving certain requirements, or making these the responsibility of a sponsor, such as the government department responsible for developing the programmes in which the international student will be enrolled and facilitating communications across relevant government departments and agencies. Other measures include: exemptions from the requirement to pay registration fees and tuition fees, as well as arranging for the fees to be reduced (**Sweden**) as ways to fast track movement by simplification of procedures.

Several (Member) States (e.g. **France**, **Sweden, Lithuania**, **Poland**) have reported specifically that it is not necessary for the student to return to the country of origin to apply for a study permit, but that this can be done from the country of residence, and the practice of permitting international students to enter and stay for a period of up to 90 days in a second (Member) States, providing a valid residence permit is in place in the first Member State, throughout the Schengen Member States.[64] As a result, where international students move to a second (Member) State for the purpose of study, without arranging the necessary immigration formalities, the majority of (Member) States have reported that the students were unlikely to face problems in subsequently formalising their stay.

Several Member states highlighted obstacles to mobility in specific cases in relation to periods of stay for longer than three months duration, or where Erasmus Mundus students seek to participate in mobility programmes in non-Schengen Member States. Different practices exist in the (Member)

[63] Article 6 (2) of Directive 2004/114/EC stresses that the (Member) States 'shall facilitate the admission procedure for the third-country nationals covered by Articles 7 to 11 who participate in Community programmes enhancing mobility towards or within the Community'.

[64] This practice is applied for Erasmus Mundus students as well as for other free movers.

States. In the **Netherlands**, for example, if the student stays outside the Member State for a period longer than eight months, the residence permit will lapse, and to return, the full application procedure for a new residence permit must be followed. In **Belgium**, students must in principle (where reasons/circumstances are justified) meet a requirement demonstrating no criminal record covering the previous five years, and not older than six months; for international students who left their country of origin more than six months before, this may result in the need to provide evidence of no criminal record also from the first country of study. In **France,** very few problems arising specifically from intra-EU mobility were noted; however, some international students had been obliged to discontinue their courses under *Erasmus Mundus* due to visa refusals for which no justification has been provided, for example, notably nationals from Pakistan and Iran. Due to a sometimes lengthy procedure for granting residence permits, **Poland** recorded cases in which students coming for short period (e.g. one semester) when applying for residence permit had troubles proving that on the day of issuing the final permit decision they intend to stay in Poland for a period of time exceeding 3 months (as required for obtaining the permit). Similar problems arise in the case of students who apply for a residence permit and are planning a long stay outside Poland, for example 10 months long, within the framework of a student exchange. Also in **Sweden**, problems can occur when an international student applies for a one-year extension of his/her residence permit but intends to stay in another EU Member State during the larger part of the one-year extension.

Other obstacles to the mobility of international students from one (Member) State to another in the course of pursuing studies under *Erasmus Mundus* included administrative backlogs and some incidents where students had reported access problems in moving from one (Member) States to another. For example, **Finland** reported occasional difficulties experienced by international students leaving Finland to take up studies in **Netherlands** and **United Kingdom**. In **Sweden**, it has been reported that third-country national exchange students who want to conduct parts of their studies in another Member State sometimes encounter difficulties, as other Member States sometimes require that these students have a Swedish residence permit that covers the entire stay of the student in their Member States. In **Austria**, the fact that representation authorities are not always well informed about the Erasmus Mundus Programme can be a challenge for proceedings.

5.2.2 Other measures including non-EU programmes, to facilitate international student mobility

Many (Member) States have national programmes in place that encourage mobility of international students who wish to continue or complement their studies in different (Member) States. Examples include:

- The National Reform Programme (**Cyprus**) which aims to promote international mobility by urging students to participate in mobility programmes, with this extending to Research Institutes and Centres for the conducting of research;
- The Doctoral Studies and Internationalisation Programme "DoRa" in **Estonia** which aims to develop student mobility between EU and third countries by providing grants and mobility allowance;
- The Nordplus agreement in **Norway** which facilitates student mobility;
- The CEEPUS (Central European Exchange Programme for University Studies) programme, the first multilateral University Exchange Programme in the central European region which operates joint programmes with other CEEPUS Member States.[65]

[65] Albania, Austria, Bosnia-Herzegovina, Bulgaria, Croatia, Czech Republic, Hungary, Macedonia, Moldova, Montenegro, Romania, Serbia, Slovakia, Slovenia, Kosovo

Overall, (Member) States have not identified any specific problems associated with international students taking up non-EU programmes, although **Sweden** reports that differences in the way that (Member) States determine qualifying criteria, such as the necessary funding required, vary across (Member) States and can result in obstacles to mobility. **Slovenia** also notes problems stemming from the late provision of documents, or failure to provide the appropriate documents, again potentially resulting in a failure of the student to gain access to the planned course in the second Member State.

5.3 Other forms of (non-legislative) cooperation with countries

Other (non-legislative) cooperation with third countries set up to facilitate entry of their nationals to EU (Member) States for the purpose of study includes:

- The establishment of joint and double degree programmes, where the international students studies complementary programmes in different countries, and receives a qualification from each (**Austria, Bulgaria, Czech Republic**, **Germany, Finland**, **France, Lithuania, Luxembourg, Italy, Lithuania**, **Poland**, **Sweden**);
- The establishment of international campus(es) by EU universities in third countries (**Belgium, Sweden**, **United Kingdom**); and
- Setting up cultural / scientific institutes or universities in third countries (**Cyprus**, **Finland, France, Germany, Luxembourg, Slovenia, Poland**).

6. IDENTIFIED IMPACTS OF INTERNATIONAL STUDENTS

A number of impacts of international students in (Member) States were identified related to the following:

- Competition for study places (Section 6.1);
- Presence in the labour market following completion of studies (Section 6.2);
- Risk of brain drain (Section 6.3);
- Revenues generated by educational institutions (Section 6.4);
- Demographics in the (Member) States (Section 6.5).

6.1 Competition for study places

The impact of international students on competition for study places differs between (Member) States. In the majority of (Member) States, international students do not create a problem of competition since separate modes of admission apply for EEA and non-EEA students. This is the case, for example, in **France**, where higher education is not based on a quota system and therefore no competition exists. However, competition can exist for certain study courses. For example, in **Germany**, there may be competition to obtain a study place if the number of applications increases but not the number of places. This may occur in all studies except in those leading to regulated professions, such as medicine, pharmacy, where at least 5% of the seats are reserved for students with a foreign university access entitlement.

6.2 Participation in the labour market following completion of studies

The impact of international students in the labour market following completion of studies differs in the (Member) States, depending on the type of policy and strategies implemented (See Section 2). For example, in **Estonia**, approximately five to ten per cent of international students a year obtain work following completion of their studies. Though **Estonia** suffers from the lack of qualified labour, no favourable possibilities for future employment or entrepreneurship have been provided for international students as potential qualified labour. After graduating from the university, an international student is obliged to leave the (Member) State immediately. In the **United Kingdom**,

in 2008, 17% of international students remained to work, with this rising to 22% in 2010. This number can also be associated with the national policy in place which imposes conditions on access to the labour market following graduation.

This differs from the figures in **Finland**, where in 2007, 73% of foreign students who remained found work.[66] This could be linked to the policy in place in **Finland** which allows international students to remain to seek employment for a period of six months after graduation.[67] Moreover, in **Germany**, 54% of residence permits which are issued following a residence permit for the purpose of studies are for employment purposes, with this high number seemingly in accordance with national policy aimed at satisfying labour demand through migration. In the **Netherlands**, of the 78 third-country nationals who were granted residence permits under the *Highly Educated Migrants Scheme* in 2009, 29 third-country nationals actually found jobs as highly educated migrants, which is 37% of the highly educated migrants. The Evaluation of the Highly Educated Migrants Scheme shows that the scheme has turned out to be less effective in the first two years then foreseen.

In **Norway** more than 70 percent of the status changes from student have been to employment or job search during the last five years to 2011, and the total number was significantly higher in 2011 than even in the years before the financial crisis.

6.3 Risk of brain drain

Brain drain[68] does not seem to be a major concern in the (Member) States due to policies and practices in place which contribute to ensuring that this phenomenon is reduced. For example, brain drain is taken into account when planning and creating development cooperation programmes. This is the case in **Finland**, where the North-South-South exchange programme is based on the assumption that students from developing countries return to their home countries after graduation.

In other (Member) States, such as **Greece** and **Poland**, brain drain of international students is not considered to be an issue currently, with brain drain of national students considered rather to be of major concern due to the economic crisis and the number of national students migrating abroad.

Various measures are undertaken by (Member) States to mitigate against brain drain. These include:

- Ensuring that scholarships granted are linked to a cooperation or development programme (**Austria**, **Spain**). A "Strategy for Higher Education and Scientific Cooperation" was developed in **Austria** by the Austrian Development Agency in 2009 which aims to counter brain drain by ensuring that scholarships granted are integrated into an institutional capacity development programme targeted at the country of origin;
- Providing career guidance and financial support to international graduates in order to assist them in their return to their country of origin (e.g. "Returning Workers Programme" in **Germany**);
- Linking international student mobility with development policy objectives. Restricting access to the labour market following graduation. For example, in **Sweden**, a new

[66] Statistics Finland concern all foreigner nationals, not only third-country nationals. (Students from EU/EEA-countries are more likely to be employed and the percentage might be lower if the data would only concern students coming from third countries.)

[67] Namely, the data from Statistics Finland does not reveal whether this group (73%) had found employment in their field of study. Examining the number of former foreign students employed relative to all foreign students who earned a higher education degree in 2007, it can be seen that 49% of the total found employment in Finland. More than half of the foreign nationals who earn a higher education degree in Finland end up putting their qualifications to use elsewhere. These results suggest that the skills of foreign nationals are not taken advantage of particularly well by the Finnish labour market.

[68] The EMN Glossary defines brain drain as the "loss suffered by a country as a result of the emigration of a highly qualified person", available from http;//www.emn.europa.eu

scholarship scheme was introduced for students from the 12 countries with which Sweden has long-term development cooperation. International student mobility is seen positively, both for the countries of destination and for the countries of origin. **Belgium** admits international students in fields that are commensurate with the needs of their countries of origin. Authorities expect that the students will return to their country of origin with the knowledge that they have acquired and helped their country of origin. In **France**, student immigration is generally viewed as temporary and circular migration. The predominant outcome scenario of studying in France is the student's return to his/her country of origin upon graduation.

6.4 Revenues generated by international students

Concerning the impact on revenues and gains generated from the immigration of international students, this differs from one (Member) State to another. Member States have very different higher education systems in place, with some offering free access to education without high levels of student fees. Revenues generated are consequently very different in general. The differences are linked to the number of international students present in the (Member) State as well as to the different levels of national subsidy which are provided to institutions for the education of international students. Table 8 below provides an overview of the revenues generated from international students in some (Member) States.

Table 8 Identified Revenues generated from international students

Member State	Revenues
	Fees
Bulgaria	**€17.5 million** in 2012. An increase from approximately €7.5 million in 2006.
Cyprus	Overall market value: **€70 million**, with each international student obliged to show a total of €7 000 for permission to enter the (Member) State.
Ireland	Total of **€140 million** across all colleges, of which €68 million encompassed fees (non-EU students only)
Sweden	The revenue earned in Lund University, for example, from tuition fees for international students in 2011 amounted to SEK 12.2 million (**approximately €1.4 million**). This constitutes less than two per cent of all revenue earned by the university in 2011.
United Kingdom	In 2008/9, student immigration was estimated to contribute £2.2 billion (approximately **€2.6 billion**) in tuition fees.
	Other expenses
Ireland	**€140 million** across all colleges, of which €71 million encompassed other expenses (EU and non-EU). The total earnings of €140 million were equivalent to about 3.5% of overseas tourism revenue in 2001.
Italy	**€718.5 million** - On study and living expenses spent by international students (university tuition and fees, textbooks and teaching materials, accommodation, house utilities, food, transportation, clothing, communication, leisure, travel, health insurance and residence permit), This is equal to 0.05% of Italy's GDP (Leone Moressa Foundation estimate).
Latvia	International students must bring, on average, €5 000 to the state per year, with a total contribution in 2011-2012 estimated to be approximately **€13.5 million**.
Netherlands	**€ 25.000** per student in 2009. Research in 2012 shows Tax revenues to be expected up to € 740 million, considering the stay rate of international students is 19%.
Poland	It is estimated that the level of foreign students' contribution to the Polish economy amounts to ca. EUR 100 million annually.
United Kingdom	International students are estimated at generating a further £2.3 billion (approximately **€2.7 billion**) in local economies.

Source: National Reports

The direct revenue brought by international students is considered to be low, or even negative, in **Belgium, France, Finland, Spain,** where the cost per student is larger than the registration fee paid. For instance, in **Spain**, the economic impact of international students in public higher education institutions cannot be measured since all students have part of their university studies subsidised by public funds regardless of their socio-economic status. This subsidy is around 80 to 85% of the actual cost to the university.[69] Moreover, in **Finland** and **France**, the impact of students is more generally thought of in terms of costs rather than in terms of revenues. For example, in **France**, the State's contribution averages at €10 000 per year per student, regardless of their nationality. However, though direct revenues are low, there are, of course, positive impacts on the countries of destination which are difficult to estimate or quantify in exact terms, such as revenues created from taxes paid by international students or from their participation in the labour market.

The figures, however, demonstrate that international students do provide, in some instances, an important source of revenue at national level. This is particularly the case in the **United Kingdom**, where student immigration is not only estimated to contribute €2.6 billion in tuition fees but also €2.7 million in local economies through the payments of rent and other living expenses. Moreover, in the **Netherlands**, it has been estimated that the total impact of the "knowledge industry", including the contribution of international students is €21 billion and 357 000 jobs.

Though the revenue and gains resulting from the migration of international students are difficult to calculate, some (Member) States (**Spain, United Kingdom**) have highlighted that education from private sectors contributes more significantly to their economies due to the higher level of fees charged.

6.5 (Member) States' demographics

International Students' impact on demographics varies considerably from one (Member) State to another. The impact on demographics can be associated with the national strategy and policy in place. For those (Member) States who enable international students to stay in order to join the labour market, the impact on demographics are considered to be more significant than those students who stay in the (Member) State on a temporary basis and leave automatically. Those international students who finish their studies and remain to fill highly qualified jobs in the national economy also have more of a significant impact on the national demographics.

In some (Member) States it is considered that international students do not have any substantial impact on national demographics since the number of international students residing with their family or changing their immigration status is too low to have a significant impact (**Latvia, Poland**[70]) or student migration is considered to be temporary or circular, with migrants not integrating permanently in the (Member) State (**France**) and returning immediately to their country of origin.

In others (e.g. **Estonia**, **Lithuania**), however, the arrival of international students contributes towards mitigating demographic problems. The mobility of students and lecturers has been recognised as helping to improve the quality level of studies and ensure sustainability of higher education, as well as stimulate cultural, political and economic contacts with societies (**Lithuania**). In **Estonia**, **Finland** and **Lithuania**, the immigration of international students has helped to alleviate the void that has resulted from the decreasing number of local students in universities, due to the ageing population, making universities improve the quality of studies and encourage internationalisation.

[69] From the 2012/2013 academic year onwards, international students will have to cover the total costs of university undergraduate studies and Master's degree courses, as stated by the Royal Decree-law 14/2012 of 20 April.

[70] Despite this, **Poland** still considers the increasing number of international students as very important in light of decreasing numbers of local students in universities as well as in terms of improving the quality of studies in Poland.

7. CONCLUDING REMARKS

The Study summarises and analyses the policies and practices in place in the (Member) States to regulate the immigration of international students to the EU. The Study not only highlights the importance placed on this phenomenon in EU policy but also demonstrates that (Member) States over the past years have increasingly recognised the immigration of international students as beneficial not only to students themselves but to receiving countries. These developments are considered to be vital for the EU to be a realistic competitor to other student migration receiving countries, such as USA and Canada.

At EU level, education policies strongly focus on advancing the EU as a centre of excellence in education and training and, to this end, the EU engages in a wide range of initiatives, including policy dialogue, bilateral agreements, programmes to encourage and support mobility and scholarships, particularly in relation to the establishment of international scientific and academic networks among universities and alumni. The conditions of admission of non-EU students to study in EU (Member) States are regulated at EU level by Council Directive 2004/114[71] and the EU Visa Code (Regulation (EC) No 810/2009[72] also makes provision for visa fee waivers for students, postgraduate students and accompanying teachers.

Over recent years, and in the framework of EU policies, (Member) States have themselves put in place national strategies and policies with a view to attracting international students. The aims of the strategies vary between the (Member) States, and may include both medium and long term objectives. These include attracting high level skilled migrants in order to fill existing gaps in the education and labour market (following graduation), as well as promoting international trade and cooperation with third countries. The economic benefits associated with international students are also linked to strategies to enhance revenue coming from abroad.

Though similarities can be found in some (Member) States on the objectives of national strategies and policies, the differences which exist in educational structures and the (independent) role played by some national universities make each national policy on the immigration of international students unique. Though no competition, as such, was cited to exist between (Member) States, it is apparent that (Member) States are indeed attempting to attract international students to their own territory by the implementation of different measures.

The type of measures introduced in the (Member) States to attract international students, in conjunction with the policy and strategy priorities set, vary. The Study identified the importance of providing timely information to international students to inform them of programmes and services offered in (Member) States. Since differing conditions are applied between the (Member) States, international students increasingly wish to receive information on all aspects of the (Member) State in question in order to make informed decisions on their academic route.

Over recent years, (Member) States have begun to provide many academic courses in English as well as in their own national language. By offering courses in English, it is hoped that some (Member) States will be considered to be more attractive for international students. Though this has been the case, the impact this measure has on integration of third-country nationals is currently not clear. This is particularly the case for those (Member) States wishing for students to remain on their territory following graduation. Though speaking the national language may not be a prerequisite for studying in the (Member) State, it is of course considered vital for successful integration in the national workforce and in society.

In relation to admission, (Member) States attempt to implement flexible procedures, with different visas issued depending on the purpose and length of study, as well as fast tracking of applications in

[71] http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:375:0012:0018:EN:PDF
[72] Available at http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32009R0810:EN:NOT

order to facilitate formalities for international students. Though measures to attract international students are being continuously enhanced in many (Member) States, obstacles do still arise, particularly in relation to the length of time taken to issue visas and/or residence permits and the conditions required to be fulfilled, such as proof of necessary subsistence for the academic year.

(Member) States differ in practices relating to international students' accompaniment by family members. Though this is permissible in most (Member) States, based on national rules, the right to accompaniment varies, with this limited in many instances to Doctoral and PhD students. Moreover, the rights granted to family members differ significantly, with only a few (Member) States granting access to the labour market for this group. The Study demonstrates the different levels of importance placed on the right to be accompanied by family members, with it indicating that more mature international students place more of an importance on this aspect of migration.

The implementation of the Student Directive 2004/114/EC by participating Member States has been an important instrument for promoting and facilitating the immigration of third-country nationals to the EU, with the Directive approximating national legislation on conditions of entry and residence. It introduced common basic conditions for admitting third-country nationals, guarantees certain rights (such as access to the labour market) and ensures transparency of procedures.

In line with the provisions of the Directive, international students have access to the labour market during study, with the number of permissible hours often more favourable than those provided in the Directive. Though some (Member) States offer international students unlimited access to the labour market, others opt to limit this to certain sectors of the economy and according to the needs of their national labour market. Since international students rely, in many instances, on access to the labour market, (Member) States with a more flexible policy might be considered as more "attractive".

Following the completion of their period of study, the approaches which (Member) States take in relation to change of residence status and access to the labour market seem to be consistent with the policies and strategies in place at national level: those (Member) States that aim to attract highly skilled students to fill labour gaps facilitate their stay in the EU to seek employment. Other (Member) States may allow international students to stay and obtain their first experience of work, in line with international cooperation policies.

Access to educational opportunities for international students is also facilitated by international cooperation, in the form of a wide range of bilateral and multilateral agreements, often set up within a framework of broader set of strategic objectives, for example, to serve labour market needs or to facilitate trade. EU mobility programmes have been effective in opening up opportunities to students from third countries, not only to study in a single EU Member State, but to move to other (Member) States to access further programmes of study. For international students, this mainly refers to the Erasmus Mundus programme, and some (Member) States have introduced changes in their standard application processes to facilitate the entry of such students, by simplifying administrative processes, allowing universities or government departments to act as sponsors, facilitating communications across relevant government departments and agencies. That said, obstacles remain, reflecting specific national legislation and safeguards imposed at national level, and inefficiencies in processing systems for residence permits. Outside of EU mobility programmes, Member States operate a range of national programmes that encourage mobility of international students who wish to continue or complement their studies in different (Member) States, in line with national objectives.

Though all the measures, as described above, are implemented by (Member) States to attract international students, the Study has not been able to demonstrate whether the measures implemented are a main factor for third-country nationals wishing to migrate. This is particularly the case in relation to the imposition of less strict immigration rules.

With regard to misuse of the student route, the Study found that the scale and nature of misuse

varies significantly across Member States, with misuse often remaining largely unanalysed. Little research exists regarding what happens to the students after the completion of their studies, with statistics, when available, not able to pinpoint exactly whether the student route is being misused or whether the international students have returned to their country of origin. However, the misuse which was identified by some (Member) States seemed to focus on specific sectors of education, such as language courses.

The immigration of international students to the EU has been facilitated by a range of measures at EU and national level, and is recognised by some Member States as a phenomenon of growing importance in the competition for talent and skills, and in its contribution to economic growth. Targets set by a number of (Member) States to increase the international student population over a five to ten year time range confirms this approach. Though the approximation of national legislation on conditions for admission and stay has occurred, differences do still exist, particularly in relation to access to the labour market during and after completion of studies. Moreover, differences exist in relation to the benefits provided to the international students when accessing the labour market and during stay in general. These differences are often linked to the specific strategic approach taken by Member States, and the degree to which national policies support the immigration potential of international students in the longer term, or a limited migration for the purpose of study. Such national strategies may also shape the decisions of international students in relation to their choice of Member State in which to study.

The overall aim of improving EU and national strategies and policies is to ensure that the EU can be considered as a world centre for excellence in education. Further legislative action at the EU level, aiming to provide for further improvements in admission conditions, rights during stay, including mobility, and ensuring safeguards for third-country nationals, in line with Treaty objectives, is likely to make an important contribution to delivering this objective.

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ANNEX 1: ORGANISATIONS INVOLVED IN POLICYMAKING TO ATTRACT INTERNATIONAL STUDENTS IN (MEMBER) STATES

Member State	Ministry of Education/Research/Sciences	Ministry of Employment/Labour	Ministry of Interior	Ministry of Immigration or affiliated authorities	Ministry of Foreign Affairs	Other Ministries	Other actors
Austria	✓	✓	✓	Yes			Austrian Development Cooperation, Social Partners.
Belgium	✓			✓	✓		
Bulgaria	✓						
Cyprus	✓	✓	✓			Ministry of Health	
Czech Republic	✓		✓		✓		Czech Development Agency Higher education institutions
Estonia	✓		✓				Archimedes Foundation
Finland	✓	✓	✓	✓	✓		The Finnish National Board of Education, The Finnish Higher Education Evaluation Council (FINHEEC), Education and training committees, The Centres for Economic Development, Transport and the Environment, Regional Councils, Centre for International Mobility CIMO, Higher Education Institutions. In practice several other actors play a role in policymaking i.e.: Finnish Network for International Programmes (FINNIPS), The Universities of Applied Sciences Network for the Development of Internationalisation (Pinnet)
France	✓		✓		✓	Ministry of Culture	Campus France (the French national

Member State	Ministry of Education/Research/Sciences	Ministry of Employment/Labour	Ministry of Interior	Ministry of Immigration or affiliated authorities	Ministry of Foreign Affairs	Other Ministries	Other actors
						and Communication; Ministry of Agriculture.	agency for the promotion of higher education, international student services, and international mobility); Higher Education Establishments.
Germany	✓		✓				Standing Conference of the Ministers of Culture and Education of the Länder in Germany (Conference of Ministers of Culture and Education), German Rectors Conference
Greece	✓				✓		
Ireland	✓			✓			Enterprise Ireland, Higher Education Authority, Qualifications and Quality Assurance Authority of Ireland, Irish Council for International Students
Italy	✓	✓	✓		✓		Conference of Italian University Rectors (CRUI) Information Centre on Academic Mobility and Equivalence (CIMEA) Interuniversity Consortium CINECA
Latvia	✓						Higher education establishments are responsible for developing and implementing their own (not state) policy
Lithuania	✓						
Luxembourg	✓			✓	✓		University of Luxembourg
Netherlands	✓	✓		✓	✓		The joint institutions of higher education (Code of Conduct)
Poland	✓	✓	✓	✓	✓	Ministry of Culture and National Heritage, Ministry	Bureau for Academic Recognition and International Exchange, Local authorities, public and non-public

Member State	Ministry of Education/Research/Sciences	Ministry of Employment/Labour	Ministry of Interior	Ministry of Immigration or affiliated authorities	Ministry of Foreign Affairs	Other Ministries	Other actors
						of Health	universities, Central Council for Science and Higher Education, Polish Accreditation Committee, Conference of Rectors of Academic Schools in Poland, Conference of Rectors of Vocational Schools in Poland, Students' Parliament of the Republic of Poland, National Representation of Doctoral Students, Foundation for the Development of the Education System, other foundations and associations that support third-country nationals studying and promote Polish higher education abroad. The joint institutions of higher education (Code of Conduct)
Portugal			✓		✓		
Spain	✓	✓					Regions and Universities
Sweden	✓						Swedish Higher Education Authority Swedish Council for Higher Education Swedish Institute Association of Swedish Higher Education Swedish National Union of Students
Slovak Republic	✓						
Slovenia	✓						Council for Higher Education CMEPIUS Slovene Human Resources and Scholarship Fund Rector’s Conference Slovenian Academy of Sciences and Arts and Higher education institutions

Member State	Ministry of Education/Research/Sciences	Ministry of Employment/Labour	Ministry of Interior	Ministry of Immigration or affiliated authorities	Ministry of Foreign Affairs	Other Ministries	Other actors
United Kingdom			✓ (Home Office)			Department for Business, Innovation and Skills	Foreign and Commonwealth Office (administers some scholarships) Joint Education Taskforce (inludes: UKBA, HO, the UK Council for International Student Affairs, the Migration Advisory Council and the British Council)
Norway	✓			✓			

ANNEX 2: FEES FOR PROCESSING APPLICATIONS

Member State	Fees for processing applications
Austria	**Residence permit:** € 100 (€80 for application, plus €20 if issued)
Belgium	**Long-term visa: €180.** No increase in fees relevant for admission. **Residence permit**: 15 to 25 Euro (depending on the municipality)
Cyprus	**Entry permit**: Approximately €85 **Residence permit**: Approximately: €35
Czech Republic	**Long-term visa:** No fee (study purpose) / €100 (other purpose) **Residence permit:** €20 (application), €100 (residence permit card)
Estonia	**Fee for visa processing: long-term visa:** €80; s**hort-term visa:** €60 or €35 **Residence permit: €65 (if the application is submitted in the consulate) or €63.91(if the application is submitted in Estonia at the Police and Border Guard Board).**
Finland	**Fee for visa processing**: €35 in 2006. At present, visa processing charges do not apply to higher education students from third countries. **Fee for residence permit applications**: The fees are set by a decree of the Ministry of the Interior. In 2006, the processing fee charged for a student's first residence permit was €50. This was considered to be considerably low compared to the total cost incurred by the State. As a result, at the beginning of 2010, the processing fee for a student's first residence permit increased to €125 and subsequently increased further to €250 effective from the beginning of 2011. **Fee for extension of a student residence permit**: Increased from €50 (2006) to €108 (2012).
France	**Fee for visa application**: Long-stay visa equivalent to a residence permit ("VLS-TS"): €99 (not changed since 2006) **OFII (French Office for Immigration and Integration) processing fees (medical examination) in 2012**: €58 (first issue), then €30 (renewal or duplicate).
Ireland	**Fee for Police Registration Card**: €150 All international students studying in Ireland for more than three months must register with An Garda Síochana (Police) and have a valid registration certificate in the form of a Garda National Immigration Bureau Card.
Italy	**Fee for visa application (USV)**: €60 The visa fee is waived in case of D visa for studies.
Latvia	**Fee for processing application for a residence permit:** approximately €70 (in 10 working days – €215, in 5 working days – €285) **Fee for registration of temporary residence permit:** approximately €20
Lithuania	**National visa:** €60 **Residence permit:** €115
Luxembourg	**National visa**: No cost.

Member State	Fees for processing applications
	Residence permit: € 30
Netherlands	There has been an increase in application fees since September 2011. This increase was introduced in order to cover the cost-effectiveness of the fees. **Fee for MVV (visa) and residence permit**: Increase from €433 to €600. **Fee for an application for a residence permit with an MVV:** Increase from €188 to €300. **Fee for accelerated procedure**: Increase from €250 to €300. As from mid-January 2013, however, there will be a decrease in application fees. Fee for MVV (visa) will be €300; the subsequent regular residence permit will be free. For students who are not subject to the MVV requirement, the fee for an application for a residence permit without an MVV will also be €300.
Poland	**Fee for visa processing**: - Schengen – no fees, - D-type - €60 (no fees apply to holders of the Card of the Pole, scholars, participants of Polish language courses, as well as to citizens of countries which concluded agreements with Poland on waiving fees for issuing national visas or which the Minister of Foreign Affairs decided to waive the fees i.e. Ukraine, holders of the Card of Pole, scholars) **Fee for a residence permit**: ca. €85 for issuing a residence permit and ca. 13€ for issuing a Residence Card
Slovenia	**Fee for processing application for a temporary residence permit**: €50. **Fee for a consular Type "D" visa**: €77. **Fee for a residence permit**: €102.
Slovak Republic	**Fee for visa:** **Fee for a Schengen visa for the purpose of study:** €0 **Fee for a "D" visa for entering the SR after the temporary residence permit is granted:** €9.50 **Fee for a "D" visa issued under certain circumstances which enables a student to enter the territory of the SR and start studying before being granted temporary residence:** €33. **Fee for temporary residence permit applications:** **From 2006 till 2011:** €99,50 (for all types of temporary residence permits issued for study reasons) **As of 01 January 2012:** €0 (in case of a temporary residence permit for the purpose of study and a temporary residence of a third-country national with acknowledged status of a person with long-term residence in another Member State - issued for study reasons) and €99,50 (a temporary residence for the purpose of special activity - issued for study reasons)
Spain	The fee for processing a visa application has not gone up since 2007, and remains at €60.
Sweden	Fee for **visa** application (for short-term stays up to three months): € 60. Fee for **residence permit** application (for stays longer than three months): approximately €120 (SEK 1 000).
United Kingdom	**Fee for Tier 4 visa**: Increased from £99 (2008/2009) to £289 (2012/2013).

ANNEX 3: TUITION FEES CHARGED IN THE (MEMBER) STATES

Member State	Tuition Fees	Amount	Additional clarification
Austria	Yes	For most third-country nationals, 726.72 euros per semester	
Belgium	✓	The annual tuition fee for statutory-registered-higher education for the academic year 2011-2012 amounts to 835 EUR for any higher education programme in Wallonia and 578 EUR for any higher education in Flanders.	
Bulgaria	✓	NI	
Cyprus	✓	Average median tuition fees are 3,200 EUR. Fees from top colleges are significantly higher and range from 3,790 – 5,910 and private universities tuition fees are approximately 9,600 per year.	Tuition fees are charged in private universities and colleges. Public education providers do not charge tuition fees.
Czech Republic	See additional clarification	Not defined by law.	Education is free in public higher education institutions if the education programme is taught in Czech and the standard length of study is not exceeded. Private schools require tuition fees.
Estonia	✓	In 2011, tuition fees ranged from 1,023 EUR to 7,350 EUR per year	
Finland	No	NA	In principle education is free of charge but Finland currently runs a tuition fee pilot programme until 2014 in which higher education providers can participate by charging fees to non EEA-students who have been admitted to a foreign language master degree programme. The fee is conditional on the institution having a scholarship scheme for supporting, where necessary, students who are taking part in programmes subject to a fee.
France	✓	At the start of the 2011-2012 academic year, the tuition fee for university was 177 EUR at the undergraduate	

Member State	Tuition Fees	Amount	Additional clarification
		level (Licence), 245 EUR for Masters level and 372 EUR for doctoral studies. The amount set for engineering schools was 584 EUR. Enrolment fees are higher for private establishments – business schools in particular – and can reach 3 000 to 10 000 EUR per annum.	
Germany	✓	Tuition fees in Germany range up to 1,000 EUR per annum depending on the Federal Land.	Tuition fees are constitutional since 2005 although some Länder have not introduced such fees.
Greece	No	NA	Education is free of charge
Hungary	✓	Tuition fees amount are on average set at 1,200 EUR per semester whilst at medical faculties the fees range between 3,000 EUR and 5,000 EUR.	Foreign students attending courses in foreign languages have to pay a tuition fee in each semester. The amounts are determined by the institutions themselves in line with a government decree.
Ireland	✓	Fees are set at institutional level.	
Italy	✓	The annual average median of public tuition fees is €993 (Leone Moressa Foundation estimate).	
Latvia	✓	Tuition fees cost approximately 3,000 – 5,000 EUR per year. Lower tuition fees usually apply to education providers outside of Riga. Study programmes in medicine, dentistry and pharmacy generally charge tuition fees between 8,000 – 12,000 EUR	The tuition fees for international students in both public and private education is generally higher than for Latvian students (i.e. up to twice the amount)
Lithuania	✓	NI - in the areas like medicine, tuition fees amount to 8,700 EUR per year.	
Luxembourg	✓	Tuition fees are generally set at 200 EUR per semester (for both Bachelor and Master students)	
Netherlands	✓	Tuition fees range between 5,500 – 32,000 EUR in 2012	Education providers set the tuition fees and that explains the great diversity in tuition fees.
Poland	In some instances	The minimum annual tuition fees amount to 2,000 EUR for Bachelor, Master and uniform Master studies, 3,000 EUR for Doctoral and post-graduate studies and 2,000 EUR for preparatory language courses.	Fees differs depending on the university or the course of studies, their level and programme - sometimes they reach the amount of EUR 6,000, and on certain medical courses of study they even reach approximately EUR 8,000 - 12,000 per academic year.

Member State	Tuition Fees	Amount	Additional clarification
			Foreigners of Polish origin taking up paid studies in the Polish language have their fees reduced by 30%.
Portugal	✓	On average national full-time students pay tuition fees of more than 980 EUR annually.	
Slovak Republic	✓	Public and state higher education institutions charge study programmes in foreign languages with tuition fees from ranging from 1,000 EUR to 10,000 EUR per year depending on the study programme. Tuition fees at private higher education institution are similar.	Study at public and state higher education is free of charge for citizens of the EU and EEA, the Swiss Confederation and a number of third countries (i.e. Belarus, Bosnia and Herzegovina, Montenegro, Former Yugoslav Republic of Macedonia, Moldova, Serbia and Ukraine).
Slovenia	✓	Tuition fees for international students are determined by higher education institutions in compliance with the regulations on school fees and other contributions to the higher education for part-time study of Slovenian nationals.	
Spain	✓	There is a big difference in tuition fees for public universities and private universities. Tuition fees do not exceed 1,200 USD (900 EUR) in public institutions. Private institution tuition fees are much higher than fees for public institutions.	International university students paid the same tuition fees in public institutions as Spanish nationals until the 2011/2012 academic year. Royal Decree-law 14/2012 of 20 April, on urgent rationalisation measures in public spending on education, establishes that international students will have to cover the total costs of university undergraduate studies and Master's degree courses in public institutions.
Sweden	✓	The fees vary between higher education institutions and are dependent on the type of education. Annual tuition fees vary from between 9,200 EUR and 20,700 EUR per year, though they may be even higher in isolated cases.	Tuition fees have been introduced in 2011 which led to a significant decline of applications.
United Kingdom	✓	The average median charges are 13,400 EUR for taught undergraduate degrees; 14,400 EUR for classroom based post graduate degrees; 16,600 EUR for laboratory based undergraduate and postgraduate degrees; 19,500 EUR for postgraduate MBAs and 33,000 EUR for clinical medicine.	Publicly funded higher education institutions charge two levels of fees: (1) lower home fee for UK and EU students and (2) the higher overseas fee. Private sector institutions set their own fee levels and often have only one level of fees that is charged to all students. Tuition fees for non-EEA students are left to the discretion of each education provider. Fees vary according to the institution and the level and type of course.
Norway	No	NA	Education is free of charge

ANNEX 4: ACCESS TO THE LABOUR MARKET

Member State	Working during Study	Documents/Permits Required	Working after Study
Austria	Not exceeding **10 hours** per week without a labour market test, and this can rise to **20 hours** a week once the diploma / bachelor's degree has been achieved**.**	**Work Permit** is required Work that is outside the Act Governing the Employment of Foreign Nationals, e.g. academic work, research and teaching, self-employed work, and activities within the framework of the EU educational / research programmes, **do not require a work permit**	International students are allowed to look for a job for six months after completion of studies and apply for a 'Red-White-Red Card' if they have found one. Some students transfer to other courses to prolong the 'residence permit - students'
Belgium	Not exceeding **20 hours** per week. During holidays, students can work freely.	**Work permit** required which they can apply for within the Member State. This is considered to be a formality. International students should be treated in the same way as own nationals in terms of working and other conditions.	Students are obliged to leave the Member State following their studies. International students are permitted to stay if they are offered a job, PhD position or if they want to engage in self employment (to be approved by the authorities).
Bulgaria	Not exceeding 20 hours per week During holidays students can work freely	**Work permits** are not required for third-country nationals who are foreign students in Bulgaria.	No information
Cyprus	Not exceeding **20 hours** per week outside study time. Required to complete six months of full time study before they are allowed to join the labour market During vacation, employment can be increased to **38 hours** per week.	The student must secure an **employment contract** from a specific employer and must present the employment contract with the timetable of his/her studies validated by the Education Institution to the Department of Labour to be checked and stamped.	International students cannot apply for relevant work permits and authorisation to stay without leaving Cyprus following completion of study. Students can only remain if they are employed for research purposes Third-country nationals can apply for transfer from student to other migration statuses, with students applying for asylum status in many instances.
Czech Republic	There is no limit as to working hours.	**Work permit** is not required.	If the student wishes to work after completion of studies he/she is required to apply for a new residence permit. Work permit is also needed.
Estonia	Work must be on the basis of the employment contract and must not	**Work permit** required, unless the work is for practical training.	International Student is required to immediately leave the Member State and has no right to stay after the end

Member State	Working during Study	Documents/Permits Required	Working after Study
	interfere with study.	The work permit may be applied for simultaneously with the temporary residence permit by submitting the application at an Estonian foreign representation (presuming that the place of employment already exists). If the international student already holds a temporary residence permit, the work permit can be applied for at the Police and Border Guard Board and for that purpose the student does not have to leave the Member State.	of the study period and find a job. International students can stay if they continue existing working in the same job during the period of studies. In such a case, they can apply for a residence permit for working. In order to obtain such a permit, it is required that the employee is paid a remuneration that is approximately 1.24 times higher than the average salary. **Self-employment** requires capital (€16 000). Applicants for residence permit for working as well as for business fall under the immigration quota which is established annually and is approximately 1 000 persons per year.
Greece	Only part time employment. No information on working hours	International students must obtain approval from the District they reside. The license is only allowed for part-time employment and id granted on application by showing the residence permit of the student- third country national and the contract signed with the employer. The fact that the students can work means that he/she will now fall under the provisions of the labour law (i.e., stamps must be paid to insurance funds, submit tax returns, etc.).	International students are expected to leave upon the completion of their studies. They can stay if they are married to nationals of the Member State
Finland	Right to gainful employment if (i) they have been issued with a residence permit for studying, (ii) if the employment is a traineeship required for a degree or other qualification or part of the preparation of a research paper required for the studies and in the form of gainful employment or (iii) if the average amount of work is **25 hours** a week at a time when there are classes at the educational institution, or if	Right to work automatically granted.	An international student who, after graduation, is offered work can apply for a residence permit extension for the purpose of employment. An international student may also be, after graduation, issued a **job seeking permit** for **six months**. The international graduate must have sufficient funding for the period he intends to stay and seek a job. Applications for job seeking permits are rare. International students/graduates can also apply for a

Member State	Working during Study	Documents/Permits Required	Working after Study
	the full-time work is at a time when there are no classes at the educational institution.		self-employed person's residence permit.
France	Not exceeding **964 hours** per annum (approximately **18 hours per week)** which corresponds to 60% of full time work for the year.	**Work permits** are issued to certain international students such as Algerian students whose status is governed by special conditions.	Scheme established enabling the issue of temporary residence authorisations for six months, non-renewable if the third-country national has graduated with a qualification that is at least equivalent to a Master's Degree course and they wish to complement their studies with some **initial professional experience**. An international student may be allowed to stay to **seek a job for six months**. The authorisation enables the student to work at any job up to the limit of 60% of the official work week. At the end of the six month period, a graduate who has a job or an offer of employment related to the qualification obtained and which is remunerated at a full-time monthly rate of at least 1.5 times the minimum monthly wage is permitted to remain in France to further the professional activity. In this case, the individual is exempt from eligibility requirements based on the employment situation in France. If the employment contract is lower than 1.5 times the minimum wage, the individual is subject to the labour market test. International students are not entitled to unemployment support.
Germany	Not exceeding **120 full days** or **240 half days**. Doctoral students who are registered as workers can work full time in addition to studying.	No information.	After graduation, international students can be issued with a graduate **job seeker** permit for 18 months. Self-employment is included. Another type of permit (worker, researcher, highly qualified person). International students are not entitled to social benefits.

Member State	Working during Study	Documents/Permits Required	Working after Study
Ireland	Student Work Concession allowing for students to work **20 hours** per week during term-time and **40 hours** per week during holidays.	Students do not need a separate work permit or work authorisation to access the labour market during studies. The work permission is granted under the terms of the student permission.	Irish Third Level Graduate Scheme provides for international students in degree courses or above to remain in the Member State for **one year (Level 8)** or **six months** (Level 7) following the completion of their studies. This scheme aims to facilitate the ease of transition for international graduates to the labour market. Following the expiration of the one year allowance, students must then transfer onto an employment permit or Green Card permit. Applicants can remain in Ireland during the duration of the application process. Students remaining in Ireland on the scheme are entitled to work **40 hours** per week.
Italy	Right to work for up to **20 hours** per week, and a yearly limit of 1 040 hours	No need to send a residence contract if international students stay within the limit assigned.	Permission to extend stay in order to look for a job is not automatic, unless for EU citizens or children of immigrants who have acquired the status of long-term residents. Conversion of the permit to study in permit for work purposes occurs only when envisaged in the annual flow decrees and within the scheduled quantitative limits.
Latvia	Right to work for up to **20 hours** per week.	After receiving a **temporary residence permit**, a foreign student has a right to employment automatically. Where residence in Latvia does not exceed 90 days in a half year starting from the day of first entry to the country, the Office of Citizenship and Migration Affairs issues a **work permit** corresponding to the term of validity of the visa.	Third-country national students are not offered the opportunity to remain in the state for the purposes of seeking employment following the completion of studies. In case a third country national wants to apply for a residence permit for employment, based on an employment contract, the potential employer must register a vacancy with the State Employment Agency. The applicant must apply for the registered vacancy within a month. Following this, the employer has the right to request a 'sponsorship' for a third-country national and submit the necessary documents. When the sponsorship has been approved by the Office of

Member State	Working during Study	Documents/Permits Required	Working after Study
			Citizenship and Migration Affairs, the third-country national has the right to submit the necessary documents to apply for a temporary residence permit. If the applicant is to be employed based on a contract for work-performance, a vacancy with the State Employment Agency does not have to be registered. Together with a temporary residence permit, a work permit is issued to the third-country national, without which he or she has no right to work. The work permit gives the right to work at one employer in a definite, specific position. If the third-country national, having received a temporary residence permit, loses the job position, the residence permit and work permit are annulled, and they must leave Latvia, due to the fact that a third-country national who has entered Latvia for the purposes of employment, cannot become an employment seeker and receive the respective state allowances. In separate cases, if the individual has found another employer, they may apply for a new residence permit without leaving the Republic of Latvia. The above includes self-employment. If self-employed third-country national is not economically active the residence permit and work permit is annulled.
Lithuania	International students can work no longer than **20 hours** per week from the second year of their studies.	Obligation to receive a **work permit**. The requirement to obtain a work permit is a highly limiting condition as the employer wishing to employ the student must prove that they were unable to find an employee in Lithuania.	Students cannot stay after graduation except when they change the grounds for arrival to alternative ones. The possibility to extend the period after graduation when students are allowed to stay and **seek employment** for **up to six months** is being considered.
Luxembourg	**10 hours** per week. Only engage in remunerated activity after the third semester, with the exception if they work for the University of	The student can work based on the resident permit the 10 hours.	International student can stay in the Member State after graduation for a **first professional experience**. However the application must be submitted before the expiration of their residence permit.

Member State	Working during Study	Documents/Permits Required	Working after Study
	Luxembourg in which case the limit of the third semester does not apply		A salaried worker residence permit can be authorised for a maximum of 2 years if the applicant has obtained their higher education diploma, wishes to complete their education with first professional experience, the economic activity is related to their study and they are in possession of a work contract that is declared vacant. It does not have to pass the labour market test. The individual does not need to leave Luxembourg in order to file the application. **No extra period for job seeking** or other purposes is granted to international students.
Netherlands	Maximum of **10 hours** per week, and not more than **40 hours** per week during the months of June, July and August.	**Work permit** is required. Employer must apply for the work permit.	International students can apply to stay in the Member State following completion of their studies. A temporary residence permit can be applied for which will give the international student the opportunity to **seek a job** for a **maximum period of one year** after having completed their studies. The international student is permitted to work during this time to earn a living and is not required to have a work permit. If the international student finds a job with a gross annual salary of at least €26 931, they are eligible for a **regular residence permit**. This wage criterion is lower for graduated international student migrants than for other highly educated migrants. Apart from this one tear job-seeking scheme, there is also the Highly Educated Migrants Scheme. Under this Highly Educated Migrants Scheme, international students can apply for a residence permit in order to seek a higly qualified job, within three years after graduating in the Netherlands or abroad. **Self-employment** is also possible, with international student needing to apply for a residence permit to work on a self-employed basis.

Member State	Working during Study	Documents/Permits Required	Working after Study
Poland	Although no concrete restrictions to duration and specific profession were imposed, if work becomes the main purpose of student's stay in Poland, the public authority may revoke his residence permit or refuse to extend it.	International students on a residence permit granted in relation to taking up full-time studies or full-time doctoral studies as well as certain categories of students doing internships have the right to work in Poland without a work permit all the year long and thus have the most extensive rights. International students on a visa, and a residence permit granted in relation to taking up education (i.e. post-graduate studies) can work without the work permit **only during academic holidays (July-August).**	Graduates can apply for the right to stay in Poland on the basis of a residence permit for a specified period of time on the grounds of being e**mployed, running economic activity or marriage to a Polish citizen (**under condition that they have found employment/set up business activity, married a Pole before the residence permit for studies expires**).** When there are no such grounds, the foreigner **must leave** Poland. Graduates of Polish universities are exempt from having to obtain a work permit. The draft new Act on foreigners introduces the possibility to grant a temporary residence permit for one year to foreigners who graduated from a Polish university and plan to look for a job in Poland.
Portugal	Students can engage in a professional activity as long as this activity occurs outside the periods stipulated for the study programme and on a part-time basis.	No information.	International students can stay if they want to enter the labour market. The permit to engage in professional activities is temporary, **valid for a period of one year** and renewable for successive periods of two years. Foreign nationals who are enrolled in the employment centres can apply for jobs, enjoying the following rights: the right to efficient and personalised service; right to information, especially with regard to training facilities and job offers, socio-economic means, professions and labour and employment conditions, social benefits, employment market and social employment market. International students can engage in **self employment**.
Spain	The employment contract shall be part-time. No information on working hours.	**Work permits** for students who have the corresponding stay permit for study must be requested by the employer for employees Authorised employment activity must be compatible	International students can go from the status of student residence for study, research, training or unpaid work experience reasons, to residency and work permit or residency permit with exemption from work status.

Member State	Working during Study	Documents/Permits Required	Working after Study
		with the study programme to which the international student is admitted, and the income earned from employment must not be a necessary resource for supporting the international student financially	Students may change from a stay permit for study: - To a residence and work permit as an employee; - To residence and work permit self-employed person; - To residence without a work permit; - To residence and work permit for researchers; - To residence and work permit as a highly-qualified professional.
Sweden	The student has the opportunity to work during their period of study without restrictions to duration, specific profession or employer.	International students are exempt from the requirement to have a work permit during the validity period of their residence permit. Students therefore have the opportunity to work during their period of study without restrictions to duration, specific profession or employer. When the student applies for an extension of their residence permit, they are allowed to continue to work while the application is processed, as long as the extension has been applied for prior to the expiry of the previous permit and if the student has previously had a residence permit for at least six months. This exception from the requirement to have a work permit is valid until the Migration Board has reached a decision on the application, or until a negative decision has gained legal force.	Can stay if they have a job or an employment offer. Introduction of a residence permit for job-seeking after studies is currently being considered.
Slovenia	An international student is permitted to perform work or obtain employment in Slovenia during the period of validity of a temporary residence permit for study purposes under the conditions defined in the Acts regulating employment relationships and student work	Right to work automatically granted.	Can stay if an application is lodged with the competent authority for a subsequent residence permit for a different purpose prior to expiry of period for which authorisation is granted. Opportunity to obtain a personal work permit valid for three years provided that that (a) they attended the final year of their studies in Slovenia and gained at least higher education) and find an employer or become self-employed within two years after the completion of

Member State	Working during Study	Documents/Permits Required	Working after Study
			their studies or (b) they completed a research programme and find an employer or become self-employed within one year. The work permits allow employment, **self employment** or work for any employer. This may be extended once for a year if the third-country national has been employed or self-employed during the last six months prior to the application and as such registered in the social security system. The permit can be re-issued for a period of three years under the same conditions as the first one.
Slovak Republic	A maximum of **10 hours** per week (in case of a temporary residence permit for the purpose of study)	International students who have been granted temporary residence for the purpose of study are e**xempt from the requirement to possess an employment permit** if their employment in the territory of the Slovak Republic does not exceed ten hours per week	At present, the Slovak Republic does not allow students from third countries to stay in its territory after the completion of their studies and seek employment. The only possibility for an international student is to try to obtain an employment permit during studies, and apply for a change of the purpose of temporary residence from study or special activity to employment purposes after the completion of studies.
United Kingdom	Employment must not be a full time permanent vacancy. The student cannot be self employed For Level 5 or above, or for a short-term study period, it is possible to work part time (**20 hours** per week) during term time and full time during vacations. For Level 3, it is possible to work up to **10 hours** per week during term time and full time during vacations.	No information.	Graduates with a skilled job offer with a **minimum salary of £20, 000** from an employer accredited by the UKBA may stay and work under a Tier 2 visa. International graduates may also be eligible for a **Tier 1 (graduate entrepreneur) visa**. With such a visa, the graduate is granted leave for 12 months which may be extended for a further 12 months. The graduate may work at their business and up to **20 hours** a week in other work to support them. The standard visa requirements must be met and they must have access to a minimum of £50 000. The number of places is limited to 1 000 per year.
Norway	Students are automatically granted the right to work up to **20 hours** per week	No information.	The international student can **seek a job** for a **six month period** or apply for permission to work in

Member State	Working during Study	Documents/Permits Required	Working after Study
	and full time during public holidays. If the work is relevant to a student's studies, a full time work permit can be issued.		Norway on the basis of a specific job offer. The graduate must have the intention to seek employment as a skilled worker or specialist. They must have sufficient funds for the period they intend to stay. The jobseeker permit gives the right to work full time (skilled or unskilled). This does not form the basis for a permanent residence permit. Skilled worker may be granted a work permit for a period of up to three years or for the duration of employment if this is less than three years. The permit is renewable. If the employment ends, it is possible to stay for a period of up to six months to seek a new job. **Self-employment** is included.