



PRAGUE PROCESS
ПРАЖСКИЙ ПРОЦЕСС

Prague Process Handbook on Enhancing International Student Mobility

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The Prague Process is a targeted migration dialogue, promoting migration partnerships and information exchange among the countries of the European Union, Schengen Area, Eastern Partnership, Western Balkans, Central Asia, Russia and Turkey.

This document was produced in the framework of the Pilot Project 6 on Legal Migration, implemented from November 2014 until March 2016 within the Prague Process Targeted Initiative, a project funded by the European Union.

13 Prague Process countries, as well as various international organisations, universities and other stakeholders participated in the Pilot Project and contributed to the development of this document. The opinions expressed here within do not necessarily reflect the views of the European Union and its Member States, nor are they bound by its conclusions.

The electronic version of this document is available at www.pragueprocess.eu

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Foreword

This publication is the result of the fruitful cooperation among the 13 states, which took part in the Pilot Project 6 (PP6) of the Prague Process Targeted Initiative (PP TI). While implemented under the heading of 'Legal Migration', it was decided through consultations among the leading and participating states that the project should focus on the cross-border mobility of students.

The Pilot Project provided a suitable platform to exchange know-how, discuss the different national approaches and current practices, thus strengthening the common understanding of the main concepts shaping student mobility. The three expert-level workshops and one study visit that took place in the 17 months of implementation generated rich information, combining international practice with the national experience of the PP6 participating states. Much of this information is used for the publication at hand.

This document provides an overview of the main practices encountered across the participating states and aims to facilitate the efficient management of international students' mobility by the responsible policy-makers and other relevant stakeholders in this area. As the migration policy setup seems to represent a process of ongoing adjustments, some countries could potentially benefit from the successful experiences of others. The set of non-binding policy guidelines contained in the document aims at acquainting policy-makers and practitioners dealing with the cross-border mobility of students with practical recommendations on how to best manage it. Meanwhile, the document does not entail detailed information regarding the overall migration systems of the participating states.¹

¹ Such specific information can be found in the Migration Profiles (Light) of the concerned states, which are being developed in the framework of the so-called 'Knowledge Base' (Specific Objective 2 of the PP TI).

List of Acronyms

BLA	Bilateral Labour Agreement
BMP	“Building Migration Partnerships” project
CIS	Commonwealth of Independent States
EaP	Eastern Partnership
EEA	European Economic Area
EC	European Commission
EMN	European Migration Network
EU	European Union
EU MS	European Union Member State(s)
FMS	Federal Migration Service (of the Russian Federation)
GAMM	Global Approach to Migration and Mobility
HEI	Higher Education Institution(s)
ICMPD	International Centre for Migration Policy Development
ILO	International Labour Organisation
IOM	International Organisation for Migration
MoU	Memorandum of Understanding
NGO	Non-governmental organisation
PP	Prague Process
PP6	Pilot Project on Legal Migration
PP AP	Prague Process Action Plan 2012–2016
PP TI	Prague Process Targeted Initiative
TCN	Third-Country Nationals
UN	United Nations

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1. Introduction

1.1. Project Description

1.1.1. The Prague Process

The Prague Process is a political initiative that emerged out of the “Building Migration Partnerships” (BMP) Ministerial Conference, which took place in Prague on 28 April 2009. At this conference, the 50 participating states² adopted the Joint Declaration on principles and initiatives for promoting close migration partnerships. The text of the BMP Joint Declaration³ was prepared by the participating states with the contribution of several EU bodies and international organisations. Specifically, the Joint Declaration established the following five areas as a basis for cooperation while the last, sixth area was added after the endorsement of the Prague Process Action Plan 2012–2016⁴ in Poznan in November 2011:

- ⇒ preventing and fighting illegal migration;
- ⇒ integration of legally residing migrants;
- ⇒ readmission, voluntary return and sustainable reintegration;
- ⇒ migration, mobility and development;
- ⇒ legal migration with a special emphasis on labour migration;
- ⇒ asylum and international protection.

The main aim of the Prague Process has been to promote migration partnerships between the states of the European Union/Schengen area, Western Balkans, Eastern Partnership, Central Asia, Russia and Turkey. Its methodology is based on three pillars: it combines policy dialogue at ministerial level with policy development at expert level and

the implementation of concrete initiatives in the framework of its Declaration and Action Plan. This approach shall ensure that the political dialogue does not decouple from the practical experience gained while “working on the ground”. It shall also guarantee that the findings of concrete projects do not get lost but are translated into general guidelines and concepts that are available for all Prague Process participating states. This document is a result of this effort.

The Prague Process is – with the exception of the important role of the European Union – a state-driven initiative, which is steered by ministries responsible for migration and led by Poland. The Core Group advises the Senior Officials’ Meetings, which constitute the decisive body of the Prague Process. The declared intention of the Prague Process is to keep the dialogue among responsible state agencies open for cooperation on the six above-listed topics. Since the dialogue emphasizes an operational approach, practical know-how and the development of joint standards are of special relevance in this respect. The website www.pragueprocess.eu serves as the main source of information on the Prague Process and its Targeted Initiative. Regular updates are also provided at www.facebook.com/PragueProcess.

1.1.2. The Prague Process Targeted Initiative

The Prague Process Action Plan 2012–2016 outlines 22 concrete activities in the six above-mentioned thematic areas to be implemented during that period. From August 2012 to present, Poland together with the Czech Republic, Germany, Hungary, Romania, Slovakia and Sweden, which also take the lead in the Pilot Projects of PP TI, have been implementing the EU-funded initiative “Support for the Implementation of the Prague Process and its Action Plan”, also known as the Prague Process Targeted Initiative (PP TI).

The PP TI is focused on three specific objectives: to ensure continued expert-level dialogue and

targeted information exchange among states participating in the Process⁵; maintaining, updating and improving of the Knowledge Base through the gathering of information in the form of Migration Profiles (Light) for countries in Eastern Europe, Southern Caucasus, Central Asia and Russia constitute the second main objective; finally, seven concrete pilot projects have been implemented within the framework of the PP TI, relating to the thematic areas set out in the Action Plan.

International cooperation is vital for the development of sustainable and mutually beneficial migration policies. The PP TI represents an important forum for dialogue and information exchange among decision makers in the participating states. In spite of its inter-governmental nature, the involvement of other stakeholders such as NGOs, international organisations and academia has been actively encouraged within the PP TI.

1.1.3. The Pilot Project on Legal Migration (PP6)

The purpose of PP6, implemented from November 2014 till March 2016, was to share national experiences and good practices in organizing the cross-border mobility of students in a way beneficial for sending and receiving countries, as well as the concerned students themselves. The project aims to facilitate a mutual learning process among equal partners by exploring and discussing the current policies across its participating states, identifying good practices and elaborating policy recommendations. The relevance of PP6 becomes apparent when considering that most participating states are affected by both incoming and outgoing student mobility, a phenomenon that has moreover been constantly on the rise.

States participating in PP6 were situated in various regions, including Western, Central and Eastern Europe, the Western Balkans or Central Asia. With regards to student mobility, some states featured advanced, well-

elaborated policies, while others were aiming at further increasing their regulatory capacities in this area. In spite of these geographic and policy-related differences, all states agreed on the importance of enhancing the cross-border mobility of students.

The Project was led by the Hungarian and Czech Ministries of Interior with the support of the Prague Process Secretariat at ICMPD. In total, 13 states participated in PP6: Albania, Armenia, Belarus, Czech Republic, Georgia, Hungary, Kazakhstan, Kosovo* (UNSCR 1244/1999), Kyrgyzstan, Moldova, Portugal, Russia and Turkey. IOM, representatives of various universities and NGOs and a number of other important stakeholders from across the Prague Process region and experts from academia supported their efforts.

The main intention of PP6 was to bring closer countries of origin and destination in order to discuss common interests and the practical challenges faced and to possibly identify suitable solutions. The project offered participating countries the opportunity to exchange experience and information in the course of three workshops and to carry out a study visit to Portugal in order to be introduced to its national policies relating to international student mobility. The main findings of these activities were subsequently used for the present publication.

Furthermore, the participating countries were requested to describe the relevant elements of their migration management systems on the basis of a questionnaire, which was jointly developed during the first project phase. More importantly, participating countries were able to strengthen their cooperation and improve their capacities. In order to facilitate a fruitful exchange and learning process, it was decided in the course of the project to not involve migration authorities alone but to also invite representatives of the participating states’ education ministries or other state agencies responsible for international student mobility.

² Participants (50 in total): Albania, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Kazakhstan, Kosovo (UNSCR 1244/1999), Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, the former Yugoslav Republic of Macedonia, Malta, Moldova, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Turkey, Turkmenistan, Ukraine, United Kingdom, Uzbekistan, and the EC. Leading state: Poland; Secretariat: ICMPD.

³ See: http://www.pragueprocess.eu/fileadmin/PPP/BMP/Joint_Declaration_EN.pdf.

⁴ See: https://www.pragueprocess.eu/fileadmin/PPP/PP_AP_POZNAN_EN.pdf.

⁵ This exchange is implemented through, among others, organisation of yearly Senior Officials’ and National Contact Points’ meetings.

1.2. Sources, scope, aim and structure of the document

This publication to a great extent builds on the experience of the states which participated in the pilot project. The national information and data used in this publication were mostly provided directly by the states, either through the answers submitted to the PP6 questionnaire or through their interventions during the various meetings. Presentations by external experts who were invited to the workshops are also reflected here within, as is the short research paper “International Student Mobility to Germany”.⁶ The important inputs on behalf of the invited representatives of higher education institutions (HEI) in Hungary, Russia and Portugal should also be highlighted.

Finally, this publication is also based on external sources and relevant findings generated through desk research. The drafting of the document was carried out by the national experts of the PP6 Leading States, the Czech Republic and Hungary, with the support of the PP Secretariat within ICMPD.⁷ Before its publication, participating states were provided with an opportunity to propose changes to the text, both during the Concluding Workshop and via online consultation on the draft version.

Aiming at a comprehensive approach to enhance international student mobility, this document should assist states at both ends of the process in their efforts to develop new policy approaches and practical measures. The publication has been prepared primarily for the use by decision-makers and practitioners across the Prague Process States, as well as the wider public. While directed particularly towards the states participating in PP6, we hope that the document will inspire further dialogue and cooperation among all PP participating

states and also beyond. The international and admission offices of universities have not only contributed significantly to the content of the document, but may also represent another valuable target group of potential readers.

This document consists of four main sections: Following this short introductory chapter, the second section presents the main findings of the project. It first briefly introduces the ever increasing scope, significance and impacts of international student mobility in a globalized world, before shortly summarizing some of the main impacts from the perspective of sending and receiving countries. This main section then looks at the national approaches taken on behalf of the participating states and thereafter addresses some of the specific key policy elements in more detail. The latter relate to issues such as information provision, the recognition of foreign credentials, the existing exchange programmes and available scholarships or the employment of foreign students and graduates to just name a few.

The third section discusses the national policies of Germany and the Russian Federation in more detail, not at last to exemplify some of the particular elements and challenges inherent to international student mobility, as well as possible ways in tackling them. The choice of these two states was based on the aim to ensure a balanced approach in terms of covering both EU and non-EU states, as well as the overall significance of these two ‘major players’ in terms of international student mobility. The fourth and final section provides an overview of the EU legal framework on student mobility, also referring to the most recent changes introduced.

The document is complemented by the ‘Background Information’ section, providing for brief summaries of the activities carried out throughout the Pilot and a bibliography containing further reference documents.

2. Main Findings on International Student Mobility

2.1. Scope and Trends

According to the UNESCO Institute of Statistics Survey, there is a considerable growth in the overall number of international students: While estimated at a total of 2,1 million in 2002, their number reportedly increased to 3,4 million by 2009⁸ and is currently estimated at around 4 million, thereby representing 7% of the global migrant population aged 15-29.

The main student receiving countries are the USA (18%) and UK (11%), followed by France (7%), Australia (6%) and Germany (5%). These states jointly welcome half of all international students worldwide. Another important destination for international students – mostly from the CIS region – is Russia, which currently welcomes some 4% of the global student flows.

As the number of international students – both incoming and outgoing – has generally been on the rise, it is important to highlight that most student mobility takes place within the same region.⁹ Within Europe, the nature of international student mobility changed significantly over the past three decades. This is particularly true due to the democratic changes that came to the countries of the Soviet Bloc, and their subsequent accession to the European Union. The number of incoming students from European countries was already increasing in the late 1990s, and that flow only expanded during the past decade.¹⁰ Within the EU, out of the two million residence permits issued by its Member States in 2011, almost 10% were granted to students (190.000).¹¹

⁸ Source: <http://www.uis.unesco.org/Library/Documents/research-trends-international-student-mobility-education-2012-en.pdf>, Access: May 5, 2015.

⁹ This phenomenon was also exemplified by the statistics provided by the states participating in Pilot Project 6.

¹⁰ Bessey, D. (2012) International Student Migration to Germany, in: Empirical Economics, Springer, 42. Jg., 2012, Heft 1, pp. 345-361

¹¹ Source: Eurostat, cited by Ms. Tímea Lehoczki during the 2nd PP6 Workshop in Moscow in June 2015.

Within the Prague Process region, the ongoing harmonisation of curricula in the framework of the Bologna system (and thereby approximation to EU standards) has significantly contributed to facilitating the possibility of studying abroad. Between 1999 and 2010, all the efforts of the Bologna Process members were targeted to creating the European Higher Education Area (EHEA), which aims to ensure more comparable, compatible and coherent systems of higher education in Europe. These efforts materialised with the Ministerial Declaration in 2010, establishing the EHEA.¹² Ever since, the focus has been on further consolidating the EHEA through targeted joint actions.

The aim to attract international students has also led to increased efforts by states to make the recognition of foreign credentials less burdensome and more efficient. These efforts have succeeded in increasing the overall recognition rate considerably. The increased importance of joint exchange programs and the growing participation of students from developing countries represent further important trends in international student mobility. European programmes with international perspectives (e.g. CEEPUS, Erasmus Mundus or the newly introduced International Credit Mobility component of the Erasmus+ programme) offer lots of new opportunities for cooperation in this context.

Whereas the majority of EU nationals tend to move within the EU when seeking to study abroad, Russia remains the main destination for students from the former Soviet countries. The volume of student migration from Asian countries has increased significantly with China and India being by far the most important source countries of international student migration, jointly providing for almost one million international students.¹³ The increased flows from the Arab countries represent another important trend. It should however also be noted that the lack of statistical data,

⁶ This paper was provided by Professor Cieran Burke (University of Jena) for the purposes of this project and has been (partly) incorporated into the text. The references to Germany contained in this document have thus not been provided by the German state authorities.

⁷ The main editors of the publication are Agnes Tottos, Legal Expert at the Hungarian Ministry of Interior, and Alexander Maleev, PP6 Project Officer, Prague Process Secretariat at ICMPD.

¹² For more information on the EHEA, see: <http://www.ehea.info/> (accessed in April 2016).

¹³ Data provided by Ms. Olga Pozdorovkina (IOM Moscow) during her presentation in the 2nd PP6 Workshop in Moscow, 24.6.2015.

especially for outgoing students, represents a major hindrance to adequately assess the magnitude and impact of international student mobility.

An adequate assessment would also need to address the substantial differences among the manifold disciplines of study. It is important to differentiate between those disciplines most targeted by international students and the ones not targeted at all. The increased availability of courses taught in a foreign language has certainly further contributed to the rise of international student mobility. The specific role of medical studies in many countries represents another important consideration to keep in mind.

2.2. Significance and impacts

2.2.1. The perspective of student receiving countries

There are various reasons for which countries across the globe compete in attracting international students: Students are generally perceived as a source of qualified and integrated foreign nationals, potentially representing an important labour market resource, both during their studies and upon graduation. Their impact on the social mix and the educational experience of domestic students is generally valued highly. Moreover, foreign students who are attending advanced programmes (graduate, post-graduate, masters, PhD) most often pay some form of tuition, while students who arrive for a short-term stay within a funding program provide indirect funding for the institution through the sending organizations. This is obviously very welcome for public institutions, the budgets of which are increasingly limited and which are striving for a balance between their own economic revenues and the constant quest for funding and international cooperation. However, the internationalisation of HEI is not only perceived as beneficial due to these substantial revenues generated, but also because the number of foreign students

is seen as a proof of the quality of national higher education systems.

Possible measures to attract foreign students:

- Information provision to potential foreign students;
- Harmonisation of curricula;
- Enhancing the recognition/convertibility of foreign and national degrees;
- Targeted measures towards migrant children;
- Further investments in the education system;
- More elaborated research on good practices and policy impacts;
- Introduction of more foreign language programs;
- Introduction of facilitated visa procedures for students;
- Accurate registration of incoming students;
- Improving the quality of teaching

While a great variety of implications need to be considered by countries receiving foreign students, the overall impact of international student mobility can be described as positive when it comes to the economic, labour market and demographic impacts, both at the national but even more so at local level, for which the economic and financial impacts of their arrival and livelihood represent an important benefit and income.

Positive impacts of international student mobility on student receiving countries:

- Positive impacts on the local economy due to the received tuition fees, as well as money spent on accommodation, meals, travel, entertainment etc.;
- Improved international reputation of the receiving countries and institutions;

- From an educational point of view, the increased student services within the HEI are perceived as overly positive (i.e. developing new foreign language courses, adapting new teaching methodologies, addressing the intercultural differences etc.);
- Increased awareness of the important role of student migration and recognition of the necessary (support) measures to make it operational;
- Incoming student migration probably represents the cheapest and most promising channel for attracting foreign talent

Yet, leaving aside the financial element, it is more difficult to explain why attracting foreign students is a policy aim, when it may also bring with it a number of social difficulties and open issues. While most governments continue their efforts to attract foreign students, one should keep in mind that the selection procedures often lack transparency, thus allowing the concerned institutions and authorities to pre-select their desired students without providing for a comprehensive explanation.

While national authorities generally aim to attract foreign students, they still need to set targeted measures to prevent abuse. Therefore, it is possible that the interests of higher education institutions (HEI) and the government are opposing each other. Due to the principle of academic freedom, the governments in many countries cannot directly interfere with the HEI's policy decisions, though they most frequently can re-regulate their budget. However, the traditional withdrawal of funds as a sanction would prove counterproductive, as it would further motivate the institution to accept even more paying foreign students. Both parties should thus be aware of possible tensions and not wish to establish irreconcilable differences between one another. If the government wishes to change its policy with regard to migration and introduce a more controlled policy, the institution should and will comply. There are always other possibilities to ensure the safety of the population and the wished brain-gain in a country.

Challenges faced by countries receiving international students:

- Concern that the predominance of one particular nationality within the incoming student flow mitigates the positive impact of internationalization and cultural exchange;
- Struggle to ensure a sufficient number of foreign language courses for incoming foreign students in all the relevant subjects;
- Introduction of less bureaucratic procedures, such as online visa procedures for students to facilitate the issuing of their visas;
- The economic need of HEI to receive foreign students and their freedom to determine their own recruitment and admission procedures might negatively affect the quality of the selection process;
- Corruption within the selection procedure for scholarship programmes and the resulting arrival of underqualified students;
- Striking a balance between revenue generation and other international cooperation activities;
- Xenophobic attitude, including criminal acts directed at foreign students;
- Encouraging the intercultural dialogue among young people with different views and backgrounds;
- Provision of adequate infrastructure and housing for incoming foreign students;
- Abuse of student visas resulting in illegal migration;
- Accurate registration of educational migration is impeded by the incompatibility of the various databases among the different line ministries, which leads to discrepancies in the respective statistical data;
- The lack of readmission agreements may result in the impossibility to return a student who has interrupted his/her education;
- Provision of sufficient language courses for foreign students as well as a decision on whether or not to promote the integration of students arriving for a short period;
- Recognition/convertibility of own national degrees and diplomas in other countries;

- ⇒ Constant improvement of HEI and ongoing investment into them;
- ⇒ The research on the impacts of cross-border student mobility tends to be overly academic, rather than practical;
- ⇒ Reconciling education and migration policies in an efficient way;

2.2.2. The perspective of student sending countries

The impacts of substantial outflows of students on their respective countries of origin are diverse. On the positive side, these young people may bring back valuable experience and skills when returning upon graduation, especially if the education received is of higher quality than the one available in the source country. Their employment and income perspectives may as a consequence improve considerably.

Based on real data, the Hungarian Graduate Tracking Programme has proven that students having foreign mobility experience earn more upon their graduation.

The Graduate Tracking Programme (Hungary)¹⁴:

Following the career of graduates provides useful information for a wide range of actors of higher education. For universities and colleges, such research provides invaluable feedback on the employment situation and labour market characteristics of their graduates, as well as on the applicability of their knowledge and their intentions at further training, which may help improve training and services. The graduates' success in finding employment and its factors carry important information for future graduates with respect to their career orientation or for those who are already at the stage of selecting a particular institution or major. Data on graduates are also crucial for governmental and sectoral actors in their efforts to design training supply. Last but not least, career tracking provides useful information for actors of the labour market on the training provided at HEI.

As a result of the merging of data and improving the interfaces between databases, the system has a 97% coverage of graduates. Therefore the quality of data on income, employment and labour market relevance significantly improved, establishing the requirements for genuine good governance in the case of higher education.¹⁵

One systemic level improvement of the higher education management information system includes the integration of the data from public education management information system. Data merging will enable higher education governance to follow the education paths of disadvantaged students from elementary level studies to their tertiary studies. Such improvements on the system will yield more results that could enable higher education governance to fine tune higher education development policy.

Students may also contribute to the promotion of their country while abroad and the newly established networks can also prove beneficial for their home country. Not at last, these students may develop a better sense of tolerance and problem-solving ability, as well as improved inter-cultural skills, higher autonomy and self-confidence. All these factors are perceived as overly positive and represent a key incentive to improve the national system for the granting of educational loans.

Positive impacts of student mobility for countries of origin:

- ⇒ The better education received by their nationals abroad;
- ⇒ The better employment perspectives, resulting from the education received;
- ⇒ The acquired foreign language and other personal skills (i.e. tolerance, problem solving ability, self-confidence, curiosity and improved inter-cultural skills);
- ⇒ The possible brain gain or brain circulation when graduates return to the home country with valuable skills and experiences acquired abroad;

¹⁵ The system of graduate career tracking is constantly evolving: up to the year 2012 the online questionnaire reached about 20% of graduates, from 2013 onwards data from the Graduate Career Tracking system was merged with the data of the higher education management information system, and of the tax authority and other governmental databases – a legal obligation that enabled higher education governance to receive up-to date information on student performance and employment situation.

- ⇒ The promotion of national traditions, culture and customs in the receiving countries;
- ⇒ The new personal networks but also potential business contacts established abroad;

The source countries of international students struggle to retain their young talent or provide adequate incentives for their eventual return. Developed countries' efforts to attract highly skilled migrants may result in a cumulative negative effect on fragile economies, as they can provoke labour shortages in key sectors (e.g. healthcare and education) and also bare a negative impact in demographic terms. If the return of these students does not materialize, the source countries may suffer from 'brain drain' as well as economic and demographic decline. In order to make the return option more attractive, countries of origin should ensure that the skills acquired abroad are formerly recognized back home. Further issues they should aim for include establishing opportunities to practice their profession and encourage entrepreneurship.

Such 'brain drain' can also be mitigated through a comprehensive response strategy, including innovative circularity schemes (timely limited labour migration) and the promotion of ethical recruitment, meaning that employees of so-called 'shortage sectors' should not be drawn out of the country. Moreover, human resource management may play a crucial role to prevent such shortages. A major problem for many countries of origin is the skills' mismatch between what is produced by the education system and what is demanded by the labour market, both nationally and internationally. In such a context, it would be essential to encourage stronger synergies between migration policies and education and vocational training reforms. Countries of origin must therefore map the needs in their domestic labour markets, taking into consideration the current and projected effects of emigration. The effort to compare professional profiles in a framework of labour matching at an international level can also

produce positive effects on the domestic system of education and vocational training in terms of transparency of qualifications and of reinforcement of the link between training and market needs.

Investment in training and education can be combined with incentives to attract workers to return home, and programmes to encourage the return of their highly skilled Diaspora and students. Some state supported scholarship or exchange programmes may in fact explicitly request return to the home country upon finalization of the studies. On the other hand, the emigration of young people in working age may contribute to releasing the pressure from national labour markets with limited job prospects, especially in countries with a great share of young population, for which no sufficient employment can be generated. As a result, whereas some countries of origin aim to retain their students through targeted initiatives, others are actively promoting their studies abroad.

Another important challenge relates to the lack of data about those own nationals that remain abroad for employment upon their graduation, as well as the unavailability of data on the actual returns of graduates to the country. The issue is further complicated by the fact that many graduates return only in the mid- and long-term after benefitting from the knowledge gained abroad. Finally, some returnees re-emigrate to their country of education (or elsewhere), especially if they fail to accede the labour market immediately upon graduation.

Challenges faced by source countries of international students:

- ⇒ The potential demographic decline provoked by the departure of the younger population;
- ⇒ The struggle to establish efficient return incentives, adequate employment opportunities and competitive salaries in order to re-attract the national graduates back home;
- ⇒ The lack of sufficient financial resources or limited public funding for studying abroad;

¹⁴ The programme is an online tracking survey that was launched in 2008.

- The insufficient provision of adequate information regarding opportunities to study abroad;
- The potential brain drain suffered by the source countries when their students permanently leave the country;
- Visa regulations represent another important obstacle;
- The possible decline of the national higher education system;
- The lack of reliable data on emigration and return;
- Ensuring full recognition of the qualifications acquired during the stay abroad.

2.3. National Policy Approaches towards International Student Mobility

Not surprisingly, the national approaches taken by the PP6 participating states with regards to international student mobility in some aspects differ substantially.¹⁶ While some countries feature limited quotas for incoming foreign students (e.g. Armenia), others have introduced benchmarks for nationals leaving to study abroad (e.g. Hungary). Most states, however, make significant efforts to attract foreign students, i.e. by reducing the required administrative procedures (e.g. Georgia, Moldova), or by providing for substantial financial support for both outgoing and incoming students (e.g. Czech Republic, Turkey). The increasing importance of participation in joint programmes (e.g. Erasmus Mundus) and facilitation of recognition procedures represent other important trends. It is important to consider the variety of policy areas and documents (i.e. demography, development, labour market, migration), as well as the manifold international agreements having an impact on the issue of international student mobility.

This following section provides a short summary of the most important policy elements and

¹⁶ This section is based on the information received by the PP6 participating states. It does not aim for an exhaustive description of all relevant policy elements but to rather highlight some important ones.

state of play on cross-border student mobility across the PP6 participating states:

Albania

The country lacks a single integrated national policy document on enhancing the mobility of national and foreign students but features various political commitments in this direction. When it comes to incoming students, the Council of Minister Decrees used to annually define special quotas for enrolment of foreign students in the public HEI. State authorities have generally been actively cooperating with HEI when it comes to the enrolment of foreign students, especially in relation to the sometimes lacking application documents delivered. As of the academic year 2015/16, the HEI themselves are completely in charge of the admission procedure, thus also defining the mentioned quotas themselves.¹⁷

Albania has witnessed an increased inflow of own diaspora members, mostly coming from neighboring countries such as Macedonia, Kosovo and Montenegro in order to study in the country. In 2015, 645 residence permits were issued to foreign students. One important motivation for incoming students might be the low tuition fees at public HEI. The preferred discipline of study has been medicine.

Meanwhile, most Albanian nationals going abroad also choose to study in nearby countries such as Greece and Italy, which is by far the most popular destination for Albanian students. This is due to the closeness of Italy, broad knowledge of Italian among young Albanians, the relatively low tuition fees, the existence of a wide-ranging Albanian community in the country and the high quality of education provided by Italian HEI.

Armenia

Being part of the Bologna Process, Armenia's educational system provides for Bachelor, Master and Doctoral degrees. Armenia's legislation¹⁸

¹⁷ Law 80/2015 "On higher education and scientific research in higher education institution in the Republic of Albania"

¹⁸ "Procedure for Academic Mobility of Higher Education Students", approved by Government Decision N1240 of Aug. 25, 2011; "Selection Procedure for Studying at Foreign Countries' Higher Educational Institutions under International Agreements on Quota Vacancies Allotted to the Ministry of the

features separate legal basis regarding incoming and outgoing student mobility, in spite of both policy areas falling under the competence of the Ministry of Education. Incoming students to a great extent consist of foreign nationals of Armenian descent whom the country aims to attract for studies back home.

There are two principal ways of enrolling: through quotas on tuition-free studies, which are regulated through bilateral agreements, and for which students apply at the Armenian Embassy; secondly, there is also the enrolment of foreign students under the respective state order, which also grants limited places free of charge.¹⁹ Studies can be undertaken in Armenian, as well as English and Russian. In 2015, Armenia hosted some 7.000 foreign students with India and Georgia being the two main source countries. Two specific websites have been established to support foreign applicants.

The Ministry of Education and Science accepts and reviews documents of foreign applicants and submits them to the targeted HEI, which in turn informs the Ministry on the eventual admission of the student. The information on the number of foreign students and applicants is provided by the HEI to the Ministry on an annual basis.

Outgoing student migration is mainly taking place within the framework of bilateral and multilateral agreements, which have been signed with Poland, Romania, Switzerland and the Russian Federation, setting concrete numbers of sponsored student seats. Russia is the most important student destination with some 200 seats allocated in 2014. Intergovernmental agreements within the CIS region are working well as the numbers agreed there within are indeed financed and implemented.

Republic of Armenia for Pursuing Studies under Bachelor, Specialist, Master, Intern, Medical Residency, Candidate and Doctorate Educational Programs", approved by the Minister of Education and Science Order N1205-~ of Oct. 31, 2011; "Procedure for Admission to the Republic of Armenia Higher Educational Institutions of Foreign Citizens and Family Members of Diplomatic Staff Working for the Republic of Armenia Diplomatic Service Bodies in Foreign Countries", approved by Government Decision N700-~ of April 25, 2011.

¹⁹ Applications are either submitted individually or through various institutions and should entail the birth certificates, medical references, passport and educational references, including the appropriate degrees and credits of the applicants.

Meanwhile, the main source countries of foreign students include India, Syria, Georgia and Russia. The recent harmonisation of the national curricula with European standards, the improved recognition of foreign credentials and the successful implementation of joint educational programs have contributed to the internationalization of the Armenian HEI.

Belarus

In recent years Belarus has been very successful in attracting foreign students. Its medical universities have become popular, especially among Chinese students, while agricultural disciplines have proven attractive to African students.

The Ministry of Internal Affairs is responsible for visa issuance, the granting of one-year residence permits and their eventual prolongation. According to a recent decision, students are allowed to be employed without any separate permit.

Czech Republic

International mobility is one of the priorities of the Czech higher educational system. The Czech Republic is an active member of the Bologna Process and is part of European Higher Education Area. International mobility, international cooperation and recognition of foreign qualifications are important factors in the Czech higher education system, which has introduced the European Credit Transfer System, the three cycle degree system, the Diploma supplement and the European Standards and Guidelines for Quality Assurance in order to become more attractive for international students and in order to facilitate national students studying abroad. Student mobility, one of the forms of higher education internationalisation, is growing rapidly in the Czech Republic.

Internationalisation has been made one of the priorities of the central strategic document of Czech higher education for the period 2016-2020.²⁰ According to the latter, the level

²⁰ The document is called "Strategic Plan for the Scholarly, Scientific, Research, Development and Innovation, Artistic and Other Creative Activities of Higher Education Institutions 2016 -2020".

of internationalisation should be taken into account in calculating the contribution to HEIs. The mobility of students and academic staff should be supported with a special financial instrument. Obtaining foreign experience, from short trips through one- to two-semester stays up to work placements and other forms

of international cooperation, will be supported with special additional financing for the existing programs. The aim of the measure is to increase the numbers of persons profiting from obtaining foreign experience, to reduce social barriers in access to mobility programs and on the whole to strengthen the internationalisation of Czech higher education.

The numbers of both incoming and outgoing students have significantly increased throughout the last decade, as illustrated by the following overviews:

Incoming students					
Year	Degree level				Total
	Bachelor's	Master's (5y)	Master's (2y)	Doctoral	
2014	2 905	1 459	1 627	140	6 131
2013	2 784	1 389	1 414	120	5 707
2012	2 490	1 303	1 500	105	5 398
2011	2 046	1 264	1 295	122	4 727
2010	2 128	1 098	1 174	90	4 490
2006	1 001	960	353	24	2 338
2005	141	79	49	0	269

Outgoing students					
Year	Degree level				Total
	Bachelor's	Master's (5y)	Master's (2y)	Doctoral	
2014	1 516	532	2 043	247	4 338
2013	1 521	495	1 995	216	4 227
2012	1 378	520	1 950	248	4 096
2011	1 297	535	1 829	249	3 910
2010	1 277	605	1 989	258	4 129
2006	440	886	415	104	1 845
2005	157	243	90	24	514

The language of instruction is usually Czech or English. The nationalities of the incoming students have proven stable over the past five years.

Number of first-entry of third-country nationals in 2014²¹

Nationality	Male	Female	Total	Proportion
Russian Federation	873	1466	2339	25%
USA	843	1147	1990	21%
Ukraine	426	557	983	11%
Turkey	356	266	622	7%
Kazakhstan	253	339	592	6%
Total	4277	5041	9318	100%

Georgia

Georgia also considers mobility a national priority within the overall strategy to make the education system more international. Aiming to attract foreign students, it has facilitated their application by abolishing the need for a national examination (requiring knowledge of Georgian etc.)²² but instead accepting foreign credentials and enhancing their recognition. Having ratified the Lisbon Convention on recognition, Georgia joined the international recognition standards.

In order to promote the Georgian students cross-border mobility the National Centre for Education Quality Enhancement (LEPL) verifies the authenticity of educational documents and issues the validation document that contains information regarding educational programmes and qualifications, which helps to build a better understanding of the qualifications available in Georgia. Since 2005, Georgia is also issuing supplements indicating the content and duration of studies. With the view to attract the foreign students, the Ministry of Education and Science of Georgia encourages the Georgian HEI's to conduct the studies in foreign languages, therefore, many students in Georgia study in English or Russian. Exchange programmes are actively promoted through the universities. A document confirming the participation in an international

programme provided by the Ministry of Education and Science of Georgia is required to obtain a Georgian long-term study visa.

The National Center for Educational Quality Enhancement (LEPL) works closely together with the authorized HEI. Their cooperation, including the joint development of new ideas and approaches, has proven very successful and productive. Major challenges faced by Georgia include the lack of available funding and the need for improved cooperation between the line ministries.

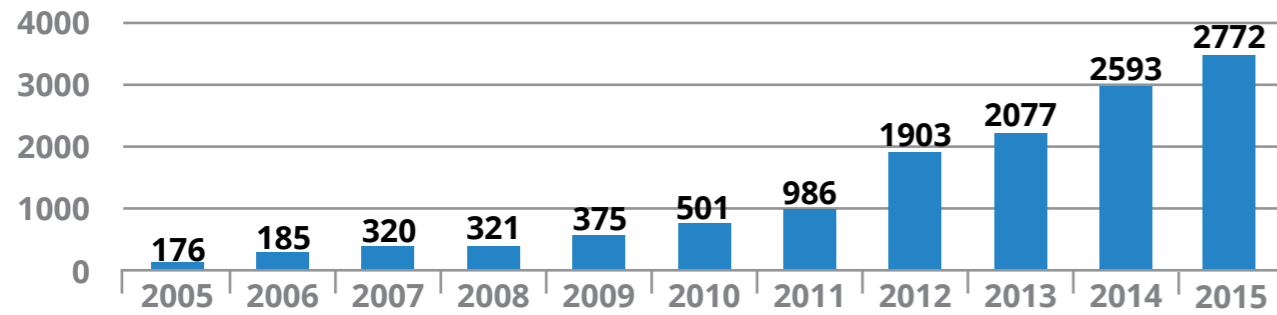
In Georgia, the numbers of students from neighbouring countries as well as Georgian students enrolled in foreign HEIs are increasing. The top three source countries of foreign students have been Azerbaijan, India and Turkey. The data on incoming student mobility reveals that medicine, public healthcare, social sciences and humanities, and business related disciplines are especially popular among foreign students and that an increasing number of students prefer private educational institutions.

Meanwhile, there is a lack of official statistical data regarding the number of Georgian students studying abroad. The analysis of apostillization/legalization of educational documents revealed that the preferred destinations of Georgian students going abroad feature Germany, USA, Italy and Austria.

²¹ The overview covers long-term stays and long-term visas, which include various educational activities, such as short-term courses, exchanges, or non-accredited programs.

²² This requirement was abolished by the "Order of the Minister of Education and Science of Georgia on Recognition of Foreign Education".

The following statistics provide an illustration of the substantial increase in the numbers of foreign students admitted to Georgian HEI's over the past decade.



Hungary

According to its Migration Strategy²³ and in line with the EU's Asylum and Migration Fund of 2014-2020, Hungary gives priority to entry for study purposes. It is set out in the seven-year strategy that promoting studies in Hungary is an important segment as foreign students studying and residing in Hungary can significantly contribute to the development of a knowledge-based society and to the good reputation of HEI in the country. In addition, following the completion of studies, foreign students returning home can use their experience gained and contribute to a positive image of Hungary in the country of origin. In 2013, the government declared mobility benchmarks²⁴ for outgoing students, whereby by 2023 20% of Hungarian students are foreseen to experience mobility abroad. Meanwhile, the number of incoming students, currently at 23.000 per year, should be doubled by 2023.

According to the Hungarian law, third country nationals are entitled to receive a residence permit for the purpose of studies, if they have full-time legal student relationship with a registered state-recognised HEI working in line with the public education information system, or wish to participate in a preparatory course for studies organized by a state-recognized HEI and can prove to meet the language skill requirements of the chosen studies.

The public authorities consult the HEI on all matters related to foreign students and scholarship programmes. More specifically, the Office of Immigration and Nationality (OIN) and its regional directorates have established cooperation with the main HEI that also involves an obligation by the latter to notify the competent immigration authority if a foreign student was enrolled or suspended.²⁵ In practice, the HEI do comply with this obligation. Information on the stay of foreign students in Hungary can be found on the OIN's website²⁶ in English and German. The HEI also provide information to their students and often contact the Office in order to review the content of their information packages.

The OIN detected several abuses by third-country students.²⁷ Some individuals were neither aware of the requirements of entry and stay, nor did they know anything about Hungary or the chosen HEI. Instead, they merely want to get an admission into the Schengen area. Some third-country students cannot prove the needed language skills

²⁵ According to Section 74/A of the Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals, education institutions are required to notify the competent immigration authority within eight working days in connection with students who are foreign nationals, concerning the taking up, pursuit and suspension of their studies, including those who failed to comply with the obligation of enrolment, and whose student status has been terminated.

²⁶ See: <http://www.bmbah.hu/index.php?lang=en>

²⁷ For further information please see the national EMN study on international student migration: http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/emn-studies/immigration-students/12a_hungary_national_report_international_students_jan2013_en_version_en.pdf

²³ Approved by government regulation 1698/2013.

²⁴ These benchmarks are published in the recently adopted Conception paper on Higher Education.

when applying for a residence permit at the Hungarian Consulate. Other applicants from third countries (mainly detected in case of Afghan, Pakistani and Nigerian students) submit false bank account certificates to prove their subsistence. It is therefore very important to check the originality and authenticity of documents submitted.

In Hungary, the number of own nationals and foreign students participating in exchange programmes has been growing in recent years, also due to the various scholarships offered. Nevertheless, mobility very much depends on the institutional relations and agreements and opening up to third countries has proven challenging. The diversification of cooperation activities has nonetheless proven beneficial as the importance of developing countries is growing. Hungary has already become an increasingly popular destination for students – especially for medicine²⁸. The inward mobility increased from 15.606 to approximately 23,000 persons per year in the period 2010-2015. The main source countries are Iran, Serbia²⁹ and Germany but there were also an outstanding number of students from Turkey and Nigeria applying for residence permit for study purposes between 2012 and 2014. The Hungarian Government follows the objective of doubling the number of foreign students in the coming years.

As for outward student migration, it increased from 8.902 persons to approximately 10.000 persons in the period 2010-2015. The top three destination countries for Hungarian students are Germany³⁰, Spain and France. Hungary aims at increasing the share of Hungarian students taking part in part-time studies abroad from 10% to 20% by 2023.

²⁸ Hungary's high-quality medical degrees are accepted by the World Health Organization and are directly transferrable to any EU country. Schools in Hungary are increasingly offering medical degrees in both English and other foreign languages such as German in order to attract more foreign students. Iran and Norway belong to the main source countries in this particular discipline.

²⁹ While the number of students from Serbia was significant in 2010 and 2011, the introduction of the simplified naturalization procedure allowed Serbian nationals with ethnic Hungarian origin to become Hungarian citizens and pursue their studies as nationals of Hungary.

³⁰ Germany is hosting one quarter of all Hungarian Erasmus students.

Kyrgyzstan

Kyrgyzstan does not feature an explicit legislative basis for student mobility and its student exchange programmes still need substantial improvement and adequate funding to become functional.³¹ The national policy in this sphere is primarily directed towards Kyrgyz nationals graduating abroad and remaining there for work. Already in Soviet times, studying elsewhere in the USSR was a common practice to receive a degree from a prestigious university. Opportunities to study outside the Soviet Union arose only in 1991 and were actively pursued in the desire for an internationally recognised degree. The latter would in return provide for better job opportunities and higher income. At present, only few HEI in the country enjoy a good reputation while the remaining institutions mostly issue credentials that are not recognised abroad. In view of the negative impacts of emigration on the national development, the return of Kyrgyz graduates is a key objective, but the lack of attractive job opportunities and the non-recognition of PhD titles gained abroad lead to a very low return rate.

Meanwhile, the universities remain the main drivers for international students' mobility. Most incoming foreign students – especially from India and Pakistan – come to Kyrgyzstan to study medicine and then practice in Kyrgyz hospitals. Some challenges have arisen from their stay in the country: apart from their reported poor housing conditions, some students seem to be involved in corruptive schemes when having their exams. It is also reported that foreign students have been involved in robberies.

While the number of universities in Kyrgyzstan has increased since 1991, there is criticism that the quality of education has drastically declined since gaining independence. As skills and knowledge obtained abroad are in high demand on the national labour market, this has resulted in a growing demand for studying

³¹ Positive exceptions in this regard include incoming medical students or outgoing military students.

abroad, but the concrete number of Kyrgyz students moving abroad remains difficult to assess as the state institutions do not provide for official statistics on that matter. According to the Russian Ministry of Education and Science, 829 students from Kyrgyzstan were studying in Russia in the academic year 2005-2006. In 2013, their number amounted to 2.627. The most popular destinations for Kyrgyz students, however, also include countries in Europe³² and North America, as well as Japan.

Meanwhile, the number of foreign students in Kyrgyzstan is supposed to have halved over the past years, mainly due to the recent destabilization of the country in 2010 but also due to excessive bureaucracy. The aim is to increase the share of foreign students to one tenth of the overall student number. In the academic year 2009/2010, about 25.000 foreign students were studying in Kyrgyz HEI, 22.000 of which were citizens of CIS countries: Uzbekistan (15.329 persons), Kazakhstan (4.314), Turkey (1.200), Tajikistan (1.040), Turkmenistan (880), India (500), and China (300). The tuition fee paid by foreign students amounts to some 2.500 to 5.000 U\$ per year, thereby amounting a total of 2 Million U\$ per year.

Moldova

In Moldova's view there are both advantages and disadvantages deriving from the cross-border mobility of students. The former include a better standard of studies and hopefully also better salaries upon graduation, improved language skills and socio-cultural exchange. The disadvantages consist in the potentially negative economic and demographic impact, including the increased age of giving birth or getting married.

While higher education is nowadays most desired by Moldovans, the obtained degrees (i.e. law or economics) do not always match the national labour market needs, pushing the concerned graduates to work abroad. This phenomenon is reinforced by the high level of

youth unemployment in Moldova where only 22 per cent of youngsters succeed in finding a job directly upon graduation.

The country has been a party to the Bologna Process for over ten years, introducing the Bachelor and Master degrees in 2005. This led to substantial reforms in the national education system, which aimed at:

- ⇒ making the national HEI more competitive,
- ⇒ enhancing their accessibility,
- ⇒ aligning them with European HEI,
- ⇒ enabling the national higher education system to qualify for European funds and participation in various EU projects
- ⇒ wider recognition of diplomas issued by Moldovan HEI

As the countries in the region regularly offer places for Moldovan students, the number of those studying abroad has been constantly rising. Romania has been the preferred destination, featuring 5.500 Moldovan students in 2014. Other important destinations include Ukraine, Russia, Bulgaria and Turkey. However, the official numbers only reflect those moving through exchange programmes but not individual applicants, Erasmus Plus students, those receiving other international scholarships, nor students from Transnistria. Very few graduates eventually return to the country. Together with IOM, Moldova has thus launched a pilot programme aiming at re-attracting this target group (aged 18-35).

In 2014, the Ministry of Education adopted the "Regulation on academic mobility in higher education", a document developed in accordance with the European Mobility Strategy 2020. Moldova also supports academic mobility by signing agreements on mutual recognition of educational documents, on bilateral cooperation in the field of education and by facilitating the admission procedures for foreign students. Being aware

of the fact that the quality of an educational system is measured by the number of foreign students accepted, Moldova aims to ensure the competitiveness of its HEI by organizing information campaigns both in- and outside the country to attract international students. Out of the 32 HEI in the country, 14 are private. The universities are also trying to establish and use Alumni Associations for a better and larger promotion abroad. Their websites are constantly improved for that purpose.

At present, Israelis and Palestinians represent the biggest group in terms of incoming foreign students (500 in 2014), mostly studying medicine. One possible explanation may lie in the very cheap education offered.

The entire admission procedure of international students is based on the tight collaboration between the authorities and HEI. The student's enrollment and any modification of their study period, specialization or institution require imperatively the approval of the Ministry. Moreover, annual reports by the HEI regarding the number of foreign students, their country of origins and study level are to be submitted. Apart from this regular information exchange, the Ministry

also offers active support when needed, thus helping to resolve any problems arising in relation to foreign students.

The Ministry of Internal Affairs reported of attempts by foreign students to illegally enter the EU with fake documents, but they were stopped by the Border Police Department. The HEI are therefore carefully monitoring the activity of foreign students, including their class attendance. The institutions are very tightly cooperating on this matter with the Bureau for Migration and Asylum, a subdivision of the Internal Affairs Ministry responsible for controlling and monitoring the stay of foreign citizens in our country.

Moldovan authorities only have statistics on those students moving under scholarship programmes, but not on individual applicants having moved for their studies. With this in mind, the following trends could be established: The top three source countries of foreign students were Israel, Romania and Ukraine, whereas the most popular destinations among Moldovan students were Romania, Russia and Bulgaria.

International students enrolled in Moldovan HEI over the past 5 years					
	2010 - 2011	2011 - 2012	2012 - 2013	2013 - 2014	2014 - 2015
Enrolled students	1038	973	655	1085	1299
Total number of students	3542	3218	3298	3344	3970
33 Moldavian students enrolled abroad					
	2010 - 2011	2011 - 2012	2012 - 2013	2013 - 2014	2014 - 2015
Enrolled students	4247	4327	5335	5808	5641

³² According to Eurostat, 875 Kyrgyz students were studying at the territory of the EU MS and Norway in 2009 with Germany bearing the major share (62%).

³³ Statistics based on the bilateral agreements signed with the country of destination.

Portugal

Portugal is shaping its policies following the rules set out in the relevant EU Directives on education and migration while also considering its national interests and legislation. Traditionally an important country of origin for student mobility, Portugal has succeeded in attracting foreign students to both private and public universities throughout the last decade, especially in the fields of engineering and economics. Both types of institutions have significantly improved within the Bologna Process, also with regards to master degrees. National regulations have eased the access of foreign students, making the procedure more transparent and effective. The Erasmus Programme entails even more advanced mechanisms for third-country nationals than the mere facilitation of issuing visas and residence permits. Portugal is the 9th most popular country in the European exchange program Erasmus.

When it comes to international students, the Immigration and Borders Service (SEF) supports foreign representations in the issuance of consular visas and to approve visas on the national territory, extensions of stay, residence permits, and travel documents. There are two types of visa for students: The Temporary Stay Visa, the validity of which may not exceed one year; or Residence Visa, destined to request a Residence Permit for one year. The SEF is seeking to strike a balance between security issues/law enforcement and the practical needs of the incoming students. Exceptionally, the Portuguese Immigration Law permits for students in high education to obtain a Residence Permit without appropriate Residence Visa.

One major challenge consists in simultaneously facilitating the work of the migration authorities (Ministry of Interior) and the hosting universities. In 2012, SEF ratified a Protocol with Portuguese Universities in order to establish effective cooperation mechanisms and facilitate the procedures to obtain all the necessary legal documentation, making them easier and faster and thus promoting the mobility and integration of students in high education. The Protocol features a specific database and electronic interface to facilitate the communication. A

list of all foreign applicants is shared with SEF in order to facilitate the issuing of visas and residence permits. The acceptance letter provided by the University includes information about the accommodation of the incoming students as well as information on the payment of the requested student fees or any eventual scholarships.³⁴ The enhanced cooperation is a logical consequence of the increased numbers of foreign students.

Portuguese HEI also work closely together with the Ministry of Foreign Affairs regarding visa issues and establish contact to Embassies when it comes to the admission of individual foreign students. Information on the legal requirements for entering Portugal and residing in the country is provided to students both before their departure and upon their arrival. The website www.studyinportugal.edu.pt is another important tool for informing potential foreign students. It is currently foreseen to also launch a support office for foreign students in Lisbon as of March 2016. A One-stop-shop for foreign students shall also be opened in Porto in the near future. Already now, representatives of Portuguese universities come to the so-called One-stop-shop in Lisbon (CNAI) to inform themselves about various procedural details.

Some challenges remain for incoming students: The legal requirement for all documents to be submitted in Portuguese; the lack of human resources within SEF; the problems faced with visa issuance in case of visiting several universities within a single exchange programme; the differing procedures among different embassies; the absence of a Portuguese Embassy in many source countries; the requirement of a Portuguese bank account while applying abroad; the requested criminal record, which remains hard to obtain in many countries; or the tight deadlines for renewal of visas or residence permits.

In 2013, the Portuguese government introduced the possibility of requiring higher student fees from foreign students as they

³⁴ The Erasmus Mundus Programme, for instance, provides for a monthly allowance and covers the flight and insurance costs as well as tuition fees.

could otherwise return to their respective countries upon graduation after enjoying expensive graduate programmes without providing any added value to the hosting state. This novelty led to higher numbers of places being reserved for the respective nationalities and facilitated their enrolment into certain targeted disciplines. Other disciplines remain reserved for Portuguese students alone, such as medicine, for which native applicants have to pass admission exams whereas foreign graduates are only allowed into post-graduate courses. However, due to the differing credit systems, it remains difficult to accommodate foreign students, even from within the EU.

Turkey

Turkey's national policy aims to foster the mobility of students in both directions.³⁵ An important element of this policy is the country's engagement in the Bologna Process (since 2001), which in recent years has been actively implemented and promoted by the Turkish Council of Higher Education among Turkish HEI. Moreover, in its Development Plan 2013, it is emphasised that an internationally valid certification system will be developed to support mobility of students.

The Vocational and Technical Education Strategy Document and the Action Plan include measures and targets aiming at increasing the Turkish students' mobility. Especially starting in 2006, the targeted project named "5000 students in 5 years" has gained momentum considering the increasing number of students sent abroad. According to Regulations of Secondary Education Institutions, if the secondary education students leave their schools to study abroad for a maximum of one year in the scope of intercultural student exchange programme, their enrolments are kept in their schools in Turkey. The foreign students who come to Turkey to study for up to one year in the scope of intercultural student exchange programmes are accepted as guest students after the approval by the ministry. For the foreign students certificates are prepared after the period of education. By this way

³⁵ Enhancing the cross-border mobility of students is a part of the National Development Plan and Vocational and Technical Education Strategy and its respective Action Plan.

students are promoted to participate in student exchange programmes.

In Turkey, the Ministry of Education is responsible for outgoing students, whereas a specialized national agency is managing the incoming student flows. A member of the Bologna Process since 2001, Turkey has included the enhancement of cross border student mobility in its National Development Plan and aims to establish a flexible and welcoming approach. Turkey hosts over 60.000 students with the main source countries being Iran, Turkmenistan and Azerbaijan. Meanwhile, the prime destinations for Turkish students are Poland, Germany and Italy. Under the Law on foreigners and international protection, student residence permits are granted for up to one year. Students have to arrange for their national health insurance within three months or sign up to a private insurance. Work permits are granted only after one year, except for graduates of Master or PhD programmes, entitled to work straight away. Family reunification by foreign students is not foreseen.

A student residence permit shall be granted to foreigners inscribed into a HEI in Turkey³⁶ and is valid for the duration of studies.³⁷ Foreigners arriving to Turkey with a student visa (or visa exemption for higher education programmes) shall be issued a residence permit. Holders of the permit require a universal medical insurance or private health insurance within 3 months. Exchange students in the scope of the Erasmus+ Programme are mostly exempt from this requirement, providing that their own insurance covers the minimum conditions required. Students who receive Bachelor Degrees are entitled to apply for a work permit at the end of their first year of study. Meanwhile, students at the level of Master Degree and PhD are entitled to apply for work permit from the very beginning of their stay. This is part of the overall strategy to establish flexible policies for incoming students.

³⁶ The issuance of student residence permits is regulated by the "Law on foreigners and international protection" (Law No: 6458, article 38).

³⁷ This type of permit does not entitle the parents or more distant family members to also obtain a residence permit.

Turkey: Incoming students between 2011 and 2014

2011	2012	2013	2014
44301	57657	50682	61035

Turkey: Outgoing students between 2010 and 2013

2011		2012		2013		2014	
Poland	3184	Poland	2705	Germany	1967	Germany	1786
Germany	2519	Germany	2472	Poland	1965	Poland	1511
Italy	1235	Italy	1207	Italy	1095	Italy	954

2.4. Specific policy elements

2.4.1. Information provision

Most participating states provide extensive information on both the possibilities to study abroad and the opportunities for foreign students to study in the own country. Such information is mostly made available online, with some states increasingly also using social media for their wider outreach. The information is mostly provided by the Ministries for Education, by the HEI themselves or – at least in some cases - specialized state agencies in this field. Information provided by international organisations and travel agencies was also mentioned by some states. Most countries furthermore equip their embassies and consulates with brochures and leaflets for dissemination to potential candidates. Other important initiatives include consultation meetings, “open-door days” for students, education fairs and specialized exhibitions in foreign countries. Finally, the media can also play an important role in spreading information on possibilities to study abroad.

2.4.2. Responsible authorities and stakeholders

As one of the main concerns for destination countries is how to attract international students while also preventing abuse of this migration venue, student mobility is mostly perceived as a shared competence between migration and education authorities. In general, however, many additional stakeholders should be added, including various public authorities, but also private foundations and institutes, the universities and international organisations.

Overview of the competent authorities across the PP6 participating states

Albania Ministry of Foreign Affairs; Ministry of Interior; Ministry of Education and Sports; National Office Erasmus

Armenia Ministry of Foreign Affairs; Ministry of Education and Science; Luys Education Fund; Police (Passport and Visa Directorate); State Migration Service of the Ministry of Territorial Administration

Czech Republic Ministry of Education, Youth and Sports

Georgia Ministry of Education and Science; National Center for Educational Quality Enhancement.

Hungary Ministry of Human Capacities; Tempus Public Foundation (TPF)³⁸; Balassi Institute³⁹; Office of Immigration and Nationality (OIN)⁴⁰; Ministry of Foreign Affairs and Trade (consular services)

Kyrgyzstan HEI, embassies, international organizations, travel agencies. State authorities have no official responsibilities in this sphere.

Moldova Ministry of Education (through its subordinated institutions); Bureau for Migration and Asylum; Ministry of Information Technology and Communications.

Russia Federal Migration Service; Ministry of Education and Science; Government; Ministry of Internal Affairs, Rossotrudnichestvo⁴¹.

Turkey Ministry of National Education; Turkish National Agency; Presidency for Turks Abroad and Relative Communities (YTATB); Scientific and Technological Research Council of Turkey (TÜBİTAK); Council of Higher Education (YÖK);

2.4.3. Recognition of Foreign Qualifications

The role of ENIC/NARIC Networks

ENIC/NARIC stands for ‘European Network of Information Centres’/ ‘National Academic Recognition Information Centres’. The responsibilities of the ENIC and NARIC Networks entail different aspects of recognition: academic recognition, recognition for the purpose of access to regulated professions and for access to the non-regulated part of the labour market. In line with the aim for enhanced cooperation within the Prague Process region, the ENIC/NARIC Networks aims to promote the European Region dimension in recognition, favouring international dialogue and cooperation within the field of recognition

³⁸ TPF is a non-profit organization established in 1996 by the Hungarian Government, with the task of managing international cooperation programmes and special projects in the field of education, training and EU-related issues. For more information, see: <http://www.tka.hu/english>.

³⁹ The Balassi Institute is a national institute established to support the worldwide community of Hungarian education. Its main objective is to project a quality-oriented image of the Hungarian nation, thereby increasing Hungary's prestige in the international sphere, while strengthening and preserving all facets of Hungarian culture both within and outside of Hungary's borders. For more information, see: <http://www.balassintezet.hu/en/>

⁴⁰ The OIN, together with the Hungarian representations abroad are solely responsible for the necessary legal documents to stay in Hungary in respect of student mobility.

⁴¹ Agency for CIS Affairs, Compatriots Living Abroad and International Humanitarian Cooperation.

between various constituencies. Moreover, the networks contribute to the development of the recognition policies and practice under the Bologna Process aiming at realising a European Higher Education Area.⁴²

Overall, increasing the relevance of the work of the Networks on the recognition of qualifications in an ever more globalising world of higher education is of great significance. However, the fact that the ENIC Network encompasses members of the European Union as well as other countries party to the European Region, to which the specific provisions and legislation of the EU does not apply, further complicates the work of the Network.

The importance for the Networks to further enhance the visibility of their activities, while providing users with the same level of quality throughout the European Region, is underlined. The organization, provision of resources for and allocation of the various tasks described are a national responsibility.

The Lisbon Convention

Most European countries have ratified this Council of Europe/UNESCO Convention – usually referred to as the Lisbon Convention.⁴³ It is designed to streamline the legal framework at European level and to replace the six conventions previously adopted in this matter by the Council of Europe or UNESCO.⁴⁴ All PP6 participating states (but Kosovo) have ratified the Convention.⁴⁵

⁴² For more information, please see: <http://www.enic-naric.net/>

⁴³ The Convention on the Recognition of Qualifications concerning Higher Education in the European Region was developed by the Council of Europe and UNESCO and adopted by national representatives meeting in Lisbon on 8 - 11 April 1997.

⁴⁴ “Two bodies, namely the Committee of the Convention on the Recognition of Qualifications concerning Higher Education in the European Region and the European Network of National Information Centres on Academic Mobility and Recognition (the ENIC Network) are to oversee, promote and facilitate the implementation of the Convention. The Committee is responsible for promoting the application of the Convention and overseeing its implementation. To this end, it can adopt, by a majority of the Parties, recommendations, declarations, protocols and models of good practice to guide the competent authorities of the Parties. Before making its decisions, the Committee seeks the opinion of the ENIC Network. As for ENIC Network, it upholds and assists the practical implementation of the Convention by the competent national authorities.” Source: <http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/165>, Access: 02.02.2016.

⁴⁵ Belarus and Kyrgyzstan, which are not members of the Council of Europe, have also adhered to the Convention.

Key provisions of the Lisbon Convention⁴⁶:

- Holders of qualifications issued in one country shall have adequate access to an assessment of these qualifications in another country.
- No discrimination shall be made in this respect on any ground (e.g. sex, gender).
- The responsibility to demonstrate that an application does not fulfil the relevant requirements lies with the body undertaking the assessment.
- Each country shall recognise qualifications similar to the corresponding qualifications in its own system unless there are substantial differences between them.
- Recognition of a higher education qualification issued in another country shall have one or more of the following consequences:
 - ▶ Access to further higher education studies on the same conditions as candidates from the country in which recognition is sought;
 - ▶ The use of an academic title, subject to the laws and regulations of the country in which recognition is sought;
 - ▶ In addition, recognition may facilitate access to the labour market.
- All countries shall develop procedures to assess whether refugees and displaced persons fulfil the relevant requirements for access to higher education or to employment activities, even in cases in which the qualifications cannot be proven through documentary evidence.
- All countries shall provide information on the institutions and programmes they consider as belonging to their higher education systems.
- All countries shall appoint a national information centre, to offer advice on the recognition of foreign qualifications to students, graduates, employers, HEI and other interested parties or persons.
- All countries shall encourage their HEI to issue the Diploma Supplement⁴⁷ to their students in order to facilitate recognition. The latter aims to describe the qualification in an easily understandable way and relating it to the higher education system within which it was issued.

⁴⁶ See: http://www.coe.int/t/dg4/highereducation/recognition/lrc_EN.asp, Access: 02.02.2016.

⁴⁷ The Diploma Supplement is an instrument developed jointly by the European Commission, the Council of Europe and UNESCO.

National Practices on Recognition

Armenia

Armenia is a Party to the Lisbon Convention, the Bologna Process and the Copenhagen Agreement (on the mobility of students within vocational education). An ENIC-NARIC has been established, which plays an important role regarding outgoing student mobility as well as the return of Armenian nationals with foreign credentials. A quota has been introduced for nationals of countries that are not part of the Bologna Convention. Bilateral agreements play a vital role, with the most recent one having been endorsed with China in 2015. The role of multilateral agreements and conventions is equally important, especially when it comes to education in disciplines such as medicine.

Overall, two types of incoming students are to be distinguished: those who enter for the first time; and those arriving to continue their studies (started abroad), for which the procedure can be more complicated due to differing credits. A special database on recognition has been set up at the Ministry of Education, which nonetheless also requires confirmation letters from the institutions who have issued the presented qualifications.

Belarus

The Republic of Belarus features 30 exchange programmes and over 90 bilateral agreements alongside some 2.000 agreements on cooperation between universities. It is Party to the Lisbon Convention and Bologna Process. The Ministry of Education entails two separate agencies, one of which deals with foreign diploma, while the other provides information on the content and confirms the authenticity of credentials issued in the country. These agencies serve both the 20.000 foreign students in the country and the Belarus students moving abroad. A Member of the Eurasian Economic Area, Belarus has concluded the respective agreements on mutual recognition.

Czech Republic

The prime responsibility for foreign students in the Czech Republic lies with the public HEI themselves. Public HEIs can on their own issue certificates attesting equivalence of the applicant's education to the Czech education, valid in the Czech Republic's territory both for the educational, labour market and other purposes. The applicants have a right to appeal against the HEI's decision. The appealing authority is the Ministry of Education, Youth and Sports. The whole procedure is regulated by the Administrative Law.

An ENIC-NARIC centre is set up within the Ministry of Education, Youth and Sports. Its role is purely informational, it does not have any direct role in the recognition process.

In addition to being a Party to the Lisbon Recognition Convention since 1998, the Czech Republic has bilateral agreements on automatic recognition with the other, 'Visegrad Four' countries (Slovakia, Poland, Hungary) and with Germany and Slovenia.

Georgia

In the ENIC-NARIC network, Georgia is represented by the National Centre for Educational Quality Enhancement (LEPL). The Centre provides general information and administers the recognition of general, higher and vocational education. The recognition of education consists of two stages: establishment of the authenticity of educational documents and compatibility of qualifications or learning outcomes. First, the Centre establishes the authenticity of submitted documents. Hence, the Centre actively collaborates with the documents issuing educational institutions and respective authorities. Since 2010 the national qualifications framework serves as the main policy tool for the recognition procedure while establishing compatibility of qualifications or learning outcomes attained abroad.

The content of the educational programmes is considered more important than the duration as the learning outcomes are perceived as key to recognition. The entire procedure requires one month and the related costs are minimal.

When it comes to the access to Georgian HEI's, the foreign education that has been recognized entitles for individuals to continue his/her studies without passing the unified national examinations.

Germany

Even if students have not graduated from a secondary school in Germany, an officially certified copy of the respective secondary school diploma, from wherever the student may come, must be submitted so that the university can make sure that their prospective student successfully completed his/her schooling. Most institutions also require the high school transcript with the list of subjects that every student completed. This might be of more importance once someone applies for a graduate, post-graduate, masters or PhD programme. Then, the university will insist on not only certified copies of all previous degrees but also a list of the subjects the student completed during his/her previous studies. This, more often than not, proves difficult as it is not the customary usage to have an official transcript in many countries. Languages may also provide barriers if someone brings a transcript from a country with a language in which the international office is not well versed.

The recognition of foreign professional qualifications in Germany improved immensely based on the report published in 2014. The German Federal Government's Assessment and Recognition of Foreign Professional Qualifications Act, also known as the Recognition Act, is a new addition to the German regulations and it seems very successful. The enactment of this law demonstrates the Federal Government's aim of recruiting highly skilled professionals from all over the world. The Recognition Act introduced a standardized and transparent procedure for all federally regulated professions. Through this procedure, foreigners can have their original qualifications acknowledged as corresponding domestic (German) qualifications, which is often a requirement of obtaining employment in the field. This procedure immensely contributes

to the successful integration of well-trained foreigners into the German labour market.

The Recognition Act includes the Professional Qualifications Assessment Act, the procedure for which is supervised by the Federal Ministry of Education and Research, and another approximately sixty federal acts relating to fields of specializations, e.g. the Medical Practitioners' Code, the Nursing Act or the Craft Trades Law.⁴⁸

Despite the fairly novel nature of this procedure, some very positive results have already been reported. The online portal "Recognition in Germany" is frequently visited, and the primary interest comes from foreign countries in the so-called regulated professions, such as physicians, pharmacists, dentists, psychotherapists or midwives since their employment requires German recognition.⁴⁹ Various information centres provide counselling in this procedure and the Federal Office for Migration and Refugees has set up a hotline for this purpose as well.⁵⁰ The success of the procedure can probably also be attributed to the fact that information on the recognition procedure can be obtained in several languages, such as English, German, Spanish, Polish, Italian, Romanian and Turkish. This initiative is supported financially by the Federal Government through its "Integration through Qualification" program, co-sponsored by the Federal Ministries of Education and Research, Labour and Social Affairs as well as the Federal Employment Agency.⁵¹

Hungary⁵²

The recognition procedure of foreign degrees falls within the authority of the welcoming HEI. This recognition does not make the qualification recognised to pursue

a profession, or in respect of other laws. If a profession is not regulated in Hungary, it is not necessary to have the qualification recognised by the Hungarian authorities. Nevertheless, the employers may request the recognition of the qualification by a Hungarian authority.

If a recognition, not covered by European Directives, is needed for practicing a profession, the recognition of both the level of qualification and the professional qualification shall be requested at the Hungarian Equivalence and Information Centre (Hungarian ENIC) within the Educational Authority.⁵³ During the recognition process, regulated by the Recognition Act (Act C of 2001), the authority declares the legal force of the foreign degree equivalent to the legal force of a degree obtainable in Hungary. The recognition of a degree by ENIC can be requested by anyone who certifies his/her personal particulars and Hungarian residence when submitting the application.

When recognising, Hungarian ENIC takes into account the legal status of the foreign HEI, the nature of the degree, the length of studies and the study requirements. During this procedure the applicant's complete professional background is also evaluated. Hungarian ENIC brings the resolution on the recognition of the professional qualification based on the opinion of experts who are acknowledged teachers and researchers, or in some cases, representatives of professional chambers, or invited experts specific to the given field of study.

Hungarian ENIC passes decision within 45 days when recognising the level of qualification and within 60 days when recognising the professional qualification - if the applicant has provided all necessary documents and there is no need for additional documentation. Regarding professional qualifications ENIC may approve or reject the professional qualification, or determine that the completion of compensation measures

is needed, whilst also setting a deadline. After submitting the certificate concerning the fulfilment of all compensation measures, the final decision/recognition shall be issued within 21 days.⁵⁴ Different rules apply for professional recognition under the European Directives for those wishing to practice a regulated profession in Hungary by using their certificates or degrees obtained in one of the Member States of the European Economic Area (EEA) or Switzerland. Under the Directive there are two main categories of regulated professions. The first category contains only the following seven professions: doctor, dentist, pharmacist, nurse, midwife, veterinary surgeon and architect. The recognition of these professions fall under automatic recognition since the qualification requirements leading to these professional qualifications were harmonised by all Member States. During the recognition procedure the competent authorities only examine whether the applicant has fulfilled all the requirements necessary to practice that profession in the home Member State. The second category consists of regulated professions which do not belong to the seven professions mentioned earlier, but their recognition falls under the so called general system and thus belongs to the Hungarian ENIC's sphere of competence.⁵⁵ The present fee for the recognition procedure of regulated professions is 83.250 HUF, and the decision is passed within 60 days from the submission of a complete application.

Kosovo

The principle and procedures for the recognition of diplomas and university degrees received in foreign HEI are clearly defined.⁵⁶ The respective HEI should be recognized by the European University Association, or accredited by an authorized national agency which is internationally

recognized, or recognized by competent authorities that supervise the given higher education system and any private institution accredited by an authorized national agency which is internationally recognized. The evaluation and recognition of diplomas gained outside of Republic of Kosovo is conducted by National Commission for Recognition (NCR), which decides based on the opinion of the Commission of experts established by the National Recognition and Information Centre (NARCIS). The request along with the full documentation is submitted to the NARIC Centre.

Documents required for recognition of foreign university degrees:

- ➔ Payment slip (administrative fee of €20)
- ➔ An identification documents
- ➔ A filled-in form which is obtained at the NARIC
- ➔ Original diploma (for viewing)
- ➔ Two certified copies of the original diploma/certificate
- ➔ Two certified copies of transcript/certificate of marks
- ➔ Authorized translation of the diploma/certificate and transcript of the marks certificate
- ➔ Diploma supplement (if applicable for the given institution)
- ➔ Translated abstract of the thesis-paper (maximum three pages) and programme of study
- ➔ In specific cases, NARIC may require other documents from the submitter of the request

NARIC issues a certificate that the case is being processed for recognition, but this certificate cannot be used for employment purposes, registration for studies or continuation of studies. The procedure will in no event last more than four months from the date of application to NARIC. Based on the issued opinion of the Commission of Experts, the

48 As it is customary in any federal system, in Germany there is also a division in this regard between the federal and the state level. Therefore, the Länder have adopted their own corresponding legislation regarding those professions for which they are responsible (such as teachers, engineers, architects, and occupations in social services). This legislation entered into force on July 1, 2014.

49 <http://www.bamf.de/EN/Willkommen/ArbeitBeruf/Anerkennung/erkennung-node.html> Access: May 8, 2015.

50 <http://www.anerkennung-in-deutschland.de/html/de/> Access: May 7, 2015.

51 <http://www.bmbf.de/en/15644.php> Access: April 24, 2015.

52 For detailed information see: http://www.oktatas.hu/kepesitesek_elismertetese/english/recognition_of_foreign_qualifications Access: April 6, 2016.

53 The recognition of medical or pharmacist specialist degrees falls within the authority of the Office of Health Registration and Training Center.

54 The fee for the recognition of the level of qualification is 27 750 HUF, the fee for the recognition of professional qualification is 83 250 HUF, while the fee for the joint procedure of recognising the level of qualification and the professional qualification is 111 000 HUF.

55 The exceptions are those healthcare related professional qualifications in which cases the National Training Registry assigns the Ministry of Health as responsible ministry for determining training and examination requirements. In these cases the responsible recognising authority is the Office of Health Authorisation and Administrative Procedures.

56 Administrative Instruction 8/2009 of the Ministry of Education, Science and Technology adopted on the 17th of April 2009.

NCR decides for or against the recognition of the document. It shall conclude the procedure for recognition no later than 30 days after receiving it from NARIC. The NCR issues a decision with full legal effect. The candidate is officially notified no later than two working days after the decision for recognition by the NCR and shall then receive a proof of the recognition/non-recognition of the foreign diploma.

Kyrgyzstan

Education documents issued by foreign HEI are recognized on the basis of respective international treaties or agreements on the recognition or on the accreditation of a Kyrgyz HEI. In case that no such international treaty or agreement exists, an expert review of the documents is carried out by the Ministry of Education and Science, which issues the recognition certificate thereafter.

Documents certifying the completion of corresponding levels of education are issued in Kyrgyzstan:

- Diploma on secondary vocational education by the profession;
- Basic higher education Diploma (Bachelor);
- Complete higher education Diploma (MA);
- Complete higher vocational education Diploma by the profession or direction (Specialist);
- Document for further professional education (certificate, diploma);
- Official academic transcript;
- Certificate on primary post graduate training of specialists with higher medical or pharmaceutical education;
- Certificate on postgraduate professional education;
- PhD Certificate;
- Doctoral Certificate.

Moldova

The main policy document defining the recognition procedure is the Lisbon Convention (see above), to which Moldova became a Party in 1999. For a number of countries, including the CIS and Romania, diplomas issued in Moldova are accepted for the next level of education. Moreover, Moldova has signed bilateral agreements with Romania, Bulgaria, Ukraine and Russia to further facilitate the recognition. Further agreements with Latvia and Cyprus are currently being negotiated, and a number of other agreements have already been proposed by the Ministry of Education.⁵⁷ Moldovan citizens often believe that the concluded bilateral agreements lead to an automatic recognition, which of course is not the case. The recognition procedure still involves the comparison of the periods and content of training.

Meanwhile, the recognition procedure in Moldova first requires a confirmation on behalf of the issuing institution and on behalf of the Ministry of Education. Apostille or consular legalisation are not required if an international agreement is in place.⁵⁸ While the special unit dealing with recognition currently consists of only two persons, an increase in staff is expected in the near future. The recognition procedure is free of charge and usually takes 30 days but can also be concluded within five days in cases of (proven) emergency. The issued document also entails information on the disciplines and subjects of study that can be enrolled. The country also issues a supplement. Moldova has received approximately 1.200 requests per year, of which 70% concern general education and the remaining 30% higher education.

The Moldovan Ministry of Education provides online information on all recognised documents since 2008. The proposed

⁵⁷ What is envisaged are agreements with a number of countries where Moldovan migrants live, such as Greece, Portugal, Spain, Italy, Germany, France and others.

⁵⁸ The Member States of the "Convention on legal assistance and legal relations in civil, family and criminal cases" have agreed on the mutual recognition of official documents, without the need for an apostille or consular legalization. The members of the Convention, the Republic of Moldova, Belarus, Georgia, Uzbekistan, Kazakhstan, Russian Federation, Tajikistan, Armenia, and Azerbaijan. States with which the Republic of Moldova has also signed similar agreements are: Latvia, Lithuania, Czech Republic, Bulgaria and Romania.

regulatory framework also aims at encouraging the return of Moldovan citizens and ensuring their integration upon recognition of the diplomas obtained abroad.

Portugal

The Directorate General of Higher Education (DGES) has established the following practices on the recognition of foreign credentials: Upon submission of the necessary documents, the specialised unit dealing with this issue has 30 days to complete the procedure. The resulting information is then published on the DGES website, and any institution can check whether a diploma was recognised by the Portuguese authority. The automatic recognition of PhD degrees, introduced in 1997, eliminates bureaucratic procedures, delays and costs. The automatization was expanded in 2007 and the number of recognised countries currently amounts to 34. The automatized procedure costs only 26 EUR in comparison to the 600 EUR for the ordinary procedure. Equivalence of certificates is being assessed in a separate procedure on a case-by-case basis. Foreign higher education qualification is compared to a Portuguese qualification by level, duration and program content.

Russia

While the country is a member of the Bologna Process, its implementation remains to be further reinforced in regional cities. One specific feature lies in the fact that only a small share of Russian education diplomas are convertible (namely, the diplomas of "marine" educational institutions and the leading universities of Russia). As a result, in the near future, the majority of incoming students is expected to come from the CIS countries, which have a high regard for Russian education. The situation may change should the convertibility of diplomas be set as a policy priority within the development strategy of the national education system.

The Ministry of Education and Science has ratified some 70 bilateral and multilateral agreements on the recognition of education with another 20 agreement drafts currently in the pipeline. The promotion of Russian

language is another important priority in this regard.

Support for the recognition process of a foreign education/qualification is provided by the various organisations, authorized by the Government.⁵⁹

2.4.4. Exchange programs and international agreements

Numerous exchange programmes and bilateral agreements on facilitating student mobility have been put in place between most of the world's countries, many of which have also developed explicit national strategies in this area. In other countries there is only more general legislation in place (i.e. referring to higher education). Among the EU Member States, the European Mobility Strategy 2020⁶⁰ in some plays a key role in their national strategies.

Overview of international agreements signed by PP6 participating states

Albania There are bilateral and multilateral agreements on educational and scientific cooperation concluded with the Czech Republic, Slovakia, Hungary, Poland, Romania, Bulgaria, Turkey, Greece, Italy and Egypt. Scholarships are being offered, along with tuition fee exemptions in graduate and postgraduate level. The country also takes part in the CEEPUS Mobility Programme.

Armenia Various international agreements (inter-government and inter-agency agreements, cooperation programs) on the sponsored exchange of students.

Czech Republic 10 bilateral agreements (under which scholarships are provided by the sending country) concluded with: Albania, Brazil, Bulgaria, China, Hungary, Lithuania, Poland, Romania, Russian Federation and Ukraine.

The 26 bilateral international agreements facilitating student exchanges, for which the scholarship is provided by the host country, have been concluded with: Argentina, Austria, Egypt, Estonia, France, Germany (2 agreements), Greece, India, Israel, Italy, Japan,

⁵⁹ The respective information can be found here: www.nic.gov.ru.

⁶⁰ For more information on the Mobility strategy 2020 for the European Higher Education Area (EHEA), see: [http://www.ehea.info/uploads/\(1\)/2012%20ehea%20mobility%20strategy.pdf](http://www.ehea.info/uploads/(1)/2012%20ehea%20mobility%20strategy.pdf)

Republic of Korea, Democratic People's Republic of Korea, Latvia, Luxembourg, Macedonia/FYROM, Malta, Mexico, Mongolia, Peru, Portugal, Slovakia, Spain, Switzerland and Vietnam. Similar rules govern the exchanges with Taiwan.

Multilateral programmes: CEEPUS, International Visegrad Fund scholarship programme.

Georgia Student exchange agreements with Hungary and Armenia, covering the tuition and travel expenses as well as a modest scholarship. The agreement signed between Georgia and Poland on cooperation has expired. A new agreement will be signed in the nearest future. In addition, the negotiations with Israel are underway on concluding a bilateral student exchange agreement. On the grounds of these agreements the signatory countries send and receive students.

Hungary CEEPUS (scholarships for incoming students and staff); Erasmus+ (scholarships for incoming and outgoing students and staff); European Social Fund (ESF) sources are also used to increase outgoing student mobility partly; EEA Grants – (for outgoing and incoming students and staff) bilateral agreements⁶¹ are concluded at state level mainly within the framework of the Stipendium Hungaricum Programme to attract students from abroad to Hungary covering their fees for full time studies and providing scholarship to them. Students are mainly attracted from developing countries. It is worth to note that universities and their faculties may have their own international relations, as well.⁶²

Kyrgyzstan Agreement on scholarships established with India (also for employment purposes). Participation in the Turkish “Mevlana” Programme (Kyrgyz universities to sign protocols with partner universities in Turkey).

Moldova The Ministry of Education has signed some 70 international agreements of cooperation in the field of education. These are documents of great importance that stipulate among other, the mutual exchange of students and teachers. According to these agreements, the exchange students will benefit of scholarships, accommodation and medical insurance in conformity with the legislation of the receiving country.

61 For example see the latest news on an educational exchange agreement between Hungary and India: <http://www.kormany.hu/en/ministry-of-human-resources/news/hungary-and-india-sign-educational-exchange-agreement>. The agreement for the 2014-2017 period covers cooperation between HEI and the sharing of publications, teaching materials and syllabuses, while also allowing for joint research, the exchange of experiences and the organisation of conferences. As part of the agreement, the Hungarian party will offer scholarships for Indian students and researchers, while India is offering 35 scholarships per year to Hungarian students and researchers.

62 See for example: <http://semmelweis.hu/english/faculties/medicine/> The Faculty of Medicine at Semmelweis University altogether has active student exchange agreements with seven HEI across five countries: Germany, Romania, Slovakia, Japan and the United States.

Russia The Ministry of Education and Science of the Russian Federation has ratified some 70 bilateral and multilateral agreements on the recognition of education with another 20 agreement drafts currently in the pipeline.

Clause 4 of the “Concept of Further Development of the Commonwealth of Independent States,” adopted by the Council of Heads of States of the CIS on 5 October 2007, mentions in Para. 4 “Humanitarian Sphere”: “...Development of unified approaches to education, activities of general education establishments, subsidiaries and offices of higher educational institutions, as well as assessment of the qualifications of educational institutions graduates...”.

2.4.5. Provision of Scholarships

Student mobility is not possible without scholarship programmes. It is the very catalyst of this process. Without funding opportunities, the statistical data would show a completely different picture. Some prestigious universities admit students but leave it up to them to find funding for their studies (tuition fees as well as housing and living expenses). However, this practice is less common in countries with an overwhelming number of public universities, as is the case in most of the PP6 participating states.

The ERASMUS+ Programme⁶³:

The ERASMUS+ programme 2014-20 is a seven year programme with an overall budget of €14.7 billion (which represents an increase of 40%). It is the EU's new umbrella programme for education, training, youth and sport, designed to be more global and more integrated than ever before. It brings together seven EU programmes and offers more opportunities for cooperation than its predecessors.⁶⁴ Erasmus+ is the result of the integration of the European Commission's predecessor programmes including the Lifelong Learning Programme, Youth in Action and Erasmus Mundus.

Erasmus+ is open to all sectors of lifelong learning including higher education, vocational education and training, school education, adult education as well as

63 For more information, see: http://ec.europa.eu/programmes/erasmus-plus/discover/index_en.htm

64 See: http://ec.europa.eu/education/opportunities/higher-education/doc/students-questions-answers_en.pdf

youth and sport. It aims to boost skills and employability for over 4 Million Europeans by providing them with an opportunity to study, train, gain work experience and volunteer abroad. In this way, both the gap between education and work and existing skills gaps across Europe should be bridged. Other key objectives consist in modernising education, training, and youth work in the whole, while also establishing sustainable cross-border partnerships on these matters. In the field of Sport, which is for the first time also being supported, there will be support for grassroots projects and cross-border challenges. As an integrated programme, Erasmus+ offers more opportunities for cooperation across the different policy sectors and allows for easier application with simplified rules.

The ERASMUS+ programme over the years and in its various forms has benefitted millions of students from within but also outside the EU.⁶⁵ In addition to the possibilities that ERASMUS provides to students, in 2007 it also started funding internship placements which may help to secure entry to foreign labour markets. Also, universities participating in the programme appear on an international map, thus providing more remote cities with an opportunity to make themselves known in the wider world. The programme has also tried to enhance exchanges between academics by funding short-term lecturing and/or research stays in another European country.

The Erasmus Impact Study⁶⁶ based on a research carried out involving 80.000 students and employers has shown that for students who have previously taken part in Erasmus programmes the rate of permanent unemployed is 50% less than for students not having pursued studies abroad. The reasons are, among others, that students can practice a foreign language and can gain skills and knowledge in a foreign country that constitute special values for employers. Even certain personal characteristics develop as a result of such an experience, such as tolerance, problem solving ability, self-confidence, and curiosity.

The following section provides an overview of the state of play on scholarships across the PP6 participating states.

Albania

The ‘Fund of Excellence’, amounting to over 1 Million Euros, provides for financial support to Albanian students, admitted to study in the

65 See: http://www.erasmusprogramme.com/the_erasmus.php Access: May 7, 2015.

66 The Erasmus Impact Study: Effects of mobility on the skills and employability of students and the internationalisation of higher education institutions, http://ec.europa.eu/education/library/study/2014/erasmus-impact_en.pdf

top universities⁶⁷ worldwide, as well as for civil servants who plan to enroll for master studies in disciplines relevant to their work in one of the 300 top universities. Sponsored students are obliged to work in Albania for at least three years upon completion of their studies, while the concerned civil servants have to serve at least four years in public administration.

When it comes to incoming students, the government has concluded a number of bilateral and multilateral agreements, defining the specific details of scholarships and admission of foreign national students. The country also takes part in joint programmes and projects of the EU (i.e. Erasmus +), the Council of Europe or UNESCO, as well as various regional initiatives.

Armenia

A number of bilateral scholarship programmes were concluded with countries such as Poland, Romania, Switzerland, Bulgaria, Jordan or Syria. Every year the Ministry of Education and Science selects the Armenian students entitled to pursue studies in foreign countries' HEI free of charge (under international agreements), as well as the foreign students admitted to Armenian HEI. The country also participates in the ERASMUS+ Programme.⁶⁸

Czech Republic

The Mobility scholarship programme⁶⁹ of the Ministry of Education, Youth and Sports covers various initiatives in support of incoming and outgoing student mobility, while also contributing financially to the Erasmus+ and CEEPUS III⁷⁰ Programmes.

67 According to Times Higher Education “World Ranking of Universities”.

68 A key element of the Erasmus Programme is that students do not pay extra tuition fees to the university that they visit. The quantity of scholarships provided differs from country to country and their beneficiaries can be students as well as teachers.

69 Based on the Decree of the Minister for Education, Youth and Sports No. 4/2014 of 28 January 2014.

70 Within the Central European Exchange Programme for University Studies (CEEPUS) 695 scholarship months were offered for 2015/2016.

Groups targeted by the scholarships of the Czech Republic:

- ⇒ students admitted to Czech public HEI under the 25 bilateral international agreements currently in place⁷¹;
- ⇒ students admitted within the framework of the Czech Government's development assistance programme⁷²;
- ⇒ students willing to study the Czech language⁷³;
- ⇒ students who are members of the Czech diaspora;
- ⇒ students (not necessarily Czech citizens) enrolled in Czech public universities, who wish to study or research for a period between two and ten months at a university in one of the ten countries with according bilateral agreements.⁷⁴

Georgia

The Center for International Education offers graduates of Georgian HEIs a full or partial financing of Master's and Doctoral studies abroad. Funding includes tuition fees, travel and living expenses. The scholarships are primarily awarded for programs prioritized by the Government Administration. The Center, which has operated since 2014, has to date financed 179 students. In addition, there is a regional office of Erasmus+ operating in Georgia. As of 2015, the new "Erasmus+ Credit Mobility" will replace existing programmes⁷⁵, focusing on student mobility based on bilateral partnership agreements with European universities.

⁷¹ The duration of the scholarship usually ranges from 2 to 10 months, depending on the specific agreement, which also specifies the number of scholarships and the categories of eligible recipients. The Ministry has offered 1,290 scholarship months for 2015/2016 under this sub-programme. Most bilateral exchange agreements also establish scholarships for participation in summer language courses. The Ministry provided 323 scholarships for the 2015 Summer School of Slavonic Studies.

⁷² Government scholarships within the framework of Foreign Development Assistance programme are designed to cover the standard length of study plus one-year preparatory language course (not applicable to courses available in English). 139 scholarships were offered for 2015/2016, two thirds of them for Czech courses.

⁷³ 15 two-semester scholarships are offered annually along with 60 one-month scholarships to pursue a language course and up to 20 scholarships for teachers and prospective teachers to attend a two-week course of the Czech language teaching methodology.

⁷⁴ The Ministry has offered up to 814 scholarship months for 2015/2016 within this sub-programme.

⁷⁵ Georgian universities have participated in 23 Erasmus Mundus consortia since 2007. Currently 18 projects are running, involving 17 Georgian HEI (eleven public and six private) from different cities.

Germany

Germany provides support to both its own nationals aiming to study abroad and in terms of funding of student fees for incoming foreign students. Moreover, there is also financial support being granted to diaspora members for studies at home. Mobility programmes such as Erasmus+/Mundus, CEEPUS III are applicable to public but also private institutions.

Scholarships are also provided within the implementation of agreements between universities or as part of development cooperation. There is shorter and longer term financial support, ranging from funding for participation in summer schools and language courses, to exemption of tuition fees or support for traineeships and professional practice. Moreover, certain incentives are in place for return of high-skilled graduates. All funds are very welcome for public institutions, the budgets of which are increasingly limited.

The most frequently used scholarship programme in Germany is the DAAD, which features a comprehensive database and wealth of practical information on how to apply in order to secure funding.⁷⁶ This is the best resource for students, especially those coming to Germany from non-EU member states.

Hungary

There are several major programmes for enhancing student mobility: The Erasmus+ Programme (launched in 2014); the Campus Mundi Programme offering outgoing short and long study trips, part-time studies and professional practices; and the Stipendium Hungaricum Programme and State Scholarships, based on bilateral agreements, providing part-time and full BA/BSc, MA/MSc or PhD studies for foreign students, the CEEPUS programme (scholarships for incoming students and staff and the EEA Grants (for outgoing and incoming students and staff).⁷⁷

⁷⁶ See: <https://www.daad.de/deutschland/stipendium/en/> Access: May 7, 2015.

⁷⁷ This Programme, established by the Government Decree 285/2013. (VII. 26), has since 2014 attracted a substantial amount of applications from third-country nationals.

Moldova

International student mobility is implemented through bilateral agreements and EU Programs such as Erasmus+ and CEEPUS. The mentioned bilateral agreements foresee the granting of scholarships, tuition-free studies, accommodation, medical assurance and other services on a mutual basis.

Portugal

The Foundation of Science and Technology (FCT), a public agency under the Ministry of Education and Science, is the main national donor for science and research with an annual budget of €400-500 million, thereby accounting for 30% of Portugal's public funding for science. With over 90% of its spending directed towards research, the FCT's vision is to fully harness the knowledge generated by scientific research for economic development and social progress.⁷⁸ Some 45 scholarships (PhD level) were recently awarded to PP states or neighboring countries.

Russia

Education of foreign students in the Russian Federation is possible both tuition-free (at the expense of the state), and on a paid basis. The Russian Government sets an annual quota for up to 15,000 students whose education is covered by public funds. Until 2013 the quota was 10,000, which means an increase by 50%. The procedure of defining the quota for each country is regulated by state-to-state agreements of the Russian Federation and priority areas of cooperation with a foreign country, or majors (medicine, engineering, agriculture, etc.)

Since 2014, Russia introduced a new system of admission of foreign citizens for studying under the quota, whereby a candidate in his/her application form indicates six educational organizations (in his/her own order of priority) where s/he would like to study. This order is fixed at the federal level.

⁷⁸ The newly established 'Science and Technology Park', financially supported by the FCT, represents an innovative platform where researchers/students may pilot their business ideas.

The selection procedure for studying in Russia is carried out in two stages. The first step involves the selection of foreign students in their country of origin; the second stage of selection is carried out by the educational organizations, ready to enrol foreign students, selected during the first phase.

It is possible to choose the Russian Educational Organisation and the curriculum for studying with the help of the internet source www.russia-edu.ru. The candidate specification is published on the website of the Ministry of Education and Science of the Russian Federation⁷⁹, Rossotrudnichestvo⁸⁰ and the Federal Education and Science Supervision Agency⁸¹ (with regard to the recognition of foreign diploma and (or) qualifications).

Meanwhile, the Ministry of Education and Science has developed the "Global Education" programme, which envisages a range of support measures for Russian students, who have on their own entered the leading foreign universities and on creating conditions for their return to Russia upon completion of their education. Participants to the programme are to be employed by Russian HEI, research and medical centers, social agencies, and high technology companies. The respective employers are selected with the active support of the Ministry of Industry and Commerce, Ministry of Health and other stakeholders⁸². The aim of this initiative is to educate at least 718 Russian citizens at the top universities of the world, especially in the priority areas for the Russian economy.

Turkey

The Ministry of National Education has provided scholarships to students who want to study abroad⁸³ since 1929 (!). Whereas the Presidency for Turks and Communities Abroad provides scholarships to Turkish nationals aiming to study abroad, the Mevlana Exchange Programme, which is similar to the

⁷⁹ <http://минобрнауки.рф/>

⁸⁰ <http://rs.gov.ru>

⁸¹ <http://obrnadzor.gov.ru>

⁸² <http://минобрнауки.рф/проекты/глобальное-образование>

⁸³ "Law on students to be sent to foreign countries" (No. 1416)

Erasmus Programme, supports the exchange of students and academic personnel in both directions for up to one year. Meanwhile, the Turkish National Agency is responsible for the Erasmus+ Programme. Students are entitled to study abroad for a minimum of one semester and maximum of two semesters within the mentioned exchange programmes. Finally, the Farabi Programme enables the exchange of students and academic personnel within Turkey.

2.4.6. Transferring of credits

The transfer of credits depends on a preliminary question, namely the distinction between those students who only conduct up to two semesters' worth of studies as an exchange at a foreign university and those who pursue their (entire) degrees abroad. Often, the statistics do not differentiate between representatives of these two groups and therefore, it is difficult to assess them separately. Nevertheless, in terms of the transferability of credits, they are different.

The easier case is the transfer of ECTS credits, as those institutions that participate in organized study exchange programmes, such as the ERASMUS+ are regulated by the unified European rules and guidelines. There are always differences between the actual practices of any given institution, but as a general rule, it is true that credits earned during an exchange semester at a partner university can be transferred and should be acknowledged by the respective EU country.⁸⁴ However, and especially the majority of those programmes that throughout and beyond the EU changed to the Bologna system, namely offering a three-year Bachelor and a two-year Masters model, can transfer the credits. This makes it possible for the student to pursue their studies in any given area or discipline in multiple countries around Europe.

Those programmes that are European degree

programmes within the Bologna system but without using the three-cycle approach – typically medical and legal studies – allow for bilateral agreements between the respective institutions for the transferability of credits. Lacking such an agreement, students may also be required to pursue their credits from the destination institution and have this, most often on a case-by-case basis, and with a degree of discretion being exercised, acknowledged at their home institutions. These procedures often take the form of the student participating in the courses offered at the destination university, completing the exam and then taking the transcript and the proof of the successful examination home. A request is then submitted in an individual procedure at his/her home institution to have the gained credits acknowledged.

Non-EU countries usually have bilateral or multilateral agreements with their EU or other partner institutions where the transfer or acknowledgement of credits is agreed upon in advance. Many of these countries are members of the EHEA and consequently use the ECTS system. A number of them also ratified the Lisbon Recognition Convention, for example. Even so – since the available courses and the possibly problematic nature of the foreign languages may vary and provide difficulties – there may also be a case-by-case solution implemented. Again, note has to be taken of the differences between short-term and long-term or degree programme stays and also possible further differences between individual cases (guest students) and those participating in an organized programme such as the ERASMUS or any other official exchange programme.

Important considerations concerning international students⁸⁵:

- Differentiating between the short-term mobility and long-term migration of students;
- The differing practices between the traditional

⁸⁵ Intervention by Ms. Ummuhan Bardak (European Training Foundation) during the PP6 Kick-off WS in Budapest, 23.1.2015

countries of immigration and other, more recently established student destinations;

- The advantage of English-speaking countries in terms of attracting foreign students;
- The varying attractiveness among the different disciplines of studies;
- The language of tuition;
- The level of education and language skills requested for admission;
- The varying opportunities offered with regards to the different intermediary levels of education (i.e. one to two years), apprenticeships, internships etc.;
- The funding mechanisms for initiatives linked to international student mobility;
- The trends occurring over longer periods of time.

2.4.7. Employment of foreign students and graduates

The aim of limiting the employment of foreign students can be justified by the purpose of not letting employment become the primary purpose of stay. This can serve both the interest of the host country as well as that of the student. States many times have various policy tools to manage the entry of foreign nationals to their national labour market, therefore if preferential access is provided for foreign students, obviously states do not want to allow this entry channel to be abused, and consequently they only allow preferential access within limitations. Meanwhile, foreign students need to primarily focus on their studies and therefore taking employment can only serve helping partly cover their costs of stay, while their integration to the host society as well as their future access to the host country's labour market could also be enhanced by part-time employment during their studies.

Retaining graduate students as highly-skilled employees is another policy choice that states shall make. International students can be migrants perfectly positioned to alleviate

future talent shortages. Nevertheless, if the host country's primary aim by admitting foreign students is only to become an educational hub, the retention of the graduates could be against their duty to provide job opportunities for their own nationals. Nevertheless, national policies targeting especially sectors with skills shortages are suggested to be considered in order not to lose the potential lying in the nationally trained and at least partly integrated graduate foreign students.

A new study⁸⁶ of international students in Canada, Germany, the Netherlands and Sweden has shown that failure to support the study-to-work transition of international students may be undermining their 'model immigrant' tactics. The study identifies shortcomings and issues as well as recommendations for institutions, employers and policy-makers. The study suggests a coordinated job entry support during which HEIs collaborate regularly with local businesses to organise mentoring programmes, internships and other forms of professional support to international students, furthermore HEIs' engagement with local politicians, employment agencies and other public services are also necessary. The study therefore suggests moving beyond the current state of infrequent and ad-hoc collaboration, by HEIs, employers, public service providers and other local actors reassessing and coordinating their job entry assistance.

In case the host country's labour market offers free vacancies and the graduate foreign student also intends to make use of the newly gained diploma in the host country, this successful match may still be contrary to the interests of the country of origin. Issues of brain drain shall be considered as the permanent drain of talented nationals may be against the development interests of sending countries. In the meantime, at least temporary employment of graduate students

⁸⁶ Expert Council of German Foundations on Integration and Migration: Train and Retain, Career Support for International Students in Canada, Germany, the Netherlands and Sweden. See: http://www.svr-migration.de/wp-content/uploads/2015/08/Study_Train-and-Retain_SVR-research-unit_WEB.pdf

⁸⁴ Difficulties arise when the compatibility of the courses is an issue, such as with the majority of legal courses that tackle domestic legal issues. It is difficult to acknowledge credits at a legal faculty for courses that are not taught in the home institution.

in the host state can be beneficial for several reasons. Knowledge gained at a HEI should be followed by practical experiences in order to become experts of a profession, and it is rational to gain the practical experiences in the state providing the theoretical knowledge. Furthermore, the sending state might not be able to provide work opportunities or decent working conditions in certain professions.

Most countries report that their nationals going abroad to study also consider remaining in their respective host countries for employment upon graduation. However, information on such trends is hard to obtain as no data is available on the return and employability rate of its students across most countries.⁸⁷ It is being assumed that the return rate tends to increase in the long run. Countries of origin may consider adopting special policies on attracting back young professionals after they graduated and gained certain years of practical experience in the host country. However, the decision on return might not always depend on the situation for returning migrants in the country of origin, as foreign nationals might, for example, decide to marry in the host country. Consequently, host countries should also have flexible rules in order not to exclude migrants originally arriving as foreign students from long-term residence schemes.

Most of the PP6 participating states allow foreign students to work on their territory, but only within certain limits. Nevertheless, the way the employment of foreign students is limited differs from state to state. Little is known on the amount of abuses occurring in this context.

The Czech Republic allows non-EU students to take up part-time jobs. Non-EU nationals in Hungary with a residence permit issued on grounds of pursuit of studies may engage in gainful employment during their term-time for maximum 24 hours weekly, and outside their term-time or for a maximum period of 90 days or 66 working days. In Moldova,

foreign students have the right to work for a period not exceeding ten hours per week or the equivalent in days in a year.

In Germany, EU and EEA citizens are not restricted in any way to study and work, whether throughout their studies, following them or instead of studying.⁸⁸ Regarding non-EU citizens, however, the regulation is different. Germany has aimed at attracting well-qualified foreigners, which is also why the Recognition Act was adopted. As a consequence, entry into the workforce is facilitated through the recognition of foreign qualifications. Such recognition is not necessary, however, if the person already studied in Germany. It is also an additional bonus in terms of informal factors as it assures prospective employers that the potential employee, if he or she conducted his or her studies in Germany, is perfectly fluent in German and is also aware of the local culture and customs, having already lived there for at least three years. Obtaining a work visa for those who studied in Germany is somewhat easier than for those who try to enter the labour market from abroad. There are, however, no statistics that confirm the differences between German graduates and foreigners graduating in the same programme.

Those who have a student visa may be more restricted in working while studying in Germany. Foreign students cannot have more than a part-time employment to finance their studies while they are studying. The full-time pursuit of their studies is the aim and purpose of their stay in Germany; it constitutes the reason they received their student visa. Therefore, they must comply with these requirements in order to not violate their visa.

In Portugal, students (holders of Residence Permit) are entitled to work under an employment contract upon authorisation by the Immigration and Borders Service (SEF). Portugal allows foreign students to work during their studies and upon graduation. While there is no explicit limit of working

hours set during the studies, the employment undertaken should be compatible with the pursued studies and approved by SEF. The HEI do neither encourage nor discourage students to take up employment but most students do not work outside their studies, unless offered employment at the university. The fact that employment during the studies remains the exception may explain the absence of a stricter regulation on this issue.

While exchange students rarely take up employment, full-time students frequently work part-time. Upon graduation, all students are offered assistance by the employment office. Meanwhile, a so-called Technology Park should create employment possibilities for highly-qualified graduates. Third country nationals require a scholarship or work contract to continue their stay but are not obliged to leave the country in order to receive a different resident status. Moreover, Portugal has neither introduced a quota system, nor any limited list of occupations to which foreigners are allowed. In short, the Portuguese system can overall be described as rather welcoming.

Foreign nationals having graduated from a Georgian educational institution and getting employed in Georgia can, without leaving the country, get a work residence permit. In Moldova, international students can extend their period of stay after graduation only at the employer's request. In Kyrgyzstan, foreign students can stay for employment on the general conditions for foreign workers, including meeting the quota requirements, and fulfilling the administrative obligations. Neither the Czech Republic, nor Hungary have a specific policy on retaining foreign students. Nevertheless, it does not mean that it would be impossible to extend their stay after finishing their studies in Hungary. The Hungarian immigration rules allow the change of purpose of stay while staying on the territory of Hungary, therefore a residence permit issued for the purpose of pursuing studies can be extended for another reason of stay, e.g. for the purposes of gainful activities, if the graduated student already has a job offer.

It can also be another element of national policies to set out specific rules for periods of job search or establishing a business after graduation. In Hungary, if the non-EU national graduate student does not yet have a job offer or an established company, they can extend their residence permit for "other" purposes, if the conditions of stay are still provided. Providing a residence right for such an intermediary period is also enhanced by the newest elements of EU legal harmonisation.

Due to the substantial problems experienced with regards to irregular employment, students are now entitled to work permits in the Russian Federation, which actively encourages graduates to seek for employment there. The country also has a simplified nationalisation scheme for foreign students who graduated from Russian HEI and have worked for at least three years in the country. Furthermore, foreign nationals are entitled to file an application concerning the acquisition of the Russian citizenship under a simplified procedure, if these nationals and persons are citizens of the former USSR states, who have obtained general vocational or higher education at the Russian Federation educational institutions after 1 July 2002.

Labour Market Access of Foreign Students and Graduates

- ➔ Most states allow for part-time employment during studies (10-25 hours/week), thus ensuring that education remains the main purpose of stay. Only few countries allow for full-time employment, outside the holiday season. However, these policies are worth looking into and could be considered by other states as well.
- ➔ Family reunification on behalf of foreign students has been facilitated in some PP6 states, without resulting in major problems.
- ➔ A number of states apply national labour quota or labour market tests in granting foreign students access to employment. However, states with no such policies have also been successful in tackling this issue and could serve as an inspiration, if further liberalization is sought.

⁸⁷ Some source countries such as Kyrgyzstan and Moldova estimate that about half of the students going abroad return upon graduation.

⁸⁸ See: [http://aei.pitt.edu/38963/1/No_50_MDS_EU_Labour_Migration_Policies\[1\].pdf](http://aei.pitt.edu/38963/1/No_50_MDS_EU_Labour_Migration_Policies[1].pdf) Access: May 4, 2015.

- Many countries promote the inclusion of foreign graduates into the national labour market, providing for job-search residence permits or by granting work and residence permits upon graduation, if a concrete job offer can be submitted.

2.4.8. Initiatives to attract back own graduates

Many source countries of student migration do implement specific programmes for re-attracting their nationals back home upon their graduation in a foreign HEI. Albania, for instance, in 2006 introduced the so-called “Brain Gain Programme” (BGP), which

addresses the diaspora and graduates of Master and PhD programs from recognized foreign HEI, asking them to provide support to the government in creating and promoting mechanisms to effectively change the engagement of diaspora and skilled emigrants in the development of the scientific research sector, as well as administrative and economic development in general. In the period 2008-2011, the BGP provided financial support (“reintegration package”) to 137 individuals returning to Albania or at least temporarily coming back as visiting professors. It is currently foreseen to reorganize the BGP by the end of 2016, in a way to reach a wider number of professionals.

Table: Overview of BGP beneficiaries

Institutions	Individuals	Female		Male			
		Female	Male	Master	PhD		
Public Administration	21	7	14	7	-	12	2
Public Universities	57	24	33	13	11	17	16
Private Universities	20	8	12	2	6	8	4
Visitor Professors	39	10	29	4	6	12	17
Total	137	49	88	26	23	49	39

The Czech Republic similarly introduced the “NAVRAT” Programme aiming to attract back the top R&D specialists from abroad. The programme is scheduled until 2019 with a total budget of some 17 Million EUR.

In Georgia, return figures among the conditions set by the Center for International Education for granting scholarships to Georgian exchange students. In case a student fails to honour this part of the agreement, he/she will be imposed the obligation to refund the government spending. Georgian graduates of foreign universities also enjoy preferences on the job market, especially in the public sector.

In Hungary, there are various initiatives facilitating the return of its nationals. The Academy of Sciences launched the so-called „Momentum” Programme in 2009, aiming to reduce the number of talented researchers

who leave the country and to increase the career opportunities for young researchers. Until 2014, 97 research groups have been established in the framework of this programme. Meanwhile, the “Come Home” Programme, launched by the Ministry of National Economy, aims at supporting the return of young Hungarians presently working abroad by providing support in job search or for establishing a company.⁸⁹ Moreover, the Association of Hungarian University Students Studying Abroad⁹⁰ has concluded agreements with numerous Hungarian and multinational companies in order to allow for graduates to work in the national labour market. It is also worth mentioning the mission of the Milestone Institute, which acts as a national centre for nurturing, launching and bringing

⁸⁹ Although its target group is not limited to students, many of the young people living abroad are highly skilled. See: <http://gyerehaza.org/>.

⁹⁰ See: www.kuma.hu

home talent. The Institute aims to bridge the existing gap between the world’s top HEI and the most gifted students that emerge out of the Hungarian secondary education system. The main aim is to create a community of students and professionals who not only provide an example of excellence for the generations that follow, but are ready and willing to work towards creating a better future at home in Hungary.⁹¹

Similarly, in Moldova the programme “Promoting return of Moldovan overseas

graduates”⁹² was launched in 2010, aiming to address brain drain by bringing home over forty overseas young graduates per year. The support package to overseas graduates includes the identification of job vacancies, logistical and administrative assistance, financial support in covering transportation costs from the destination country to the country of origin and a monthly living allowance as a top-up to the salary offered in Moldova to the participants for up to six months. Meanwhile, there is no general policy to attract back Russian citizens who have obtained their education abroad.⁹³

In addition to such concrete programmes, many countries have established Ministries or State Agencies for Diaspora matters, which of course also relate to own nationals studying abroad.

Policy recommendations

- Provision of attractive employment opportunities (in the public sector).
- Addressing issues of reintegration through adequate assistance in all the relevant spheres (education, housing, employment etc.).

⁹¹ This initiative firmly believes that many of Hungary’s current economic, social, cultural and political problems stem from a lack of opportunities to engage with the cutting edge of global innovation, whether it is for financial reasons, language barriers or the absence of professional networks. Therefore, they want to create the foundations for a centre of excellence that takes down these barriers, endowing the next generation to lead this country with the best possible resources to fulfil that responsibility. See: <http://milestone-institute.org/en/about-us/about-milestone>.

⁹² The programme is implemented jointly by the International Organization for Migration, Mission in the Republic of Moldova (IOM) in partnership with the Bureau for Diaspora Relations, Ministry of Youth and Sports (MYS), Ministry of Education (MEd) and the National Employment Agency (NEA).

⁹³ The total number of Russian citizens who received their education at foreign universities was estimated at 42.881 in 2007.

- Facilitation of entrepreneurship by the country of origin. Provision of favorable loans for start-up initiatives.
- Ensuring recognition of the qualifications and skills gained abroad.
- Efforts to enhance social portability of the financial contributions made abroad (pension etc.) through ratification of bi- or multilateral agreements.
- Engagement of diaspora through regular contacts and initiatives.
- Establishing of alumni networks for international graduates, as well as researchers and teachers. Provision of possibilities to return (temporarily) as guest lecturers.

3. National Policy Examples

3.1. Russian Federation

3.1.1. Scope and origin of incoming student migration

Russia itself features a substantial number of foreign students enrolled in its HEI⁹⁴, with education mostly being provided in Russian language. As the demand for foreign specialists is substantial, foreign students presently only account for two percent of the overall immigration. Their overall number is estimated at 210.000 (full-time and part-time), thus reaching Soviet time levels. Foreign students represent nearly four percent of the overall student population in the country and two percent of the overall immigration.⁹⁵ Three quarters are of European or Asian origin, with the majority being citizens of CIS

⁹⁴ The leading HEI in terms of numbers of foreign students in 2012/2013 include the Peoples’ Friendship University of Russia (6,539 students), Saint Petersburg State University (3,713 students), M.V. Lomonosov Moscow State University (3,395 students), Saint Petersburg State Polytechnic University (2,743 students), Tomsk Polytechnic University (National Research University) (2,299 students), I.S. Sechenov Moscow Medical Academy (2,202 students) and A.S. Pushkin State Institute of the Russian Language (2,109). Source: Training of foreign citizens in the universities of the Russian Federation: Statistical collection. Issue 11 / Ministry of Education and Science of the Russian Federation. – M. : CSPIIM Publishing House, 2014. Pp. 195

⁹⁵ Already at the secondary level, some 140.000 foreign students study in Russian high schools. In their majority, they represent the second generation of immigrants. With regards to vocational education, almost all foreign students are citizens of CIS countries with Kazakhstan clearly taking the lead.

countries. The most attractive disciplines for foreign students feature engineering, medicine, business and Russian language.

The main source countries of foreign students include China (23.000 students in 2012/13), Kazakhstan (16.400) and Turkmenistan (10.900). The motivations among nationals of these particular countries nevertheless vary: In terms of the price/quality ratio, the curricula of Russian universities are attractive

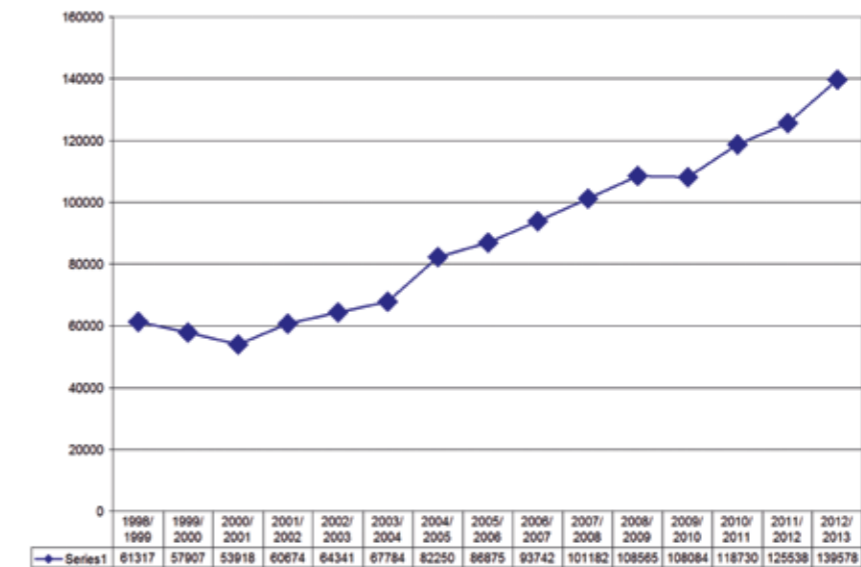
to those Chinese students, who cannot afford education in the most competitive HEI. Meanwhile, Kazakhstan is a Member State of the Eurasian Economic Union and traditional partner of Russia, with the majority of its population being fluent in Russian. Kazakh students view their studies as a first important step to remain in Russia for employment. Moreover, Kazakh HEI lack certain majors or specializations that are available in Russia.

Number of foreign nationals who studied in Russian universities in 2006/07 - 2012/13

	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013
Enrollees of preparatory departments	9588	11597	13642	10482	11342	11877	12747
Students	65774	71207	72997	76981	84962	87745	101222
Bachelors	14284	15138	15974	18116	21831	31588	46021
Specialists with a Diploma	46639	50489	51332	52236	56168	48319	45854
Masters	4851	5580	5691	6629	6963	7838	9347
Trainees	13502	13268	16289	15259	16675	19874	18939
Interns	106	165	270	205	270	336	443
Resident physicians	1233	1239	1484	1300	1406	1580	1648
Post-graduates	3367	3605	3792	3784	3992	4046	4498
Postdoctoral students	172	101	91	73	83	80	81
Total:	93742	101182	108565	108084	118730	125538	139578

Source: Training foreign nationals at the Russian Federation universities: Statistical collection. Issues 8 and 11. Ministry of Education and Science of the Russian Federation.

Number of foreign nationals who studied at Russian universities in 1998/99 - 2012/13



Share of foreign nationals at Russian universities in 2012/2013 (number of persons)

Country	Number of people	Country	Number of people
Kazakhstan	23656	Kyrgyzstan	2627
China	16385	US	2118
Turkmenistan	10954	Armenia	2058
Tajikistan	5660	Syria	1637
Uzbekistan	5605	Korea	1585
Azerbaijan	4934	Morocco	1522
Ukraine	4737	Nigeria	1397
Belarus	4361	Myanmar (Burma)	1383
India	4331	Germany	1360
Vietnam	4091	Turkey	1284
Malaysia	3022	Iraq	1190
Moldova (+Transnistria)	2668		

3.1.2. National Policy on educational migration

Russia tries to both attract foreign students and retain them upon graduation. The country offers various targeted initiatives such as trainee courses, internships and language courses. Some student sending countries receive financial support from the Russian Federation. Significant investments

were also made to re-attract Russian students from abroad. Mr. Konstantin Romodanovsky, Director of the Federal Migration Service (FMS) of the Russian Federation, underlined the importance of striking a balance between efforts to facilitate incoming student migration, while also effectively countering misuse and abuse of this migration channel.⁹⁶

⁹⁶ Welcome note held on 23 June 2015 in the framework of the 2nd PP6 workshop in Moscow.

Attracting more foreign students is also linked to the aim to strengthen the position of Russian higher education on the world market.⁹⁷ By 2020, at least five Russian universities should have entered the top 100 leading universities, according to international

university ratings.⁹⁸ By then, the country also aims to establish the necessary infrastructure and institutional framework for the academic mobility of students and teaching staff⁹⁹, as well to increase the share of foreign students to 5% of the total number of students, and their financial contribution to the total funding for the national education system to 10%.

The country has recently introduced reforms in order to enhance the labour market access and naturalization of foreign students and also extended its cooperation with HEI across the country. Moreover, the provision of Russian language and culture courses has been improved and examination thereof systemized and optimized. Meanwhile, further measures to counter brain drain and brain waste while enhancing brain circulation are sought.

The Russian state policy on educational migration is implemented through several basic laws and contains various elements: the possibility of foreign students admission to Russian academic institutions (124-FZ); specialized academic visas (114-FZ); entry procedure and terms of foreign students' employment (115-FZ); and the possibility of simplified acquisition of citizenship for former USSR state nationals who graduated from Russian universities or secondary specialized educational institutions after July 1, 2002 (62-FZ).

Over the past ten years some 10.000 Russian students were welcomed to HEI across the EU, turning Russia into the second most important source country for foreign students

to the EU after India. Another 2.000 students from Russia are expected to take part in the 'Erasmus+ Programme' in the near future.

Cross-border student mobility represents an autonomous chapter within the national migration legislation. The Concept of the State Migration Policy of the Russian Federation (Part 2) postulates the importance of educational migration and the role of the system of education in the migration policy: *"The migration potential of the education system is underutilized. Educational migration is a source of qualified and integrated foreign nationals. Legislative restrictions for employment during education and upon its completion reduce the appeal of obtaining education in Russia for foreign students..."*. The goals of the state migration policy (Clause 3) list "fostering educational migration and support of academic mobility"¹⁰⁰ as number four priority (following the compatriots, external labour migrants and internal migrants).

In 2002, Russia adopted a Concept¹⁰¹ confirming the will to not only accept foreign students into its national HEI, but also increase their number. Moreover, it is worth looking into the formulation included in the "Concept of the Demographic Policy of the Russian Federation till 2025": *"...to attract qualified foreign specialists, including Russian university graduates, for permanent residence in the Russian Federation, to attract foreign youth (above all, from the CIS and Baltic states) for education and traineeship in the Russian Federation, and to provide them with possible privileges in acquiring Russian citizenship upon completion of their education..."*. Similar formulations can also be found in policy documents.

Unfortunately, legislation still lacks a clear concept of educational migration and fails to identify its flows. In this context, two important aspects can be pointed out:

currently, educational migration presents a single flow without any differentiation between the groups of educational migrants, while academic mobility, also mentioned in the document, has not yet become an object of scientific research, and its declared support is not efficient enough.

The main problem for the Russian higher education system is the substantial decrease in the overall number of students, which has halved since the year 2000, mainly due to the serious demographic decline, experienced by the Russian Federation.¹⁰² This decrease further incites the fierce competition among Russian HEI in attracting students, while also contributing to an easier admission of candidate students. Over the next decade the total number of students is foreseen to further decrease significantly. This situation represents a serious threat to the Russian higher education system: The quality of the curricula seems to be in decline; experienced teachers are forced out of their jobs; and, in spite of the important changes introduced already, the reform of the system is moving forward only slowly. In order to maintain its educational potential, Russia would have to increase the share of foreign students from the current 4% to an estimated 15% of the total student population.

The right to receive state support for student loans is enshrined in the Federal Law "On Education in the Russian Federation" for students studying the basic curriculum.

The regulation of state support of student loans with terms and conditions, size and the procedure for granting of state support for educational loans is approved by the Government of RF.

Meanwhile, the vocational education offered throughout the country can hardly cover the needs of the national economy. Consequently, the salaries offered in the related professions are often higher than those of academics, and

foreign workforce needs to be imported for the affected spheres. This situation requires the provision of additional training for professions which are currently in high demand. In addition, the sending of Russian trainers to the main source countries of immigration could help preparing the potential migrants for the jobs needed. The practice of Germany to accept apprentices for a period of two years before sending them back home could also be followed in this respect. However, Russian enterprises do not seem ready to accommodate such an approach yet.

3.1.3. Admission procedure for foreign students

Incoming students have to first pass Russian language courses. The admission procedure involves an initial Skype interview and application through the Embassy. Actually, foreign students have to opt for six universities and will be appointed to one of them. In the framework of the established notification system, the HEI are responsible for registering incoming foreign students. The application procedure begins with an online questionnaire and the submission of all necessary documents per email. The applications are then reviewed and processed with the FMS. An invitation letter by the university can usually be provided to the applicant within a few weeks.

The universities' international departments usually provide counselling services on various issues linked to incoming students such as visas or the financial aspects (but also for studies abroad undertaken by Russian students). They also tend to cooperate closely with the FMS, the Ministry of Foreign Affairs and consular departments. Most importantly, they provide for the invitation letters needed for the visa procedure, the registration of the incoming students, the prolongation of their visas and residence permits or support in case important documentation (i.e. passport, migration card) is being lost.

97 While there is also an objective to strengthen the standing of the CIS educational services market, it remains vague in terms of concrete measures.

98 Achieving this goal will be facilitated by the implementation of the action plan aimed at developing the leading universities to increase their competitiveness, adopted by Resolution No. 2006-r of the Russian Federation Government dated 29 October 2012. Moreover, a project with the working title "5-100" has been launched.

99 "Concept of Long-Term Social Economic Development of Russia till 2020"

100 In this context, two important aspects can be pointed out: currently, educational migration presents a single flow without any differentiation between the groups of educational migrants, while academic mobility, also mentioned in the document, has not yet become an object of scientific research, and its declared support is not efficient enough.

101 "Concept of State Policy of the Russian Federation for Training National Personnel for Foreign States in Russian Educational Institutions".

102 This section is based on the presentation of Ms. Zhanna Zayonchovskaya from the Institute for Economic Forecasting at the Russian Academy of Science, held on 24 June 2015, in the framework of the 2nd PP6 workshop in Moscow.

The national legislation foresees the issuing of a one-year visa, which can be prolonged for another year. Upon arrival, their studies and attendance are strictly monitored, which prevents any kind of abuse. Incoming students first get a one-year education, featuring Russian language, mathematics etc. and only after passing this first year successfully are accepted as students. The testing results, also needed for the issuing of a work permit, permanent residence permit and for naturalization, are all gathered in one central data base. A great share of foreign graduates does eventually opt for naturalization.

Upon arrival, foreign students may receive a practical handbook on the various rules linked to the visa and residence permits, as well as information sessions on these issues. Online requests are usually being answered or transferred to the responsible authorities. If working outside the university, the issuing of a work permit is required but not overly difficult. In case a study visa is to be transformed into a work visa, the respective students need to leave the country in between, as no facilitated procedure has yet been introduced for graduates in Russia, as opposed to the main student receiving countries globally. On the other hand, it is allowed for holders of a work visa to also study in Russia.

Among the main challenges faced by the international departments of HEI the following were mentioned: The loss of documents such as the migration card; the prolongation of documents in case of short overstays, which are sanctioned by re-entry bans for a period from three to ten years¹⁰³; the fact that the HEI as receiving organizations usually bare all the responsibility for incoming students, including all arising costs (i.e. flight tickets for), which may lead to extraordinary scenarios; or the problems linked to trips within the country, which need to be pre-announced by the students.

¹⁰³ Under the Articles 26 and 27 of the Federal Law of August 15, 1996 № 114-FZ "On the Procedure for Exit from the Russian Federation and Entry Into the Russian Federation" in case of overstay a foreign citizen shall be denied entry into the Russian Federation for a period from three to ten years..

Measures introduced to make Russia more attractive to foreign students:

- ➔ The administrative procedures for the admission of foreign students were eased.
- ➔ The number of state sponsored, tuition-free seats allocated to foreign students and Russian compatriots abroad has been increased substantially over the past years and should soon increase to 20.000.¹⁰⁴
- ➔ The opening of new offices in the source countries of student migration and the shortening of the processing period for foreign applications, which were enhanced through the use of online services, represent further important steps in this direction.
- ➔ The offer of Russian language courses was widened, and the respective testing system, which also covers Russian history and culture, was reformed in a way to become more effective and transparent. The system, jointly developed with the IOM, features over 400 testing centers across the country.
- ➔ English post-graduate programmes are also being offered more frequently.
- ➔ Recent reforms also facilitate the labour market access and naturalization of foreign students.
- ➔ The cooperation between the responsible state authorities and the HEI across the country has been further enhanced. The FMS is also closely cooperating with the Ministry of Foreign Affairs at domestic level, and internationally with the CIS countries, the EU or the Shanghai Cooperation Organisation.
- ➔ Russia continues signing bilateral agreements in this area, thereby actively supporting its universities in attracting foreign students.
- ➔ Meanwhile, further measures still need to be identified with regards to countering brain drain and enhancing brain circulation.

3.1.4. Outgoing student mobility

The overall number of Russian nationals studying abroad is currently estimated at approximately 61.000. Germany, USA, France

¹⁰⁴ However, the procedure of defining the quota for each country of foreign students' origin could be made more transparent. There is a mismatch between the foreign applicants' demand in the majors appealing to them (especially, in medicine) and the majors offered by Russia, as well as a lack of independent choice of the university and the city to be educated in.

and the Czech Republic represent the prime destinations. The majority of these students study in the EU¹⁰⁵, while one third is divided between Asia (especially CIS region) and North America. Students whose studies abroad are financed by the Russian Federation are required to return upon their graduation and spend five years in the Russian labour market.

3.2. Germany

3.2.1. Introduction

Germany has immensely strengthened its international position as a destination for educational migrants.¹⁰⁶ The OECD education database back in 1999 already listed Germany as among the top destinations with 12% of students picking this country. It had already been one of the most important locations for students from Asia and Oceania (the leading country of origin was and is China), with about 7% African students and 8% from the Americas.¹⁰⁷ According to a more recent survey – that of topuniversities.com, published in January 2014 – Germany has further strengthened its position, climbing from 7th place in 2009 to 4th in 2013 worldwide.¹⁰⁸ The Trends and Global Data 2014 Summary of Project Atlas¹⁰⁹ lists Germany as 5th for both 2012 and 2013 among the most popular destinations.¹¹⁰

¹⁰⁵ The EU Delegation in Moscow referred to 10.000 Russian students welcomed across the EU over the past ten years some, turning Russia into the second most important source country for foreign students to the EU (after India). Another 2.000 Russian students are expected to take part in the 'Erasmus+ Programme' over the coming years.

¹⁰⁶ This section is based on the research paper "International Student Mobility to Germany – Lessons from the Friedrich Schiller Universität, Jena", produced in the framework of Pilot Project 6 by Mr. Cieran Burke, Friedrich Schiller Universität, Jena. The information contained here within has not been approved by the German state authorities, as the country did not take part in the Pilot Project 6. Due to the importance of Germany as a destination for international student, it was nonetheless decided to include a chapter on it.

¹⁰⁷ Bessey, Donata: International student migration to Germany, in: Empirical Economics, Springer, 42 Jg. 2012, Heft 1, pp. 346, 348.

¹⁰⁸ See: http://www.topuniversities.com/sites/default/files/qs.topuni/files/QS_World_Grad_School_International_Student_Mobility_2014.pdf Access: May 6, 2015.

¹⁰⁹ A project of the Institute of International Education of the Centre for Academic Mobility Research. See: <http://www.iie.org/Research-and-Publications/Project-Atlas> Fact Sheet, p. 1. Access: May 7, 2015.

¹¹⁰ However, these figures are open to criticism, since they include those students who are considering or participating at some educational programme at a German HEI without a German traditional high school diploma (Abitur). Therefore, German citizens, who graduated high school in another country are also considered educational migrants if they choose to enter a HEI in Germany. Similarly, there is no way of differentiating between migrants who have migrated to Germany solely for the purpose of studying and those who have migrated to Germany and then took up studying. However, these difficulties seem constantly present in the data collection practices of the past decade, and therefore, the data remains comparable throughout the years.

Germany is a federal Republic where higher education is a competence shared between the sixteen States and the Federal level. While a number of private universities exist, third-level education is largely dispensed via public universities. Historically, German students paid no tuition for their first university degrees.¹¹¹ During the past twenty-five years, the gap between East and West in terms of higher education, both regarding the available study programmes and their quality has been successfully bridged and today the differences are barely recognizable. The German Rectors' Conference has adopted the National Code of Conduct for German Universities Regarding International Students.¹¹² By far the most useful and comprehensive website for foreign students who wish to pursue their studies in Germany is that of the German Academic Exchange Service (DAAD).¹¹³

3.2.2. Admission of foreign students

As a general rule, foreign students must first select what and where they wish to study and then make sure whether they can directly enrol in their selected programme, or if the number of students accepted is limited, and if so, what options foreign students enjoy. Generally there are two application deadlines for those wishing to start their studies in the semesters that follow, namely January 15 and July 15.

Most institutes possess an individual international office, which is in charge of the admission process for foreign students, including all areas that are not within the competence of the state or national authorities (such as visa applications). The international offices may charge application fees for assisting in and making applications possible.

¹¹¹ The question of tuition is left to the States. In recent decades, some States introduced tuition fees, which resulted in major domestic educational migration and student protests. As a result, all tuition fee requirements have now been eliminated, and students are now merely obliged to pay a nominal fiscal contribution per semester in exchange for which they are awarded certain discounts (such as subsidized canteen food) and services (such as free travel within the local Land).

¹¹² Every member institution of the German Rectors' Conference can become a signatory to this Code of Conduct, and pledges to observe the rules and guidelines set forth therein. Until August 2012, a total of 124 HEI have become signatories to the Code. See: http://www.hrk.de/uploads/media/CC_Broschuere_1109-fin.pdf Access: April 24, 2015.

¹¹³ <https://www.daad.de/de/> Access: April 28, 2015.

A photograph is often necessary, even if it will only be used for the student ID card or to store in the online system¹¹⁴, along with a copy of the passport to prove the student's identity, age and nationality. Finally, proof of knowledge of any languages required for study (usually German) must also be submitted at this stage. Universities differ in what else they may require from applicants, but these documents constitute the core of what must be submitted.¹¹⁵

Citizens of EU and EEA countries are exempt from visa requirements.¹¹⁶ These students travel with a valid ID card or passport, and only need to register themselves when they arrive in Germany at the city's registration office. Registration is obligatory, free of charge, and failing to register gives rise to a possible fine. Similarly, when students leave, they again need to inform the registration office that they are leaving.

International students from non-EU countries need to apply for a visa prior to their arrival to Germany. They must contact the German Embassy in their respective home countries. They can apply for a visa if they have a place at a university or at least a written approval from the institution for preparatory studies. This is where the majority of the difficulty lies, as the application process often creates a "chicken and egg" problem, inasmuch as a visa is required for an acceptance, while acceptance is required for the visa.¹¹⁷ Most often, in addition to said written approval or university acceptance, the visa application process also requires that students prove that they have the necessary financial means to stay, live and study in Germany, that they have a valid passport and that they take out an adequate health insurance. This point again is highly problematic, as while students arriving from EU countries are automatically

entitled to health care coverage, foreigners, independent from their respective domestic coverage, are obligated to take out German health insurance coverage for the duration of their stay. There are only limited on-site solutions for this omnipresent problem.

Students may also be required to complete and pass certain academic and language tests in order to be admitted to the HEI.

3.2.3. Language requirements

Language requirements vary within Germany. Primarily, there is a difference between foreign students seeking placements in German language programmes and those applying for English language ones. There is also a huge difference whether students are seeking placements in degree programmes or exchange places. For short-term study visits, whether guest students or ERASMUS exchange, there are normally minimal language requirements, as the aim is only to secure that the student is able to participate at sufficient number of courses that award him/her the necessary number of credits to transfer back to the home institution. Therefore, knowledge of English, presuming the institution of destination offers a sufficient number of English-language courses, is enough. Nevertheless, a growing number of institutions require their partner universities to send students who have at least a conversational level of the German language. This may make the domestic selection criteria more complicated, but better ensures the effective stay of the student at the German institution. If the study stay for the foreign student is funded by a German organization, such as the DAAD, it may be required that the student only attend courses offered in the German language.

For degree programme candidates, proof of language knowledge is a requirement. Students who are applying for a German-language programme are most often required to have some form of examination certificate, such as that of the Goethe Institute, which offers such exams in a number of

countries.¹¹⁸ Students applying for English-language programmes are rather required to prove their knowledge of English through a Cambridge or TOEFL examination. Waivers are available in this process, especially to students whose native language is English or who have completed their high school or undergraduate college education in English and can present proof thereof.

Role of Foreign language tuition in attracting foreign students

In accordance with the German government's aim and policies and along with the DAAD's initiatives and programmes, there are a growing number of programmes and educational opportunities offered in a language other than German. Obviously, the first choice in this matter is or would be English, but there are certainly other foreign languages, particularly Turkish or Polish, which could prove much more interesting and appealing to foreigners. The DAAD works on all possible levels with the government and the educational institutions to secure that the number of foreign students opting for Germany continues to increase.¹¹⁹ The cooperation does not stop there, however. Apart from complete programmes offered at universities in English, there are also quite a number of summers schools and other international endeavours aiming to secure that prospective students think well in advance about studying in Germany.¹²⁰

3.2.4. Main challenges faced by foreign students from third countries

Students arriving from non-EU third countries have the most difficulty with the visa application process as well as making sure that they have the necessary and adequate health care coverage at a somewhat affordable price. Additional problems arise due to the often completely unnecessary and numerous administrative hurdles, especially when students lack knowledge of the German language. It is not a requirement that everybody who comes to a German university should speak some German (since some programmes are offered in other languages), but it is without a doubt extremely useful.

Also, the smaller the city of destination, the more difficult it is to exist without a basic level of German. Non-EU students also need to arrange a residence permit, which again produces a number of hurdles and sometimes serious difficulties.

Once the formal and administrative obstacles are overcome, social integration may also prove difficult. In this regard there are differences between smaller university towns and larger cities. The smaller towns definitely have the advantage of a student community and university cities are well adapted to receiving students and catering to all of their needs. In bigger cities it is easier to get by with a decent level of English and no German. However, students' everyday needs might be more difficult to satisfy. Overall, a significant weakness of the system is that both, the everyday life and bureaucratic hurdles as well as the majority of the educational programmes are available only in German.

The topuniversities.com survey listed the cultural interest and lifestyle as the second most important motivating factor when selecting a place to study.¹²¹ Germany's popularity as a destination has increased in recent years.¹²² On a practical level, this serves as a source of income, especially from those non-EU citizens who pay for their degree programs. At the same time, it is also a way of opening up and internationalizing Germany, and bringing diversity into the university system.

The financial motivation is certainly one which creates a competitive environment and thereby stimulates improvements in the quality of education. Germany aims to attract foreign students but is less successful at securing that the highly skilled foreign graduates stay on to work in the country.¹²³ This is probably due to the numerous bureaucratic hurdles that an applicant must face – independent of the privileges for those who studied in Germany.

¹¹⁴ Some universities insist on taking the picture themselves on-site.

¹¹⁵ See: <https://www.daad.de/deutschland/nach-deutschland/bewerbung/en/8680-applying-for-a-study-programme/> Access: April 28, 2015.

¹¹⁶ Students arriving from Australia, Israel, Japan, Canada, New Zealand, South Korea and the United States of America may purchase their visa following their arrival, while the same applies to citizens of Andorra, Brazil, El Salvador, Honduras, Monaco, and San Marino, if they do not wish to work in Germany prior to or following their studies. See: <https://www.daad.de/deutschland/nach-deutschland/bewerbung/en/9199-visa-application/> Access: April 30, 2015.

¹¹⁷ See: <http://www.topuniversities.com/student-info/studying-abroad/how-get-german-student-visa> Access: May 7, 2015.

¹¹⁸ See: <http://www.goethe.de/ins/de/enindex.htm> Access: May 5, 2015.

¹¹⁹ <http://monitor.icef.com/2013/04/germanys-new-strategies-in-the-race-for-international-students/> Access: May 8, 2015.

¹²⁰ See: <http://www.studienwahl.de/en/international-students.htm?sessionId=1CA3581C46B79E41058253E048C67110> Access: May 4, 2015.

¹²¹ Supra 1. pp. 12.

¹²² Supra 1. pp. 8. The survey refers to the UNESCO data from 2010, which also lists Germany as the 4th most popular destination relying on Mary M. Kritz's evaluations. http://www.un.org/esa/population/meetings/EGM_MigrationTrends/KritzPresentationFinal.pdf Access: July 13, 2015.

¹²³ Tremblay, 2004. pp. 14.

Integration

Welcoming foreign students is a government policy which may or may not be beneficial to a country. EU countries agree that education represents an important element within the integration process of foreigners. Through the school system – whether at secondary or tertiary level – foreigners learn not only the subjects taught along with the language, but also to familiarize themselves with the culture and blend into the community. That is at least the aim of the government.¹²⁴ The European Commission Staff Working Paper from 2011 states that “[i]ntegration and migration are the two sides of the same policy coin.”¹²⁵ Education has a very significant role in the process of integration. The working paper states that “[p]olicy priorities have been identified, based on repeated Council conclusions emphasizing the importance of education for integration, including the development of policies for language learning, partnerships with parents and communities, developing teacher training, improving multicultural mediation, strengthening intercultural learning activities, increasing access to quality early childhood education and care, combating school segregation and increasing quality of underperforming schools, as well as providing additional support through tutoring, mentoring or guidance.”¹²⁶

3.2.4.1. Pre-selection mechanisms

Selection mechanisms are usually clear and transparent. However, there are a number of possible difficulties that prospective students must face. A practical barrier to entry occurs if the student does not have sufficiently knowledge of the required language. This may already prove problematic when one wishes to access postings of opportunities. Certain postings are only available in German, while others may not appear on foreign websites. A similar problem may be if certain scholarship or funding opportunities are only open to citizens of a given country. For example the well-renowned Alexander von Humboldt Stiftung has a funding opportunity exclusively for students from Brazil, which is an insurmountable barrier for all others.¹²⁷

¹²⁴ http://ec.europa.eu/eurostat/statistics-explained/index.php/Migrant_integration_statistics_-_education Access: July 13, 2015.

¹²⁵ http://ec.europa.eu/dgs/home-affairs/doc_centre/immigration/docs/2011_commission_staff_working_paper_on_integration.pdf p. 2. Access: July 13, 2015.

¹²⁶ http://ec.europa.eu/dgs/home-affairs/doc_centre/immigration/docs/2011_commission_staff_working_paper_on_integration.pdf, pp. 20-23. Access: July 13, 2015.

¹²⁷ <http://www.humboldt-foundation.de/web/2659765.html> Access: May 3, 2015.

Other formal difficulties include the visa process, the bureaucratic hurdles, and the long and often burdensome application processes. Committee evaluation of applications can be less than transparent and any institution may pursue a hidden agenda when accepting foreign students (such as revenue maximisation by accepting those non-EU students liable for the highest fees). These informal difficulties are obviously difficult to rate due to their nature. The obtaining of sufficient proof from home institutions of previous studies can also be a difficulty as is on-site navigation for those who are spending their first weeks or months in a completely different country and culture. Most German universities have a detailed step-by-step process for student selection, which is publically available.

Once a student is accepted, if no other difficulties lie ahead (such as securing funding, et cetera), actual on-site admission can also prove difficult. A number of universities provide informal tools for students, such as an on-site mentoring programmes, within which local German students assist incoming foreigners with their administrative and bureaucratic duties.¹²⁸

3.2.5. Impacts of association agreements

The interaction of the government may increase the appeal of any one particular institution for foreign students. However, government funded programmes are rather scarce at the universities. Bilateral partner agreements are the general norm for German universities, whether within the ERASMUS framework, via another funding programme, or independent thereof. Such international cooperation increases the appeal of the university, particularly in cases involving universities that may not be too well known in the international arena.

Though inter-institutional, the cooperation if often initiated by and based on individual

¹²⁸ https://www.uni-jena.de/IB_Mentoren-path-226596,228002,349433.html Access: May 7, 2015.

networks that abridge the institutions. These are, however, mostly with a limited scope, focusing on a single discipline or even a single field within that discipline, and have no broader implication for the whole institution. Such cooperation may nevertheless have additional positive effects if the leadership of the institution plans on profiting from such activities. An institution may be a world-quality research centre in a field and in another be absolutely weak and at the end of the national or international list. Quite a number of German universities suffer from similar imbalances within their institutions. It is, however, a question of prestige to have partner Universities that have good names. Such activities attract students, for example in case of those who could not, for cost reasons, apply for full programme in the US, but if they receive a placement - perhaps in a degree programme - at a German University that has a partner university in the US, that may allow said student to spend some time in the US as well, with such activities usually being free from tuition fees of any kind. Therefore, such affiliations may be very important in attracting students. Students can then also include in their CVs that they have conducted their studies in a variety of countries, which is a sought after quality in both German and international job placements.

3.2.6. Labor market access during and after studies

Whether or not students and graduates during and after the conclusion of their studies have access to the German labor market represents an important consideration with regard to student mobility. In this respect, a number of subjects warrant consideration.

First, the question should be posed as to whether the difficulties and opportunities related to the entry into the labor market in the host country represent decisive factors for the selection of the location of study. Based on a

2014 survey on Trends in International Student Mobility, the wish to work in the country of destination following graduation represented the fourth most important motivator – after the international recognition of qualifications, the cultural interest and lifestyle as well as the availability of scholarships or financial aid – in the selection process.¹²⁹ The analysis found the increase in the importance of work prospects following graduation when selecting a destination constituted one explanatory factor underpinning Germany's popularity. As of 2012, Germany has also made it easier for international students to stay on and seek work after graduating.

Second, there is a significant difference between students who wish to (or need to) work while studying and graduates looking to enter the labor market after graduation. In relation to the first group, the need to work, for instance for the purposes of financing one's subsistence, might prove problematic during the application process. In many cases, providing proof of financial resources represents an explicit requirement in order to be granted the student visa and/or acceptance to the program or University. However, if the financial need arises during the multiple-year-stay, such need will not necessarily lead to the automatic revocation of the student visa. If the student wishes to work, either to earn some money or to gain some practical experience in the field where he or she is pursuing a degree, such activities may be permitted. Internships for credit are allowed in all circumstances, entailing that a student intern will not receive remuneration, but will acquire credits for working as an intern in a given location.¹³⁰

EU citizens have no restrictions on any work-related activity. This means that any citizen of an EU country, if he or she is studying in Germany, can take up a paid job without any formal restrictions. This job, however, cannot

¹²⁹ See: http://www.topuniversities.com/sites/default/files/qs.topuni/files/QS-World_Grad_School_International_Student_Mobility_2014.pdf Access: July 9, 2015.

¹³⁰ Companies, offices and other establishments offering internships for credit usually either have an agreement with the educational institution, or the person supervising the student may have certain qualifications that qualify him or her as a particular authority, well-placed to furnish feedback to the university, which then grants the student the credits.

be full-time and it cannot be more than a 50% position, as the student's primary task is to conduct his or her studies.¹³¹

Non-EU citizens have restrictions on their possibilities to work, even if, as students, they still have better options than as graduates.¹³²

Students have an accepted social position in society while they are students. Even though non-EU citizens are required to obtain appropriate health insurance, students are insured by the educational institution, and the tax system also acknowledges that these people do not have a normal income. This is also why foreign students, with or without a student visa, need to register at the registration office of the city where they are studying immediately upon arrival.

Finally, graduates wishing to enter the labor market following their graduation may do so more easily than those arriving from foreign countries with their respective national degrees. EU citizens do not require a work visa, which places them on a footing of equality with German job applicants with a German qualification (especially if they are fluent in German), while nationals of other countries who require a work permit may benefit from an expedited procedure, thereby receiving the permit much more easily than individuals who did not study in Germany. Foreigners who studied in Germany and who wish to remain in Germany, require a resident permit if they are non-EU citizens. Those who graduated from German universities again find it easier to receive this permit than other foreigners. There are also certain countries, whose citizens

¹³¹ It goes without saying that such activity and the earnings thereof may be subject to taxes, and that the student will have to pay those taxes – and file a tax return if necessary – in Germany. It is highly likely that these earnings will not reach the minimum level based on which personal income tax must be paid, but even so, students may be required to file tax returns, especially if they are receiving financial aid or a scholarship from a German institution or foundation.

¹³² Visa regulations distinguish between students arriving from the different groups of countries, namely, students from Andorra, Brazil, El Salvador, Honduras, Monaco, and San Marino may purchase their visa upon arrival to Germany, if they do not wish to work in Germany prior to or following their studies. This represents a privileged status. Students from Australia, Israel, Japan, Canada, New Zealand, South Korea and the United States of America enjoy the same privilege without said restriction. Then again, this restriction does not specifically stipulate whether these students, can or cannot work during their studies, which implies that they may do so, as long as they take up student jobs that do not amount to more than 50% of the regular working hours. See: <https://www.daad.de/deutschland/nach-deutschland/bewerbung/9199-visa-application/> Access: July 9, 2015.

can apply for such resident permits once they are in Germany (as it is the case in most OECD countries). Dr. Karine Tremblay termed this policy, which allows certain foreigners to apply for a resident permit from within the country as most OECD countries allow, as “part of an immigration recruitment strategy.”¹³³

It is important to note that there is a difficulty with the proper usage of statistical data regarding the German job market as the Agency for Labor differentiates between people based on their nationality (foreigners and German), while the census uses the so-called migration background (probably closer to the racial rather than the ethnic/national background) of the individual. It is not easy to consolidate these two criteria.¹³⁴ Entry into the labor market is primarily dependent upon the nationality of the individual.

Student mobility might very well be a conscious first step towards later immigration. However, it took countries quite some time to realize that if they require graduates to return to their countries and apply for work permits and/or resident permits from their home countries, a number of the advantages resulting from their stay as students in the country of destination are no longer available. This procedure imposes an unnecessary financial burden on the graduates while sometimes reinforcing the psychological difficulties that result from immigrating to another country.¹³⁵

Good Practices Established

Within Germany, the government articulated the wish to attract foreign students and there is strong support for realizing these incentives. Since Germany has one of the most stable economies in Europe, its appeal as a destination for foreign students has remained strong. The cooperation between the federal level and the States is rather good, with federal legislation merely providing a framework, and allowing the individual States to further regulate their policies towards student mobility.

¹³³ Tremblay, Karin: Academic Mobility and Immigration, in: Journal of Studies in International Education, 2005. Pp. 196-228.

¹³⁴ See: https://www.bamf.de/SharedDocs/Anlagen/DE/Publikationen/WorkingPapers/wp36-migranten-am-arbeitsmarkt-in-deutschland.pdf?__blob=publicationFile Access: July 9, 2015.

¹³⁵ Tremblay, 2005, pp. 205-206.

It is primarily the States that need to deal with all the challenges that foreigners bring, and therefore, it is only fair that they are also entitled to regulate this field.¹³⁶

There are more and more educational programs available in languages other than German within Germany, which helps attract foreigners. The immigration reform helping those who wish to stay on after the conclusion of their studies in Germany also favors well-educated foreigners who wish to immigrate.

3.2.7. Policy recommendations

There are quite a number of policy objectives that guide German politicians, the realization of which may, however, be difficult. Amongst these, for example, is the aim to make the country desirable as a place to study. Marketing tools cannot be dismissed in this procedure.

Also, to ensure immediate and on-site assistance not only in the formal process, but also at the lower level (tutoring and mentoring systems where local students help foreigners accomplish their bureaucratic tasks). It is useful to have protocols in place for the regular scenarios of welcoming, processing and integrating foreign students.

To have an overall international office for the whole University where foreign students can seek assistance in all questions that they may have (including housing, money transfer and bank account, language schools, educational programmes, organizations that assist them, extracurricular activities, etc.) is also desirable. Guidelines in all these fields may help and assist the better and more productive realization of the national aims, whatever those may be.

The current German government is very interested in internationalization and making Germany a destination for well qualified and educated individuals, as well as promising and talented youth. However, policy initiatives and the actual practices in place may not necessary mirror each other. The government could

¹³⁶ The willingness of the individual States also depends on their respective political leadership and educational policy, but most are open to welcoming foreigners, if for no other reason than for the increase in their tax revenue.

further simplify the bureaucracy that deals with the visa and other permit procedures. It could pronounce certain academic areas – where Germany perhaps lacks professionals – as privileged and then provide further assistance for those wishing to pursue their studies in this field.

Since education, educational policy and primarily the financing and non-academic supervision of HEI are within the competences of the individual States, the federal level has little say in the implementation of the various practices. The federal government must be very clear and specific in its aims regarding higher education in order to make advances possible.

Policy Recommendations:

- ➔ Making the country attractive for foreign students requires the use of marketing tools.
- ➔ Provision of immediate on-site assistance not only in the formal process, but also thereafter. Creation and implementation of protocols for the regular scenarios of welcoming, processing and integrating foreign students.
- ➔ Establishing an overall international office for the whole University where foreign students can seek assistance on all relevant matters.
- ➔ Provision of foreign language tuition.
- ➔ Ensuring coherence between policy objectives and actual practices on the ground.
- ➔ Simplification of bureaucratic procedures for admission, as well as issuance of visa and residence permits.

4. EU Legal Framework on student mobility

4.1. Introduction

While the EU represents one of the most attractive areas in the world for internationally mobile students, it has neither succeeded in attracting the best students, nor in retaining graduates from third countries in its labour market, as most still tend to leave the EU upon finishing their studies. Consequently, the EU needs to improve the attractiveness of its higher education institutions (HEI), especially targeting those areas where labour shortages are expected or additional skills are needed. In this context, the EU could learn from the most desired destinations for international students, namely the US and Canada, which have proven more successful on both aspects mentioned. This could substantially contribute to the positive economic and scientific development within the EU.¹³⁷

4.2. The Students Directive

Council Directive 2004/114/EC¹³⁸, setting out conditions of admission of third-country nationals for the purposes of studies, was the second one adopted in the field of legal migration by the European Union. The Directive approximating the Member States' national legislation on conditions of entry and residence was created as part of a strategy, which aims at enhancing the mobility of third-country nationals to the EU for the purpose of studies, thereby promoting Europe as a world centre of excellence for studies and vocational training.

The Directive 2004/114/EC sets out harmonised rules for Member States¹³⁹ on the

admission for various temporary purposes, including for the purpose of higher education studies.¹⁴⁰ Member States may also decide to apply this Directive to third-country nationals who apply to be admitted for the purposes of pupil exchange in secondary education, unremunerated training or voluntary service. The common characteristics of the target groups of the Directive are the following: the time period of their residence exceeds 90 days, but is still of temporary nature; they are all related to knowledge-based migration; and the primary purpose of their stay is not employment.

The admission of a third-country national under the Directive shall be subject to the verification of documentary evidence showing that he/she meets the general conditions (Article 6) and the specific conditions applicable to the relevant category. A third-country national shall thereby present a valid travel document¹⁴¹; if he/she is a minor under the national legislation of the host Member State, a parental authorisation for the planned stay is requested; have health insurance in respect of all risks normally covered for its own nationals in the Member State concerned; not be regarded as a threat to public policy, public security or public health; provide proof, if the Member State so requests, that he/she has paid the fee for processing the application.

Apart from the above listed general conditions applicable for all the categories covered by the Directive, a third-country national who applies to be admitted for the purpose of study shall: prove that he/she has been accepted by an establishment of higher education to follow a course of study; provide evidence of sufficient resources to cover his/her subsistence, study and return travel costs;¹⁴² provide evidence,

¹⁴⁰ According to the definition set out by the Directive, a 'student' means 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.

¹⁴¹ Member States may require the period of validity of the travel document to cover at least the duration of the planned stay.

¹⁴² Member States shall make public the minimum monthly resources required for the purpose of this provision, without prejudice to individual examination of each case.

if the Member State so requires, of sufficient knowledge of the language of the course to be followed; provide evidence, if the Member State so requires, that he/she has paid the fees charged by the establishment.

A residence permit shall be issued to the student for a period of at least one year and be renewable if the holder continues to meet the conditions. Where the duration of study is less than one year, the permit shall be valid for the foreseen period. Outside their study time and subject to the rules and conditions applicable to the relevant activity in the host Member State, students shall be entitled to be employed and may be entitled to exercise self-employed economic activity. Each Member State shall determine the maximum number of hours per week or days or months per year allowed for such an activity, which shall not be less than 10 hours per week, or the equivalent in days or months per year. Access to economic activities for the first year of residence may be restricted by the host Member State and the situation of the national labour market may be taken into account during the whole stay.

Member States shall facilitate the admission procedure for the third-country nationals who participate in EU programmes, thus enhancing mobility towards or within the Union. The mobility of students who are third-country nationals studying in several Member States must be facilitated, as must the admission of third-country nationals participating in EU programmes. Consequently, a third-country national who has already been admitted as a student and applies to follow or complement part of the studies already commenced in another Member State, shall be admitted by the latter Member State within a period that does not hamper the pursuit of the relevant studies, whilst leaving the competent authorities sufficient time to process the application.¹⁴³

¹⁴³ The procedure requires the application for admission, academic record and evidence that the targeted course genuinely complements the one already completed. Moreover, evidence should be provided that the applicant participates in an EU or bilateral exchange programme or has been admitted as a student in a Member State for no less than two years.

4.3. The Researchers Directive

The Students Directive was soon followed by the adoption of the Council Directive 2005/71/EC¹⁴⁴ fostering the admission and mobility for research purposes of third-country nationals for stays of more than three months. Its main aim was to make the EU more attractive to researchers¹⁴⁵ from around the world and to boost its position as an international centre for research. Although the target group of the Researchers Directive is not covered by this Handbook, the provisions set out in the Directive can be useful with regards to the future of international students.

The specific procedure set out by the Directive is based on collaboration between the research organisations and the immigration authorities in the Member States: it gives the former a key role in the admission procedure with a view to facilitating and speeding up the entry and residence of third-country researchers in the EU while preserving Member States' prerogatives with respect to immigration policing. A research organisation wishing to host a third-country national researcher shall first be certified by the Member States and is then entitled to sign a hosting agreement whereby the hosted researcher undertakes to complete the research project.

Research organisations may sign hosting agreements only if the following conditions are met: the research project has been accepted after examining its purpose and duration, the availability of the necessary financial resources as well as the researcher's qualifications; during his/her stay the researcher has sufficient monthly resources to meet his/her expenses and return travel costs, without having recourse to the Member State's social assistance system; during his/her stay the researcher has adequate health insurance; the hosting agreement specifies

¹⁴⁴ Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting third-country nationals for the purposes of scientific research, OJ L 289, 3.11.2005, pp. 15–22

¹⁴⁵ For the purpose of the Researchers Directive a 'researcher' means a third-country national holding an appropriate higher education qualification, which gives access to doctoral programmes, who is selected by a research organisation for carrying out a research project for which the above qualification is normally required.

¹³⁷ Migration Policy Centre team with the contribution of Peter Bosch (2015) Towards a pro-active European labour migration policy - concrete measures for a comprehensive package.

¹³⁸ Council Directive 2004/114/EC of 13 December 2004 on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service, OJ L 375, 23.12.2004, pp. 12–18

¹³⁹ It should be noted that the UK, Ireland and Denmark are not bound by the Directive or subject to its application.

the legal relationship and working conditions of the researchers.

Finally, Member States issue a residence permit on the basis of the hosting agreement if the conditions for entry and residence are met. Researchers holding such a residence permit are also granted, during their stay, equal social and economic rights with nationals of the host Member State in a number of areas and the possibility to teach in higher education establishments. Furthermore, in order to preserve family unity and to enable mobility, family members should be able to join the researcher in another Member State under the conditions determined by the national law of such Member State, including its obligations arising from bilateral or multilateral agreements.

The Directive also finds it important to foster the mobility of researchers from partner countries as a means of developing and consolidating contacts and networks and strengthening the role of the European Research Area at world level. They are thus allowed to carry out part of their research in another Member State under the conditions as set out in the Directive.¹⁴⁶

4.4. The newest EU harmonisation on the admission of students and researchers

The implementation reports¹⁴⁷ of the Students Directive and the Researchers Directive have shown a number of weaknesses of these instruments concerning key issues such as admission procedures, rights (including mobility aspects) and procedural safeguards. The European Commission has also concluded that current rules are insufficiently clear or binding, not always fully coherent with existing

¹⁴⁶ If the researcher stays in another Member State for a period of up to three months, the research may be carried out on the basis of the hosting agreement concluded in the first Member State, meaning that there is no need for signing a new hosting agreement with a new research institution in the second Member State.

¹⁴⁷ COM(2011) 901 final; COM(2011) 587 final

EU funding programmes, and sometimes fail to address the practical difficulties that applicants face. Furthermore, the need to improve the existing rules is also reinforced by the fact that circumstances and policy context have changed since the Directives were adopted. In the context of the Europe 2020 Strategy and the need to ensure smart, sustainable and inclusive growth, human capital represents one of Europe's key assets, while fostering people-to-people contacts and mobility are also important elements of the EU's external policy. Consequently, the European Commission launched its proposal¹⁴⁸ for a recast Directive concerning both the Students and Researchers Directive in March 2013.

The proposal¹⁴⁹ aimed at improving the provisions of third-country national researchers, students, school pupils, unremunerated trainees and volunteers, and applying common provisions to two new groups of third-country nationals: remunerated trainees and au-pairs. Its overall objective was to support social, cultural and economic relationships between the EU and third countries, foster the transfer of skills and know-how and promote competitiveness while, at the same time, providing for safeguards ensuring fair treatment of these groups of third-country nationals.

The final compromise reached between the European Parliament and the Council of the EU at the end of 2015 brought an improvement of the existing rules and the extension of the scope of the Directive to all the third-country national trainees, and optionally to au pairs.

One of the main reforms concerns their mobility within the EU: The recast Directive adopted on 11 May 2016¹⁵⁰ aims to facilitate

¹⁴⁸ Proposal for a Directive of the European Parliament and of the Council on the conditions of entry and residence of third-country nationals for the purposes of research, studies, pupil exchange, remunerated and unremunerated training, voluntary service and au pairing [Recast], Brussels, 25.3.2013, COM(2013) 151 final

¹⁴⁹ The proposal takes the form of a Directive amending and recasting Directives 2004/114/EC and 2005/71/EC by one new Directive.

¹⁵⁰ Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing, OJ L 132,

intra-EU mobility of researchers and students inter alia by reducing the administrative burden related to mobility in several Member States. For this purpose, the recast Directive sets up a specific intra-EU mobility scheme whereby a third-country national who holds an authorisation for the purpose of research or studies issued by the first Member State is entitled to enter, stay and carry out part of his/her research or studies in one or several second Member States. When determining the period of validity of the authorisation issued to researchers and students, Member States should take into account the planned mobility to other Member States, in accordance with the provisions on mobility.¹⁵¹

As regards students who are covered by EU or multilateral programmes or an agreement between two or more HEI, in order to ensure continuity of their studies, this Directive provides for mobility in one or several second Member States for a period of up to 360 days per Member State. In order to enable researchers to move easily from one research organisation to another for purposes linked to their research activities, their short-term mobility covers stays in second Member States for a period of up to 180 days in any 360-day period per Member State. Long-term mobility for researchers covers stays in one or several second Member States for a period of more than 180 days per Member State. Family members of researchers are also entitled to accompany the researcher during mobility.

As regards economic rights, the minimum period that students shall be entitled to for exercising self-employed economic activity or being employed is raised to 15 hours per week. However, in exceptional circumstances, Member States are still able to take into account the situation of their national labour markets. Furthermore, as part of the drive to ensure highly-qualified workforce for the future, students who graduate in the Union

¹⁵¹ 21.5.2016, p. 21–57

¹⁵² Researchers and students covered by EU or multilateral programmes that comprise mobility measures or agreements between two or more HEI should be entitled to receive authorisations covering at least two years, provided that they fulfil the relevant admission conditions for that period.

as well as researcher upon completion of their research activity will have the possibility to remain on the territory of the Member State concerned with the intention to identify work opportunities or to set up a business for a maximum period of nine months.¹⁵² Nevertheless, the latter authorisation should not grant any automatic right of access to the labour market or to set up a business, and Member States retain their right to take into consideration the situation of their labour market when the third-country national applies for a work permit to fill a post.

Under the recast Directive equal treatment is granted to researchers and students, as well as trainees, volunteers and au-pairs when they are considered to be in an employment relationship in the Member State concerned, includes equal treatment in respect of social security.¹⁵³ The rights of researchers' family members have also been strengthened, including their right to intra-EU mobility.

¹⁵² After a minimum of three months from the issuance of the residence permit by the Member State concerned, the latter may require third-country nationals to prove that they have a genuine chance of being engaged or of launching a business. Member States may require that the employment the third-country national is seeking or the business he/she is in the process of setting up corresponds to the level of research or of studies completed.

¹⁵³ Branches listed in Article 3 of Regulation (EC) No 883/2004 of the European Parliament and of the Council.

BACKGROUND INFORMATION

A. Activities carried out in the scope of PP6

Kick-off Workshop, Budapest, 22-23 January 2015

The Kick-off Meeting of Pilot Project 6 (PP6) on international students' mobility aimed at exploring and discussing the current policies on cross-border student mobility across its participating states in order to contribute to the elaboration of good practices and policy recommendations. The event gathered representatives of eleven participating states, as well as experts from the European Training Foundation (ETF), International Organisation for Migration (IOM), Migration Research Centre (Russia), Tian Shan Policy Centre (Kyrgyzstan) and Central European University.



During the first day participants received an opportunity to provide their inputs to the project's work plan and draft questionnaire, which aims at generating in-depth information about the current state of affairs with regards to cross-border student mobility across the participating states. While several states engaged in a brief introduction of their national practices, a more detailed insight was given on the situation in Russia as one of the main destinations for student mobility in

the Prague Process region. These inputs were complemented by some general findings and an introduction into the EU legislation regarding the mobility of students and researchers.

On the following day the perspectives of non-state actors were presented by the European Training Foundation, the Central European University and Tian Shan Policy Centre. Central points of interest included the challenges faced and good practices in organising cross-border student mobility and the potential promotion of brain gain and brain circulation, while also preventing brain drain.

2nd PP6 Workshop, Moscow, 23-24 June 2015

The meeting was hosted by the Federal Migration Service of the Russian Federation (FMS) and gathered representatives of eight states – Armenia, Czech Republic, Hungary, Kyrgyzstan, Moldova, Portugal, Russia and Turkey – as well as the EU Delegation in Moscow, IOM, various higher education institutions (HEI) and external experts.

The meeting was opened by the Director of the FMS, Mr. Konstantin Romodanovsky, who underlined that while most states are eager to facilitate incoming student migration, misuse and abuse thereof has to be countered efficiently. After short interventions by the PP6 Leading States – the Czech Republic and Hungary – who expressed their gratitude to the hosting state, the Deputy Head of the EU Delegation to Russia, underlined the important contribution of the Prague Process to both the EU-Russia dialogue on migration and the implementation of the GAMM.

The Prague Process Secretariat then presented a short summary of the answers provided to the PP6 questionnaire. The draft structure of the PP6 Handbook was then introduced by Hungary and well received by the participants. The presentation of the Research Paper on international student mobility to Germany was followed by

interventions on behalf of Armenia and Turkey who both provided a comprehensive overview of their national situation and policies. The following *tour de table* granted all participants the opportunity to state their experiences and present priorities on student mobility.



The second session was dedicated to student mobility from and to Russia, discussed within three presentations on behalf of the Centre for Sociological Research under the Ministry of Education, *Rosstrudnichestvo*¹⁵⁴ and the FMS' Department for Work with Foreigners. The three experts provided with detailed inputs regarding the volume of incoming and outgoing students, the related tendencies observed, the main policy approaches and legislation on visas, residence and work.

The third session was reserved for HEI such as the Russian Presidential Academy of National Economy and Public Administration and the Peoples' Friendship University who presented the numbers of foreign students, programmes offered to them and practical measures for managing these flows. The important cooperation with the FMS was underlined by both institutions. Finally, IOM gave a general overview of student mobility flows at the global level and the participating countries in particular. The main student receiving countries were then also introduced as policy examples when it comes to important aspects such as the granting of visas and

residence permits, labour market access or family reunification.

The two-day meeting was rounded off by a study visit to the Higher School of Economics (HSE). Participants were welcomed by the International Department, which – after a general introduction of the institution – provided with a detailed account of the admission procedures for international students, the manifold services granted to the latter and main challenges encountered in terms of fulfilling the legal requirements for studies in Russia. A deeper insight into the general trends and tendencies within the Russian higher education system and some relevant sociological aspects was presented by Ms. Zhanna Zayonchovskaya from the Institute for Economic Forecasting at the Russian Academy of Science. Her intervention was complemented by the presentation of a recent study by the Institute for Demography at the HSE. The meeting was concluded by final statements on behalf of the FMS and the Russian Ministry of Foreign Affairs.

PP6 Study Visit to Portugal, Lisbon/Porto, 13-15 October 2015

The Study Visit of Pilot Project 6 was hosted by the Immigration and Borders Service (SEF) of Portugal and gathered representatives of nine states – Albania, Armenia, Czech Republic, Georgia, Hungary, Kazakhstan, Kosovo¹⁵⁵, Kyrgyzstan and Moldova. During its visit to SEF Headquarters in Lisbon, the delegation was welcomed by SEF National Director. SEF then shortly introduced its main duties and responsibilities, as well as the legal framework on immigration to the country.

Participants were also introduced to the Instituto Superior Técnico (IST), which issues double degrees, undertaken jointly with other universities. The student fees are thus paid at the home institution. The IST has over 550 agreements with other higher education

¹⁵⁴ Agency for CIS Affairs, Compatriots Living Abroad and International Humanitarian Cooperation.

¹⁵⁵ This designation is without prejudice to positions on status, and is in line with UNSC 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

institutions and takes part in the Euro East Programme, Erasmus Mundus and other international frameworks. The IST aims to become a top European school of engineering, science and technology by attracting global talent to work in an international and culturally diverse environment. It is currently developing English online courses and revising its curricula to focus specifically on international audiences. Another goal is to boost participation in international projects and enhance the inflow of foreign researchers. The fostering of internationalisation among the faculty and staff and the retention of top talents represent other important steps in this direction.



In the afternoon, the delegation was welcomed at the One-Stop-Shop (CNAI) in Lisbon, which assists migrants (also irregular) in accomplishing various administrative procedures. The one-stop-shop, managed by the High Commission for Migrations, is based on a holistic approach of integration as the center reflects a cooperation and coordination among Portuguese public institutions, namely SEF (that have branches of their services in the building), and partnerships with civil society organizations, namely immigrant associations, for a better service provision to migrants in their integration process. One can obtain all documents in this building, as most relevant institutions have their representation here. Migrants are first received in their own languages by mediators, being migrants themselves in order to make the client feel more comfortable, who file the individual

cases and direct the applicants to the further institutions, situated in the same building, to be consulted. The range of authorities/organisations offering their services in the same building is already wide, and cover, among others, immigration services, legal counselling, social security. The services offered at the building of one-stop-shop have been extended according to the needs arising.

On day two, the Vice President of the University of Porto (UP) welcomed the Delegation and introduced participants to the institution and the various programmes (master, MBA, PhD, etc.). The approximately 3.100 international students currently inscribed represent some 11% of the overall student body. Most of them come from other EU MS (ES, IT, DE, FR) and Brazil. 225 scholarships were granted to non-EU citizens last year. The University also features cooperation with 26 countries outside the EU and is a member of the EU funded EurAccess Network on the mobility of researchers, through which Portugal learnt a lot from partner institutions in other countries. The language of instruction at the UP is Portuguese for under-graduate courses, while other languages are also occasionally provided for post-graduate tuition. Most foreign students are thus obliged to subscribe to language courses before entering their studies. The International Office then also introduced the institutional cooperation with the SEF.

Upon arrival at the Porto Business School (PBS), participants were welcomed by the Dean of the PBS who gave a short overview on the various programmes provided, which can range from one week to one year. 40% of the MBA students are of foreign origin. The greatest virtue of the PBS is its close relationship to many of the leading companies in the country. In fact, most MBA projects undertaken by students are carried out within these companies. Consequently, many students end up doing internships or even being recruited by these very companies. The General Council of the PBS consists of representatives of 35 companies alongside the University of Porto representatives. The

Admission Office of the PBS also referred to some of the administrative challenges faced by foreign students.

During the wrap-up session, participants were introduced to the further timeline of the Pilot Project 6. Already before this event, all countries shall receive a draft version of the envisaged PP6 Guidelines for their review. The final workshop shall then serve the finalisation of the document, which is later to be endorsed by Senior Officials. During the final *Tour de table* all participating states expressed their gratitude and appreciation of the Study Visit as a whole and of some agenda items in particular. The successful cooperation between the migration authorities and higher education institutions was in itself perceived as a highlight. Some participants underlined how interesting and thoughtful the observation of the different national practices displayed during the project was, signaling that a thorough description of these varying approaches could represent an important contribution of the envisaged document. In view of the increased internationalization of HEI, the envisaged Guidelines could also target the staff of their newly launched international cooperation departments in order to provide them with information of good practices put in place in other countries.

PP6 Final Workshop, Prague, 4-5 February 2016

The meeting gathered representatives of Albania, Armenia, Belarus, the Czech Republic, Georgia, Hungary, Kazakhstan, Kyrgyzstan, Moldova, Portugal, Russia, Sweden and Turkey, as well as ICMPD and the Prague Process Secretariat.

Mr. Tomas Urubek on behalf of the Czech Republic welcomed participants, highlighting the significance of the Pilot Project 6 (PP6) in view of the ever growing phenomenon of international student mobility.

The envisaged PP6 Handbook should be used in concrete terms for the everyday work of

policy makers. Moreover, the current work should transfer into the future activities and especially trainings envisaged within the Prague Process. Ms. Timea Lehoczki on behalf of Hungary underlined the importance of the development impact of student mobility.



The first session was dedicated to the issue of recognition of foreign credentials and consisted of two presentations. First, Mr. Alexander Maleev (PP Secretariat) provided an overview of the inputs so far received from participating states with regards to recognition. Thereafter, Mr. Sebastian Steele from the Swedish Council for Higher Education introduced participants to some good practices on recognition, established in Sweden. The session was rounded off by a *tour de table*, allowing all participating states to shortly present their national policies on recognition.

During the remaining workshop, participants were introduced to the overall structure and individual chapters of the envisaged *Prague Process Handbook on Enhancing International Student Mobility* in detail, before being asked for their respective feedback. As a result of this exercise, concrete changes to the draft Handbook were agreed upon.

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