

Regulating the international mobility of students and trainees: From cosmopolitanism to migration management?

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ACKNOWLEDGEMENTS / DISCLAIMER

This publication was developed as part of the project “What next for the EU’s migration and asylum system after the New Pact?” which involves a collaboration between the European Policy Centre (EPC) and the Odysseus Academic Network for Legal Studies on Immigration and Asylum in Europe (Odysseus Network).

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Executive summary

This Discussion Paper assesses legal migration pathways for international students and trainees after the EU's New Pact on Asylum and Migration.² With the adoption of wide-ranging reforms in 2024, EU migration policy has moved further towards 'migration management' objectives and greater controls and restrictions. Reflecting broader shifts in the policy and political environment, the international mobility of students and trainees has come to be seen as a form of leverage and a bargaining chip to enhance cooperation with third countries, consolidating a shift away from its traditional focus on cosmopolitanism and development goals. Initiatives launched in the context of the Pact, such as Talent Partnerships, have so far prioritised countries of origin or transit of irregular migration. Meanwhile, security considerations are beginning to drive the implementation of the main framework governing international education in the EU—the Students and Researchers Directive.

In the EU, as at the global level, attitudes toward international students have shifted.³ In several EU member states international students have been turned into scapegoats and blamed for the general lack of housing. The debate has focused on numbers, increasing control, and restricting entry. Yet, in a rapidly changing geo-political and geo-economic context, another shift is set to leave a mark on international education. The international mobility of students and trainees is to become an indispensable resource to fill gaps in the

EU workforce, address demographic challenges, and enhance the EU's competitiveness. This is illustrated by recent EU initiatives like the 'Union of Skills' and 'Choose Europe', which embody the economic imperative of attracting talents from abroad.

Traditionally tailored to cosmopolitan and development goals, international learning mobility is now fertile ground for policy contradictions and normative tensions. These tensions are between utilitarian and security considerations as well as between electoral pressure to contain immigration and the growing need to open new legal pathways in the face of demographic transformations. If not better calibrated with other priorities, this Discussion Paper shows that the prevailing restrictive approach will undermine the EU and EU member states' interests, as well as those of aspiring international students and trainees.

Against this background, this Discussion Paper examines shortcomings in existing frameworks, focusing on Talent Partnerships and the Students and Researchers Directive. At the same time, it advances forward-looking reflections on how to facilitate international educational mobility, exploring concrete actions to align ongoing and future initiatives with the objective of attracting international students and trainees while also promoting more welcoming learning environments and ensuring adequate living standards, to the benefit of non-EU and EU citizens alike.

1. Introduction

International education, for study purposes and for training, has historically been regarded as an effective means of creating global citizens who are interculturally aware and committed to global issues.⁴ Higher Educational Institutions (HEI) are a place where global citizenship can be incubated.⁵ Another important aspect of the stimulus of international study and traineeships has long been to “contribute to improved international relations”.⁶ Moreover, international educational opportunities have traditionally been regarded as keys to promote development in countries of origin.⁷ According to the Organisation for Economic Co-operation and Development (OECD), the aim of trainee programmes is accordingly “to facilitate short-term skills transfers and promote familiarity with specific processes or equipment”, not “to employ trainees as regular workers, but rather to enhance their knowledge and capabilities”.⁸

However, international education has seen three significant transformations in recent years: moving from cosmopolitanism and development goals towards i) reducing immigration, ii) addressing labour gaps, and iii) securitisation.

International education has seen three significant transformations in recent years: moving from cosmopolitanism and development goals towards i) reducing immigration, ii) addressing labour gaps, and iii) securitisation.

Reflecting these shifts and current policy priorities, the reforms introduced in the context of the New Pact on Migration and Asylum focus on irregular migration and asylum, with new or upgraded rules to screen first arrivals and speed up asylum and return decision-making processes. Legal migration pathways are to be seen as part of this comprehensive EU approach, with the 2020 Communication launching the Pact⁹ explicitly mentioning, among its priorities: international mobility for ICT experts; visa facilitation or short-term mobility, including student exchanges; and opportunities for traineeships.¹⁰

While such initiatives could, in principle, support the traditional objectives of international learning opportunities, further EU initiatives that followed from the Pact, such as Talent Partnerships, have, so far, taken a different turn, in line with broader policy shifts. Student exchange and short-term mobility for training purposes have come to be seen as complementary to improving cooperation with third countries.¹¹ More

specifically, pathways for study and traineeships are considered incentives for third countries to cooperate in other migration-related fields. These incentives are ‘positive conditionalities’ or the proverbial carrots, used to convince third countries to stem irregular migratory flows.¹² The Pact itself identified student visa measures as a positive incentive in engagement with third countries.

An example of this approach is the 2023 EU deal with Tunisia. In this Memorandum of Understanding, the EU promised Tunisia student visas and Talent Partnerships in exchange for strengthened capacity to manage the latter’s borders and cooperation on irregular migration.

Many authors have been critical of linking legal pathways to cooperation on irregular migration, which is not necessarily a shared priority between the EU and non-EU countries.¹³ However, it is also noteworthy that there is tension between this objective and another overriding objective that is also increasingly reflected in the EU agenda: addressing growing labour and skills shortages to boost Europe’s competitiveness. Geopolitical and economic shifts, together with demographic changes, are set to generate tectonic shifts at the EU level, with competitiveness and the need to attract skilled and highly educated people from abroad becoming an ever-growing concern.

This represents a second aspect of the historical shifts which are manifesting in student and traineeship mobility: a transition from cosmopolitan and development goals to utilitarian frames and objectives. With ageing populations, legal pathways for students and trainees are increasingly seen as key to addressing skills and labour gaps in EU countries. Looking forward, this goal may not be easy to reconcile with the migration management ambitions of the Pact, particularly given the political priority of EU countries to reduce irregular arrivals to the EU.

With ageing populations, legal pathways for students and trainees are increasingly seen as key to addressing skills and labour gaps in EU countries.

The third notable shift is the progressive ‘securitisation’ of international education. Students and trainees are the subject of tight controls for potentially abusing their residence permits. Recruiters and sponsors are also under the spotlight for allegedly exploiting trainees and students and using them as ‘cheap’ labour. Concerns over

such practices are not unfounded, and protecting students and trainees is warranted. Yet these concerns have also resulted in overly strict procedural controls.

Another example of this trend is that students are being demonised for taking housing places and places in education away from the national student population, which is driving hostility towards migrants in several European countries. A further illustration of the securitisation trend is the accusation that international students pose an espionage threat to the EU's interests; this is not examined in this Discussion Paper.

As this paper goes on to show, the European Commission's ambition to manage migration by opening more legal pathways to the EU for the purpose of studies and training is, therefore, complex. Different motivations and rationales have come to drive policymaking and policy implementation in this area, with academic or cultural motivations progressively fading.¹⁴ This is happening despite the argument that cosmopolitan goals in international student mobility should remain a EU top priority; the university should be considered a public space, transcending locality.¹⁵ Given geopolitical changes, there is an overriding value in transnational collaborative skills for future generations.

Against this backdrop, this Discussion Paper looks at how the EU and national policymakers can effectively navigate these shifting priorities in the new policy cycle, opening legal pathways for studying and training

while addressing (or countering) security concerns and anxieties about the consequences of (irregular) migration. As the analysis will show, opportunities will present themselves in this context. This Discussion Paper argues for renewed focus to be put on key regulatory frameworks and EU non-regulatory initiatives in this area: the Students and Researchers Directive¹⁶ (hereafter SRD or the Directive) which governs international learning opportunities for both students and trainees; the EU Talent Partnerships to facilitate skills and mobility partnerships; and the proposed Regulation for an EU Talent Pool.¹⁷ It also lays emphasis on the European Commission's Union of Skills, which recognises the need to address the closely interlinked policy domains of skills, education, labour, economics and finance, and social inclusion.¹⁸ This Discussion Paper explicitly adds migration policy to the mix.

This Discussion Paper starts by contextualising recent EU initiatives such as Talent Partnerships within this broader policy and political context, before moving to the gaps between policy goals and the reality of international learning mobility. It then turns to the SRD and key legal and policy aspects hindering the potential of student and trainee mobility.¹⁹ The focus is placed on implementation, consistently with the approach taken by the European Commission in the New Pact.²⁰ A reflection on the main challenges and opportunities for the new cycle 2024-2029, with forward-looking considerations, will conclude the analysis.

2. After the New Pact: Implementing talent partnerships amidst migration management goals

The Commission's 2020 Communication on the New Pact on Migration and Asylum raised high hopes for the launch of schemes facilitating international mobility, including for students and trainees.²¹ Talent Partnerships, as skills-based mobility opportunities more broadly, are often presented as offering a triple win for the EU, countries of origin and the people involved. If designed and executed effectively, they could serve as channels for bilateral and multilateral cooperation that boost safe and regular mobility, utilising migrants' skills in a way that benefits their countries of origin while simultaneously addressing EU employers' most critical labour and skills shortages.

The 2022 Legal Migration package entitled 'Attracting skills and talent to the EU'²² launched the Talent Partnerships as a key operational pillar.²³ The Communication held that Talent Partnerships should "combine direct support for mobility schemes for work or training with capacity building and investment in human capital, including skills development, vocational education and training and operationalisation of work-based exchange schemes".²⁴

The language of the European Commission on the Talent Partnerships is therefore balanced, referring to strengthened opportunities for non-EU nationals as they access renewed training opportunities, professional experiences, and additional study or vocational education and training developed either in the EU or in their countries of origin. These objectives are reflected in other initiatives taken by the EU in the previous cycle, such as the European Skills Agenda for Sustainable Competitiveness, Social Fairness and Resilience.²⁵

Despite the balanced language, the EU's needs are given priority.²⁶ As official documents also acknowledge, the aim of Talent Partnerships is to channel "legal migration towards regions and occupations experiencing skills shortages" in the EU. The Partnerships are thus targeted at sectoral shortages in EU member states' labour markets. This type of mobility should also help with industrial transformations taking place in the EU, and accordingly "increase the pool of expertise available to European universities and research institutions, boosting the efforts to manage the transition towards a green and digital economy".²⁷ Initiatives launched in 2023 in connection

with the EU Year of Skills have further emphasised the importance of mobility frameworks and Talent Partnerships to meet EU needs, given growing skills gaps.

In this sense, while offering opportunities for skills development and an international career, in many ways Talent Partnerships epitomise the transformation highlighted in this Discussion Paper and may only benefit certain individuals or regions. This reflects what the scholarship has already shown: paradoxically, international education is at risk of entrenching social inequalities—or, within emerging economies, actively creating them.²⁸

However, for Talent Partnerships to deliver on their goals, a series of actions are required. These actions include ensuring: adequate financial investment; clearer procedures, also concerning the recognition of non-EU nationals' competences; and better matching of non-EU nationals with employers in the EU. In further detail:

- i) Funding plays a key role in the operationalisation of Talent Partnerships, although this aspect is often overlooked. In fact, their realisation rests on different sources coming together: development and international cooperation funding, migration-specific funding, national envelopes, as well as investments from the private sector. Yet, previous research shows that funding remains limited.²⁹
- ii) For immigration procedures, participants in Talent Partnerships must rely on existing EU and national visa and migration procedures. Ongoing difficulties include the lack of accessibility to EU member states' representations abroad for visa purposes and the slow processing of residence permit applications under the EU Single Permit Directive or national schemes.³⁰ On another procedural aspect, the Commission recommended simplifying procedures for the recognition of international qualifications in its 2023 Skills and Talent Mobility Package.³¹ However, the recognition of qualifications continues to raise challenges in EU member states. Moreover, professions falling within the mid to low-skilled range are not evenly regulated across the EU, with licences required in some countries but not in others for the same occupations.
- iii) Concerning matchmaking, in 2023 the Commission proposed the EU Talent Pool as part of its Skills and Talent Mobility package.³² This IT Platform should provide online information and support services, facilitate access to procedures and, in this way, support international recruitment of non-EU nationals via legal pathways. In other words, the Talent Pool, if adopted, could offer ways to better supply occupations where there is a labour shortage. To strengthen coherence with other initiatives, an EU 'Talent Partnership pass' was proposed, giving priority to participants in Talent Partnerships over other non-EU nationals applying for jobs through the portal.³³ However, negotiations concerning the EU Talent Pool are ongoing, with the Council proposing to delete the Talent Partnership pass.³⁴

2.1. LEGAL PATHWAYS AS A TOOL TO COMBAT IRREGULAR MIGRATION: POLICY GOALS VS. REALITY

These are not the only challenges and limits restricting the potential added value of Talent Partnerships and related initiatives. Existing challenges can be seen in the limited geographical focus of Talent Partnerships and their use as leverage to enhance cooperation with third countries, especially to contain irregular migration. So far, Talent Partnerships have targeted five countries: Egypt, Tunisia, Morocco, Bangladesh, and Pakistan. Exploratory talks are being held with other countries. At the outset, the ambitious aim of Talent Partnerships was to draw on pilot projects involving third countries like Moldova, Nigeria and Senegal.³⁵ However, concerns are growing that only countries of origin and transit of irregular migration will be targeted.

In line with migration management objectives, mobility for training and learning purposes is thus being progressively seen as a key element in improving cooperation with third countries, notably by stemming irregular migratory flows. This 'comprehensive approach' and the priority of reducing irregular migration is also reflected in the mandate of the new European Commission. For example, the European Commissioner for International Partnerships, Jozef Síkela, has been tasked with developing "comprehensive partnerships" that should "address the root causes and key drivers of irregular migration in partner countries and fight the networks of smugglers".³⁶ The Commission's prioritisation of irregular migration is indirectly confirmed by the Mission Letter to Magnus Brunner, the EU Commissioner for Internal Affairs and Migration. This letter places legal migration, including the Talent Pool and recognition of qualifications, as last in his objectives, after actions to counter irregular migration and migrant smuggling.

However, there are signs at the outset of the new 2024-2029 cycle that Talent Partnerships and other skilled migration and training initiatives are gradually becoming de-linked from the management of irregular migration. This would be a step in the right direction, considering the scholarship questioning the effectiveness of both negative and positive conditionalities.³⁷

Attention is accordingly shifting to meeting labour market needs. This is illustrated by the Union for Skills, which the Commission presented in March 2025, following its Action Plan on labour and skills shortages.³⁸ In addition to renewing its commitment to launch the EU Talent Pool and calling on EU member states to engage in Talent Partnerships, the Union for Skills promised funding to facilitate coordination between migration and education authorities. It also highlighted efforts to remove barriers to the recognition of qualifications. Moreover, it offered to assist EU member states in jointly establishing 'Multipurpose Legal Gateway Offices' to support employers finding persons with the right skill set.³⁹

Then, in May 2025—in light of the increasingly hostile academic environment in the United States of America—the Commission launched ‘Choose Europe’, presenting the Union as an ideal setting to pursue research and innovation. In this context, the Commission presented the EU Startup and Scaleup Strategy.⁴⁰ This aims to foster quality jobs and attract talent and investments. In the Strategy, the Commission also committed to rolling out a ‘Blue Carpet’ initiative with concrete practical actions, including piloting Multipurpose Legal Gateway Offices to assist non-EU highly skilled professionals, students, and researchers in the ICT sector.

While the launch of such policy initiatives at the EU level partly responds to evolving labour market needs, the policy goal of reducing immigration, particularly irregular migration, remains the main policy and political imperative in the implementation of existing migration frameworks. Paradoxically, this policy goal also runs the risk of reducing the EU’s capacity to address labour and skills shortages.

While the launch of such policy initiatives at the EU level partly responds to evolving labour market needs, the policy goal of reducing immigration, particularly irregular migration, remains the main policy and political imperative.

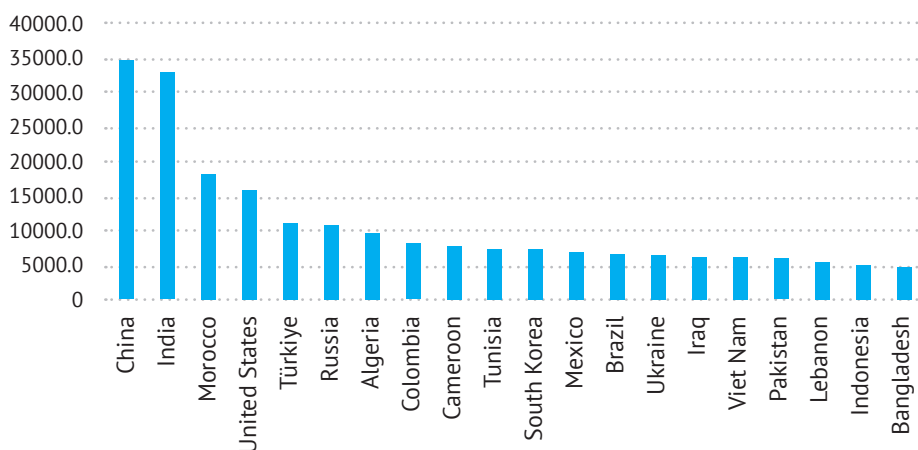
In fact, existing student mobility patterns clearly illustrate the lack of alignment between these two policy goals. This is what emerges when considering the top countries of origin of students to the EU and comparing them to the geographic focus of the EU’s attention. Chart 1 below shows the top twenty countries of origin of students and researchers who were admitted by EU member states in 2022—the most recent year for which data is available—under the SRD. Apart from Morocco, Tunisia and Bangladesh, these are not the countries that the European Commission prioritises negotiating Talent Partnerships with, due to its wider migration management objectives.

Focusing only on countries that are of strategic importance for irregular migration undermines the EU’s capacity to attract talent and workers from abroad.

Focusing only on countries that are of strategic importance for irregular migration undermines the EU’s capacity to attract talent and workers from abroad. It also undermines the EU’s resilience and competitiveness, given the ageing of Europe’s population, growing skills and labour gaps, and greater global competition for talent.

Chart 1

TOP 20 NATIONALITIES OF INTERNATIONAL STUDENTS ADMITTED BY EUMS IN 2022



Source: Eurostat migr_ressrath last updated 18-10-2024.

3. From global citizens to skilled workers: The changing role of international students

Other than Talent Partnerships and a variety of legal mobility schemes, the SRD serves as a general framework governing the rights and entry conditions for non-EU students and trainees. The Directive aims to promote the generation and acquisition of knowledge and skills.⁴¹ Moreover, it aims to promote Europe as a global centre of excellence for study and training.⁴²

As part of these objectives, it serves to “support the economic, social and cultural relationships between the EU and temporary migrants’ country of origin and promote people-to-people contacts”.⁴³ These goals echo the traditional aims of international educational opportunities: creating global citizens and promoting mutual understanding across cultures, while also strengthening the development impact of international mobility schemes.

However, in practice, the main objective of the SRD is to attract and retain talent for the benefit of the EU.⁴⁴ This could open opportunities to align it with goals laid out in the Union of Skills. It is also noteworthy that the Commission announced a “Visa Strategy [...] to support the arrival of top students, researchers, and trained workers from third countries”, which could lead to measures to further improve the implementation of the SRD.⁴⁵ Yet, at the moment, the SRD does not sufficiently account for the need to create a welcoming cross-border learning environment, reducing its positive impact.⁴⁶ The Directive’s implementation also reveals growing concerns around security and immigration control.

3.1. GATEKEEPING TALENT: THE IMPACT OF MIGRATION CONTROLS ON STUDENT ADMISSIONS AND RIGHTS

Under the SRD, an international student is a non-EU national accepted by a higher education institution and admitted to the territory of an EU member state to pursue a full-time course of study leading to a higher education qualification. This includes diplomas, certificates or doctoral degrees in a higher education institution.⁴⁷ For admission, international students need first to be admitted to an HEI. Admission requires proof of relevant qualification and payment of the tuition fee. Either the HEI sponsor or the national immigration authorities assess the availability of funds as well as the absence of a criminal record.⁴⁸ If all this is in order, non-EU nationals are entitled to a residence permit for study purposes.⁴⁹

Entry into the EU for the purposes of studying allows for part-time work, with a maximum of 16 hours a week.⁵⁰ International students may need to work to support their studies and, in a tight labour market, employers, especially in the hospitality sector, need

student-workers. Working as a self-employed person is not regulated in the Directive. However, students often prefer this option.

However, with rising security concerns and fears of irregular migration, procedures have become stricter. To begin with, EU member states must refuse the non-EU national concerned if they pose a potential threat to public policy, public security, or public health.⁵¹ The SRD also includes provisions concerning research integrity. EU member states can reject an application if they have evidence or grounds that prove that the non-EU national has purposes other than studying.⁵² In a recent case of the EU Court of Justice (CJEU), the Belgian authorities doubted the candidate’s intent when applying for a study visa, based on her chosen educational path and career plan.⁵³ The CJEU found that, although EU member states should assess whether a student has “abusive intent”—the intent to immigrate without the intent to study—this must be an individual assessment. The fact that students may also intend to pursue another activity, such as working, cannot in itself be regarded as indicative of an abusive practice.⁵⁴ Moreover, changing or vague study and work plans are not enough to prove abusive intent.⁵⁵

This and other rulings by national courts show the pervasive effect of immigration concerns and stricter controls on students’ mobility. This can result in lengthier procedures, with the absence of effective remedies also affecting potential students’ ability to move to the EU for study purposes at all.⁵⁶ More broadly, the implementation of strict vetting procedures appears to reflect the trend towards ‘crimmigration’—the conflation of migration and criminal control policies and laws—also affecting international students. This may undermine the objective of attracting talented students to Europe. At the same time, existing procedures at the national level seem outdated, revealing further shortcomings in the implementation of the existing framework.

The implementation of strict vetting procedures appears to reflect the trend towards ‘crimmigration’—the conflation of migration and criminal control policies and laws—also affecting international students.

Illustrating both trends, Estonia has recently moved from post-arrival to pre-departure checks, resulting in an increase in rejections of student visa applications, especially from Nigerian and Pakistani applicants.⁵⁷ Moreover, many Pakistani students are unable to apply for a student visa at all as there is no Estonian embassy in Pakistan and they are refused entry in countries where there is one. It seems rather archaic that an EU member state—particularly Estonia, which is known for its digitalised government services—has not put in place a digital student visa system. Without this and other upgrades, the Directive’s future implementation is at stake, and any partnership with the EU promising more student visas runs the risk of remaining an empty promise. This should also be taken into account in the upcoming Visa Strategy.⁵⁸

3.2. FROM STUDIES TO EMPLOYMENT: BARRIERS AND OPPORTUNITIES IN RETAINING INTERNATIONAL STUDENTS

After graduation, students effectively benefit from a minimum nine-month period to search and take up employment. The goal of this measure is to enable EU member states to retain international students for their labour market. The Commission sees it as a loss of skilled human capital if such a search period is not provided, as students would have to leave the EU following graduation.⁵⁹

This utilitarian goal stands in contrast with the traditional cultural and development goals of students’ mobility, with opportunities for studying abroad being considered an instrument for educating global citizens and, importantly, to take knowledge back home. Yet, at the same time, the SRD does not seem to go far enough to fulfil this expectation. As an illustration of this, under the SRD, searching for a job is only possible in the EU member state where the students have pursued their studies, not in other EU member states.⁶⁰ There are plenty of arguments to expand the job searching permit, including personal agency and the fulfilment of individual aspirations. Other than this, economies in countries of origin are sometimes unable to absorb specialised workers into national labour markets. The return of non-EU nationals, from this viewpoint, would effectively result in brain-waste. On the other hand, since not everyone aspires to permanent settlement in the EU, expanding job search opportunities would enhance more long-term skills exchange while maintaining flexibility. It would also facilitate a potential return to more meaningfully contributing to the country of origin.

The idea that international students are an asset to hold on to contrasts with both the overriding goal of migration management, and the interaction with other policy frameworks if non-EU nationals do gain residence for study purposes. For example, their time spent as international students in the EU is not considered in full for qualifying under the Long-Term Residents Directive

(LTRD).⁶¹ This affects their prospects to take up more permanent residence in the EU member state of first residence, as well as their prospects to subsequently move to other EU countries for work purposes. The proposed recast of the LTRD—put forward by the European Commission in the previous cycle—would facilitate students’ access to long-term residence by counting their time as students in full.⁶² However, negotiations on the LTRD have stalled.

In sum, it is hard to assess the SRD’s impact on the EU’s retention capacity, which is made worse by the lack of accurate statistics to estimate the success of the search period and to determine which obstacles graduates face (see Section 5 below).

3.3. MIGRATION OR HOUSING CRISIS? THE DEBATE OVER STUDENT ACCOMMODATION

University cities are facing structural housing shortages. These have been widely publicised in the media and were a salient political issue ahead of recent elections in Europe. The causes of what some commentators have labelled a ‘housing crisis’ pre-dates the increase in international student mobility. Instead, the causes of housing shortages are recognised as having to do with many years of negligence and a lack of decent planning for social housing. Nonetheless, migration and international students, in particular, are often blamed for rising housing and rental costs across European university cities.

Contrary to the dominant public discourse, which puts emphasis on the negative effects of housing shortages on locals alone, international students are also suffering from the consequences of grave negligence in housing policies as they face higher living costs or leaving them, in some cases, to sleep in tents.⁶³

International students are also suffering from the consequences of grave negligence in housing policies as they face higher living costs or leaving them, in some cases, to sleep in tents.

Some EU member states have proposed restrictive measures in response, deciding to cut the number of international students after years of pro-active recruitment. An example of this is the Netherlands, which took a symbolic U-turn by proposing legislative changes that would lead public universities to reduce educational offerings in the English language.⁶⁴

Once again, the Dutch initiative goes against the traditional, culture-enriching goals of student mobility. It also undermines the EU's efforts to welcome more non-EU nationals to study, train, and work in the EU, limiting the potential economic, social, and innovative benefits of learning mobility. Most importantly, this measure aims to reduce the inflow of students. As such, it fails to address the root of the problem, i.e. the lack of available housing.

By contrast, European Commission President Ursula von der Leyen appointed, for the first time, a Commissioner responsible for housing policy following her re-election, reflecting the increasing importance of this topic at the EU level. Whilst EU action in this area is limited by its competences,⁶⁵ the European Commission

did nevertheless launch a series of complementary initiatives, including the Commission's European Affordable Housing Plan. This seeks to raise funds for universities or municipalities to, for example, refurbish office buildings and turn them into student housing.

These are welcome initiatives. However, it is noteworthy that the SRD does not oblige students to have housing when they apply, although they may have to provide an address. At the same time, the SRD does not entitle them to a right to housing once in Europe, and it excludes students from equal treatment provisions with respect to accessing housing services. Nonetheless, the right to adequate housing is of central importance for the enjoyment of all economic, social, and cultural rights.

4. Skills transfer or labour mobility through the backdoor? The double-edged nature of traineeship mobility

The SRD also offers a scheme for traineeships. A trainee can either have obtained a higher education degree within the two years preceding the date of the application or be in the process of pursuing it.⁶⁶ The scheme only applies to trainees who are highly qualified. Regardless of whether the traineeship is remunerated or not, applicants must also present a training agreement.⁶⁷ If their application is successful, under the SRD, trainees can receive a residence permit of between 90 days to one year or more, depending on the duration of their training.⁶⁸

Similarly to students, restrictive conditions and strict controls apply. EU member states may require that the above-mentioned training agreement is approved by the competent authorities or that the traineeship is in the same field and at the same qualification level as the degree or course of study followed by the trainee.⁶⁹ In addition, they may require the host entity to substantiate that the traineeship does not replace a job. These requirements are meant to address fears expressed by EU member states that the traineeship scheme could create "non-managed access to the labour market by low-skilled persons".⁷⁰ At the same time, the SRD makes it possible for EU member states to require that, during their stay, trainees have sufficient resources and that the host entity accepts responsibility as regards subsistence and accommodation.⁷¹

Unlike students, trainees who enter the EU under this scheme do not have the right to a search period for a job after completing their traineeship, the right to stay in the EU, or have intra-EU mobility rights. Retaining trainees or addressing labour and skills shortages in the EU are, therefore, not the aim of the scheme. Rather, the traineeship scheme is a tool for non-EU nationals to acquire skills and knowledge through a period of training in the EU. This is also reflected in its scope and the

eligibility criteria, which limit it to trainees who are highly qualified. As such, the scheme can potentially encourage 'brain circulation', taking acquired knowledge home. In that sense, the traineeship scheme established by the SRD shares the original objective of learning mobility, that of promoting skills to the benefit of the trainee and of the development of the countries of origin.⁷²

The traineeship scheme established by the SRD shares the original objective of learning mobility, that of promoting skills to the benefit of the trainee and of the development of the countries of origin.

While the scheme was designed with these conditions and more limited objectives in mind, there are reasons to believe that it could be expanded to serve broader EU goals. In that context, in May 2024, the Council recommended setting up a learning mobility framework, 'Europe on the Move', calling on EU member states to develop cross-border 'apprenticeships' for Vocational Education and Training (VET).⁷³ This could be read as a call to expand traineeships provided for under the SRD, beyond the level of the highly qualified, in sectors where labour shortages are structural in the EU. This initiative could upskill people to address shortages both in the EU as well as in countries of origin (or elsewhere). To make it work, however, new legal migration pathways would have to be created, if not yet in force at the national

level. For the moment, the SRD and the broader EU legal migration framework do not oblige EU member states to facilitate VET mobility. The Union of Skills does not suggest the need for an EU-wide VET mobility scheme, which is a missed opportunity to bring attention to the potential benefits of such a scheme.

While the current eligibility conditions under the SRD do not make it an ideal match for Talent Partnerships, traineeship opportunities—especially if expanded—may also become another bargaining chip to promote broader cooperation with third countries. In fact, in the original SRD proposal, the European Commission had already envisaged the scheme as an incentive for third countries to cooperate in the fight against irregular migration.⁷⁴ The recast had also referred to EU mobility partnerships, which then aimed to offer tailor-made traineeship opportunities⁷⁵ as part of broader cooperation with selected third countries, notably in the EU’s neighbourhood.⁷⁶

Traineeship opportunities—especially if expanded—may also become another bargaining chip to promote broader cooperation with third countries.

4.1. CHEAP LABOUR OR GENUINE TRAINING? ADDRESSING AMBIGUITIES AND VULNERABILITIES IN TRAINEESHIP MOBILITY

Trainees face a high risk of abuse, with negative repercussions for them as well as the host country’s labour market. For example, migrant workers could be disguised (and underpaid) as trainees - or as international students, for that matter. While abuse is not uncommon, there is a fine line between genuine opportunities and unlawful or even exploitative behaviour. It can be hard to tell the differences between training and a job because, in practice, the former necessarily incorporates the latter.

It is noteworthy that the SRD proposal, which introduced a traineeship scheme that EU member states had to

implement, highlighted the risk of trainee exploitation numerous times.⁷⁷ Reflecting broader concerns about youth inclusion in the labour market, the Council launched its ‘Resolution on the Structured Dialogue on Youth Employment’ in 2011, also aiming to improve the quality of traineeships. More recently, in 2024, the European Commission proposed a Traineeship Directive and a revision of the 2014 Council Recommendation on a Quality Framework for Traineeships to address issues such as fair pay and access to social protection for trainees.⁷⁸ While these initiatives do not target non-EU nationals, their relevance for fair treatment of trainees is self-evident. Yet, abuse of trainees remains an unresolved matter. It is surprising that the Union of Skills does not connect with these initiatives.

In this context, some initiatives in the field of enforcement have also been taken at the national level. In the Netherlands, for example, national authorities have suggested that some training programmes were in violation of the requirements and employers were found to be employing non-EU trainees irregularly instead of offering them a traineeship.⁷⁹ However, structural solutions addressing the problem at its source and adequate safeguards are difficult to put in place. Access to traineeship programmes could be channelled through accredited intermediaries only, with an obligation to regularly check the programme and have a duty of care for the trainees, prior to the departure and during their stay. This is indeed the set-up of several Talent Partnerships. While this could potentially bring improvements, it would create a dependency on such designated private actors for non-EU nationals, which brings risks of its own.⁸⁰

While abuse is not uncommon, there is a fine line between genuine opportunities and unlawful or even exploitative behaviour.

More broadly, EU member states appear able to implement safeguards with regard to traineeship, student, and VET apprenticeship abuse by setting clear standards on fair recruitment under the current framework. However, these are absent at the EU level, creating vulnerabilities and gaps.

5. The data deficit: Gaps and challenges in measuring student and trainee mobility

A crucial component of evidence-based policymaking and enforcement is access to reliable data. Under the existing framework, EU member states must collect statistics about residence permits.⁸¹ According to

available Eurostat data, the total number of positive decisions on admissions of international students in 2022 was 353,584 (see Chart 1 above for the top twenty countries of origin). Eurostat also suggests that the top

five destination countries for international students following the COVID-19 pandemic are Germany, France, Spain, the Netherlands, and Poland (see Figure 1 below). By contrast, the number of traineeships appears to be low. Data from 2022 indicates that just over 10,000 decisions to admit trainees were taken, with France (6,594) at the top, followed by Spain (2,553), the Netherlands (479) and Belgium (421).⁸² These numbers may reflect the long-lasting impact of the pandemic.⁸³

Despite a Council recommendation on tracking graduates, and despite the importance of data to shed light on both the success and shortcomings of existing frameworks, the overall data is unreliable and scarce.⁸⁴ First, data-gathering is not consistent over the years and across EU member states. Illustrating this, prior to COVID-19, Germany and Poland did not report on the number of permits issued to international students at all. While Italy was in the top three destination countries in 2019, Italian authorities reported no permits issued in 2023, which statistically seems highly unlikely.

Despite the importance of data to shed light on both the success and shortcomings of existing frameworks, the overall data is unreliable and scarce.

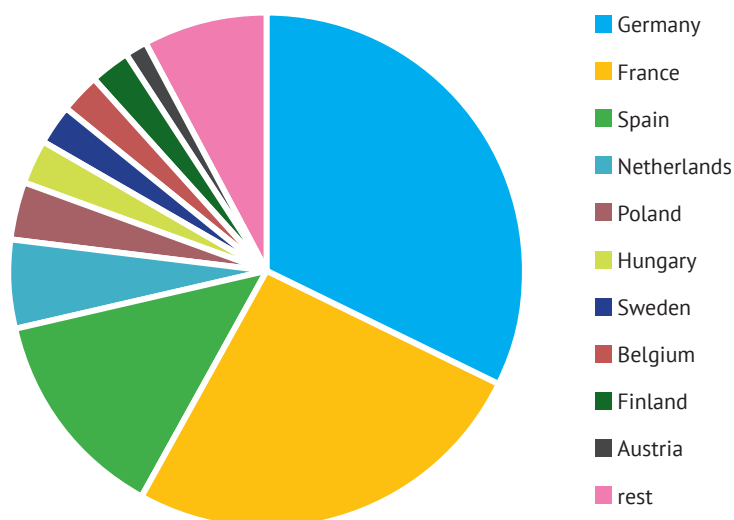
Statistics relating to immigration and other forms of controls are also limited. For instance, Latvia and the Netherlands are, according to Eurostat, among the most active countries in withdrawing students' residence permits. Considering judicial experience at the national and EU level—see the above-mentioned ruling by and cases before the CJEU, involving Belgian cases—Belgium must be doing this, too. Yet Belgium does not report any withdrawal of students' residence permits.

Other than underreporting by EU member states, there are significant gaps in the data which is being collected. This makes it hard to assess the impact of current rules. For example, the existing dataset tells us little about the educational background and studies pursued, and whether this is relevant to address labour and skills shortages in the EU, in the countries of origin, or elsewhere. Further gaps are evident. Eurostat data shows that, in 2022, a total of 421,974 job search permits were granted to non-EU nationals who entered as students. However, this does not tell us whether they were successful at setting up a business or securing a job at the acquired skill level.

Similarly, data appears limited or unreliable for trainees. Some EU member states report less than 100 admissions granted; others report none at all. This may mean that they failed to implement the scheme, which would call for an infringement procedure. However, it may also mean that they are not making available accurate statistics. There are further relevant gaps; for instance, Eurostat does not record the country of origin of trainees.

Figure 1

DECISIONS TAKEN BY TOP 10 MS ON ADMISSION OF THIRD COUNTRY NATIONAL (TCN) STUDENTS IN 2023



Source: Eurostat migr_ressrath last updated 03-12-2024; Italy, Ireland and Greece reported 0.

6. Conclusion and forward-looking reflections

While still at the outset of the new 2024-2029 cycle, the development and implementation of mobility schemes for students and trainees is set to be driven by broader migration management priorities in the medium to long-term, alongside new geopolitical and geoeconomic considerations. In this context, there is a serious risk that addressing security issues and fighting irregular migration will take priority over maximising the competitive advantage of international student mobility, ensuring positive development impact, and promoting cultural exchanges. Restricting immigration, even skilled migration, is what gets politicians elected, at least currently, in many EU member states. Yet the demand for skilled and highly qualified people is high, and Europe also wants to be a 'magnet' for talent.

There is a serious risk that addressing security issues and fighting irregular migration will take priority over maximising the competitive advantage of international student mobility.

However, the current approach to the international mobility of students and trainees is marked by contradictions. If not well-calibrated with other priorities, this shift towards increased restrictions and securitisation will undermine EU and member states' interests, as well as those of third countries. This Discussion Paper emphasises three overarching challenges and interrelated goals, resulting from the current highly charged and divisive political and policy environment: i) improving the interaction of education and migration policies, while avoiding disproportionate entry barriers, ii) promoting more welcoming learning environments, while also ensuring adequate living standards and quality teaching to the benefit of both international students as well as natives, iii) ensuring that students and trainees can remain agents of change, despite this restrictive turn. To address these three needs, this Discussion Paper proposes the following targeted recommendations:

- ▶ **Expand the range of countries considered for Talent Partnerships, considering criteria and information beyond their potential to reduce irregular migration.** Talent Partnerships do not appear to focus on the EU's growing skills gaps. Reflecting an overriding concern for irregular migration, they are currently concluded with countries selected for reasons of the EU's wider migration management. If genuinely interested in cooperating

with non-EU countries on addressing future skills and knowledge gaps, the EU should decouple this topic from the fight against irregular migration.

- ▶ **Access to EU labour markets in targeted professions should be facilitated, among other things, by means of a sectoral, education-related 'talent partnership pass' to be fast-tracked through the digital recruitment process.** The negotiations on the Talent Pool should ensure that this measure is not lost.
- ▶ **Introduce a designated instrument, or adjust existing ones, to facilitate international educational mobility and the training of youth.** Despite growing skills and labour shortages, there is no single, dedicated, coherent legal pathway for VET mobility. EU schemes for international students and trainees, temporary visas, and national schemes are used instead, alongside skills-based mobility schemes and Talent Partnerships, each with its own rules and goals. A section could be added to the SRD, also strengthening the links with the Talent Partnerships, fast-tracking applications, and clarifying the participants' rights. This could be complemented with other initiatives. For example, a programme like Erasmus Mundus, which offers a cross-border learning experience, could be expanded to VET.
- ▶ **Provide students and trainees with a job search period that facilitates a smooth transition into an employment status, ensuring opportunities across EU member states.** The EU should ensure that trainees benefit from a job-search period post-graduation, similar to international students. An amendment to the SRD should suffice to make available such a search period for students and trainees alike. Its length should give meaningful opportunities to trainees, as well as to students to find job opportunities. At the same time, eligible persons under the SRD should be able to look for opportunities across EU member states. In this sense, the in-country application introduced by the recent reform of the Single Permit Directive is a good start.
- ▶ **Provide students and trainees with (more) circular mobility opportunities so that their education and training can benefit countries of origin or other destinations, while also preserving their right to re-enter the EU for the purpose of work in the future.** At the moment, the SRD does not sufficiently account for the need to create a welcoming cross-border learning environment, reducing its positive impact. It is not at all a given that non-EU nationals want to leave their home country for good. At the same time, there is little use in training people whose skills are not needed in their home labour market. A longer period for job searching, to transition from education and training to work (see above recommendations),

such as the three-year period introduced in the Blue Card Directive, would enable international graduates to look for opportunities also in their countries of origin without losing the opportunity to build a career in the EU—and without making them resort to other migration solutions.

- ▶ **Ensure that EU housing initiatives lead to the construction of housing facilities that can temporarily accommodate students and trainees, without distinction of nationality.** The absence of sufficient student housing in some cities is a practical barrier for international students and trainees. This Discussion Paper does not propose making housing an entry condition for students within the SRD. Such an initiative could have a disproportionate impact on their entry into the EU for educational purposes. Nor does it advocate reducing international student mobility altogether. Housing shortages are not caused by migration into the EU. Having fewer international students may, therefore, not solve the issue of shortages, but will have a significant human, social, and economic cost. In this context, the construction of temporary housing for students is a better alternative and could benefit both non-EU nationals, mobile EU nationals, and locals. The Commission could also offer technical assistance to local authorities and universities in accessing available funds for a more effective EU-wide housing strategy.
- ▶ **The EU should promote Global Training Centres both inside the EU and in partner countries, at all skill levels.** The priority should be to ‘build campuses, not camps’. These would enable beneficiaries of learning schemes to be agents of change, also facilitating access by EU citizens. These centres could follow a skills-based strategy. Language skills would also benefit host societies and labour markets. Pre-departure language training could thus better prepare non-EU nationals for education and training abroad and for people-to-people contacts

and cultural exchange. The lack of recognition of qualifications and practical skills also continues to be a serious obstacle to international mobility. Certain qualifications obtained abroad should thus be more easily or automatically recognised in the EU, including language skills, through these centres.

- ▶ **The EU should enhance and ensure adequate data collection on mobile students and trainees.** This data could be shared and linked with information collected by other relevant actors; for example, with the tool of the European Centre for the Development of Vocational Training (Cedefop), providing intelligence on skills demand in EU member states.⁸⁵ These measures could help to improve the development of evidence-based policies, addressing the concrete problems that the EU and member states face. While this would not guarantee additional or more humane or development-oriented approaches to students’ mobility, it would promote a common understanding of needs in the EU, and potentially abroad—laying the foundation for migration and education policies that would potentially benefit the EU as well as third countries.⁸⁶

During this legislative cycle the EU, and the European Commission in particular, will have to navigate shifting and competing priorities: stimulating training and mobility opportunities for the much-needed work force, in cooperation with partner countries, while also addressing (or countering) EU member states’ fears about irregular (and regular) immigration. Although there is a concrete risk in this context that a restrictive agenda is given priority, soon enough the EU and its member states may be in need of assistance from third countries and their citizens to fill essential vacancies, e.g. in caring for its citizens, developing new technologies, or building their houses. This calls for planning and balanced approaches, centred on the above actionable recommendations.

- ¹ Tesseltje de Lange is professor of European Migration Law, Director of the Centre for Migration Law at the Radboud University Nijmegen. She is the principal investigator in the Horizon Europe project *Global Strategy for Skills, Migration and Development* www.gs4s.eu. This contribution draws on GS4S WP2 research on EU migration and education policies. Any opinions expressed are those of the author.
- ² Tsourdi, Evangelia (Lilian); Alberto-Horst Neidhardt and Helena Hahn (2024, eds.), *From Compromise to Implementation: A New Era for EU Migration Policy?*, Brussels: European Policy Centre and Odysseus Network.
- ³ Collett, Elizabeth (2025), "*International Student Mobility. A Post-Pandemic Reset of a Broader Challenge?*", Washington, DC: Migration Policy Institute.
- ⁴ Knight, Jane (2012), "*Student mobility and internationalization: Trends and tribulations*", *Research in Comparative and International Education*, Volume 7, Number 1, pp. 20-33.
- ⁵ Birchfield, Vicki L. (2024), "Extending the Sphere. The University as Incubator of Global Citizenship", in Freyberg-Inan, Annette (ed.), *Universitas. Why Higher Education Must Be International*, Lanham, MD: Lexington Books, Chapter 1.
- ⁶ ILO (1975), Human Resources Development Recommendation, 1975, (No. 150), par. II (6).
- ⁷ Elsewhere I have elaborated on the policy coherence for development (as enshrined in article 208 of the Treaty on the Functioning of the European Union – TFEU) of student and trainee mobility, see De Lange, Tesseltje (2024), "An evaluation of the implementation of policy coherence for development in the case of legal migration pathways to the EU – Case study 2", in Ioannides, Isabell and Katharina Eisele (eds), *Assessing policy coherence for development across internal and external EU policies: A call for action*, Brussels: European Parliamentary Research Service, Annex II, pp. 133-195. For example, the 1975 ILO recommendation on human resources development held that effective vocational training should be provided for migrant workers, so that they will enjoy equality of opportunity in employment in countries of origin, see ILO (1975), *op. cit.*, par. IX (57).
- ⁸ OECD (2023), "*International Migration Outlook 2023*", Paris.
- ⁹ European Commission (2020a), *Communication on a New Pact on Migration and Asylum*, Brussels, COM(2020) 609 final, p.23, footnote 53.
- ¹⁰ *Ibid.*, p.24.
- ¹¹ OECD (2023), *op. cit.*, p.24.
- ¹² Rietig, Victoria and Marie Walter-Franke (2023), "*Conditionality in Migration Cooperation. Five Ideas for Future Use Beyond Carrots, Sticks and Delusions*", German Council on Foreign Relations. Villa, Matteo and Fabio D'Aguzzo (2023), "*Cracking at the Seams? Reassessing the EU's External Migration Policies*", Italian Institute for International Political Studies (ISPI).
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- ¹⁴ Knight (2012), *op. cit.*
- ¹⁵ Freyberg-Inan (2024, ed.), *op. cit.*
- ¹⁶ European Parliament and Council of the European Union (2016), *Directive (EU) 2016/801 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 (recast)*, OJ L 132, 21.5.2016. According to article 39, the Commission's first report was due by 23 May 2023 and is still being awaited at the time of writing.
- ¹⁷ European Commission (2023a), *Proposal for a Regulation of the European Parliament and of the Council establishing an EU Talent Pool*, COM(2023) 716 final.
- ¹⁸ European Commission (2025a), *Communication on The Union of Skills*, COM(2025) 90 final.
- ¹⁹ This paper will not address the entry category for trainees within multinational corporations under Directive (EU) 2014/66 on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer, which remains underused or underreported.
- ²⁰ Tsourdi (2024, ed.), *op. cit.*
- ²¹ European Commission (2020a), *op. cit.*, p.26.
- ²² European Commission (2022a), *Communication on Attracting skills and talent to the EU*, COM(2022) 657 final.
- ²³ On this, see De Lange, Tesseltje; Elspeth Guild, Ulrike Brandl, Evangelia (Lilian) Tsourdi *et al.* (2022), "*The EU Legal Migration Package. Towards a rights-based approach to attracting skills and talent to the EU*", Brussels: European Union.
- ²⁴ *Ibid.*, p.12.
- ²⁵ European Commission (2020b), *Communication on a European Skills Agenda for sustainable competitiveness, social fairness and resilience*, COM(2020) 274 final.
- ²⁶ Hooper, Kate and Jasmijn Sloop (2025), "*What role can mobility schemes play in addressing skills shortages in Europe?*", *Global Strategy for Skills, Migration and Development (GS4S) Working Paper series*, Number 6.
- ²⁷ European Commission, (2020a), *op. cit.*
- ²⁸ Waters, Johanna L. (2012), "*Geographies of International Education: Mobilities and the Reproduction of Social (Dis)Advantage*", *Geography Compass*, Volume 6, Number 3, pp. 123-136.
- ²⁹ Tsourdi, Evangelia (Lilian); Nasrat Sayed and Federica Zardo (2023), "*Funding the EU's external migration policy: 'Same old' or potential for sustainable collaboration?*", Brussels: European Policy Centre.
- ³⁰ European Parliament and Council of the European Union (2011), *Directive (EU) 2011/98 of 13 December 2011 on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State*, OJ L 343, 23.12.2011, and its recast *Directive (EU) 2024/1233*.
- ³¹ European Commission (2023b), *Commission Recommendation (EU) 2023/2611 of 15 November 2023 on the recognition of qualifications of third-country nationals*, OJ L, 2023/2611, 24.11.2023.
- ³² European Commission (2023a), *op. cit.*, p.3.
- ³³ Accordingly, employers established in one or more EU member state(s) participating in a Talent Partnership should be able to search for registered jobseekers holding the pass. *Ibid.*, article 12, which gives participating Member States the option to decide to rely on the EU Talent Pool to facilitate the recruitment of jobseekers from that third country whose skills were developed or validated in the framework of that Talent Partnership and certified by an 'EU Talent Partnership pass'.
- ³⁴ European Commission (2023a), *op. cit.*
- ³⁵ European Commission (2022a), *op. cit.*, p. 6.
- ³⁶ European Commission (2024a), *President von der Leyen's mission letter to Jozef Sikela*.
- ³⁷ De Leo, Andreina and Eleonora Milazzo (2024), "*Responsibility-sharing or Shifting? Implications of the New Pact for Future EU Cooperation with Third Countries*", Brussels: Foundation for European Progressive Studies, Friedrich-Ebert-Stiftung and European Policy Centre.
- ³⁸ European Commission (2020b), *op. cit.*
- ³⁹ European Commission (2025a), *op. cit.*, p.17.
- ⁴⁰ European Commission (2025b), *Communication on The EU Startup and Scaleup Strategy*, COM(2025) 270 final.
- ⁴¹ European Parliament and Council of the European Union (2016), *op. cit.*, pp. 21–57. The Directive recasts and combines two early-stage directives on students and researchers and the recast added trainees, voluntary services, pupil exchange and au pairing.
- ⁴² On its making and transposition, see De Lange, Tesseltje and Paul Minderhoud (2020, eds.), *The Students & Researchers Directive: Central Themes, Problem Issues and Implementation in Selected Member States*, Nijmegen: WLP. A first Commission evaluation report to the European Parliament was due on 23 May 2023 and is still awaited at the time of writing.

- ⁴³ CEU. IMPA (European Commission Impact Assessment), European Parliament and Maniaki-Griva, Alexia (2013), "[Initial appraisal of a European Commission Impact Assessment – European Commission proposal on the conditions of admission of third-country national students, researchers, school pupils, volunteers, remunerated and unremunerated trainees and au pairs](#)", Brussels: European Parliament, p.27.
- ⁴⁴ European Migration Network (2019), "[EMN Synthesis Report of the EMN Study 2019 on attracting and retaining international students in the EU](#)", Brussels.
- ⁴⁵ European Commission (2025a), *op. cit.*, p.17.
- ⁴⁶ European Migration Network (2019), *op. cit.*
- ⁴⁷ European Parliament and Council of the European Union (2016), *op. cit.*, article 3.
- ⁴⁸ *Ibid.*, articles 7 and 11.
- ⁴⁹ Judgment of 10 September 2014, [Mohamed Ali Ben Alaya v Bundesrepublik Deutschland](#), C491/13.
- ⁵⁰ European Parliament and Council of the European Union (2016), *op. cit.*, article 24(3). International students fall within the scope of the EU Single Permit Directive 2011/98 when at work. This means that they are entitled to equal treatment following article 12 of said Directive (and its recast Directive 2024/1233), which includes terms of employment and working conditions. Note that students have no right to family reunification under the SRD.
- ⁵¹ Judgment of 4 April 2017, [Sahar Fahimian v Bundesrepublik Deutschland](#), C-544/15.
- ⁵² According to European Parliament and Council of the European Union (2016), *op. cit.*, article 20(2) sub f).
- ⁵³ Judgment of 29 July 2024, [Perle](#), C-14/23.
- ⁵⁴ "[...] as long as that activity does not affect the pursuit of their studies as a main activity" (Judgment of 29 July 2024, [Perle](#), C-14/23, par. 50).
- ⁵⁵ See, for a more extensive analysis, De Lange, Tesseltje, "[International Student Migration: hunting Talent or abusive Intent?: Perle \(C14/23\)](#)", *EULawLive*, 14 October 2024.
- ⁵⁶ Request for a preliminary ruling to the Court of Justice of the EU from the Tribunal de première instance francophone de Bruxelles (Belgium) lodged on 11 May 2023, [Darvate and others](#), C-299/23.
- ⁵⁷ [Schengennews](#), "[Estonia Rejects Visas to 114 Foreign Students Due to Migration Concerns](#)", 2 September 2024 (accessed 18 October 2024).
- ⁵⁸ In December 2023, the Council agreed on digitalisation of the Schengen visa in the next couple of years. [European Commission](#), "[Everything you need to know on the Schengen visa digitalisation](#)" (accessed 30 May 2025). Student visas are for long-term stay and thus dependent on the EU member state's procedures and embassies.
- ⁵⁹ CEU. IMPA (European Commission Impact Assessment), European Parliament and Maniaki-Griva, Alexia (2013), *op. cit.*, p.30 (Austria, Belgium, Finland, France, Germany, Latvia, Netherlands, Portugal, Slovenia and Sweden).
- ⁶⁰ European Parliament and Council of the European Union (2016), *op. cit.*, article 25.
- ⁶¹ It only counts as half time for a Long-Term Resident status under Directive (EU) 2009/103.
- ⁶² European Commission (2022b), [Proposal for a Directive of the European Parliament and of the Council concerning the status of third-country nationals who are long-term residents \(recast\)](#), COM/2022/650 final.
- ⁶³ Van Der Deure, Lennart, "[Woonprotest internationale studenten: waarom moet ik in een tent slapen?](#)", *Het Parool*, 28 September 2021. [Housing protest international students: why do I have to sleep in a tent?]
- ⁶⁴ The Dutch *Wet Internationalisering in Balans* [Balanced Internationalisation bill] contains "Measures to sustainably balance internationalisation of higher education", *de facto* trying to reduce internationalisation through language requirements. [Parliamentary Documents](#) 36 555, 2024-2025.
- ⁶⁵ One could argue that the competence to legislate for the provision of housing falls within the scope of article 79(1) TFEU on the fair treatment of third-country nationals residing legally in Member States.
- ⁶⁶ Besides the general conditions for entry laid down in article 7 of the SRD, trainees (remunerated or not) must present a training agreement.
- ⁶⁷ European Parliament and Council of the European Union (2016), *op. cit.*, article 13.
- ⁶⁸ European Parliament and Council of the European Union (2016), *op. cit.*, article 18 (6-7).
- ⁶⁹ Moreover, the SRD details what the training agreement must entail. It should include a description of the training programme, covering practical and theoretical learning and including an educational objective or learning component; the duration of the traineeship; the placement and supervision conditions of the traineeship; the traineeship hours; and the legal relationship between the trainee and the host entity.
- ⁷⁰ Chavrier, Matthieu and Paulina Bury (2020), "Students and Researchers Directive: Negotiations Within the Council", in: De Lange, Tesseltje & Minderhoud, Paul (eds.), *The Students & Researchers Directive: Central Themes, Problem Issues and Implementation in Selected Member States*, Nijmegen: WLP, p. 11.
- ⁷¹ Also, the costs of return incurred by public funds may be placed on the host entity. While the EMN has investigated aspects of enforcement of student mobility, similar studies into the enforcement of traineeships and whether, for example, such costs of return are reimbursed by host entities, have to my knowledge not been performed.
- ⁷² CEU. IMPA (European Commission Impact Assessment), European Parliament and Maniaki-Griva, Alexia (2013), *op. cit.*, p.26.
- ⁷³ European Commission (2023c), [Proposal for a Council Recommendation 'Europe on the Move' – learning mobility opportunities for everyone](#), COM(2023) 719 final.
- ⁷⁴ European Commission (2013), [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](#), COM(2013) 151 final, p.8.
- ⁷⁵ *Ibid.*, p.3.
- ⁷⁶ On which Reslow, Natasja (2012), "The role of third countries in EU migration policy: The mobility partnerships", *European Journal of Migration and Law*, Volume 14, Number 4, pp. 393–415.
- ⁷⁷ European Commission (2013), *op. cit.*, p. 4.
- ⁷⁸ European Commission (2024b), [Proposal for a Directive of the European Parliament and of the Council on improving and enforcing working conditions of trainees and combating regular employment relationships disguised as traineeships \('Traineeships Directive'\)](#), COM(2024) 132 final. European Commission (2024c), [Proposal for a Council Recommendation on a reinforced Quality Framework for Traineeships](#), COM(2024) 133 final.
- ⁷⁹ NOS, "[Arbeidsinspectie en boeren botsen over 'nep stages'](#)", 21 March 2024 (accessed 18 October 2024). Some cases brought against the labour inspectorate by farmers are still pending at administrative appeal stage.
- ⁸⁰ Discussed in De Lange, Tesseltje (2019), "A 'Guildian' Analysis of the Equivocal Trusted Sponsorship Under EU Labour Migration Law", in Minderhoud, Paul E.; Sandra Mantu and Karin Zwaan (eds.), *Caught In Between Borders: Citizens, Migrants and Humans: Liber Amicorum* in honour of prof. dr. Elspeth Guild, Tilburg: WLP, pp. 209-216.
- ⁸¹ European Parliament and Council of the European Union (2007), [Regulation \(EC\) 862/2007 of 11 July 2007 on Community statistics on migration and international protection and repealing Council Regulation \(EEC\) No 311/76 on the compilation of statistics on foreign workers](#). European Parliament and Council of the European Union (2016), *op. cit.*, article 38.
- ⁸² EUROSTAT, "[Authorisations for study and research by reason, type of decision, citizenship and length of validity](#)" (accessed 15 November 2024).
- ⁸³ OECD (2023), *op. cit.*, p. 14.
- ⁸⁴ Council of the European Union (2017), [Council Recommendation of 20 November 2017 on tracking graduates](#), 2017/C 423/01.
- ⁸⁵ [Cedefop](#), "[Skills Forecast](#)" (accessed 30 May 2025).
- ⁸⁶ EPC, Egmont, Enabel and ICMPD (2024), "[Mobility and labour dynamics after the EU Year of Skills: Are we fit for the future?](#)", Brussels.

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The **European Migration and Diversity** programme provides independent expertise on European migration and asylum policies. The Programme's analyses seek to contribute to sustainable and responsible policy solutions and are aimed at promoting a positive and constructive dialogue on migration. The programme follows the policy debate by taking a multidisciplinary approach, examining both the legal and political aspects shaping European migration policies. The analysts focus, amongst other topics, on the reform of the Common European Asylum System; the management of the EU's external borders; cooperation with countries of origin and transit; the integration of beneficiaries of international protection into host societies; the links between migration and populism; the development of resettlement and legal pathways; and the EU's free movement acquis. The team benefits from a strong network of academics, NGO representatives, and policymakers, who contribute regularly to publications and policy events.

The **Odysseus Academic Network** is a network of experts in European immigration and asylum law and policy. It was founded in 1999 by Philippe de Bruycker, Professor at the Institute for European Studies of the Université Libre de Bruxelles (ULB), initially with the financial support of the European Commission. The Network brings together legal experts from all EU Members States, Schengen associated States (Norway, Switzerland, Iceland), as well as Turkey. Its coordination team is based in Brussels. The Network and its members provide comprehensive scholarly analysis of European law and policy; undertake consultancies for EU institutions; support the studies of the European Migration Network (EMN); organize European thematic conferences; publish scientific and policy outputs at European and national levels; communicate and co-create research with policymakers; run a widely read blog that analyses legal and policy developments; and, undertake training in these fields, most notably through a well-established annual summer school held in Brussels and a certificate programme combining long-distance learning with residential elements.

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