

# Attracting and retaining international students in the EU

## Common Template for EMN Study 2018

Final draft: 22<sup>nd</sup> August 2018

**Subject:** Common Template for the EMN Study 2018 on “Attracting and retaining international students in the EU”

**Action:** EMN NCPs are invited to submit their comments and validation to this final common template by 29<sup>th</sup> August. If needed, further clarifications can be provided by contacting the EMN Service Provider (ICF) at [emn@icf.com](mailto:emn@icf.com).

### 1 BACKGROUND AND RATIONALE FOR THE STUDY

In view of growing labour market challenges, the EU and its Member States have increasingly looked at migration as a means to address ageing populations, sustain welfare systems and find skilled workforce. According to the OECD, the EU welcomes more migrants than any other single OECD destination, with more than two million permanent-type migration flows to EU countries in 2016.<sup>1</sup> Labour migrants comprise about one in three new migrants to the EU, however, at the same time, third-country migrants only comprise 4% of the total EU working-age population between the ages of 15 and 64.<sup>2,3</sup>

One way to tackle this shortage in skills is through the attraction and retention of third-country nationals who choose the EU for the purpose of higher education. While the EU/EFTA as a whole is becoming an increasingly attractive destination for international students, with a 4% increase of flows in 2016, the competition with other OECD countries, such as the United States, Australia and Japan persists.<sup>4</sup> The retention of international students in the EU also remains a challenge, as only a small fraction of graduates stay in an EU Member State to take up employment. In recent years, the EU and its Member States have been working on several comprehensive strategies to enhance the attractiveness of Europe’s higher education system. The most prominent example at EU level is the EU’s new students and researchers directive adopted in 2016 (Directive (EU) 2016/801),<sup>5</sup> which notably seeks to improve and harmonise minimum legal standards for welcoming and retaining international students. At national level, some Member States have developed new national strategies for the attraction of students and many universities have increased their efforts to attract international students, for instance by organising information campaigns in third countries and increasing their social media presence. In parallel, Member States have concluded bilateral and multilateral agreements with third countries, with the aim of facilitating the admission of third-country national students to the EU.

A number of studies have been carried out in recent years on the topic of attracting international students (see “Relevant sources and literature” below). Most importantly, the 2012 EMN Study on

<sup>1</sup> OECD, *International Migration Outlook*, OECD Publishing, Paris. [https://read.oecd-ilibrary.org/social-issues-migration-health/international-migration-outlook-2018\\_migr\\_outlook-2018-en#page24](https://read.oecd-ilibrary.org/social-issues-migration-health/international-migration-outlook-2018_migr_outlook-2018-en#page24)

<sup>2</sup> OECD/EU (2016), *Recruiting Immigrant Workers: Europe 2016*, OECD Publishing, Paris. <http://dx.doi.org/10.1787/9789264257290-en>

<sup>3</sup> Please note that a complete statistical overview will be presented in the Synthesis Report.

<sup>4</sup> OECD, *International Migration Outlook*, OECD Publishing, Paris. [https://read.oecd-ilibrary.org/social-issues-migration-health/international-migration-outlook-2018\\_migr\\_outlook-2018-en#page34](https://read.oecd-ilibrary.org/social-issues-migration-health/international-migration-outlook-2018_migr_outlook-2018-en#page34)

<sup>5</sup> 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 purpose of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing (recast).

“Immigration of international students to the EU” and the 2013 EMN Study on “Attracting highly qualified and qualified third-country nationals” looked into the immigration and mobility policies of (Member) States, as well as the policies and concrete practical measures in place that aim to attract (highly) qualified third-country nationals. The 2018 study aims to update this information and complement it with retention policies. This topic was also touched upon by the 2015 EMN Study on “Changes in immigration status and purpose of stay: an overview of EU Member States’ approaches”, by outlining the conditions that regulate the changes of status between different categories of third-country nationals.

Particularly in view of the deadline to transpose the 2016 Students and Researchers Directive by 23 May 2018, it is assumed that changes to Member States’ policies with regard to attracting and retaining students have taken place recently, which this study aims to capture.

## 2 STUDY AIMS AND OBJECTIVES

The overall aim of this study is to explore what national practices are in place in (Member) States to attract and retain third-country national students. The Study will only focus on legal migrants issued with a residence permit or long-stay visa for the reason of studies, and will thus not include beneficiaries of international protection.

More specifically, the Study aims to:

- ★ Provide a statistical overview of the number of third-country national students present in EU Member States and Norway from 2012-2017 and 2018 data if available, the duration of studies, the number of graduates who stay in the Member States after their studies, etc.
- ★ Examine the incentives in place in EU Member States and Norway to attract and retain third-country national students;
- ★ Describe the admission criteria of Higher Education Institutions (HEIs), language requirements and the process for recognition of diplomas;
- ★ Provide an overview of the bilateral and multilateral cooperation agreements in place with third countries covering international students;
- ★ Outline the challenges and good practices of EU Member States and Norway with regard to the attraction and retention of international students.

## 3 SCOPE OF THE STUDY

The overall focus of this Study are third-country nationals who are granted residence permits or long-stay visas for reasons of studies, and/or are undertaking a higher education degree (Bachelor, Masters or PhD level<sup>6</sup>). For the purpose of this study, higher education comprises tertiary education programmes at levels 5, 6, 7 and 8 of the International Standard Classification of Education (ISCED). The study only focuses on full-time students. The Study covers the period from 2013-2017 for statistics and 2012-September 2018 for policy developments, to take into account changes made as a result of the transposition deadline of the Students and Researchers Directive.

For abbreviation purposes, the terms ‘international students’ is used in the study in the meaning of third-country national students from non-EU/EEA countries. The definitions should be read in line with Articles 3 (3) of the Students and Researchers Directive.

The following categories are excluded from the scope of this study: researchers, part-time students, third-country national family members of EU citizens, vocational post-secondary education students, trainees and apprentices, au pairs and beneficiaries of international protection.

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<sup>6</sup> Please note that the inclusion of PhD students in this study depends on whether they fall within the realm of students at national level.

## 4 EU LEGAL AND POLICY CONTEXT

The importance of attracting international students is well-recognised by the European Union. Promoting the mobility of third-country nationals to the EU for the purpose of study has been part of the EU's policy since 1994 with the adoption of the Council Resolution on the admission of third-country nationals to the territory of the Member States of the EU for study purposes. This is also in the context of the Bologna Process, launched with the Bologna Declaration of 1999, which is one of the main voluntary processes at European level, as it is nowadays implemented in 48 states. The Bologna Process led to the establishment of the European Higher Education Area (EHEA). The 2015 European Agenda on Migration reiterated the need for promoting the mobility of international students, calling for the EU to provide a safe haven for those fleeing persecution and at the same time also to feature as an attractive destination for the talent and entrepreneurship of students, researchers and workers.<sup>7</sup> In line with this objective, the international dimension of the Erasmus + Programme encourages student mobility from third countries, providing an opportunity for students from eligible partner countries to study in an EU Member State.

In terms of the legislative framework, in October 2002, the European Commission put forward a proposal for a Directive establishing common entry and residence conditions for the purposes of studies, pupil exchange, unremunerated training or voluntary service. The Directive entered into force in December 2004 with a transposition deadline for Member States of January 2007.

The Council and the European Parliament adopted in 2016 the Students and Researchers Directive, which is the result of the recast of the 2004 Directive on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service and the 2005 Directive on researchers, based on the 2011 evaluations of these Directives by the Commission.<sup>8</sup>

The Students and Researchers Directive clarifies the admission and residence requirements by setting out general conditions for admission, and specific conditions for researchers, students, school pupils, trainees, volunteers and au pairs. The new Directive still follows a sectoral approach. While it sets uniform and binding rules on conditions for admission for students, researchers, trainees and volunteers participating in the EU's voluntary scheme, provisions on other volunteers, school pupils and au-pairs are optional.

The Study is very topical in light of the transposition deadline of the Directive. The Directive aims to make the EU a more attractive destination for students, in particular by improving their mobility conditions, allowing them to stay at least nine months after the completion of the studies period and allowing them to work (for at least 15 h/week). Furthermore, procedural guarantees have been reinforced for all categories (decision on an application within 90 days and provision of a justification of a negative decision).

## 5 PRIMARY QUESTIONS TO BE ADDRESSED BY THE STUDY

The Study will aim to address the following:

- ★ To what extent is the attraction and retention of students a policy priority for (Member) States?
- ★ What is the number of students coming to the (Member) States for the purpose of studying? How many remain in the EU after finalising their studies to take up employment? What is the legal and policy framework in place in (Member) States and what recent changes have been made to policies and practices?
- ★ In light of Article 7 and Article 11 of the recast Students and Researchers Directive, how are the admission and reception criteria for third-country national students implemented in practice by (Member) States (e.g. tuition fees, procedure to be granted a residence permit, recognition of

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<sup>7</sup> COM(2015) 240 final

<sup>8</sup> COM(2011) 587 final and COM(2011) 901 final.

diplomas, etc.)? For those (Member) States, which do not apply the Directive, what are the admission and reception conditions in place?

- ★ In light of Articles 24 and 25 of the recast Students and Researchers Directive, how are the conditions<sup>9</sup> for access to the national labour market or self-employment for third-country nationals while being enrolled as a student and after completion of studies implemented in practice by (Member) States? For those (Member) States, which do not apply the Directive, what are these conditions?
- ★ Have (Member) States concluded bilateral or multilateral cooperation agreements with third countries covering third-country national students? If so, how do these incentivise students to take up higher education in the EU?
- ★ What is the role of universities, companies, local governments etc. in the retention of international students (e.g. scholarships, traineeship programmes, apprenticeship contracts)?
- ★ What challenges do (Member) States face with regard to attracting and retaining third-country national students?
- ★ Which good practices are in place in (Member) States related to the attraction and retention of students?

## 6 RELEVANT SOURCES AND LITERATURE

### **EMN Studies**

- ★ EMN (2015): Changes in immigration status and purpose of stay: an overview of EU Member States approaches. [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european\\_migration\\_network/reports/docs/emn-studies/emn-studies-00.emn\\_study\\_on\\_the\\_change\\_of\\_status\\_final.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european_migration_network/reports/docs/emn-studies/emn-studies-00.emn_study_on_the_change_of_status_final.pdf)
- ★ EMN (2013): Attracting Highly Qualified and Qualified Third-Country Nationals. [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european\\_migration\\_network/reports/docs/emn-studies/attracting/emnsr\\_attractinghqworkers\\_finalversion\\_23oct2013\\_publication.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european_migration_network/reports/docs/emn-studies/attracting/emnsr_attractinghqworkers_finalversion_23oct2013_publication.pdf)
- ★ EMN (2012): Immigration of International Students to the EU. [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european\\_migration\\_network/reports/docs/emn-studies/immigration-students/0\\_immigration\\_of\\_international\\_students\\_to\\_the\\_eu\\_sr\\_24april2013\\_final\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european_migration_network/reports/docs/emn-studies/immigration-students/0_immigration_of_international_students_to_the_eu_sr_24april2013_final_en.pdf)

### **EMN AHQs**

- ★ 2017.1234 – **Talent mobility** – requested 11 October 2017
- ★ 2017.1233 – **Implementation of the Directive (EU) 2016/801 (research, studies, training)** – requested 26 July 2017
- ★ 2017.1189 – **Retaining TCN Students** – requested 26 May 2017<sup>10</sup>
- ★ 2017.1136 – **Transposition of Directive (EU) 2016/081** – requested on 27 January 2017
- ★ 2016.1111 – **Verification of the reliability of potential students** – requested 25 October 2016

### **Other studies and reports**

<sup>9</sup> Article 25 of the Students and Researchers Directive

<sup>10</sup> Please see the 2017 EMN Inform on Retaining third-country national students in the EU: <http://emn.ee/wp-content/uploads/2016/10/Inform-student.pdf>

- ★ The Conference Proceedings of the EE EMN Annual Conference on “The EU in the global race for talents: Challenges and solutions in strengthening the EU’s competitiveness”, held on 21-22 September 2017. <http://emn.ee/wp-content/uploads/2016/10/nr9.pdf>
- ★ OECD/EU (2016), Recruiting Immigrant Workers: Europe 2016, OECD Publishing, Paris. <http://dx.doi.org/10.1787/9789264257290-en>. A study on the intra-EU mobility of third country nationals, by Yves Pascouau, Senior Adviser to EPC (European Policy Centre, a think-tank based in Brussels) on migration and mobility policies (2013) [http://www.epc.eu/documents/uploads/pub\\_3496\\_intra-eu\\_mobility\\_of\\_third-country\\_nationals.pdf](http://www.epc.eu/documents/uploads/pub_3496_intra-eu_mobility_of_third-country_nationals.pdf)
- ★ A study by the Migration Policy Centre on “A Comprehensive Labour Market Approach to EU Labour Migration Policy” (2015) <https://publications.europa.eu/en/publication-detail/-/publication/824e91bc-d642-4626-9267-676945e15053/language-en>
- ★ A report on learning mobility, by the JRC (Joint Research of the European Commission) (2015) [http://publications.jrc.ec.europa.eu/repository/bitstream/JRC99969/learning%20mobility%20technical%20report\\_pubsy\\_pdf.pdf](http://publications.jrc.ec.europa.eu/repository/bitstream/JRC99969/learning%20mobility%20technical%20report_pubsy_pdf.pdf)
- ★ A study by OECD (Organisation for Economic Co-operation and Development), “The Impact of the Implementation of Council Directives on Labour Migration Flows from Third Countries to EU Countries” (2016) <http://www.oecd-ilibrary.org/docserver/download/5jlwxbzkbvfl-en.pdf?expires=1519893945&id=id&accname=guest&checksum=C2DDC88488C17F6BEEC76D45022311EB>

## 7 AVAILABLE STATISTICS

### **International level**

Statistics on international mobility of students are provided by UNESCO<sup>11</sup> and OECD.<sup>12</sup>

### **EU level**

Statistics are available through Eurostat on the number of residence permits issued to third-country nationals by reason, including education reasons. The Synthesis Report will also make reference to the Erasmus Plus/Erasmus Mundus Programme in the section outlining the EU policy framework and will present some general data on the number of international students who took part in these exchange programmes. This will be developed by the EMN Service Provider (ICF).

### **National level**

Subject to availability, the following statistical data sources should be included insofar as possible:

- ★ Statistics on the number of international students enrolled in HEIs in Member States and Norway;
- ★ Statistics on the number of international students who have graduated in the Member State and Norway.
- ★ Statistics on the number of international students remaining in the Member State and Norway after graduation per reason.

## 8 DEFINITIONS

The following key terms are used in the Common Template. The definitions are taken from the EU 2016 Students and Researchers Directive and the EMN Glossary Version 6.0.<sup>13</sup>

<sup>11</sup> <http://data.uis.unesco.org/>

<sup>12</sup> <https://data.oecd.org/education.htm>

<sup>13</sup> [https://ec.europa.eu/home-affairs/what-we-do/networks/european\\_migration\\_network/glossary/](https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary/)

**'Employer'** means any natural person or any legal entity, for or under the direction or supervision of whom or which the employment is undertaken;

**'Family members'** mean a third-country national, as specified in Art. 4(1) of Directive 2003/86/EC (normally members of the nuclear family – i.e. the spouse and the minor children), who has entered the territory of the European Union for the purpose of family reunification;

**'Higher education institution' (HEI)** means any type of higher education institution recognised or considered as such in accordance with national law which, in accordance with national law or practice, offers recognised higher education degrees or other recognised tertiary level qualifications, whatever such establishments may be called, or any institution which, in accordance with national law or practice, offers vocational education or training at tertiary level. The term 'higher education' encompasses all tertiary institutions which may include, inter alia, universities, universities of applied science, institutes of technology, *grandes écoles*, business schools, engineering schools, IUTs, colleges of higher education, professional schools, polytechnics and academies.

**'International student'** means a third-country national who has been accepted by a higher education institution and is admitted to the territory of a Member State to pursue as a main activity a full-time course of study leading to a higher education qualification recognised by that Member State, including diplomas, certificates or doctoral degrees in a higher education institution, which may cover a preparatory course prior to such education, in accordance with national law, or compulsory training. Member States will be asked to state at the beginning of their national contribution and in the statistics provided whether doctoral candidates (PhD students) are included when referring to "students" or not;

**'Long-stay visa'** means an authorisation issued by a Member State as provided for in Article 18 of the Schengen Convention or issued in accordance with the national law of Member States not applying the Schengen acquis in full;

**'Residence permit'** is defined as "an authorisation issued using the format laid down in Regulation (EC) No 1030/2002 entitling its holder to stay legally on the territory of a Member State";

**'Third-country national'** is defined as "any person who is not a citizen of the European Union within the meaning of Art. 20(1) of TFEU and who is not a person enjoying the Union right to free movement, as defined in Art. 2(5) of the Schengen Borders Code";

## 9 ADVISORY GROUP

An "Advisory Group" (AG) has been established within the context of this Study for the purpose of providing support to EMN NCPs during the development of the specifications for the Study, as well as the drafting of the Synthesis Report. In addition to COM, and the EMN Service Provider (ICF and Odysseus), the members of the AG for the Study include EMN NCPs from AT, DE, EE, ES, FR, LT, LU and NL. EMN NCPs are thus invited to send any requests for clarification or further information on the Study to the following representatives of the AG:

- ★ COM: [Magnus.OVILIUS@ec.europa.eu](mailto:Magnus.OVILIUS@ec.europa.eu); [Helene.CALERS@ec.europa.eu](mailto:Helene.CALERS@ec.europa.eu)
- ★ EMN Service Provider: [emn@icf.com](mailto:emn@icf.com); [veronika.vasileva@icf.com](mailto:veronika.vasileva@icf.com); [norma.rose@icf.com](mailto:norma.rose@icf.com)
- ★ Odysseus Expert (Philippe de Bruycker): [debruyck@ulb.ac.be](mailto:debruyck@ulb.ac.be)
- ★ AT EMN NCP: [mbassermann@iom.int](mailto:mbassermann@iom.int)
- ★ DE EMN NCP: [janne.grote@bamf.bund.de](mailto:janne.grote@bamf.bund.de)
- ★ EE EMN NCP: [marion.pajumets@tlu.ee](mailto:marion.pajumets@tlu.ee)

- ★ ES EMN NCP: [mariacristina.sierra@meyss.es](mailto:mariacristina.sierra@meyss.es)
- ★ FR EMN NCP: [anne-cecile.jarasse@interieur.gouv.fr](mailto:anne-cecile.jarasse@interieur.gouv.fr), [tamara.buschek-chauvel@interieur.gouv.fr](mailto:tamara.buschek-chauvel@interieur.gouv.fr); [christelle.caporali-petit@interieur.gouv.fr](mailto:christelle.caporali-petit@interieur.gouv.fr)
- ★ LU EMN NCP: [adolfo.sommarribas@uni.lu](mailto:adolfo.sommarribas@uni.lu); [david.petry@uni.lu](mailto:david.petry@uni.lu)
- ★ LT EMN NCP: [aurelija@iom.lt](mailto:aurelija@iom.lt)
- ★ NL EMN NCP: [h.k.van.der.linden@ind.minvenj.nl](mailto:h.k.van.der.linden@ind.minvenj.nl); [m.i.stegink@ind.minvenj.nl](mailto:m.i.stegink@ind.minvenj.nl)
- ★ SE EMN NCP: [bernd.parusel@migrationsverket.se](mailto:bernd.parusel@migrationsverket.se)

## 10 TIMETABLE

The following tentative timetable has been proposed for the Study going forward:

<b>Date</b>	<b>Action</b>
9 <sup>th</sup> February 2018	1 <sup>st</sup> Advisory Group meeting
27 <sup>th</sup> February 2018	Circulation of <u>Version 1 of the Common Template</u> for the Study to COM and AG members
22 <sup>nd</sup> June 2018	2 <sup>nd</sup> Advisory Group meeting
6 <sup>th</sup> July 2018	Circulation of the revised Common Template for the Study to COM and AG members
13 <sup>th</sup> July 2018	Deadline for comments on revised template from COM and AG members
23 <sup>rd</sup> July 2018	Circulation of the <u>revised Common Template</u> for the Study to COM and EMN NCPs
13 <sup>th</sup> August 2018	Deadline for comments revised template for the Study from EMN NCPs
22 <sup>nd</sup> August 2018	Circulation of the final draft Common Template to EMN NCPs and COM
31 <sup>st</sup> August 2018	Finalisation of the Common Template and official <u>launch</u> of the Study
15 <sup>th</sup> December 2018	<u>Submission of National Reports</u> to EMN Service Provider by EMN NCPs
14 <sup>th</sup> January 2019	Circulation of <u>Version 1 of the Synthesis Report</u> for the Study to COM and AG Members
11 <sup>th</sup> February	Circulation of the <u>revised Synthesis Report</u> for the Study to COM, AG members and EMN NCPs
March	<u>Finalisation</u> of the Synthesis Report for the Study and of the National Reports for publication on the EMN website

## 11 TEMPLATE FOR NATIONAL CONTRIBUTIONS

The template provided below outlines the information that should be included in the National Contributions of EMN NCPs to this Study. The indicative number of pages to be covered by each section is provided in the guidance note. For National Contributions, the total number of pages should **not exceed 35-40 pages**, including the questions and excluding the Statistical Annex. A limit of **25-30** pages will also apply to the Synthesis Report, in order to ensure that it remains concise and accessible.



## Common Template of EMN Study 2018

### *Attracting and retaining international students in the EU*

#### **National Contribution from (Member) State\*<sup>14</sup>**

*Disclaimer: The following information has been provided primarily for the purpose of contributing to a Synthesis Report for this EMN Study. The EMN NCP has provided information that is, to the best of its knowledge, up-to-date, objective and reliable within the context and confines of this study. The information may thus not provide a complete description and may not represent the entirety of the official policy of the EMN NCPs' (Member) State.*

#### Top-line factsheet [max. 1 page]

*The top-line factsheet will serve as an overview of the **National Contribution** introducing the Study and drawing out key facts and figures from across all sections, with a particular emphasis on elements that will be of relevance to (national) policy-makers. Please add any innovative or visual presentations that can carry through into the synthesis report as possible infographics and visual elements.*

*Please provide a concise summary of the main findings of Sections 1-5:*

The Bulgarian policy in the field of university education level is not mainly targeted to attract foreign students from third countries. As the statistics shows Bulgarian universities are attractive for students from neighbour countries and less from more distanced ones. In meantime the lack of necessary academic staff is more and more evident.

According to the Bulgarian *Strategy for Development of Higher Education (2014-2020)* (Strategy) the mobility in education and science from other parts of the world to the European space has risen considerably (today the EU member states attract about 30% of mobile students worldwide). However, this trend is not evident in Bulgaria. Insofar as there is some incoming educational mobility, it is not a product of a national policy and intergovernmental agreements, but is mostly a product of individual initiative of foreign students. The difficulties in the efforts to promote cross-border academic mobility are primarily financial and lingual, but are also related to the misapplication of the Credit Accumulation and Transfer System. The number of attracted foreign lecturers and students in universities is insufficient.

One of the objectives of the Strategy is to promote the research activities in higher education institutions (HEIs) and the Development of Innovations and one of the tasks to achieve this target is to attract leading scientists from other countries and Bulgarian scientists employed in foreign research organizations and higher education institutions through the use of instruments of the common European Research Area.

Bulgarian legislation does not content any special legal act (law or ordinances) dedicated to attraction of foreign students or scientists. The *Higher Education Law* (HEL) regulates the structure, functions, management and funding of higher education in the Republic of Bulgaria and the *Ordinance on State Requirements for the Admission of Students in Higher Education in the Republic Of Bulgaria* determines the state requirements for acquiring the Bachelor's and Master's degrees after completing secondary or higher education and for sending Bulgarian students for study at foreign higher schools.

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<sup>14</sup> Replace highlighted text with your **(Member) State** name here.

## Section 1: National legal and policy framework in the Member State

*This section aims to provide an overview of the national policies in the Member States and Norway related to entry and stay of third-country nationals as students. The focus should be put on the recent changes that have been introduced in Member States and Norway since 2012.<sup>15</sup>*

*Please note: Statistics provided in Annex 1.1, 1.2 and 1.3 will be used to contextualise the national legal and policy framework reported on by Member States in this section.*

**Q1a.** What is the **transposition status** of Directive (EU) 2016/801 in your national law?

*[Possible visual element: map indicating transposition status in each MS]*

- transposition completed.
- in process: completion of transposition expected by:
- other, please specify:

**Q1b.** Are doctoral candidates (PhD students) treated as students or researchers under national law? *Please note that if doctoral candidates fall within the category of researchers, these should not be considered in the answers to the subsequent questions.*

- PhD students are treated as students
- PhD students are treated as researchers
- Other

*Please elaborate:*

**According to the Bulgarian legislation the PhD students are not students but their legal status is arranged in parallel with students.**

**Q1c.** What are the **main** changes to: (a) law, (b) policy and (c) practice since 2012 with regard to international students? Please specify whether these changes were made in response to Directive (EU) 2016/081 or other national policy priorities.

*Please describe briefly:*

**a) *The 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 was fully transposed in Bulgarian national legislation with the last amendment of the Labour Migration and Labour Mobility Law (LMLML) (SG 24/2018) and the amendment of the Regulation for the Implementation of the LMLML (SG 43/2018). The provisions of this Directive were transposed in Part IV of the LMLML and in Part VII of the Regulation for Implementation of LMLML. Some provisions were incorporated in other legal act such as Law for the Foreigners in the Republic of Bulgaria, Law on Youth etc.***

**Q1d.** Are **any changes planned** to law/ policy/ practice regarding international students in your Member State? Such planned changes could relate both to the transposition of the Students and Researchers Directive or other changes not pertaining to the Directive.

- Yes, changes planned related to the transposition of the Directive.
- Yes, changes planned not pertaining to the Directive.
- No changes planned

*If you have answered yes, please provide details about the changes planned:*

<sup>15</sup> The last EMN studies related to this public were published in 2013 (see the study on Highly qualified migrants at [https://ec.europa.eu/home-affairs/what-we-do/networks/european\\_migration\\_network/reports/studies\\_en](https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/reports/studies_en))

**Q1e.** Does your Member State have a **national strategy**, or a **lower level (e.g. ministerial, regional) strategy**, for attracting international students? Which institutions are responsible for coordinating international students' attraction policy/policies?

- Yes, national strategy in place.
- Yes, lower level strategy in place.
- No, a national strategy is not in place.

*If you have answered yes, please provide details about the main elements of the strategy and the institutions responsible:*

**Q1f.** Does your Member State target **specific fields of studies/subject areas** (outside bilateral/multilateral cooperation)? If so, please briefly elaborate on the reasons why these fields of studies/subject areas are targeted.

- Yes, specific fields of studies are targeted.
- No specific fields of studies are targeted.

*If you have answered yes, please provide a list of the study fields targeted and the reasons:*

**Q2a.** Is attracting and retaining international students a **national policy priority**? Please explain why.

- Yes, this is a national policy priority.
- No, this is not a major national policy priority.
- Other, please explain:

*Please elaborate:*

There are not any specified policies or measures on national level to keep the third country national students in Bulgaria. The efforts of the government are targeted to retain the Bulgarian students from Bulgarian universities and to stimulate the return of Bulgarian students from universities abroad. The lack of specialists in some areas of the national labour market (ITC, engineers, etc.) and the good economic situation in Bulgaria should be stimulators for elaborating the respective measures targeted to retain students not only from Bulgaria and other EU members but also from third countries.

**Q2b.** Has this changed over the last few years, i.e. since 2012 onwards and why?

- Yes, the level of priority has changed.
- No, the level of priority has not changed.

*Please elaborate:*

The economic and demographic situation in Bulgaria has not changed during the last years so there are not any reasons to change the priorities in the field of higher education. The main policy and most of activities are orientated to retain the Bulgarian students and to stimulate the return of Bulgarian students from universities abroad.

**Q3.** Is there a current or recent **public debate** (i.e. within the past year) with regard to international students in your Member State (e.g. in Parliament, media, etc.)?

- Yes, there is a public debate at national level.
- No, there is no significant public debate at national level.

*If you have answered yes, please elaborate on the main issues of the debate:*

During the last years the debate in Bulgarian society (especially through media) is generally focused on labour market needs of a workforce. In general there are two main objectives of this debate: how to retain the Bulgarian students and how to attract the third country nationals (including students) to participate in

national labour market. Due to the economic growth and demographic situation in Bulgaria, more and more economic sectors suffer from the lack of specialists especially of highly educated ones. In this regard, it should be noted that the last few years various forums (public debates, round tables and discussions) devoted to the possibilities of hiring third-country workers countries have been regularly organised by representatives of business, media and local authorities. Bulgarian employers stipulated that the largest net need for staff is for computer specialties, electronics and automation, medicine and health care, public communications and information science, mechanical engineering, chemical technologies, energy materials and materials science.

**Q4.** What is the **structure and governance of the national higher education system** in your Member State? Please answer by elaborating on the following aspects:

- Is there a specific public entity(ies) at national level which is responsible for international students in regards to their studies and what are they competent for? What is its role in the application process/supervision of these students?

*Please explain:*

The state through the Ministry of Education and Science develops and implements a long-term national policy for the development of higher education and guarantees the academic autonomy of HEIs, cares for the quality of training and research. Institutional management of higher education institutions is carried out in accordance with their right to academic self-government (autonomy). The state supports this process by allocating resources on a competitive basis.

There are 53 HEIs (including colleges) in Bulgaria and 43 from them are state and 10 private ones. HEIs are autonomous. The states HEIs are partly financed by the state budget but the main incomes for these HEIs are from students' fees.

The authority vested with the right to assert the common interests of higher education establishments before the state bodies shall be the Board of Higher Education Establishment Rectors. The Board of the rectors shall give opinion and proposals on problems related to the higher education and science; express opinion on the draft budget in its part regarding the higher education and science; express opinion on the project for the Classifier of the fields of higher education and the professional branches. The Council of the rectors shall be represented by a chairman elected by it.

Bodies of management of HEI shall be the General Meeting, the academic board and the rector. The management bodies of the HEI shall be elected for a mandate of four years. The mandate of the management bodies of the HEI shall not be terminated with the carrying out of partial elections and also during transformation of the HEI. The mandate of the additionally elected members shall be terminated with the elapse of the mandate of the body. The powers of the rector of the HEI shall be terminated with the mandate of the General Meeting which has elected it. He shall implement his functions till the election of a new rector, but for no longer than two months.

The general meeting of the HEI shall consist of representatives of the academic personnel with basic legal terms of employment, of the administrative personnel and of the students and the PhD students from all its units. The persons with academic rank shall be not less than 70 percent, and the representatives of the students and PhD students - not less than 15 percent of the members of the General Meeting. The general number of the members of the General Meeting and the procedure for their election shall be determined in the Regulation of the activity of the HEI. A general meeting of a higher education establishment shall be convened at least once a year by its chairman by a decision of the academic board, at the request of the rector or of one fourth of the members of the general meeting. The General Meeting shall take decisions with a simple majority of the present except the approval of a Regulation for the activity of the HEI and the changes of it, for which shall be required a majority of the full list of members of the General Meeting. A General Meeting of a higher education establishment shall elect for the term of its mandate, by a secret

voting, chairman and deputy chairman of the general meeting among its members with academic rank; approve or change the Regulation for the activity of the higher education establishment; elect with a secret voting a rector; determine the number of the academic board and elect with secret voting its members etc.

The Academic board shall be a management body for the education and scientific activity of the HEI which shall determine the education policy of the HEI, approve the mandate programme and control its implementation; approve the annual report of the results of the activity and the annual report of financial and physical indicators of the HEI; take decision for establishing, transformation or closing departments, chairs and servicing units of the higher education establishment; determine the specialities, the forms and the degrees in which education is carried out and shall announce; determine the scientific policy of the HEI and decide basic issues of that organisation and the content of the scientific investigation activity; determine the structural staff of the General Meeting and the organisation for election of its members; take decision for association with Bulgarian and/or foreign HEIs for carrying out joint education of students, post-graduate students and trainees, of educational activity and training for life and of educational franchising, and conclusion of contracts for joint educational activity and for carrying out of joint educational programs with foreign HEIs, for setting up of units abroad, including of departments of HEIs abroad and also of contracts for joint research and development, artistic and creative, engineering and innovation and other forms of joint activity with foreign HEIs and organizations, acknowledged according to the laws in the respective state; acknowledgment of higher education, acquired abroad, in order to continue the education in the higher education establishment etc.

The rector shall represent the higher education establishment; be officially a member of the Academic board and its chairman; conclude and terminate employment contracts, and with the elected dean and director of affiliate or college; decides ultimately all issues, connected with the accepting, writing off and movement of students, PhD students and specialists; propose to the Academic board the applications of lecturers with academic rank for election of one or more deputy rectors; appoint and discharge the deputy-rector, who may not be a member of the academic body of the HEI etc.

The deputy rector shall support the activity of the rector and have the right to represent him in the cases when is empowered by him; organise and bear responsibility for the work of a defined direction of the activity of the HEI; participate in the sessions of the Academic board with right of consultative vote if he has not been elected as its member by the General Meeting. The mandate of the deputy-rector shall finish together with the mandate of the rector who has proposed him for election by the Academic board.

The assistant rector shall support the rector in issues, related to the administrative and financial management, and also in HEI assets management.

The HEI shall include in its structure basic and servicing units and branches. Basic units of the HEI are the faculties, departments, institutes and colleges. Servicing units shall be sectors, centres, libraries, experimental sections, publishing complexes, production bases and other relatively detached structures. The structure and the functions of the bodies of management of the servicing units shall be determined by the regulation for the activity of the HEI. The branches are territorially detached structures of the HEI. The mandate of the bodies of management of the basic units and of the branches shall not be terminated by the holding of partial elections. The mandate of additionally elected members shall be terminated with the expiration of the mandate of the body.

The faculty shall be a basic unit of the HEI, uniting chairs for ensuring the education of students, doctors and specialists in one or several professional sectors from the fields of science in which the HEI is accredited to conduct education. The faculty shall have 40-member academic personnel with basic employment contract of which those with academic rank reading for each specialty not less than 70 percent of the lecture courses. If necessary and upon decision of the academic council, on individual disciplines academically ranked persons can read no less than 50 per cent of the lecture courses. Bodies of

management of the faculty shall be the general meeting, the faculty council and the dean. They shall have a mandate of 4 years. Their mandate shall not be terminated by carrying out partial elections. The general meeting of the faculty shall consist of the members of the academic personnel with legal terms of employment, of representatives of the administrative personnel, of the students and the PhD students in the faculty. The members of the academic personnel shall be at least 70 percent, and those of the students and the PhD students - at least 15 percent of the members of the general meeting. The structure of the general meeting shall be determined by the faculty council. The general meeting of the faculty shall elect by secret voting, for the term of its mandate a chairman and his deputy among its members with academic rank; elect by secret voting a person with academic rank for dean of the faculty; determine the number of the members of the faculty council and shall elect by secret voting its members; discuss and adopt the annual report of the dean on the lecturing and creative activity in the faculty and on its condition; be represented by its chairman. The general meeting of the faculty shall be convened at least once a year by its chairman by a decision of the faculty council, at the request of the dean or of one fourth of its personnel.

The faculty council shall consist of no less than 25 members and shall include and shall include representatives of the academic personnel with legal terms of employment, students and PhD students. Not less than three fourth of the members of the faculty council shall be persons with academic rank. The faculty council shall elect by secret voting deputy deans at the proposal of the dean; propose to the academic board projects (for creation, transformation or closing down of departments, service units and of departments of the higher education school abroad, where the training in the specialties from the professional areas and the specialties from the regulated professions is provided by the academic staff of the faculty and projects of educational plans and qualification characteristics in degrees and specialities); elect and promote the members of the academic board without academic rank; propose to the rector of the HEI release from occupation; extend proposals to the general meeting of the faculty and/or to the bodies of management of the HEI on issues related to the activity and the condition of the faculty; adopt the educational programmes for the specialities for which the faculty is responsible and the individual plans for education of students, PhD students and specialists; approve and control annually the academic engagement of the members of the academic personnel; recommend for publication scientific works, textbooks, monographs and other creative achievements in the publishing base of the HEI and control their timely publication; discuss and adopt the results from the testimony of the members of the academic personnel of the faculty; discuss, give recommendations and take decision on the activity of the faculty units; control the condition of the library and informational base of the faculty and take measures for its improvement; take decision on the financial issues of the faculty; adopt the annual report on the lecturing, scientific and artistic and creative activity of the faculty; take other decisions related to the activity of the faculty.

The dean shall manage and represent the faculty; be a member, by right, of the faculty council and its chairman; propose to the faculty council nominations of persons with academic rank for deputy deans; fulfil functions ensuing from the law and from the regulations of the higher education establishment.

The department is a basic unit of the HEI for providing the education on one or more disciplines which does not constitute a speciality. The department shall have at least 14-member academic personnel with legal terms of employment. The structure of the department, the constituting and the functions of its bodies of management shall be determined by the regulations for the activity of the HEI.

The institute is a basic unit of the HEI which unites an academic personnel for carrying out long-term scientific and research activity. Persons holding academic positions under basic employment contracts at the institutes according to their field of research can also carry out teaching activities under such contract up to 50 percent of the quota for teaching activity in the respective specialties, designated for the faculty staff of the HEI.

The Academic Board of the HEI may award the institute to hold training in specialties, corresponding to the establishment's research profile, which shall be ensured by no less than a 7-member academic staff under basic employment contracts at the institute. The structure of the institute, the constituting and the functions of its bodies of management shall be determined by the academic board of the HEI.

The branch is a detached structure of the HEI, established in regions where there is no respective university structure, for satisfying the needs of education in definite professional sectors. The education is carried out only in sectors for which the higher education establishment is accredited. The branch shall have at least a 10-member academic staff with basic employment contract, as the persons with academic rank at the higher education establishment will read for each specialty no less than 70 percent of the lecture courses. The composition, the structure and the bodies of management of the branch shall be determined by the academic board of the HEI. The branch shall be headed by a director who shall be a person with academic rank and shall be elected by the academic board for a mandate of four years.

The chair is a unit of a faculty, department, branch or college which carries out educational, scientific and research (artistic and creative) activity on one or a group of related disciplines. The chair shall include at least a 7-member academic personnel with basic legal terms of employment in the HEI. Bodies of management of the chair shall be the chair council and the head of the chair. The chair council shall consist of the members of the academic personnel of the chair who have basic legal terms of employment. The head of chair shall be a person with academic rank in the corresponding scientific branch of the chair, elected by a secret voting for a term of four years by the chair council, the election being confirmed by the council of the basic unit of the branch or of the independent college. The position shall be occupied with basic employment contract concluded with the rector of the HEI.

For rector, dean, director of branch or college shall be elected persons with academic rank who work under basic legal terms of employment at the higher education establishment. The persons elected for rector, dean, director of department, branch and college and their deputies cannot be elected for more than two consecutive mandates for one and the same occupation.

Do migration authorities cooperate with HEIs? If yes, in what ways do they cooperate? Is there an institutionalised cooperation mechanism?

- Yes, migration authorities cooperate with HEIs.  
 No, migration authorities do not cooperate with HEIs.

*If you have answered yes, please explain the ways in which they cooperate:*

The coordination between competent authorities is provided according to the national legislation (Law for Foreigners in the Republic of Bulgaria and the Regulation for its implementation). This Law shall establish the terms and the procedure, under which foreigners may enter, reside and leave the Republic of Bulgaria.

There are not any provisions establishing the coordination mechanisms between the state institutions accomplishing administrative control over the foreigners in the Republic of Bulgaria and the HEIs.

- Is there an approval procedure<sup>16</sup> in place in your Member State for public/private HEIs for the purpose of hosting international students? If so, are international students only allowed to study in those HEIs?
  - Yes
  - No

*Please explain. If you have answered yes, please indicate whether international students are only allowed to those in those HEIs:*

There are not any legal limitations or obstacles for HEIs in Bulgaria to attract students from third countries.

<sup>16</sup> Article 15 of the Students and Researchers Directive

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- Is higher education for third-country nationals **state-sponsored** (i.e. subsidised by the state) in your Member State?
  - Yes, higher education is state-sponsored for third-country nationals.
  - No, higher education is not state-sponsored for third-country nationals.
  - Other (e.g. state support depends on the student's country of origin):

*Please elaborate:*

According to the *Law on Crediting of University Students and PhDs* the right to apply for receiving credit under this act shall have University students and PhDs – Bulgarian citizens, citizens of another EU Member State, of another EEA state or Confederation Switzerland who at the moment of submission of the request for signing a credit contract meet simultaneously some additional requirements (they do not reached the age of 35, they study in regular form of educational-qualification degree etc.).



## Section 2: Measures and incentives to **attract** international students

This section examines the measures and incentives to attract international students in place in the Member States in terms of admission conditions; hosting and welcoming international students; special incentives and measures; external factors; challenges and good practices in attracting international students.

### 2.1 Admission conditions for international students

**Q5a.** Which are the common immigration **admission conditions** applicable for all international students determined by the immigration authorities for the purpose of stay in the territory of your Member State?

Please elaborate:

Are the following **admission conditions** listed under Q5b to Q5j required in your Member State? Please answer with Yes/No and shortly describe the admission condition.

**IMPORTANT:** Please explain also under each question Q5b-5j how each of the below listed admission conditions are considered to attract international students / are used to attract them / are used flexibly in order to attract international students, or are there some that are considered disincentives.

[Possible visual element: the applicable admission conditions (including fees) could be visualised in one infographic page]

**Q5b.** Is a proof of **acceptance** by HEI required in your Member State in order to obtain the residence permit?<sup>17</sup>

Yes.

No

If you have answered yes, please elaborate:

According to the Article 30 (1) point 2 of the *Regulation for Implementation of the Law for Foreigners in the Republic of Bulgaria* for receiving the right to a long term residence, the third country national, accepted to a regular study in a HEI shall apply a certificate for his residence for study in the Republic of Bulgaria, issued by the Ministry of Education and Science, and a certificate, issued by the HEI, where the third country national will study during the relevant year.

**Q5c.** How is the **academic recognition** of foreign academic degrees regulated in your Member State? Is this done in a centralised manner (e.g. by a specific organisation) or by each HEI?

Recognition of degrees carried out centrally.

Recognition of degrees carried out by each HEI.

Other.

Please explain:

The *Ordinance on State Requirements for Recognition of Acquired Higher Education and Periods of Study in Foreign Higher Education Institutions* determines the state requirements for recognition of acquired higher education and completed periods of study in foreign HEIs. According to the article 7, para 1 of this Ordinance the procedure for recognition of higher education acquired in foreign higher schools is organized by the respective HEI. This procedure shall be conducted under conditions and by an order determined by the respective regulations of the HEI and by the regulations of the National Information and Documentation Centre (NACID).

Only for facilitating access to the labour market and other purposes where the applicant has a legitimate interest the Minister of Education and Science through the NACID accomplishes the recognition of higher education.

**Q5d.** What are the **level of tuition fees for third-country nationals** in your Member State? <sup>18</sup> If applicable, please distinguish between the different qualifications levels (ISCED levels 5-8).

<sup>17</sup> Article 11 (1) of the Students and Researchers Directive

- If possible, please provide here a range of the level of tuition fees per academic year in euro/national currency:

The level of the fees for all students (including third country nationals) is determined each year by the Decision of the Council of Ministers.

- Is the level of fees for third-country nationals determined centrally (e.g. by the state) or by each HEI?

*Please explain:*

The level of the fees for all students (including third country nationals) is determined each year by the Decision of the Council of Ministers. For example the level of the fees for the 2018/2019 academic year is 3300 Euro (except medicine and pharmaceuticals where the level is 7000 Euro) (Council of Ministers Decision 286 from 26 of April 2018).

- Is evidence of payment an admission condition?
  - Yes
  - No

According to the Article 30 (1) point 2 of the *Regulation for Implementation of the Law for Foreigners in the Republic of Bulgaria* for receiving the right to a long term residence, the foreigner, accepted to a regular study in a HEI shall apply an evidence for a paid of the respective fee.

- Are the fees capped in your Member State (i.e. is there a higher/lower threshold limit imposed)?
  - Yes
  - No

The level of the fees for all students (including third country nationals) is determined each year by the Decision of the Council of Ministers. For example the level of the fees for the 2018/2019 academic year is 3300 Euro (except medicine and pharmaceuticals where the level is 7000 Euro).

- Are the fees for international students the same as those for domestic students? If no, what is the difference?
  - Yes
  - No.

*If you have answered no, please elaborate:*

The level of the fees for all students (including third country nationals) is determined each year by the Decision of the Council of Ministers. For example the level of the fees for the 2018/2019 academic year for the Bulgarian citizens is between 100 and 500 Euro and for the third country nationals – 3300 Euro.

- Are specific groups of international students exempt from fees? Which ones and why?
  - Yes.
  - No

*If you have answered yes, please elaborate on which groups are exempted and why:*

**Q5e.** What are **processing times for visa/residence permit applications** for third-country nationals in your Member State (minimum, maximum and average)?

*Please elaborate:*

To study in Bulgaria for longer than 90 days, you will need to apply for a national long-stay visa (type D) at the Bulgarian Embassy in the respective third country.

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<sup>18</sup> See Article 11(1)(b) of the Students and Researchers Directive

The following documents are required for a long-stay national visa:

- (a) Passport. The passport must have at least 2 empty pages, be valid for more than 3 months following the end of the anticipated period of residence in Bulgaria and must not be older than 10 years;
- (b) Recent passport-sized colour photo (3,5 x 4,5 cm);
- (c) Visa application form;
- (d) Letter of acceptance from the university;
- (e) Proof of payment of a visa fee;
- (f) Health insurance (with the minimum coverage of EUR 30.000). The health insurance shall cover all medical expenses, including transportation from Bulgaria in case of medical emergency and cover procedures in case of death;
- (g) Proof of available financial means. It shall be at the level of the minimum scholarship for the duration of stay in Bulgaria;
- (h) Document confirming that the third country national has a place to stay (accommodation) in Bulgaria;
- (i) Certificate of criminal records Issued in the sending country proving that its citizen has never been convicted of a crime. This certificate should be translated and certified at the Bulgarian Embassy in sending country. The certificate cannot be older than 6 months.

Moreover, when the third country national applies for your visa at the Embassy, his/her fingerprints will be taken.

According to the article 30, para 2 of the Ordinance on the Terms and Conditions for Issuance of Visas and for Determination of the Visa Regime decision on an application for a long-stay visa for third-country nationals shall be taken 35 working days from the date of submission of the application.

**Q5f.** What is the level of administrative fees for third-country nationals in your Member State? Please elaborate also on other types of fees (e.g. administrative fees at universities)

*Please elaborate:*

The fees for issuing the ID card:

- a) For ID card processing in 30 days – 45 BGN.
- b) For 10 days processing – 90 BGN.
- c) For 3 days processing - 225 BGN.

The fee for an extension of the stay of the third country national is BGN 100 for 1 year.

**Q5g.** Are international students required to provide a proof of sufficient **knowledge of the language** of the course?<sup>19</sup> If so, what is the required level? Does the student have to provide an attestation (e.g. TOEFL test)?

- Yes, proof of sufficient knowledge of the language of the course is required in general.
- A proof is required for specific courses.
- No, proof of sufficient knowledge of the language of the course is not required.

*If proof is required (either in general or for specific courses), please elaborate and specify the required level, using the levels defined by the CEFR:<sup>20</sup> Please elaborate:*

- The student has to provide an attestation
  - Yes, an attestation is required for all courses.

<sup>19</sup> See Article 11(1)(c) of the Students and Researchers Directive

<sup>20</sup> <https://www.coe.int/en/web/common-european-framework-reference-languages/table-1-cefr-3.3-common-reference-levels-global-scale>

- An attestation is required for specific courses.  
 No

**Q5h.** Are international students automatically qualified for **health insurance**?<sup>21</sup>

- Yes, students automatically qualify for health insurance.  
 No, students need to submit proof of health insurance.

*Please elaborate:*

For the issuance of a long-stay national visa is required the health insurance (with the minimum coverage of EUR 30.000). The health insurance shall cover all medical expenses, including transportation from Bulgaria in case of medical emergency and cover procedures in case of death.

For the issuance of the residence permit for education purposes the third country national shall apply health insurance valid in Bulgaria.

**Q5i.** Is there a pre-determined level of **sufficient resources** for international students at national level?<sup>22</sup> If so, what is the level of sufficient resources and what type of resources are accepted?

- Yes  
 No

- What is the level of sufficient resources and what documents are accepted as proof?

*Please explain:*

According to article 14, para 1 of the Regulation for the Implementation of the Law for Foreigners in the Republic of Bulgaria for receiving the right to a long term residence the third country national shall produce in person to the Migration Directorate a standard application, which shall have attached an evidence for stable, regular and sufficient maintenance funds without referring to the social assistance system in the amount not smaller than the minimal monthly work salary, the minimal studentship or the minimal pension for the country, for the term of residence on the territory of the Republic of Bulgaria.

- What type of resource(s) are accepted by your Member State? Please check all applicable boxes.

- Bank statement  
 Guarantee by a third person  
 Other, please specify:

### **Q5j. Other admission conditions**

If applicable, please describe any other admission conditions for the purpose of stay on the territory of your Member State:

*Please elaborate:*

N/A

## **2.2 Special incentives for attracting international students**

**Q6.** Please indicate which of the incentives listed below (Q6a-Q6i) are in place in your Member State *and please provide a brief description*. What are the incentives/measures carried out 'centrally' or by individual HEIs. *If measures are carried out by the state/regional authorities, individual HEIs and/or private entities (e.g. companies, research organisations, etc.), please provide examples.*

**NB:** *Please also state whether measures to attract are targeted to a specific qualification level (ISCED levels 5-8) or sciences/fields of education (e.g. STEM<sup>23</sup>).*

<sup>21</sup> See Articles 7(1)(c) and 11(2) of the Students and Researchers Directive

<sup>22</sup> See Articles 7(1)(e), 7(3) and 11(1)(d) of the Students and Researchers Directive

[Possible visual element to be included in the Synthesis report: the incentives used in MS could be visualised in a one infographics page]

**Q6a. Does your (Member) States carry out promotional activities and dissemination of information in the countries of origin?** Please select all boxes that apply and elaborate.

- Yes, carried out centrally.  
 Yes, carried out by HEIs.  
 No

If you have answered yes, please elaborate by giving 1-2 examples.

**Q6b. Are scholarship and bursaries available?** Please select all boxes that apply and elaborate.

- Yes, provided by the state/regional authorities. Please elaborate by providing 1-2 examples:  
 Yes, provided by HEIs. Please elaborate by giving 1-2 examples:  
 Yes, provided by private entities. Please elaborate by giving 1-2 examples:  
 No

If you have answered yes, please elaborate by giving 1-2 examples (incl. the amount, type and length of the scholarship/bursary):

**Q6c. Are there any other financial incentives or financial support** (e.g. loans, tax benefits, etc.) in place?

- Yes, provided by the state.  
 Yes, provided by HEIs.  
 Yes, provided by private entities.  
 No

If you have answered yes, please elaborate by giving 1-2 examples:

**Q6d. Are any incentives with regard to family reunification in place?**

- Do family members of international students have access to family reunification in your Member State?  
 Yes.  
 No
- If yes, do family members have the right to work in your Member State?  
 Yes.  
 No

If you have answered yes, please explain:

Every third country national has the right to access to the Bulgarian labour market if he/she observes the requirements of the national legislation (Law on Labour Migration and Labour Mobility etc.).

**Q6e.** Is any support targeted at **spouses and other family members of international students** offered in your Member State (e.g. counselling spouses to find employment, continue their education or engage in voluntary work, social and networking activities for spouses, help with enrolling children in kindergartens/schools)? Please select all boxes that apply.

- Yes, support for spouses available.

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- Yes, support for children available.
- Yes, support for other family members available (please specify which family members this includes when elaborating below).
- No

**Q6f. Are courses offered in English/other languages than the national language(s)?** Are there any incentives from the state for HEIs providing courses in other languages?

- Yes
- No

*If you have answered yes, please elaborate:*

**Q6g.** Are there any incentives from the state for HEIs providing courses in other languages?

- Yes
- No

*If you have answered yes, please elaborate:*

**Q6h. Is there a possibility for a fast-track application for visa/residence permits?**

- Yes
- No

*If you have answered yes, please elaborate:*

**Q6i. Are any other incentives not listed above in place?**

If applicable, please describe any other incentives in place not mentioned above.

*Answer:*

N/A

### **2.3 Hosting international students: preparation, arrival and housing**

**Q7a.** Can you explain the nature of the document issued (long-stay or short-stay visa or residence permit)? *Please indicate the type and length of the residence permit. Please select all relevant boxes.*

- Long-stay visa issued in the third country:
- Short-term visa issued in the third country:
- Residence permit issued (please specify the type and length of the permit):
- If your Member State issues a residence permit, is this issued in the territory of your Member State or in the third country?
- Residence permit issued in the third country:
- Residence permit issued in the territory of the Member State. *If so, do you issue a long-stay visa in the third country first (yes/no)?:*

**A long-stay visa is issued to an alien who wishes to settle continuously or permanently in the Republic of Bulgaria.**

**Long - stay visa with a term of validity of up to 6 months and with a right of residence of up to 180 days is issued to a third country national who wishes to settle continuously or permanently in the Republic of Bulgaria. Long - stay visa with a term of validity of up to one year and with a right of residence up to 360 days may be issued to third country nationals who are students for one academic year.**

The long - stay visa entitles the third country national to multiple entries the territory of the Republic of Bulgaria within the period of its validity. The long - stay visa is invalidated upon the issuance of a residence by the authorities for administrative control of foreigners.

An application for a long - stay visa is filed only in the diplomatic and consular representations of the permanent residence of the candidate or at those offices which are accredited to the State of the permanent residence of the applicant.

When applying for a long-stay visa interviews with the applicant is mandatory. Exceptions are not allowed.

The following documents are needed for a residence permit application for education purposes:

- a) A copy of the passport page with your picture and personal data, a copy of its pages containing the last Bulgarian entry stamp and a copy of the Bulgarian entry visa
- b) Recent passport-sized colour photo (3,5 x 4,5 cm)
- c) Application form. The form is written in the Bulgarian language and must be completed in Bulgarian.
- d) Original documents that were presented to support the application for a long-stay visa
- e) Obligatory health insurance valid in Bulgaria
- f) Proof of having accommodation in Bulgaria (i.e. documents from the dormitory or a certified copy of an apartment lease contract)
- g) A certificate of enrolment for study in a Bulgarian University, issued by the Ministry of Education and Science and a certificate of enrolment for study in the current academic year issued by university
- h) Proof of payment for studies (if applicable) and enrolment
- i) Proof of payment of the state fee for residence permit (BGN 100)
- j) Criminal records. Issued in the respective third country proving that its citizen has never been convicted of a crime. The certificate cannot be older than 6 months.

The residence permit will be ready for pick-up in two weeks following the initial application submission. To receive the third country national must bring his/her passport, a copy of its first page, and a copy of the housing certificate or rental contract in the Bulgarian language.

As a residence permit (Bulgarian ID card) will contain biometric data, a digital photo and fingerprints will be taken.

**Q7b.** What are the main requirements for the **renewal of a residence permit** for international students (e.g. does the student need to prove his/her attendance in HEI courses)?

*Please explain:*

The attendance in HEI courses or other proves are not necessary for the renewal of the residence permit. The residence permit can be renewed, if there are grounds for its re-issuance provided by the *Law for Foreigners in the Republic of Bulgaria*.

**Q8.** Please indicate if the **hosting initiatives and measures** listed below (Q8a-Q8e) are in place in your Member State. Please state who is responsible for these measures.

**Q8a. Is induction and orientation support provided in your Member State** (incl. opening a bank account, registering in the healthcare system, etc.)? *Please select all relevant boxes.*

- Yes, state-organised measures for support in place.
- Yes, support provided by HEIs.
- No

*If you have answered yes, please elaborate on the support measures provided:*

**Q8b.** Is **support with finding housing and accommodation** provided in your Member State? Please select all boxes that apply.

- Yes, state-organised measures for support in place.
- Yes, support provided by HEIs.
- Yes, support provided by other organisations.
- No, support not available.

*If you have answered yes, please elaborate on the type of support provided:*

**Q8c.** Are **preparatory courses (incl. language courses, orientation courses, multicultural sessions, intercultural awareness/diversity courses)** offered in your Member State?

- Yes, state-organised measures for courses in place.
- Yes, courses provided by HEIs.
- No

*If you have answered yes, please elaborate on the courses provided:*

*According to the Ordinance on State Requirements for the Admission of Students in Higher Education in the Republic Of Bulgaria the HIEs shall provide the linguistic and specialized training of foreigners applying for higher education in the Republic of Bulgaria. Language and specialized training shall be organized on the territory of the Republic of Bulgaria in the departments of the HEIs. When such units do not exist in the structure of the respective HEI, language and specialized training takes place in other HEIs, where such departments are established.*

*The language training shall be carried out in the form of study documentation, which shall include curriculum. The training for acquisition of linguistic and specialized knowledge shall be of duration of not less than 9 months and shall be carried out in study groups of no more than 10 persons. Language and specialized training shall be carried out by means of studying of obligatory courses, divided into two groups with a minimum attendance, as follows:*

- 1. for the humanitarian sciences - Bulgarian language or the language in which the training will take place - 800 teaching hours;*
- 2. for all other sciences - Bulgarian language or language in which the training will take place - 650 hours of study and specialized courses - 350 hours.*

*The training in Bulgarian or the language in which the training will take place shall end with a written and oral examination which shall be given to a committee. The specialized training shall end with examinations on all the subjects provided in the curriculum, which shall be given to a committee.*

*Persons who have successfully completed the language and specialized training shall be issued a certificate from the HIE that has carried out the training.*

**Q8e.** If applicable, please describe **any other hosting initiatives and measures not mentioned above.**

*Please elaborate:*

*N/A*

#### **2.4 Rights of international students**

##### **Q9. Right to work**

**Q9a.** How many hours are international students allowed to work per week or months per year?<sup>24</sup>

*[Possible visual element to be included in Synthesis report: map indicating the number of hours in each MS.]*

*Please elaborate:*

<sup>24</sup> See Article 24 of the Students and Researchers Directive.



According to the article 38 of the *Law on Labour Migration and Labour Mobility the third-country nationals who are full-time students at a HEI in the Republic of Bulgaria can pursue short-term employment upon registration by the employer at the Employment Agency within 7 days of its beginning:*

1. *up to 20 hours a week during the school year, and*
2. *during officially declared vacations at the respective higher education establishment.*

**Q9b.** Are any restrictions in place in your Member State in terms of the **type/field of work international students** are allowed to work in?

- Yes, restrictions in place.  
 No

*If you have answered yes, please elaborate on the type of restrictions in place:*

**Q9c.** Do students need to obtain **prior authorisation** (work permit) for the right to work in accordance with national law?

- Yes, prior authorisation required.  
 No

*If you have answered yes, please elaborate on the purpose of this prior authorisation and the entity responsible for granting it:*

**Q9d.** Are international students entitled to exercise **self-employed economic activity**?

- Yes, self-employment possible.  
 No

*If you have answered yes, please elaborate on the regulations in place:*

**Q10.** Do students have the right to **carry out in parallel to their studies or defer their studies for a training or a job** in the Member State?

- Yes, deferral of studies possible.  
 Yes, carrying out a training/job in parallel to studies possible.  
 No

*If you have answered yes, please elaborate on the regulations in place:*

**Q11a.** Do students have to **complete their studies within a maximum period of time**?

- Yes  
 No

*If you have answered yes, please indicate the period:*

**Q11b.** According to Directive 2016/801 Article 21(3), Member states can withdraw the right to stay in the country in case of a lack of progress in the relevant studies. Has your Member State transposed this paragraph to the national legislation?

- Yes  
 No

**Attracting and retaining international students in the EU**

If you have answered yes, please elaborate on the kind of evidence for progress that has to be shown by the student:

**Q12.** Do the **number of years** an international student possesses a residence permit for the purpose of studying count towards being granted access to long-term residence or citizenship?

- Yes.  
 No

If you have answered yes, please elaborate on the regulations in place:

**External factors affecting attracting international students**

**Q13.** Based on existing national sources, what are the **external factors** affecting the attraction of international students in your Member State? (e.g. HEI rankings, your MS being a hub for specific fields, national language(s), culture and other socio-economic factors, such as living costs, ).

Please elaborate:

**2.5 Challenges and good practices in attracting international students**

**Q14.** What are the challenges and good practices that have been observed in your Member State on attracting international students and for whom is it considered a challenge/good practice (HEI, MS, student, other)? For each challenge/good practice: why is this considered a challenge/good practice and is this based on input from experts (if so, which experts)/surveys/evaluation reports/interviews/other?

a) Challenges:

Please elaborate:

There are not any specified policies or measures on national level to keep the third country national students. The efforts of the government are targeted to retain the Bulgarian students from Bulgarian universities and to stimulate the return of Bulgarian students from universities abroad. The lack of specialists in some areas of the national labour market (ITC, engineers, etc.) and the good economic situation in Bulgaria should be stimulators for elaborating the respective measures targeted to retain students not only from Bulgaria and other EU members but also from third countries.

- b) Good practices:

Please elaborate:

N/A

**Section 3. Measures and incentives to retain international graduates****3.1. Measures and incentives for the retention of international graduates.**

This section examines the measures and incentives to retain international graduates after their studies in place in the Member States. Statistics provided in Annex 1.4 and Annex 1.5 will be used to contextualise the measures and incentives reported on by Member States.

**Please note:** in your answers to Q14-16, if applicable, please indicate whether the policy/offer/strategy differs between qualification levels (ISCED levels 5-8).

**Q15.** Measures and incentives to **retain** international graduates in Member States.

**Q15a.** What are the conditions for **access after study** to national labour market/ self-employment/ start up or spin-off activities/ research project?

Please briefly outline the conditions:

The terms and conditions for access of the third country nationals to the Bulgarian labour market are provided in the *Law on Labour Migration and Labour Mobility*. According to the article 38, para 2 after completing the studying, the third-country national shall be entitled, within 9 months, to seek and start work, and to use employment mediation services under the Employment Promotion Law - after submitting an application for registration to the Employment Agency within 7 working days.

- For what period of time does your Member State allow students to stay after studies in order to seek employment or set up a business?<sup>25</sup> What happens after this period? Can the graduate apply for a work permit, for example, after the period has ended?

*Please elaborate:*

The terms and conditions for access of the third country nationals to the Bulgarian labour market are provided in the *Law on Labour Migration and Labour Mobility*. According to the article 38, para 2 after completing the studying, the third-country national shall be entitled, within 9 months, to seek and start work, and to use employment mediation services under the Employment Promotion Law - after submitting an application for registration to the Employment Agency within 7 working days.

- Does your Member State have any restrictions in place regarding the job field in which the international student can seek employment or set up a business?
  - Yes
  - No

*If you have answered yes, please elaborate on the restrictions in place:*

- Does the international student require a minimum level of degree in order to be allowed to stay after studies in order to seek employment or set up a business?<sup>26</sup>
  - Yes
  - No

*If you have answered yes, please indicate the minimum level required:*

**Q15b.** Are there any other particular **policy measures** or incentives to retain international students in place? *Please select all relevant boxes.*

- Lowered salary requirement for a work/residence permit.
- Unrestricted access to the labour market.
- Other incentive(s).
- No.

*If you have answered yes, please briefly elaborate on the measures or incentives in place.*

**Q15c.** Does your Member State follow a **national strategy** or a lower level (e.g. regional) strategy for international students' retention? If so, which institutions are responsible for coordinating international students' retention policies?

- Yes, national strategy in place.
- Yes, lower level strategy in place.
- No, a national strategy is not in place:

<sup>25</sup> See Article 25(1) of the Students and Researchers Directive

<sup>26</sup> See Article 25(2) of the Students and Researchers Directive

**Attracting and retaining international students in the EU**

*If you have answered yes, please briefly elaborate on the main elements of the strategy and which institutions are responsible for coordinating retention policies.*

**Q16.** Are there **initiatives of HEIs or the private sector** whereby support is provided to students following the completion of their studies? (e.g. in specialised or niche areas, in the form of counselling, contract with students to commence work with a company after the completion of their studies). Please also consider initiatives at a regional level. *Please select all relevant boxes and if applicable, please provide best practice examples of the initiatives of universities/HEIs, private sector, local governments, etc. in the retention of international graduates (e.g. in specialised and niche areas, in the form of scholarships, apprenticeship contracts, counselling, etc.).*

- Yes, initiatives implemented by HEIs.
- Yes, initiatives implemented by the private sector.
- Other initiatives.
- No

*If you have answered yes, please elaborate and provide 1-2 examples of best practices:*

**Q17.** Does your government and/or HEIs implement any strategies in your Member State to encourage former international graduates (i.e. international alumni who have already left the (Member) State) to establish and/or maintain a connection to the national labour market? *Please select all relevant boxes.*

- Yes, strategy implemented by HEIs.
- Yes, strategy implemented by the government.
- No

*If you have answered yes, please elaborate on the main elements of the strategy:*

### **3.2 Challenges and good practices in retaining international students**

**Q18.** What are the (a) challenges and (b) good practices that have been observed in your Member State on retaining international students and for whom is it considered a challenge/good practice (HEIs, MS, student, other)? For each challenge/good practice: why is this considered a challenge/good practice and is this based on input from experts (if so, which experts)/studies/evaluation reports/surveys/interviews/other? Please briefly summarise the input and findings of these experts/studies/evaluation reports/interviews/other.

- A) Challenges:

*Please elaborate:*

- B) Good practices:

*Please elaborate:*

## Section 4: Bilateral and multilateral cooperation with third countries

**Q19.** Has your Member State concluded and/or intends to conclude any bilateral and/or multilateral agreement with countries of origin concerning international students? Please distinguish between agreements in place with countries with developed economies and those with developing economies<sup>27</sup> as classified by the United Nations<sup>28</sup> and summarise and provide an overview of the type of agreements – without listing all the agreements and detailed provisions.

*[Possible visual element to be included in the Synthesis report: map indicating the regions/countries of origin with which agreements are in place.]*

Yes, bilateral/multilateral agreements in place or planned with industrialised countries. *Please elaborate on the aspects listed below):*

- The most common provisions of the agreements;
- Most common world regions/countries of origin with which agreements have been concluded;
- Are specific fields of studies or qualification levels covered in the agreements?
- Are specific categories of persons covered under the agreements? (e.g. specific age groups; gender; other socio-demographic characteristics)

Yes, bilateral/multilateral agreements in place or planned with developing countries. *Please elaborate on the aspects listed below):*

- The most common provisions of the agreements;
- Most common world regions/countries of origin with which agreements have been concluded;
- Are specific fields of studies or qualification levels covered in the agreements?
- Are specific categories of persons covered under the agreements? (e.g. specific age groups; gender; other socio-demographic characteristics)

*Agreement for Cooperation in the Field of Education Between the Ministry of Education and Science of the Republic of Bulgaria and the Ministry of Education of the People's Republic of China for the period 2016 – 2019. During the period of validity of this Agreement, the two countries shall exchange students and postgraduates annually for full or part-time studying. The number of exchanged students and graduates should not exceed 35 people per year.*

*The two countries support and promote cooperation between HEIs in the field of science and research on issues of mutual interest. The specific directions of cooperation, such as research topics and financial conditions, are negotiated directly between the HEIs of the two countries. The countries exchange information and materials for international scientific events in the field of secondary and higher education and provide assistance to specialists to participate in them.*

*The selection of students shall be carried out by the sending country, which shall provide the receiving country with the applicant's documents no later than the end of March of the current year.*

*The transport costs of students pursuant to this Agreement to the place of study shall be covered by the sending country. The receiving country shall exempt students pursuant to this Agreement from payment of tuition fees and shall provide them with free accommodation and a scholarship in accordance with the provisions of the respective legislation.*

No bilateral/multilateral agreements in place or planned.

**Q20.** Are there any measures or incentives in place to avoid **brain drain** when attracting and retaining international students?

<sup>27</sup> This distinction is relevant as the objectives and purpose of such agreements could differ significantly between these two categories.

<sup>28</sup> [http://unctadstat.unctad.org/EN/Classifications/DimCountries\\_DevelopmentStatus\\_Hierarchy.pdf](http://unctadstat.unctad.org/EN/Classifications/DimCountries_DevelopmentStatus_Hierarchy.pdf)

- Yes, measures related to brain drain in place.  
 No

*If you have answered yes, please elaborate on the measures in place:*

**Q21.** Do HEIs in your Member States have initiatives and cooperation agreements with HEIs in third countries in place? If so, what types of agreements and for which purpose (e.g. student exchange programmes)? *If there are many different agreements in place, please only provide 1-2 examples of agreements in place.*

- Yes  
 No

*If you have answered yes, please elaborate on the initiatives/cooperation agreements in place and provide 1-2 examples:*

The cooperation agreements between Bulgarian HEIs and foreign ones is a part of their autonomy. Most of the agreements concern exchange of experience and knowledge. There is also such arranging exchange of students, lecturers and staff. Unfortunately the content of these agreement is not accessible from distance and it is impossible to assess their content.

**Q22.** What are the (a) challenges and (b) good practices that have been observed in your Member State with regard to bilateral and multilateral agreements and for whom is this considered a challenge/good practice (HEIs, MS, student, other)? For each challenge/good practice, why is it considered a challenge/good practice and is this based on input from experts (if so, which experts)/studies/evaluation reports/surveys/interviews/other? Please briefly summarise the input and findings of these experts/studies/evaluation reports/interviews/other

- A) Challenges:

*Please elaborate:*

- B) Good practices:

*Please elaborate:*

## Annex 1 National statistics

Please fill in the attached excel sheet with the respective statistics for your Member State. The Statistical Annex consists of the following:

- Annex 1.1.: Contextual statistics on the types of HEIs
- Annex 1.2.: Number of students per field of study
- Annex 1.3.: Number of international students enrolled in universities by top 5 nationality and gender
- Annex 1.4.: International students who have graduated, interrupted or terminated their studies
- Annex 1.5.: International students who have remained in the (Member) State **at least two years** after graduation per reason



Statistical  
annex\_students study\_