

**Meeting Note: Cabinet Secretary for Culture and External Affairs and
EU Commissioner for Education, Youth and Multilingualism**

Date: 14 August 2012

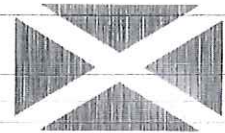
Location: Scottish Parliament

Attendees: EU Commissioner, Androulla Vassioiou
Cultural Attaché for the European Commission, **(REDACTED)**
Member of the Cabinet of Commissioner Vassiliou, **(REDACTED)**
Cabinet Secretary for Culture and External Affairs, Fiona Hyslop
Acting Director, Culture, External Affairs & Constitution, **(REDACTED)**

(REDACTED)

Ms Hyslop then raised the issue of education with particular reference to the requirement to pay fees for EU students but not for rUK students. She noted that the SG welcomed EU students to Scotland but continued to explore options to mitigate the costs of the increasing number of EU students wishing to study in Scotland. Mme Vassiliou advised that related cases were currently subject to legal consideration (in Austria and Belgium); that the only two issues upon which a case might be made related to threats to the public health system and to security. She further advised that the courts had decided in favour of Belgium with the agreement of quotas for specific health-related specialisms.

(REDACTED)



The Scottish
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Riaghaltas na h-Alba

Cabinet Secretary for Education and Lifelong Learning
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Commissioner Androulla Vassiliou
European Commission
200 rue de la Loi
(BERL 10/110)
B-1049 Brussels

22nd December 2010

I am writing to ask for a meeting to explore the implications of EU law for tuition fee policy in Scotland.

As you will know, Scotland has a long and proud history of university education. Today, Scottish universities remain the beacon of our international reputation, attracting record numbers of overseas students, competitive global rankings and providers of 1.8 per cent of the world's cited research despite only having 0.1 per cent of the world's population.

The Scottish Government is committed to sustaining and supporting the quality of our universities and the competitively skilled workforce they yield - to the benefit of our economy.

As a consequence of the changes taking place in England where tuition fees are being raised to up to £9,000, we intend to raise tuition fees for students from the rest of the UK, to ensure Scotland continues to be the best option, not the cheap option, for learners. This will help protect our universities as one of our most valuable assets and ensure a sustainable future of higher education and the benefits it yields for Scotland.

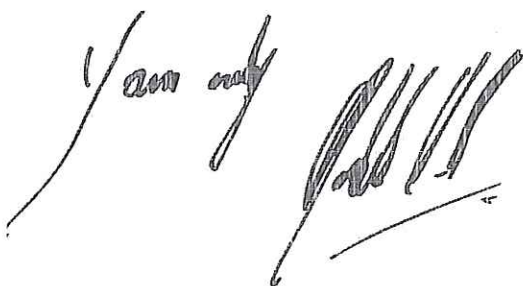
We are however, concerned over the position in relation to students from the rest of the EU. Under current arrangements, while Scottish Ministers are not obliged to pay

fees on behalf of students from other parts of the UK studying in Scotland, we have been obliged to pay fees on behalf of students from the rest of the EU who choose to study here.

We believe this position is unfair. Not only does it raise issues of equity but also of reputation, given that it is such anomalous situations which can damage the reputation of the EU.

I would welcome the opportunity to discuss this issue with you with a view to finding an equitable solution that allows Scottish Ministers to charge appropriate fees on the same basis to all students coming from outwith Scotland to study in our Higher Education sector.

I look forward to hearing from you.

A handwritten signature in black ink, appearing to read 'Yam my' followed by a stylized signature that looks like 'M. Russell'.

MICHAEL RUSSELL

BACKGROUND NOTE FOR PQ S4W-07187

Meetings with the Commission on the EU Management Fee

1. You originally wrote to Commissioner Androulla Vassiliou on 17 December 2010. This led to your meeting with Philippe Brunet (Head of Commissioner Vassiliou's cabinet) on 8 Feb 2011 where you discussed unbalanced flows of EU students across Europe. He acknowledged the 'problem was real', widespread and 'needed to be tackled'. He suggested some further discussion might be helpful and that a Working Group might be set up to explore these issues [we understand the group has not yet been set up]

Note of Meeting with Jordi Corell Gotor, Director of Higher Education and International Affairs, European Commission – 26 April 2012

2. You outlined the Scottish approach to free education and the importance of higher education given its wider societal benefit. You pointed out that EU students can access world class education for no fee and that this creates anomalies and tensions. You suggested that offering free education to RUK students would leave Scottish universities swamped with numbers.
3. Mr Corell said that the Commission were aware of the situation but that EU law is clear on the fundamental principle of freedom of movement. He referenced the Austrian and Belgian situations regarding unbalanced mobility and suggested specific pragmatic solutions should be pursued in each case. He added that the Commission would be open to discussions on particular issues.
4. You concluded by informing Mr Corell about his intention to share data with the Austrians and the possibility of holding a wider meeting based upon this. You said you wanted to discourage "academic tourism" and bending of regulations, as in the Northern Irish situation. You were clear that you wanted to work within EU law.

(REDACTED)

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EU students flock to Scottish universities

13/01/2011

A record number of EU students have enrolled at Scotland's universities, up 17 per cent last year new statistics revealed today as Education Secretary Michael Russell highlighted their cost to the taxpayer has risen almost fourfold since the start of the decade.

Figures from the Higher Education Statistics Agency (HESA) show that between 2008-09 and 2009-10:

- The number of Scots starting full-time courses in 2009-10 increased by three per cent - from 38,740 to 40,045 year-on-year
The number of EU students increased by 17 per cent, from 13,585 to 15,930. This is an increase of 94 per cent on 2000-01 when 8,195 EU students came to Scotland
In contrast the number of EU students attending English institutions increased by only six per cent between 2008-09 and 2009-10
Enrolments from full fee-paying non-EU students increased by five per cent - from 23,960 to 25,075
The number of enrolments from the UK increased by one per cent to 179,905, with an overall increase of six per cent since 2005-06
In total, there were 220,910 enrolments at Scottish HEIs, up three per cent - almost two-thirds of the increase was due to enrolments from overseas students

European law means that the Scottish Government is obliged to pay the fees of students living in non-UK EU countries - at a cost of more than £75 million a year in 2009-10 compared to £20 million in 2000-01 when 8,195 EU students came to Scotland.

As part of the ongoing debate over the future of higher education, Mr Russell is seeking to end an anomaly that sees students from across Europe receive free education.

The Education Secretary said:

"Scottish universities have always been cosmopolitan institutions - that is part of their attraction - but we cannot allow them to become a cheap option for students who have to pay to go to university in their home countries. That's why I have made clear our intention to tackle the anomalous situation that forces the Scottish Government to pay on behalf of students from the rest of the EU who choose to study here.

"Having already written to EU Commissioner Androulla Vassiliou, I intend to seek a meeting with her to discuss the issue when I visit Brussels next month. The number of EU students has almost doubled in recent years and the total cost has risen almost fourfold. The Scottish taxpayer is now facing a bill of £75 million a year. That is simply not tenable.

"These figures are all for the year before it became clear that England would triple the fees students are forced to pay. Building a Smarter Future - our green paper for a sustainable future for higher education in Scotland - makes clear, faced with fees in England increasing up to £9,000, our intention to raise fees for students from the rest of the UK. The need to take this action is underlined by today's figures that show an increase of 12 per cent in the number of entrants from England - three years before the higher fees are introduced there.

"That said, I am pleased to see that not only has the number of Scots starting full-time courses increased, overall university enrolments are up three per cent year-on-year. These figures demonstrate once again the high international standing of Scottish higher education.

"However, it is crucial that we ensure our universities retain their international competitiveness and continue to attract students on the basis of their academic ability, not because they are perceived as being a cheap option."

Listen

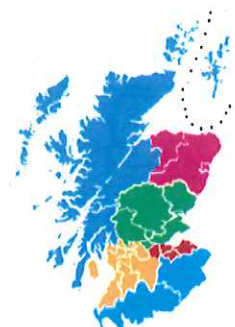
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Higher Education Statistics Agency

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