



### **Questions and answers on the Commission's proposal to open negotiations on EU-UK youth mobility**

Brussels, 18 April 2024

#### **What is the Commission proposing?**

The Commission has adopted a Recommendation to the Council to open negotiations with the UK, with a view to conclude an agreement on youth mobility between the EU and the UK.

The objective would be to facilitate youth exchanges, making it easier for young EU citizens to travel, work and live in the UK, with reciprocity for young UK nationals in a Member State.

#### **Why is the Commission making this proposal?**

The withdrawal of the UK from the EU has resulted in decreased mobility between the EU and the UK. This situation has particularly affected opportunities for young people.

The UK has shown interest in the issue by reaching out to a number of Member States on youth mobility.

With this proposal, the Commission seeks to address this matter of common concern in an EU-wide manner.

#### **How does this initiative relate to the existing agreements between the EU and the UK?**

The Withdrawal Agreement protects the rights of EU citizens that were residing in the UK on 31 December 2020 (if they had exercised their right to free movement under EU free movement law when it still applied) and the rights of UK nationals that were residing in a Member State at that time.

The EU-UK Trade and Cooperation Agreement does not address the mobility of people i.e., taking residence in a different country after 2020.

#### **What would the envisaged agreement be about?**

The envisaged agreement would benefit both EU and UK citizens aged between 18 to 30 years. The eligible people would be able to stay for up to 4 years in the destination country.

The envisaged agreement would set out the criteria to be fulfilled by the beneficiaries of the agreement.

Mobility would not be purpose-bound, i.e., beneficiaries should be able to undertake different activities during that period, such as studying, training, working or travelling, neither would mobility be subject to a quota system.

#### **Would the envisaged agreement amount to reinstating free movement as it applied while the UK was a Member State?**

No. The envisaged agreement would provide for limited-in-time mobility, subject to the fulfilment of conditions to be checked before the mobility can take place. The conditions should also be met during the stay. It is not about conferring to young UK nationals the benefits of the fundamental freedom of movement enjoyed by EU citizens.

At the time when the UK was a Member State, UK nationals had the right to move and reside freely within the EU. This is not reinstated.

#### **Which are the formal conditions to be respected?**

The envisaged agreement would set the general conditions for admission: e.g., valid travel document, valid comprehensive sickness insurance, proof of sufficient means of subsistence. Those conditions would have to be checked before the mobility and remain consistent during the duration of stay.

It would also set the relevant grounds for rejection of applications such as threats to public policy, public security or public health.

Fees for issuing a visa or residence permit should not be disproportionate or excessive.

The UK sponsorship scheme (or a similar scheme) would not apply to the beneficiaries of the envisaged agreement. The same holds for the so-called "healthcare surcharge".

### **Are you addressing specific barriers for students and trainees?**

The envisaged agreement would address the most important practical barriers for mobility of students and trainees.

For instance, it would aim at ensuring that EU citizens can undertake traineeships in the UK, even when those traineeships are connected to studies in the EU. It would also provide for equal treatment (i.e., non-discrimination) between EU and UK citizens in respect of higher education tuition fees.

### **Why are you proposing an agreement at the EU level? Why not a collection of parallel bilateral deals at the level of the Member States?**

Only an EU-level approach will ensure that all Member States are treated equally in respect of mobility of young people to the UK. This is one of the key considerations of the 2018 European Council guidelines on relations with the UK.

Parallel negotiations by Member States neither guarantee that the UK would be interested in reaching an agreement with each Member State nor would they guarantee that each Member State would be treated equally.

### **How does the Commission's proposal relate to existing visa/residence permit paths in the EU and the UK?**

The envisaged agreement would create an additional mobility path for young people. It would coexist and not replace existing paths for entry and stay (or visa/residence paths).

The EU has developed common rules on the entry and residence of certain categories of third-country nationals. These rules cover research, studies, training, voluntary service and apply to all third country nationals, including UK nationals.

The UK has different visa paths allowing, for instance, to work or study.

### **How does the Commission's proposal relate to the commitments and reservations in the EU-UK Trade and Cooperation Agreement to provide services?**

The envisaged agreement relates to taking residence for a period of more than 90 days and the equilateral access to labour markets. The provision of services is exhaustively addressed in the EU-UK Trade and Cooperation Agreement and not within the scope of the envisaged agreement. It would not deal with the entry and temporary stay of natural persons to provide services.

### **How is this initiative linked to the 90 days rule for short-term travelling to the Schengen area?**

The envisaged agreement would not change the rules on checks of persons entering the territory of the other Party.

For example, existing requirements for travel documents (passports), travel facilitations (specific lanes for certain nationals) and conditions for visa-free travel for short term visits to the EU and the UK (such as, for the Schengen area, the limitation of stay to 90 days in any 180-day period) are not within the scope of the proposal. These rules are set unilaterally by the EU and the UK

### **What are the main differences between the Commission's approach and the UK's Youth Mobility Scheme offer to some Member States?**

The UK's Youth Mobility Scheme does not address the issues most frequently raised by young people in the context of mobility between the EU and the UK:

- the question of equal treatment of EU students with United Kingdom nationals on issues such as tuition fees;
- the difficulties to perform traineeships/internships in the United Kingdom in the context of an EU study programme;
- the high costs (visa application fee, healthcare surcharge);
- the absence of supporting schemes such as Erasmus+.

Furthermore, the UK's Youth Mobility Scheme is based on limited quotas that the UK adjusts depending on its outbound interests and overall migration levels.

The UK's Youth Mobility Scheme has not been offered to all EU Member States.

### **Why are higher education tuition fees a barrier for EU students?**

As a consequence of Brexit, most EU students (unless being beneficiaries of the citizens' rights part of the Withdrawal Agreement) who wish to study in the UK are no longer entitled to home tuition fees and must pay overseas or international tuition fees.

The level of tuition fees for international students for an undergraduate degree varies between £11,400 and £38,000/year, while the average costs is estimated to be around £22,000/year.

Tuition fees in EU public universities are generally not that high for international (non-EU) students.

The envisaged agreement would provide for equal treatment of EU and UK students as regards higher education tuition fees.

### **Why do you say that UK visa fees are high? What's the impact of the United Kingdom's healthcare surcharge?**

Visa fees in the United Kingdom are generally high: e.g., £490 for a student visa; from £719 to £1,639 for a skilled worker visa (employers also face the costs related to complying with the sponsorship system). In addition, a healthcare surcharge is requested: usually £776/year for a student visa holder and £1,035/year for a skilled worker visa holder.

The envisaged agreement would provide that visa/residence permit fees are neither disproportionate nor excessive.

It would also remove the healthcare surcharge for those falling under the scope of the agreement.

### **What is the issue with traineeships in the UK?**

Generally, a trainee is considered a worker/employee under UK law (unless he/she falls under the "volunteer" category). Therefore, EU citizens can only undertake traineeships if they comply with the conditions for specific work visa paths, including the specific salary thresholds for obtaining the visa (e.g., skilled worker visa).

On the contrary, students in the UK are entitled to partake in internships for less than one year and derogate from the minimum wage rule when the internship is required by a UK-based higher education course.

According to the envisaged agreement, EU students would benefit from the same opportunity to undertake traineeships in the UK when such traineeships are required by or part of EU-based studies.

### **What happens to social security coverage?**

The EU-UK Trade and Cooperation Agreement contains rules on social security coordination that support mobility of persons under the domestic rules of either the EU or the UK. These rules would also apply to the mobility under the envisaged agreement.

### **Would the envisaged agreement affect the Common Travel Area with Ireland?**

The envisaged agreement would not affect Ireland's arrangements with the UK under the Common Travel Area.

### **Could a UK national move from one Member State to another under the proposed agreement? What would be the rules for this intra-EU mobility?**

The envisaged agreement would not grant intra-EU mobility rights. The admission of a UK national by a Member State under the envisaged agreement would only be valid for that Member State. Travelling for up to 90 days within the rest of the EU would be subject to the conditions in the Schengen acquis or national legislation.

### **Can the UK still join EU programmes like Erasmus+ and Creative Europe?**

The framework conditions for the UK to associate to EU programmes are already foreseen in the EU-UK Trade and Cooperation Agreement.

The current UK government has not expressed an interest in rejoining Erasmus+ or Creative Europe.

Should the UK express to associate to Erasmus+, the Commission remains open to look into this process together with our UK counterparts.

The conditions for the participation of the UK in EU programmes, such as Erasmus+, are established by Part Five of the EU-UK Trade and Cooperation Agreement.

**For more information**

[Press release](#)

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