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# *NESSIE Activity report February 2013*

The NESSIE Network has one annual meeting and one or two Chair meetings per year. The Network is currently co-chaired by Germany, Romania and Norway (2011-2013). The Network is a group of experts aimed at providing and exchanging information in the area of student support, in order to promote portability of the respective national loans and grants. The participants are countries that do not have portable support, countries planning to introduce portability and countries with portable support.

1. **Report for 2012**

The annual Network meeting took place in Bucharest, Romania, 18-19 June 2012. The co-chairing countries met during spring 2012 to prepare the meeting. The meeting agenda had four major issues: The proposed EU Student Lending Guarantee Facility, NESSIE and the EHEA Mobility strategy 2020, Quality assessment criteria for student support abroad as a peer learning activity and review of pending EU cases. Also, the participants discussed the Country Information Templates and exchanged national news and updates on portable student support.

**The proposed Student Lending Guarantee Facility**

The Network observes the process of preparing a Student Lending Guarantee Facility in the European Union. Following a presentation of the proposed scheme of a representative from the European Commission, the Network discussion focused on issues like the scheme replacing national loan schemes, brain drain, the risk of excluding students from lower socio-economic background, equity of access and the need for more financial support to ensure mobility in Europe.

**EHEA Mobility Strategy 2020**

The Network took note of the Strategy outlining the need for further improving the the exchange of information on portability in order to widen the reach of portable grants and loans.

**Quality assessment criteria for granting portable support**

Quality assessment criteria are set in each country as a precondition to grant portable support. The scope and nature of these criteria differ, ranging from the need of mutual bilateral agreements between countries to the need of recognition from a home institution or a foreign quality assurance agency. The reason to discuss best practice in this field is that there may be potential for simplification, therefore also potential to reduce an obstacle to mobility. The Network exchanged information about the different national approaches to this issue. It was agreed to make a template giving an overview. The completed template has been made available for NESSIE-Members in the Backoffice area on the EHEA webside.

**Review of pending EU cases**

The EU Court of Justice has recently taken up several cases that address the residency criterion. The requirement to have been residing in the country granting support for a certain period of time is often mandatory in countries with portable support. This condition should mainly ensure that the student has a real link to the country granting support, whether this is the home country or the host country. The question that arises in the court proceedings is whether a requirement of this nature constitutes a restriction of the right to freedom of movement (art. 20 and 21 TFEU) and of the right to freedom of movement for workers (art. 7(2) of Regulation No 1612/68).

The current cases concerning Germany (Cases C-585/11, C-523/11, C-220/12, C-275/12 ), the Netherlands (Case C-542/09) and Denmark (Case C-46/12) were presented and discussed. The case ruling in the case concerning the Netherlands concluded that a residence criterion is not the sole element representative of the actual degree of attachment between the student and the country susceptible of providing support.

1. **Plans for 2013**

The Chairs have started to plan the 2013 plenary meeting which will be held in Berlin on 23-24 May. The current co-chairing team will be replaced by new Chairs after the plenary meeting.

The agenda of that plenary meeting will inter alia follow the possible implementation of a EU Student Loan Guarantee Facility. The recent EU court rulings and new pending ECJ cases will also be discussed, including possible interpretations of the rulings. Whether any countries are planning to or already have changed their legislation as a consequence of the ruling in the case concerning the Netherlands and the other residency criterion cases, or have chosen not to, is another key issue to explore in detail.

The role of NESSIE concerning assessment of portable student support in Europe initiated by the Mobility WG as well as concerning the work of the Social Dimension WG will be discussed.

Further, the plenary meeting will discuss the outlines of a NESSIE work plan 2013-2015 and possible future activities for the network in light of the need to further improve the exchange of information on portability.

Co-chairs:

Germany, Norway, Romania

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