

EN

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Answer given by Executive Vice-President Mînzatu
on behalf of the European Commission
(5.6.2026)

The Commission promotes mobility in all fields of study. Measures restricting access to higher education are in principle prohibited by EU law as they may constitute direct or indirect discrimination based on nationality. They can be justified by a legitimate objective (such as protection of public health) but need to be appropriate for securing the attainment of that objective, should not go beyond what is necessary, and ensure sufficiently wide access to higher education, in line with case-law¹.

In line with the case-law quoted above, under EU law, quotas restricting access to higher education are in principle prohibited as they may constitute direct or indirect discrimination based on nationality, contrary to Article 18 of the Treaty on the functioning of the European Union, the Commission aims at removing obstacles to mobility in education.

The Commission actively supports Member States in balancing local labour market needs with EU-wide mobility through targeted funding and policy initiatives.

EU programmes such as Erasmus+, the European Social Fund+ or the European Regional Development Fund also support the development of the local economy by creating opportunities for students to contribute to the local market after graduation. A study on balanced and inclusive learning mobility (covering degree and credit mobility) is expected in 2026, following the Council Recommendation ‘Europe on the Move’². Member States are encouraged to leverage EU tools to address skills gaps, including through collaboration, through a combination of funding incentives, policy coordination, cross-border cooperation, and structured partnerships between education providers, employers, and regional authorities.

¹ Judgment of 13 April 2010, *Nicolas Bressol and Others and Céline Chaverot and Others v Gouvernement de la Communauté française*, C-73/08, EU:C:2010:181.

² <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32024H03364&qid=1778245129107>.