



# **CEPLIS TELEGRAM**

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**European Parliament resolution of 15 November 2011 on the implementation of the Professional Qualifications Directive (2005/36/EC)**



As you may have already heard, the European Parliament has published the 15th of last November a Resolution relating to the implementation of the Professional Qualifications' Directive (2005/36/EC).

Both the substance and the timing of the resolution in question are somehow surprising. Indeed, it is rather unusual for the European Parliament to take a stand on a Piece of EU legislation before the publication of the European Commission's official Directive proposal. Unorthodox as it is, this way of proceeding can be interpreted as a wish of the EP to increase its own power at the expense of the EC who is the European Institution in charge of the legislative initiatives. It also reflects a strong interest of the EP vis-à-vis this issue that CEPLIS is

now actively following for several months. At the same time, it is interesting to note that the European Economic and Social Committee has not published anything on this topic since the early discussions that led to the decision to modernise the 2005/36 directive.

What is this Resolution about?

### **Simplification for citizens**

- The Parliament Points out that the principle of partial access is difficult to monitor in practice and must be clarified.

- The EP welcomes the overall success of the automatic recognition procedure.

- It argues that the competent authorities face difficulties in applying the prior declaration regime as there is no consistent approach to assessing the temporary and occasional nature of a service, and that it is extremely difficult to monitor the service providers' activities on the ground.

- The EP agrees with the Commission that the definition of 'regulated education and training' is too restrictive and may have an undue impact on temporary mobility for professionals; it considers that the definition should encompass any training that allows a profession to be pursued in the Member State of origin.

- It argues that dialogue and exchanges of information within each individual profession must be enhanced, and that cooperation between the competent authorities and national contact points must be improved, at both national and intra-Member State level; calls on the Commission to facilitate networks of competent authorities and professional bodies of the most mobile professions, to exchange general information about national processes and education requirements and to share best practice and investigate possibilities for deeper cooperation, such as common platforms.

- The EP calls on the Commission to reduce the recognition time period through greater use of IMI and to optimise procedures that could also facilitate mobility.

- It stresses that it is particularly complicated and costly for the authorities to examine qualification levels pursuant to Article 11, and very difficult for citizens to understand; suggests that the five levels of qualification pursuant to Article 11 often lead to confusion with the eight levels of the European Qualifications Framework; notes, therefore, that deleting

levels of qualification, including Annexes II and III, would considerably simplify the recognition process.

### **Updating existing provisions**

- The Parliament urges the Commission not to fragment the process of modernising automatic recognition.
- The EP calls on the Commission to look into the possibility of further extending the scope for automatic recognition in future.
- It asks for further clarification of the proposed lengthening of the duration of general education as an admission requirement for nurse and midwife training.
- Calls on the Member States to carry out a comparison of minimum training requirements and to organise more regular exchanges among themselves, and also among the competent authorities, with a view to bringing minimum training requirements more closely into line.
- Argues that the most effective way of making free movement of professionals possible would be to reduce the number of regulated professions in the EU.

### **Upgrading public health and safety**

- The Parliament argues that protection of consumer and patient safety is a vital objective in the context of the revision of the directive and that the success of this directive depends greatly on ensuring mobility while guaranteeing safety; draws attention to the special status of healthcare professionals.
- Calls for the establishment, within the framework of the Internal Market Information System (IMI), for those professions not already covered under the Services Directive, of a proactive alert mechanism.
- Highlights the call from stakeholders to place greater emphasis on continuous professional development (CPD), including (life-long) formal, non-formal and informal learning, and on the need to assess it; points out that global competition and the orientation towards a knowledge-based economy are creating new challenges for skills development and education; calls on the Commission, therefore, to explore methods of documenting all education, perhaps via European Skill Passports and the European Qualifications Framework,

as well as IMI, and to devise a comparability table of the various CPD systems existing in the Member States.

- Calls on the Commission and the Member States to revise the language requirement regime for the healthcare professions by providing the competent authorities with the necessary flexibility to ascertain and, only if necessary, test the technical and conversational language skills of professionals as part of the recognition process.

### **Integrating professionals and injecting confidence into the system**

- The EP insists that any professional card must be voluntary, should certify the academic and professional experience acquired and must be linked to the IMI system; believes that a professional card could be a useful tool to aid mobility for some professions, simplify administrative procedures and enhance safety.

- It supports the extension of the IMI to professions not yet covered by this information system. The EP also calls for mandatory introduction of the IMI for competent authorities in order to facilitate proactive administrative cooperation and simplify recognition procedures; considers that the IMI could be further enhanced, for instance by expanding the features available in order to facilitate the work of national authorities.

- The EP highlights the fact that the concept of common platforms, as outlined in Article 15 of the directive, has not been successful in that no such platforms currently exist; argues that they have the potential to be useful tools in facilitating mobility and that they should be defined and controlled by the professionals themselves.

After briefly reviewing the various points of the Resolution in question, we conclude that the EP's position is relatively close to ours. Indeed, on some important points such as professional cards, language testing IMI, or Article 11, the Parliament's position is not that different from CEPLIS's. This should be seen as an encouraging and promising sign for the future Directive proposal. It is in fact unlikely that the demands of the Parliament to the Commission are ignored.

You can find the full version of the resolution on this page: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2011-0490+0+DOC+XML+V0//EN>.

## FEANI launches a Professional Card for Engineers



As you maybe already know, the **European Federation of National Engineering Associations (FEANI)**, Observer Member of CEPLIS, has announced the 7<sup>th</sup> of last November, at the occasion of the Conference organized by the European Commission in order to present the results of the Public Consultation on the modernization of the Directive “Professional Qualifications” (2005/36), it’s intention of launching in the immediate future a European Card for Engineers.

Our colleagues from the General Secretariat of FEANI in Brussels have explained us the motivation behind the initiative: *“In front of the multiple difficulties to set up a Card for all the professions, FEANI has decided to launch its own Professional Card for Engineers. This card should combine professional experience and academic background in order to facilitate the recognition process of qualifications for the Engineers and thus, facilitate their mobility.”*

The Card in question has the ambition to cover five features, which are key to its eventual success :

1. **Completeness:** The information contained on the Card should be comprehensive, i.e. it should provide a complete overview of the academic education, professional experience and further training of the card holder.
2. **Standardization based on European norms:** The information contained on the Card should be standardized in line with existing European norms. For example the EUR-ACE criteria, are the relevant ones for the academic education of engineers.
3. **Reliability:** The information contained on the Card should be reliable. The qualifications should be tested and recognized in the country of origin by an independent registry commission. The commission in question should be made up of

experts of the engineering profession from universities, engineering associations and the industry. Only this work of the registry committee in the country of origin should ensure that the Card is widely recognized.

4. **Decentralization:** The professional card should be introduced and administered at the level of each individual EU Member State. This means that qualifications obtained in the cardholder's country of origin should be documented. In addition to the standardized entries, country-specific additions in line with national requirements should be also possible.
5. **Non-compulsory character:** Holding the Card should be voluntary, i.e. engineers should not be obliged to carry it. Rather, the Card should represent a service for all those engineers who wish to be mobile within the EU. This should ensure that the Card offers a needs-based solution and that unnecessary costs and bureaucracy are avoided.

*For more information, please contact our secretariat by e-mail ([celpis@skynet.be](mailto:celpis@skynet.be)) or by phone 003225114439.*

## 1st European Engineers' Day



This coming 8th of December the European Council of Civil Engineers (ECCE) and the European Council of Engineering Chambers (ECEC) are co-organising the “1st European Engineers’ Day in Brussels”.

The scope of the event in question is to demonstrate the importance of the role and of the contribution of Chartered Engineers to society, as well as their dedication to the public interest, the raise of the quality of life and a sustainable environment. As the organisers put it, “chartered Engineers providing high quality services design and construct the built environment and the necessary infrastructure for improving the life quality of the European Citizens. The Engineers act as professionals within a framework of high morale and ethical standards seeking the sustainable development”.

Focus will be placed on the role of Chartered Engineers in Europe (engineering value for society and living conditions, professional structure, and professional mobility) and on “Engineering Quality and Public Procurement”.

The Steering Group of the event consists of: Josef Robl (ECEC President), Gorazd Humar (ECCE President), Vassilis Economopoulos (ECCE Immediate Past President), Efstathios Tsegkos (ECEC General Secretary), Fernando Branco (ECCE Vice President/President Elect), Cornelia Hammerschlag (ECEC). Amongst the speakers we note in particular: Maria Damanaki (European Commissioner for Maritime Affairs and Fisheries), Adel al Kharafi (WFEO President), Etelka Barsi-Pataky (President of the Hungarian Chamber of Engineers, Government Commissioner of the Danube Strategy, former MEP and Hungarian Ambassador in Austria), Jürgen Tiedje (Head of the Unit for Free movement of Professionals, DG MARKT, EC) and Rudolf Kolbe (CEPLIS Vice President).

Our impression is that organising a similar event could be an excellent way to raise EurEta's visibility, strengthen its appeal to potential new members and confirm its place as representative of a less well-known sector of the Engineering family.