



# CEPLIS TELEGRAM

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## **“Evaluating the Professional Qualifications Directive”**

As you all know CEPLIS has attended the 17<sup>th</sup> of March a conference organised by the European Commission on “Evaluating the Professional Qualifications Directive”. The event marked the starting point of the evaluation process of the Directive in question in the context of its eventual review in 2012. The Commission’s objective was to get feedback from European associations representing the professions concerned by the Directive 2005/36/EC on the basis of a non paper (see our mail of 16/03/2010). The meeting was chaired by **Mr. Tiedje**, Head of Unit for Professional Qualifications within DG MARKT and the panel was composed of 4 Legal officers working within his Unit : **Ms. Siaterli, Ms. Baeyens, Mr. Mogyoro and Mr. Wiedmann** .

The event began with two short presentations. The first one gave an insight on the theoretical aspects of the evaluation process of EU legislation (presented by Mr. Stengg, Head of Unit “Better Regulation Cycle: impact assessment and evaluation” within the Commission).

The second one, given by Mrs. Siaterli, aimed at proposing an overview on the current state of affairs with regard to the implementation process of the Directive Professional Qualifications. According to the Commission’s Legal Officer, the transposition procedure is completed for all the EU Member States except for Austria, Belgium, France, Luxemburg and Greece. Mrs. Siatelli informed also the participants that an updated version of the scoreboard on the implementation process of the Directive ( for the last version of this scoreboard see CEPLIS telegram 22/09) shall be published by the beginning of April.

Following these two speeches a “question-answer” session between Professional Associations and the panel gave participants a chance to explain their opinion on a number of specific questions linked to the Directive.

Questions were divided into three parts: “Mobility of professionals in practice”, “New developments” and “Role of professional bodies”.

Regarding **Mobility of Professionals**, several professional associations pinpointed a number of issues such as: language knowledge; the problems faced by workers originating from a Member State where their profession is not regulated and moving to another one where the same profession is regulated; Consumer/patient protection.

Answering to some of these questions the panelists notably underlined the fact that regulating the professions is a prerogative of the Member States (subsidiary principle). In that sense, the Commission can not force a government to regulate a specific profession. **With regard to language requirements Mr. Mogyoro stressed the jurisprudence of the European Court of justice according to which language can not be part of a recognition procedure.**

Concerning **New Developments**, there was a number of questions related to sectoral professions, education, labour market and new technologies. Most of the participants underlined the need to take Continuous Professional Development (CPD) into consideration in the framework of a reform of the Directive. Some of them insisted as well on the importance of evaluating professional training not only in terms of duration but also in terms of competences. In that sense they highlighted the issue linked to the lack of available data on qualifications and the urgent need to update the minimum qualifications requirement concerning the seven sectoral professions that benefit from direct recognition. With respect to access to the labour market, they also expressed some concerns regarding the current deregulation process which affects both professionals and consumers and called for a smarter and more appropriate type of regulation.



**Mr. Tiedje**

Mr. Tiedje reacted to these statements by underlining the fact that CPD is another question directly linked to the sovereignty of the Member States. According to him in order to achieve a better harmonization of CPD between EU countries each profession should determine at the European level what their CPD should be.

The last topic, **the Role of Professional Bodies in the Directive**, raised questions on Common Platforms and Professional Cards.

Regarding the latter, some professional organizations stressed the difficulty of involving regulatory bodies in the process and gathering all the required information. In that sense, a special emphasis was also put on data protection issue.

On Common Platforms, the participants underlined the potential usefulness of this tool and on the other hand, the difficulty of setting it up. In that respect, they requested the Commission to clarify and simplify the procedure.

Reacting to these issues, Mr. Tiedje stressed how reluctant Member States are regarding the setting up of Common Platforms. Indeed, according to him EU countries perceive this instrument as a factor of deregulation and in that respect as a threat to their prerogatives. With respect to Professional Cards he highlighted the importance of simplicity in the process of setting up this tool.

In his conclusive remarks, Mr. Tiedje informed the participants that the evaluation process of the Directive is going to last at least 2 years. A similar meeting will be held with national authorities on the 18<sup>th</sup> of March. Afterwards a questionnaire will be sent to the representatives of both sectoral professions and some of the professions concerned by the General System. A public consultation (but it has still to be defined) dedicated to citizens should also be launched. Later on a further conference gathering professional associations should be held either in Autumn or by the beginning of next year.

**Mr. Tiedje invited also all professional associations to send their written contribution on the questionnaire to the Professional Qualifications Unit of DG MARKT and to underline in their answer what are according to them the 6 most important/relevant questions included in it. These contributions are to be received by the Commission no latter than the 5th of April!**

### **Implementing cards for the recognition of European Professionals Qualifications – A multi-stakeholders approach : First national seminar in Paris 18/03/2010**

As you all know, CEPLIS, in partnership with the Council of European Professional and Managerial Staff (EUROCADRES), is involved in a new project aiming at identifying the possibility to develop a European Professional Card in order to increase the mobility of the professionals and to favorize the recognition of their professional qualifications. The project in question is divided in four different national seminars (France, Spain, Croatia and Belgium) and will be concluded by a European conference and the publication of a report.

On the 18th of March, the first national seminar was held in the premises of the « Confédération Générale du Travail » (CGT), in Paris. CEPLIS and EUROCADRES were represented by : **Mr. Christer Forslund**, Vice-president of EUROCADRES ; **Mr. Michel Patard**, Vice-president of EUROCADRES ; **Mrs. Slavica Uzelac**, Project Manager – EUROCADRES ; **Mr. Geoffrey Usé**, Policy Officer – CEPLIS ; **Mr. Romain Lyphout**, Independant Expert – Leeds Institute for Research on the Liberal Professions (University of Louvain).

The other members present were : **Mrs. Patricia Blancard and Mr. Laurent Mahieu**, Union Confédérale des Ingénieurs et Cadres (CFDT Cadres) ; **Mr. Eric Blervacque**, Union des Syndicats autonomes (UNSA) ; **Mr. Jean-François Combe and Mr. Pierre Compte**, Commission des Titres d'Ingénieurs (CTI) ; **Mr. François Blanchecotte and Mrs. Anne Jusot-Berthier**, Union Nationale des Professions Libérales (UNAPL) ; **Mrs. Dominique Gianotti**, Syndicat national des enseignants du second degré (SNES FSU) ; **Mr. Damien Grison**, European Federation of Osteopaths (EFO) ; **Mrs Sylviane Lejeune and Mr. William Lis**, Union Générales des Ingénieurs, cadres et techniciens (UGICT CGT) ; **Dr. Jean-Pierre Molgatini**, Confederation of European Biopathologists(CEB).

The seminar was divided in two parts. The first panel was dedicated to the presentation of the new project, the current European legislation on the recognition of the professional qualifications (Directive 2005/36/EC), the former projects of European Professionals Cards (ENG Card, Hpro Card, Skills and Competences,...) and the explanation of the expectations of this kind of projects.

The second panel was organised as a discussion between the stakeholders. Many questions about the project and the objectives were raised by the participants. The questions can be separated in two different categories :

- How to implement such a card?

The first priority underlined is that a European Professional Card must be beneficent to the professionals. It should not constitute an additional obstacle to the mobility of the workers. Thus, the process should be as simple as possible. Considering this issue, it was stated that a common professional card for all the professions is not envisageable. Each profession should have its own card taking into account the specificity of the profession. The stakeholders have also emphasized the importance of the European Qualifications Framework (EQF) as a basis to the recognition of the professional qualification and to enhance the mobility of the workers. Finally, the process of implementation should include all the actors concerned by the establishment of a European Professional Card : employees, employers, regulatory bodies, trade unions, competent authorities, universities, ...

- Expectations

Participants seemed to be oriented towards a step by step approach. They felt that the European Commission should be careful because of the complexity of the issues involved in the realization of such a project. Nevertheless, many thought that a European Professional Card could be a very useful tool in order to enhance the mobility of the professionals within the EU and to recognize the professional qualifications in all the Member States. The card could favour the harmonization of the Internal Market and contribute to its development. Moreover, the implementation of such a card could also provide more security and more protection to the workers at the Community level.

As you can see, there was a lot of questions raised by the French participants during this first national seminar in Paris. But this is only the beginning of the project and there are three more national seminars to come (Spain, Croatia and Belgium). Other points of view from other European countries will reinforce our expertise on this specific question of a European Professional Card.

The next national seminar will take place the **7th of April in Madrid, Spain**. A representative of CEPLIS will participate to this seminar and will give you a report of the meeting in one of the next issues of the Telegram.

## News from our Members

### Election of the new Presidium of the “Union Nationale des Professions Libérales” (UNAPL)



**Mr. David Gordon-Krief**

On the 5th of this last February, the « **Union Nationale des Professions Libérales** » (UNAPL), one of our active Member from the interprofessional sector, has elected its new President, **Mr. David Gordon-Krief**.

Mr. Gordon-Krief holds a Masters in Private Law from the University of Paris X and he is currently a lawyer and a partner in the law firm, SBKG& associés. He is also member of several organisations aiming at representing the interests of the Liberal Professions at the national level such as the Commission Nationale de Concertation des Professions Libérales. The new President who held the position of Vice-president of UNAPL during the last three years succeeds to the late **Alain Vaconsin** and will hold the presidency of our French inter-professional member for a non renewable mandate of 3 years.

On the 25th of the same month, the composition of the new Board of UNAPL was announced. The new Board reflects the diversity of the liberal professions in France and a growing parity between men and women.

The main objectives of this new Board will be the recognition of the Liberal Professions as a main partner in the French social dialogue, the application of a fair tax regime to the professionals, and the modernization of their practices.

<b>President</b>	Mr. David Gordon-Krief	Fédération Nationales des Unions des Jeunes avocats
<b>General Secretaries</b>	Mr. Gérard Goupil	Confédération Nationale des Syndicats Dentaires
	Mrs. Chantal Tisserand	Fédération Nationale des Syndicats d'Agents généraux d'Assurances
<b>Deputy Vice-presidents</b>	Mr. Olivier Aynaud	Vice-président délégué aux professions de la santé, Confédération des Syndicats Médicaux Français
	Mr. Jean-Pierre Ferrandes	Vice-président délégué aux professions du droit, Syndicat National des Notaires
	Mr. Etienne Lampert	Vice-président délégué aux professions techniques et du cadre de vie, Institut Français des Experts-Comptables
<b>Deputy President to the ONIFF</b>	Mr. Bernard Delran	UNAPL Languedoc-Roussillon, en charge de l'animation des régions
<b>Treasurer</b>	Mr. Christian Guichardon	Fédération Française des Masseurs Kinésithérapeutes

		Rééducateurs
<b>Treasurer assistant</b>	Mr. Philippe Tisserand	Fédération Nationale des Infirmiers
<b>Vice-presidents</b>	Mr. François Blanchecotte	Syndicat des Biologistes
	Mr. Jean-Pierre Brenas	Union des Jeunes Chirugiens-Dentistes Union Dentaire
	Mr. Bernard Capdeville	Fédération des Syndicats Pharmaceutiques de France
	Mrs. Marie-Françoise Gondard-Argenti	Confédération Nationale des Syndicats Dentaires
	Mr. Michel Giordano	Experts-Comptables de France
	Mr. Pierre Lafont	Avocats Conseils d'Entreprises
	Mrs. Dominique Riquier-Sauvage	Union Nationale des Syndicats Français d'Architectes
<b>Members</b>	Mr. Michel Chassang	Confédération des Syndicats Médicaux Français
	Mr. Stephane Fantuz	Président du FIF-PL, Chambre Nationale des Conseils-Experts Financiers
	Mr. Serge Garrigou	Union Nationale des Géomètres Experts
	Mr. Lucien Gleyzes	UNAPL Midi-Pyrénées
	Mr. Jean-Jacques Magnies	Syndicat National des Masseurs-Kinésithérapeutes-Rééducateurs
<b>Secretary of the National Council</b>	Mrs. Anne Jusot-Berthier and Mr. Bernard Charles	
<b>Permanent Guests</b>	Mrs. Régine Colas	Présidente de la Conférence des ARAPL
	Mr. Jacques Reignault	Membre du CESE et du CEPLIS

## Conferences and events to come

- Conference *“Policy Dialogue on Investing in Europe's Health Workforce of tomorrow: Scope for Innovation and Collaboration”* organized by the European Observatory on Health Systems and Policies.  
in Leuven, Belgium during the week of 26-30 April  
For more information please refer to:  
[www.euro.who.int/observatory](http://www.euro.who.int/observatory)