

## **EUA Position Paper on the Commission's proposed amendments to Directive 2005/36/EC on the Recognition of Professional Qualifications**

1. The European University Association (EUA) represents over 850 universities in 47 European countries, as well as 34 national rectors' conferences. It is a full consultative member of the **Bologna Process** and, with other sectoral bodies, a key mover in the Bologna Follow Up Group (BFUG).
2. Since 2007, when the Directive came into force, EUA has been in dialogue with the European Commission (DG MARKT) and the European Parliament (IMCO committee) and has monitored in detail all developments relating to the **alignment** of the Directive with the Bologna Process. Its periodic reports, together with its responses to Commission consultations, are available at: [www.eua.be/bologna-and-professional-qualifications](http://www.eua.be/bologna-and-professional-qualifications)
3. EUA warmly welcomes the Commission's proposals. They have emerged from a systematic process of consultation. They demonstrate the Commission's awareness of the structural features of the European Higher Education Area (EHEA). They offer a **gradualist approach** to the reform of the Directive which is highly appropriate – in view of the progressive consolidation of qualifications frameworks, academic recognition practices and quality assurance procedures throughout Europe.
4. The proposals impinge on a range of **core higher education activities** – strategic management, curriculum design, learning and teaching, quality assurance, employability provision and careers counselling – as well as on the activities of related external agencies and stakeholders.
  - 4.1 **Updating the sectoral professions.** EUA welcomes the proposal to remove the ambiguity in the way in which the minimum duration of full-time training courses for medical doctors, general care nurses and midwives is specified. It particularly welcomes the option of using **ECTS** as an additional measurement of full-time course duration. The Commission proposes that it should apply to doctors, dentists, veterinary surgeons, pharmacists and architects. EUA considers that the same facility should be given to courses for nurses and midwives, when these are provided by higher education institutions.

EUA also welcomes the proposals regarding course duration for architects and the prior general education requirement for nurses and midwives. They go some way to meeting the aspirations of the academics in those disciplines.
  - 4.2 **Continuing professional development (CPD).** EUA applauds the Commission's decision to set CPD clearly in the **lifelong learning** policy frame. This gives it a strong educational focus and a high strategic priority, encouraging higher education providers, professional and regulatory bodies, and consumer associations to work more closely together.
  - 4.3 **Accreditation and quality assurance.** EUA recognises that the notification of new courses by Member States has become problematic in recent years, as learning and teaching methods and course content have diversified. The Commission's proposal that Member States nominate an appropriate body to take responsibility for the

**notification of compliant courses** is a necessary first step but not sufficient. Given the need for transparency and for consumer reassurance, it will be important to set national judgements of compliance within an overarching system of academic recognition and quality assurance which is supported by consensus at European level. Considerations of subsidiarity mean that this is not achievable through EU Directives; it does, however, fall within the combined scope of the Bologna Process, the EHEA and EU Recommendations and Decisions, notably via the European Quality Assurance Register (EQAR) and via the ENIC/NARIC networks.

- 4.4 **The ‘general system’.** EUA notes that the 5-level grid (Article 11) is, in the Commission’s proposals, to be retained. Greater clarity would undoubtedly have been achieved if the grid had been abandoned in favour of the European Qualifications Framework for lifelong learning (**EQF**). This should remain the medium-term aim. The EQF has become established in a relatively short time and its use will strengthen the implementation of the Directive. Bologna ministers are likely to stress this point when they meet in Bucharest in 2013. In the short term, EUA endorses the recommendation that the dividing line between levels (d) and (e) should be made clear and distinct and that ECTS should be available to express full-time course duration.
- 4.5 **The ‘common training framework’.** A number of academic groups working in professional disciplines have reached strong Europe-wide consensus on the key features of **outcomes-based curricula**, while safeguarding the diversity of course content. The Commission’s proposals allow them to continue this work in the framework of the Directive and in a manner which will help extend the principle of automatic recognition. This is most welcome. The fact that their ‘common training frameworks’ will be referenced to EQF reinforces EUA’s view that this is the direction in which the General System must evolve.
- 4.6 **Remunerated traineeships.** The Commission’s proposal to enshrine in the Directive the ECJ’s Morgenbesser ruling is to be welcomed, as is the clarification of the place of traineeships in the architecture and pharmacy curricula.
- 4.7 **‘Regulated education’.** The Directive allows a temporarily mobile professional to move from a Member State in which her/his profession is regulated to one in which it is not. S/he has to show evidence of having undertaken at least two years of ‘regulated education or training’ (i.e. which is of direct professional relevance, cf. Directive 2005/36/EC Article 3(e)). EUA has doubts about the usefulness of this phrase. It is imprecise, since all formal education is regulated in some sense. It is difficult to attribute, since it involves judgements about what skills, competences and knowledge are transferable. It is problematic to administer: insofar as Member States will be required to maintain an online list of ‘regulated’ training courses, the comments in 4.3 above apply. EUA recommends use of the phrase **‘professionally relevant education and training’**.
5. The amended Directive will pass through the new ‘ordinary legislative process’ and be supported eventually by **new comitology** procedures. This is the case, notably, of the Commission’s power to alter the manner in which the adequacy of knowledge, the sufficiency of understanding, and the adaptation of training courses to scientific progress are established in the seven sectoral professions. It is also true of the introduction of new medical and dental specialties. In the view of EUA, what is to be achieved in the new comitology is just as important as the content of the Commission’s proposals.
6. This raises the question of how the Committee Procedure will guarantee the **full range of stakeholder involvement**. How will the Expert Groups be constituted and what will be the

status of their views? This issue is crucial. Recognition, mobility, transparency are aims common to the Directive and to the Bologna Process. EU institutions all agree that knowledge transfer, research, innovation in the services sector, professional training and mobility, university autonomy and quality assurance in higher education have to be considered holistically. This being so, it is clear that comitology cannot steer the Directive effectively without the contribution of the higher education sector.

**Brussels, January 26 2012**

**Contact:** Howard Davies

[howard.davies@eua.be](mailto:howard.davies@eua.be)