

EVALUATION OF THE PROFESSIONAL QUALIFICATIONS DIRECTIVE

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OVERVIEW

1. Evaluation of Directive 2005/36/EC
2. Free movement in the Internal Market
3. Automatic recognition / minimum harmonisation of training requirements
4. Case – by – case recognition / comparing educational levels
5. Next steps

EVALUATION OF THE DIRECTIVE

1. Why an evaluation now?
2. What should the evaluation achieve?
3. When will the evaluation be completed?
4. How to carry out an evaluation?
 - External stakeholders
 - Public consultation
 - External study

EVALUATION OF THE DIRECTIVE

WHERE ARE WE TODAY?

Transposition
completed in 27
MS

Transposition
Report (21 Oct)

More than 170
experience
reports (21 Oct)

Dialogue with
prof.
associations
17 March
29 Oct.

Services
Directive

Educational
reforms:
-EQF
-Bologna

FREE MOVEMENT – Legal angle

- Rights for citizens of the Member States
- Articles 45, 49, 56 TFEU
 - « Fully qualified professionals »
(Directive)
 - « Morgenbesser » case
- Article 53 TFEU: « in order to take up and pursue economic activities.... »

FREE MOVEMENT – The economic angle

- Microperspective:
 - More citizens with an international curricula in future (« Youth on the Move », Erasmus)
 - A directive covering professionals at a different point of their professional career
- Macroperspective:
 - Convergence in education? Bologna Process – can it help the labour markets/the economy in this area?
 - Demographic developments in the working population

AUTOMATIC RECOGNITION

- Doctors, dentists, nurses, midwives, pharmacists, veterinary surgeons and architects
- No discretion for host Member State
- Diplomas, qualifications notified by MS and regularly published by the Commission
- Case study: architects and the Bologna process

AUTOMATIC RECOGNITION

- Duration as baseline and not competency framework
- Bologna and the Directive compatible with each other?
- Bachelor???
- Use of ECTS in the context of doctors and (general care) nurses to organise automatic recognition?
- Continuous professional development (CPD)?
- Language knowledge for certain health professionals?

Case-by-case comparison

- „The general system“ with the option for MS to ask for „compensation measures“ (stage/test)
- Organising free movement between „regulated“ and „regulated“ countries
 - Need to compare educational levels
 - Need to compare qualifications acquired under the law of the home country (partial access issue)
- Organising free movement between „unregulated“ and „regulated“ countries
 - Need to compare educational levels
 - Need to examine professional experience (2 years) or „regulated training“ the migrant acquired in the „unregulated“ country of origin

Case by case analysis

Comparison based on five levels of qualification

- Recognition possible at the same or one level below - Article 13 of the Directive)
- Input based classification (nature and duration of the training)
- No output based classification based on European Qualifications Framework (EQF)
- EQF different tool with different objectives

Next steps

- Publication of a transposition report and „experience reports“ on 21 October
- Launching a public consultation end of the year
- Launching a major study on impact of recent educational reforms (survey, analysis) before end of year. To be finalised mid 2011
- Green Paper autumn 2011?
- Legislative proposal in 2012 ?

Conclusions

- These have been my personal views
- Main question: how can the educational world engage with the regulated professions to examine needs of the labour market and our economy?
- One possible response: please engage in an upcoming study DG Internal Market intends to launch
- Another possible response: please engage in the evaluation of the Directive (such as upcoming public consultation)