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on the creation of a European professional card for service providers
(2008/2172(INI))

Committee on the Internal Market and Consumer Protection

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PR_INI

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the creation of a European professional card for service providers (2008/2172(INI))

The European Parliament,

- having regard to Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications¹,
- having regard to Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market²,
- having regard to Decision No 2241/2004/EC of the European Parliament and of the Council of 15 December 2004 on a single Community framework for the transparency of qualifications and competences (Europass)³,
- having regard to the Recommendation of the European Parliament and of the Council of 23 April 2008 on the establishment of the European Qualifications Framework for lifelong learning⁴,
- having regard to the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 6 December 2007 entitled "Mobility, an instrument for more and better jobs: The European Job Mobility Action Plan (2007-2010)" (COM(2007)0773),
- having regard to the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 11 December 2007 entitled "Proposal for a Community Lisbon Programme 2008 - 2010" (COM(2007)0804),
- having regard to its resolution of 23 May 2007 on the impact and consequences of the exclusion of health services from the Directive on services in the internal market⁵,
- having regard to its resolution of 27 September 2007 on the obligations of cross-border service providers⁶,
- having regard to Rule 45 of its Rules of Procedure,
- having regard to the report of the Committee on the Internal Market and Consumer Protection (A6-0029/2009),

A. whereas the right of EU citizens to establish themselves or to provide services anywhere

¹ OJ L 255, 30.9.2005, p. 22.

² OJ L 376, 27.12.2006, p. 36.

³ OJ L 390, 31.12.2004, p. 6.

⁴ OJ C 111, 6.5.2008, p. 1.

⁵ OJ C 102 E, 24.4.2008, p. 279.

⁶ OJ C 219 E, 29.8.2008, p. 312.

in the EU are fundamental freedoms of the Single Market which include the right to pursue a profession, in a self-employed or employed capacity, in a Member State other than the one in which the professional qualification was obtained,

- B. whereas, pursuant to Article 3(1)(c) of the Treaty, the abolition, as between Member States, of obstacles to the free movement of persons and services is one of the activities of the Community,
- C. whereas greater mobility of persons and services between Member States and between regions is an essential element in achieving the Lisbon agenda for growth and jobs and can boost productivity by bringing fresh perspectives, ideas and skills,
- D. whereas mobility in the EU remains low, only 4% of the workforce has ever lived and worked in another Member State and approximately 2% currently lives and works in another Member State¹,
- E. whereas there are still major obstacles for persons wanting to work in another Member State, and 20% of complaints received by SOLVIT in 2007 concerned the recognition of professional qualifications required to pursue a regulated profession,
- F. whereas the Commission has started infringement procedures under Article 226 of the Treaty against several Member States for failing to notify it of measures adopted in transposition of Directive 2005/36/EC,
- G. whereas recital 32 to Directive 2005/36/EC states that "the introduction, at European level, of professional cards by professional associations or organisations could facilitate the mobility of professionals, in particular by speeding up the exchange of information between the host Member State and the Member State of origin. This professional card should make it possible to monitor the career of professionals who establish themselves in various Member States. Such cards could contain information, in full respect of data protection provisions, on the professional's professional qualifications (university or institution attended, qualifications obtained, professional experience), his legal establishment, penalties received relating to his profession and the details of the relevant competent authority",
- H. whereas, in its above-mentioned resolution on the impact and consequences of the exclusion of health services from the Directive on services in the internal market, it called for the setting up of 'a European card to provide access to information on the skills of health care professionals and to make that information available to patients',

Cross-border mobility

1. Encourages all initiatives that aim to facilitate cross-border mobility as a means to the efficient functioning of the services and labour markets, and as a means to enhance economic growth within the EU;
2. Underlines the responsibility of the EU to further facilitate geographic and occupational

¹ Eurobarometer survey 64.1 of 2005 on geographical and labour market mobility

mobility by enhancing transparency in the recognition and comparability of qualifications and in guaranteeing the safety of patients and consumers;

3. Stresses however the need for a more efficient and coordinated approach by the Commission between initiatives that aim to facilitate and stimulate the mobility of professionals between Member States, such as EUROPASS (European CV), EURES (job mobility portal) and the European Qualifications Framework (EQF), as well as between the different associated Community funded or co-funded networks involved in these issues, such as SOLVIT, IMI, EUROGUIDANCE and ENIC/NARIC;
4. Emphasises the co-responsibility of civil society, including employers, unions, professional organisations and the competent authorities, in easing and improving mobility within the internal market;

Transposition of Directive 2005/36/EC

5. Urges those Member States that are lagging behind in transposing Directive 2005/36/EC, which should have been completed by 20 October 2007, to bring into force the laws, regulations and administrative provisions necessary;
6. Calls on the Commission to take action against those Member States that have not yet transposed Directive 2005/36/EC;
7. Calls on the Commission to assess the impact on mobility of the application of Article 7 of Directive 2005/36/EC in the report it will draw up pursuant to Article 60(2) of that Directive;
8. Urges the Member States to strive for a more harmonised approach to the recognition of qualifications and competences, to simplify the administrative processes involved and to reduce the costs incurred by professionals;

Necessity of a European professional card

9. Is of the opinion that the added value of a European professional card, in addition to existing measures which aim to facilitate and stimulate mobility, needs to be established for most professions;
10. Notes that in some regulated and harmonised professions, such as lawyers and health professionals, European professional cards are in place or in development, but that in other non- or less harmonised professions, the introduction of professional cards seems difficult since regulation varies from Member State to Member State and data on qualifications has to be validated and mutually recognised first;
11. Points out that a European professional card could be an advantage even for non-regulated and non-harmonised professions, as it would have an information role particularly for employers and consumers, which would be the case for most liberal professions;
12. Invites the Commission to take stock of different initiatives concerning the development of professional cards and to report to Parliament on a representative inventory;

13. Calls on the Commission to examine the initiatives in order to see whether a European professional card, in addition to other measures, could:
- (a) contribute to the security of citizens in the event of contact with a provider of cross-border services, as citizens can check the identity and qualifications of the service provider by means of the professional card,
 - (b) lead to administrative simplification and cost reductions and, in the long term, replace paper-based files and dossiers and increase transparency,
 - (c) stimulate the provision of temporary services,
 - (d) stimulate the provision of appropriate services of a high standard in the European Union and third countries,
 - (e) serve as means of communication of appropriate information to recipients of services in order to increase consumer health and safety;
 - (f) serve as means of communication of appropriate information to employers (in the public and private sectors) in order to facilitate cross-border recruitment;
- is of the opinion that any further public steps should involve a well-defined description of the types of profession and specific needs that the card is supposed to cover;

Characteristics of a European professional card

14. Is of the opinion that any professional card, if there is sufficient demand to develop one, should be as simple, easy and liberal as possible, avoiding any new bureaucratic burdens, and that it could establish a "common language" in the qualifications of certain professions;
15. Urges that a European professional card should not have a negative effect on cross-border mobility, and should only be used as proof of the right to move without being a condition for such movement; emphasises that specific groups should not be excluded from offering their services in other Member States, and that especially for people with fewer or less specific qualifications, the card should not create new obstacles;
16. Emphasises that the use of one or more European professional cards should allow for diversity, for instance to accommodate differences between professions or differences between Member States; considers that the professions themselves should finance the development and implementation of a European professional card, if felt appropriate;
17. Underlines that, in the event of the profession concerned already having a national professional card, it would, for practical reasons, be appropriate for the functions of the national card to be integrated into the European professional card;
18. Emphasises that information on a European professional card should be reliable, validated and updated by the competent national authorities; is of the opinion that, where appropriate, information contained in EUROPASS CVs could also be included on the European professional card;

19. Stresses that access to the data contained on the card should comply with the highest standards of the protection of privacy;

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20. Instructs its President to forward this resolution to the Council and Commission.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	22.1.2009
Result of final vote	+: 34 -: 0 0: 0
Members present for the final vote	Cristian Silviu Buşoi, Charlotte Cederschiöld, Janelly Fourtou, Evelyne Gebhardt, Martí Grau i Segú, Malcolm Harbour, Christopher Heaton-Harris, Iliana Malinova Iotova, Alexander Graf Lambsdorff, Kurt Lechner, Toine Manders, Nickolay Mladenov, Catherine Neris, Zita Pleštinská, Karin Riis-Jørgensen, Zuzana Roithová, Heide Rühle, Leopold Józef Rutowicz, Christel Schaldemose, Andreas Schwab, Eva-Britt Svensson, Marianne Thyssen, Bernadette Vergnaud, Barbara Weiler
Substitute(s) present for the final vote	Emmanouil Angelakas, Wolfgang Bulfon, Colm Burke, Giovanna Corda, Brigitte Fouré, Joel Hasse Ferreira, Filip Kaczmarek, Olle Schmidt
Substitute(s) under Rule 178(2) present for the final vote	Jean-Pierre Audy, Michel Teychenné