



EUROPEAN COMMISSION

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Dear President,

The Commission would like to thank the Riksdag for its Opinion on the Green Paper on modernising the Professional Qualifications Directive 2005/36/EC {COM(2011) 367 final} and apologises for the delay in replying. The Commission has taken your contribution into consideration together with the analysis of the results of the public consultation. On 19 December, the Commission presented a legislative proposal for modernising the Professional Qualifications Directive {COM(2011)883 final}. It also published a summary of the responses to the Green Paper.

The Commission welcomes the Riksdag's support of the objective to facilitate the mobility of professionals in the Single Market and the need for modernising the Professional Qualifications' Directive to reach this objective. The Commission takes note in particular that you support our attempts to minimise unjustified requirements and to introduce an alert mechanism in case of suspension or sanctions on a professional.

As to the specific issues raised in your opinion, the first concern relates to the Member States' competence with regard to the content and organisation of their respective education systems. The Commission would like to stress that the adjustments initially proposed in the Green Paper on minimum training requirements for the sectoral professions responded to the needs to modernise automatic recognition of diplomas and increase confidence into a system already built in the past. In this respect, the Commission would like to draw the attention to an external study that has been carried out under the supervision of DG Internal Market and Services in order to assess the impacts of the recent education reforms (Bologna process and European Qualifications Framework) on the recognition of qualifications. The results were published on 31 October 2011.

http://ec.europa.eu/internal_market/qualifications/policy_developments/index_en.htm

The second concern relates to possible administrative burdens associated to the implementation of the European professional card. The Commission looked into this further when carrying out an impact assessment for its legislative proposal. The impact

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assessment was published together with the legislative proposal (document SEC (2011)1558). The Commission would also like to refer to the Single Market Forum which, through its Krakow Declaration of 4 October 2011, expressed support to the development of a European professional card. The Commission would like to emphasize that the use of the professional card should be closely linked to the Internal Market Information System (IMI) and should lead to a stronger cooperation between competent authorities of the home and host Member States. The introduction of a professional card should lead to a simplification of recognition procedures, both for citizens if interested to obtain such a European Professional Card, and competent authorities.

The third concern relates to the principle of partial access to a profession, in particular as regards its implementation by the host Member State. The Commission fully shares the view of the Riksdag that the scope of this principle and the implementing criteria should be further specified and not just left to future jurisprudence of the Court of Justice. Partial access should in particular be seen in a wider perspective of reviewing the number of regulated professions by the individual Member States.

On the alert mechanism, in particular for professions in the health sector, the Commission takes note of your suggestion that the migrating professional himself should demonstrate that he is not prohibited to practice. In this respect, the Commission would like to stress that the introduction of an alert mechanism should provide stronger guarantees to patients, as it will reduce risk at its roots, however without creating excessive burdens for professionals' mobility as a whole.

Lastly, the Commission acknowledges the Riksdag's intention to issue a further statement on the issue of third country qualifications at a later stage. The reactions to the Green paper on this issue have already shown that it should be dealt with in a very prudent manner to the extent this concerns the Professional Qualifications Directive and what can be achieved under this Single Market instrument.

I hope that these explanations address the comments raised in your opinion and I look forward to continuing the political dialogue with the Riksdag.

Yours faithfully,

*Maroš Šefčovič
Vice-President*