

## **Case Study: Mountain Guide**

### **1. An historic profession crossing borders**

Organizations for professional Mountain Guides have existed in Europe since 1821, and have developed in those countries with the potential for mountain sports and tourism. Mountain ranges often form national borders; hence the crossing of borders has always been a characteristic of the work of Mountain Guides.

### **2. Founding principles, risks and public interest**

- 1) The National Mountain Guide Associations (NMGAs) in the International Federation of Mountain Guide Associations (IFMGA) share common standards for training and assessment, and collaborate on the basis of reciprocity and mutual recognition. These are the founding principles of IFMGA, and have been so successful that today 'IFMGA Guide' is the only meaningful professional term for international Mountain Guides.
- 2) Mountain Guide is a high risk profession that takes place in an environment where natural hazards cannot be controlled. Striving for safety and best practice is the basis of the common standard for training and assessment, and this serves the public interest by promoting safety.

### **3. Geography and inclusivity**

- 1) For reasons of geography and the absence of a local demand for services, NMGAs have not developed in all EU Member States (currently 14 EU and Schengen countries have NMGAs in IFMGA). However, nationals from at least 6 other EU States have become IFMGA Guides by being trained and assessed by an NMGA in a host country. Because of the common standard, the IFMGA qualification is completely transferable to another NMGA if a qualified Mountain Guide chooses to relocate in another IFMGA member country.
- 2) IFMGA was also founded on the principle of being open and inclusive to new countries seeking to create or develop the profession of Mountain Guide. IFMGA is continuously helping interested, applicant, and candidate countries, which currently includes Bulgaria, Hungary and Romania.

### **4. Effect of Directive 2005/36/EC**

- 1) Under the provisions of the Directive, many IFMGA guides have relocated from their home to a host Member State, and have enjoyed membership and support of the host NMGA. Hence, the reciprocity and mutual recognition established in IFMGA is compatible with the expectations in the Directive.
- 2) Also, for those arriving from a non-IFMGA member country or an unregulated State, who are seeking work as a Mountain Guide in a regulated State, Compensatory Measures have been used successfully. Hence, the IFMGA common standard is accessible and applicable to all interested parties in the 27 Member States.

### **5. Public Authorities**

- 1) IFMGA recognizes the vital role and the interests of the home and host Member States and the European Commission, and is happy to be guided by the current discussion to find a balance between: i) maintaining professional standards, ii) increased freedom of movement, and iii) better consumer protection.
- 2) Administrative arrangements will need to be clarified in those States where the profession of Mountain Guide is not regulated; and given the high risk nature of the profession, IFMGA would urge those States to reconsider regulation in the context of the common standard and the Professional Mobility Card.

- 3) The relationship between the home and host State will be vital to the success of a Professional Mobility Card, and IFMGA understands that the best solution for administration and exchange of information will be to use the Internal Market Information System (IMI).

## **6. Professionals accompanying consumers**

A qualified Mountain Guide resident in a Member State where the profession is not regulated should be able to accompany consumers to another State where the profession is regulated. The Professional Mobility Card has great potential to satisfy all the interested parties that the Mountain Guide concerned has the right to work in the host State, and also holds the appropriate professional qualification to maintain safety and good practice.

## **7. The benefits of a Professional Mobility Card**

- 1) The current discussion in the European Commission is relevant to Mountain Guides to be able to demonstrate their status, in particular when engaged for:
  - **Mobile or 'nomadic' activities** (i.e. where climbs and journeys cross borders).
  - **Spontaneous visit** (e.g. when weather and conditions determine a change of venue for a few days or a week).
  - **Short stay up to 3 weeks** (i.e. typical activity for a Mountain Guide working away from home).
  - **Seasonal work** (i.e. when a Mountain Guide temporarily moves from his or her home base for a period of work).
- 2) Most of the work of a Mountain Guide is as an independent professional providing services that require flexibility and mobility. Hence, in many situations, it would be impracticable to make a declaration in advance. However, if required by the Public Authorities, an electronic declaration may be workable.

## **8. Format and Administration**

- 1) A publicly accessible electronic document would be very welcome, as would a simple plastic identity card that could be carried with the Mountain Guide and presented to clients and others wishing to verify their rights and status.
- 2) The administrative system used by the Public Authorities for the Professional Mobility Card (which would confirm the right to work) must be complimentary with the IFMGA license system (which confirms current professional standing).

## **9. Professional Standing and Eligibility**

- 1) In addition to the Diploma awarded by the NMGA, each qualified Mountain Guide receives a license in the form of a plastic identity card. The license is renewed each calendar year with adhesive stickers issued by IFMGA and the NMGA. The issuing system varies between NMGAs, but the stickers confirm that the Mountain Guide is up to date with Continuous Professional Development refresher training and has liability insurance. This system protects consumers and must be maintained alongside the Professional Mobility Card.
- 2) The Professional Mobility Card should only be available to Mountain Guides with the IFMGA qualification and a current valid license issued by an NMGA. Compensation Measures should only be accepted on a State by State basis.

## **10. Conclusions**

IFMGA confirms that:

- If available it would opt to use the Professional Mobility Card for Mountain Guides.
- It places its confidence and trust in the Public Authorities and the IMI system.
- The Professional Mobility Card will better protect consumer safety in a high risk activity.
- It is willing to be considered for inclusion in a pilot programme.