



FVE BRIEFING NOTE

EUROPEAN COMMISSION MUTUAL EVALUATION PROCESS ON THE RECOGNITION OF PROFESSIONAL QUALIFICATIONS DIRECTIVE 2005/36/EC

The veterinary profession, embodied at European level by FVE, is one of the seven regulated professions, today governed by EC Directive 36/2005 which provides for an automatic recognition of diplomas thus facilitating the free movement of veterinary surgeons in the European Union (EU).

Within the Sectoral Regime of the Directive, the main feature is the automatic recognition of professional qualifications based on minimum training requirements ensuring the quality of education and training for veterinary profession throughout European Union. The Directive provides legal certainty and guarantees a commonly agreed level of quality both to migrants and to citizens using the relevant professional services.

Veterinary profession is, as defined by Recital (43) of the Directive, a liberal profession whereby all veterinarians provide intellectual and conceptual services in the interest of the client and the public.

It is a critical fact that the veterinary profession has an important responsibility promoting and assuring the health and welfare of animals and public health, not least through the production of safe and wholesome food; veterinarians, acting at the interface of animal health and human health, have an important role also in providing expertise and knowledge to the general public, to consumers, to animal keepers as well as to policy makers. Thus the profession can legitimately be regarded as exercising the same responsibilities as any other health profession.

In view of the current „mutual evaluation process“ the European Commission has launched and of possible reforms to be introduced, FVE considers that the Directive key issues (herewith listed)

1. The 3 Systems in place for professional qualification recognition
2. Freedom of establishment
3. Freedom to provide services
4. Administrative cooperation
5. Harmonisation of training requirements

Should be improved and better streamlined.

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Therefore FVE encourages the EC to:

1. Highlight the importance keeping in the Directive the perspective of public health and consumer protection

Citizens, animals and animal owners benefiting from cross border services should not have their health or safety put at risk and they should be assured of obtaining adequate level of quality and consumer protection. Therefore, freedom to provide services should clearly take into consideration and entail consumer protection and the role of veterinarians in its preservation; improving the existing guarantees provided by the Directive should lead to an improved level of public health and consumer protection as provided in the articles of the Treaty.

2. Put more emphasis on the need for all vets to be registered in their Home Country Competent Authority in whatever field they are working

Veterinary Registration Authorities operate in the interests of consumer protection but are required to give automatic recognition to the qualifications listed in the Directive. Whilst supporting the principle of freedom of movement, it is still important to keep track of veterinarians within their country and cross borders. The system could be developed to streamline freedom of movement and lead to a sort of "Professionals Traceability System" within the EU.

However, it should be noted that in many countries it is only veterinary practitioners who are registered with the home competent authority/statutory body. There are many other activities within the profession, for example official, commercial, or academic, which impact on consumers (e.g. European Code of Conduct and Veterinary Act developed by FVE¹) and it is the view of FVE that all veterinarians should be subject to registration.

3. Put more clarity on the need Member States have requesting a pro forma registration „prior declaration“ accompanying the whole recognition procedure from the services provider

Any veterinarian wanting to work or practise in another Member State has to provide evidence of a qualification awarded in accordance with fixed standards and of their professional good standing. A "prior declaration system", as envisaged by FVE, should facilitate the automatic recognition. However, after initial electronic application and subsequent processing it should be permissible, even if not obligatory, to complement this system with verification of original documents in appropriate cases.

4. Ensure a high level of coordination of education and training through out EU

Since the disbandment of the Advisory Committee on Veterinary Training, the FVE and European Association of Establishments for Veterinary Education (EAEVE) have operated a successful voluntary system of evaluation of European veterinary schools. In the interests of consumer and animal protection, and for the goal of delivering high quality services, it is desirable that this system

¹ FVE Veterinary Act and European Code of Conduct:

http://www.fve.org/news/publications/pdf/coc_vet_act_fve_2009_final.pdf

should be strengthened and, possibly, complemented by the system of mutual recognition such as that supported by the European Commission in respect of architects².

5. Update the Annex 5.4.1 (minimum training requirements) of the Directive

Initial minimum training requirements need to develop in line with scientific advances and the public's expectations of the profession. In order to safeguard the quality of service provision and to protect animal and public health, which might otherwise be compromised by the migration of inadequately trained veterinary professionals, provision for adequate and regular updates of the Annex aforementioned is highly requested. It would also be desirable for provision for minimum requirements for continuing professional development.

6. Making the use of the Internal Market Information system (IMI) mandatory as well as fostering regular meeting amongst all Competent Authorities

The IMI system appears to work well in terms of the Services Directive and has potential for effective use in terms of the Professional Recognition Directive. FVE is of the opinion Internal Market Information System (IMI), which aims at improving communication between Member State administrations should be linked up to a more effective day-to-day co-operation amongst Competent Authorities, National Coordinators and European Commission in order to ensure a more effective mutual and automatic recognition of professional qualifications between Member States.

7. Emphasize the importance for professionals and new graduates crossing borders holding adequate language skills and adequate professional indemnity insurance

Veterinarians who provide services in a host Member State and those pursuing the profession in their home Member States must be subject to the same rights and obligations. In such a profession it is critical that professionals should be able to communicate effectively, to prescribe and supply medicines safely, and to have a complete understanding of relevant legislation in the host country. Therefore, since there is no formal mechanism in place in the Directive for monitoring language skills and professional indemnity insurance, a more clear reference to such requisites - both for employee and self employed professionals - is strongly desirable.

8. Cross border services provided by veterinary paraprofessionals, particularly veterinary nurses.

In many Member States there is a trend towards the employment of qualified veterinary nurses and other paraprofessionals. It is FVE's view that such persons should be regulated either by the veterinary statutory body or by another professional regulator of equivalent standing and be subject to the same controls as veterinarians when seeking to provide cross-border services.

² Markt ARES/s 411524/2//2010-EN, Group of coordinators for the recognition of professional qualifications
http://ec.europa.eu/internal_market/qualifications/docs/coordinators/consultation_procedure_en.pdf