

Martin FROHN

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Dear Mr. FROHN:

I am writing to you as the President of the General Council of Colleges for graduates in engineering (industrial sector) and technical-industrial engineers of Spain (COGITI). The Institution which I have the honor to represent is a Public Law Corporation that includes 50 Professional Associations nationwide, which include themselves about 92 000 members (Mechanical, Electrical, Electronics, Chemical Engineers etc ..., Graduates in engineering in Industrial sector and Industrial-Technical Engineers) who develop their professional activity in almost all the productive sectors of our country.

The COGITI welcomes the initiative of the European Commission presented on 10 January 2017 consisting of a package of measures which will facilitate the provision of services in the Single European Market to companies and professionals. We understand that these proposals are a good basis for a discussion involving stakeholders, EU institutions, national administrations and professional organizations. To our opinion, this discussion is absolutely necessary to work on some aspects of the proposal for the Directive and Regulation on the European electronic service card (e-card) which has been raising major concerns among our members. I am particularly referring to the possible links deriving from the Electronic Card (e-card).

Freedom of establishment and freedom to provide services are pillars of the European Single market that guarantee the mobility of businesses and professionals throughout the European Union. *For self-employed workers and other professionals to be able to establish themselves in another Member State and offer their services on a temporary basis, mutual recognition of diplomas/degrees, certificates, experience and other qualifications proving the professional qualifications issued in the different Member States must be ensured.*

With this perspective and under cover of Articles 26 and 53 of the Treaty on the Functioning of the European Union (TFEU), different measures have been adopted in the EU with regard to harmonization and mutual recognition, which concluded with the approval in 2013 of the Directive 2013/55 / EU, amending Directive 2005/36 / EC on the recognition of professional qualifications and the Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System.

The aforementioned Directive introduced the European Professional Card (TPE), which although is currently operative for 5 professions only, has proved to be a good tool to facilitate the recognition of professional qualifications, reduce unjustified or

disproportionate obstacles, and facilitate access and practice of a service activity in any country of the European Union.

The TPE is an electronic certificate, which certifies that a professional has fulfilled all the conditions requested to provide services in a host Member State on a temporary and occasional basis, or the recognition of professional qualifications for the establishment in a host Member State.

The objectives inspiring the new normative proposal of the European Commission regarding the e-card are of a great similarity with the TPE. The e-card is conceived as an instrument that will create a simplified electronic procedure which will allow service providers for companies (among them, engineers who are self-employed) to comply more easily with the administrative paperwork necessary to provide services in other countries.

The COGITI believe that the response to the needs of the Spanish engineers on to their European mobility and the freedom to provide services lies in strengthening the existing instruments, to achieve the recognition of their professional qualifications. This is the case of the TPE. We strongly believe that introducing a new instrument (ie the e-card) whose functionality can be absorbed by the TPE implies a serious strategic error, does not meet the real needs of professionals and will create new administrative barriers that will generate nothing but complicating the international mobility of professionals.

For these reasons, the COGITI is requesting the European Institutions that, in the legislative process that is currently underway (proposal for a Directive and Regulation) in relation to the e-card, to consider excluding from these proposals the self-employed workers and to restrict the e-card to companies only. In return and in the scope of our perspective of working for the development of the European Single Market of services, the COGITI advocates implementing the TPE and extending it to other professions with special interest for the engineers due to their extensive mobility.

We trust that our proposal will be welcomed by the European Institutions and remain at your disposal for a more in-depth discussion.

Best regards,



Mr. José Antonio Galdón Ruiz.
President COGITI