Question for written answer P-001858/2019
to the Commission
Rule 130
Danilo Oscar Lancini (ENF)

Subject: Respect for professional qualifications and the right to establishment

The Court of Justice has confirmed that Article 21 of Directive 2005/36/EC does not permit a Member State to refuse ‘automatic recognition’ of evidence of formal EU qualifications, pointing out that the whole system would be undermined if each Member State were able to question the excellence of a university training course taken in another Member State (judgment of 19 June 2003, Case C-110/01, Tennah-Durez; 6 December 2018, Case C-675/17, Preindl).

In autumn 2016, over 60 Italian professionals graduated in dentistry at CESPU University in Portugal. The Italian Ministry of Health has been in breach of Directive 2005/36/EC ever since 2016 as it refuses to recognise qualifications awarded by Portugal’s CESPU University.

This is happening even though the professionals in question are registered as dental surgeons with the Medical Association of Portugal and Italy has received confirmation from Portugal, through the IMI System, that the qualifications comply with the training requirements laid down in Directive 2005/36/EC.

1) What measures will the Commission take in this regard, to ensure compliance with Directive 2005/36/EC on the recognition of professional qualifications?

2) Does it know already that civil servants at the Italian Ministry of Health are breaching the rules on the right of establishment laid down in Articles 43 to 48 of the EC Treaty?