

COUNCIL OF EUROPE

COMMITTEE OF MINISTERS

RECOMMENDATION No. R (89) 10

**OF THE COMMITTEE OF MINISTERS TO MEMBER STATES,
PARTY TO THE EUROPEAN CONVENTION ON ESTABLISHMENT (INDIVIDUALS),
ON THE EQUIVALENCE OF PROFESSIONAL AND TECHNICAL QUALIFICATIONS**

*(Adopted by the Committee of Ministers on 13 September 1989
at the 428th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members ;

Considering that, to that end, the Committee of Ministers, *inter alia*, adopted the European Convention on Establishment (Individuals), which was opened for signature by member states in Paris on 13 December 1955 ;

Considering that one particular purpose of the convention is to secure that nationals of one member state who are in the territory of another member state are treated by the latter state on a generally equal footing with that state's own nationals for purposes of access to gainful activities ;

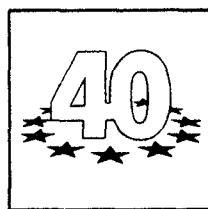
Having regard to Article 15 of the convention ;

Aware that the requirement to produce professional or technical qualifications, or other guarantees, as a condition of access to some activities may, in practice, create obstacles to non-nationals' access to such activities, particularly where such qualifications or guarantees are issued by the state of origin, and it is therefore necessary to assess whether they are equivalent to those of the state in which it is desired to carry on an activity ;

Resolved to eliminate such obstacles, particularly to self-employed activity in the processing industry, in wholesale and retail trade and in the craft industry ;

None the less anxious not to prejudice member states' other undertakings in this matter, particularly those arising from the Treaty of Rome ;

Acting at the instigation of the standing committee set up under Article 24 of the convention,



Forty years
Council of Europe

Recommends that, in order to make it easier for non-nationals to take up self-employed activities in the processing industry, in wholesale and retail trade or in the craft industry, and in pursuance of Article 15 of the convention, governments of states parties thereto :

i. where they have not already done so, give further consideration to recognising foreign qualifications or degrees as equivalent to national qualifications or degrees, including attestations of good character, financial solvency and occupation proficiency ;

ii. take due account of any evidence of professional experience, in the absence of international agreements to that effect ; and

iii. assist non-nationals wishing to do so to familiarise themselves with technical regulations, local practices and legislation which govern entry to the activities in question.