

(2001/C 113 E/272)

WRITTEN QUESTION E-3159/00**by Alexandros Alavanos (GUE/NGL) to the Commission***(10 October 2000)*

Subject: Diplomas from Member State universities via branches in Greece and Directive 89/48/EEC

'Free study centres' operate in Greece in collaboration with universities in other EU Member States. Students at these centres take courses in Greece during the first years and usually continue for the last year at the foreign university in question, which awards them their diploma.

Following the recent incorporation into Greek law of Directive 89/48/EEC⁽¹⁾ on the recognition of diplomas, confusion has arisen over the recognition of the diplomas described above. Although the ministry of education states that they are not recognised, representatives of the free study centres claim that students from these centres fulfil the conditions in Directive 89/48/EEC for the recognition of their diplomas.

In view of the confusion which has arisen, could the Commission clarify whether these diplomas should be recognised in Greece as falling within Directive 89/48/EEC and whether they have similar validity in the other European Union countries?

⁽¹⁾ OJ L 19, 24.1.1989, p. 16.

Answer given by Mr Bolkestein on behalf of the Commission*(3 November 2000)*

Council Directive 89/48/EEC of 21 December 1988 on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration aims to facilitate access to pursue a regulated profession in another Member State other than the one which awarded the diploma. This Directive applies to higher-education diplomas awarded on completion of professional education and training of at least three years' duration.

In order to benefit from the rules of this Directive, the applicant must hold a diploma as defined under Article 1(a) of the Directive, i.e. evidence of formal qualifications or any set of such evidence certifying a post-secondary course of at least three years' duration, showing that the holder has all the qualifications required to pursue a regulated profession in the Member State which awarded the qualifications. The holder of a diploma, within the meaning of the Directive, is accordingly defined as someone who has completed a course which fully qualifies them to pursue a given regulated profession.

According to the Commission's information, the diplomas which the Honourable Member refers to were awarded by French universities as part of a franchise agreement with free study centres in Greece. As far as the Commission is aware, these diplomas do not allow access to regulated professions in France. Indeed, such diplomas are awarded on completion of academic as opposed to professional training. In order to become qualified professionals within the meaning of the Directive, the holders of such diplomas must, where necessary, complete an additional period of training.

The sole exception to this rule is education and training in psychology. As the psychology profession in France is regulated and the diplomas required to pursue this profession are awarded as part of the aforementioned franchise agreement, they are indeed diplomas within the meaning of Directive 89/48/EEC, in that they are awarded on completion of professional training. As a result, they are likely to benefit from the application of the Directive.

Faced with the refusal of the Greek authorities to recognise their French diplomas, some psychologists have presented their complaints to the Commission, which in turn has begun infringement proceedings against Greece for failing to meet its obligations under Directive 89/48/EEC. Formal notice has now been served on the Greek authorities.

In conclusion, according to the Commission's information, with the exception of diplomas in psychology, Directive 89/48/EEC does not apply to diplomas awarded by French universities as part of the franchise agreements with free study centres in Greece.