

## ENMCA survey on recognition of third country qualifications that have been recognised by another member state

In February 2024, the European Court of Justice Advocate General made a preliminary ruling which stated that a doctor with a third country basic medical qualification which has been recognised by one member state for the purpose of entry to the specialist register, can be barred from automatic recognition in another member state ([CURIA - Documents \(europa.eu\)](#)).

The case referred to an EU national with a basic medical qualification from Tunisia which was recognised by Germany. The doctor was subsequently awarded a diploma of specialist in anaesthesiology in Germany but when he applied to join the French register, his application for automatic recognition was denied.<sup>1</sup>

### For the purposes of this survey, we are using the below scenario:

- Basic medical training obtained in a third country.
- Doctor migrating to EU/EEA country A.
- Basic medical training recognised in EU/EEA country A.
- Doctor started further training and obtained specialised title in country A.
- Doctor migrating to EU/EEA country B, application for registration and practice as a specialised doctor in country B.<sup>2</sup>

### Questions

1. Can a holder of a third country basic medical diploma be admitted to a specialist medical training program in your country? **YES/NO**
  - a. If yes, please describe (briefly) the admission procedure.
  - b. If yes, what are your considerations regarding article 25.4 of the professional qualifications directive (PQD)? How do you take this article into account?
  - c. If no, please describe what a holder of a third country basic medical diploma must do, to be able to start specialist medical training in your country.

One must get registered as a doctor before they are able to enroll in medical residency. If the education they have acquired in a third country meets the EU requirements and that person's education has been recognized by another EEA member state and the applicants also has the needed work experience of three years in a row during the last five years in that country then Estonia will register them.

If all the requirements have not been met, then the applicant must take a compliance examination.

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<sup>1</sup> In this case, under French law, the doctor could not apply for automatic recognition, but he could have applied under the general system or the EU treaty procedure.

<sup>2</sup> In this scenario a specialised doctor is an article 25 and/or an article 28 2005/36/EC-specialist

2. Do you issue an article 25 PQD-qualification (Annex V. point 5.1.2.) to a doctor who obtained basic medical training in a third country and completed the specialist medical training in your country? **YES/NO**

a. If yes, please indicate.

If the specialist education has been acquired in Estonia then we will confirm the compliance of the education with the directive.

The Certificate of Conformity/Certificate of Current Professional Status lists the doctor's basic education and the specialist education. We add the needed information under each subsection ("Education acquired outside the EEA" and "Regarding the medical specialist studies").

b. If no, please describe what diploma or certificate you issue and what legal basis is stated on the diploma.

3. Do you – as the competent authority of country B - *automatically* recognise a specialist qualification, issued by another EU member state (in this scenario: country A), regarding a doctor with a third country qualification in basic medical training?

Note: in this scenario the applicant does not hold the title listed in Annex V.5.1.1.  
**YES/NO**

a. If yes, please indicate.

If the education they have acquired in a third country meets the EU requirements and that person's education has been recognized by another EEA member state and the applicant also has the needed work experience of three years in a row during the last five years in that country then Estonia will register them.

If all the requirements have not been met, then the applicant must take a compliance examination.

b. If no, how do you assess the application? Please describe in as much detail as possible your assessment procedure, indicate the legal basis (Directive 2005/36/EC, EU Treaty, national law, etc) and consider the meaning of article 3.3. of the PQD.

4. Is there anything else you think would be useful to share regarding your procedure for third country qualifications that have been recognised by another EU member state?

N/A