

Elections to the European Parliament in 2024

**Brief policy positions
of
Union Nationale des Professions Libérales
(UNAPL)
and
Bundesverband der Freien Berufe
(BFB)**

Preamble

Liberal professions are key players in national economies and the European economy. They are an anchor of socio-political stability in a changing world. The fact that the liberal professions hold such a key position today is due to their rigorous, indeed uncompromising, focus on the quality of their services. This focus on quality can only be guaranteed in the long term by a balanced overall system for professional services, in which self-governance and professional rules are central elements.

Liberal professions play a crucial role in protecting fundamental rights and interests of individuals against more powerful economic actors and the state. To achieve this, professional decisions taken by members of the liberal professions in the interests of their patients, clients or customers must remain free from governmental influence and independent of the economic interests of third parties. This necessitates, to varying degrees depending on the profession, effective protection of confidential information and safeguards against conflicts of interest, and prohibits not only instructions from the state but also commercially motivated objectives and excessive reliance on third parties outside the profession. This protection serves patients, clients and customers, as well as the (fundamental) rights and European values that are to be protected.

The European Parliament itself has recognised the specific contribution of the liberal professions to the common interests.

The interests of the patient/customer must always come before those of the professional or any other third party, unlike in so-called "commercial" sectors.

These specific characteristics require appropriate policies guaranteeing the quality and safety of their services within the internal market.

Only then will the liberal professions be able to make their rightful contribution to growth and employment in the EU.

Out of the approximately 7 million professionals in Europe, France (with 1,7 million of liberal enterprises) and Germany (with 1,5 million of liberal professionals) together account for more than 3 million liberal professions and nearly 1,5 and 3,6 million employees each. The area's employment and growth potential could be further developed in an appropriate legislative environment.

Attracting an ever-increasing number of business owners, they represent a growing share of the European Union's GDP (more than 10% on average).

Beyond the simple rules of competition governing the internal market, the UNAPL and the BFB are calling for the adoption of policies aimed at positively supporting the competitiveness of liberal enterprises within it.

UNAPL and BFB will continue its dialogue with the members of the future European Parliament in order to promote good policies for the liberal professions in the best interest of their patients and clients.

1. Using the quality of liberal professional services to promote Europe as a business location – Strengthening consumer protection

Liberal professional services, which are independent and intellectual in nature, are key pillars of Europe as a centre of excellence. Qualified professionals and high-quality services strengthen Europe's global competitiveness. The high quality of services provided by the liberal professions benefits society as a whole, citizens, businesses and administrations. It ensures a high quality of life in France, Germany and Europe in general, inseparable from a certain "European way of life" and European identity.

The regulatory system for liberal professional services is the foundation of this quality. The self-governing nature of the chambers, bodies and associations of the liberal professions ensures the protection of patients and consumers and the high quality of services. Support for the well-established systems of liberal professional organisations in the Member States, which monitor compliance of the qualifications of members of the profession, is therefore also necessary in terms of patient and consumer protection. That is why the laws governing the liberal professions are not an obstacle, but an enriching/ valuable tool for the European Single Market, ensuring that the human and social aspects are taken into account alongside the purely economic aspects. Liberal professionals are therefore essential players in the service of citizens, patients, clients and consumers.

Members of the future European Parliament are called upon to

- work towards quality-based rather than purely profit-oriented systems in the further development of the Single Market. Our citizens need to experience tangible benefits.
- Campaign for European legislation that will allow the existing laws governing the liberal professions to be maintained; insofar as it is fully justified and proportionate to protect the interests of the patients and clients of liberal professionals.
- Promote professional qualifications and competences through high training requirements for liberal professionals in the EU.
- ensure that the relevant legislative and non-legislative reports of the European Parliament clearly distinguish between justified and unjustified barriers in the European Single Market;

- campaign for consumer protection and single market issues to continue to be dealt with by the European Parliament in the same committee;
- work towards a common understanding of the liberal professions at EU level.

2. Recognising professional quality assurance systems and permanently tackling excessive bureaucracy

The liberal professions and their organisations undertake tasks for which they are better equipped as experts than public authorities. The self-government of self-funded chambers, bodies and associations of the liberal professions reduces the burden on the state and strengthens its ability to function.

State bureaucratic requirements, the objectives of which are already covered by the system of liberal professions, represent an unjustified double burden and reduce the attractiveness of the profession. Existing bureaucratic requirements should be taken into account in the new legislation, such as through relevant exemptions from the scope of a new act. In addition, from the perspective of the liberal professions, it should be ensured that the implementation and enforcement of existing European legislation in the same area has been completed before new legislation is adopted.

The liberal professions are very much in favour of the European legislator's promises to reduce the administrative burden on businesses, especially SMEs. Smart and lean regulation, the reduction of existing bureaucracy and the minimisation of future red tape should remain at the heart of political action in the coming legislative period.

Members of the future European Parliament are called upon to

- recognise the added value of the self-funded self-governance of chambers, bodies and associations of the liberal professions and, in this context, to generally strengthen independent self-governing bodies within the EU; and involve them more closely in the development of European policies.
- ensure that the reporting and notification requirements for SMEs, including the liberal professions, are significantly reduced;
- ensure that existing tools and initiatives for better regulation – in particular, the SME Test, and the principles of “one in, one out”, “once only” and “think small first” – are consistently applied in favour of growth and entrepreneurship;
- ensure that the European Commission's SME Envoy acts as a point of contact for SMEs and their representatives and that he or she is given sufficient powers and resources to fulfil his or her tasks.

3. Privacy and future technologies: building trust and safeguarding professional secrecy

Data is the raw material of the future. As with any raw material, it needs to be handled carefully and sustainably. As a matter of principle, the informational self-determination of EU citizens must be safeguarded and the individual's need for protection must be met. This must mandatorily be taken into account with regard to exploiting the potential for economic benefits.

Data also forms the basis for the development and use of future technologies, most notably artificial intelligence (AI). The quality of data plays an important role for the liberal professions, as does transparency in learning systems. The use of AI, decisive in many liberal professions, must not be to the detriment of high service quality and the highly personalised service delivery that goes with it. The responsibility, and therefore the final decision, regarding the services provided by liberal professionals must remain with them.

For liberal professional services, it remains crucial that the special relationship of trust between liberal professionals and their patients, clients and customers is maintained. Professional secrecy must not be undermined on the pretext of digitalising communication channels, or through data transfers in the context of big data and AI.

Members of the future European Parliament are called upon to

- ensure data security, including ensuring that anonymization cannot be reversed;
- uphold professional secrecy as an anchor of trust in the digital age and to protect it from commercial interference;
- uphold that all data used for AI be co-owned by the liberal professionals who contributed to their collection.
- safeguard the informational self-determination of EU citizens, particularly in the context of online economic intermediation platforms.
- protect the quality of services and demand transparency in learning systems.

4. The liberal professions and the green transition: recognising achievements and improving conditions

Liberal professionals and their employees make a significant contribution to a competitive, climate-neutral, circular, sustainable and inclusive EU economy, provided that coherent and reliable conditions are created. Liberal professions and their employees are an essential part of the solution in implementing the European Green Deal. They also provide expertise and solutions to businesses, citizens and the public sector. The green transformation process

depends largely on smart and innovative solutions. This underlines the importance of high-quality education and training, and continuous professional development.

Members of the future European Parliament are called upon to

- further promote the achievements of the liberal professions in this field and in particular recognise the additional qualifications acquired;
- develop measures to address climate change in such a way that they can be implemented by the liberal professions without increasing bureaucratic hurdles;
- make sustainability reporting requirements more comprehensible in the future, so as not to jeopardise the existing commitment to sustainable transformation.