

## II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

## DECISIONS

## COUNCIL

## DECISION No 1/2008 OF THE EU-MEXICO JOINT COUNCIL

of 15 January 2008

**implementing Article 9 of Joint Council Decision No 2/2001 of 27 February 2001 on the establishment of a framework for the negotiation of mutual recognition agreements**

(2008/93/EC)

THE JOINT COUNCIL,

HAS DECIDED AS FOLLOWS:

Having regard to Decision No 2/2001 of the EU-Mexico Joint Council, and in particular Article 9 thereof, and to the Economic Partnership, Political Coordination and Cooperation Agreement between the European Community and its Member States, of the one part, and the United Mexican States, of the other part (hereafter Global Agreement) and in particular Article 47 thereof,

Whereas:

- (1) In principle, no later than three years following the entry into force of Decision No 2/2001, the Joint Council is to establish the necessary steps for the negotiation of mutual recognition agreements.
- (2) The negotiation of mutual recognition agreements could be fostered and facilitated by recommendations issued by professional bodies of the Parties. The Parties should assess the consistency of those recommendations with the Global Agreement and with Decisions adopted by the Joint Council established by that Agreement. Following that assessment, negotiations could be initiated by the competent authorities of the Parties.
- (3) The assessment of professional bodies' recommendations shall be carried out by the Joint Committee, pursuant to the provision of Article 48(2) of the Global Agreement,

*Article 1*

1. The Parties shall encourage the relevant representative professional bodies in their respective territories to provide the Joint Committee with recommendations on mutual recognition for the purpose of the fulfilment, in whole or in part, by service suppliers of the criteria applied by each Party for the authorisation, licensing, operation and certification of service suppliers and, in particular, professional services.

2. On receipt of a recommendation referred to in paragraph 1, the Joint Committee shall review the recommendation with a view to determining whether it is consistent with the Global Agreement and with Decisions adopted by the Joint Council established by that Agreement.

3. When, in accordance with the procedure set out in paragraph 2, a recommendation referred to in paragraph 1 has been found to be consistent with the Global Agreement and Joint Council Decisions and the competent authorities find that there is a sufficient level of correspondence between the relevant regulations of the Parties, the Parties shall, with a view to implementing that recommendation, negotiate, through those competent authorities, an agreement on mutual recognition of requirements, qualifications, licences and other regulations.

4. The agreements referred to in paragraph 3 shall be concluded within a mutually agreed time by way of a Joint Council Decision, which may cover, *inter alia*, the following matters:

- (a) equivalence of qualifications, including education, experience and examinations;
- (b) equivalence of conduct and ethics standards;
- (c) professional development and continuing education to maintain equivalence;
- (d) local knowledge, covering matters such as local laws, regulations, language, geography or climate;
- (e) equivalence of consumer protection requirements such as professional liability insurance;

(f) specific treatment for short-term temporary licensing.

*Article 2*

This Decision shall enter into force on the first day of the second month following that in which it is adopted by the Joint Council.

Done at Brussels, 15 January 2008.

*For the Joint Council*  
*The President*  
P. ESPINOSA CANTELLANO