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**GUIDE FOR USERS
OF THE GENERAL SYSTEM
FOR THE RECOGNITION
OF PROFESSIONAL QUALIFICATIONS**

INTRODUCTION

The purpose of this guide is to describe the main aspects of the general system for the recognition of professional qualifications introduced by Directive 89/48/EEC and supplemented by Directive 92/51/EEC.

It is designed primarily for those who are qualified to practise a profession in one Member State and wish to have their qualifications recognised in another, in order to practise there.

The guide is in two parts, both of which are in question and answer form.

The first part answers the questions most frequently asked about the general system, such as: What is its purpose? Who does it apply to? How does it work?

The second answers a number of specific questions which may arise in the course of applying for recognition under the system.

There is also a flow chart (on page 12) giving a summary of the conditions which must be satisfied in order to be covered by the general system, and two annexes:

Annex 1: a non-exhaustive list of regulated professions covered by the general system;

Annex 2: two lists of regulated professions not covered by the general system

*More detailed information on this subject is available on the Internet:
<http://citizens.eu.int>*

Basic questions on the general system

1. Who is it designed for?

Professionals wishing to practise their profession in a Member State other than that in which they obtained their professional qualifications.

It does not apply to those wishing to study in another Member State: they should contact the NARIC centres for information regarding the recognition of qualifications for academic purposes. Nor does it apply to those who wish to practise a profession in a Member State but have not yet fully completed the training required to practise the profession concerned in another Member State. The general system applies only to those who are already fully qualified to practise a profession in a Member State.

2. In which countries does it apply?

In the following 18 countries: the 15 Member States of the European Union (Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden and the United Kingdom) plus Iceland, Norway and Liechtenstein.

3. Who does it apply to?

Nationals of these 18 countries

It does not, for example, apply to nationals of the United States, Canada, Switzerland or the countries of Central Europe, Africa or Asia. But it does apply to nationals of non-EU countries who are also nationals of a Member State (i.e. people who have dual nationality). Thus, for example, it can apply to an Argentine national who also has Italian nationality. It applies to those who, when the application for recognition is submitted, have the nationality of one of these 18 countries, even if they previously had another nationality.

who obtained their professional qualifications in one of these 18 countries (home Member State)*.

To be covered by the general system, you must be fully qualified to practise a profession in your home Member State. The term home Member State means the Member State in which you obtained your professional qualifications; it may be that of which you are also a national, or it may not.

* for the recognition of qualifications obtained in a non-EU country, see page 11

For example, the following would be covered by the general system: an engineer of Italian nationality who obtained his professional qualifications in Italy; a teacher of Swedish nationality who qualified in Sweden; a physiotherapist of French nationality who qualified in Belgium; a lawyer of Austrian nationality who qualified in Germany.

and who wish to practise that profession in another Member State (termed the host Member State).

For example, the following would be covered: an engineer of Italian nationality, fully qualified in Italy, wishing to practise as an engineer in Spain; a teacher of Norwegian nationality, fully qualified in Norway, wishing to practise in the United Kingdom; a French physiotherapist, fully qualified in Belgium, wishing to practise in France; an Austrian lawyer, fully qualified in Germany, wishing to practise in Austria.

The general system does not apply to situations which are purely internal to a Member State. It applies to "migrants" in the sense that the Member State in which you wish to practise your profession must not be the one in which you obtained your qualifications. There must be a "cross-border" element.

4. Does it apply to all professions?

No, it applies only to professions which are regulated in the host Member State, i.e. professions which cannot be taken up or practised in the host Member State without certain specified professional qualifications. The general system will apply in your case if the profession you wish to practise in a host Member State is regulated there.

5. How can you find out whether the profession you wish to practise in the host Member State is regulated there?

Through the contact point for the host Member State concerned or, possibly, through an organisation representing the profession in your home Member State.

A non-exhaustive indicative list of the regulated professions covered by the general system is given in Annex 1.

6. What if your profession is not regulated in the host Member State?

In that case, you can take it up without further formality and you do not need to apply for recognition of your professional qualifications. You can begin practising in the host Member State, subject to the same conditions as its nationals. You do not need to submit a certificate of recognition issued by an official authority, so that the value to be

attributed to your qualifications depends on the situation of the employment market and on the way this market behaves, not on legal rules.

However, even if your profession is not regulated as such in the host Member State, you still may not be able to practise it freely, since it may not exist as an independent profession in the host Member State because the activities it involves belong to another profession and are thus restricted to professionals in that field. In that case, the general system does not apply.

Example: you are qualified as a psychotherapist in a Member State and wish to work as a psychotherapist in another Member State in which psychotherapy is not an independent profession but belongs to medicine and is restricted to psychiatrists.

7. Does the general system apply to all regulated professions?

No, only to those not already covered by a sectoral or transitional Directive.

Annex 2 contains a list of the seven regulated professions already covered by a sectoral Directive, together with an indicative list of professional activities covered by a transitional Directive. More detailed information on these Directives can be obtained from the contact points.

In addition, Annex 1 contains an indicative list of regulated professions covered by the general system. Further information on these can also be obtained from the contact points.

8. What if your profession is regulated in the host Member State and covered by the general system?

In order to be able to practise in the host Member State, you must obtain recognition of your professional qualifications from the authority there which is responsible for receiving and processing applications for recognition of qualifications in your profession.

9. How do you find out which authority to apply to for recognition of your qualifications?

Through the contact point in the host Member State.

The guides and factsheets available on the Internet also contain useful addresses in the Member States.

10. Can you apply for recognition of your professional qualifications in a Member State in order to practise any regulated profession there or to "work" there in general?

No. You must submit your application with a view to practising a specific profession. The regulated profession which you wish to practise in the host Member State must be that for which you are fully qualified in the home Member State. If you are to practise more than one profession, you must submit a separate application for each profession, since they may not all be covered by the same competent authority.

Examples:

- The general system would apply to someone fully qualified as an estate agent in Spain and wishing to practise that profession in France. Conversely, it would not apply to someone fully qualified as an estate agent in Spain and wishing to practise in France as a lawyer.

- The general system would apply to someone qualified in Spain as a psychologist and as a social worker who wishes to practise both these professions in France, but two separate applications would have to be submitted to the respective competent authorities.

11. Which professional qualifications are covered by the general system?

Those awarded on completion of a full course of professional education and training, i.e. those which permit you to practise a given profession in the home Member State. They may be awarded on completion of theoretical and practical training received in primary, secondary or higher education. If, in the home Member State, you are required to undergo a period of practical or in-service training in addition to the primary, secondary or higher-education course, you need to have completed all of the required elements in order to be covered by the general system.

Examples: in several Member States lawyers have not only to follow a post-secondary course of study but also to pass an additional examination and complete a period of in-service training. Where that is the case, they are fully qualified and thus able to apply for recognition under the general system only once they have completed all of those elements. In some Member States engineers are required to complete a post-secondary course of study and a period of supervised professional practice supplemented by courses, and pass an examination. Only on completion of all of these are they entitled to apply for recognition under the general system. Similarly, in most Member States teacher training comprises a university degree in a particular subject plus a postgraduate qualification in education. Application for recognition under the general system is possible only if the necessary qualification in education has been obtained in the home country in addition to an initial university degree.

12. Will your professional qualifications be recognised automatically?

No. The general system does not provide for automatic recognition of professional qualifications obtained in another Member State. You must submit a personal application clearly stating the profession you wish to practise. Your application will be considered individually by the competent authority in the host Member State.

13. How does the general system work?

Your application for recognition will be examined individually by the competent authority.

Normally, if you are fully qualified to practise a profession in the home Member State and apply for recognition of your qualifications in order to practise that same profession in the host Member State, your professional qualifications will be recognised as they stand.

However, before reaching a decision on your application, the competent authority will compare the professional education and training which you received in the home Member State with that required in the host Member State.

If it finds that there are significant differences in terms of either length or content it may, subject to certain conditions, make recognition conditional on the fulfilment of additional requirements.

In making the comparison, the competent authority must take into account any periods of training and/or professional experience completed after you obtained your initial qualification. The authority may regard that training and/or experience as making up, in full or in part, for any deficiencies in your initial education and training as against that required in the host Member State.

14. What additional requirements can the competent authority impose?

If the competent authority establishes that there are major differences between the professional qualifications you have obtained in your home Member State and those required in the host Member State, you may be required either to provide proof of experience in the practice of the profession concerned in the home Member State, or to complete an adaptation period or an aptitude test in the host Member State. Only one of these three requirements may be imposed. Normally, proof of additional professional experience may be required if your professional education and training was at least one year shorter than that required in the host Member State; you may be required to complete an adaptation period or an aptitude test if there are significant differences between the content of your training and of that required in the host Member State, or in

terms of the range of activities covered by the profession in the home and host Member States.

15. If you are required to complete either an adaptation period or an aptitude test, does the choice rest with the competent authority?

In general, no. You will normally be free to choose between the two. But in some cases, particularly for the legal professions, the host Member State may choose.

16. Within what period must the competent authority reach a decision on your application?

Within four months of receipt of the application itself and any supporting documentation required.

17. *How do you know whether your application is complete?*

You can ask the competent authority directly whether the application submitted is complete, and you are entitled to obtain this information. If your application is not complete, the competent authority must provide you with clear information on the list of documents to be supplied so that the application can be regarded as complete, and it must allow you a reasonable time in which to send the missing documents.

18. Can you be required to prove that you are of good character and repute and have not been declared bankrupt?

Yes, if nationals of the host Member State are required to do likewise. The host Member State must accept as proof documents issued to that effect by competent authorities in the home Member State, but may require those documents to be presented no more than three months after their date of issue.

19. How do you actually prove that you satisfy these requirements?

By presenting to the competent authority in the host Member State one or more documents issued to that effect by a competent authority in the home Member State. If such documents do not exist in the home Member State, you may instead present a certificate attesting to a declaration on oath or a solemn declaration made before a notary or qualified professional body there.

20. What options are open to the competent authority in reaching its decision?

If your application is complete, there are three possible decisions which the competent authority can take:

1) It may decide to recognise your professional qualifications as they stand, in which case you can begin practising the profession - subject to the same conditions as nationals of the host Member State (for example, you may first need to register with the profession's governing body or provide proof of professional insurance cover).

2) Or it may require you either to provide proof of professional experience or to complete an adaptation period or an aptitude test.

3) Or it may reject your application.

In the case of options 2) and 3), the competent authority must clearly state the reasons for its decision, and the applicant must be free to appeal against the decision in accordance with the appeal procedures available in the host Member State.

21. What if your application has been approved?

Recognition entitles you to practice the profession concerned but does not imply that your professional qualifications are regarded as equivalent to national qualifications for other purposes. You can therefore practise the profession, subject to the same laws, regulations, administrative provisions and code of practice as nationals of the host Member State. In particular, you will need to ensure that your activities remain within the range covered by that profession there. If you practice your profession as a paid employee, you are entitled to apply for jobs offered in the host Member State and to participate in staff-selection procedures there (interviews, examination of application, competition, etc.) in the same way as holders of national qualifications, with whom you are on an equal footing (same rights and obligations).

22. What if your application has been rejected?

The competent authority's decision must state the reasons for the rejection. If it does not, you are entitled to require the competent authority to inform you of its reasons. If you are not informed of the reasons - or if you wish to dispute them - you have the right to lodge an appeal with a court or tribunal in the host Member State in order to verify whether the decision is in accordance with Community law.

SOME SPECIFIC QUESTIONS

1. What if, although a national of a Member state, you received part of your professional education and training in a non-EU country?

You will still be covered by the general system, provided that the following two requirements are both met: (i) your profession must be regulated in the home Member State; (ii) your professional education and training must have been received mainly in that Member State, i.e. the proportion received there must be greater than that received in the non-EU country.

Example: A Danish accountant who is fully qualified to practise in Denmark applies for recognition of his professional qualifications in Germany. He has completed a total of seven years' professional education and training. If three of those were undergone in the United States and four in Denmark, he will be covered by the general system; if the reverse is true, however, the competent authority in Germany could reject his application.

2. What if, although a national of a Member state, you obtained all your professional qualifications in a non-EU country?

You will still be covered by the general system, provided that the following four requirements are all met:

- 1) your professional qualifications have already been recognised in a Member State (regarded as the home Member State for the purposes of the general system) in accordance with its national legislation or with a bilateral agreement signed by that Member State;
- 2) those qualifications permit you to practise a regulated profession in that Member State;
- 3) you have actually practised that profession there for three - or in some cases two - years;
- 4) you have a certificate, issued by that Member State, attesting to that period of practice.

Example: You are a Belgian national and have qualified as a speech therapist (education and training, formal qualification, in-service training, etc.) in Canada. The "initial" recognition of this qualification in an EU country (e.g. Belgium) is not covered by the general system but by the national legislation of that country. If, after obtaining such initial recognition, you wish to practise as a speech therapist in another Member State (e.g. France), you can apply for recognition under the general system on condition that you have practised the profession in Belgium for at least three years. You will need to obtain, from a competent authority in Belgium, a certificate attesting to your period of practice there.

3. Can you be required to have gained a certain amount of professional experience before applying for recognition of your qualifications?

In general, no. Before applying for recognition of your professional qualifications in a host Member State you are normally not required to have actually begun practising in the home Member State, but you must be fully qualified to do so.

In some cases, however, the competent authority in the host Member State may require you to prove that you have practised for a given period in the home Member State.

4. When can you be required to have actually practised the profession?

In a number of circumstances, the most frequent being:

1) if your profession is not regulated in the home Member State (in which case you may be required to prove that you have practised it there for at least two years);

2) if your professional qualifications were awarded in a non-Community country and then recognised in a Member State (in which case you will have to prove that you have practised the regulated profession concerned for at least three - or in some cases two - years in that Member State) (see question 2 above);

3) if the duration of your professional education and training was at least one year less than that required in the host Member State in order to practise the regulated profession in question.

5. Will all forms of professional experience be taken into account?

Experience gained in the home Member State in the practice of the profession concerned will be taken into account, as will that gained in any Member State in the practice of a related profession.

Example: After qualifying as a lawyer in Greece, you gained experience as a legal adviser in Germany, where you now wish to practise as a lawyer. In order to do so, you apply for recognition there of the lawyer's qualifications which you obtained in Greece. The competent authority in Germany will have to take into account the experience you gained there as a legal adviser.

Even though the competent authority in the host Member State is required to take into account experience gained in the practice of a related profession, this does not alter the fact that you must be fully qualified to practise, in the home Member State, the profession in respect of which you are applying for recognition of your qualifications in the host Member State.

Where relevant, the competent authority will consider to what extent your experience in the practice of a related profession may entitle you to partial or total exemption from any additional requirements.

6. Can you be required to sit a language examination?

In general, no. However, the host Member State may require you to have a knowledge of its language where this is justified by the nature of the profession you wish to practise. In any case, the language requirements may not exceed what is objectively necessary for practising the profession in question. Whatever the regulated profession, your application will be processed in (one of) the official language(s) of the host Member State and any aptitude test which you are required to take will likewise be in that language.

Example: Having qualified as a lawyer in Austria, you now wish to practise in Greece. The competent authority will process your application in Greek. Should it consider that your professional education and training did not cover certain subjects essential to legal practice in Greece and that you therefore need to take a test in those subjects, that written or oral test will likewise be conducted in Greek.

7. What do you need to submit with your application as proof of your qualifications?

In general, the competent authority in the host Member State must accept as proof any document, issued by a competent authority in the home Member State, certifying that you have successfully completed the theoretical and/or practical training in question. It can also ask you to provide proof of your nationality and professional experience.

You must provide proof of your professional experience if this is a prior condition for recognition, i.e. where the profession in question is not regulated in your home country. In any case, even if proof of your professional experience is not essential for recognition, it is in your interest to provide as much information on it as possible, since your experience is a very important consideration in any decision by the competent authority requiring you to complete an adaptation period or an aptitude test whose content and length are to take full account of your actual skills.

8. Do you have to submit translations of all the documents?

The host Member State may require the documents submitted in support of your application to be translated into (one of) its official language(s). It may also require the translation to be carried out by a sworn translator or a translator approved by a competent authority in the host Member State.

9. What if the competent authority has not reached a decision within four months of receiving your application?

You must be given the opportunity to lodge an appeal against the competent authority before a court or tribunal.

10. Can you be required to contribute towards the cost of processing your application?

Yes, but the amount must not exceed the actual cost of the service provided. In any case, the amount must neither be disproportionate nor render it practically impossible for you to exercise your rights under the general system.

11. What can you do if you encounter difficulties?

You are entitled to lodge an appeal - and it is in your interest to do so - with the competent national appeal body (court or administrative tribunal). You can also contact a Euro-Jus adviser (in the Commission's national delegations) or the European Commission (Internal Market Directorate-General, Regulated Professions Unit, Building C-100 , 200, rue de the Loi, B-1049 Brussels).

In any case, it is up to the competent national authority, and not the European Commission, to assess your qualifications in relation to those required in the host country. The European Commission cannot take the place of the competent national authorities in examining your qualifications. Nor can it issue direct instructions to the national civil servants responsible for the recognition of qualifications. The general system Directives, just as the national laws transposing them, grant you rights which you can exercise directly vis-à-vis the competent national authorities.

**You wish to apply for recognition
of your qualifications in a host Member State**

↓	↓
In order to practise a profession there	In order to continue your studies there

↓	↓
The request is for professional recognition	The request is for academic recognition

↓	↓
Your application will be covered by the general system	Your application will not be covered by the general system Information on the recognition of qualifications for academic purposes can be obtained from the contact point (or NARIC Centre) in your Member State

**Is the profession which you wish to practise in the host Member State
regulated there within the meaning of the Directives?**

↓	↓
YES	NO

↓	↓
The general system will apply	The general system will not apply because the right to take up and pursue that profession is not subject to any restrictions. You are free to practise in the host Member State with the same rights and obligations as its nationals.

Are you fully qualified to practise the same profession in the home Member State?

↓	↓
YES	NO

↓	↓
The general system will apply	The general system will not apply.

**Is the profession which you wish to practise already covered by a sectoral or transitional
Directive (see lists at Annex 2)?**

↓	↓
NO	YES

↓	↓
The general system will apply	The general system will not apply

Annex 1

Examples of regulated professions covered by the general system

	Law, taxation, accountancy	Paramedical	Technical	Socio-cultural
GERMANY	lawyer, tax expert, accountant	physiotherapist, paediatric nurse, occupational therapist, speech therapist, optician, orthoptist, surgical truss maker, dental technician, hearing-aid maker, orthopaedic technician, orthopaedic bootmaker	engineer, patent agent, master craftsman	teacher, State-recognised childcare worker
AUSTRIA	lawyer, accountant	physiotherapist		teacher
BELGIUM	lawyer, bailiff, auditor, accountant, authorised representative	physiotherapist		teacher
DENMARK	lawyer, accountant	chiroprapist, dental prosthetist, dispensing optician, orthopaedic technician, orthopaedic boot and shoemaker, pharmaceutical assistant	ship's captain, quartermaster, estate agent, driving instructor, crane driver, chauffeur, gravedigger	teacher, organist

	Law, taxation, accountancy	Paramedical	Technical	Socio-cultural
SPAIN	lawyer, legal administrator, qualified labour relations officer, auditor	specialist nurse (excluding obstetrics and gynaecology), physiotherapist, optician, chiropodist, dental prosthetist, hearing-aid maker, care assistant, X-ray technician, psychologist	industrial property rights agent, estate agent, property administrator, architectural technician, interior designer, engineer, physicist, geologist, air steward(ess), casino staff, plumber, driving instructor	primary-school teacher, secondary-school teacher, lecturer, lecturer at a tourism college, guide/interpreter, tourist guide
FINLAND	lawyer, accountant	physiotherapist		teacher
FRANCE	lawyer, legal administrator, barrister at the Conseil d'Etat etc., bailiff, registrar at a commercial court, notary, insolvency practitioner, liquidator, auditor, accountant, auctioneer/valuer	speech therapist, orthoptist, masseur/physiotherapist, psychomotorician, occupational therapist, psychologist, dietician, oculist, care assistant, paediatric assistant, hearing-aid maker, dispensing optician, chiropodist, medical laboratory technician	industrial property rights consultant, surveyor, estate agent, taxi-driver, ambulanceman, ship's captain, property administrator, driving instructor	primary-school teacher, secondary-school teacher, lecturer, dancing instructor, regional guide/interpreter, travel agent, social worker
GREECE	lawyer, accountant	dental prosthetist, hospital staff, physiotherapist	industrial designer, mechanic, turner, welder, officer in the merchant navy	teacher
IRELAND	solicitor, barrister, accountant	speech therapist, orthoptist, masseur/physiotherapist, psychologist, dispensing optician, occupational therapist, microbiologist	patent agent, surveyor, engineer, accountant technician, ship's officer, deck officer	primary-school teacher, teacher at a secondary/vocational/multidisciplinary school, lecturer at a technical college

	Law, taxation, accountancy	Paramedical	Technical	Socio-cultural
ICELAND	lawyer, accountant	physiotherapist		teacher
ITALY	lawyer, solicitor, registrar, marketing expert, actuary	orthoptist, speech therapist, dietician, psychologist, hearing-aid maker, optician, medical laboratory technician, X-ray technician, dental hygiene assistant, chiroprapist	engineer, biologist, chemist, geologist, forester, industrial property rights consultant, business consultant, stockbroker, deck officer, engineer officer	teacher, social worker, tourist guides etc.
LUXEM- BOURG	lawyer, auditor, accountant	welfare assistant, masseur/physio- therapist, laboratory technician, speech therapist, district nurse, hospital nurse		teacher, childcare worker, social worker
NORWAY	lawyer, accountant	physiotherapist		teacher
NETHER- LANDS	lawyer, bailiff, accountant	occupational therapist, speech therapist, orthoptist, dietician, physiotherapist, X-ray and radiotherapy technician, pharmaceutical assistant, dental prosthetist	patent agent, engineer, air traffic controller, pilot, sailor, chauffeur, crane driver	teacher
PORTUGAL	lawyer, accountant	psychologist	engineer, industrial property rights agent, ship's officer	teacher, guide/interpreter
UNITED KINGDOM	solicitor, barrister, advocate (in Scotland), actuary, accountant	physiotherapist, optometrist, orthoptist, chiroprapist, prosthetist, art therapist, psychologist, music therapist, dietician, laboratory technician, dispensing optician, dental assistant	surveyor, patent agent, engineer, chemist, physicist, geologist, horticulturist, ship's captain, deck officer	teacher, approved social worker
SWEDEN	lawyer, accountant	physiotherapist		

Annex 2

List of regulated professions covered by a specific Directive

Regulated professions covered by a sectoral Directive
doctor (general practitioner and specialist)
nurse (general care)
dentist
midwife
veterinary surgeon
pharmacist
architect

Examples of regulated activities covered by Directive 1999/42/EC*	
Craft activities (ISIC** Major Groups 23-40)	<i>Manufacture of: textiles (e.g. spinning and weaving), footwear and clothing, wood and cork products, furniture, leather and rubber products, chemicals and chemical products, refined petroleum products, transport equipment, etc.</i>
Wholesale and retail trade (ISIC ex Group 612)	<i>Wholesale, intermediate and retail trade; trade and distribution of toxic products. Group 612: retail trade = resale of goods, without processing, to private individuals.</i>
Industrial activities (ISIC Major Groups 20 and 21)	<i>Major Group 20: manufacture of foodstuffs - dairy products, preserved fruit and vegetables, cocoa, etc. Major Group 21: manufacture of beverages - distilling etc. of spirits, manufacture of wine etc., brewing and malting, etc.</i>
Transport activities (ISIC Groups 718 and 720)	<i>Group 718: auxiliary transport and travel agency activities Group 720: storage</i>
Processing activities (ISIC Major Groups 23-40)	<i>Same fields as for craft activities above</i>
Personal service activities (ISIC Major Group 85)	<i>Major Group 85: domestic services - restaurants, bars and canteens (Group 852) - hotels, camping sites and other provision of short-stay accommodation (Group 853) - bleaching and dyeing - photographic studios, etc.</i>
Insurance activities (ISIC Group 630)	<i>insurance agents and brokers; all-risk insurers</i>
Hairdressing activities	

* Directive 1999/42/EC of 7 June 1999 replaces the transitional Directives listed in its Annex A. It incorporates the main elements and adds a system for recognising qualifications (OJ L 201 of 31 July 1999), which must be implemented by the Member States by 31 July 2001.

** ISIC: International Standard Industrial Classification of all economic activities, drawn up in 1964 by the Statistical Office of the United Nations.