

# **EC/Switzerland agreement: free movement of persons; participation as contracting parties of Bulgaria and Romania**

2008/0080(AVC) - 27/11/2008 - Final act

**PURPOSE:** to conclude a Protocol, on behalf of the European Community and Switzerland on the free movement of persons, in order to take account of the accession of Bulgaria and Romania to the EU.

**LEGISLATIVE ACT:** Council Decision 2009/392/EC on the conclusion, on behalf of the European Community and its Member States, of a Protocol to the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons regarding the participation, as contracting parties of the Republic of Bulgaria and Romania pursuant to their accession to the European Union

**CONTENT:** the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons entered into force on 1 June 2002 (see [AVC/1999/0103](#)). Following the accession of Bulgaria and Romania to the EU, this Agreement has been amended to allow the two countries to become contracting parties. Negotiations with Switzerland were concluded on 29 January 2008, and a draft Protocol was initialled on 29 February 2008.

The Protocol amending the Agreement provides special transition periods for employed workers, and service providers in certain sectors, who are nationals of Bulgaria and Romania. These transition periods will end at the latest 10 years after the entry into force of the Protocol.

The Protocol furthermore introduces adaptations concerning real estate acquisitions, as well as technical adaptations, in particular with respect to Annex II (Coordination of Social Security Schemes). The necessary adaptations to Annex III on the mutual recognition of professional qualifications shall be adopted by the Joint Committee of the Agreement.

The Protocol also stipulates, in the form of a declaration from Switzerland, that Switzerland will provide provisional access to its labour market for citizens of the new Member States, based on its national legislation, before the entry into force of the transitional arrangements contained in this Protocol. For this purpose, Switzerland will open specific quotas for short-term as well as long-term working permits in favour of citizens from the new Member States, as of the date of signature of this Protocol. The quotas will be 282 long-term permits and 1 006 short-term permits per year. In addition, 2 011 short-term workers per year will be admitted for a stay of less than 4 months.

**ENTRY INTO FORCE:** the Protocol shall enter into force when all of the necessary procedures have been completed.