

**Zeitschrift:** Swiss review : the magazine for the Swiss abroad  
**Herausgeber:** Organisation of the Swiss Abroad  
**Band:** 24 (1997)  
**Heft:** 1

**Artikel:** The bilateral negotiations with the European Union : approaching a conclusion  
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**DOI:** <https://doi.org/10.5169/seals-906466>

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The bilateral negotiations with the European Union

## Approaching a conclusion

**Substantial progress has been made over the last few months in the sectoral bilateral negotiations between Switzerland and the European Union. Their conclusion is expected in the first half of this year.**

**T**hese negotiations, whose objective is to limit the disadvantages linked to Switzerland's non-participation in the European single market, started in December 1994. Their purpose is to adjust the relationship between Switzerland and the European Union in all fields where this may appear necessary

*Pierre-André Tschanz*

and feasible by means of sectoral agreements. They concern the following seven areas: land transport, air transport, research, free movement of persons, market access for agricultural products, public procurement and technical barriers to trade. In four of these areas, agreement was reached rapidly, but for a long time the two positions in the fields of free movement of persons and land transport seemed to be irreconcilable. In the last few months, however, there has been a substantial rapprochement, and at present agreement in these fields, too, may well be in sight.

### Free movement with a safeguard clause

For psychological reasons if for no other, Switzerland cannot introduce free movement of persons as the European Union desires. But it is now prepared to abandon gradually the preferential treatment given to its own unemployed (Swiss nationals and foreign nationals established in Switzerland). It is also ready to accord preferential immigration quotas to European Union nationals who, once in Switzerland, would benefit from the same status as Swiss nationals as to free movement of persons. Brussels, for its part, is prepared to give Switzerland sufficient time to adopt these standards and to allow it a safeguard clause.

In consequence, European Union nationals in Switzerland would benefit



**If the bilateral negotiations finally end in success, Swiss citizens will be treated like European Union citizens. (Photo: Keystone)**

from an initial improvement in their status from 1999. Then in 2001, Switzerland would abolish the preference given to its own workers, while at the same time maintaining quotas. On the same time-scale, Brussels would allow Swiss nationals free movement within the European Union. From 2004, free movement would be introduced for European Union nationals in Switzerland. A safeguard clause of five to ten years, would allow Switzerland an immigration limit to be laid down for EU nationals if there is a substantial increase in immigration from the European Union, this without reciprocity.

### Land transport: the problem of charges

A solution also seems to be emerging in the field of land transport. Berne is prepared to abandon its specific weight restrictions on heavy vehicles, allowing the limit to rise from 28 to 40 tonnes in two stages up to 2005. Taking into account the constitutional requirement to transfer international goods transport through the Alpine region from road to rail, Switzerland plans to levy much higher charges on goods transport travelling by road, while at the same time developing its rail capacities.

While generally welcoming these proposals, the European Union con-

siders that the charges envisaged by Switzerland are too high and fears that they will result in a diversion of heavy road traffic to the mountain passages to the east and west of Switzerland (i.e. the Brenner in Austria and the Mont Cenis in France) where charges are lower. It should be noted, however, that the problem of diverging charges on heavy transport also exists within the European Union.

### Air transport

Success or failure of the negotiations on air transport depends on a solution being found for land transport. The negotiations on air transport aim to regulate access by Swiss civil aviation companies to the liberalised European Union internal market. The extent of such access and the mechanisms for supervising and checking it are still matters of controversy.

The negotiations are almost complete on the four remaining items. But the European Union considers the seven sectors as a complete package and is prepared to accept only a solution for them all.

- Research: an agreement would allow Switzerland to participate as of right in the European Union's fourth research framework programme.

- Public procurement: this is a matter of supplementing the regulations of the World Trade Organisation and allowing reciprocal access to public procurement including at the municipal level and para-statal companies.

- Technical barriers to trade: this is a matter of facilitating trade between Switzerland and the European Union by mutual recognition of product test reports, as well as conformity assessment certificates and symbols throughout manufacturing industry.

- Agriculture: the aim is to improve access to the agriculture markets of both parties to the negotiations. Switzerland would have the right to sell more of its products in the European Union, but in exchange would agree to open up its market further to a number of EU products. In addition, mutual recognition of sanitary and phyto-sanitary standards is envisaged. ■