

**Resolution:**  
**Discrimination of Central and Eastern European citizens regarding free movement to Switzerland**

*Adopted at the YEPP Council Meeting, Madrid on 29<sup>th</sup> September 2012*

**Recognising:**

- The Swiss authorities decided to recall a safeguard clause foreseen in agreements on the free movement of persons with the EU that as of 1 May 2012 set quantitative limitations on the residence permits granted to EU citizens who are nationals of 8 Central and Eastern European countries that joined the Union in 2004 (Poland, Lithuania, Latvia, Estonia, Slovenia, Slovakia, the Czech Republic and Hungary).
- The Swiss Government decided to extend free movement rights to Bulgaria and Romania in Protocol II in 2008; regrets, however, that the agreement foresees transition periods of up to seven years; deplores the fact that in May 2011 the Swiss Government decided to extend the transitional period for Bulgarians and Romanians until 31 May 2014).

**Acknowledging:**

- Switzerland has been applying quantitative restrictions on citizens from the 8 aforementioned Member States that joined the EU in 2004 until 30 April 2011, in violation of the 2004 Protocol; whereas at the end of that transitional period article 10(4) of the 1999 Agreement shall apply.
- The Swiss authorities have the right to recall a safeguard clause if in a given year, the number of residence permits granted exceeds the average of the previous three years by at least 10% set by Article 10 of the 1999 Agreement.
- The safeguard clause by the Article 10 of the 1999 Agreement, does not foresee any differentiation on the basis of nationality when ceilings for residence permits, or quotas on their number, are to be established, and refers to 'employed and self-employed persons of the European Community'
- The decision by the Swiss authorities to recall the safeguard clause, which is clearly a discriminatory act against citizens from Central and Eastern EU Member States.
- Discriminating actions of any kind could strengthen xenophobia, extremism and far-right movements by creating deep divisions between European

nations. Moreover, such decisions can deepen the problems that the EU facing today.

- That the major political forces in Switzerland are still committed to the fundamental European values of free movement and equality, and have expressed their solid will to continue the EU-Switzerland cooperation based on those values.

**YEPP calls on:**

- The Swiss Government to recall the decision to limit residence permits granted to citizens of 8 Members States (Poland, Lithuania, Latvia, Estonia, Slovenia, Slovakia, the Czech Republic and Hungary) based on national differentiation
- The European Commission to raise this issue with the Swiss authorities and to stand against the use of double standards in EU Member States or States that have signed binding bilateral or multilateral agreements with the EU.
- The Members States of EU to use all their power to fight against discriminating actions in order to prevent strengthening of extremism and far-right movements that can jeopardise the EU as a whole. Recent examples of immigrant-related discriminating campaigns, as seen in the Netherlands and Denmark, should always be condemned by both National and EU Institutions.
- The Swiss government to respect all the bilateral and sectorial agreements made between Switzerland and the European Union and to look for ways to integrate people from the aforementioned countries into the Swiss economy and society. Furthermore, YEPP calls on both sides to cooperate in order to develop a more effective and flexible system to facilitate the free movement of people.
- European Union Institutions to follow the recommendations of the adopted resolution 2012/2661(RSP) by the European Parliament on May 24<sup>th</sup> 2012.