



Questions and answers on the broad package of measures to deepen and expand the EU-Switzerland relationship

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What is the difference between the Institutional Framework Agreement and the current package?

The Institutional Framework Agreement and the current package differ fundamentally both in form and substance.

In contrast to the Institutional Framework Agreement, the current package does not provide for a single overarching agreement. Instead, it consists of several separate agreements, which are either updated or completely new. These agreements will integrate the agreed institutional and State aid solutions, ensuring a level playing field for EU and Swiss operators.

In terms of substance, the package updates existing agreements in fields related to the internal market and extends cooperation into new areas such as food safety, health and electricity. It also allows for Switzerland's association to Union programmes, notably Horizon Europe and Erasmus+ and provides for a permanent mechanism for Switzerland's regular and fair financial contribution to the EU's cohesion.

What are the changes with respect to the free movement of persons? Will the new agreement allow Switzerland to introduce a cap on free movement?

The main change will be that Switzerland will apply current and future Union law on free movement of persons and posting of workers and therefore be subject to the same rules as Member States. Switzerland cannot place a cap on free movement and this will not change with the updated agreement. The existing safeguard clause will be concretised and framed, but it will not be unilateral.

The Agreement contains exceptions to the application of EU rules on issues of particular sensitivity to Switzerland, for instance related to expulsion, permanent residence of economically non-active persons and students.

What is the agreement with respect to fees for EU students studying at Swiss universities?

Under the updated agreement, Switzerland will treat EU students and Swiss students in the same way with regard to tuition fees and all other fees or charges related to studies in the vast majority of public universities. The current level of access of EU students to these universities will be preserved.

Will the agreement on the free movement of persons provide for a safeguard clause for Switzerland? How would this work?

The Agreement on the Free Movement of Persons indeed provides for a well-framed safeguard clause.

As under the current Agreement on the Free Movement of Persons, it is first for the Joint Committee to find an appropriate, common solution to remedy alleged serious economic difficulties triggered by the application of the Agreement. If no agreement is found, no further steps can be taken.

Under the new Agreement, if the Joint Committee does not find a solution, the party alleging serious economic difficulties caused by the application of the Agreement may bring the issue to the arbitral tribunal.

It will then be up to the arbitral tribunal to decide if the conditions are met and, if it agrees, to authorise measures to be taken. As such the clause is not unilateral.

If a party does proceed with the adoption of measures to address the serious economic issues, the other party can take measures within the Agreement to restore a balance of rights and obligations.

What will be the role of European Court of Justice?

An arbitral tribunal will resolve the disputes between the parties in any of the agreements that will govern Switzerland's access to the internal market. However, if there is a question of Union law that needs to be resolved in order to deliver its decision, the arbitral tribunal must submit that question to the European Court of Justice, whose ruling will be binding on the arbitral tribunal.

Moreover, the case-law of the European Court of Justice will apply to all these agreements, regardless of whether it has been handed down before or after the entry into force of the package.

What was agreed with respect to Switzerland's contribution to reducing economic and social disparities? How will the contribution be calculated? Is there a methodology?

A permanent mechanism for Switzerland's regular and fair financial contribution to cohesion within the EU will be established. The size of the financial mechanism would reflect the level of partnership and cooperation between the EU and Switzerland.

The agreement includes provisions ensuring that there is no gap in Switzerland's contribution and that it complements the EU's cohesion efforts. It also contains effective measures in case one of the parties breaches the agreement (e.g. dispute settlement, a possibility to take compensatory measures within this and other agreements forming part of the broad package of agreements between the EU and Switzerland).

The agreement lays down also the amount and other rules on the first Swiss financial contribution under the agreement. There will be an annual payment of EUR 375 million for the period from the entry into force of the package until 2036. In addition, there will be an annual payment of close to EUR 140 million per year from the end of 2024. The first Swiss financial contribution will therefore encompass the first regular contribution for that period as well as a one-time additional financial commitment covering the period between the end of 2024 and the end of 2029. Lastly, the agreement includes rules on how Switzerland's subsequent contribution should be determined. This would be based on the previous regular financial contribution but will be adjusted based on a limited set of factors.

What could Switzerland's financial contribution be used for?

Switzerland's financial contribution would mainly foster cohesion within the EU. It would involve support for various projects designated to reduce economic and social disparities in the EU. Such projects could concern for example vocational education and training, green transformation, research and innovation, support for the healthcare systems or SME financing, in line with the priorities set by the Member States concerned and Switzerland in their bilateral agreements. A small part of Switzerland's financial contribution could be also used in the area of other common challenges the EU and Switzerland are facing, e. g. to support migration-related measures in Member States particularly affected by migration movements.

Will Switzerland be associated to Union programmes already now?

The start of Switzerland's association to the Horizon Europe, Digital Europe, and Euratom Research and Training programmes is foreseen in 2025, subject to the signature of the agreement on Union programmes. A sunset clause makes clear that association will end if the package is not ratified. In this perspective, the European Commission will apply transitional arrangements to allow Swiss applicants to apply for calls under these programmes already 2025.

In addition, Switzerland's participation in Fusion for Energy (F4E)/ITER is foreseen to start from 2026, and in Erasmus+ from 2027.

What is foreseen in the State aid provisions?

State aid provisions will be introduced in the air transport, land transport and electricity agreements.

Any aid granted by Switzerland in the areas covered by these agreements will be subject to the same State aid compatibility rules as those applicable in the EU. Switzerland will have to establish a State aid control system delivering an equivalent level of surveillance and enforcement as the one provided in the EU system, including through an independent surveillance authority. When establishing their State aid control system, the Swiss authorities should ensure equivalence with EU State aid secondary legislation and take due account of the Commission's relevant guidelines, communications and

decisional practice.

What are the changes with respect to transport?

The Land Transport Agreement will confirm the right for EU rail operators to provide international services in Switzerland, including a possibility to pick up and set down passengers in Switzerland along international routes. This means that an international train operated by an EU company going, for example, from Paris to Zurich can pick up passengers in Basel and set them down in Zurich. Currently, such train may be operated only in cooperation with a Swiss operator. The Agreement provides for a number of exceptions from EU rules, notably as regards the Swiss interval service timetable. The Agreement also lays the ground for a limited participation of Switzerland in the European Union Agency for Railways.

Under the Aviation Agreement, Swiss air carriers will acquire the right to fly within the territory of a Member State (e.g. from Berlin to Munich) and EU air carriers will acquire the right to fly within Switzerland.

Finally, the agreements on air transport and on land transport integrate institutional and State aid provisions to ensure a level playing field between EU and Swiss operators in the fields covered by these agreements.

Is the update of the Mutual Recognition Agreement (MRA) and its Annex included in the package?

The Commission and Switzerland are working on the update of the MRA Annex, which will be part of the updated Mutual Recognition Agreement. The Annex notably refers to sector specific rules for twenty product sectors. It also contains provisions for the mutual recognition of certificates confirming that products comply with the relevant requirements resulting from such sector specific rules.

The updated Agreement together with its Annex will enter into force together with the rest of the package, once both sides complete their ratification procedures.

What are the advantages of the Electricity Agreement?

The EU and Switzerland have been seeking to conclude an agreement on electricity for almost 20 years. With this agreement, Switzerland will integrate into its legal order EU legislation supporting the internal electricity market and will hence gain access to this market.

In addition to providing legal certainty for EU and Swiss actors working in the electricity sector on rules applicable in each jurisdiction, the agreement will provide greater stability of the electricity grid, increased security of supply in electricity for both the EU and Switzerland, and more efficient trading conditions, thus maximising social welfare. Detailed provisions reflecting Swiss specificities apply as regards winter reserves.

Finally, this agreement will also contribute to reaching a fully decarbonised electricity system and therefore facilitate the EU reaching Net Zero by 2050.

What are the benefits of a Common Food Safety Area?

Over the years, the EU and Swiss legislation regarding the control of animal diseases have gradually become similar.

With the establishment of a Common Food Safety Area, the EU and Switzerland have agreed to deepen and extend their cooperation, by replacing the multiple sets of rules that presently govern their bilateral agri-food flows by a single rule book and integrated control system covering the entire food chain. It will notably include food and feed safety, plant health and plant protection products, and animal health and welfare.

Animals, plants, food and feed will circulate between the EU and Switzerland according to the same rules as within the Member States. Consignments from third countries will be subject to the same sanitary and phytosanitary checks upon their arrival in Switzerland as in any other Member States. This means that the same checks will be applied at Geneva or Zurich airport, or in Dunkirk's port or Schiphol's airport on imported food, feed, plant or animals.

Consumers in the EU and Switzerland will be reassured that the same set of high standards regarding food, feed and other products related to the food chain is simultaneously applied across both sides at

any given moment in time. Food and feed producers and businesses in the EU and Switzerland will benefit from clearer and more transparent rules, which will make exchanges smoother and easier.

Does the Common Food Safety Area mean that Switzerland will have to abandon its stricter standards regarding genetically modified organisms and animal welfare?

In a limited set of areas, the EU and Switzerland agreed that Switzerland could maintain standards that were different from those of the EU. This is notably the case for genetically modified organisms and animal welfare.

Both sides agreed that stricter Swiss standards should not adversely affect exports of the EU to Switzerland and that both sides should consult each other about important developments relating to these areas.

Will the Common Food Safety Area / the institutional solutions affect the tariff and quota concessions the EU and Switzerland agreed in the agricultural agreement?

This will not be the case. The EU and Switzerland's respective tariff and quota concessions in Annexes 1, 2 and 3 of the Agreement on Trade in Agricultural Products are not affected by the Common Food Safety Area and the range of institutional solutions that come with it. Changes to that agreement are limited to a modernisation of its dispute settlement mechanism, to bring it in line with current practices in the EU and Switzerland's respective trade policies.

Will the Common Food Safety Area lead to the harmonisation of the EU and Switzerland's agricultural policies?

This will not happen. The Common Food Safety Area does not regulate how the EU and Switzerland should organise their own agricultural markets. Each side will continue to develop its own agricultural policies independently. Existing rules under the Agreement on Trade in Agricultural Products that relate to the protection of wines, spirits and geographic indications, as well as to organic farming, will not be subject to dynamic alignment.

What are the next steps in the process on the EU side?

The Commission will now proceed with the legal revision and the translation of the agreements and protocols that form the package into all official languages of the EU. This will then allow the Commission to make proposals to the Council for the signing and conclusion of the elements of the package.

Once the Council authorises the signing of the agreements and protocols, the Commission could sign them on behalf of the Union.

The Council would then request the consent of the European Parliament.

Finally, the Council would decide on the conclusion of the package, allowing for its entry into force.

For more information

[Press release - The Commission and Switzerland complete negotiations to bring the EU-Switzerland bilateral relationship to a new level](#)

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Press contacts:

[Balazs UJVARI](#) (+32 2 29 54578)

[Francisca MARÇAL SANTOS](#) (+32 2 29 97236)

General public inquiries: [Europe Direct](#) by phone [00 800 67 89 10 11](#) or by [email](#)