



Adoption of the initiative against mass immigration and its impact on future cooperation in research and education between Switzerland and the EU

Information as of 17 February 2014

It is as yet unclear what consequences the adoption of the initiative against mass immigration will have on future cooperation between Switzerland and the EU in the areas of research and education. The Federal Council has begun work on drawing up a plan, which should be ready by the summer, to set out how the initiative could be implemented in law. In terms of research and education, the State Secretariat for Education, Research and Innovation SERI will provide regular updates regarding the status of Horizon 2020 and Erasmus+.

The facts as they stand are as follows:

A) Research

FP 7

- The bilateral agreement between Switzerland and the EU regarding Switzerland's participation as an associated state in the EU's 7th Framework Programme (FP) remains unconditionally valid until all projects under FP7 have run their course.
- The funding by the European Commission of Swiss project holders in FP7 is assured until the end of the research project.
- This applies in particular for the FET flagship Human Brain Project, which is being funded in the ramp-up phase until spring 2016 from the FP7 budget.

Horizon 2020

- The Federal Council and parliament have also established the conditions necessary for associated participation in the EU's 8th Framework Programme for Research and Innovation from 2014-2017, better known as Horizon 2020 (negotiating mandate; financing credit).

<http://www.news.admin.ch/message/index.html?lang=de&msg-id=50241> (in French, German or Italian)

<http://www.news.admin.ch/message/index.html?lang=en&msg-id=47933>

- Negotiations with the EU with regard to association, which were at an advanced stage, are currently suspended following adoption of the initiative; the EU cites the principle of the free movement of persons as a key element of the bilateral agreements and is waiting to see how Switzerland proceeds in terms of extending the freedom of movement to Croatia.
- A series of discussions have taken place in which Switzerland made clear that it is not the Federal Council's intention to discriminate against the citizens of Croatia.
- Protocol III deals with the extension of the free movement of persons to Croatia. The new constitutional provisions prohibit the signing of new agreements which are not compatible with quotas for immigrants. This provision can be applied directly and need not be implemented in a federal act. The Federal Council is therefore not in a position to sign Protocol III in its current version.
- The Federal Council will work closely with the EU to find ways of avoiding any discrimination against Croatia. Discussions will also be held to find solutions to other unresolved issues.

- Until the matter has been resolved the State Secretariat for Education, Research and Innovation recommends Swiss researchers to continue to respond to and actively participate in open calls for Horizon 2020.
- The fact that a bilateral agreement on association with Horizon 2020 has (not yet) been initialled or signed, is not only due to the recent popular vote, but also to normal timetabling factors: calls for FP7 were also open to Swiss researchers before a bilateral agreement between Switzerland and the EU had been signed. A retroactive association is also normal for other associated states, and no other associated state currently has a signed association agreement with the European Union.
- Due to the potential uncertainty regarding Switzerland's future participation status in Horizon 2020, it is advisable to plan for the possibility of Switzerland's non-association (and consequently third country status) as follows:
 - Potential Swiss project partners should make sure that the proposal respects the required minimum number of consortium partners from three institutions from three different EU member states or associated states (not including Switzerland).
 - It appears that under current regulations projects may be coordinated by third country participants; Swiss project partners may therefore continue to play a coordinating role.
 - For individual projects such as grants from the European Research Council or Marie Skłodowska Curie actions, SERI recommends that project submissions be prepared and executed in accordance with the requirements and deadlines of the European Commission.
- SERI is working with the EU on a solution - by September 2014 (when the first consortium contracts on research projects are to be signed - which would enable Swiss researchers to participate in Horizon 2020). A solution should also be found for individual projects.

B) Education

'Lifelong learning' and 'Youth in action' programmes until 2013

- The bilateral agreement between Switzerland and the EU on Association to the EU's 'Lifelong learning' and 'Youth in action' programmes remains unconditionally valid until the projects begun by the end of 2013 have run their course.
- The financing of Swiss project holders assured until the end of the projects.
- This applies in particular for payments of mobility grants to students, trainees and teaching staff until the end of the 2013/14 academic year.

Erasmus+

- The Federal Council and parliament have established the conditions (negotiating mandate; financing credit) for association to the new programme generation (Erasmus+ 2014-2020).
- Negotiations with the EU relating to the association have been suspended following the adoption of the initiative; the EU cites the principle of the free movement of persons as a key element of the bilateral agreements and how Switzerland intends to handle the issue of expansion of this principle to Croatia.
- A range of discussions have taken place in which Switzerland made clear that it is not the Federal Council's intention to discriminate against the citizens of Croatia.
- Protocol III deals with the extension of the free movement of persons to Croatia. The new constitutional provisions prohibit the signing of new agreements which are not compatible with quotas for

immigrants. This provision can be applied directly and need not be implemented in a federal act. The Federal Council is therefore not in a position to sign Protocol III in its current version.

- The Federal Council will work closely with the EU to find ways of avoiding any discrimination against Croatia. Discussions will also be held to find solutions to other unresolved issues.
- Regardless of that, Swiss applicants can participate unconditionally in ongoing calls on Erasmus+ subject to the agreement being signed in time.
- The EAER is working with the EU on a solution by June 2014 (when the first project contracts on mobility and partnership projects are to be signed), which would enable Swiss actors in the field of education to participate in Erasmus+.

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