



COUNCIL OF  
THE EUROPEAN UNION



Brussels, 27 May 2008  
9921/08 (Presse 143)

**Signature of a protocol to the agreement with the Swiss  
confederation on the free movement of persons, regarding the  
participation, as contracting parties, of the Republic of  
Bulgaria and Romania**

The signature of the 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, took place in Brussels, today, between Mr. *Matjaž Šinkovec*, State Secretary at the Office of the Prime Minister of Slovenia, on behalf of the European Community and its Member States, and Ms. *Eveline Widmer - Schlumpf*, Member of the Swiss Federal Council, Head of the Swiss Federal Department of Justice and Police, on behalf of the Swiss Confederation.

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<sup>1</sup> was signed in Luxembourg on 21 June 1999 and entered into force on 1 June 2002.

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<sup>1</sup> OJ L 114 of 30 April 2002, p. 6.

**P R E S S**

Given the accession of the ten new EU Member States on 1 May 2004, the Agreement has already been amended once through a Protocol regarding the participation of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia in it.<sup>1</sup>

The Agreement needs to be amended once again, in order to allow for the accession of Bulgaria and Romania as Contracting Parties to it, following their accession to the EU on 1 January 2007.

Following the necessary authorization from the Council to the Commission on 5 May 2006, negotiations were launched, and were concluded on 29 February 2008 with the initialling of the final draft. The legal bases for the adoption of the Protocol from the EU side are the same as those used for the original Agreement.

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

Moreover, the Protocol introduces a number of adaptations concerning real estate acquisitions, as well as technical adaptations, in particular with respect Social Security Schemes. The necessary adaptations on the mutual recognition of professional qualifications shall be adopted by the Joint Committee of the Agreement.

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<sup>1</sup> This Protocol was signed in Luxembourg on 26 October 2004 and, following a positive Swiss referendum on this issue on 25 September 2005, entered into force on 1 April 2006 (OJ L 89 of 28 March 2006, p. 30).