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Ressort: Politik

UK and Switzerland: Bilateral agreements continue to apply

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The withdrawal of the United Kingdom from the European Union at midnight on 31 January 2020 will not change the relationship between Switzerland and the UK in the near future: the bilateral agreements between Switzerland and the EU will continue to apply to the UK until 31 December 2020.

Switzerland can use the transition period (which may be extended) to continue to work out together with the UK their future relationship as part of the Swiss “Mind the Gap” strategy. The transition period runs until 31 December 2020 and can be extended by one or two years. During this period, the UK will remain part of the EU single market and customs union. EU third-country agreements, for example the bilateral agreements between Switzerland and the EU, will also continue to apply to the UK during the transition period. The EU (including the UK) and Switzerland have formally confirmed through an exchange of notes that these agreements will continue to apply to the UK during the transition period.

Under Swiss national legislation, the term 'EU member state' will continue to include the UK during the transition period. The UK's withdrawal from the EU is also of considerable importance for Switzerland as a third country. Both the UK and the EU are important political and economic partners for Switzerland. In legal terms, the relationship between Switzerland and the UK is mainly governed by the bilateral agreements between Switzerland and the EU, which will cease to apply to the UK once the transition period ends.

As early as October 2016 the Federal Council adopted its Mind the Gap strategy to ensure that the existing mutual rights and obligations between both countries would be safeguarded as far as possible.

Since then, under the coordination of an FDFA-led interdepartmental steering group, Switzerland has concluded five new agreements with the UK in the areas of trade, road transport, air transport, insurance, and citizens' rights. Based on the Agreement on the Free Movement of Persons, the citizens' rights agreement safeguards the rights which Swiss citizens in the UK and British citizens in Switzerland acquire before the end of the transition period.

The new agreements will enter into force at the end of the transition period. The transition period also provides Switzerland with an additional window of opportunity to complement or further develop these agreements together with the UK.

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A new set of bilateral agreements between Switzerland and the UK will apply thereafter.

As part of its ‘Mind the gap’ strategy, Switzerland concluded at an early stage a series of new agreements with the UK in the areas of trade, migration, road and air transport and insurance. The aim of the ‘Mind the gap’ strategy is to safeguard existing mutual rights and obligations as far as possible. In a second step, cooperation between Switzerland and the UK is to be expanded beyond the current level where this is in the interests of both sides (‘Mind the Gap plus’).

Switzerland's economic relations with the UK are significant; it is, therefore, important to secure the legal framework post-Brexit and, where possible and appropriate, to develop it further (Mind the Gap+). The UK was Switzerland's sixth-largest trading partner in 2018, with a trading volume of over CHF 36 billion. In 2017, the UK was the third most important market for the export of Swiss services, while Switzerland ranked third for British direct investments. Approximately 58,600 flights operate annually between Switzerland and the UK. Some 34,500 Swiss citizens live in the UK and 43,000 British citizens live in Switzerland. (SOURCE: FDA)

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