



Press release

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Free movement of persons: Federal Council invokes the safeguard clause for Croatia

Access to the Swiss labour market is to be restricted again for Croatian nationals in 2023. The number of workers from Croatia has risen sharply this year and now exceeds the threshold figure defined in the Agreement on the Free Movement of Persons. The Federal Council therefore decided at its meeting on 16 November to invoke the safeguard clause provided for by the Agreement.

The Agreement on the Free Movement of Persons (AFMP) with the European Union was extended to Croatia through an additional protocol that came into force on 1 January 2017. The protocol provides for a phased opening of the Swiss labour market to Croatian nationals over a period of ten years. Since 1 January 2022, Croatian nationals have enjoyed full freedom of movement. The AFMP safeguard clause allows Switzerland to unilaterally reintroduce permit quotas for a limited period of time if immigration from Croatia exceeds a certain threshold. This threshold is reached when the number of permits issued in a given year – in this case 2022 – is more than ten per cent higher than the average of the previous three years (i.e. 2019–2021).

Between January and October 2022 Switzerland issued 2,413 B permits to Croatian nationals, despite the threshold for the whole of 2022 being 178 (162 permits being the average of the years 2019 to 2021, which were still subject to quotas, plus ten per cent). The 2022 figures therefore satisfy the quantitative conditions provided for by the AFMP, allowing Switzerland to unilaterally invoke the safeguard clause. In accordance with the legal provisions, Switzerland will therefore reintroduce quotas for B and L permits from 1 January 2023. The number of B and L permits available in 2023 has been fixed at 1,150 and 1,007 respectively.

AFMP safeguard clause

Overall immigration by foreign workers to Switzerland has risen sharply in 2022 following rapid economic recovery from the COVID-19 crisis. The number of permits issued to Croatian nationals has increased in line with this trend, exceeding the threshold values set out in the AFMP. The demand for Croatian workers has been mainly in the manufacturing and construction industries (secondary sector) and in hospitality, trade and agency work (tertiary sector). In addition, there has been a rise in the number of Croatian workers in areas requiring higher qualifications, such as planning services, consulting and IT.

The Federal Council uses the instruments at its disposal to control immigration according to the needs of the economy. It has made use of the safeguard clause on several occasions in the past for nationals of other states that have joined the European Union. It is now activating the safeguard clause again in order to ensure the phased implementation of free movement for Croatian nationals on the Swiss labour market.

Further information is available at <https://www.ejpd.admin.ch/ejpd/en/home.html>.

Enquiries:

Information and Communication SEM,
medien@sem.admin.ch

Departments responsible:

Federal Department of Justice and Police (FDJP)
Federal Department of Foreign Affairs (FDFA)