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The SVP, which initiated the successful popular initiative, takes a fundamentally different view on precisely that point. It does not want the Federal Council to first hold negotiations with the EU. In contrast, the government maintains “that the results of the targeted negotiations with the EU are of importance to the proposed bill” as the “overall evaluation of the implementation of the new constitutional provision can only be carried out once the outcome of the negotiations on the amendment to the agreement on free movement of persons has been established.”

Not so, argues the SVP faction leader Adrian Amstutz. He writes in a propaganda sheet (“Extrablatt der SVP”, March 2015) sent to all Swiss households that by adopting this approach the Federal Council would “effectively grant the EU a right of veto. This makes the implementation of the popular initiative’s requirements dependent upon whether Brussels is willing to approve the inevitable amendment to the agreement on the freedom of movement.” The SVP is still insisting on “the systematic implementation of the popular initiative’s obligations, even if this means accepting the termination of the agreement on the freedom of movement”.

The SVP took a different line prior to the referendum. It declared that by adopting the initiative “we are giving the Federal Council a mandate to renegotiate the free movement of persons with the EU”. “The agreement on the free movement of persons will not have to be terminated.” What is more: “The initiative is neither seeking a gen-

eral halt to immigration nor is it calling for the termination of the bilateral agreements with the EU.” This is the statement on the initiative’s official website. However, SVP Vice-President Christoph Blocher is today already threatening an initiative aimed at terminating all bilateral agreements if the free movement of persons cannot be regulated otherwise. There is also talk of an enforcement initiative. And finally a referendum against the implementing legislation is also a possibility.

RASA – an easy way?

Proposals have also been made in the opposite direction. A civic committee independent of any political party called “Raus aus der Sackgasse” (Out of the cul-de-sac), or RASA for short, is seeking to cut the Gordian knot by performing an about-turn. The popular initiative launched on 9 February 2015, exactly a year after the adoption of the SVP initiative, aims to achieve nothing more than to annul the applicable constitutional provision. The initiative is being touted as a plan B in the event that the negotiations with the EU fail, acutely jeopardising the bilateral agreements.

The think-tank “foraus” (foreign policy forum), set up at the universities of Geneva and Zurich in 2009, has identified “a fundamental conflict of objectives”. It says the “systematic implementation of the initiative on mass immigration is not feasible – only various compromises are possible. A political decision is required on which objective should be given greater priority: economic prosperity or ‘independently controlled immigration’.”

Such a compromise has been put forward by the former State Secretary Michael Ambühl. As a fixed quota would never be accepted by the EU, he proposes a safeguard clause. This involves provisional quotas for the event that immigration exceeds average EU/EFTA immigration by a threshold value defined beforehand. However, as this proposal is also based on a quota system, it is doubtful whether this solution would be compatible with the agreement on the free movement of persons. And that would take things back to square one.

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able”, as the Swiss Foreign Policy Association (SGA) writes. The sovereign power “is in contradiction with itself and only it can find a way out of the conundrum”. Indeed, the Swiss people adopted the initiative on immigration but they have also approved the bilateral approach on several occasions. The SGA is therefore calling for a new referendum on the continuation of this approach. And it increasingly looks as though the Swiss people will have to make a fundamental policy decision sooner or later.

www.foraus.ch

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