

**From:** [EEAS WESTERN EUROPE](#)  
**To:** [parc@elvetia.org](mailto:parc@elvetia.org)  
**Subject:** Ares(2013)3379440 - reply to Mr Parlavantzas email of 3 october 2013  
**Date:** Πέμπτη, 31 Οκτωβρίου 2013 10:45:30 πμ  
**Attachments:** [reply to your email of 3rd October 2013 \(799 KB\).msg](#)  
**Importance:** High

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Veillez trouver ci-joint le document Ares(2013)3379440 concernant "reply to Mr Parlavantzas email of 3 october 2013" envoyé par M/Mme OBERMAIER Nina le 30/10/2013.

Please find attached document Ares(2013)3379440 concerning "reply to Mr Parlavantzas email of 3 october 2013" sent by Mr/Ms OBERMAIER Nina on 30/10/2013.

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Note: This e-mail was automatically generated by the European Commission's central mail registration system.

Replies by e-mail must be addressed to the original sender OBERMAIER Nina (mailto:Nina.OBERMAIER@eeas.europa.eu).

Remarque : Cet e-mail a été généré automatiquement par le système d'enregistrement central du courrier de la Commission européenne.

Toute réponse éventuelle par e-mail doit être adressée à l'expéditeur en personne, à savoir OBERMAIER Nina (mailto:Nina.OBERMAIER@eeas.europa.eu).

## K.Parlavantzas

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**From:** OBERMAIER Nina (EEAS) <Nina.OBERMAIER@eeas.europa.eu>  
**Sent:** Τετάρτη, 30 Οκτωβρίου 2013 1:36 μμ  
**To:** parc@elvetia.org  
**Cc:** GRIPPA Gianluca (EEAS)  
**Subject:** reply to your email of 3rd October 2013

Dear Mr Parlavantzas,

Thank you for your message to which I reply on behalf of Mr Grippa. As regards the monitoring aspect of the Agreement on the Free Movement of persons between the EU and Switzerland, EEAS and Commission services rely on reports from persons like yourselves, service providers and other operators or potential operators in Switzerland from the EU Member States, as well as on information received from Swiss operators and citizens in the EU. The EU Delegation in Switzerland also serves as an important interlocutor and source of information for persons seeking advice on issues related to the application of the agreement.

As to your question regarding the application of the “acquis communautaire” in the area of the free movement of persons to Switzerland, it is questionable whether “practically the whole acquis” is applicable in Switzerland. The acquis related to the freedom of establishment or to provide services, for instance, is only partially covered.

On your last question in relation to the enforcement of the agreement in your particular case: to date the agreement only refers to the Joint Committee for dispute settlement. There currently is no possibility for the agreement to be enforced vis-à-vis both parties by the European Court of Justice. This is one of the reasons why the Council conclusions on Switzerland of December 2012 state that the bilateral approach has reached its limits and that an institutional framework applicable to all existing and future agreements should be established which should include international mechanisms for surveillance and judicial control.

Best regards,  
Nina Obermaier

**Nina Obermaier**  
Deputy Head of Division/  
Desk Officer for Switzerland

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