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International Relations Outside the European Union: Norway and Switzerland

1 Introduction

This briefing paper has been prepared to support the Committee of the Executive Office in its scrutiny of the Executive in its actions in relation to the exit of the UK from the European Union. The paper takes two non-EU Member States in Europe – Norway and Switzerland – and examines how they interact with the EU and internationally. While the Prime Minister has ruled out a specific ‘Norway model’ or ‘Switzerland model’¹, there are elements of each example that may be considered during the process of negotiation with the EU.

¹ ‘Theresa May’s Conservative conference speech: Key quotes’, *BBC News* 2 October 2016: <http://www.bbc.co.uk/news/uk-politics-37535527>.

2 The European Free Trade Association (EFTA) and the European Economic Area (EEA)

This section briefly describes the European Free Trade Association (EFTA) and the European Economic Area (EEA). Summaries of these arrangements, alongside other options following the UK withdrawal from the EU, are available in the paper *Possible models for the UK-EU relationship post 'Brexit'*².

EFTA is an intergovernmental organisation set up for the promotion of free trade and economic integration among its member states, Iceland, Liechtenstein, Norway and Switzerland³. EFTA was founded in 1960 as an agreement between European states seeking the benefits of free trade without full membership of the then European Economic Community (EEC). Founder members the UK, Denmark, Sweden, Austria and Portugal are now EU Member States⁴. Switzerland is not (see below).

In 1972, free trade agreements were concluded between the EEC and EFTA to cover the abolition of customs and the free movement of industrial products. The EFTA states currently have 27 other free trade agreements covering 38 states⁵. These cover industrial products, fish and marine products, certain agricultural products, rules of origin, trade facilitation, sanitary and phytosanitary (SPS) measures, trade remedies, intellectual property rights, competition, trade in services, investment, public procurement, sustainable development, oversight arrangements and dispute settlement.

The Agreement on the European Economic Area (EEA), in force from 1994, provided for three of the four EFTA states to include EU legislation covering the 'four freedoms' of the EU – the free movement of goods, services, people and capital – throughout the 31 states. Switzerland remained in EFTA, but outside the EEA, in consequence of a referendum. The agreement guarantees access to the internal market of the EEA, but does not include EU policies such as the Common Agricultural and Fisheries policies, Customs Union, Common Trade Policy, Common Foreign and Security Policy, Justice and Home Affairs or Monetary Union⁶. However, EFTA countries are part of the Schengen area⁷.

² Research and Information Service Briefing Paper 47/14 *Possible models for the UK-EU relationship post 'Brexit'* 8 September 2016: <http://www.niassembly.gov.uk/assembly-business/research-and-information-service-raise/research-publications-2016/>.

³ EFTA website: <http://www.efta.int/>.

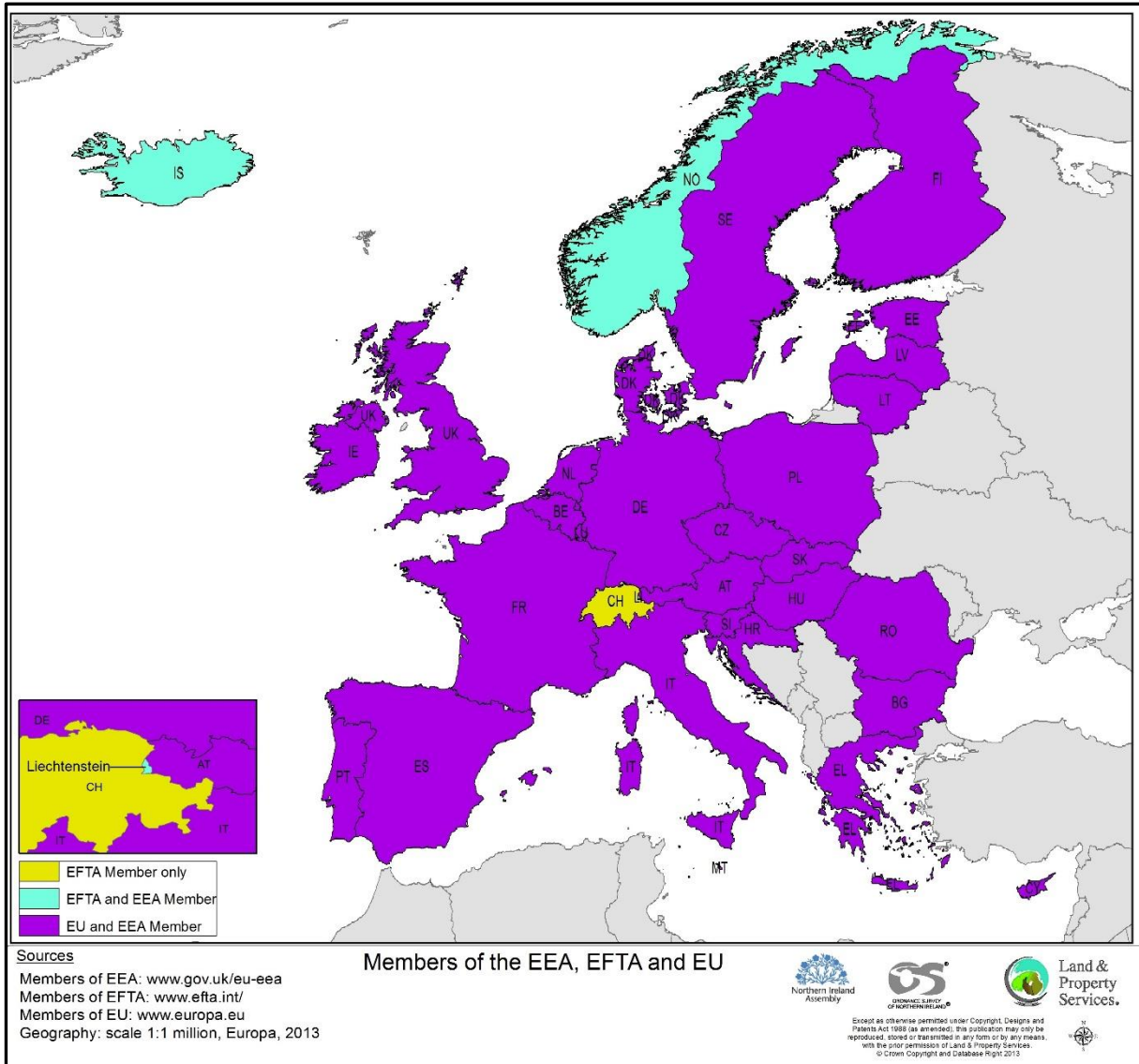
⁴ Paul Bowers, Arabella Lang, Vaughne Miller, Ben Smith, Dominic Webb (2016) *Brexit: some legal and constitutional issues and alternatives to EU membership*. House of Commons Library Briefing Paper 07214 28 July 2016, p.26: <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-7214>.

⁵ 'Free Trade Agreements', EFTA website, accessed 19 October 2016: <http://www.efta.int/free-trade/free-trade-agreements>.

⁶ 'EEA Agreement', EFTA website, accessed 19 October 2016: <http://www.efta.int/eea/eea-agreement>.

⁷ The Schengen area is a border-free zone comprising 22 of the EU Member States and the four EFTA states: 'Schengen Area', European Commission website, accessed 19 October 2016: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/schengen/index_en.htm.

The following map shows the EU Members States, the states of the EEA and EFTA (Norway, Iceland and Liechtenstein) and Switzerland as the sole EFTA state outside the EEA.



3 Norway

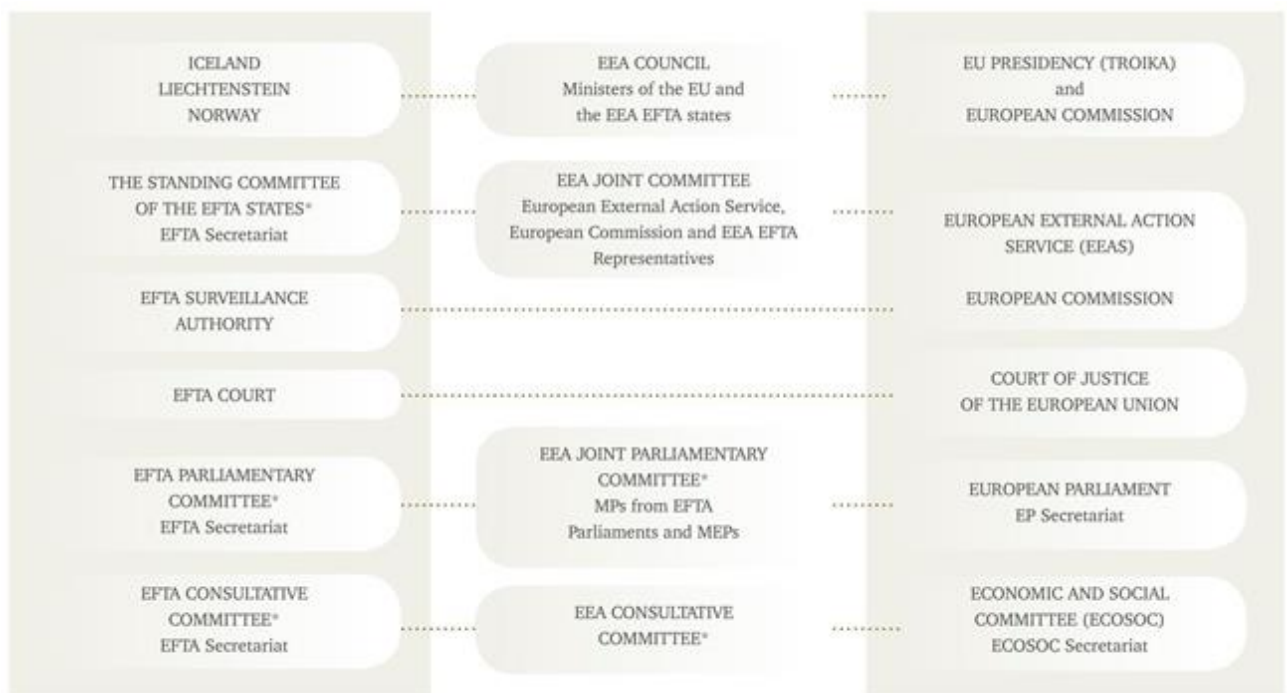
Background

Norway has a population of 5.2 million, 14% of whom are first generation immigrants⁸. Norway is an EFTA member and is part of the EEA, but the country has remained broadly Eurosceptic, rejecting by referendum membership of the EEC in 1972 and the EU in 1994⁹. The EU is Norway's most important trade customer, taking 74.3% of the country's trade, being the 5th largest import market for EU and being the 7th largest export market for the EU¹⁰.

Norway and the EU

As an EEA member, Norway applies the full *acquis communautaire*¹¹ of the EU relating to the 'four freedoms', along with that pertaining to related policies, such as transport, competition, social policy, consumer protection, environment, statistics and company law. The EEA agreement does not cover agriculture and fisheries.

The structure of the EEA and EFTA relationship is complex, with EEA bodies sitting between institutions associated with EFTA and the EU. These are summarised in the diagram below¹².



*Switzerland is an observer

⁸ 'Key Figures for the Population', Statistics Norway website, accessed 24 October 2016:

<https://www.ssb.no/en/befolkning/nokkeltall/population>.

⁹ David Arter (2016), *Scandinavian Politics Today*, Manchester: Manchester University Press, pp.400-410.

¹⁰ 'Trade – Norway', European Commission website, accessed 24 October 2016: <http://ec.europa.eu/trade/policy/countries-and-regions/countries/norway/>.

¹¹ The *acquis communautaire* is the accumulated EU legislation, policy and case law which constitute EU law.

¹² 'The European Economic Area Agreement', Norway Mission to the EU website, accessed 25 October 2016: <http://www.eu-norway.org/eeaforside/#.WA8tRORlhaQ>.

Norway participates in a range of EU agencies and institutions, as follows:

- Education, Audiovisual and Culture Executive Agency (EACEA)***
- European Agency for the Management of Operational Cooperation at the External Borders (FRONTEX)**
- European Agency for Safety and Health at Work (EU-OSHA)
- European Aviation Safety Agency (EASA)
- European Centre for Disease Prevention and Control (ECDC)
- European Centre for the Development of Vocational Training (CEDEFOP)
- European Chemicals Agency (ECHA)
- European Defence Agency (EDA)*
- European Environment Agency (EEA)
- European Food Safety Authority (EFSA)
- European Foundation for the Improvement of Living and Working Conditions (EUROFUND)
- European GNSS (Global Navigation Satellite System) Supervisory Authority
- European Institute of Innovation and Technology (EIT)
- European Maritime Safety Agency (EMSA)
- European Medicines Agency (EMA)
- European Monitoring Centre for Drugs and Drug Addiction (EMCDDA)*
- European Network and Information Security Agency (ENISA)
- Europol (the EU's law enforcement agency)*
- European Railway Agency (ERA)
- European Research Council Executive Agency (ERC)***
- European Union Satellite Centre (EUSC)*
- European Union's Judicial Cooperation Unit (EUROJUST)*
- Executive Agency for Competitiveness and Innovation (EACI)***
- Executive Agency for Health and Consumers (EAHC)***
- Research Executive Agency (REA)***
- European Police College (CEPOL)

* *Bilateral agreement between the EU and Norway*

** *Norway participates through its Schengen membership*

*** *Norway participates through related programmes*

In addition, Norway participates in a number of EU programmes. While not contributing to the EU central fund, financial contributions in 2014 amounted to €306 million. This will rise to €550 million per annum by 2020, during which time Norway will participate in the following programmes¹³:

- Horizon 2020
- Erasmus +
- Galileo
- Creative Europe
- Connecting Europe Facility (ICT part)
- European Statistical Programme
- Health for Growth
- Union Civil Protection Mechanism
- Interoperability Solutions for Public Administrations (ISA) Programme
- Employment and Social Innovation
- Consumer Programme
- Copernicus programme

Appendix 1 gives a list of Norwegian offices in Brussels. The list includes commercial, trades union, NGO and government offices, including office of regions of Norway.

Norway and the Rest of the World

Norway negotiates free trade agreements with other countries through EFTA. However, each EFTA state has to agree to the parameters of the negotiations and therefore retains sovereignty in the process. Norway has free trade agreements with the following¹⁴:

Chile	Korea	The Palestinian Territory	Croatia
Lebanon	Singapore	Egypt	Macedonia
South African Customs Union	Israel	Mexico	Tunisia
Jordan	Morocco	Turkey	Canada

¹³ 'Norway's participation in EU programmes and agencies', Norway Mission to the EU website, accessed 25 October 2016: <http://www.eu-norway.org/eu/Cooperation-in-programmes-and-agencies/#.WA8vx-RIhaQ>.

¹⁴ 'Norway's free trade agreements', Norwegian Government website, accessed 25 October 2016: <https://www.regjeringen.no/no/tema/naringsliv/handel/nfd---innsiktsartikler/frihandelsavtaler/norways-free-trade-agreements/id457017/>.

There are negotiations with a further five potential partners¹⁵ and co-operation declarations with five more¹⁶.

The top five export and import partners are set out in the following table¹⁷.

<i>Export market</i>	<i>Export Partner share</i>	<i>Import origin</i>	<i>Import Partner share</i>
UK	21.79%	Sweden	11.51%
Germany	17.58%	Germany	11.32%
Netherlands	9.91%	China	10.42%
France	6.52%	UK	6.42%
Sweden	5.95%	USA	6.29%

While the main export destinations are EU countries, imports are from a variety of sources.

¹⁵ Algeria, The Gulf Co-operation Council, Colombia, Thailand and Peru.

¹⁶ Albania, Serbia, MERCOSUR (comprising five South American states and six associate states), Ukraine and Mongolia.

¹⁷ World Integrated Trade Solution (WITS), World Bank website, accessed 24 October 2016:

<http://wits.worldbank.org/countrysnapshot/en/NOR>.

4 Switzerland

Background

Switzerland is a confederation of 26 cantons with a population of 8.2 million, just under 2 million of whom are foreign nationals. One of the features of the country's political system is that of 'direct democracy', where any group of citizens can trigger a referendum on constitutional change with 100,000 signatures ('popular initiative'), or to halt new legislation with 50,000 signatures ('optional referendum')¹⁸. This has been significant in the Swiss Government's dealings with the European Union.

From 1972 the EFTA states, including Switzerland, have signed bilateral agreements with the EEC (later the European Union). In 1992 agreement was reached between the EU and EFTA to form the EEA, however, while the Swiss Government favoured the agreement, a referendum narrowly (50.3%) rejected entry into the EEA¹⁹.

Instead of EEA membership, Switzerland has negotiated separate agreements with the EU. The first of these, 'Bilateral I' in 1999, comprised a package of arrangements with the EU in the areas of the free movement of persons, road transport, research, air transport, public procurement and technical barriers to trade. This was followed in 2004 by 'Bilateral II', which covered internal security (Schengen), asylum policy (Dublin), taxation, addressing fraud, processed agricultural products, media, the environment, statistics, pensions and education²⁰.

While not an EU Member State, Switzerland has been practicing a policy of convergence with the EU. Since 1988, new laws have been checked for 'eurocompatibility' in what has been described as 'customised quasi-membership' or 'Europe à la carte'²¹. This has included financial contributions, for example, Switzerland agreed in 2004 to contribute €100 million per annum for ten years to the EU Cohesion Fund.

Switzerland and the EU

Since 2004, Switzerland's convergence with the EU has continued through a series of bilateral agreements. These agreements are summarised in the boxes below. In addition, Switzerland has been involved in the Erasmus²² programme since 2014,

¹⁸ Federal Chancellery (2016), *The Swiss Confederation: A Brief Guide*, Bern: Federal Chancellery, p.17: <https://www.bk.admin.ch/dokumentation/02070/index.html?lang=en>.

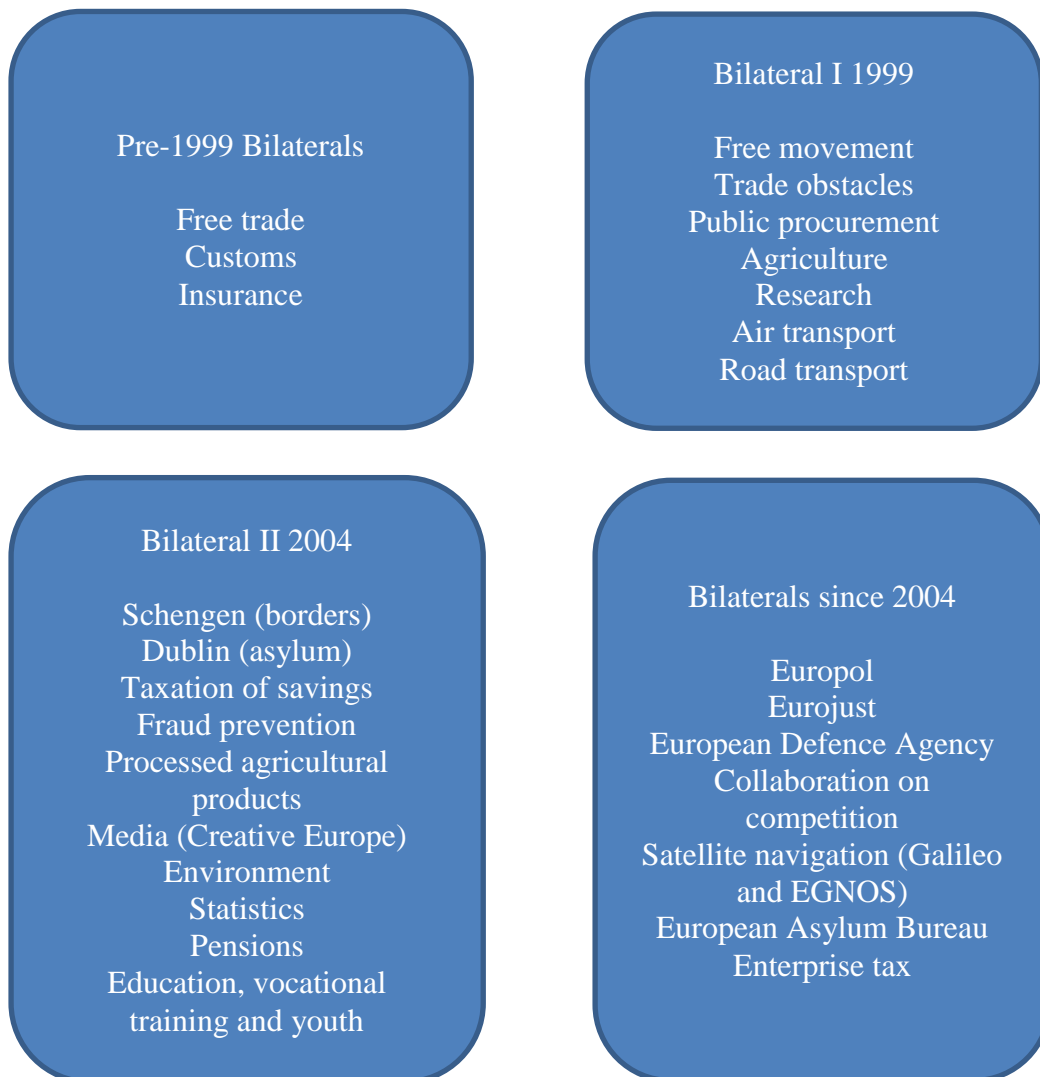
¹⁹ Hanspeter Kriesi and Alexander Trechsel (2008), *The Politics of Switzerland: Continuity and Change in a Consensus Democracy*, Cambridge: Cambridge University Press, pp.174-7.

²⁰ Vue d'ensemble des accords bilatéraux, Politique Européen de la Suisse, Swiss Department of Foreign Affairs website, accessed 21 October 2016: <https://www.eda.admin.ch/dea/fr/home/bilaterale-abkommen/ueberblick.html>.

²¹ Hanspeter Kriesi and Alexander Trechsel (2008), *The Politics of Switzerland: Continuity and Change in a Consensus Democracy*, Cambridge: Cambridge University Press, p.187.

²² Erasmus is a student foreign exchange programme: https://ec.europa.eu/programmes/erasmus-plus/node_en.

entered into an agreement on tax in 2015, in force in 2017, participates in Euratom²³ and Horizon 2020²⁴ and agreements on electricity and services are pending²⁵.



However, continued participation in EU programmes has been called into question by opposition to the free movement of people. A referendum in February 2014 resulted, by a slim margin (50.3%), in calls for quotas on EU migrants²⁶. As access to the single market is reliant on the 'four freedoms' of movement of people, goods, services and capital, this has endangered Switzerland's participation. However, as a compromise, new legislation may avoid movement restrictions by instead introducing a local worker preference system²⁷.

²³ Euratom is an EU research programme for nuclear research and training:

<https://ec.europa.eu/programmes/horizon2020/en/h2020-section/euratom>.

²⁴ Horizon 2020 is the EU framework for research and innovation: <https://ec.europa.eu/programmes/horizon2020/>.

²⁵ 'Die Schweiz und die EU', EU External Action website, accessed 21 October 2016:

https://eeas.europa.eu/headquarters/headquarters-homepage/7690/die-schweiz-und-die-eu_de.

²⁶ 'Die Überraschung ist perfekt', Neue Zürcher Zeitung 9 February 2014: <http://www.nzz.ch/schweiz/svp-initiative-im-aargau-auf-ja-kurs-1.18239183>.

²⁷ 'Nationalrat verschärft das Ausländergesetz', Neue Zürcher Zeitung, 14 September 2016: <http://www.nzz.ch/schweiz/aktuelle-themen/auslaenderpolitik-niederlassungsbewilligung-nur-fuer-integrierte-ld.116648>.

Switzerland and the Rest of the World

According to the Swiss Department of Foreign Affairs database of international treaties, which lists 8268 international agreements, there are 304 treaties with the EU. However, there are also 2547 bilateral treaties with individual EU Member States, the highest number (420) being with France²⁸. This compares with treaty partners outside of the EU, such as the USA (125), China (82), Russia (77) and India (30).

In terms of trade, the EU is the main partner for Switzerland and that country is the third most important trading partner for the EU²⁹. Non-EU countries are also important trade partners, as illustrated in the following table of the top five export and import partners³⁰.

<i>Export market</i>	<i>Export Partner share</i>	<i>Import origin</i>	<i>Import Partner share</i>
Germany	14.20%	Germany	20.63%
USA	10.55%	UK	12.82%
Hong Kong	8.68%	USA	8.02%
India	7.39%	Italy	7.74%
China	6.95%	France	6.60%

While Switzerland has significant trade links to the EU, there are also important trade relationships with non-EU states.

²⁸ Data from 'Banque de données des traités internationaux', DFAE website, accessed 24 October 2016:

https://www.eda.admin.ch/content/eda/fr/home/aussenpolitik/voelkerrecht/internationale_vertraege/datenbank_staatsvertraege.filterResults.term.country-1.organization-1.topic-1.html?charset=UTF-8.

²⁹ 'Trade – Switzerland', European Commission website, accessed 24 October 2016: <http://ec.europa.eu/trade/policy/countries-and-regions/countries/switzerland/>.

³⁰ World Integrated Trade Solution (WITS), World Bank website, accessed 24 October 2016: <http://wits.worldbank.org/CountrySnapshot/en/CHE>.

4 Analysis

The brief overview of two non-EU European states shows that there is a high degree of participation of both Norway and Switzerland in EU programmes and institutions. Both states have the EU as a significant trade partner and both give a substantial financial contribution to the EU. In order to participate in the EU internal market, both states accept regulations associated with such trade and the 'four freedoms', of which the free movement of people has become problematic in Switzerland, affecting that country's dealings with the EU.

Both states are EFTA members, which means that, while the EU negotiates trade relations as a bloc, there are fewer states to combine bargaining positions with and there is a higher degree of sovereignty in the making of trade agreements.

To give a comparative overview of trade relations, the following table, drawn from World Bank data, combines the tables of the top five export and import partners from the two sections above with the equivalents from the UK (an EU Member State), Iceland (an EFTA state), Turkey (an EU candidate country with a Customs Union agreement with the EU) and Ukraine (which concluded a free trade agreement with the EU in January 2016).

		1	2	3	4	5
Norway	Export	UK	Germany	Netherlands	France	Sweden
	Import	Sweden	Germany	China	UK	USA
Switzerland	Export	Germany	USA	Hong Kong	India	China
	Import	Germany	UK	USA	Italy	France
UK	Export	USA	Germany	Switzerland	China	France
	Import	Germany	China	USA	Netherlands	France
Iceland	Export	Netherlands	UK	Spain	Germany	France
	Import	Norway	Germany	USA	China	Denmark
Turkey	Export	Germany	UK	Iraq	Italy	USA
	Import	China	Germany	Russia	USA	Italy

Ukraine	<i>Export</i>	Russia	Turkey	Egypt	China	Poland
	<i>Import</i>	Russia	China	Germany	Belarus	Poland

Appendix 1: Norwegian Offices in Brussels³¹

Norwegian organizations in Brussels

[Actis, Norwegian Policy Network on Alcohol and Drugs \(Eurocare\)](#)

Rue Archimède 17, B-1000 Bruxelles

Phone: +32 2 736 05 72

E-mail: info@eurocare.org

[Bellona Europe](#)

Rue du Trône 61, B-1050 Brussels

Phone. +32 2 648 31 22

Fax: +32 2 646 81 22

E-mail: europe@bellona.org

[Energy Norway](#)

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Director Snorre Lamark

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Tlf. + 47 902 047 13 / +32 4 760 27 700

E-post: ketil.karlsen@industrienergi.no / maria.corradi@industrienergi.no

[The Norwegian Refugee Council \(NRC Europe\)](#)

Rue de la Loi 42, B-1040 Bruxelles

Phone: +32 2 880 02 41

E-mail: post@nrceurope.be

[The Norwegian Association of Local and Regional Authorities \(KS\)](#)

Sq. de Meeus 1, B-1000 Bruxelles

Phone: +32 2 550 12 90

Fax: +32 2 550 12 95

E-mail: ks-brussel@ks.no

[The Norwegian Confederation of Trade Unions \(LO\)](#)

Boulevard du Roi Albert II 5/23, B-1210 Bruxelles

Phone: +32 2 201 18 10

Fax: +32 2 201 18 12

E-mail: brussel@lo.no

³¹ From 'Norwegian offices in Brussels', Norway Mission to the EU website, accessed 25 October 2016: http://www.eu-norway.org/Norwegian_offices_in_Brussels/#.WA81VeRIhaQ.

[Norwegian Shipowners` Association](#)

Rue Ducale 67, B-1000 Brussels

Contact: Ingrid Kylstad

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E-mail: ik@rederi.no

[The Norwegian Truck Owners Association](#) att. Nordic Logistics Association

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E-mail: shl@nla.eu

[The Research Council of Norway](#)

Rue de Trône 98

Head of Office: Yngve Foss

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E-mail: yf@rcn.no

[Confederation of Norwegian Enterprise \(NHO\)](#)

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