

## Public Panel Discussion on “Rights of migrants in restrictive systems of access to the labour market”

University of Bern, Bern, Von Roll Areal (Room 004)

28 April 2014, 12:15 – 13:50

Held over lunchtime, the public Panel Discussion will bring together leaders and practitioners and will address the vote of 9 February 2014 aimed at stopping mass immigration.

On 9 February, voters in Switzerland narrowly approved a rightwing proposal to curb immigration. The initiative was accepted by 50.3% of votes cast and by a majority of German-speaking cantons. It imposes limits on the number of foreigners allowed into Switzerland, and may mark the end of the country’s free movement accord with the European Union.

The majority of Swiss voters wanted to see the reintroduction of quotas, as well as a national preference when filling job vacancies and restrictions of immigrants’ rights to social benefits. The initiative calls for quotas to apply to all foreign nationals, including cross-border commuters and asylum seekers and is especially problematic for family reunification. Some politicians are even considering additional political initiatives to restrict foreigners’ access to the Swiss labour market. Some others are considering the introduction of a point system to control immigration, similar to that operating in Canada.

On the other hand, Switzerland faces problems with an ageing population and new needs of the labour market, which is highly dependent on labour force from abroad. Restricting the hiring of EU citizens could act as a brake on the Swiss economy, which enjoys virtually full employment but has an ageing population.

The result of this vote has far-reaching consequences in many different policy areas. The Panel Discussion aims to explore how to ensure the rights of migrants and migrant workers in a country where the immigration has to be subject to quotas and restricted.

### **The Panel Discussion will address questions like the following:**

- How can art. 121a of the Swiss Constitution be implemented without violating the Agreement on the Free Movement of Persons with the EU?
- Relationship between migrants’ rights and their qualifications? How can a country get the right people for the labour market?
- What is the impact on trade, economy, investment and research?
- How should the system with third country nationals be shaped?
- What are the minimum requirements of the human rights of migrants?

An executive summary will be published on the website of the World Trade Institute outlining the findings of the Panel Discussion. These findings will be used in a background paper for an upcoming Conference in November 2014.

**Chair:** Prof. Thomas Cottier, World Trade Institute

**Participants (alphabetical):**

- Prof. Achermann Alberto, Public Law Institute, University of Bern
- Prof. Crépeau François, UN Special Rapporteur on the Human Rights of Migrants

**Honoured guests in the audience (alphabetical):**

- Swiss National Councillor Corrado Pardini
- Ambassador EU Jones Richard
- Prof. Jörg Paul Müller, em. Professor of Public Law and Legal Philosophy

**This Panel Discussion is organized by the World Trade Institute (WTI) with the support of:**

- University of Bern
- University of Neuchâtel, Center for Migration Law
- Swiss Center of Expertise in Human Rights (SCHR)
- McGill University (Canada), Hans & Tamar Oppenheimer Chair in Public International Law

**Convener and Media Inquiries**

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