



Croatian nationals: Entry and stays

General information

Protocol III to the Agreement on the Free Movement of Persons came into force on 1 January 2017. The terms of Protocol III pertain to the EU's newest member state Croatia.

With entry into force of Protocol III, Croatian citizens may now travel to Switzerland without having to apply for a visa and may stay there for up to three months. Longer stays require a residence permit, which must be obtained from the cantonal migration authorities. In all cases, a valid passport or personal ID must be presented in order to enter Switzerland.

Protocol III includes various transitional provisions for the gradual easing of restrictions on Croatian nationals wishing to take up salaried employment or provide services in Switzerland.

Conditions for taking up salaried employment in Switzerland

Until further notice, Croatian citizens may only take up salaried employment in Switzerland under the following conditions:

- Priority given to Swiss nationals and resident foreign nationals already on the Swiss labour market
- Verification of salary and working conditions
- Separate, annually increasing quotas for short-stay permits and residence permits.

Annually increasing quotas for short-stay permits (type L permits)

1 January 2017 to 31 December 2017	543
1 January 2018 to 31 December 2018	748
1 January 2019 to 31 December 2019	953
1 January 2020 to 31 December 2020	1158
1 January 2021 to 31 December 2021	2000
1 January 2022 to 31 December 2022	2100
1 January 2023 to 31 December 2023	2300

Annually increasing quotas for residence permits (type B permits)

1 January 2017 to 31 December 2017	54
1 January 2018 to 31 December 2018	78
1 January 2019 to 31 December 2019	103
1 January 2020 to 31 December 2020	133
1 January 2021 to 31 December 2021	250
1 January 2022 to 31 December 2022	260
1 January 2023 to 31 December 2023	300

Croatian citizens must be in possession of a valid work permit before the first day of employment in Switzerland, even if the period of employment is less than three months.

Although short stays of up to four months require a permit, these permits are not subject to a quota if the Croatian national satisfies the highly skilled worker criterion set forth in Art. 23 of the Foreign Nationals and Integration Act (FNIA). Although less skilled workers may also obtain short-stay permits valid for up to four months, these permits are subject to quotas for short-stay permits (type L EU/EFTA).

The cantonal authorities are responsible for issuance of these permits.

Conditions for the provision of services in Switzerland¹

Croatian service providers (posted workers or self-employed service providers) who are based in Croatia and who provide services in Switzerland for up to 90 days in a given calendar year must use the notification procedure. The notification procedure is limited to services provided in the general service branches. Here, no distinction is drawn between citizens of an EU-27/EFTA member state and citizens of Croatia.

More information about the notification procedure can be found here:

https://www.sem.admin.ch/sem/en/home/themen/fza_schweiz-eu-efta/meldeverfahren.html

However, during the transitional period, Croatian citizens who will be providing services in Switzerland must obtain a work permit, from the first day of work, if the services relate to one of the following four economic branches:

- Construction and secondary contract work
- Gardening and landscaping
- Cleaning in companies
- Monitoring and security services

Service providers in these economic branches require a short-stay permit covering the entire period of employment, from the first day of work. The notification procedure does not apply for these economic branches. The cantonal authorities will check the following labour market conditions:

- Priority given to Swiss nationals and resident foreign nationals already on the Swiss labour market
- Verification of salary and working conditions
- Highly skilled worker criterion (similar to Art. 23 FNIA)

Conditions for self-employment in Switzerland

With regard to taking up self-employment, the same conditions apply as for the citizens of the other EU-27/EFTA Member States. Croatian nationals must proof this activity at the time of the application and are no longer subject to the installation period and the quotas.

¹ A company domiciled in an EU/EFTA member state will post workers to Switzerland under the terms of a service contract signed with a client in Switzerland.

Conditions for cross-border workers

Croatian citizens who reside within a border zone of a neighbouring country of Switzerland and who wish to work in a border zone on Swiss soil, may apply for a cross-border worker permit (type G EU/EFTA). The conditions for issuance of these permits are set forth in bilateral agreements on cross-border work signed by Switzerland and neighbouring countries. The cantonal authorities will verify the following labour market aspects:

- Priority given to Swiss nationals and resident foreign nationals already on the Swiss labour market
- Salary and working conditions

Family reunification: Conditions for taking up employment

The spouses and children of a Croatian citizen, who have been admitted to Switzerland under the terms of family reunification, are legally entitled to seek employment on the Swiss labour market irrespective of their citizenship. This applies even in cases where the Croatian citizen in question has not been authorised to take up employment (Art. 3 para. 5 Annex I AFMP). No additional work permit is needed.

Croatian citizens enjoy this legal right without having to submit a notification or obtain authorisation, provided that a long-term permit has already been issued. If the spouse and children of a Croatian citizen hold a short-stay permit, then they are entitled to take up employment, subject to compliance with salary and working conditions for the given location and branch of activity. However, the underlying permit must have already been issued before the spouse or son/daughter has taken up employment.

Conditions for the pursuit of education and training

Generally speaking, Croatian citizens studying in Switzerland are treated in the same way as citizens of other EU/EFTA member states. This means that they will receive a residence permit if they are able to credibly show that they have sufficient financial resources to cover their living expenses and can show that they have been admitted to a recognised education and training institution in Switzerland. Permits for economically inactive persons are not subject to quotas.

Croatian citizens studying in Switzerland who wish to take up salaried employment alongside their studies may do so but restrictions will nevertheless apply. Employment alongside one's studies is permissible as long as it does not exceed 15 hours per week as specified in Art. 38 of the ASEO. Special rules apply for students doing mandatory traineeships as well as for doctoral students.

Conditions for other types of stay that do not involve economic activities (economically inactive persons, e.g. retirees, persons of independent means and persons wishing to remain in Switzerland for short stays)

Croatian citizens wishing to stay in Switzerland without taking up salaried employment or providing services are treated in the same way as citizens of other EU/EFTA member states. They are entitled to an EU/EFTA residence permit if they are able to show that they have adequate financial resources to cover their living expenses and that they have taken out mandatory health insurance coverage. These permits are not subject to quotas.