



Council of the
European Union

Brussels, 6 March 2026
(OR. en)

5443/23
ADD 1 DCL 1

JAI 55
ASILE 10
MIGR 28
FRONT 16
COEST 38

DECLASSIFICATION

of document: 5443/23 ADD 1
dated: 18 January 2023
new status: Public

Subject: Proposal for a ANNEX to the Recommendation for a Council Decision authorising the opening of negotiations for an agreement between the European Union and the Swiss Confederation establishing a basis for the exchange of information on persons benefitting from temporary protection

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

RESTREINT UE/EU RESTRICTED



**Council of the
European Union**

**Brussels, 18 January 2023
(OR. en)**

**5443/23
ADD 1**

RESTREINT UE/EU RESTRICTED

**JAI 55
ASILE 10
MIGR 28
FRONT 16
COEST 38**

COVER NOTE

From: Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director

date of receipt: 9 December 2022

To: Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

No. Cion doc.: COM(2022) 712 final - ANNEX

Subject: Proposal for a ANNEX to the Recommendation for a Council Decision authorising the opening of negotiations for an agreement between the European Union and the Swiss Confederation establishing a basis for the exchange of information on persons benefitting from temporary protection

Delegations will find attached document COM(2022) 712 final – ANNEX.

Encl.: COM(2022) 712 final – ANNEX



EUROPEAN
COMMISSION

Brussels, 9.12.2022
COM(2022) 712 final

ANNEX

ANNEX

to the

Proposal for a

Recommendation for a Council Decision

**authorising the opening of negotiations for an agreement between the European Union
and the Swiss Confederation establishing a basis for the exchange of information on
persons benefitting from temporary protection**

DECLASSIFIED

ANNEX

NEGOTIATING DIRECTIVES

1. PURPOSE AND SCOPE OF THE AGREEMENT

The purpose of the agreement shall be to establish a legal basis for the Member States and Switzerland to exchange data on beneficiaries of temporary protection.

2. OBJECTIVE

Conclusion of an agreement between the European Union and Switzerland.

3. CONTENT OF THE AGREEMENT

The agreement shall specify the following:

- (1) The personal scope under the relevant legal framework of the Union and Switzerland for temporary protection and adequate protection under national law.
- (2) The purpose for which the data may be exchanged and used.
- (3) A description of the data that may be exchanged.
- (4) The authorities that may exchange the data.
- (5) A clause providing that where the data is exchanged via an IT Platform, an obligation to contribute to the costs of the system and a mechanism for the calculation of that contribution.

4. ENTRY INTO FORCE, VALIDITY AND TERMINATION OF THE AGREEMENT

The agreement should include standard provisions on authentic languages, entry into force and potentially provisional application. The agreement could provide for its automatic termination linked to the temporary protection.