

Schengen, Dublin and the open border at Basel

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For the daily life of Basel, the association with Schengen has mattered as much as any market access agreement. The Schengen Association Agreement was approved in the referendum of 5 June 2005 with about 55 per cent of the votes and became operational on 12 December 2008 for land borders, while the airports followed on 29 March 2009.¹ Since then, systematic identity checks at the borders with Germany and France have disappeared, although customs controls of goods continue because Switzerland is outside the Union's customs union. Part H, Chapter III has described this dual regime, in which travellers cross freely while goods remain subject to declarations.

The EuroAirport at Basel-Mulhouse, whose binational status Part H, Chapter II described, illustrates the practical value of the Schengen association. Without it, the airport would need a far more complicated separation of passenger flows between its Swiss and French sectors. The Dublin association, for its part, links Switzerland to the European system for determining the state responsible for an asylum application. Schengen and Dublin are formally separate from the Bilaterals I, although the Union has made clear that they are politically connected, since the Schengen agreement contains its own termination mechanism if Switzerland refuses to adopt a development of the Schengen acquis.² The weapons directive vote of 19 May 2019, when the Swiss accepted a stricter gun law in order to preserve the association, showed that the electorate understood this connection.³

1 Notes

1. Referendum of 5 June 2005 on the Schengen and Dublin association agreements (about 54.6 per cent yes); operational application since 12 December 2008 (land borders) and 29 March 2009 (air borders). To be verified. ↩

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2. Art. 7 of the Schengen Association Agreement (procedure for the acceptance of developments of the Schengen acquis and termination in case of non-acceptance). To be verified. ↩
3. Popular vote of 19 May 2019 on the implementation of the EU Firearms Directive (amendment of the Weapons Act), accepted by about 64 per cent. To be verified. ↩

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