

# EFTA and the functioning of the EEA Agreement

The role of the EFTA Secretariat

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# EFTA

## The European Free Trade Association

- Intergovernmental organisation
- For the promotion of free trade and economic integration
- To the benefit of its four Member States: Iceland, Liechtenstein, Norway and Switzerland

## Responsible for the management of

- The EFTA Convention
- The EEA Agreement
- EFTA's worldwide network of free trade agreements



# The EFTA Secretariat in Brussels

- Secretariat for the EEA EFTA States in their EEA work - «the EEA process»
- Coordinating role between EEA EFTA States and the European Commission
- Secretariat for the EEA advisory bodies



# Objectives and principles of the EEA Agreement

*“... establishing a dynamic and homogenous European Economic Area, based on common rules and equal conditions of competition and providing for the adequate means of enforcement at the judicial level, ...”*

- Extending the internal market to the participating EFTA States
- Incorporation of all relevant legislation and the establishment of an institutional set-up for incorporation of new legislation (“dynamic”)
- Institutional set-up for surveillance and judicial litigation (“homogeneous”)



# The EEA Agreement

## substantive scope

### Four Freedoms

- Free movement of goods
- Free movement of services
- Free movement of capital
- Free movement of persons

### Horizontal Polices (e.g)

- Environment
- Social policy
- Consumer protection
- Statistics
- Company law

### Common Rules

- State aid
- Competition
- Public procurement

### Cooperation

- EU programmes

### Cohesion

- EEA and Norway Grants



# The challenge

Reconciling two different models of cooperation

## The EU model

- **Supranationality** - transfer of competence and sovereignty
- Institutions with **defined roles** in the **decision-making processes**: Commission – European Parliament – Council
- Important concern  
**Preserving decision-making autonomy** of the EU

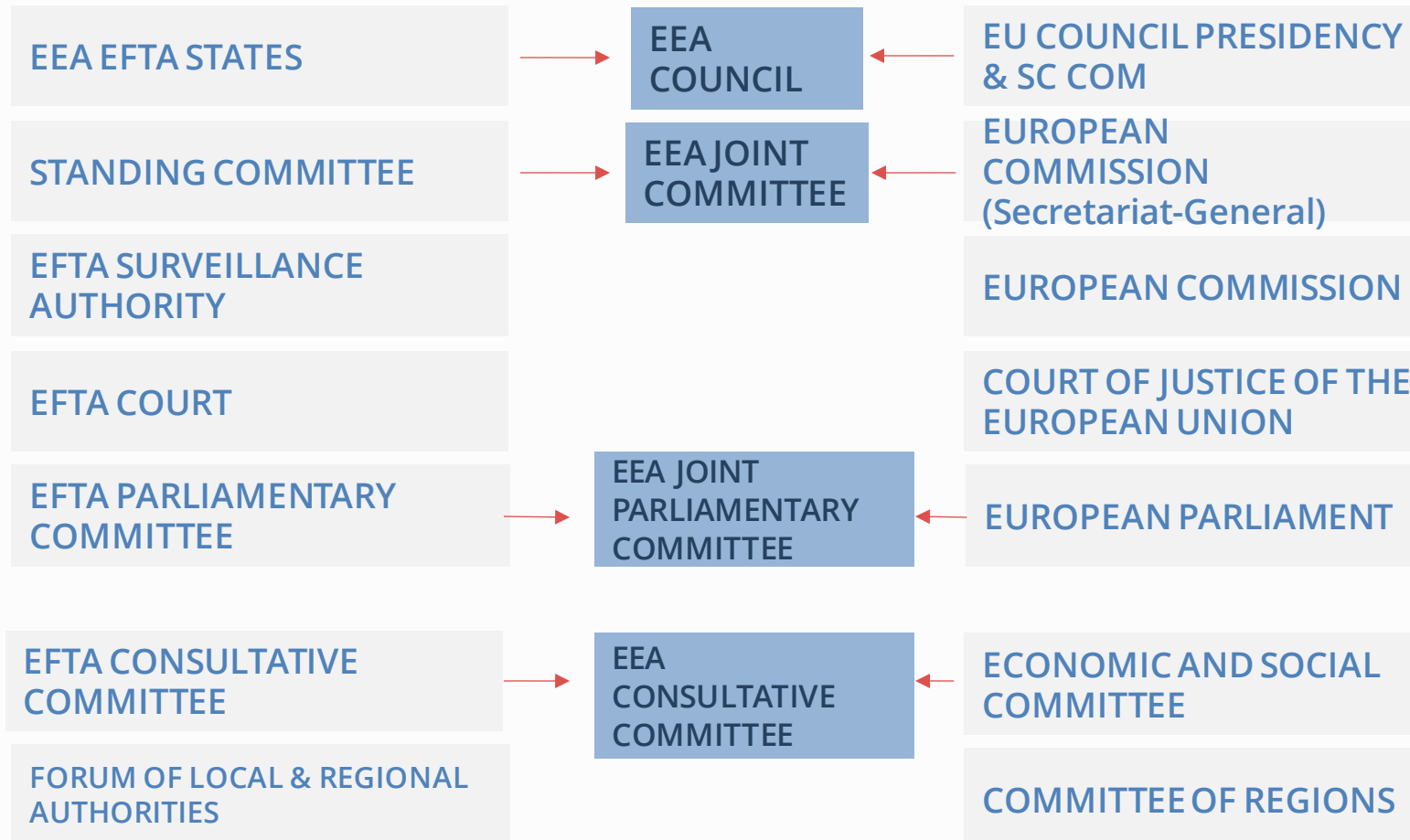
## The EFTA model

- **Intergovernmental cooperation**  
No transfer of competence, no “common policies”
- Decisions taken by **consensus** between the Governments
- Important concern  
**Preserving sovereignty**



# EEA institutional model

## The two pillar structure



# The EEA process

The framework for participation and engagement





# Numbers and key sectors

- **Legal acts incorporated into the EEA Agreement**
  - **1.875 acts** when signing the Agreement in 1992
  - **14 000+ acts** incorporated since the signing
  - **6 000+ acts** in force today
- **Food and Veterinary area - 35 % of all the acts incorporated**
  - **Full compliance** with the EU rules on the food chain
  - **Frictionless export** of seafood and agricultural goods
  - **No veterinary import/export controls** – only customs
- **Other high-volume sectors**
  - **Transport** – in general, air, road, rail and maritime
  - **Financial Services**
  - **Goods** - Technical regulations and specifications

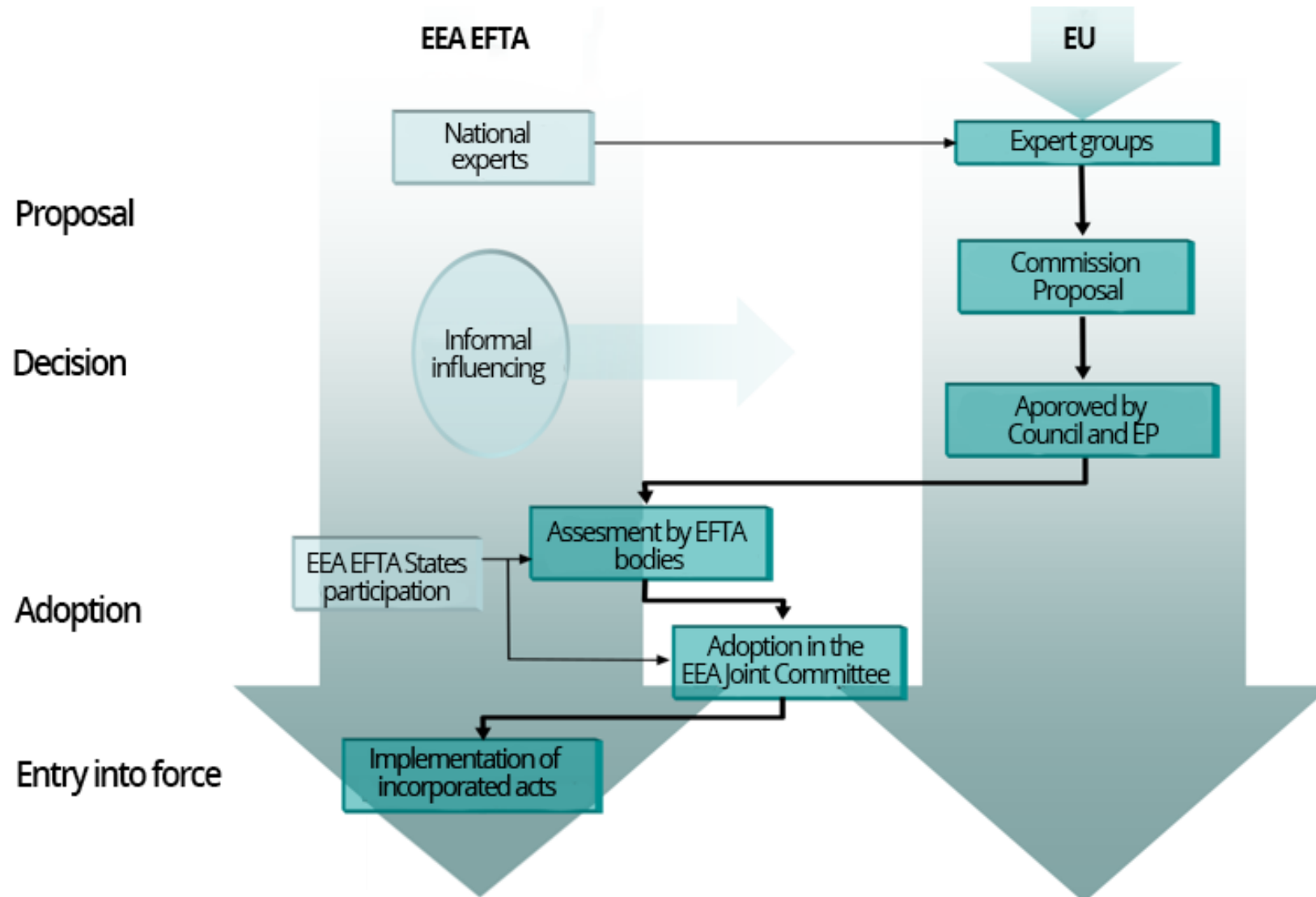


# Two main strands of the EEA work

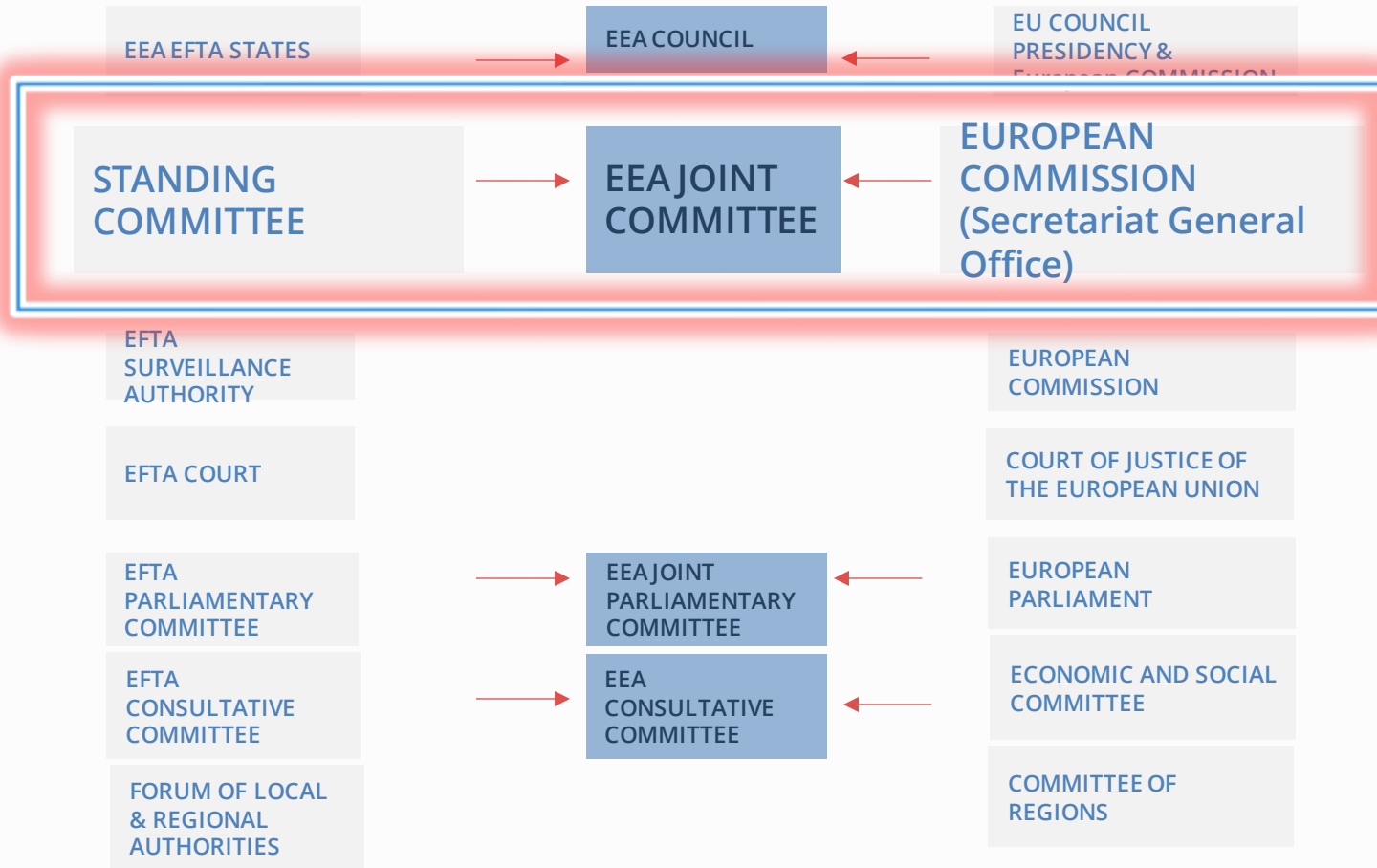
- **Decision shaping** – Participation in the development of EU legislation before EU adoption
- **Decision making** – Incorporation into the EEA Agreement of an adopted EU EEA relevant legislative act



# From EU to EEA – Participation, engagement and process



# The Two Pillar Structure



# Standing Committee of the EFTA States

Subcommittee I  
Free Movement of  
Goods

Subcommittee II  
Free Movement of  
Services and Capital

Subcommittee III  
Free Movement of  
Persons

Subcommittee IV  
Flanking and  
Horizontal Policies

Subcommittee V  
Legal and Institutional  
Matters

## WORKING GROUPS

- Competition Policy
- Customs Matters
- Customs Security Measures
- Energy Matters
- Fisheries
- Food Chain
- Intellectual Property
- Processed Agricultural Prod.
- Public Procurement
- State Aid
- Technical Barriers to Trade
  - **Expert Groups**

- Company Law
- Electronic Communications, Audiovisual Services and Information Society
- Financial Services
- Postal Services
- Transport
- Services

- Free Movement of Persons, Employment and Social Policy
- Recognition of Professional Qualifications
- Social Security

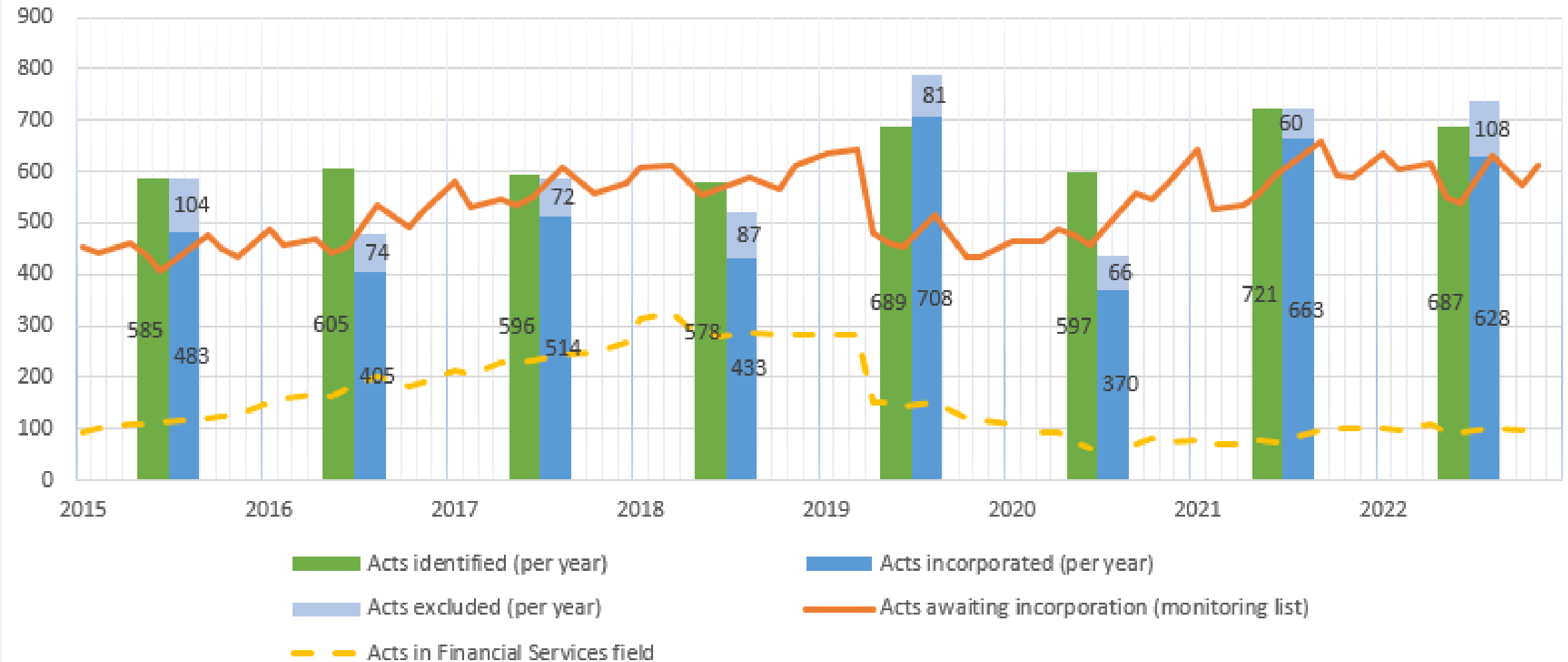
- Budgetary Matters
- Civil Protection
- Consumer Affairs
- Cultural Affairs
- Education, Training and Youth
- Enterprise Policy and Internal Market Affairs
- Environment
- Gender Equality, Anti-Discrimination and Family Policy
- Health and Safety at Work and Labour Law
- Public Health
- Research and Innovation

# Decision making



# Processing volumes and Backlog

(acts awaiting incorporation vs. acts identified & acts incorporated/excluded)



# EEA in today's Europe

- ❑ The EEA Agreement remains robust and resilient - ready to celebrate its 30 years
  
- ❑ Challenges in managing the EEA Agreement
  - Increased regulatory powers to EU agencies
  - EU law and EEA law have different scope
    - *Internal market legislation with a touch of foreign policy, trade policy, industry policy, customs code or criminal law*
  - EU adapts more, and more complex legislation
    - *The nature of the EEA agreement – inherent delay of incorporation*
    - *Challenging when EU adopts acts with direct effect*
    - *The European Green Deal and the Digital Agenda on high speed – Timely incorporation of essence*
  
- ❑ EEA knowledge, understanding and close cooperation is essential to ensure a well-function EEA Agreement





