

Policy shaping in the EEA and the role of the Secretariat

EEA Seminar

Brussels, 19 January 2012

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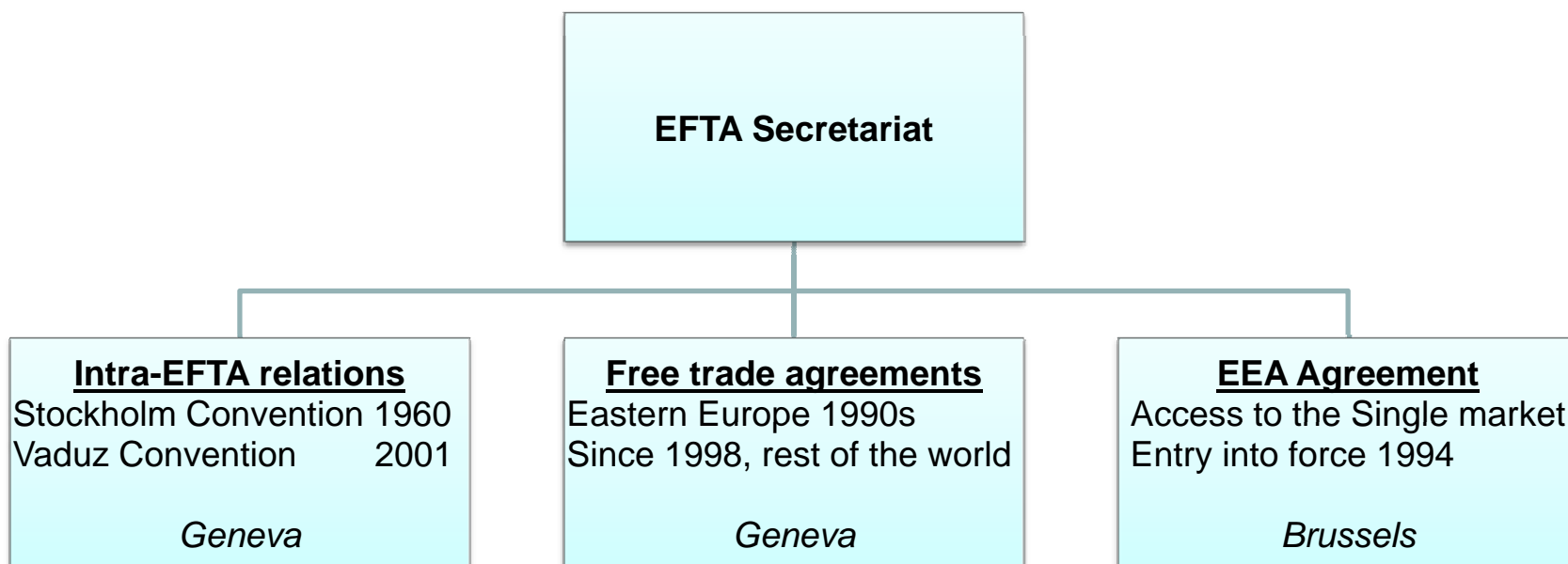
Director, EEA Coordination Division

EFTA Secretariat



EUROPEAN FREE TRADE ASSOCIATION

EFTA activities; three legs to stand on...



European Economic Area - extending the EU Internal Market

Four Freedoms

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

Horizontal policies

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

Common Rules

- State Aid
- Competition

Cooperation

- EU Programmes
- EU Agencies

Cohesion

- EEA (and Norway) Grants



The EEA does not cover:

- **EU Customs Union and Common Trade Policy**
- **Common Agricultural and Fisheries Policies**
- **EU Regional Policy**
- **Economic and Monetary Union**
- **Justice and Home Affairs**
- **Common Foreign, Security and Defense Policy**



EEA – both static and dynamic

- **Static in scope**

No additional areas foreseen to be included in the Agreement, but the *veterinary area* was substantially included in 1999

- **Dynamic in character**

Updated continuously by adding new EU legislation in areas covered by the Agreement



Extending EU law ...

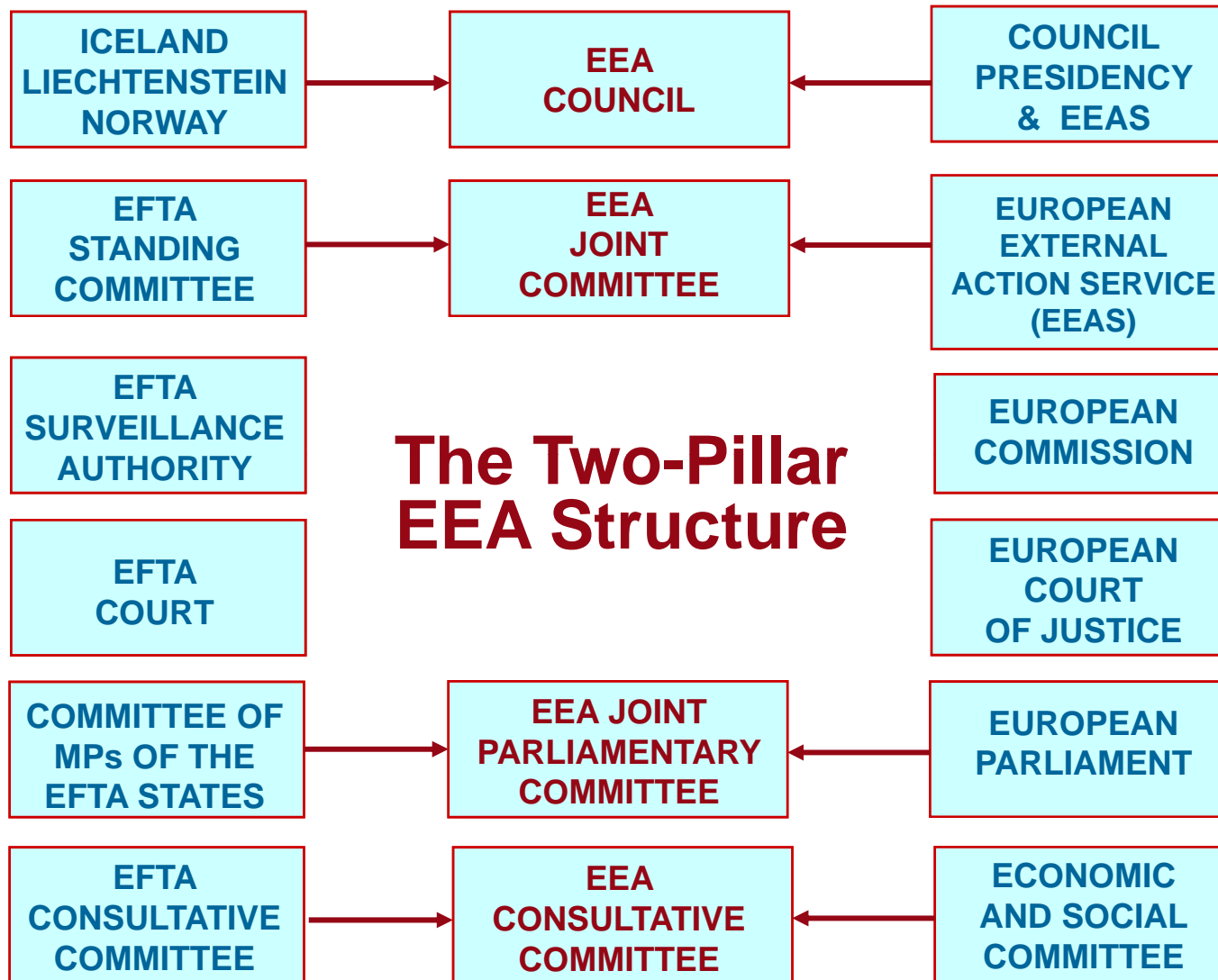
As of today, more than 8685 EU acts have been incorporated into the EEA Agreement...

- 1875 at the signing (1992)
- 5910 added by the EEA Joint Committee (end 2011)
- 900+ added by simplified procedures

~ 5 000 acts in force today in EEA

~15 000 acts in force today in EU





EEA EFTA Bodies

STANDING COMMITTEE OF THE EFTA STATES

Committees of Members
of Parliament

Consultative Committee

Subcommittee I – IV				Subcommittee V
Free Movement of Goods	Free Movements of Capital and Services	Free Movement of Persons	Flanking and Horizontal Policies	Legal and Institutional Matters
<ul style="list-style-type: none"> • Competition • Customs Matters • Energy Matters • Fisheries • Intellectual Property • Processed Agricultural Products • Public Procurement • State Aid • Technical Barriers to Trade (TBT) 	<ul style="list-style-type: none"> • Company Law • Electric Communications, Audiovisual Services and Information Society • Financial Services • Postal Services 	<ul style="list-style-type: none"> • Free Movement of Persons, Employment and Social Policy • Recognition of Professional Qualifications • Social Security 	<ul style="list-style-type: none"> • Budgetary Matters • Civil Protection • Consumer Affairs • Cultural Affairs • Education, Training and Youth • Enterprise Policy • Environment • Gender Equality... • Statistics • Health and Safety • Research and Development 	



EUROPEAN FREE TRADE ASSOCIATION

Decision shaping

Access varies as to who we are approaching..

European Commission: right to participate, but not to vote

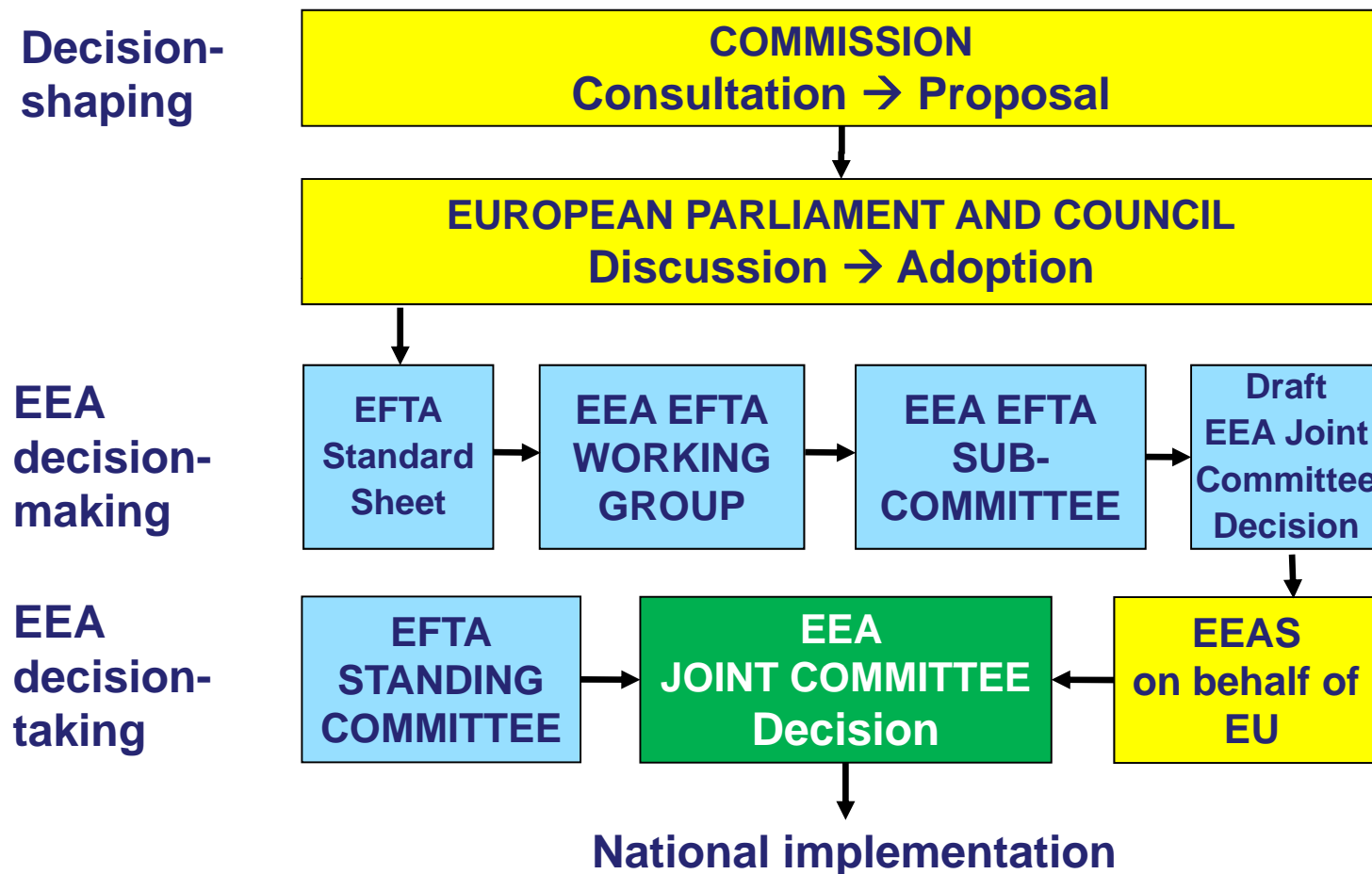
- **EEA Art. 99** **Expert groups**
- **EEA Art. 100** **Comitology committees**
- **EEA Art. 101** **Other (advisory) groups**
- **EEA Art. 81** **Programme committees**
- **EFTA comments**
- **EEA decisions** **Agency boards**

European Parliament: no access, but open process

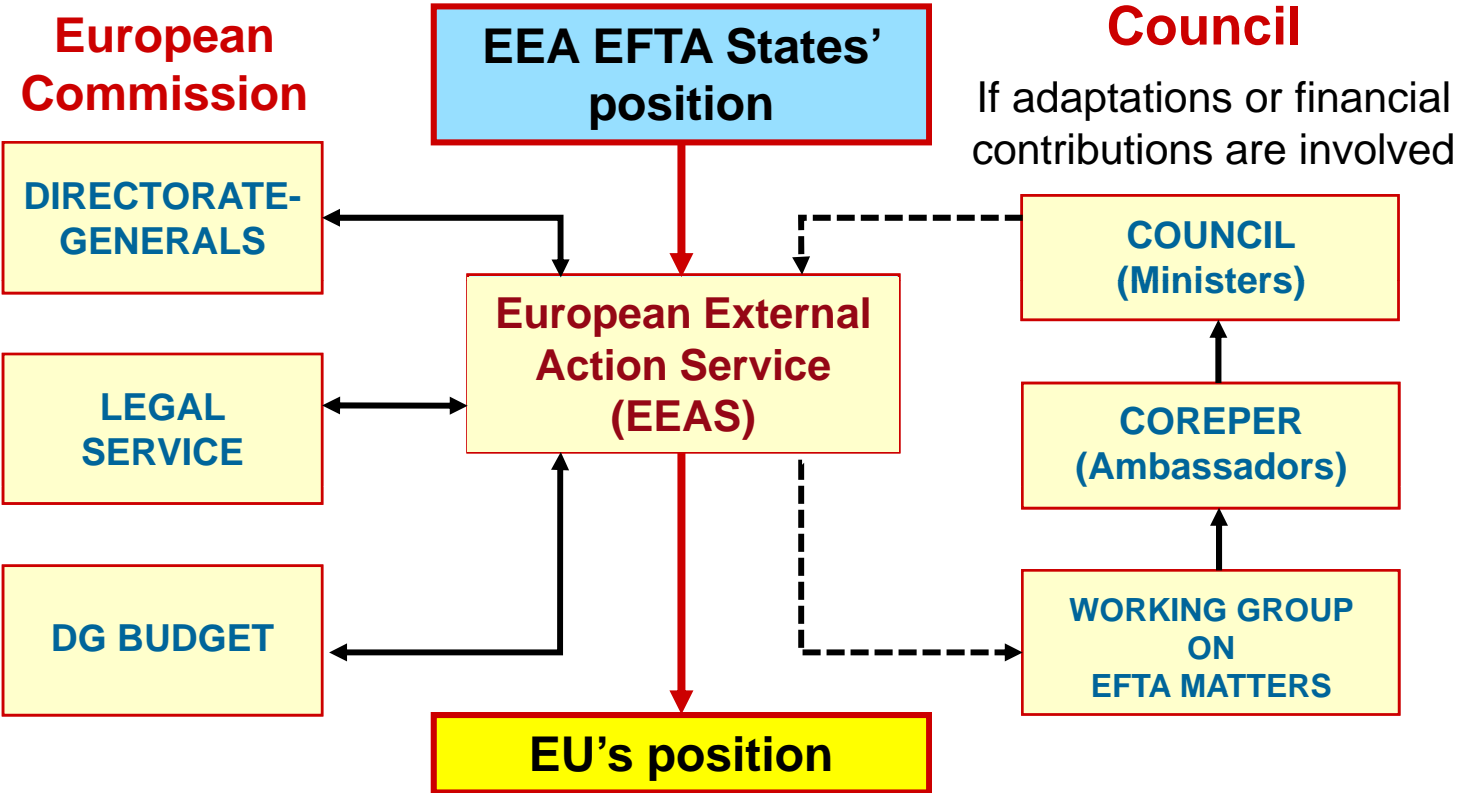
EU Council: no access, closed, approach informally



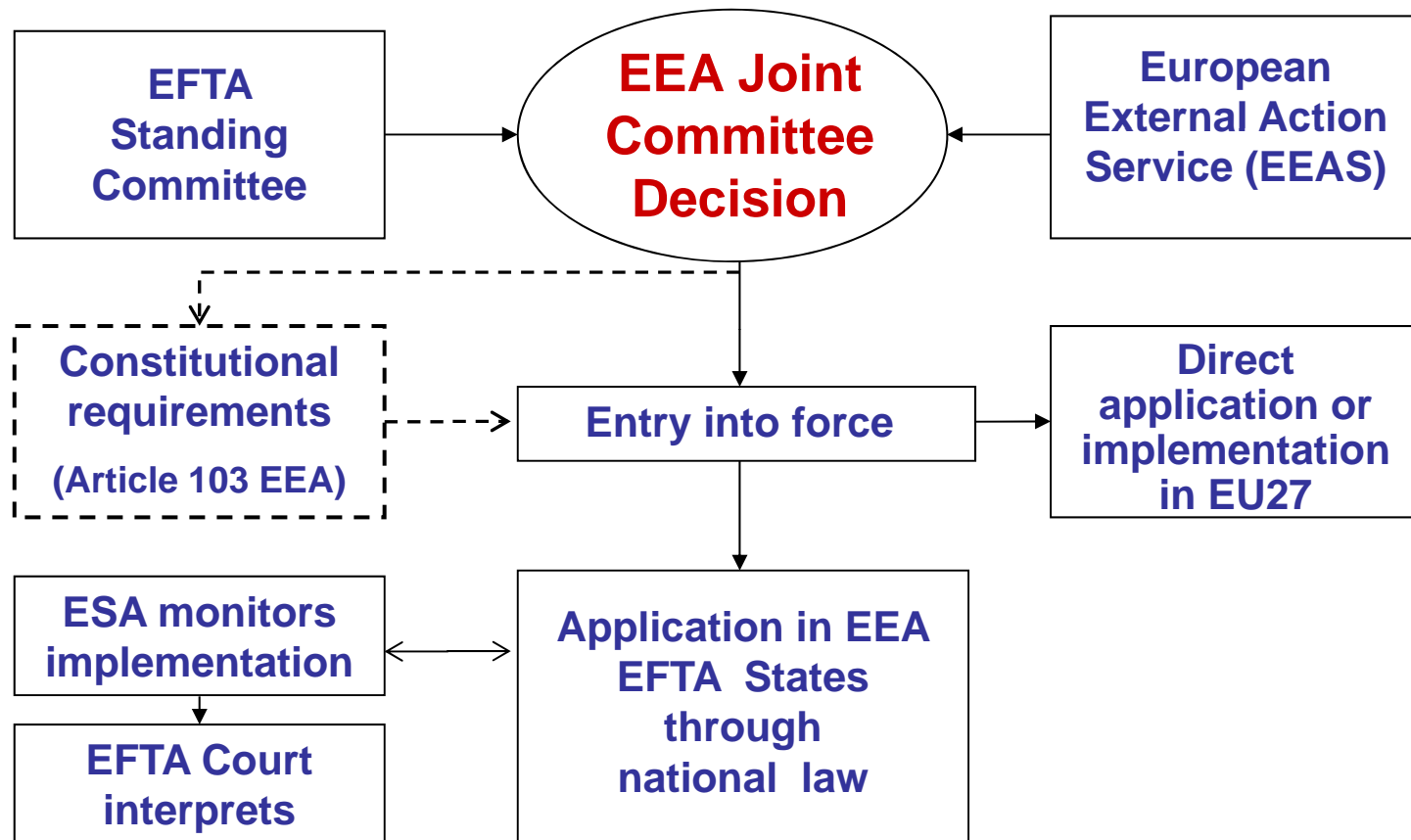
Shaping, making and taking EEA decisions: an overview



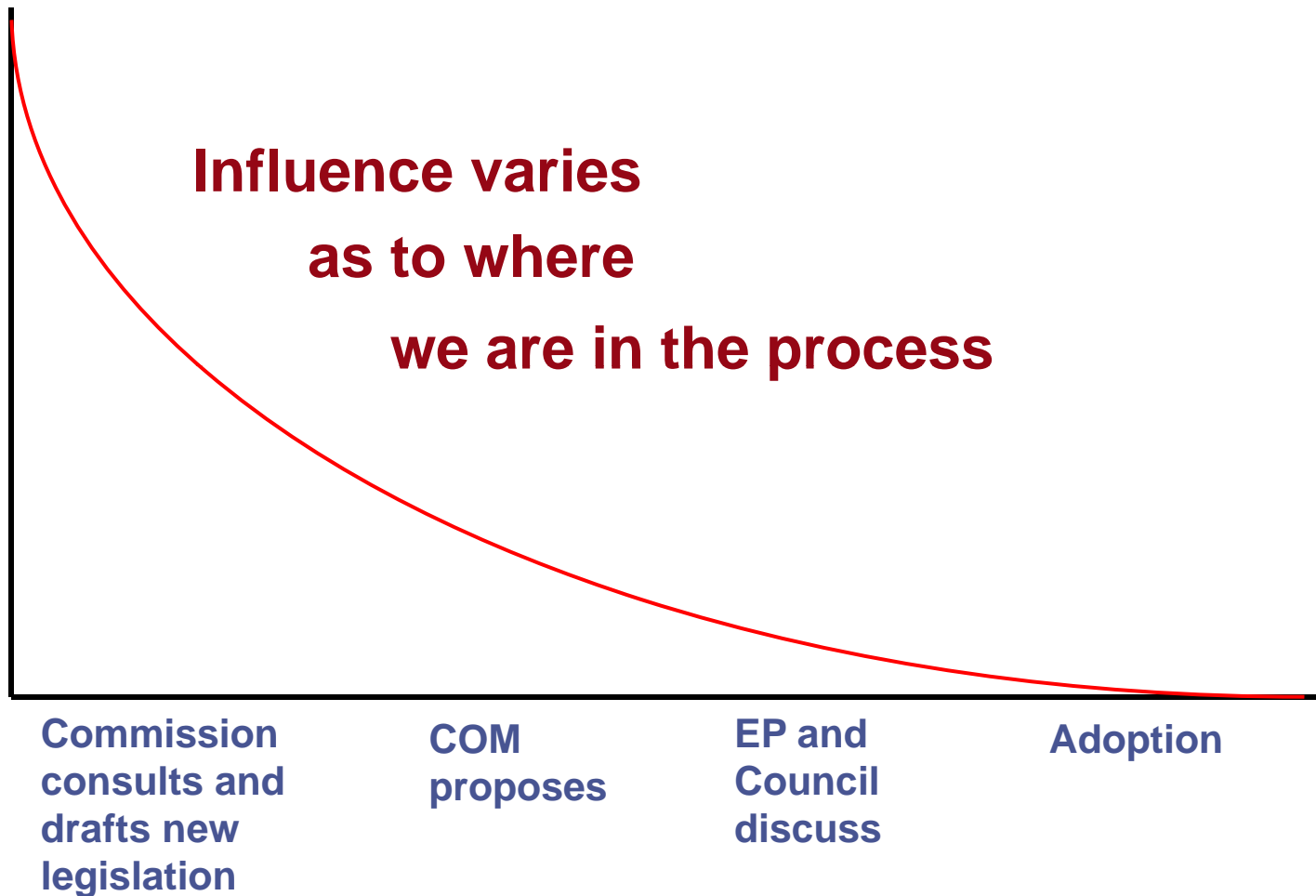
EEA decision making on the EU ETS



Taking and implementing EEA decision



Decision shaping



The 10 tasks of the Secretariat in Brussels...

- Identify new acts with EEA relevance
- Initiate the decision-making process through the EFTA Standard Sheet
- Draft EEA EFTA Comments
- Prepare papers on legal, institutional and horizontal policy issues
- Assist working groups, subcommittees, the Standing and the EEA Joint Committee, the EEA Council and advisory bodies with speaking notes, agendas, minutes, reports...
- Draft the EEA Joint Committee Decisions (JCD)
- Translate JCDs into Icelandic and Norwegian
- Publish the EEA Supplement
- Keeps the complete EEA Agreement updated
- Inform about the EEA – e.g. organise the EEA Seminar..



DECISION OF THE EEA JOINT COMMITTEE
No 144/2009

of 4 December 2009

amending Annex XIII (Transport) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XIII to the Agreement was amended by Decision of the EEA Joint Committee No 110/2009 of 22 October 2009¹.
- (2) Regulation (EC) No 2320/2002 of the European Parliament and of the Council of 16 December 2002 establishing common rules in the field of civil aviation security² was re-incorporated into the Agreement by Decision of the EEA Joint Committee No 99/2009 of 25 September 2009³ with country specific adaptations.
- (3) Commission Regulation (EC) No 483/2009 of 9 June 2009 amending Regulation (EC) No 820/2008 laying down measures for the implementation of the common basic standards on aviation security⁴ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be added in point 66i (Commission Regulation (EC) No 820/2008) of Annex XIII to the Agreement:

‘, as amended by:

- 32009 R 0483: Commission Regulation (EC) No 483/2009 of 9 June 2009 (OJ L 145, 10.6.2009, p. 23).’



The EEA Joint Committee incorporates new EU acts by amending the annexes and protocols to the Agreement

EEA Agreement consists of:

- **Main Agreement (129 Articles)**
- **22 Annexes**
- **49 Protocols**
- **Final act (Declarations)**



EU adopts new legislation...

Official Journal of the European Union 		ISSN 1725-2555
		L 286
		Volume 52
		31 October 2009
		Complete edition 
English edition	Legislation	
Contents	I Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory	
	REGULATIONS	
	* Regulation (EC) No 1005/2009 of the European Parliament and of the Council of 16 September 2009 on substances that deplete the ozone layer ⁽¹⁾	1
	* Regulation (EC) No 1006/2009 of the European Parliament and of the Council of 16 September 2009 amending Regulation (EC) No 808/2004 concerning Community statistics on the information society ⁽¹⁾	31
	* Regulation (EC) No 1007/2009 of the European Parliament and of the Council of 16 September 2009 on trade in seal products ⁽¹⁾	36
	(1) Text with EEA relevance	
	Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period. The titles of all other acts are printed in bold type and preceded by an asterisk.	



The EEA EFTA Standard Sheet

EUROPEAN ECONOMIC AREA	
STANDING COMMITTEE OF THE EFTA STATES	
Standard Sheet for the preparation of EEA Joint Committee decisions	
Please fill in your Ministry / Department and Country: The Ministry of Petroleum and Energy, Norway	
To:	Working Group on Energy Matters
To be returned to:	WHIST Bendik Solum
Issued:	04.08.2009
By:	15.09.2009
Ref.no:	37900
THE FOLLOWING ACT HAS RECENTLY BEEN ADOPTED BY THE EC:	
Full title:	Commission Regulation (EC) No 642/2009 of 22 July 2009 implementing Directive 2005/32/EC of the European Parliament and of the Council with regard to ecodesign requirements for televisions.

	Annex	Chapter	Subchapter
SUGGESTED PLACEMENT OF ACT IN THE EEA-AGREEMENT:	IV		
PLEASE CIRCLE OR DELETE AS APPROPRIATE:			
EEA relevant:	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no ¹	for discussion
Technical (i.e. not needing negotiation) adaptations necessary to the EC legislation:	<input type="checkbox"/> yes	<input checked="" type="checkbox"/> no	
Other (i.e. needing negotiation) adaptations necessary to the EC legislation:	<input type="checkbox"/> yes ²	<input checked="" type="checkbox"/> no	
Constitutional requirements (parliamentary procedures) under Art 103:	<input type="checkbox"/> yes	<input checked="" type="checkbox"/> no	

Four questions:

- EEA relevant?
- Technical adaptations
- Other adaptations?
- Constitutional requirements?



The EEA Council

AGENDA

Subject: Provisional Agenda of the 36th meeting of the EEA Council
Brussels, 15 November 2011

1. Adoption of the Provisional Agenda (doc. 1606/1/11 REV 1)

Items for adoption without prior discussion

2. Approval of the minutes of the:
35th meeting held in Brussels on 23 May 2011 (doc. 1604/11)
3. Progress Report by the EEA Joint Committee (doc. 1608/11)

Article 89

“...responsible for giving the political impetus in the implementation of this Agreement and ..lay down the guidelines for the EEA Joint Committee.....”

“...assess the overall functioning and development of the Agreement ...”

- meets twice a year, in Brussels

-the EU Council Presidency and the EEAS, and EFTA Ministers, chair alternates between the EU Presidency and EFTA States

-The Secretariat in collaboration with the EU Council Secretariat prepares agendas, speaking points, conclusions and minutes from the EEA Council



The EEA Joint Committee

EUROPEAN ECONOMIC AREA JOINT COMMITTEE

Ref. 1109279
17 October 2011

ONE HUNDRED AND SEVENTY-FIRST MEETING

*Friday 21 October 2011, starting at 10.00
in the EFTA Building, 12-16 Rue Joseph II, 1000 Brussels*

President: Ambassador Kurt Jäger (EFTA)

EU Chairman: Mr Gianluca Grippa (European External Action Service)

Agenda

1. Adoption of the agenda
 2. Approval of the minutes of the 170th EEA Joint Committee meeting of 30 September 2011
 3. Minutes of the Subcommittees I-II-III-IV meetings of 18 October 2011
 4. Decisions
- Decision No 111/2011 amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement – Commission Regulation (EU) No 514/2010 (authorisation of *Pediococcus pentosaceus*), Commission Regulation (EU) No 515/2010 (use of the feed additive *Bacillus subtilis* (O35)), Commission Regulation (EU) No 516/2010 (permanent authorisation of an additive in feedingstuffs), Commission Regulation (EU) No 568/2010 (prohibition to place on the market certain feedstuffs containing *Salmonella*), Commission Regulation (EU) No 574/2010

Article 92

“..shall ensure the effective implementation and operation of this Agreement...”

- takes decisions by consensus, the EFTA States speaking with “one voice”

- meets six to seven times a year

- in 2011, the Committee adopted 373 legal acts

- the Chair alternates between the EFTA States and the EU (the EEAS)

- the Secretariat prepares and follows up the meetings in collaboration with the EEAS



The Standing Committee of the EFTA States

EUROPEAN ECONOMIC AREA

STANDING COMMITTEE
OF THE EFTA STATES

Ref. 1110145
30 November 2011
1 Annex

ONE HUNDRED AND SEVENTIETH MEETING

*Thursday 1 December 2011, at 15.00
Meeting room 3 - 4, EFTA Building, 12-16 Rue Joseph II, 1000 Brussels*

Agenda

1. Adoption of the agenda
2. Approval of the items on the "A" list
3. Agenda and preparation of the 172nd EEA Joint Committee meeting, at 16.00 on Thursday 1 December 2011 in the EFTA Building, 12-16 Rue Joseph II
 1. *Adoption of the agenda*
 2. *Approval of the minutes of the 171st EEA Joint Committee meeting of 21 October 2011*

Agreement on a Standing Committee of the EFTA States

Article 1:

"....shall carry out functions in respect of decision-making, administration and management, as well as consultations, among the EFTA States..."

meets prior to the EEA Joint Committee, six to seven times a year

Article 8:

"The Secretariat service for the Standing Committee shall be provided by the EFTA Secretariat"



EUROPEAN FREE TRADE ASSOCIATION

EFTA Advisory Bodies:

Committees of Members of Parliament

- **Scrutinise EFTA policies and EEA legislation**
- **Raise awareness of important issues**
- **Build political consensus**
- **Advocate for the EEA in the national parliaments**
- **Facilitate political dialogue**

Meets with:

Members of the European Parliament, EFTA Ministers and Social Partners, representatives of the EEA Council and EEA Joint Committee

The Secretariat prepares the meetings, agendas, speaking notes, draft reports and resolutions for the Committees



EFTA Advisory Bodies:

Consultative Committee

- **Scrutinizes EFTA and EEA policies**
- **A platform for dialogue and consultation between EFTA social partners and the EFTA authorities**
- **Raise awareness of important issues**

Meets with the EU Social Partners (EESC), EFTA Ministers and Ambassadors and EFTA Parliamentarians

The Secretariat prepares the meetings, agendas, speaking notes, draft reports and resolutions of the Committee



EEA EFTA Forum of Elected Representatives of Local and Regional Authorities

- **Informal body involving elected representatives from local and regional authorities in EEA matters**
- **Link with the EU Committee of the Regions**
- **Raise awareness of issues of relevance for local and regional authorities**

Meets with the EU Committee of the Regions

The Secretariat assists the Forum in its work



Challenges for the EEA

- **The EEA Agreement is almost 20 years old**
- **The EU has developed considerably since the early 1990s**
- **New forms of EU governance and the EEA**
- **A more diverse range of policy instruments....**
 - Four treaty reforms: from the EC to the EU
 - Enlargement from 12 to 27 Member States
 - New policy areas:
 - Economic and monetary union
 - Justice and home affairs
 - Foreign, security and defense policy
 - New developments following the crisis,..

