



From EU law to EEA law: An Introduction

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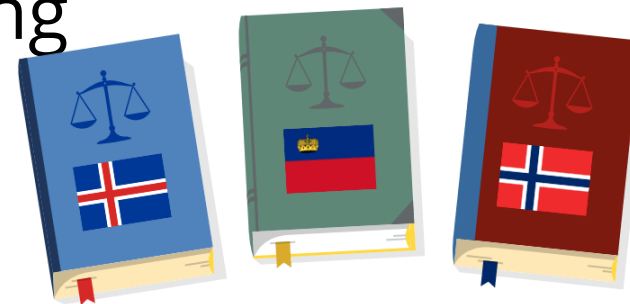
EEA and homogeneity

Homogeneity is the main principle of the EEA Agreement

- The EEA is based on the same rules
- These rules should be uniformly interpreted and applied

The different **dimensions** of homogeneity

- Judicial dimension
- Surveillance dimension
- Dynamic dimension – Article 102 EEA
 - Internal Market is constantly evolving



EEA relevance

The EEA unites the three EEA EFTA States and the EU into an internal market based on the free movement of:

- Goods
- Services
- Capital
- Persons

The EEA is focused on the Internal Market

- EU policies in other areas (for example EU Customs Union) are outside the scope of the EEA

EU legislation that falls under this scope should be incorporated

- **EEA relevance**



Incorporation: Main steps

Decision shaping - Adoption in the EU

Assessment of acts

- Preliminary assessment by the EFTA Secretariat
- Assessment of the EEA EFTA States

Drafting stage

- The EFTA Secretariat drafts decisions (JCDs)
- Drafts approved by the EEA EFTA States
- Submitted to the EU side for processing
 - Final text agreed upon

Decisions adopted by the EEA Joint Committee

- Constitutional requirements



Formal decision-making

EEA Joint Committee

- Brings together the EEA EFTA States and the EU
- Competent to incorporate legal acts into the EEA Agreement
- Acts by consensus

EEA EFTA States speak with one voice

- EFTA Standing Committee coordinates the position of the EEA EFTA States
- Five Subcommittees
- EFTA Working Groups and Expert Groups



Where to find EEA legal acts

EU legal acts become EEA legal acts upon incorporation

- References added to relevant Annexes and Protocols

These legal acts must then be read in view of adjustments made to them – **adaptations:**

- Horizontal – Protocol 1
- Sectoral – individual annexes
- Specific – apply to individual acts



Resources

- EEA lex
- Webtool on how EU law becomes EEA law
- Webtool in how to read EU acts incorporated into the EEA Agreement





Thank You

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