

JOINT DECLARATIONS  
BY THE CONTRACTING PARTIES  
TO THE AGREEMENT

JOINT DECLARATION  
ON THE SIMULTANEOUS ENLARGEMENT  
OF THE EUROPEAN UNION AND THE  
EUROPEAN ECONOMIC AREA

The Contracting Parties stress the importance of timely ratification or approval by the Present Contracting Parties and the New Contracting Parties in accordance with their respective constitutional requirements in order to ensure simultaneous enlargement of the European Union and the European Economic Area on 1 May 2004.

JOINT DECLARATION  
CONCERNING THE APPLICATION OF THE  
RULES OF ORIGIN AFTER ENTRY INTO FORCE  
OF THE AGREEMENT ON THE PARTICIPATION OF  
THE CZECH REPUBLIC, THE REPUBLIC OF ESTONIA,  
THE REPUBLIC OF CYPRUS, THE REPUBLIC OF LATVIA,  
THE REPUBLIC OF LITHUANIA, THE REPUBLIC  
OF HUNGARY, THE REPUBLIC OF MALTA  
THE REPUBLIC OF POLAND, THE REPUBLIC  
OF SLOVENIA AND THE SLOVAK REPUBLIC  
IN THE EUROPEAN ECONOMIC AREA

1. Proof of origin properly issued by an EFTA State or a New Contracting Party in the framework of a preferential agreement concluded between the EFTA States and the New Contracting Party or in the framework of unilateral national legislation of an EFTA State or a New Contracting Party shall be considered being proof of EEA preferential origin, provided that:
  - (a) the proof of origin and the transport documents were issued no later than the day before the entry into force of the Agreement;
  - (b) the proof of origin is submitted to the customs authorities within the period of four months from the entry into force of the Agreement.

Where goods were declared for importation from an EFTA State or a New Contracting Party in, respectively, a New Contracting Party or an EFTA State prior to the date of entry into force of the Agreement, under preferential arrangements in force between an EFTA State and a New Contracting Party at that time, proof of origin issued retrospectively under those arrangements may also be accepted in the EFTA States or the New Contracting Parties provided that it is submitted to the customs authorities within the period of four months from the date of entry into force of the Agreement.

2. The EFTA States, on the one hand, and the Czech Republic, Estonia, Latvia, Lithuania, Hungary, Poland, Slovenia and Slovakia, on the other hand, are authorised to retain the authorisations with which the status of "approved exporters" has been granted in the framework of agreements concluded between the EFTA States, on the one hand, and the Czech Republic, Estonia, Latvia, Lithuania, Hungary, Poland, Slovenia and Slovakia, on the other hand, provided that the approved exporters apply the EEA rules of origin.

These authorisations shall be replaced by the EFTA States and the Czech Republic, Estonia, Latvia, Lithuania, Hungary, Poland, Slovenia and Slovakia, no later than one year after the date of accession, by new authorisations issued under the conditions laid down in Protocol 4 to the Agreement on the European Economic Area.

3. Requests for subsequent verification of proof of origin issued under the preferential agreements and arrangements referred to in paragraphs 1 and 2 above shall be accepted by the competent authorities of the EFTA States and the New Contracting Parties for a period of three years after the issue of the proof of origin concerned and may be made by those authorities for a period of three years after acceptance of the proof of origin.

JOINT DECLARATION  
ON ARTICLE 126 OF THE EEA AGREEMENT

The Contracting Parties confirm that the references made in Article 126 of the EEA Agreement to "the Treaty establishing the European Economic Community" and "the conditions laid down in that Treaty" cover Protocol 10 on Cyprus annexed to the Act of Accession of 16 April 2003.

OTHER DECLARATIONS  
BY ONE OR MORE OF THE CONTRACTING  
PARTIES TO THE AGREEMENT

GENERAL JOINT DECLARATION OF THE EFTA STATES

The EFTA States take note of the Declarations, which are relevant for the EEA Agreement, attached to the Final Act of the Treaty concerning the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union.

The EFTA States underline that the Declarations, which are relevant for the EEA Agreement, attached to the Final Act to the Treaty referred to in the previous paragraph cannot be interpreted or applied in a way contrary to the obligations of the Contracting Parties arising from this Agreement or the EEA Agreement.

JOINT DECLARATION  
BY THE EFTA STATES ON FREE  
MOVEMENT OF WORKERS

The EFTA States stress the strong elements of differentiation and flexibility in the arrangements for the free movement of workers. They shall endeavour to grant increased labour market access to nationals of the Czech Republic, Estonia, Latvia, Lithuania, Hungary, Poland, Slovenia and Slovakia under national law, with a view to speeding up the approximation to the *acquis*. As a consequence, the employment opportunities in the EFTA States for nationals of the Czech Republic, Estonia, Latvia, Lithuania, Hungary, Poland, Slovenia and Slovakia should improve substantially upon these States' accession. Moreover, the EFTA States will make best use of the proposed arrangements to move as quickly as possible to the full application of the *acquis* in the area of free movement of workers. For Liechtenstein, this will be done in accordance with the specific arrangements as foreseen in the Sectoral Adaptations to Annex V (Free movement of workers) and Annex VIII (Right of establishment) to the EEA Agreement.

JOINT DECLARATION  
OF THE EFTA STATES ON THE INTERNAL  
ELECTRICITY MARKET

With reference to the transitional arrangement for Estonia set out in Point 2 of Chapter 8 of Annex 6 to the Act of Accession of 16 April 2003 and Declaration 8 on oil shale, the internal electricity market and Directive 96/92/EC of the European Parliament and of the Council of 19 December 1996 concerning common rules for the internal market in electricity (Electricity Directive): Estonia, the EFTA States note that, with a view to limiting the potential distortion of competition in the internal electricity market, safeguard mechanisms, such as the reciprocity clause of Directive 96/92/EC, may have to be applied.



DECLARATION  
BY THE GOVERNMENT OF LIECHTENSTEIN

The Liechtenstein Government assumes that all Contracting Parties respect the Principality of Liechtenstein as a longstanding sovereign and recognised State which was a neutral State during the whole of World War I and World War II.

DECLARATION  
OF THE CZECH REPUBLIC CONCERNING  
THE UNILATERAL DECLARATION  
BY THE PRINCIPALITY OF LIECHTENSTEIN

The Czech Republic welcomes the conclusion of the agreement between the candidate countries and members of the European Economic Area as a significant step towards overcoming the past division of Europe, as well as towards its further political and economic development. The Czech Republic is ready to cooperate within the European Economic Area with all member states, including the Principality of Liechtenstein.

In relation to the Principality of Liechtenstein, the Czech Republic has since its establishment shown a clear interest in establishing diplomatic relations. As early as 1992 it sent the governments of all countries, including the Principality of Liechtenstein, requests for recognition as a new entity in international law with effect from 1 January 1993. While the response of practically all governments has been affirmative, the Principality of Liechtenstein was until now an exception.

The Czech Republic attaches no legal effects to declarations which are not related to the object and purpose of this Agreement.

DECLARATION  
OF THE SLOVAK REPUBLIC CONCERNING  
THE UNILATERAL DECLARATION  
BY THE PRINCIPALITY OF LIECHTENSTEIN

The Slovak Republic welcomes the conclusion of the agreement between the candidate countries and the members of the European Economic Area as an important step towards further economic and political development in Europe.

Since its foundation the Slovak Republic has recognised the Principality of Liechtenstein as a sovereign and independent state and is prepared to establish diplomatic relations with the Principality.

The Slovak Republic attaches no legal effects to declarations which are not related to the object and purpose of this Agreement.

DECLARATION  
BY ESTONIA, LATVIA, MALTA AND SLOVENIA  
ON ARTICLE 5 OF PROTOCOL 38a  
ON THE EEA FINANCIAL MECHANISM

Estonia, Latvia, Malta and Slovenia underline that the distribution key used in Article 5 was designed exclusively for the purposes of the EEA Financial Mechanism. It is their understanding that this distribution key does not prejudice any future proposals regarding the distribution keys within the framework of the Community cohesion and structural instruments.

DECLARATION  
BY THE COMMISSION  
OF THE EUROPEAN COMMUNITIES  
ON THE RULES OF ORIGIN IN FISH  
AND FISHERY PRODUCTS

The Commission of the European Communities will examine the feasibility of a harmonisation of rules of origin by 1 May 2004.