

JOINT DECLARATIONS AND STATEMENTS
BY THE PRESENT CONTRACTING PARTIES
AND THE NEW CONTRACTING PARTIES
TO THE AGREEMENT

**JOINT DECLARATION
ON THE TIMELY RATIFICATION OF
THE AGREEMENT ON THE PARTICIPATION OF
THE REPUBLIC OF BULGARIA AND ROMANIA
IN THE EUROPEAN ECONOMIC AREA**

The Present Contracting Parties and New Contracting Parties stress the importance of timely ratification or approval of the Agreement on the Participation of the Republic of Bulgaria and Romania in the European Economic Area by the Present Contracting Parties and the New Contracting Parties in accordance with their respective constitutional requirements in order to ensure the good functioning of the European Economic Area.

**JOINT DECLARATION
ON THE EXPIRY DATE
OF THE TRANSITIONAL ARRANGEMENTS**

The transitional arrangements from the Treaty of Accession shall be taken over into the EEA Agreement and shall expire on the same date as they would have if the enlargement of the European Union and the EEA had taken place simultaneously on 1 January 2007.

**JOINT DECLARATION
CONCERNING THE APPLICATION OF THE
RULES OF ORIGIN AFTER ENTRY INTO FORCE
OF THE AGREEMENT ON THE PARTICIPATION OF
THE REPUBLIC OF BULGARIA AND ROMANIA
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 accession of the New Contracting Party to the European Union;
 - (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 accession of the New Contracting Party to the European Union, 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 Republic of Bulgaria and Romania, 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 Republic of Bulgaria or Romania, 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 Republic of Bulgaria and Romania, no later than one year after the date of entry into force of the Agreement, 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 TRADE IN AGRICULTURAL PRODUCTS AND
PROCESSED AGRICULTURAL PRODUCTS**

1. In the context of the EEA enlargement negotiations, consultations were undertaken between the Present Contracting Parties and the New Contracting Parties to examine the need to adjust the bilateral trade concessions in agricultural products and processed agricultural products in the relevant parts of the EEA Agreement or the relevant bilateral agreements between the European Community and Iceland, Liechtenstein and Norway, respectively, in light of the enlargement of the European Union.
2. The Present Contracting Parties and the New Contracting Parties have examined product by product market access conditions and agreed that no additional trade concessions regarding agricultural or processed agricultural products will be added to any existing agreements in the context of enlargement.
3. The Present Contracting Parties and the New Contracting Parties have agreed that Iceland, Liechtenstein and Norway shall not make any claim, request or referral nor modify or withdraw any concession pursuant to GATT 1994 Articles XXIV.6 and XXVIII regarding agricultural products in relation to this enlargement of the European Union.

**JOINT DECLARATION
ON LIECHTENSTEIN'S SECTORAL ADAPTATION
IN THE FIELD OF FREE MOVEMENT OF PERSONS**

The Present Contracting Parties and the New Contracting Parties,

- Referring to the sectoral adaptations for Liechtenstein in the field of free movement of persons as introduced by Decision of the EEA Joint Committee No 191/1999 and amended by 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 of 14 October 2003,
- Observing an ongoing high demand from nationals of EC and EFTA States to reside in Liechtenstein, surpassing the net immigration rate set out in the above mentioned regime,
- Considering that the participation of Bulgaria and Romania in the EEA results in a higher number of nationals having the right of invoking the free movement of persons as enshrined in the EEA Agreement,

Agree to duly take into account this factual situation as well as the unchanged absorption capacity of Liechtenstein when reviewing the sectoral adaptations in Annex V and VIII to the EEA Agreement.

**JOINT STATEMENT
ON THE PRIORITY SECTORS MENTIONED
IN PROTOCOL 38A**

The Present Contracting Parties and the New Contracting Parties recall that not all priority sectors as defined in Article 3 of Protocol 38a must be covered in each Beneficiary State.

**JOINT STATEMENT
ON THE FINANCIAL CONTRIBUTIONS**

The Present Contracting Parties and the New Contracting Parties agree that the various financial contribution arrangements agreed in the context of EEA enlargement shall not constitute a precedent for the period after they expire on 30 April 2009.

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 to the Treaty between the Kingdom of Belgium, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, the Republic of Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden, the United Kingdom of Great Britain and Northern Ireland (Member States of the European Union) and the Republic of Bulgaria and Romania, concerning the accession of the Republic of Bulgaria and Romania 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 Present Contracting Parties and New 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 Republic of Bulgaria and Romania 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 Republic of Bulgaria and Romania 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.

**UNILATERAL DECLARATION
BY THE GOVERNMENT OF LIECHTENSTEIN
ON THE ADDENDUM TO PROTOCOL 38A**

The Liechtenstein Government,

- referring to the Addendum to Protocol 38a,
- recalling the understanding that Bulgaria and Romania should benefit to the same extent from the contributions by the EFTA States to the reduction of economic and social disparities in the European Economic Area as the Beneficiary States mentioned in Article 5 of Protocol 38a and taking into account the distribution key provided in this Article,
- noting that the EFTA States made an extraordinary effort within the EEA Financial Mechanism to increase the funding in favour of Bulgaria and Romania,

states its understanding, that at the review foreseen in Article 9 of Protocol 38a any possibly agreed further financial arrangement will take into account the already achieved reductions of economic and social disparities so as to reduce contributions by the three EFTA States proportionately, if one or more of the current Beneficiary States does not further qualify for funding under such an arrangement.
