

EEE 1609/13

## **PROGRESS REPORT**

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Subject: Progress Report by the EEA Joint Committee to the 40<sup>th</sup> meeting of the EEA Council

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### **Decision making**

1. The EEA Joint Committee has adopted 111 Joint Committee Decisions (JCDs) incorporating 170 legal acts since the EEA Council of 21 May 2013. In the period January to November 2013, there have been 210 JCDs incorporating 352 legal acts. In the same period of 2012, 201 JCDs have been adopted incorporating 430 legal acts.
2. In November 2013, there were 469 outstanding legal acts where the compliance date in the EU had passed (including 131 acts with a compliance date in the EU prior to the end of December 2011), compared to 544 acts in December 2011. Since December 2011 therefore the overall number of outstanding legal acts has decreased by 14%.
3. Since the last EEA Council, the EFTA side has initiated a project with the aim of identifying and implementing further actions needed to permanently reduce the number of outstanding acts and avoid their re-emergence.
4. 81 legal acts adopted by the EU in 2013 were incorporated into the EEA Agreement by November 2013, as compared to 47 legal acts in the same period in 2012. This demonstrates an improvement in the management of these new acts with their timely incorporation into the Agreement.

5. Another aspect of the joint process was to reduce the number of JCDs awaiting the fulfilment of constitutional requirements where the six-month period had expired. However, this number increased again as in November 2013 this stood at 7, compared to 5 in May 2013. Additionally, there were 8 JCDs where the entry into force depended on the fulfilment of constitutional requirements of other already adopted JCDs or the incorporation of an EU legal act into the EEA Agreement.
6. Important decisions incorporated since the 39<sup>th</sup> meeting of the EEA Council include:
  - Decision No 111/2013 on the rules of transfer of defence-related products
  - Decision No 127/2013 on air traffic controllers licenses and certificates
  - Decision No 145/2013 on screening of liquids, aerosols and gels at airports
  - Decision No 164/2013 on standards for human organs intended for transplantation
  - Decision No 173/2013 on clean and energy-efficient road vehicles

### **Decision shaping**

7. The EEA EFTA States are participating in 20 EU programmes and 18 agencies, of which 13 were regulatory agencies and five executive agencies.
8. Since the last EEA Council the EEA Joint Committee has taken note of EEA EFTA Comments on the following subjects and the EU side provided oral reaction on two comment:
  - Follow-up to the Single Market Act I and Single Market Act II
  - The new EU occupational safety and health policy framework
  - Product safety and market surveillance

### **Briefings in the Joint Committee**

9. Briefings on the following subjects were provided in the EEA Joint Committee:
  - Capital control in Cyprus

## **Status of outstanding issues**

10. The discussions on the following issues have not yet been concluded:
- the Data Retention Directive,
  - the Directive on the Deposit Guarantee Scheme,
  - the Regulation on Novel Foods and Novel Food Ingredients,
  - the Third Package for the Internal Energy Market,
  - the Regulations establishing the European Supervisory Authorities, and related pieces of legislation in the field of financial services,
  - the remaining part of the 2009 TELECOM package including the Regulation establishing the Body of European Regulators for Electronic Communications (BEREC),
  - the Third Postal Directive,
  - the Regulation on Medicinal Products for Paediatric Use,
  - the Marine Strategy Framework Directive,
  - the EU legal acts in the area of organic production and
  - the package of acts in the field of Plant Protection Products.

The Joint Committee has reiterated its determination to work towards the rapid conclusion of these issues.

## **Financial Mechanisms**

11. For the period 2009-2014, 988.5 million euro has been set aside under the EEA Financial Mechanism and an additional 800 million euro under the Norwegian Mechanism to contribute to reducing economic and social disparities in 15 EU countries in Central and Southern Europe and to strengthening bilateral relations.
12. Programmes and projects under both Mechanisms may be implemented until 2016. By 4 November 2013, 143 of a total number of 147 programmes had been approved by the donors compared with 93 by the end of April 2013.

13. The European Commission, being responsible for screening all programme proposals for their compatibility with EU cohesion policy, has by 4 November 2013 received the proposals for all the 147 planned programmes. The Commission consent of 145 programmes has been given, whereas two programmes are still subject to inter-service consultations.
  
  14. Bilateral funds for common activities were set up in many beneficiary countries since the last EEA Council. By 4 November 2013, there were 87 donor partner programmes under the EEA and Norway Grants, involving 24 different entities from Iceland, Liechtenstein and Norway, along with the Council of Europe.
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