

EEE 1608/13

## DRAFT CONCLUSIONS

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Subject: Draft Conclusions of the 40th meeting of the EEA Council  
Brussels, 19 November 2013

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1. The fortieth meeting of the EEA Council took place in Brussels on 19 November 2013 under the Presidency of Mr Gunnar Bragi Sveinsson, Minister for Foreign Affairs of Iceland [tbc]. The meeting was attended by Ms Aurelia Frick, Minister for Foreign Affairs of Liechtenstein [tbc], Mr Vidar Helgesen, Minister of EEA and EU Affairs at the Office of the Prime Minister of Norway [tbc], and Mr Linas Linkevičius, Minister of Foreign Affairs of Lithuania, representing the Presidency of the Council of the European Union [tbc], as well as by Members of the Council of the European Union and representatives of the European Commission and the European External Action Service [tbc].
2. The EEA Council noted that, within the framework of the Political Dialogue, the Ministers discussed *Eastern partnership, Syria and Egypt*. An orientation debate was held on *A 2030 Framework for Climate and Energy Policies - challenges and next steps*.
3. The EEA Council welcomed the accession of Croatia to the EU on 1 July 2013 and urged all sides to complete all procedures relevant for the enlargement of the EEA with Croatia.

4. The EEA Council welcomed the signs of economic recovery in Europe and emphasised the need for responsibility and solidarity among the countries of Europe to overcome the social and economic challenges that had arisen from the economic crisis, including the alarming increase of youth unemployment in some EEA Member States.
5. In acknowledging the contribution made by EU programmes in building a more competitive, innovative and social Europe, the EEA Council called for the timely participation of the EEA EFTA States in relevant EU programmes in order to ensure continuity and facilitate the eligibility of EEA EFTA applicants under the first calls for proposals. The EEA Council emphasized that this was particularly important for those programmes, which will launch first calls for proposals already this year, such as Horizon 2020.
6. The EEA Council recognised the significance and the positive impact of the EEA and Norway Financial Mechanisms 2009-2014 and the previous Financial Mechanisms in reducing economic and social disparities in the EEA. The EEA Council encouraged the Joint Committee to conclude the review under Article 9 of Protocol 38 B of the EEA Agreement as soon as possible.
7. Recognising the extensive economic relations that exist between all the States covered by the EEA Agreement, the EEA Council acknowledged the importance of the Agreement in advancing the unique economic and market integration between the EU and EEA EFTA States.
8. The EEA Council reiterated the need to continue efforts towards better governance of the Internal Market as a key driver for growth and quality jobs creation in Europe. It recognised the value of the EEA EFTA States' continued contribution to the development and implementation of the Single Market Acts I and II.
9. Noting the Progress Report of the EEA Joint Committee, the EEA Council expressed its appreciation for the work of the Joint Committee in ensuring the continued successful operation and good functioning of the EEA.

10. The EEA Council welcomed the efforts made in the past two years to reduce the number of outstanding EEA relevant EU acts to be incorporated into the EEA Agreement and to accelerate the incorporation process. The EEA Council noted that despite progress in the recent past, the number of outstanding acts had increased again. It urged both sides to take the necessary steps with the aim of reducing the number of outstanding acts, in particular those that were subject to a protracted period of delay in incorporation. The EEA Council deemed that in order to guarantee the legal security and the homogeneity of the EEA, more needs to be done to significantly and durably reduce the time gap between the adoption of EEA relevant acquis by the EU and its application by the EEA EFTA States.
11. The EEA Council noted that progress is still needed on a number of outstanding issues and looked forward to reach a conclusion in particular regarding the Data Retention Directive, the Third Postal Directive, the 2009 TELECOM Package (including the Regulation on the Body of European Regulators for Electronic Communications – BEREC), the Directive on Deposit Guarantee Schemes, the Regulation on Novel Foods and Novel Food Ingredients, the Marine Strategy Framework Directive, the Regulation on Medicinal Products for Paediatric Use and the EU legal acts in the area of organic production as soon as possible.
12. The EEA Council also noted the increase of the number of EEA EFTA notifications of Joint Committee decisions for which the constitutional requirements have exceeded the six month period stipulated in the EEA Agreement. The EEA Council encouraged the EEA EFTA States to strengthen their efforts to solve the pending cases as soon as possible and to avoid such delays in the future.
13. Cognisant of the constitutional challenges for some of the EEA EFTA States raised by the specific role and powers vested in the European Supervisory Authorities for the financial services sectors, the EEA Council welcomed the ongoing constructive dialogue aimed at finding a solution to the large amount of EU legislation in the field of financial services. The EEA Council stressed the high importance of a swift incorporation of this legislation into the EEA Agreement hereby allowing the EEA EFTA States to participate on an equal footing in the internal market for financial services and ensuring homogeneity in this important economic sector.

14. With regard to the Third Package for the Internal Energy Market, the EEA Council underlined the importance of stepping up efforts to incorporate this Package into the EEA Agreement, and encouraged the parties to identify the appropriate level of EEA EFTA participation in the Agency for the Cooperation of Energy Regulators (ACER).
15. The EEA Council acknowledged the significance of the on-going process of establishing a Transatlantic Trade and Investment Partnership between the European Union and the United States. It also took note of the wish expressed by the EEA EFTA States to have a regular exchange of information with the EU on this process bearing in mind inter alia Protocol 12 to the EEA Agreement.
16. The EEA Council placed great importance on continued close cooperation between the EU and the EEA EFTA States in environment, energy and climate change policies, in particular in the areas of emissions trading, the promotion of competitive, climate resilient, safe and sustainable low carbon economy, energy efficiency, renewable energy resources, carbon capture and storage (CCS) and marine environment issues.
17. The EEA Council acknowledged that the Contracting Parties, pursuant to Article 19 of the EEA Agreement, had undertaken to continue their efforts with a view to achieving the progressive liberalisation of agricultural trade. The EEA Council welcomed that negotiations on the further liberalisation of agricultural trade and on the protection of geographical indications between the EU and Iceland had been launched in 2012. It also looked forward to the review in 2013/2014 of the conditions of trade in agricultural products between Norway and the EU with the aim of opening negotiations in 2014 on a new agreement within the framework of Article 19. The EEA Council recalled that at its last meeting, the issue of increased Norwegian customs duties for certain agricultural products had been raised. The EEA Council noted that the EU had expressed its disappointment on the fact that these measures had not been revoked in the meantime and that the EU had encouraged Norway to reverse these measures.

18. The EEA Council welcomed the dialogue that had taken place on 30 May 2013 in the EEA Joint Working Group on Processed Agricultural Products on the review of the trade regime for processed agricultural products within the framework of Article 2(2) and Article 6 of Protocol 3 to the EEA Agreement, and encouraged the Contracting Parties to continue these discussions in order to further promote trade in processed agricultural products.
19. EEA Council took note of the persisting disagreement among some EEA States and other coastal States on the management of the mackerel stock, a fish stock of common interest, and the important economic and environmental losses that this disagreement might entail. It encouraged the concerned States to find a rapid resolution to this dispute, with a view to ensuring a sustainable exploitation of this stock.
20. The EEA Council underlined the importance of continuing the practice of inviting officials from the EEA EFTA States to the political dialogues at the relevant Council working parties.
21. The EEA Council underlined the importance of inviting EEA EFTA Ministers to informal EU ministerial meetings and ministerial conferences relevant to EEA EFTA participation in the Internal Market, and expressed its appreciation to the current Lithuanian and incoming Greek Presidencies for the continuation of this practice.
22. The EEA Council recognised the positive contributions of the EEA EFTA States to the decision-shaping process of EEA-relevant EU legislation and programmes through their participation in the relevant committees, expert groups and agencies, as well as through the submission of EEA EFTA Comments.
23. Emphasising the fact that greater knowledge of the EEA Agreement throughout the EEA would be in the interest of all Contracting Parties, the EEA Council urged them to ensure that the appropriate information on the EEA Agreement was made readily and easily available to all.

24. The Council noted the Resolutions of the EEA Joint Parliamentary Committee adopted at its meeting in Vaduz on 28 October on *Arctic Policy* and on *Citizens' rights in the EU and the EEA EFTA States*. It also noted the Resolutions adopted by the EEA Consultative Committee on 10 October on *Arctic Policy* and on *The role of the social partners in the transition of young people from education to the labour market*.
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