



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 3 April 2014  
(OR. en)**

**8542/14**

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2014/0112 (NLE)**

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**EEE 21  
AUDIO 25  
CULT 52**

**PROPOSAL**

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From: Secretary-General of the European Commission,  
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 31 March 2014

To: Mr Uwe CORSEPIUS, Secretary-General of the Council of the European  
Union

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No. Cion doc.: COM(2014) 198 final

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Subject: Proposal for a COUNCIL DECISION on the position to be adopted, on  
behalf of the European Union, in the EEA Joint Committee concerning an  
amendment to Protocol 31 to the EEA Agreement, on cooperation in  
specific fields outside the four freedoms (Creative Europe)

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Delegations will find attached document COM(2014) 198 final.

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Encl.: COM(2014) 198 final



EUROPEAN  
COMMISSION

Brussels, 31.3.2014  
COM(2014) 198 final

2014/0112 (NLE)

Proposal for a

**COUNCIL DECISION**

**on the position to be adopted, on behalf of the European Union, in the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms**

## EXPLANATORY MEMORANDUM

### **1. CONTEXT OF THE PROPOSAL**

In order to ensure the requisite legal security and homogeneity of the Internal Market, the EEA Joint Committee is to integrate all the relevant Union legislation into the EEA Agreement as soon as possible after its adoption and also allow for the participation of the EEA EFTA States in EEA relevant EU actions, activities or programmes.

### **2. RESULTS OF CONSULTATIONS WITH THE INTERESTED PARTIES AND IMPACT ASSESSMENTS**

The draft Decision of the EEA Joint Committee (annexed to the proposed Council Decision) aims to amend Protocol 31 to the EEA Agreement on cooperation in specific fields outside the four freedoms.

This shall be done via inclusion to the EEA Agreement of Regulation (EU) No 1295/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Creative Europe Programme (2014 to 2020) and repealing Decisions No 1718/2006/EC, No 1855/2006/EC and No 1041/2009/EC<sup>1</sup>.

It shall also be noted that Liechtenstein shall be exempted from the participation in, and the financial contribution to, this programme.

Protocol 31 to the EEA Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2014.

### **3. LEGAL ELEMENTS OF THE PROPOSAL**

Article 1(3) of Council Regulation (EC) No 2894/94 concerning arrangements for implementing the EEA Agreement provides that the Council establishes the position to be adopted on the Union's behalf on such Decisions, on a proposal from the Commission.

The Commission submits the Draft Decision of the EEA Joint Committee for adoption by the Council as the Union's position. The Commission would hope to be able to present it in the EEA Joint Committee at the earliest possible opportunity.

### **4. BUDGETARY IMPLICATION**

It is proposed that Protocol 31 to the Agreement on the EEA be amended in order to allow EEA/EFTA States to participate in the programme and to contribute financially to it as stipulated in the above mentioned Regulation (EU) No 1295/2013.

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<sup>1</sup> OJ L 347, 20.12.2013, p. 221.

Proposal for a

## COUNCIL DECISION

**on the position to be adopted, on behalf of the European Union, in the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, in particular

Article 166(4), the first indent of Article 167(5), Article 173(3) and 218 (9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area<sup>2</sup>, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Protocol 31 to the Agreement on the European Economic Area, (hereinafter referred to as "the EEA Agreement") contains specific provisions and arrangements concerning cooperation in specific fields outside the four freedoms,
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the EEA Agreement to include Regulation (EU) No 1295/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Creative Europe Programme (2014 to 2020) and repealing Decisions No 1718/2006/EC, No 1855/2006/EC and No 1041/2009/EC<sup>3</sup>,
- (3) Protocol 31 to the EEA Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2014.

HAS ADOPTED THIS DECISION:

### *Article 1*

The position to be taken by the Union in the EEA Joint Committee on the proposed amendment to Protocol 31 to the EEA Agreement shall be based on the draft Decision of the EEA Joint Committee attached to this Decision.

<sup>2</sup> OJ L 305, 30.11.1994, p. 6.

<sup>3</sup> OJ L 347, 20.12.2013, p. 221.

*Article 2*

This Decision shall enter into force on the day of its adoption.

Done at Brussels,

*For the Council  
The President*