

EEE 1607/2/14  
REV 2

## CONCLUSIONS

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Subject: Conclusions of the 42nd meeting of the EEA Council  
Brussels, 19 November 2014

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1. The forty-second meeting of the EEA Council took place in Brussels on 19 November 2014 under the Presidency of Ms Aurelia Frick, Minister of Foreign Affairs of Liechtenstein. The meeting was attended by Ms Bergdís Ellertsdóttir, Ambassador, Head of the Mission of Iceland to the EU, Mr Vidar Helgesen, Minister of EEA and EU Affairs at the Office of the Prime Minister of Norway, Mr Benedetto Della Vedova, Secretary of State at the Italian Ministry of Foreign Affairs and International Cooperation, representing the Presidency of the Council of the European Union, as well as by Members of the Council of the European Union and representatives of the European Commission and the European External Action Service.
2. The EEA Council noted that, within the framework of the Political Dialogue, the Ministers would discuss *Russia and Ukraine*, and *Syria, Iraq and ISIL, including the threat of foreign fighters returning to Europe*. An orientation debate was held on *Current prospects for the EU 2030 framework for climate and energy in the EEA context*.

3. The EEA Agreement is now in its third decade of operation. The EEA Council acknowledged that the Agreement has proven to be mutually beneficial for all contracting parties and has achieved its main task of promoting trade and economic relations and providing a predictable and level playing field for economic operators and citizens across the EEA during the last twenty years. The EEA Council highlighted that the Agreement had been robust and capable of adapting to changes in EU treaties and EU enlargements. The EEA Council recognised that the good functioning and further development of this extended Single Market would be a key driver for renewed growth in Europe.
4. The EEA Council 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. In particular, the EEA Council expressed concerns regarding the youth unemployment in some EEA Member States.
5. 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.
6. The EEA Council noted that free movement of capital is a fundamental internal market freedom and an integral part of the EEA *acquis* and acknowledged that restrictions can be implemented temporarily on the basis of the provisions of Article 43 of the EEA Agreement.
7. 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 Agreement.

8. The EEA Council welcomed the agreement between the EU and the EEA EFTA side on the principles for incorporation into the EEA Agreement of the EU Regulations on the European Supervisory Authorities in the area of financial services, as reflected in the Conclusions approved by the EU and EFTA Ministers of Finance and Economy at their informal meeting of 14 October 2014. The EEA Council stressed the need to swiftly conclude the technical work necessary for this incorporation to ensure effective and homogenous supervision throughout the EEA. The EEA Council also highlighted the high importance of a swift incorporation and application of the outstanding legislation in the field of financial services in order to ensure a level playing field throughout the EEA in this important economic sector.
9. Acknowledging the contribution made by EU programmes to building a more competitive, innovative and social Europe, the EEA Council welcomed the incorporation of Horizon 2020, Erasmus+, Creative Europe, COSME, the Rights, Equality and Citizenship Programme, the Statistical Programme, the Union Civil Protection Mechanism, the Connecting Europe Facility, the Programme for Employment and Social Innovation, Galileo and EGNOS, the Consumer Programme, Copernicus, and the Health Programme, and recognised the significant efforts taken by both sides to ensure the eligibility of EEA EFTA entities in the early call for proposals.
10. The EEA Council welcomed the ongoing public consultation launched by the Commission last September in preparation of a revision of the Small Business Act (SBA) in 2015. The EEA Council acknowledged the importance of the SBA as a tool to improve the business environment for SMEs in the EEA.
11. The EEA Council recognised the still existing need to alleviate social and economic disparities in the EEA, as well as the positive contribution of the EEA and Norway Financial Mechanisms 2009-2014 and their predecessors in reducing economic and social disparities throughout the EEA. It noted the on-going negotiations on the renewal of the EEA and Norway Financial Mechanisms for another term and called for a swift conclusion of these negotiations.

12. The EEA Council also took note of the on-going negotiations in parallel with the Financial Mechanism negotiations on bilateral issues between each of the EEA EFTA States and the EU, and also called for a swift conclusion of these negotiations.
13. The EEA Council welcomed the efforts made in recent months to reduce the number of outstanding EEA-relevant EU acts awaiting incorporation into the EEA Agreement and to accelerate the incorporation process. The EEA Council noted with satisfaction that the number of outstanding acts has decreased since the last Council meeting. However, it still remains too high. The EEA Council urged both sides to continue to take the necessary steps to reduce the number of outstanding acts, in particular those acts subject to a protracted period of delay in incorporation. The EEA Council considered that more needs to be done in order 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 to thereby ensure legal certainty and homogeneity in the EEA. It is important that all parties engage to find solutions to difficult issues.
14. The EEA Council noted that progress is still needed on a number of outstanding issues and looked forward to reach a conclusion as soon as possible in particular regarding 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.
15. The EEA Council also noted with satisfaction the gradual decrease in the number of Joint Committee Decisions for which the six-month deadline provided for in the EEA Agreement with regard to constitutional clearance had been exceeded. The EEA Council encouraged the EEA EFTA States to strengthen their efforts to resolve the pending cases as soon as possible and to avoid such delays in the future.

16. With regard to the Third Package for the Internal Energy Market, the EEA Council underlined the importance of stepping up efforts to incorporate this legislative Package into the EEA Agreement in order to establish a fully functional internal market for energy, and in particular encouraged the parties to identify mutually acceptable solutions for appropriate EEA EFTA participation in the Agency for the Cooperation of Energy Regulators (ACER).
17. The EEA Council acknowledged the significance of the ongoing process of establishing a Transatlantic Trade and Investment Partnership (TTIP) between the European Union and the United States. Bearing in mind inter alia Protocol 12 to the EEA Agreement, it took note of the renewed wish expressed by the EEA EFTA States to have a regular exchange of information with the EU.
18. 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, particularly in light of the 2030 Framework for Climate and Energy. The close cooperation should also continue in particular in the areas of security of energy supply, emissions trading, promotion of competitive, climate resilient, safe and sustainable low carbon energy, energy efficiency, renewable energy resources, carbon capture and storage (CCS), marine environment and other environmental issues such as waste, chemicals, water resource management and industrial pollution.
19. 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 the launch in 2012 of negotiations on the further liberalisation of agricultural trade and on the protection of geographical indications between the EU and Iceland. The EEA Council also welcomed the launch of similar negotiations between the EU and Norway in November 2013 on the protection of geographical indications and the expected start of negotiations on further liberalisation of agricultural trade within the framework of Article 19 in the near future . The EEA Council noted that the EU had expressed its disappointment on the fact that the increased Norwegian customs duties for certain agricultural products, and the reclassification of hortensia, had not been revoked and that the EU had again encouraged Norway to reverse these measures.

20. The EEA Council welcomed the dialogue between Iceland and the EU 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 in order to further promote trade in processed agricultural products and looked forward to the conclusion of this dialogue in the near future. The EEA Council encouraged the Contracting Parties to continue the dialogue 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 in order to further promote trade in this area.
21. The EEA Council underlined the importance of continuing the practice of inviting officials from the EEA EFTA States to political dialogues held at the level of the relevant Council working parties.
22. 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 Italian and incoming Latvian Presidencies for the continuation of this practice.
23. The EEA Council recognised the positive contributions made by 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.
24. The EEA Council acknowledged the contributions of the EEA Joint Parliamentary Committee and the EEA Consultative Committee to the good functioning of the EEA Agreement, and looked forward to receiving further reports and resolutions from these committees in the future.