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PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	22 April 2015
To:	Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2015) 172 final
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 (EaSI)

Delegations will find attached document COM(2015) 172 final.

Encl.: COM(2015) 172 final



Brussels, 22.4.2015
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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
(EaSI)**

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 EU legislation into the EEA Agreement as soon as possible after its adoption.

Article 78 of the EEA Agreement provides that the Contracting Parties shall strengthen and broaden cooperation in the framework of the Union's activities in the fields of, inter alia, social policy.

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 in order to extend social cooperation between the Contracting Parties.

Regulation (EU) No 1296/2013 of the European Parliament and of the Council of 11 December 2013 on a European Union Programme for Employment and Social Innovation ("EaSI") and amending Decision No 283/2010/EU establishing a European Progress Microfinance Facility for employment and social inclusion¹, was already incorporated into the EEA Agreement by Decision of the EEA Joint Committee No 151/2014 of 27 June 2014², in order to allow the EEA/EFTA countries to participate in selected axes of the EaSI programme.

Norway, which currently participates only in one of the three axes of the EaSI Programme, in the EURES axis, proposed to extend this participation to cover also the Progress axis of the Programme as of 1 January 2015. Protocol 31 to the EEA Agreement should therefore be amended.

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.

¹ OJ L 347, 20.12.2013, p. 238.

² OJ L ...

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 46(d), 149, 153(2)(a), third paragraph of Article 175 and Article 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 Area³, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area⁴ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Protocol 31 to the EEA Agreement.
- (3) Protocol 31 to the EEA Agreement contains provisions and arrangements concerning cooperation in specific fields outside the four freedoms.
- (4) Regulation (EU) No 1296/2013 of the European Parliament and of the Council⁵ was incorporated into the EEA Agreement by Decision of the EEA Joint Committee No 151/2014 of 27 June 2014⁶.
- (5) The limited participation of Norway in the Programme should be extended to the Progress axis.
- (6) Protocol 31 to the EEA Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2015,

³ OJ L 305, 30.11.1994, p. 6.

⁴ OJ L 1, 3.1.1994, p. 3.

⁵ Regulation (EU) No 1296/2013 of the European Parliament and of the Council of 11 December 2013 on a European Union Programme for Employment and Social Innovation ("EaSI") and amending Decision No 283/2010/EU establishing a European Progress Microfinance Facility for employment and social inclusion, OJ L 347, 20.12.2013, p. 238.

⁶ OJ L ...

- (7) The position of the Union within the EEA Joint Committee should therefore be based on the attached draft Decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the European Union, within the EEA Joint Committee on the proposed amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms, shall be based on the draft Decision of the EEA Joint Committee attached to this Decision.

Article 2

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

Done at Brussels,

*For the Council
The President*