

EEE 1607/1/15
REV 1

CONCLUSIONS

Subject: Conclusions of the 44th meeting of the EEA Council
(Brussels, 17 November 2015)

1. The forty-fourth meeting of the EEA Council took place in Brussels on 17 November 2015 under the Presidency of Mr Vidar Helgesen, Minister of EEA and EU Affairs at the Office of the Prime Minister of Norway. The meeting was attended by Ms Bergdis Ellertsdóttir, Ambassador, Head of the Mission of Iceland to the EU, Ms Aurelia Frick, Minister of Foreign Affairs of Liechtenstein, Mr Nicolas Schmit, Minister of Labour, Employment and the Social and Solidarity Economy of Luxembourg, 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 *the Refugee Crisis, the Syria Conflict, as well as Russia and Ukraine*. An orientation debate was held on *the Internal Market Strategy for Goods and Services*.
3. The EEA Council acknowledged the key role played by the EEA Agreement throughout the last 20 years in advancing economic relations and internal market integration between the EU and the EEA EFTA States. The EEA Council highlighted that the Agreement had been robust and capable of adapting to changes in EU treaties and EU enlargements.

4. Emphasising the fact that greater knowledge of the EEA Agreement throughout the EEA is in the interest of all Contracting Parties, the EEA Council urged them to ensure that information on the EEA Agreement is made readily and easily available.
5. 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.
6. The EEA Council recognised that the good functioning and further development of the extended Single Market would be a key driver for renewed growth in Europe. In this context, it welcomed the adoption of the Better Regulation Package and the Internal Market Strategy for Goods and Services by the European Commission, and the contributions of the EEA EFTA States to these initiatives. The EEA Council welcomed the intention of the EEA EFTA States to follow up the various proposals resulting from these initiatives and to continue to contribute to their development.
7. 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 concern regarding the continued high level of youth unemployment in some EEA Member States.
8. 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.
9. Against the background of the initialling of the draft Protocol 38C to the EEA Agreement on the EEA Financial Mechanism 2014-2021 and of the draft Agreement between Norway and the EU on a Norwegian Financial Mechanism for the 2014-2021 period, the EEA Council called for a swift conclusion of the necessary work to enable the new mechanisms to become operational as soon as possible.

10. Against the background of the initialling of the draft protocols on trade in fish and fisheries products between Norway and the EU and Iceland and the EU, and the EEA Council also called for a swift conclusion of the necessary work.
11. 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 only temporarily on the basis of the provisions of Article 43 of the EEA Agreement.
12. The EEA Council welcomed the further progress made in recent months on the technical work necessary for the incorporation into the EEA Agreement of the EU Regulations on the European Supervisory Authorities in the area of financial services. It stressed the need to swiftly conclude this process in order to ensure effective and homogenous supervision throughout the EEA, as called for by the EU and EEA EFTA Ministers of Finance and Economy at their informal meeting of 14 October 2014. The EEA Council also highlighted the high importance of incorporating other outstanding legislation in the field of financial services as soon as possible in order to ensure a level playing field throughout the EEA in this important sector.
13. Acknowledging the contribution made by EU programmes to building a more competitive, innovative and social Europe, the EEA Council welcomed the participation of the EEA EFTA States in EEA-relevant programmes to which they contribute financially.
14. The EEA Council welcomed the ongoing efforts made to both reduce the number of EEA-relevant EU acts awaiting incorporation into the EEA Agreement and to accelerate the incorporation process. While commending all the steps undertaken in the course of the last years, the EEA Council noted that the number of acts awaiting incorporation was still too high. The EEA Council called for continued work in order to significantly and durably reduce the current backlog and thereby ensure legal certainty and homogeneity in the EEA. It urged all parties to engage constructively to find solutions to pending difficult issues.

15. The EEA Council welcomed the incorporation of a number of important legal acts, including the Regulation on Novel Foods and Novel Food Ingredients and the Directives on ship-source pollution and the protection of the environment through criminal law.
16. The EEA Council noted that progress was still needed on a number of important outstanding issues and looked forward to reaching a conclusion as soon as possible, in particular regarding the Third Postal Directive, the 2009 regulatory framework for electronic communications (including the Regulation on the Body of European Regulators for Electronic Communications – BEREC), the Directive on Deposit Guarantee Schemes, the Marine Strategy Framework Directive, the Regulation on Medicinal Products for Paediatric use and the EU legal acts in the area of organic production.
17. The EEA Council noted that there was an increase 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. It 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.
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 and the Framework Strategy for a Resilient Energy Union with a Forward-Looking Climate Change Policy. 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), as well as marine environment and other environmental issues such as waste, chemicals, water resource management and industrial pollution.

19. The EEA Council underlined in particular the importance of the EU, its Member States and the EEA EFTA States working closely together to adopt an ambitious, dynamic, durable and legally binding global agreement at the 21st Conference of the Parties (COP21) of the United Nations Framework Convention on Climate Change (UNFCCC) in Paris in December 2015, in order to keep the global temperature increase below 2°C, including the objective that all states should pursue transformative pathways towards a long-term vision of global and sustainable climate neutrality and climate resilience in the second half of this century. The EEA Council welcomed submission of Intended Nationally Determined Contributions (INDCs) of the EU and its Member States and the EEA EFTA States well ahead of the COP21, and urged all countries which have not yet done so to join this collective effort and submit their fair and ambitious INDCs as soon as possible.
20. 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).
21. The EEA Council acknowledged the significance of the negotiations on a Transatlantic Trade and Investment Partnership (TTIP) between the European Union and the United States. The EEA Council welcomed the exchange of information between the European Commission and the EEA EFTA States initiated in the EEA Joint Committee in December 2014. Bearing in mind inter alia Protocol 12 to the EEA Agreement, the EEA Council encouraged a continuation of this exchange of information.
22. 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 initialling, on 17 September 2015, of Agreements on the further liberalisation of agricultural trade and on the protection of geographical indications between the EU and Iceland.

23. The EEA Council stressed the need for further progress in the negotiations between the EU and Norway on the protection of geographical indications and on further liberalisation of agricultural trade within the framework of Article 19 launched in February 2015.
24. The EEA Council welcomed the conclusion, on 17 September 2015, of negotiations between Iceland and the EU on the further liberalisation of trade in processed agricultural products within the framework of Article 2(2) and Article 6 of Protocol 3 to the EEA Agreement.
25. 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.
26. 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 EU Council working parties.
27. 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 Luxembourg and incoming Dutch Presidencies for the continuation of this practice.
28. 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.
29. The EEA Council noted the Resolutions of the EEA Consultative Committee adopted at its meeting in Zagreb on 5 June 2015 on *Investing in quality jobs for sustainable growth* and on *The impact of the Transatlantic Trade and Investment Partnership on the EEA Agreement*.