

Brussels, 4.3.2024 COM(2024) 96 final

2024/0053 (NLE)

Proposal for a

COUNCIL DECISION

on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union, Iceland, the Principality of Liechtenstein and the Kingdom of Norway on an EEA Financial Mechanism for the period May 2021 - April 2028, the Agreement between the Kingdom of Norway and the European Union on a Norwegian Financial Mechanism for the period May 2021 - April 2028, the Additional Protocol to the Agreement between the European Economic Community and the Kingdom of Norway and the Additional Protocol to the Agreement between the European Economic Community and Iceland

(Text with EEA relevance)

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EXPLANATORY MEMORANDUM

The Agreement on the European Economic Area (hereinafter referred to as 'the EEA Agreement') allows Iceland, Liechtenstein and Norway ('the EEA EFTA States') to participate fully in the single market. In conjunction with this, since the entry into force of the Agreement in 1994, these three countries have also contributed to the alleviation of economic and social disparities in the European Economic Area in accordance with Article 115 of the EEA Agreement. In addition, Norway has contributed through a separate Norwegian financial mechanism. The most recent financial mechanisms expired on 30 April 2021.¹

In view of the continued need to alleviate economic and social disparities within the European Economic Area, on 20 May 2021 the Council authorised the Commission to open negotiations with Iceland, Liechtenstein and Norway on an agreement on the future financial contributions to be made by the EEA EFTA States towards improving economic and social cohesion in the European Economic Area.² Formal negotiations were opened on 16 June 2022. In parallel, but independently of the negotiations on the financial mechanisms, a review of the EU-Iceland and EU-Norway fish trade protocols was opened on the basis of the revision clauses of the additional protocols to the Free Trade Agreements Iceland and Norway.³

The negotiations were concluded at negotiators' level with the initialling on 30 November 2023 of:

- the Agreement between the European Union, Iceland, the Principality of Liechtenstein and the Kingdom of Norway on an EEA Financial Mechanism for the period May 2021 April 2028 ('the EEA Financial Mechanism Agreement');
- the Agreement between the Kingdom of Norway and the European Union on a Norwegian Financial Mechanism for the period May 2021 April 2028 ('the Norway Agreement');
- the Additional Protocol to the Agreement between the European Economic Community and the Kingdom of Norway ('the Norway Protocol'); and
- the Additional Protocol to the Agreement between the European Economic Community and Iceland ('the Iceland Protocol').

The attached proposal relates to the signature and provisional application of the EEA Financial Mechanism Agreement, the Norway Agreement, the Norway Protocol and the Iceland Protocol.

The EEA Financial Mechanism Agreement and the Norway Agreement will together provide a financial contribution of the EEA EFTA States to economic and social cohesion in the EEA of EUR 3.268 billion for the period May 2021 – April 2028. The outcome reflects the negotiating directives issued by the Council, which requested a) an increase in the financial contributions from the EEA EFTA States; b) the application of the EU Cohesion Fund distribution key; c) the alignment of the duration of the new financial mechanisms with the EU Cohesion policy instruments (2021-2027); d) the inclusion of green objectives among the priorities supported; and e) more efficient implementation processes for the future mechanisms.

In parallel, the bilateral fish trade protocols with Iceland and Norway have also been reviewed. New concessions are granted for the period May 2021 - April 2028. The concessions are built on the previous protocols for the 2014-2021 period and are

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OJ L 141, 28.05.2016, pp. 3 and 11.

Document 8365/21 ADD 1 of the Council.

³ OJ L 141, 28.05.2016, pp. 18 and 22.

commensurate with the amount of the financial contributions. Flexibility is provided concerning the carry-over of unexhausted quotas at the end of the period. Norway will also renew the fish transit arrangement for EU vessels landing catches in Norway.

In order to allow for the swift implementation and disbursement of the financial contributions and the use of the tariff concessions, the Agreements and Protocols are to be applied provisionally as of the dates stipulated in their Articles, pending completion of the relevant procedures for their ratification or conclusion and entry into force.

The Commission has judged the results of the negotiations to be satisfactory and proposes that the Council adopts the attached Decision on the signature and provisional application of the EEA Financial Mechanism Agreement, the Norway Agreement, the Norway Protocol and the Iceland Protocol.

As it is common practice when modifying specific elements of existing international agreements, it is proposed to use the relevant articles of the Treaty on the Functioning of the European Union as the legal basis for the draft decisions, namely Article 175 TFEU, third paragraph for the agreements on the financial contributions to economic and social cohesion and Article 207 TFEU for the fish trade protocols. Furthermore, Article 218(5) TFEU is not only referred to as the legal basis for the signature of these agreements, but is also for their provisional application.

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on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union, Iceland, the Principality of Liechtenstein and the Kingdom of Norway on an EEA Financial Mechanism for the period May 2021 - April 2028, the Agreement between the Kingdom of Norway and the European Union on a Norwegian Financial Mechanism for the period May 2021 - April 2028, the Additional Protocol to the Agreement between the European Economic Community and the Kingdom of Norway and the Additional Protocol to the Agreement between the European Economic Community and Iceland

(Text with EEA relevance)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 175, third subparagraph and 207, in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) There remains a need to alleviate economic and social disparities within the European Economic Area, and a new mechanism for the financial contributions of the EEA EFTA States and a new Norwegian financial mechanism should therefore be established.
- (2) On 20 May 2021, the Council authorised the Commission to open negotiations with Iceland, the Principality of Liechtenstein and the Kingdom of Norway on an agreement on the future financial contributions of the EEA EFTA States to economic and social cohesion in the European Economic Area. The Commission has negotiated, on behalf of the European Union, an Agreement between the European Union, Iceland, the Principality of Liechtenstein and the Kingdom of Norway on an EEA Financial Mechanism for the period May 2021 April 2028. This will take the form of a Protocol 38d to the EEA Agreement. The Commission has also negotiated, on behalf of the European Union, an Agreement between the Kingdom of Norway and the European Union on a Norwegian Financial Mechanism for the period May 2021 April 2028.
- (3) The EEA Financial Mechanism for the period May 2021 April 2028 and the Norwegian Financial Mechanism for the period May 2021 April 2028 will contribute to the reduction of economic and social disparities in the European Economic Area and to the strengthening of relations between the EEA EFTA States and the Beneficiary States.

- (4) The special provisions on imports into the EU of certain fish and fisheries products originating in Iceland and Norway, set out in the Additional Protocols to their respective Free Trade Agreements with the European Economic Community⁴, expired on 30 April 2021 and should be reviewed in accordance with Article 1 of these Protocols. The Commission has therefore negotiated new Additional Protocols to the Agreement between the European Economic Community and the Kingdom of Norway and to the Agreement between the European Economic Community and Iceland.
- (5) Each of the Agreements and Protocols referred to above provides for its own provisional application before its entry into force.
- (6) Each of the Agreements and Protocols should be signed on behalf of the European Union, subject to its conclusion at a later date, and applied on a provisional basis,

HAS ADOPTED THIS DECISION:

Article 1

The signing of the Agreement between the European Union, Iceland, the Principality of Liechtenstein and the Kingdom of Norway on an EEA Financial Mechanism for the period May 2021 – April 2028, the Agreement between the Kingdom of Norway and the European Union on a Norwegian Financial Mechanism for the period May 2021 – April 2028, the Additional Protocol to the Agreement between the European Economic Community and the Kingdom of Norway and the Additional Protocol to the Agreement between the European Economic Community and Iceland is hereby approved on behalf of the Union, subject to the conclusion of the said Agreements and Protocols.

The texts of the Agreements and the Protocols to be signed are attached to this Decision.

Article 2

The Council General Secretariat shall establish the instrument giving the person(s) indicated by the negotiator full powers to sign the Agreements and Protocols, subject to their conclusion.

Article 3

Subject to its conclusion at a later date and pending its entry into force, the Agreement between the European Union, Iceland, the Principality of Liechtenstein and the Kingdom of Norway on an EEA Financial Mechanism for the period May 2021 – April 2028 and the Agreement between the Kingdom of Norway and the European Union on a Norwegian Financial Mechanism for the period May 2021 – April 2028 shall be applied provisionally, in accordance with respectively Article 3 and paragraph 3 of Article 10 of the Agreements, as from the first day of the first month following the deposit of the last notification to this effect.

Subject to its conclusion at a later date and pending its entry into force, the Additional Protocol to the Agreement between the European Economic Community and the Kingdom of Norway shall be applied provisionally, in accordance with the third paragraph of Article 5 of the Protocol, as from the first day of the third month following the deposit of the last notification to this effect.

Subject to its conclusion at a later date and pending its entry into force, the Additional Protocol to the Agreement between the European Economic Community and Iceland shall be

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⁴ OJ L 141, 28.05.2016, pp. 18 and 22.

applied provisionally, in accordance with the third paragraph of Article 4 of the Protocol, as from the first day of the third month following the deposit of the last notification to this effect.

Article 4

This Decision shall enter into force on

Done at Brussels,

For the Council
The President



Brussels, 4.3.2024 COM(2024) 96 final

ANNEX 1

ANNEX

to the

Proposal for a

COUNCIL DECISION

on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union, Iceland, the Principality of Liechtenstein and the Kingdom of Norway on an EEA Financial Mechanism for the period May 2021 - April 2028, the Agreement between the Kingdom of Norway and the European Union on a Norwegian Financial Mechanism for the period May 2021 - April 2028, the Additional Protocol to the Agreement between the European Economic Community and the Kingdom of Norway and the Additional Protocol to the Agreement between the European Economic Community and Iceland

ATTACHMENT I

AGREEMENT BETWEEN THE EUROPEAN UNION, ICELAND, THE PRINCIPALITY OF LIECHTENSTEIN AND THE KINGDOM OF NORWAY ON AN EEA FINANCIAL MECHANISM FOR THE PERIOD MAY 2021 – APRIL 2028

THE EUROPEAN UNION,

ICELAND,

THE PRINCIPALITY OF LIECHTENSTEIN,

THE KINGDOM OF NORWAY,

WHEREAS the Parties to the Agreement on the European Economic Area ("EEA Agreement") agreed on the need to reduce the economic and social disparities between their regions with a view to promoting a continuous and balanced strengthening of trade and economic relations between them,

WHEREAS, in order to contribute to that objective, the EFTA States have established a Financial Mechanism in the context of the European Economic Area,

WHEREAS the provisions governing the EEA Financial Mechanism for the period 2004-2009 have been set out in Protocol 38a and the Addendum to Protocol 38a to the EEA Agreement,

WHEREAS the provisions governing the EEA Financial Mechanism for the period 2009-2014 have been set out in Protocol 38b and the Addendum to Protocol 38b to the EEA Agreement,

WHEREAS the provisions governing the EEA Financial Mechanism for the period 2014-2021 have been set out in Protocol 38c to the EEA Agreement,

WHEREAS the need to alleviate economic and social disparities within the European Economic Area persists, and therefore a new mechanism for the financial contributions of the EEA EFTA States should be established for the period May 2021 – April 2028,

HAVE DECIDED TO CONCLUDE THE FOLLOWING AGREEMENT:

ARTICLE 1

The text of Article 117 of the EEA Agreement shall be replaced by the following:

"Provisions governing the Financial Mechanisms are set out in Protocol 38, Protocol 38a, the Addendum to Protocol 38a, Protocol 38b, the Addendum to Protocol 38b, Protocol 38c and Protocol 38d.".

ARTICLE 2

A new Protocol 38d shall be inserted after Protocol 38c to the EEA Agreement. The text of Protocol 38d is provided for in the Annex to this Agreement.

ARTICLE 3

This Agreement shall be ratified or approved by the Parties in accordance with their own procedures. The instruments of ratification or approval shall be deposited with the General Secretariat of the Council of the European Union.

It shall enter into force on the first day of the second month after the last instrument of ratification or approval has been deposited.

Pending the completion of the procedures referred to in paragraphs 1 and 2, this Agreement shall be applied on a provisional basis as from the first day of the first month following the deposit of the last notification to this effect.

ARTICLE 4

This Agreement, drawn up in a single original in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Irish, Italian, Latvian, Lithuanian, Hungarian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish, Icelandic and Norwegian languages, the text in each of these languages being equally authentic, shall be deposited with the General Secretariat of the Council of the European Union, which will remit a certified copy to each of the Parties to this Agreement.

Done at Brussels, this ... of

For the European Union

For Iceland

For the Principality of Liechtenstein

ANNEX

PROTOCOL 38d

on the EEA Financial Mechanism (2021-2028)

Article 1

(1) Objectives

Iceland, Liechtenstein and Norway ("the EFTA States") shall contribute to the reduction of economic and social disparities in the European Economic Area and to the strengthening of their relations with the Beneficiary States, through financial contributions within the thematic priorities listed in Article 3¹.

(2) Common values and principles

The EEA Financial Mechanism (2021-2028) is based on the common values and principles of respect for human dignity, freedom, democracy, equality, the rule of law and the respect for human rights including the rights of persons belonging to minorities.

All programmes and activities funded by the EEA Financial Mechanism shall be consistent with respect for these values and principles and abstain from supporting operations that may fail to do so. Their implementation shall comply with the fundamental rights and obligations enshrined in relevant instruments and standards.

Article 2

Commitments

The amount of the financial contribution provided for in Article 1 shall be EUR 1 705 million. An additional financial contribution of EUR 100 million shall also be made available for projects related to challenges experienced as a result of the invasion of Ukraine. These contributions shall be made available for commitment in annual tranches of EUR 257.86 million over the period running from 1 May 2021 to 30 April 2028 inclusive.

The total amount shall consist of country specific allocations as specified in Article 6 together with the funds specified in Article 7.

Article 3

(1) Thematic priorities

The country specific allocations shall be made available to promote the following overall thematic priorities;

(a) European green transition

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In this Protocol, references to articles are, unless otherwise specified, to be understood as references to articles in the present Protocol.

- (b) Democracy, rule of law and human rights
- (c) Social inclusion and resilience

Within these thematic priorities, programme areas are set out in the Annex to this Protocol. The content of these programme areas will be consulted with the Beneficiary States.

(2) Needs of Beneficiary States

The programme areas shall be chosen, concentrated and adapted, to respond to the different needs in each Beneficiary State, taking into account its size and the amount of the contribution. To this end, the procedure to be followed is set out in Article 9 paragraph 5.

Article 4

(1) Memoranda of Understanding

In order to achieve concentration and to ensure efficient implementation, in line with the overall objectives referred to in Article 1, and taking into account EU policies and country specific recommendations, as well as Partnership Agreements concluded between the Member States and the European Commission, the EFTA States shall negotiate with each Beneficiary State a Memorandum of Understanding in accordance with Article 9 paragraph 5.

(2) Consultations with the European Commission

Consultations with the European Commission shall take place at strategic level and shall be held during the negotiations of the Memoranda of Understanding with a view to promoting complementarity and synergies with EU cohesion policy.

Article 5

(1) Co-financing

With respect to programmes under country specific allocations for which the Beneficiary States shall have implementation responsibility, the EFTA contribution shall not exceed 85 % of programme cost, unless otherwise decided by the EFTA States.

(2) State aid

The applicable rules on state aid shall be complied with.

(3) Liability

The responsibility of the EFTA States for the projects is limited to providing funds according to the agreed plan. Accordingly, the EFTA States will not assume any liability to third parties.

Article 6

Country specific allocations

The country specific allocations shall be made available to the following Beneficiary States: Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Greece, Hungary, Latvia, Lithuania, Malta, Poland, Portugal, Romania, Slovakia and Slovenia, in accordance with the following distribution:

Beneficiary State	Funds (EUR)
Bulgaria	132,807,931
Croatia	68,018,840
Cyprus	9,014,276
Czech Republic	115,163,505
Estonia	36,750,087
Greece	159,320,451
Hungary	129,868,485
Latvia	56,013,268
Lithuania	60,274,987
Malta	5,710,418
Poland	472,614,415
Portugal	126,276,741
Romania	304,642,069
Slovakia	66,843,694
Slovenia	25,580,833

The amounts presented include the country specific allocations to be made available to each Beneficiary State in accordance with Article 9 paragraph 5, and the share of the fund for civil society referred to in Article 7 that shall benefit each Beneficiary State.

Article 7

Within the EEA Financial Mechanism, two funds shall be made available. They shall contribute to achieving the objectives of the EEA Financial Mechanism (2021-2028) as

defined in Article 1, and to the thematic priorities referred to in Article 3. The EFTA States can participate as partners in the funds.

Fund for civil society

10% of the total amount shall be set aside for a fund for civil society. The distribution key for the Beneficiary States is set out in Article 6.

5 % of the fund shall be allocated to transnational initiatives.

Fund for capacity building and cooperation with international organisations and institutions

2 % of the total amount shall be set aside for a fund for capacity building and cooperation with international organisations and institutions i.a. the Council of Europe, OECD and the European Union Agency for Fundamental Rights (FRA). This fund will promote the thematic priorities in the Beneficiary States.

Article 8

(1) Coordination with the Norwegian Financial Mechanism

The financial contribution provided for in this Protocol shall be closely coordinated with the bilateral contribution from Norway provided for by the Norwegian Financial Mechanism. In particular, the EFTA States shall ensure that the procedures and implementation modalities are essentially the same for both financial mechanisms.

(2) Coordination with EU cohesion policy

Any relevant changes in the EU cohesion policy shall be taken into account, as appropriate.

Article 9

The following shall apply to the implementation of the EEA Financial Mechanism:

(1) Co-operation

The objectives of the EEA Financial Mechanism referred to in Article 1 shall be pursued in a framework of close co-operation between the Beneficiary States and the EFTA States, respecting the values and principles and complying with the rights and obligations referred to in Article 1 paragraph 2.

(2) Implementation principles

The highest degree of transparency, accountability and cost efficiency shall be applied in all implementation phases, together with respect for principles of good governance, partnership and multi-level governance, sustainable development, gender equality and non-discrimination.

(3) Management of the funds

The EFTA States shall operate and be responsible for the implementation, including management and control, of the two funds set out in Article 7.

(4) Financial Mechanism Committee

The EFTA States shall establish a committee for the overall management of the EEA Financial Mechanism. Further provisions for the implementation of the EEA Financial Mechanism, including simplification measures aimed at securing efficiency and effectiveness in implementation, will be issued by the EFTA States after consultations with the Beneficiary

States which may be assisted by the European Commission. The EFTA States shall endeavor to issue these provisions before the signing of the Memoranda of Understanding.

(5) Negotiations of Memoranda of Understanding

The EFTA States shall negotiate with each Beneficiary State a Memorandum of Understanding concerning the respective country specific allocation, excluding the funds referred to in Article 7 and paragraph 3 of this article. The Memorandum of Understanding shall set out the programmes, the distribution of funds between programme areas, the structures for management and control and applicable conditions.

(6) Implementation

- (a) On the basis of the Memoranda of Understanding, the Beneficiary States shall submit proposals for specific programmes to the EFTA States which shall appraise and approve the proposals and conclude grant agreements, with relevant conditions, risk assessment and mitigation, with the Beneficiary States for each programme.
- (b) The implementation of the agreed programmes shall be the responsibility of the Beneficiary States which shall provide for an appropriate management and control system in order to ensure sound implementation and management.
- (c) The EFTA States may carry out controls according to their internal requirements. The Beneficiary States shall provide all necessary assistance, information and documentation to this effect.
- (d) To ensure compliance with obligations, the EFTA States may, following an assessment, after having heard the Beneficiary State, take appropriate and proportionate measures, including the suspension of payments and the recovery of funds.
- (e) Partnerships shall, where appropriate, be applied in the preparation, implementation, monitoring and evaluation of the financial contribution in order to ensure broad participation. Partners may include, inter alia, local, regional and national levels, as well as the private sector, civil society and social partners in the Beneficiary States and the EFTA States.
- (f) Any project under the programmes in the Beneficiary States may be implemented in cooperation between, inter alia, entities based in the Beneficiary States and in the EFTA States, in accordance with the applicable rules on public procurement.

(7) Management costs

The management costs of the EFTA States shall be covered by the total amount referred to in Article 2, and shall be specified in the provisions for the implementation referred to in paragraph 4 of this Article. Management costs for the Funds referred to in Article 7 will be covered by the amount allocated to the Funds.

(8) Reporting

The EFTA States shall report on their contribution to the objectives of the EEA Financial Mechanism.

Article 10

Review

At the end of the period as defined in Article 2 and without prejudice to the rights and obligations under the EEA Agreement, the Contracting Parties shall, in the light of Article 115 of the EEA Agreement, review the need to address economic and social disparities within the European Economic Area.

ANNEX TO PROTOCOL 38d

Green transition

Green business and innovation

Research and innovation

Education, training and youth employment

Culture

Local development, good governance and inclusion

Roma inclusion and empowerment

Public health

Disaster prevention and preparedness

Justice sector including domestic and gender-based violence, access to justice, correctional services, serious and organised crime

Asylum, migration and integration

Institutional cooperation and capacity building

Beneficiary states will also benefit from projects funded by:

Fund for civil society

Fund for capacity building and cooperation with international partner organisations and institutions

Gender equality and digitalisation will be mainstreamed and form part of all relevant programme areas.



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ANNEX 2

ANNEX

to the

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ATTACHMENT II

AGREEMENT BETWEEN THE KINGDOM OF NORWAY AND THE EUROPEAN UNION ON A NORWEGIAN FINANCIAL MECHANISM FOR THE PERIOD MAY 2021 – APRIL 2028

(1) Objectives

The Kingdom of Norway undertakes to contribute to the reduction of economic and social disparities in the European Economic Area and to the strengthening of its relations with the Beneficiary States, through a separate Norwegian Financial Mechanism within the thematic priorities listed in Article 3¹.

(2) Common Values and Principles

The Norwegian Financial Mechanism (2021-2028) is based on the common values and principles of respect for human dignity, freedom, democracy, equality, the rule of law and the respect for human rights including the rights of persons belonging to minorities.

All programmes and activities funded by the Norwegian Financial Mechanism shall be consistent with respect for these values and principles and abstain from supporting operations that may fail to do so. Their implementation shall comply with the fundamental rights and obligations enshrined in relevant instruments and standards.

Article 2

Commitments

The amount of the financial contribution provided for in Article 1 shall be EUR 1 380 million. An additional financial contribution of EUR 83 million shall also be made available for projects related to challenges experienced as a result of the invasion of Ukraine. These contributions shall be made available for commitment in annual tranches of EUR 209 million over the period running from 1 May 2021 to 30 April 2028 inclusive.

The total amount shall consist of country specific allocations as specified in Article 6 together with the funds specified in Article 7.

Article 3

(1) Thematic priorities

The country specific allocations shall be made available to promote the following overall thematic priorities;

- (a) European green transition
- (b) Democracy, rule of law and human rights
- (c) Social inclusion and resilience

Within these thematic priorities, programme areas are set out in the Annex to this Agreement. The content of these programme areas will be consulted with the Beneficiary States.

(2) Needs of Beneficiary States

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In this Agreement, references to articles are, unless otherwise specified, to be understood as references to articles in the present Agreement.

The programme areas shall be chosen, concentrated and adapted, to respond to the different needs in each Beneficiary State, taking into account its size and the amount of the contribution. To this end, the procedure to be followed is set out in Article 9 paragraph 5.

Article 4

(1) Memoranda of Understanding

In order to achieve concentration and to ensure efficient implementation, in line with the overall objectives referred to in Article 1, and taking into account EU policies and country specific recommendations, as well as Partnership Agreements concluded between the Member States and the European Commission, the Kingdom of Norway shall negotiate with each Beneficiary State a Memorandum of Understanding in accordance with Article 9 paragraph 5.

(2) Consultations with the European Commission

Consultations with the European Commission shall take place at strategic level and shall be held during the negotiations of the Memoranda of Understanding with a view to promoting complementarity and synergies with EU cohesion policy.

Article 5

(1) Co-financing

With respect to programmes under country specific allocations for which the Beneficiary States shall have implementation responsibility, the contribution from the Kingdom of Norway shall not exceed 85 % of programme cost, unless otherwise decided by the Kingdom of Norway.

(2) State aid

The applicable rules on state aid shall be complied with.

(3) Liability

The responsibility of the Kingdom of Norway for the projects is limited to providing funds according to the agreed plan. Accordingly, the Kingdom of Norway will not assume any liability to third parties.

Article 6

Country specific allocations

The country specific allocations shall be made available to the following Beneficiary States: Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia, in accordance with the following distribution:

Beneficiary State	Funds (EUR)
Bulgaria	127,197,491
Croatia	65,092,127

Cyprus	8,613,472
Czech Republic	110,034,588
Estonia	35,081,761
Hungary	124,271,436
Latvia	53,529,539
Lithuania	57,575,226
Malta	5,462,877
Poland	452,283,429
Romania	291,616,358
Slovakia	63,904,256
Slovenia	24,437,440

The amounts presented include the country specific allocations to be made available to each Beneficiary State in accordance with Article 9 paragraph 5, and the share of the fund for civil society referred to in Article 7 that shall benefit each Beneficiary State.

Article 7

Within the Norwegian Financial Mechanism, three funds shall be made available. They shall contribute to achieving the objectives of the Norwegian Financial Mechanism (2021-2028) as defined in Article 1, and to the thematic priorities referred to in Article 3. Norwegian entities can participate as partners in the funds.

(1) Fund for civil society

10% of the total amount shall be set aside for a fund for civil society. The distribution key for the Beneficiary States is set out in Article 6.

- 5 % of the fund shall be allocated to transnational initiatives.
- (2) Fund for capacity building and cooperation with international organisations and institutions
- 2 % of the total amount shall be set aside for a fund for capacity building and cooperation with international organisations and institutions i.a. the Council of Europe, OECD and the European Union Agency for Fundamental Rights (FRA). This fund will promote the thematic priorities in the Beneficiary States.
- (3) Fund for social dialogue and decent work

1 % of the total amount shall be set aside for a fund for social dialogue and decent work.

Article 8

(1) Coordination with the EEA Financial Mechanism

The financial contribution provided for in Article 1 shall be closely coordinated with the contribution from the EFTA States provided for by the EEA Financial Mechanism. In particular, the Kingdom of Norway shall ensure that the procedures and implementation modalities are essentially the same for both financial mechanisms.

(2) Coordination with EU cohesion policy

Any relevant changes in the EU cohesion policy shall be taken into account, as appropriate.

Article 9

The following shall apply to the implementation of the Norwegian Financial Mechanism:

(1) Co-operation

The objectives of the Norwegian Financial Mechanism referred to in Article 1 shall be pursued in a framework of close co-operation between the Beneficiary States and the Kingdom of Norway, respecting the values and principles and complying with the rights and obligations referred to in Article 1 paragraph 2.

(2) Implementation principles

The highest degree of transparency, accountability and cost efficiency shall be applied in all implementation phases, together with respect for principles of good governance, partnership and multi-level governance, sustainable development, gender equality and non-discrimination.

(3) Management of the funds

The Kingdom of Norway shall operate and be responsible for the implementation, including management and control, of the three funds set out in Article 7.

(4) Management by the Kingdom of Norway

The Kingdom of Norway, or an entity appointed by it, shall be responsible for the overall management of the Norwegian Financial Mechanism. Further provisions for the implementation of the Norwegian Financial Mechanism, including simplification measures aimed at securing efficiency and effectiveness in implementation, will be issued by the Kingdom of Norway after consultations with the Beneficiary States which may be assisted by the European Commission. The Kingdom of Norway shall endeavor to issue these provisions before the signing of the Memoranda of Understanding.

(5) Negotiations of Memoranda of Understanding

The Kingdom of Norway shall negotiate with each Beneficiary State a Memorandum of Understanding concerning the respective country specific allocation, excluding the funds referred to in Article 7 and paragraph 3 of this article. The Memorandum of Understanding shall set out the programmes, the distribution of funds between programme areas, the structures for management and control and applicable conditions.

(6) Implementation

- (a) On the basis of the Memoranda of Understanding, the Beneficiary States shall submit proposals for specific programmes to the Kingdom of Norway which shall appraise and approve the proposals and conclude grant agreements, with relevant conditions, risk assessment and mitigation, with the Beneficiary States for each programme.
- (b) The implementation of the agreed programmes shall be the responsibility of the Beneficiary States which shall provide for an appropriate management and control system in order to ensure sound implementation and management.
- (c) The Kingdom of Norway may carry out controls according to their internal requirements. The Beneficiary States shall provide all necessary assistance, information and documentation to this effect.
- (d) To ensure compliance with obligations, the Kingdom of Norway may, following an assessment, after having heard the Beneficiary State, take appropriate and proportionate measures, including the suspension of payments and the recovery of funds.
- (e) Partnerships shall, where appropriate, be applied in the preparation, implementation, monitoring and evaluation of the financial contribution in order to ensure broad participation. Partners may include, inter alia, local, regional and national levels, as well as the private sector, civil society and social partners in the Beneficiary States and in the Kingdom of Norway.
- (f) Any project under the programmes in the Beneficiary States may be implemented in cooperation between, inter alia, entities based in the Beneficiary States and in the Kingdom of Norway, in accordance with the applicable rules on public procurement.

(7) Management costs

The management costs of the Kingdom of Norway shall be covered by the total amount referred to in Article 2, and shall be specified in the provisions for the implementation referred to in paragraph 4 of this Article. Management costs for the Funds referred to in Article 7 will be covered by the amount allocated to the Funds.

(8) Reporting

The Kingdom of Norway shall report on its contribution to the objectives of the Norwegian Financial Mechanism.

Article 10

- (1) This Agreement shall be ratified or approved by the Parties in accordance with their own procedures. The instruments of ratification or approval shall be deposited with the General Secretariat of the Council of the European Union.
- (2) It shall enter into force on the first day of the second month after the last instrument of ratification or approval has been deposited.
- (3) Pending the completion of the procedures referred to in paragraphs 1 and 2, this Agreement shall be applied on a provisional basis as from the first day of the first month following the deposit of the last notification to this effect.

Article 11

This Agreement, drawn up in a single original in the Bulgarian, Czech, Croatian, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Irish, Italian, Latvian, Lithuanian, Hungarian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish and Norwegian languages, the text in each of these languages being equally authentic, shall be deposited with the General Secretariat of the Council of the European Union, which will remit a certified copy to each of the Parties to this Agreement.

Done at Brussels, this of [year]

For the European Union

For the Kingdom of Norway

ANNEX

Green transition

Green business and innovation

Research and innovation

Education, training and youth employment

Culture

Local development, good governance and inclusion

Roma inclusion and empowerment

Public health

Disaster prevention and preparedness

Justice sector including domestic and gender-based violence, access to justice, correctional services, serious and organised crime

Asylum, migration and integration

Institutional cooperation and capacity building

Beneficiary states will also benefit from projects funded by:

Fund for civil society

Fund for capacity building and cooperation with international partner organisations and institutions

Fund for social dialogue and decent work

Gender equality and digitalisation will be mainstreamed and form part of all relevant programme areas.



Brussels, 4.3.2024 COM(2024) 96 final

ANNEX 3

ANNEX

to the

Proposal for a

COUNCIL DECISION

on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union, Iceland, the Principality of Liechtenstein and the Kingdom of Norway on an EEA Financial Mechanism for the period May 2021 - April 2028, the Agreement between the Kingdom of Norway and the European Union on a Norwegian Financial Mechanism for the period May 2021 - April 2028, the Additional Protocol to the Agreement between the European Economic Community and the Kingdom of Norway and the Additional Protocol to the Agreement between the European Economic Community and Iceland

ATTACHMENT III

ADDITIONAL PROTOCOL TO THE AGREEMENT BETWEEN THE EUROPEAN ECONOMIC COMMUNITY AND THE REPUBLIC OF ICELAND

THE EUROPEAN UNION

and

ICELAND

HAVING REGARD to the Agreement between the European Economic Community and the Republic of Iceland signed on 22 July 1972, and to the existing arrangements for trade in fish and fishery products between Iceland and the Community,

HAVING REGARD to the Additional Protocol to the Agreement between the European Economic Community and Iceland concerning special provisions applicable for the period 2014-2021 to imports into the Union of certain fish and fishery products, and in particular Article 1 thereof,

HAVE DECIDED TO CONCLUDE THIS PROTOCOL:

ARTICLE 1

- 1. The special provisions applicable to imports into the European Union of certain fish and fishery products originating in Iceland are laid down in this Protocol and the Annex thereto. The annual duty free tariff quotas are set out in the Annex to this Protocol. These tariff quotas shall be applicable from the day on which the provisional application of this Protocol becomes effective, according to procedures laid down in paragraph 3 of Article 4, until 30 April 2028.
- 2. At the end of this period, the Contracting Parties will assess the need to maintain the special provisions referred to in paragraph 1 and, if necessary, review the quota levels while taking into account all relevant interests.

ARTICLE 2

- 1. The tariff quotas shall be opened on the day on which the provisional application of this Protocol becomes effective, according to procedures laid down in paragraph 3 of Article 4.
- 2. The volumes of the tariff quotas are set out in the Annex to this Protocol. The first tariff quota shall be available from the date of provisional application of this Protocol until 30 April 2024. From 1 May 2024 onwards, subsequent tariff quotas shall be allocated annually from 1 May to 30 April until the end of the period referred to in Article 1 of this Protocol.
- 3. The tariff quota volumes covering the period from 1 May 2021 until the provisional application this Protocol shall be proportionally allocated and made available for the rest of the period referred to in Article 1 of this Protocol.
- 4. In case tariff quotas referred to in Article 1 are not exhausted during the period referred to in Article 1, and in case a subsequent protocol establishing duty-free tariff quotas for the same products is not provisionally applied, imports from Iceland can be made for the remaining accumulated quota volume of those tariff quotas for up to two years following the end of the period referred to in Article 1, but not longer than provisional application of a subsequent protocol establishing duty-free tariff quotas for the same products.

ARTICLE 3

The rules of origin applicable for the tariff quotas listed in the Annex to this Protocol shall be those set out in Protocol 3 to the Agreement between the European Economic Community and Iceland signed on 22 July 1972.

ARTICLE 4

- 1. This Protocol shall be ratified or approved by the Parties in accordance with their own procedures. The instruments of ratification or approval shall be deposited with the General Secretariat of the Council of the European Union.
- 2. It shall enter into force on the first day of the second month after the last instrument of ratification or approval has been deposited.
- 3. Pending the completion of the procedures referred to in paragraphs 1 and 2, this Protocol shall be applied on a provisional basis from the first day of the third month following the deposit of the last notification to this effect.

ARTICLE 5

This Protocol, drawn up in a single original, in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Irish, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish and Icelandic languages, the text in each of these texts being equally authentic, shall be deposited with the General Secretariat of the Council of the European Union, which will remit a certified copy to each of the Parties.

Done at Brussels, this....of 2024.

For the European Union

For the Republic of Iceland

ANNEX

SPECIAL PROVISIONS REFERRED TO IN ARTICLE 1 OF THE PROTOCOL

In addition to the existing permanent duty free tariff quotas, the European Union shall open the following annual duty free tariff quotas for products originating in Iceland:

CN code	Description of products	Annual (1.5-30.4) tariff quota volume in net weight unless otherwise specified ¹
0303 51 00	Frozen herrings "clupea harengus, clupea pallasii" ²	400 tonnes
0306 51 00	Frozen Norway lobsters "nephrops norvegicus", even smoked, whether in shell or not, incl. lobsters in shell, cooked by steaming or by boiling in water	100 tonnes
0304 49 50	Fresh or chilled fillets of redfish "sebastes spp."	2 500 tonnes
1604 19 92	Preparations of cod and other fish	2 000 tonnes
1604 20 90		
	Fresh or chilled	5 500 tonnes
0302 23 00	Sole (Solea spp.),	
0302 24 00	Turbots (Psetta maxima),	
0302 29	Megrim (Lepidorhombus spp.) and other flat fish, excluding fish fillets and other fish meat,	
Ex 0302 59 90	Fish of the families bregmacerotidae, euchlichthyidae, gadidae, macrouridae, melanonidae, merlucciidae, moridae and muraenolepididae,	
0302 82 00	Rays and skates (Rajidae),	
0302 89 50	Monkfish (Lophius spp.),	

Quantities shall be added in accordance with Article 2 paragraph 3 of this Protocol.

The benefit of the tariff quota shall not be granted to goods declared for release for free circulation during the period 15 February to 15 June.

CN code	Description of products	Annual (1.5-30.4) tariff quota volume in net weight unless otherwise specified ¹
0302 89 90	Other fresh or chilled fish, n.e.s.	
0302 32 00	Frozen plaice (Pleuronectes platessa)	
0303 39 85	Frozen flatfish	
Ex 0303 59 90	Frozen Indian mackerels	
Ex 0303 69 90	Frozen fish of the families bregmacerotidae, euchlichthyidae, gadidae, macrouridae, melanonidae, merlucciidae, moridae and muraenolepididae	
0303 82 00	Frozen rays and skates (Rajidae)	
0303 89 90	Frozen fish, n.e.s.	
0303 99 00	Frozen fish fins, heads, tails, maws and other edible fish offal	
03 04 43 00	Fresh or chilled fillets of flat fish (Pleuronectidae, Bothidae, Cynoglossidae, Soleidae, Scophthalmidae and Citharidae)	
Ex 0304 44 90	Fresh or chilled fillets of fish of the families bregmacerotdae, euchlichthyidae, gadidae, macrouridae, melanonidae, merlucciidae, moridae and muraenolepididae	
0304 46	Fresh or chilled fillets of toothfish	
0304 49 10	Fresh or chilled fillets of freshwater fish	
0304 49 90	Fresh or chilled fillets of other fish, n.e.s.	
0304 95 10	Frozen surimi	
0305 39 10	Fillets of salmon salted or in brine, but not smoked	50 tonnes
0305 42 00	Smoked herring	
0305 69 50	Salmon only salted or in brine	
0305 41 00	Smoked salmon, including fillets	

CN code	Description of products	Annual (1.5-30.4) tariff quota volume in net weight unless otherwise specified ¹
0305 72 00	Fish heads, tails and maws, smoked, dried, salted or in brine	1 950 tonnes
0305 79 00	Fish fins and other edible fish offal, smoked, dried, salted or in brine	
0305 43 00	Smoked trout (Salmo trutta, Oncorhynchus mykiss, Oncorhynchus clarki, Oncorhynchus aguabonita, Oncorhynchus gilae, Oncorhynchus apache and Oncorhynchus chrysogaster)	
0305 49 80	Other smoked fish	
1604 11 00 1604 20 10	Prepared or preserved sea cucumbers	
1605 62 00	Prepared or preserved sea urchins	

CN code	Description of products	Annual (1.5-30.4) tariff quota volume in net weight unless otherwise specified ¹
0302 22 00	Fresh or chilled plaice ("pleuronectes platessa")	2 500 tonnes
0302 59 20	Fresh or chilled whiting ("merlangius merlangus")	
0304 49 10	Fresh or chilled fillets of freshwater fish, n.e.s.	
0304 52 00	Fresh or chilled meat, whether or not minced, of Salmonidae	
0304 89 10	Frozen fillets of freshwater fish, n.e.s.	
0305 69 80	Other fish, only salted or in brine	
0304 82 90	Frozen fillets of trout "salmo trutta, oncorhynchus mykiss, oncorhynchus"	
0302 59 40	Fresh or chilled ling "molva spp."	
0305 53 90	Dried fish of the families Bregmacerotidae, Euclichthyidae, Gadidae, Macrouridae, Melanonidae, Merlucciidae, Moridae and Muraenolepididae, other than cod	
0303 14 20		
0303 14 90	Frozen trout "oncorhynchus mykiss", with heads and gills on, gutted	
0304 82 10	Frozen trout "salmo trutta, oncorhynchus mykiss, oncorhynchus", frozen fillets of trout "oncorhynchus mykiss", weighing > 400 grammes each	
0302 14 00	Fresh or chilled Atlantic salmon "salmo salar" and Danube salmon	
0303 13 00	Frozen Atlantic salmon "salmo salar" and Danube salmon "hucho hucho"	
0304 41 00	Fresh or chilled fillets of Pacific salmon "Oncorhynchus nerka, Oncorhynchus"	
0304 81 00	Frozen fillets of Pacific salmon "Oncorhynchus nerka, Oncorhynchus"	



Brussels, 4.3.2024 COM(2024) 96 final

ANNEX 4

ANNEX

to the

Proposal for a

COUNCIL DECISION

on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union, Iceland, the Principality of Liechtenstein and the Kingdom of Norway on an EEA Financial Mechanism for the period May 2021 - April 2028, the Agreement between the Kingdom of Norway and the European Union on a Norwegian Financial Mechanism for the period May 2021 - April 2028, the Additional Protocol to the Agreement between the European Economic Community and the Kingdom of Norway and the Additional Protocol to the Agreement between the European Economic Community and Iceland

ATTACHMENT IV

ADDITIONAL PROTOCOL TO THE AGREEMENT BETWEEN THE EUROPEAN ECONOMIC COMMUNITY AND THE KINGDOM OF NORWAY

THE EUROPEAN UNION

and

THE KINGDOM OF NORWAY

HAVING REGARD to the Agreement between the European Economic Community and the Kingdom of Norway signed on 14 May 1973, hereinafter called the "Agreement", and to the existing arrangements for trade in fish and fishery products between Norway and the Community,

HAVING REGARD to the Additional Protocol to the Agreement between the European Economic Community and the Kingdom of Norway concerning special provisions applicable for the period 2014-2021 to imports into the Union of certain fish and fishery products, and in particular Article 1 thereof,

HAVE DECIDED TO CONCLUDE THIS PROTOCOL:

ARTICLE 1

- (1) The special provisions applicable to imports into the European Union of certain fish and fishery products originating in Norway are laid down in this Protocol and the Annex thereto.
- (2) The annual duty-free tariff quotas are set out in the Annex to this Protocol. These quotas shall cover the period from 1 May 2021 to 30 April 2028. The quota levels shall be reviewed by the end of the period taking into account all relevant interests.

ARTICLE 2

- (1) The tariff quotas shall be opened on the day on which the provisional application of this Protocol becomes effective, according to procedures laid down in paragraph 3 of Article 5.
- (2) The first tariff quota shall be available from the date of provisional application of this Protocol until 30 April 2024. From 1 May 2024 onwards, subsequent tariff quotas shall be allocated annually from 1 May to 30 April until the end of the period referred to in Article 1 of this Protocol.
- (3) The tariff quota volumes covering the period from 1 May 2021 until the provisional application this Protocol shall be proportionally allocated and made available for the rest of the period referred to in Article 1 of this Protocol.
- In case tariff quotas referred to in Article 1 are not exhausted during the period referred to in article 1, and in case a subsequent protocol establishing duty-free tariff quotas for the same products is not provisionally applied, imports from Norway can be made for the remaining accumulated quota volume of those tariff quotas for up to 2 years following the end of the period referred to in Article 1, but not longer than provisional application of a subsequent protocol establishing duty-free tariff quotas for the same products.

ARTICLE 3

- (1) Norway shall take the necessary steps to ensure the continuation of the arrangement allowing for free transit of fish and fishery products landed in Norway from vessels flying the flag of a Member State of the European Union.
- (2) The arrangement shall apply for up to 2 years following the end of the period referred to in Article 1, but not longer than provisional application of a subsequent protocol.

ARTICLE 4

The rules of origin applicable for the tariff quotas listed in the Annex to this Protocol shall be those set out in Protocol 3 to the Agreement between the European Economic Community and the Kingdom of Norway signed on 14 May 1973.

ARTICLE 5

- (1) This Protocol shall be ratified or approved by the Parties in accordance with their own procedures. The instruments of ratification or approval shall be deposited with the General Secretariat of the Council of the European Union.
- (2) It shall enter into force on the first day of the second month following after the last instrument of ratification or approval has been deposited.
- (3) Pending the completion of the procedures referred to in paragraph 1 and 2 of this Article, this Protocol shall be applied on a provisional basis from the first day of the third month following the deposit of the last notification to this effect.

ARTICLE 6

This Protocol, drawn up in a single original, in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Irish, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish and Norwegian languages, the text in each of these texts being equally authentic, shall be deposited with the General Secretariat of the Council of the European Union, which will remit a certified copy to each of the Parties.

Done at Brussels, this....of 2024.

For the European Union

For the Kingdom of Norway

ANNEX

SPECIAL PROVISIONS REFERRED TO IN ARTICLE 1 OF THE PROTOCOL

In addition to the existing permanent duty free tariff quotas, the European Union shall open the following annual duty free tariff quotas for products originating in Norway:

CN code	Description of products	Annual (1.5-30.4) tariff quota volume in net weight unless otherwise specified ¹
0303 51 00	Frozen herrings "clupea harengus, clupea pallasii" ²	25 000 tonnes
0303 55 90	Frozen jack and horse mackerel "trachurus spp." (excl. atlantic horse mackerel and chilean jack mackerel)	5 000 tonnes
0303 59 90	Frozen indian mackerels "rastrelliger spp.", seerfishes "scomberomorus spp.", jacks, crevalles "caranx spp.", silver pomfrets "pampus spp.", pacific saury "cololabis saira", scads "decapterus spp.", capelin "mallotus villosus", bonitos "sarda spp.", marlins, sailfishes and spearfish "istiophoridae"	
0303 69 90	Frozen fish of the families bregmacerotidae, euclichthyidae, gadidae, macrouridae, melanonidae, merlucciidae, moridae and muraenolepididae (excl. cod, haddock, coalfish, hake, alaska pollack, blue whitings, boreogadus saida, whiting, pollack, blue grenadier and ling)	
0303 82 00	Frozen rays and skates "rajidae"	
0303 89 90	Frozen fish, n.e.s.	
0304 86 00	Frozen fillets of herring "clupea harengus, clupea pallasii"	65 000 tonnes
0304 99 23	Frozen flaps and meat "whether or not minced" of herring "clupea harengus, clupea pallasii"	
ex 0304 49 90	Fresh or chilled fillets of herring	
0304 59 50	Fresh or chilled flaps of herring	

-

EN 5

Quantities shall be added in accordance with Article 2 paragraph 3 of this Protocol.

The benefit of the tariff quota shall not be granted to goods declared for release for free circulation during the period 15 February to 15 June.

CN code	Description of products	Annual (1.5-30.4) tariff quota volume in net weight unless otherwise specified ¹
0309 10 00	Flours, meals and pellets of fish, fit for human consumption	1 000 tonnes
1604 12 91	Herring, spiced and/or vinegar-cured, in brine	28 000 tonnes net
1604 12 99		drained weight
1605 21 10	Shrimps and prawns, peeled and frozen, prepared or	7 000 tonnes
1605 21 90	preserved	
1605 29 00		
1604 11 00	Prepared or preserved salmon, whole or in pieces, but not minced	1 250 tonnes
0305 41 00	Smoked salmon, including fish fillets, other than edible meat offal	2 500 tonnes
0306 16 99	Frozen Pandalidae shrimps	1 000 tonnes
0306 17 93		
0302 19 00	Fresh or chilled fish	5 100 tonnes
0302 22 00		
0302 43 90		
0302 59 20		
0302 59 30		
0302 81 15		
0302 89 31		
0302 91 00		
0302 99 00		
0303 19 00	Frozen fish	6 850 tonnes
0303 53 90		
0303 89 31		
0303 89 39		
0303 91 90		
0303 99 00		

CN code	Description of products	Annual (1.5-30.4) tariff quota volume in net weight unless otherwise specified ¹
0304 52 00	Fresh, chilled or frozen fillets of fish	3 600 tonnes
0304 73 00		
0304 99 21		
0304 99 99		