



Council of the
European Union

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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the position to be adopted on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement (European Defence Fund)

COUNCIL DECISION (EU) 2021/...

of ...

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

annexed to the EEA Agreement

(European Defence Fund)

(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 173(3), Article 182(4), Article 183 and the second paragraph of Article 188, in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area¹, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

¹ OJ L 305, 30.11.1994, p. 6.

Whereas:

- (1) The Agreement on the European Economic Area¹ ('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 on cooperation in specific fields outside the four freedoms ('Protocol 31'), annexed to the EEA Agreement.
- (3) Regulation (EU) 2021/697 of the European Parliament and of the Council² is to be incorporated into the EEA Agreement.
- (4) Protocol 31 to the EEA Agreement should therefore be amended accordingly.
- (5) The position of the Union in the EEA Joint Committee should therefore be based on the draft decision of the EEA Joint Committee,

HAS ADOPTED THIS DECISION:

¹ OJ L 1, 3.1.1994, p. 3.

² Regulation (EU) 2021/697 of the European Parliament and of the Council of 29 April 2021 establishing the European Defence Fund and repealing Regulation (EU) 2018/1092 (OJ L 170, 12.5.2021, p. 149).

Article 1

The position to be adopted on behalf of the Union within the EEA Joint Committee on the proposed amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement, shall be based on the draft decision of the EEA Joint Committee¹.

Article 2

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

Done at Brussels,

For the Council

The President

¹ See document ST 10693/21 at <http://register.consilium.europa.eu>.