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Subject: COUNCIL DECISION on the position to be adopted on behalf of the European Union within the EEA Joint Committee concerning the amendment of Protocol 32 on financial modalities for implementation of Article 82, annexed to the EEA Agreement

COUNCIL DECISION (EU) 2021/...

of...

**on the position to be adopted on behalf of the European Union
within the EEA Joint Committee concerning the amendment of Protocol 32
on financial modalities for implementation of Article 82,
annexed to the EEA Agreement**

(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 122 and Article 322(1), in conjunction with 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 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 European Economic Area Joint Committee ('the EEA Joint Committee') may decide to amend, inter alia, Protocol 32 on financial modalities for implementation of Article 82, annexed to the EEA Agreement ('Protocol 32').
- (3) Council Regulation (EU) 2020/2094², which established the European Union Recovery Instrument, allocates additional external assigned revenue to the Horizon Europe Programme established by Regulation (EU) 2021/695 of the European Parliament and of the Council³, and to the Union Civil Protection Mechanism governed by Decision No 1313/2013/EU of the European Parliament and of the Council⁴. It is appropriate to clarify in Protocol 32 that, for the purpose of calculating the EFTA States' financial contributions, the basis for calculation should be increased by appropriations corresponding to external assigned revenue under Article 3(1) of Regulation (EU) 2020/2094 in relation to their participation in that programme and that mechanism.

¹ OJ L 1, 3.1.1994, p. 3.

² Council Regulation (EU) 2020/2094 of 14 December 2020 establishing a European Union Recovery Instrument to support the recovery in the aftermath of the COVID-19 crisis (OJ L 433I, 22.12.2020, p. 23).

³ Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (OJ L 170, 12.5.2021, p. 1).

⁴ Decision No 1313/2013/EU of the European Parliament and of the Council of 17 December 2013 on a Union Civil Protection Mechanism (OJ L 347, 20.12.2013, p. 924).

- (4) Protocol 32 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:

Article 1

The position to be adopted on the Union's behalf within the EEA Joint Committee on the proposed amendment of Protocol 32 on financial modalities for implementation of Article 82, 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 13509/21 at <http://register.consilium.europa.eu>.