



Council of the
European Union

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**Interinstitutional File:
2021/0329 (NLE)**

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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 the amendment of Protocol 31 on cooperation in specific fields outside the four freedoms and of Protocol 37 containing the list provided for in Article 101 annexed to the EEA Agreement (Space Programme of the Union)

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 31
on cooperation in specific fields outside the four freedoms and of Protocol 37
containing the list provided for in Article 101 to the EEA Agreement
(Space Programme of the Union)**

(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 189(2), 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 EEA Joint Committee may decide to amend, inter alia, Protocol 31 on cooperation in specific fields outside the four freedoms ('Protocol 31') and Protocol 37 containing the list provided for in Article 101 ('Protocol 37') to the EEA Agreement.
- (3) Regulation (EU) 2021/696 of the European Parliament and of the Council² is to be incorporated into the EEA Agreement. Only Norway and Iceland are concerned by this amendment.
- (4) Protocol 31 and Protocol 37 to the EEA Agreement should be amended accordingly.
- (5) The position of the Union within 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) 2021/696 of the European Parliament and of the Council of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013, (EU) No 377/2014 and Decision No 541/2014/EU (OJ L 170, 12.5.2021, p.69).

Article 1

The position to be adopted on the Union's behalf within the EEA Joint Committee on the proposed amendment of Protocol 31 on cooperation in specific fields outside the four freedoms and of Protocol 37 containing the list provided for in Article 101 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 ...,

For the Council
The President

¹ See document ST 12908/21 at <http://register.consilium.europa.eu>.