



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 24 June 2011

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2011/0162 (NLE)**

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PROPOSAL

from:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
dated:	22 June 2011
No Cion doc.:	SEC(2011) 783 final
Subject:	Proposal for a Council Decision on the position to be taken by the European Union in the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

Delegations will find attached a proposal from the Commission, submitted under a covering letter from Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director, to Mr Pierre de BOISSIEU, Secretary-General of the Council of the European Union.

Encl.: SEC(2011) 783 final



EUROPEAN COMMISSION

Brussels, 22.6.2011
SEC(2011) 783 final

2011/0162 (NLE)

Proposal for a

COUNCIL DECISION

**on the position to be taken by the European Union in the EEA Joint Committee
concerning an amendment to Protocol 31 to the EEA Agreement,
on cooperation in specific fields outside the four freedoms**

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

In order to ensure the requisite legal security and homogeneity of the Internal Market, the EEA Joint Committee is to integrate all the relevant Community legislation into the EEA Agreement as soon as possible after its adoption.

2. RESULTS OF CONSULTATIONS WITH THE INTERESTED PARTIES AND IMPACT ASSESSMENTS

The draft Decision of the EEA Joint Committee (annexed to the proposed Council Decision) aims to amend Protocol 31 to the EEA Agreement on cooperation in specific fields outside the four freedoms by adding new Community acquis in this field. This concerns Decision No 1041/2009/EC of the European Parliament and of the Council of 21 October 2009 establishing an audiovisual cooperation programme with professionals from third countries (MEDIA Mundus). This decision aims would allow for EEA EFTA participation in the MEDIA Mundus programme. Liechtenstein, however, would be granted an exemption for Liechtenstein from participation in, and financial contribution to, this programme.

3. LEGAL ELEMENTS OF THE PROPOSAL

Article 1(3) of Council Regulation (EC) No 2894/94 concerning arrangements for implementing the EEA Agreement provides that the Council establishes the position to be adopted on the Union's behalf on such Decisions, on a proposal from the Commission

The Commission submits the Draft Decision of the EEA Joint Committee for adoption by the Council as the Union's position. The Commission would hope to be able to present it in the EEA Joint Committee at the earliest possible opportunity.

Proposal for a

COUNCIL DECISION

**on the position to be taken by the European Union in the EEA Joint Committee
concerning an amendment to Protocol 31 to the EEA Agreement,
on cooperation in specific fields outside the four freedoms**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 166, 173 and 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,

Whereas:

- (1) Protocol 31 to the Agreement on the European Economic Area, (hereinafter referred to as "the EEA Agreement") contains specific provisions and arrangements concerning cooperation in specific fields outside the four freedoms.
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Decision No 1041/2009/EC of the European Parliament and of the Council of 21 October 2009 establishing an audiovisual cooperation programme with professionals from third countries (MEDIA Mundus)².
- (3) Protocol 31 to the EEA Agreement should therefore be amended accordingly.

¹ OJ L 305, 30.11.1994, p. 6.

² OJ L 288, 4.11.2009, p. 10.

HAS ADOPTED THIS DECISION:

Sole Article

The position to be taken by the Union in the EEA Joint Committee on an envisaged amendment to Protocol 31 to the EEA Agreement is laid down in the Annex to this Decision.

Done at Brussels,

*For the Council
The President*

ANNEX

Draft

DECISION OF THE EEA JOINT COMMITTEE
No
of
amending Protocol 31 to the EEA Agreement,
on cooperation in specific fields outside the four freedoms

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as ‘the Agreement’, and in particular Articles 86 and 98 thereof,

Whereas:

- (1) Protocol 31 to the Agreement was amended by Decision of the EEA Joint Committee No .../... of ...³.
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Decision No 1041/2009/EC of the European Parliament and of the Council of 21 October 2009 establishing an audiovisual cooperation programme with professionals from third countries (MEDIA Mundus)⁴.
- (3) Protocol 31 to the Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2011,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in Article 9(4) of Protocol 31 to the Agreement:

- ‘- **32009 D 1041:** Decision No 1041/2009/EC of the European Parliament and of the Council of 21 October 2009 establishing an audiovisual cooperation programme with professionals from third countries (MEDIA Mundus) (OJ L 288, 4.11.2009, p. 10).

Liechtenstein shall be exempted from the participation in, and the financial contribution to, this programme.’

³ OJ L ...

⁴ OJ L 288, 4.11.2009, p. 10.

Article 2

This Decision shall enter into force on the day following the last notification to the EEA Joint Committee under Article 103(1) of the Agreement*.

It shall apply from 1 January 2011.

Article 3

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels,

For the EEA Joint Committee

The President

*The Secretaries
to the EEA Joint Committee*

* [No constitutional requirements indicated.] [Constitutional requirements indicated.]