

EEE 1601/24

REPORT

From: European Commission

Subject: Progress report of the EEA Joint Committee

Decision making

1. The EEA Joint Committee has adopted 158 Joint Committee Decisions (JCDs) incorporating 296 legal acts since the 57th meeting of the EEA Council on 20 November 2023. In the period from 1 January to 26 April 2024, the EEA Joint Committee has adopted 110 JCDs incorporating 214 legal acts. In comparison, during the period from 1 January to 28 April 2023, the EEA Joint Committee adopted 141 JCDs incorporating 273 legal acts.
2. As of 3 April 2024, there were 521 legal acts outstanding where the compliance date in the EU had passed, compared to 573 acts on 4 October 2023. Since November 2023, therefore, the overall number of legal acts outstanding has decreased. Of the 521 legal acts outstanding on 3 April 2024, 184 acts are still in the early stages of the incorporation process, where the compliance date in the EU has passed less than six months ago.
3. As of 3 April 2024, the number of JCDs awaiting the fulfilment of constitutional requirements where the six-month period had expired was 26, compared to 30 on 4 October 2023.

4. Important decisions incorporated since the 57th meeting of the EEA Council on 20 November 2023 include:

- Decision No 317/2023 on market surveillance and compliance of products,
- Decision No 318/2023 incorporating a Commission delegated regulation on the energy performance of buildings,
- Decision No 319/2023 on the European Labour Authority (ELA),
- Decision No 326/2023 on common rules and standards for ship inspection,
- Decision No 327/2023 on the European Maritime Safety Agency (EMSA),
- Decisions No 332/2023 and 333/2023 on copyright and related rights,
- Decision No 334/2023 on the EU Emissions Trading System for aviation,
- Decision No 335/2023 on the EU Emissions Trading System for maritime transport and stationary installations,
- Decision No 71/2024 on a pan-European Personal Pension Product (PEPP),
- Decision No 74/2024 on work-life balance for parents and caregivers,
- Decision No 80/2024 extending cooperation to include the Act on Supporting Ammunition Production (ASAP),
- Decision No 81/2024 extending cooperation to include the instrument for the reinforcement of the European defence industry through common procurement (EDIRPA),

Decision No 107/2024 as regards strengthening the CO₂ emission performance standards for new passenger cars and new light commercial vehicles in line with the Union's increased climate ambition.

Decision shaping

5. The EEA EFTA States are participating in 15 EU programmes and 17 decentralised agencies, as well as in activities of 6 executive agencies.
6. Since the last meeting of the EEA Council on 20 November 2023, the EEA Joint Committee has taken note of EEA EFTA Comments on the following subjects:
 - EEA EFTA Comment on the Maritime Safety Package
 - EEA EFTA Comment on the Revised Driving Licence Directive
 - EEA EFTA Comment on the proposal for a directive on common rules promoting the repair of goods
 - EEA EFTA Comment on the proposal for a Regulation of the European Parliament and of the Council on establishing a framework of measures for strengthening Europe's net-zero technology products manufacturing ecosystem (Net Zero Industry Act)
 - EEA EFTA Comment on the proposal for a regulation laying down additional procedural rules for GDPR
 - EEA EFTA Comment on the proposal for a revised Weights and Dimensions Directive

Briefings in the Joint Committee

7. In the period from 20 November to 28 May 2024 the EEA Joint Committee has received briefings on:
 - Commission Work Programme 2024
 - State of play on EU enlargement

Status of files outstanding

8. The discussions on the following files are still ongoing:

Energy:

- Directive 2012/27/EU on energy efficiency; Regulation (EU) 2017/460 establishing a network code on harmonised transmission tariff structures for gas; Regulation (EU) 2017/459 establishing a network code on capacity allocation mechanisms in gas transmission systems and repealing Regulation (EU) No 984/2013; Regulation (EU) No 312/2014 establishing a Network Code on Gas Balancing of Transmission Networks and Regulation (EU) 2015/703 establishing a network code on interoperability and data exchange rules; Directive (EU) 2018/844 amending the energy performance of buildings directive and the energy efficiency directive; Commission Regulation (EU) 2016/631 establishing a network code on requirements for grid connection of generators; Regulation (EU) No 1227/2011 on wholesale energy market integrity and transparency (REMIT); Commission Regulation (EU) 2017/2196 establishing a network code on electricity emergency and restoration,

State Aid:

- Council Regulation (EU) No 734/2013 amending Regulation (EC) No 659/1999 laying down detailed rules for the application of Article 93 of the EC Treaty,

Food Chain:

- Regulation (EC) No 1829/2003 on genetically modified food and feed (GM Food and Feed); Delegated Regulation (EU) 2019/2122 on personal consignments,

Transport:

- Regulation (EU) 2016/1199 on helicopter offshore operations (HOFO); Directive (EU) 2015/413 of the European Parliament and of the Council of 11 March 2015 facilitating cross-border exchange of information on road-safety-related traffic offences (CBE Directive),

Competition Policy:

- Directive (EU) 2019/1 of the European Parliament and of the Council of 11 December 2018 to empower the competition authorities of the Member States to be more effective enforcers and to ensure the proper functioning of the internal market (“ECN+ Directive”); Directive 2014/104/EU of the European Parliament and of the Council of 26 November 2014 on certain rules governing actions for damages under national law for infringements of the competition law provisions of the Member States and of the European Union,

Financial Services:

- Directive 2014/49/EU of the European Parliament and of the Council of 16 April 2014 on deposit guarantee schemes (recast) - DGS III,

Environment:

- Directive (EU) 2016/2284 of the European Parliament and of the Council of 14 December 2016 on the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC,

Statistics:

- Regulation (EU) 2016/1952 of the European Parliament and of the Council 26 October 2016 on European statistics on natural gas and electricity prices and repealing Directive 2008/92/EC; Commission Implementing Regulation (EU) 2018/1799 of 21 November 2018 on the establishment of a temporary direct statistical action for the dissemination of selected topics of the 2021 population and housing census geocoded to a 1 km² grid.

9. The Joint Committee has reiterated its determination to work towards the rapid conclusion of these issues.

Financial Mechanisms

10. The Agreement on the EEA Financial Mechanism and the Agreement on the Norwegian Financial Mechanism for the period 2014-2021 amount to total contributions of EUR 1548.1 and 1253.7 million, respectively.
11. The period of eligibility of expenditures in projects under both Mechanisms runs until April 2024. By May 2021, 97 programmes had been approved by the EEA EFTA States and entered implementation.

12. Negotiations on a new period of the financial contributions of the EEA EFTA States to reduce the economic and social disparities in the EEA were launched on 16 June 2022. On 30 November 2023, agreement was reached on negotiators' level on the EEA Financial Mechanism 2021-2028 between the Commission and the EEA EFTA States as well as on the parallel Norwegian Financial Mechanism, for the same period, between the Commission and Norway. On the same date, agreements at negotiators' level were also reached between the Commission and Norway and Iceland, respectively, on market access for fish and marine products over the period 2021-2028. In this context, the Commission and Iceland agreed to carry out a joint review of the trade regimes between the European Union and Iceland and explore possible opportunities to further liberalise trade between them, agreeing that the joint review should be completed before the end of the period of operation of the EEA Financial Mechanism 2021-2028. All sides are processing the agreed text in accordance with their respective procedures.
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