

1603/15

PROGRESS REPORT

Subject: Progress Report by the EEA Joint Committee to the 43rd meeting of the EEA Council

Decision making

1. The EEA Joint Committee has adopted 176 Joint Committee Decisions (JCDs) incorporating 260 legal acts since the EEA Council of 19 November 2014. In the period from 1st January to 1st May 2015, there have been 128 JCDs incorporating 193 legal acts. In the same period of 2014, 54 JCDs incorporating 109 legal acts were adopted.
2. As of 4th May 2015, there were 421 outstanding legal acts where the compliance date in the EU had passed, compared to 408 acts on 1 November 2014. Since November 2014 therefore the overall number of outstanding legal acts has increased by 4.4%.
3. Since the last EEA Council, the EFTA side has continued to identify further actions needed to permanently reduce the number of outstanding acts and avoid their re-emergence.
4. In total 225 legal acts adopted by the EU in 2014 were incorporated into the EEA Agreement in 2014, as compared to 117 legal acts in 2013. This demonstrates an improvement in the management of new acts with their timely incorporation into the Agreement.

5. The number of JCDs awaiting the fulfilment of constitutional requirements where the six-month period had expired was reduced from 5 on 1 November 2014 to 3 on 1 May 2015. Additionally, on 1 May 2015 there were 17 JCDs where the entry into force depended on the fulfilment of constitutional requirements of other already adopted JCDs or the incorporation of an EU legal act into the EEA Agreement, as compared to 28 on 1 November 2014.
6. Important decisions incorporated since the 42nd meeting of the EEA Council include:
- Decision 268/2014, concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)
 - Decision 29/2015 on certain permitted uses of orphan works
 - Decision 32/2015 on the European GNSS Agency
 - Decision No 57/2015 on the separate sale of regulated retail roaming services within the Union
 - Decision No 61/2015 on Community vessel traffic monitoring and information system
 - Decision No 62/2014 on the minimum level of training of seafarers
 - Decision No 65/2015 on the Pilot Common Project supporting the implementation of the European Air Traffic Management Master Plan
 - Decision No 71/2015 replacing Protocol 4 aligning its content to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin
 - Decision No 72/2015 on the Community legal framework for a European Research Infrastructure Consortium (ERIC)
 - Decision No 102/2014 on the Internal Market Information System
 - Decision No 105/2015 on the European Regulators Group for Electronic Communications Networks and Services
 - Decision No 112/2015 on the performance and the interoperability of surveillance for the single European sky
 - Decision No 113/2015 on rules for the implementation of air traffic management (ATM) network functions.

Decision shaping

7. The EEA EFTA States are participating in 14 EU programmes and 18 agencies, of which 13 were regulatory agencies and five executive agencies.
8. Since the last EEA Council, the EFTA side did not provide any new Comments.

Briefings in the Joint Committee

9. Briefings on the following subjects were provided in the EEA Joint Committee:
 - Capital controls in Cyprus
 - Capital controls in Iceland
 - Transatlantic Trade and Investment Partnership (TTIP) negotiations

Status of outstanding issues

10. The discussions on the following issues have not yet been concluded:
 - the Regulations establishing the European Supervisory Authorities, and related pieces of legislation in the field of financial services,
 - the Directive on the Deposit Guarantee Scheme,
 - the Regulation on Novel Foods and Novel Food Ingredients,
 - the Third Package for the Internal Energy Market,
 - the remaining part of the 2009 TELECOM package including the Regulation establishing the Body of European Regulators for Electronic Communications (BEREC),
 - the Third Postal Directive,
 - the Regulation on Medicinal Products for Paediatric Use,
 - the Marine Strategy Framework Directive,
 - the Offshore Directive
 - the EU legal acts in the area of organic production.

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

Financial Mechanisms

11. For the period 2009-2014, 993.5 million euro (including Croatia) has been set aside under the EEA Financial Mechanism and an additional 804,6 million euro (including Croatia) under the Norwegian Mechanism to contribute to reducing economic and social disparities in 16 EU countries in Central and Southern Europe and to strengthening bilateral relations.
12. Programmes and projects under both Mechanisms may be implemented until 2016. By 1st May 2014, all of the 150 programmes had been approved by the donors. The Commission has given its consent to all programmes.
13. The negotiations on the continuation of the EEA Financial Mechanism and the Norway Grants were launched on 22 January 2014. The chief negotiators of the EU and the EFTA side have had one formal and two informal meetings since November 2014. Six rounds of technical discussions were held in the same period regarding the drafting of a new Protocol 38 C to the EEA Agreement.