

EEE 1603/21

REPORT

Subject: Progress report of the EEA Joint Committee to the 53rd meeting of the EEA Council

Decision making

1. The EEA Joint Committee has up to 29 October adopted 146 Joint Committee Decisions (JCDs) incorporating 283 legal acts since the Informal meeting of the Members of the EEA Council on 28 May 2021. In the period from 1 January to 29 October 2021, the EEA Joint Committee has adopted 303 JCDs incorporating 554 legal acts. This number includes ten decisions incorporating eight acts which were adopted by written procedures on 3 and 15 March, 30 June, 14 and 28 July 2021. In comparison, during the period from 1 January to 23 October 2020, 170 JCDs incorporating 275 legal acts were adopted.
2. As of 6 October 2021, there were 594 legal acts outstanding where the compliance date in the EU had passed, compared to 559 acts on 30 October 2020. Since October 2020 therefore, the overall number of legal acts outstanding has increased slightly. Of the 594 legal acts outstanding on 6 October 2021, 245 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 6 October 2021, the number of JCDs awaiting the fulfilment of constitutional requirements where the six-month period had expired was 23, compared to 22 on 12 May 2021.

4. Important decisions incorporated since the informal meeting of the Members of the EEA Council on 28 May 2021, include:

- Decision No 183/2021 on emissions from medium combustion plants,
- Decision Nos 187/2021 and 188/2021 on the EU Digital COVID Certificate and Decisions Nos 225/2021, 241/2021, 242/2021 and one Decision on the Long list of acquis for incorporation on 29 October 2021, establishing the equivalence of COVID certificates issued by certain non-EEA countries,
- Decision 226/2021 on marine equipment,
- Decision No 227/2021 concerning the recognition of qualifications of doctors,
- Decisions No 229/2021 to 232/2021 and 235/2021 on Animal Health Law (level 2 acts),
- Decision No 234/2021 on the transparency and sustainability of the EU risk assessment in the food chain,
- Decision No 247/2021 incorporating the Directive establishing a single European Railway Area and related acts (the Railway Package, recast),
- Decision No 248/2021 incorporating Regulation on the European Union for Railways and related acts (the 4th Railway Package),
- Decisions No 262/2021, 263/2021 and 265/2021 to 271/2021 incorporating 10 EU Programme Regulations (Digital Europe, EU4Health, Single Market programme, Horizon Europe, LIFE programme, Erasmus+, Creative Europe, UCPM, Solidarity Corps and ESF+),
- Decision No 274/2021 and 275/2021 incorporating the acts establishing the Body of European Regulators for Electronic Communications (BEREC) and the European Electronic Communications Code,
- Decision No 278/2021 incorporating a Regulation concerning migratory bees,

- Decision No 298/2021, incorporating 7 acts establishing the equivalence of COVID certificates issued by certain non-EEA countries,
- Decision No 301/2021 incorporating the Second Capital Requirements Regulation (CRR II) - one of the three acts in the Banking Reform Package,
- Decision No 318/2021 incorporating the Waste Directive,
- Decision No 319/2021 incorporating the Space Programme Regulation.

Decision shaping

5. The EEA EFTA States are participating in 12 programmes under the 2021-2027 MFF, in addition to several decentralised and executive agencies. Discussions on participation in one more programme are ongoing.
6. Since the last EEA Council, the EEA Joint Committee has taken note of EEA EFTA Comments on the following subjects:
 - EEA EFTA Comment on the revision of the Eurovignette Directive,
 - EEA EFTA Comment on the Digital Services Act.

Briefings in the Joint Committee

7. In the period from 28 May 2021 to 24 November 2021, the EEA Joint Committee has received briefings on:
 - EEA EFTA Comment on the revision of the Eurovignette Directive,
 - EEA EFTA Comment on the Digital Services Act.

Status of issues outstanding

8. The discussions on the following issues have not yet been concluded:
 - Directive on the energy performance of buildings,

- Directive on energy efficiency,
 - Regulation on common rules in the fields of civil aviation and establishing a European Union Aviation Safety Agency (EASA),
 - Regulation on common rules and standards for ship inspection survey organizations and related acts (the Ship Inspection Package),
 - Directive concerning the provision of audiovisual media services (Audiovisual Media Services Directive),
 - Directive on Tobacco Products,
 - Regulation on organic production and labelling of organic products.
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 amounts to total contributions of 1548.1 and 1253.7 million euro, respectively. Programmes signed in 14 beneficiary states (Bulgaria, Croatia, Cyprus, the Czech Republic, Estonia, Greece, Latvia, Lithuania, Malta, Poland, Portugal, Romania, Slovakia and Slovenia) are well into implementation.
11. The EU side and the EEA EFTA States have submitted their reviews, under Article 11 of Protocol 38C of the EEA Agreement, on the need to address social and economic disparities in the EEA and concluded that the need persists.