

EEE 1606/23

REPORT

From: European Commission

Subject: Progress report of the EEA Joint Committee

Decision making

1. The EEA Joint Committee has adopted 153 Joint Committee Decisions (JCDs) incorporating 269 legal acts since the 56th meeting of the EEA Council on 24 May 2023. In the period from 1 January to 27 October 2023, the EEA Joint Committee has adopted 294 JCDs incorporating 542 legal acts. In comparison, during the period from 1 January to 28 October 2022, the EEA Joint Committee adopted 287 JCDs incorporating 516 legal acts.
1. As of 4 October 2023, there were 573 legal acts outstanding where the compliance date in the EU had passed, compared to 612 acts on 5 April 2023. Since May 2023, therefore, the overall number of legal acts outstanding has decreased. Of the 573 legal acts, outstanding on 4 October 2023, 227 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.
2. As of 4 October 2023, the number of JCDs awaiting the fulfilment of constitutional requirements where the six-month period had expired was 30, compared to 31 on 5 May 2023.

3. Important decisions incorporated since the 56th meeting of the EEA Council on 24 May 2023 include:
- Decisions No 154 and 155/2023 in the field of technical regulations and energy, on ecodesign requirements,
 - Decision No 174/2023 on a budget line for social security,
 - Decision No 185/2023 on a pilot regime for market infrastructures based on distributed ledger technology,
 - Decision No 188/2023 in the field of competition, on the categories of vertical agreements and concerted practices,
 - Decision No 240/2023 in the field of telecommunication, on the free flow of data,
 - Decision No 245/2023 on marine equipment.

Decision shaping

4. The EEA EFTA States are participating in 13 EU programmes and 25 agencies, of which 19 are decentralised agencies and 6 are executive agencies.
5. 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 European Media Freedom Act,
 - EEA EFTA Comment on the Proposal for a Regulation establishing a framework for ensuring a secure and sustainable supply of critical raw materials (CRMA).

Briefings in the Joint Committee

6. In the period from 24 May 2023 to 20 November 2023 the EEA Joint Committee has received briefings on:

- [No briefings in this period]

Status of issues outstanding

7. The discussions on the following issues have not yet been concluded:

- Regulation (EC) No 1829/2003 on genetically modified food and feed,
- Commission Delegated Regulation (EU) 2019/2122 supplementing Regulation (EU) 2017/625 as regards certain categories of animals and goods exempted from official controls at border control posts, specific controls on passengers' personal luggage and on small consignments of goods sent to natural persons which are not intended to be placed on the market,
- Directive 2012/27/EU on energy efficiency,
- Directive (EU) 2018/844 amending Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency,
- Commission Regulations (EU) 2017/460, (EU) 2015/703, (EU) 2017/459 and (EU) No 312/2014 on gas Network Codes,
- 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,
- 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,
- Directive (EU) 2019/789 laying down rules on the exercise of copyright and related rights applicable to certain online transmissions of broadcasting organisations and retransmissions of television and radio programmes,
- Directive (EU) 2019/790 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC,
- Regulation (EU) 2016/1199 amending Regulation (EU) No 965/2012 as regards operational approval of performance-based navigation certification and oversight of data service providers (HOFO).
- 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,
- Directive 2014/49/EU of the European Parliament and of the Council of 16 April 2014 on deposit guarantee schemes (recast) - DGS III

- 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)
- 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
- Regulation (EU) 2016/1952 of the European Parliament and of the Council of 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
- Commission Implementing Regulation (EU) 2020/1148 of 31 July 2020 laying down methodological and technical specifications in accordance with Regulation (EU) No 2016/792 of the European Parliament and of the Council as regards harmonised indices of consumer prices and the house price index
- Regulation (EU) 2020/741 of the European Parliament and of the Council of 25 May 2020 on minimum requirements for water reuse

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

Financial Mechanisms

9. 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. As of December 2020, Memoranda of Understanding have been signed with Bulgaria, Croatia, Cyprus, the Czech Republic, Estonia, Greece, Hungary, Latvia, Lithuania, Malta, Poland, Portugal, Romania, Slovakia, and Slovenia.
 10. 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 donors and entered implementation.
 11. Negotiations on a new period of the financial contribution of the EEA EFTA States to reduce the economic and social disparities in the EEA were launched on 16 June 2022.
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