

EEE 1607/19

REPORT

Subject: Progress report by the EEA Joint Committee to the 52nd meeting of the EEA Council

Decision making

1. The EEA Joint Committee has adopted 135 Joint Committee Decisions (JCDs) incorporating 229 legal acts since the EEA Council of 20 May 2019. In the period from 1 January to 25 October 2019, the EEA Joint Committee has adopted 263 JCDs incorporating 599 legal acts. In comparison, during the period from 1 January to 26 October 2018, 219 JCDs incorporating 375 legal acts were adopted, i.e. an increase of close to 60% in 2019.
2. As of 1 November 2019, there were 431 outstanding legal acts where the compliance date in the EU had passed, compared to 612 acts on 5 November 2018. Since November 2018 therefore, the overall number of outstanding legal acts has decreased by 30%.
3. As of 4 November 2019, the number of JCDs awaiting the fulfilment of constitutional requirements where the six-month period had expired was 23, compared to 18 in May 2019.
4. Important decisions incorporated since the 51st meeting of the EEA Council include:
 - Decision No 165/2019 on payment services in the internal market (the Payment Services Directive);

- Decision No 190/2019 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds (the EU Benchmark Regulation);
- Decision Nos 201/2019 - 205/2019 on cooperation in specific fields outside the four freedoms, related to budget lines in the following areas: Preparatory action on defence research, Social Security, Financial Services, Internal Market and Company law;
- Decision No 210/2019 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products (Official Controls Regulation);
- Decision Nos 237/2019 - 238/2019 incorporating 28 legal acts in the field of financial services;
- Decision No 246/2019 extending the reinforced EU Civil Protection Mechanism to Iceland and Norway;
- Decision No 259/2019 on market abuse (Market Abuse Regulation);
- Decision No 269/2019 extending the cooperation on the inclusion of greenhouse gas emissions and removal from land use, land use change and forestry in the 2030 climate and energy framework;
- Decision Nos 270/2019 – 272/2019, incorporating six acts containing urgent Brexit-related measures, adopted by written procedure on 30 October 2019.

Decision shaping

5. The EEA EFTA States are participating in 14 EU programmes and 21 agencies, of which 16 are regulatory agencies and five executive agencies¹.

¹ See p. 5 of Annex I to the Annual Report of the EEA Joint Committee 2018.

6. Since the last EEA Council, the EEA Joint Committee has taken note of one EEA EFTA Comment on the priorities for the Single Market beyond 2019 (Ref. 19-2380 of 18 September 2019).

Briefings in the Joint Committee

7. Briefings by the Icelandic Delegation and the European Commission have been provided regarding capital controls in Iceland and Greece.

Status of outstanding issues

8. The discussions on the following issues have not yet been concluded:
- Ship Inspection and Survey Organizations;
 - 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 Single European Railway Area;
 - Directives pertaining to Energy Efficiency and the Energy Performance of Buildings;
 - the Tobacco Products Directive;
 - the Regulation on genetically modified food and feed.
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 imply total contributions of 1548.1 and 1253.7 million euro, respectively. As of 4 November 2019, Memoranda of Understanding have been signed with Bulgaria, Croatia, Cyprus, the Czech Republic, Estonia, Greece, Latvia, Lithuania, Malta, Poland, Portugal, Romania, Slovakia, and Slovenia.
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