

CONCLUSIONS

Subject: Conclusions of the 36th meeting of the EEA Council
Brussels, 15 November 2011

1. The thirty-sixth meeting of the EEA Council took place in Brussels on 15 November 2011 under the Presidency of Ms Aurelia Frick, Minister for Foreign Affairs of Liechtenstein. The meeting was attended by Mr Jonas Gahr Støre, Minister of Foreign Affairs of Norway, Mr Einar Gunnarson, representing the Minister for Foreign Affairs of Iceland, Mr Marcin Korolec, Deputy State Secretary of the Ministry of Economic Affairs of Poland, representing the Presidency of the Council of the European Union, as well as by Members of the Council of the European Union and by Representatives of the European Commission and the European External Action Service.
2. The EEA Council noted that within the framework of the Political Dialogue the Ministers discussed *North Africa/ the Middle East, Promotion of International Criminal Justice, Afghanistan – 10 years after*, and *Myanmar*.

3. The EEA Council recognised that the current economic crisis is a common concern, and reaffirmed the need for responsibility and solidarity among the nations of Europe in tackling the challenges ahead. The EEA Council stressed that it is in the common interest of all countries of the European Economic Area to restore confidence and put the economies on the path towards renewed and sustainable growth, and underlined the need to take into account budgetary discipline and shared social objectives in the measures taken to combat the crisis.
4. The EEA Council welcomed the conclusion of the Agreement on the participation of the Republic of Bulgaria and Romania in the EEA, a step through which the EEA will be formally enlarged to an economically integrated entity of 500 million people with 30 Member States fully participating in the Internal Market.
5. The EEA Council welcomed the progress made on the seven “Flagship Initiatives” of the Europe 2020 strategy by the Commission. With many of the proposals contained in these initiatives being EEA relevant, the EEA Council welcomed the contribution of the EEA EFTA States to the Strategy.
6. The EEA Council welcomed the progress made on the Single Market Act, including the recent presentation of legislative proposals of several of the 12 key actions of the Act, and looks forward to the other actions to follow soon. Special priority should be given to the growth-enhancing measures. The EEA EFTA States will continue to be actively involved in the development of the Single Market and will follow up on the proposals resulting from the Act. The EEA Council also welcomed the achievements of the Single Market Forum, which took place in Krakow on 3-4 October 2011, and the Krakow declaration made by the Forum.
7. The EEA Council welcomed the successful conclusion of the European semester of economic policy coordination and took note of the proposal of the European Commission for a new Multiannual Financial Framework for 2014-2020.

8. The EEA Council welcomed the Council conclusions of 29 September 2011 on a Competitive European Economy: Industrial competitiveness in the light of resource efficiency and looked forward to further work in this area, in particular on competitiveness proofing.
9. The EEA Council noted the ongoing discussions between the EU and EFTA sides on how to ensure that the significant volume of legislation currently being adopted in the EU in the financial services field, including the Regulation establishing the European Supervisory Authorities, can be dealt with and included in the EEA agreement. The EEA Council emphasised the need to ensure the timely incorporation of such legislation. The EEA Council furthermore expressed the hope that an understanding can be reached soon on the appropriate form of participation of the EEA EFTA States' relevant authorities in the European Systemic Risk Board (ESRB).
10. The EEA Council welcomed the new system of delegated and implementing acts replacing the system as it existed before the entry into force of the Lisbon Treaty. The EEA Council further noted with satisfaction that the new system confirms the continued involvement of the EFTA side in expert groups and committees, and underlined the importance of its implementation for all Contracting Parties.
11. The EEA Council noted that the Third Package for the Internal Energy Market had entered into force in the EU on 3 March 2011, and that important work on derived legislation was currently ongoing in the new bodies, - the Agency for the Cooperation of Energy Regulators (ACER) and the European Network(s) for Transmission System Operators (ENTSOs). Since the EEA EFTA States were already well integrated in the internal energy market, the EEA Council underlined the importance of ensuring appropriate EEA EFTA participation in the new bodies in line with the Third Package and the EEA Agreement.
12. The EEA Council welcomed the adoption of the Regulation on Energy Market Integrity and Transparency, which creates a framework of consistent rules tailored to the particularities of the energy markets (electricity and natural gas), aiming at the prevention and effective detection of market abuse.

13. The EEA Council welcomed the progress made in incorporating the Renewables Directive into the EEA Agreement. In this context, the EEA Council took note of the EEA EFTA States' already large shares of renewable energy sources and acknowledged the EEA EFTA States' commitment to targets for their share of renewable energy by 2020.
14. The EEA Council took note of the Commission proposal for a new Energy Efficiency Directive, presented on 22 June 2011. The EEA Council agreed to the importance of energy efficiency to realise energy and climate goals.
15. The EEA Council welcomed the Commission Communication titled "The EU Energy Policy: Engaging with Partners beyond Our Borders", which had been presented on 7 September 2011. In this regard, the EEA Council underlined the importance of the strong ties between the EU and the EEA EFTA States in the energy field. The EEA Council looks forward to the discussions of the EU Council meeting of 24 November in this respect.
16. The EEA Council reiterated the importance of maintaining close cooperation between the EU and the EEA EFTA States in energy and climate change policies, in particular in the areas of emission trading, the promotion of competitive, safe and sustainable low carbon economy, energy efficiency and renewable energy resources, as well as on carbon capture and storage (CCS).
17. The EEA Council recognised the importance of cooperation for the development of future-oriented energy technologies, among others by means of advocating and supporting common Research & Development projects, enhancing and developing a framework allowing cross-border exchanges of knowledge and scientific cooperation and advocating a free flow of intellectual capital.
18. The EEA Council underlined the need to continue constructive work on the revised emissions trading system to ensure that it is operational in the whole EEA as of 1 January 2013.

19. The EEA Council welcomed the high level of implementation of projects under the EEA and Norwegian Financial Mechanisms 2004-09, and emphasized the importance of ensuring completion of extended projects by the final deadline of 30 April 2012.
20. The EEA Council urged all parties to strive for a rapid conclusion of the remaining country specific Memoranda of Understanding for the EEA and Norwegian Financial Mechanisms 2009-14, in order to ensure sufficient time for the implementation of programs.
21. The EEA Council welcomed the progress made concerning the process of Iceland's accession to the European Union following the third Intergovernmental Conference in October 2011 and the launch of substantive negotiations between the EU and Iceland.
22. The EEA Council noted the Progress Report of the EEA Joint Committee and, in particular:
 - welcomed the final agreement reached for a directive of the European Parliament and of the Council on consumer rights , and noted in this context that EEA EFTA concerns had been taken into account;
 - noted the conclusion of an Agreement on further liberalisation of trade in agricultural products between the European Union and Norway based on Article 19 of the EEA Agreement, hoped for an expedient implementation of the new agreement and looked forward to the continuation of reviews of the conditions of trade in agricultural products in accordance with Article 19, with a view to exploring possible concessions;
 - agreed to continue the dialogue on the trade regime for processed agricultural products within the framework of Article 2(2) of Protocol 3 of the EEA Agreement, noted that a meeting is taking place on 15 November 2011 in Brussels for the purpose, and underlined the importance of deepening the dialogue;
 - welcomed the participation of the EEA EFTA States in EEA relevant EU Programmes, noting that these are co-financed by the EEA EFTA States. It emphasised the importance of including the EEA EFTA States in appropriate programmes thus contributing to building a more competitive, innovative and social Europe;

- took note of further progress made in the development of an Integrated Maritime Policy and welcomed the active involvement of the EEA EFTA States in preparatory actions for a European marine observation and data network. It noted that the EEA EFTA States are currently looking into the possible participation in activities under the new programme for the further development of the Integrated Maritime Policy;
- welcomed that since the last meeting of the EEA Council, the outstanding issues concerning the Aviation Safety Regulation (216/2008/EC) had been resolved and looked forward to its rapid incorporation into the EEA Agreement;
- noted that the outstanding issue concerning the incorporation of the Audiovisual Media Services Directive (2007/65/EC) had not yet been solved and reiterated the expectation for a rapid conclusion of this process;
- noted the importance of maintaining close cooperation between the EU and the EEA EFTA States on postal reforms while addressing the concerns on the implementation of the Third Postal Directive (2008/6/EC);
- recalled the adoption in 2007 of the Horizontal Food Law Package, which required full implementation by all contracting parties by 1 November 2011;
- recalled its commitment to the social objectives of the Europe 2020 Strategy and its inclusive growth initiatives which are aimed at combating poverty and social exclusion, encouraging youth mobility and matching skills with jobs. The EEA Council underlined the importance of finding innovative responses to the social impact of the crisis and encouraged the need for solidarity among the nations of Europe in tackling the challenges ahead.

23. The EEA Council welcomed the EEA EFTA contributions to the decision-shaping process of EEA relevant EU legislation and programmes through their participation in relevant committees, expert groups and agencies and by submitting EEA EFTA Comments.

24. The EEA Council held an orientation debate on *Measures taken to address the current Economic Crisis*.
25. The EEA Council reiterated that it was in their common interest that the EEA Agreement was well known throughout the European Economic Area and urged all Contracting Parties to ensure that appropriate information on the Agreement is available.
26. The EEA Council underlined the importance of inviting EEA EFTA Ministers to relevant informal EU Ministerial Meetings and Ministerial Conferences on the basis of EEA EFTA participation in the Internal Market, and expressed its appreciation to the incoming Danish Presidency for the continuation of this practice. The EEA Council also recalled the practice of inviting the EEA EFTA States - at the level of officials - to political dialogue meetings at the level of relevant Council Working Parties.
27. The EEA Council noted the Resolutions of the EEA Joint Parliamentary Committee adopted at its 37th meeting in Strasbourg on 25-27 October 2011 on *EU Digital Agenda and the EEA*, *European Refund Scheme for Drinks Containers*, and *EEA and Norwegian Grants: Contributing to the social and economic cohesion in Europe*.