

EUROPEAN ECONOMIC AREA

**JOINT PARLIAMENTARY
COMMITTEE**

36th Meeting

13 April 2011, Longyearbyen, Svalbard

RESOLUTIONS

Adopted pursuant to Rules 11 and 13 of the Rules of Procedure,
at the 36th meeting of the Joint Parliamentary Committee

in Longyearbyen

on 13 April 2011

Annual Report of the JPC on the functioning of the EEA in 2010

Co-rapporteurs: Mr Harald T. NESVIK (MP, Progress Party, Norway)
Mr Paul RÜBIG (MEP, EPP, Austria)

adopted unanimously

and

The High North: Opportunities and Policy Challenges

Co-rapporteurs: Mr Árni Thór SIGURDSSON (MP, Left Green
Movement, Iceland)
Mr Indrek TARAND (MEP, Greens/EFA, Estonia)

adopted unanimously

on

the Annual Report of the JPC on the functioning of the EEA in 2010

The Joint Parliamentary Committee of the European Economic Area:

- A. in accordance with its task laid out by the EEA Agreement (Article 95, paragraph 4),
- B. emphasising that the EEA EFTA States are not third countries in matters concerning the Internal Market, but full participants,
- C. mindful of the importance of maintaining homogeneity within the EEA,
- D. noting that the information and consultation process provided for in the EEA Agreement is an essential tool for the EFTA States to participate in the shaping of common rules,
- E. acknowledging the importance of implementation of EEA legislation in order to establish a dynamic and homogenous European Economic Area,
- F. recalling its resolutions on the functioning of the EEA in 1994 (adopted 29 May 1995), in 1995 (adopted 3 June 1996), in 1996 (adopted 14 April 1997) in 1997 (adopted 25 May 1998), in 1999 (adopted 16 March 2000), in 2000 (adopted 24 May 2001), in 2001 (adopted 20 June 2002), in 2002 (adopted 20 May 2003), in 2003 (adopted 27 April 2004), in 2004 (adopted 25 April 2005), in 2005 (adopted 22 May 2006), in 2006 (adopted 27 June 2007), in 2008 (adopted 25 March 2009), and in 2009 (adopted 29 March 2010),
- G. recalling its resolution on Implementation of EEA legislation (adopted on 10 October 2006), its resolution on Enlarging the EEA: Experiences and Perspectives (adopted on 10 October 2006), and its resolution on Future Perspectives for the EEA (adopted on 4 November 2008),
 - 1. emphasises that the EEA Agreement needs to be taken seriously by all stakeholders in the EEA and needs to be the focus of constant efforts so that outstanding differences are solved promptly and that the good functioning of the EEA is not put at risk;
 - 2. takes note of the Annual Report of the EEA Joint Committee for 2010; and agrees with the general assessment that the EEA functioned well in the reporting period;
 - 3. welcomes the reinvigorated political interest in the EEA by its stakeholders, illustrated in particular by the launch of separate studies on the functioning of the EEA and a possible EEA review process, initiated by the EU Council, the Norwegian Foreign Ministry and the Government of Liechtenstein, respectively;
 - 4. notes with particular interest that the EU Council in December 2010 has called for a review of the functioning of the EEA Agreement, taking account that EU-EEA

EFTA relations have developed over the past 15 years in depth and in scope both within the framework of the EEA Agreement and beyond;

5. seeks clarifications as to the EU Council's request that it should be examined whether the EU interest is properly served by the existing framework of relations or alternatively by a more comprehensive approach, encompassing all fields of cooperation and ensuring a horizontal coherence; and calls on the EU Council to clarify how the EU review will take into account possible developments in the membership of the EEA;
6. calls on the EEA Joint Committee to continue to pay specific attention to the extraordinary circumstances created by the financial crisis and that continue to challenge the good functioning of the EEA Agreement;
7. notes the discussions between the EEA EFTA States and the EU on the incorporation of European Aviation Security Authority regulation, especially with respect to whether the competence to impose fines on persons and undertakings on the basis of that regulation should be given to national authorities or rest with ESA; and supports the EEA EFTA States' position that the competence to impose fines rests with the national authorities;
8. takes note of the ongoing discussions between the EEA EFTA States and the Commission on the incorporation of the Audiovisual Media Services Directive into the EEA Agreement, in particular the subject of advertising alcoholic beverages; emphasises that this is a matter of great political importance to some of the EEA EFTA States and is linked to vital health and social concerns; and urges the EEA EFTA States and the Commission to seek a mutually acceptable compromise;
9. takes note of the institutional changes within the European Union following the implementation of the Lisbon Treaty and how these affect the relations with the EEA especially with the EEA-EFTA file being transferred from DG RELEX to the newly established EEAS; urges the relevant authorities to raise awareness of the EEA in the European Commission structures; and calls on the EEAS to allocate the necessary resources in order for its Secretariat to be able to maintain a successful functioning of the EEA;
10. reiterates the importance of comitology committees in safeguarding the EEA-EFTA States' right to decision-shaping at an early stage; takes note of that with the entry into force of the Treaty on the Functioning of the European Union the rules on comitology were changed, splitting comitology into two different legal regimes resulting in that the Commission is now autonomously competent to adopt delegated acts which are designed to supplement or amend certain non-essential elements of a legislative act; and urges the relevant authorities to ensure the maintenance of continued involvement of EEA-EFTA experts under the new regimes; welcomes the foreseen adoption by the EU institutions of a Common Understanding on delegated acts;
11. echoes the EEA Joint Committee's emphasis on the significance of Europe 2020; welcomes the EEA EFTA States' contribution to the Strategy in the preceding public consultation process; underlines that the EEA EFTA States have been

involved in the Lisbon Strategy through the Internal Market, selective OMC processes, and inclusion in Eurostat, and that it will be important to explore the EEA relevance of new Europe 2020 proposals, and therein ensure closer cooperation between the EEA EFTA States and the EU in key policy areas as well as take into account each other's policies;

12. reiterates its calls on the EEA EFTA States to increase their internal coordination and joint actions vis-à-vis the EU in order to more effectively influence EEA relevant processes, policies, and legislation under Europe 2020;
13. urges the EEA EFTA States to increase their involvement in aspects of Europe 2020 that are EEA relevant such as the Single Market as key instrument in Europe 2020; underlines the importance of for the EEA EFTA States to effectively influence EEA relevant processes under the new strategy at both expert based and political level;
14. supports the EU Climate and Energy package know as the 20-20-20 targets; underlines the EEA EFTA States' support and involvement in making these demanding climate and energy targets materialise; and emphasises that the implementation of these targets may, in varying degrees, effect the EEA EFTA States' national legislation; and emphasises the importance of the social dimension;
15. welcomes the EEA-EFTA States' active participation in most of the EEA-relevant agencies and programmes, which remain a vital part of the overall good functioning of the EEA Agreement;
16. welcomes the 8 EEA-EFTA Comments in 2010, in particular those on Europe 2020 and Consumer Rights, and encourages the EEA-EFTA States to continue to involve themselves in the decision-shaping from an early stage to have a genuine impact on the shape of legislative proposals;
17. reiterates its calls for a regular evaluation of the EEA EFTA States' participation in committees, working groups and expert groups, especially now after the entry into force of the Lisbon Treaty and subsequent changes in the work processes in the European Commission;
18. highlights the democratic role invested by the EEA JPC; emphasises that its role should not be neglected; calls for a more detailed discussion on the contribution of the EEA JPC; and recommends the EEA EFTA States to explore an increased role for national parliaments in the EEA EFTA States to mirror the new role of national Parliaments in the EU and of the European Parliament; welcomes the inclusion of Members of EFTA countries' parliaments in several public debates in European Parliament's committees on EEA-relevant subjects and recommends to extend this practice;
19. welcomes the long-overdue entry into force of the Food Law Package due to constitutional requirements in Iceland; regrets that as a result of these delays, which lasted for nearly 3 years, a significant backlog in matters regarding veterinary legislation was produced; appreciates the particular difficulties experienced in Iceland; and stresses that the relevant authorities must avoid lengthy delays in

implementation in the future in order to ensure the smooth functioning of the EEA Agreement;

20. welcomes the sharp reduction in the EEA EFTA States' transposition deficit whereas they have, in line with the EEA JPC recommendations of March 2010, reduced their transposition deficit from 0.7% to 0.6% in 2010, the lowest rate ever and well below the target of 1.0%;
21. emphasises the importance of the EEA Financial Mechanism and the substantial contribution of the EEA EFTA States to reduction of economic and social disparities in Europe; welcomes in this regard the signing of agreements by Iceland, Liechtenstein and Norway with the EU in June 2010 on financial contributions of € 988.5 million through the EEA Grants in the period 2009-14, and a Norwegian contribution of additional € 800 million through the Norway Grants;
22. instructs its President to forward this resolution to the EEA institutions, to the European Parliament and the EEA EFTA Parliaments and to the European Ombudsman.

on

The High North: Opportunities and Policy Challenges

The Joint Parliamentary Committee of the European Economic Area:

1. underlines that sustainability is the key to utilize the opportunities and meet the challenges that are represented in the High North;
2. stresses that the unique environment in the Arctic is extremely fragile and that protection of the vulnerable ecosystems must be a top priority with regard to increased activity in the region;
3. emphasises that climate change has stronger impact in the Arctic than most other regions and calls on relevant authorities to combat climate changes and its sources with all necessary means;
4. recognises existing international, multilateral and bilateral legal frameworks, most prominently the United Nations Convention on the Law of the Sea, which represent well developed tools for governance in the Arctic, and regulate, inter alia, provisions on navigation, fisheries, exploitation of oil, gas and other natural resources on the continental shelf, maritime delimitation, ocean pollution prevention, marine scientific research and dispute settlement applicable to all sea areas, including the Arctic region;
5. calls for enhanced efforts to strengthen the Arctic Council, whereby it is given a more assertive role; and recognises the Arctic Council as the single most important venue for international cooperation and decision-making on the High North and on common Arctic issues;
6. stresses that the Arctic environment is a vital source of renewable and non-renewable natural resources which are of utmost importance not only for the nations in the area, but for Europe as a whole, including the European Economic Area, and beyond;
7. calls on relevant authorities to use all necessary means to ensure that the exploitation of resources and the management of the marine environment in the High North is done in an environmentally sound and sustainable manner with regard to the sensitive nature of the Arctic;
8. recognises that the effects of the melting ice and milder temperatures are creating opportunities for economic development in the Arctic region; and acknowledges the wish of the governments of the Arctic region with sovereign rights and responsibilities to continue to pursue sustainable economic development, taking into account their experience in using and developing the resources of the region in a sustainable way;

9. emphasises the understanding that the Arctic region extends to both the North Pole area proper and the part of the North Atlantic Ocean which is closely connected to it; and underlines that the Arctic should not be limited to a narrow geographical definition but rather viewed as an extensive area when it comes to ecological, economic, political and security matters;
10. stresses the importance of the European Union in Arctic Region as part of EU territory lies within in the Arctic; welcomes the European Parliament's resolution on a Sustainable EU Policy for the High North; acknowledges EU's role as a major contributor to Arctic research and supports the European Union's request for an observer status in the Arctic Council;
11. emphasises the importance of relevant EU legislation relating to certain activities in the Arctic region, implemented by the EU Member States and the EEA EFTA States Iceland and Norway through the EEA Agreement; also calling on all states to ratify and implement all relevant international legislation applying to the Arctic:
12. emphasises that the economies of the indigenous peoples rely to a high extent on sustainable use of natural resources and supports the rights of indigenous peoples in the Arctic for direct involvement in all policy-making that concerns their political, socio-economic, cultural and environmental interests;
13. underlines the importance of interacting with Arctic communities and supporting capacity-building programmes in order to improve the quality of life of indigenous and local communities in the region and gain more understanding of the living conditions and cultures of these communities; calls on the EU to promote a stronger dialogue with the indigenous peoples and the Arctic local inhabitants;
14. underlines the importance of overall stability and peace in the Arctic region; calls for safeguarding broadly defined security interests in the region through civilian means; and strongly opposes any kind of militarisation of the Polar Sea;
15. stresses that climatic changes and increased access to the Arctic will put new responsibilities on the shoulders of the nations of the Arctic Council, with respect to civilian security and environmental surveillance; and calls for increased efforts to monitor the environmental changes in the Arctic, and to increase surveillance to assist search and rescue to ensure civilian security;
16. takes note of the increased access to the Arctic and welcomes initiatives on secure and safe shipping and underlines that this concerns not only freight traffic but also a large and increasing volume of tourist shipping; and calls for more research on the effect that climate change has on Arctic navigation and shipping routes and of the impact that increased shipping activities will have on the Arctic environment and its inhabitants;
17. acknowledges that the best protection for the Arctic is a long-term and ambitious global climate agreement, but realises that the rapid warming of the

Arctic makes it necessary, in addition, to work on possible further short-term measures to limit Arctic warming;

18. underlines the importance of research, dialogue and information-sharing on Arctic issues;
19. emphasises that, although the Arctic States play a key role in governance in the Arctic, they should maintain a constructive dialogue with other relevant stakeholders – such as international organisations, indigenous and local people and sub-state authorities as a way of developing a shared vision for the High North.