

EUROPEAN ECONOMIC AREA
JOINT PARLIAMENTARY COMMITTEE

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EEA JOINT PARLIAMENTARY COMMITTEE

REPORT
on
The resolutions of the EEA JPC 2000-2005

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Ms Ewa **HEDKVIST PETERSEN** (PES, Sweden)

*The deadline for tabling amendments to the draft
resolution has been set for*

Tuesday 15 November 2005 at 13.00

*Amendments shall be tabled in English only and sent
to the JPC secretariat:*

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I INTRODUCTION

1. The European Economic Area (EEA) unites the 25 EU Member States and the three EEA EFTA States (Iceland, Liechtenstein¹ and Norway) into an Internal Market governed by the same basic rules. After the previous enlargement of the EU and the EEA on 1 May 2004, the EEA now comprises more than 460 million consumers.

2. The main objective of the EEA Agreement is to boost the competitive position of the countries engaged under the agreement by removing barriers to the free movement of goods, persons, services, and capital. For citizens in the 28 EEA countries, this implies that they have the right to move freely throughout the EEA, to live, study, work, invest and set up business. The EEA EFTA States also take part in a wide range of programmes and co-operative activities with the EU, forging links and establishing further relationships with partners in EU countries.

3. The EEA Joint Parliamentary Committee (EEA JPC) provides an important forum for dialogue between the EU and the EEA EFTA States. The EEA JPC contributes, through dialogue and debate, to a better understanding between the Community and the EFTA States in the fields covered by the EEA Agreement.

4. The aim of this report is to provide an overview and an impact analysis of the work undertaken by the EEA JPC since 2000. Acknowledging the importance of the resolutions as a means by which the EEA JPC expresses its views and opinions, the rapporteurs have focused on the requests for concrete action directed at identified bodies, institutions or EEA Member States. A thorough and specific overview of the current status, and the degree to which stated goals in these direct requests have been achieved to date, is annexed to the report. The report will present the resolutions, identify their content as well as the calls for direct action and specify to whom these requests are addressed. The report will then provide an overall assessment of the work of the JPC over the past five years, seen in light of its main functions, and highlight areas which have been recurring over the period in question.

II INSTITUTIONAL BACKGROUND

5. From 1981 until the establishment of the EEA JPC, regular meetings took place between the European Parliament and the Committee of members of parliament of the EFTA countries.

6. In the late '80s, as moves towards the creation of the European Economic Area gained impetus, the European Parliament decided to reinforce its bilateral links with the parliaments of the EFTA countries by setting up individual bilateral delegations for relations with each of these. This tendency was reinforced by the successive decisions by Austria, Sweden, Finland and Norway, to apply for EC membership, with the subsequent upgrading of parliamentary relations with these countries to joint parliamentary committees.

7. The Agreement on the European Economic Area (EEA) was signed in Oporto on 2 May 1992, the European Parliament giving its assent² on 28 October 1992. The

1 Liechtenstein joined the EEA on 1 May 1995 after resolving outstanding issues related to its custom union with Switzerland.

Agreement was then amended to take account of the Swiss decision² not to enter the EEA, the Adjusting Protocols being signed in Brussels on 17 March 1993. The Agreement entered into force on 1 January 1994. The enlargement of the EU on 1 May 2004 had a direct bearing on the EEA Agreement for the Agreement explicitly states that a country becoming a member of the EU shall also apply for membership of the EEA (Article 128). Negotiations on EEA enlargement took place between the Commission, the EEA EFTA States and the ten applicant states in the first half of 2003 and were completed in July 2003³.

8. Under article 95 of the Agreement, an EEA Joint Parliamentary Committee (EEA JPC) was established, institutionalizing the relations between the European Parliament and the Committee of Members of Parliament of EFTA States. The details of the JPC were set out in Protocol 36 to the Agreement. The constituent meeting of the EEA JPC took place in Brussels on 24-25 January 1994, and was opened by EP President Egon Klepsch and Ms Kirsti Kolle Grøndahl, Speaker of Parliament, Stortinget. At this meeting, the EEA JPC adopted its Rules of Procedure⁴. The constituent meeting had been preceded by a "special meeting" of MEPs and EFTA MPs in Bergen in June 1993 to prepare for the setting-up of the EEA JPC.

9. Originally established as a 66-member body (33 MEPs and 33 EFTA MPs), it was agreed by mutual consent following the accession to the EU in January 1995 of Austria, Finland, and Sweden, to reduce the number of delegates to 24 members, 12 from each side⁵. This change took effect with the 4th JPC meeting (Brussels, 29 May 1995). The EEA Enlargement Agreement, which is applied provisionally since 2004, formally introduced this practice into the EEA Agreement⁶.

10. The chairmanship of the EEA JPC rotates on a yearly basis between the EP and EFTA sides: in 2000 the EEA JPC was chaired by Mr McMillan-Scott (EPP, UK), and in 2001 by Mr Vilhjálmur Egilsson (Independence Party - Iceland). In 2002 Ms Erika Mann (PES, Germany) chaired the EEA JPC, followed by Mr Jürgen Zech (Progressive Citizen's Party, Liechtenstein) in 2003 and Ms Diana Wallis (ELDR – U.K.) in 2004. Currently the chairmanship is held by Mr Morten Høglund (Progressive Party - Norway).

2 Voting 384, in favour 351, against 16, abstentions 17.

2 In a referendum on 6 December 1992, Switzerland decided, by double majority of population and cantons, not to join the EEA.

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4 Pending completion of the ratification procedures, the EEA EFTA States and the EU signed an agreement on 1 April 2004, allowing the EEA Enlargement Agreement to enter provisionally into force on 1 May. Ratification of the EEA Enlargement Agreement is still pending in one EEA Member State.

5 At its 6th meeting, the JPC adopted amendments to the Rules of Procedure designed to take account of established practice (see PE 218.364).

6 On 16 March 1995, the European Parliament took a decision setting-up a 12-member delegation to the EEA JPC.

7 EEA Enlargement Agreement (OJ L 130, 29.4.2004, p.3 and EEA Supplement No 23, 29.4.2004, p.1)

III FUNCTIONS OF THE EEA JPC

11. The EEA JPC Rules of Procedure states that all EC legislation applying to the EEA, as well as its implementation shall be subject to scrutiny by the EEA JPC, and members of the EEA JPC have the right to put oral and written questions to the representatives of the EEA Council and the EEA Joint Committee.

12. The EEA JPC expresses its views in the form of reports or resolutions, as appropriate. It shall, in particular, examine the Annual Report of the EEA Joint Committee, issued in accordance with Article 94(4) of the EEA Agreement, on the functioning and the development of the Agreement.

13. In order to ensure democratic parliamentary control, the President of the EEA Council, as well as the representatives of the EEA Joint Committee, are invited to participate actively in the work of the EEA JPC. The Bureau may invite any other person to attend meetings of the JPC.

14. At each meeting, the JPC has had discussions with representatives of the EEA Council of Ministers, the EEA Joint Committee, and the EFTA Surveillance Authority (ESA).

IV. EEA JPC REPORT ON THE RESOLUTIONS OF THE EEA JPC 1995-1999

15. Article 95 of the EEA Agreement states that “the EEA Joint Parliamentary Committee may express its views in the form of reports or resolutions, as appropriate”. The EEA JPC adopts resolutions on a wide range of issues. In doing this, the JPC exercises its most important function scrutinizing all EC legislation relevant for the EEA as well as its implementation.

16. The overall conclusion of the EEA JPC report on **The resolutions of the EEA JPC 1995-1999** was that the EEA Agreement had been functioning well during the period in question. The JPC also stressed that the co-operation with the EEA Joint Committee over the same period had been functioning well. A recurring concern for the EEA JPC in the period 1995-1999, also reflected in its resolutions during this period, was the importance of ensuring the homogeneity of the “four freedoms” in order to avoid distortions in the Single Market.

17. Another issue which received much weight in the EEA JPC resolutions from 1995 until 1999 were the “horizontal and flanking policies” of the EEA Agreement, particularly the environment and consumer protection. In these resolutions the EEA JPC went beyond Single Market issues and drew attention to, and called for, measures towards improving the quality of life of the EEA citizens beyond the economic aspects.

18. It has been important for the EEA JPC to monitor and scrutinize developments in the European Union, and it was therefore an obvious task for the Committee to assess the impact of the Amsterdam Treaty on the EEA Agreement and likewise the effects of EU/EEA enlargement on the EEA Agreement.

19. The report also asserted that the EEA JPC values the information provided by contracting parties on developments in the EU, particularly seen in light of the many important and landmark changes within the union during the period in question. Some examples raised in the report were the single currency and enlargement, both of which also has had, and will continue to have, an effect on the EEA as a whole.

V EEA JPC RESOLUTIONS: GENERAL OVERVIEW

20. The EEA JPC meets twice a year, and from 2000 the EEA JPC has met eleven times. The meetings have taken place as follows:

- 14th meeting : Oslo, 24-25 May 2000
- 15th meeting : Brussels, 27-28 November 2000
- 16th meeting : Vaduz, 20 June 2001
- 17th meeting : Brussels, 15-16 October 2001
- 18th meeting : Reykjavik, 27 May 2002
- 19th meeting: Brussels, 26 November 2002
- 20th meeting: Ålesund (NO), 20 - 21 May 2003
- 21st meeting: Brussels, 27 November 2003
- 22nd meeting: Vaduz, 26-27 April 2004
- 23rd meeting: Brussels, 22-23 November 2004
- 24th meeting: Reykjavik, 25-26 April 2005

21. The EEA JPC expresses its views in the form of reports or resolutions, as appropriate. Each resolution contains one or more recommendations⁷. Given the three-fold mandate of the JPC which is to contribute to a better understanding between the Community and the EFTA States, to ensure democratic parliamentary control and to scrutinise EC legislation applying to the EEA, the rapporteurs have chosen to classify the recommendations into two different categories. This is done because only one function can be easily measured; that is where the JPC calls for direct action. The recommendations are thus classified as one of; direct request for action or support and control⁸.

22. Each of the two categories corresponds to a specific function, or functions, executed by the JPC. The categories can be overlapping as the recommendations might call for both indirect and direct actions while simultaneously drawing attention to a development or fact.

VI EEA JPC RESOLUTIONS ADOPTED 2000-2005

23. Between the 14th meeting in 2000 and the 24th meeting in 2005, the JPC adopted 23 resolutions. Each resolution contains between 1 and 14 recommendations.

24. At the **14th JPC meeting (NO - Oslo, 24-25 May 2000)**, the JPC adopted 3 resolutions; on **Homogeneity in the European Economic Area, Justice and Home**

8 In this text, the word "recommendation" is used with regards to the articles, inherent in a resolution, expressing either a direct request or a supporting or controlling function.

9 A definition of the recommendations as well as a detailed overview of developments with regards to calls for direct action by the EEA JPC can be found in Annex I.

Affairs and the EEA and on The Annual Report on the functioning of the EEA Agreement in 1999.

25. In the resolution on the **Homogeneity in the European Economic Area** the JPC urged the EEA States to ensure that the adoption of Single Market rules was as near completion as possible at the time of the next EU/EEA Enlargement. The JPC also called on the EEA EFTA side to find ways to take the strengthened parliamentary dimension on the EU side into account when it came to the decision shaping under the EEA. The committee furthermore welcomed the regular and simultaneous publications of Single Market Scoreboards by the Commission and the EFTA Surveillance Authority. The JPC also urged the Commission and the EFTA Surveillance Authority to maintain the pressure on the EEA States to eliminate the backlog of transposition of Single Market legislation into national laws and regulations. With regards to direct requests, the EEA JPC called on the EEA EFTA States to increase their efforts towards improved decision-shaping in the future, to follow closely the Internal Market Strategy and to increase public awareness of the Internal Market in the Member States. The EEA JPC also called on the EFTA Surveillance Authority to expand the Internal Market Scoreboard to include all available and relevant data on the EEA EFTA States, and to maintain the pressure on the EEA States to eliminate the transposition backlog. The EEA JPC furthermore urged the EEA EFTA States to work towards eliminating the backlog of translation of legal acts.

26. In the resolution on **Justice and Home Affairs and the EEA**, the JPC recognised the need to continuously adjust agreements between the EEA EFTA States and the EU to developments within the EU in the area of justice and home affairs, and welcomed the agreement on the association of Norway and Iceland to the Schengen acquis. The JPC also called upon the EEA EFTA States to carefully consider the new Commission proposals for legislation on third country nationals who are legally residing in the EU and the fact that these third country nationals will not enjoy the same rights in the EEA EFTA States as in the EU when the proposals are adopted. In the resolution, the EEA JPC made one direct request where it called on the EEA EFTA States to closely monitor all initiatives taken by the EU in the field of justice and home affairs and to assess the impact on the EEA Agreement.

27. In the resolution on **the Annual Report on the Functioning of the EEA Agreement in 1999**, the JPC executed its control function by calling on the contracting parties to eliminate long outstanding backlog by the end of 2000 and urging the EEA EFTA States to take actions towards enhanced participation in the EEA decision-shaping process. The JPC called upon the Joint Committee to provide an elaboration on some of the complex issues it had mentioned in its Annual Report. The EEA JPC also urged the contracting parties to find quick solutions with regards to Protocol 3 and the new Financial Instrument. Furthermore, the EEA JPC also called upon the Commission to find a solution with regards to EEA EFTA participation in the management of Community Programmes.

28. At the 15th JPC meeting (B - Brussels, 27-28 November 2000) the JPC adopted 2 resolutions: on **EFTA participation in EC Programmes** and on **E-Commerce and EEA legislation**.

29. In the resolution on the **EFTA participation in EC Programmes** the JPC noted that several of the new EC programmes are based on soft working methods such as benchmarking, action plans and mainstreaming, and called on the EEA EFTA States to closely monitor the development of EC programmes particularly with regards to these new working methods. The JPC exercised its support function when it emphasised the importance of the EEA EFTA States' active contribution in the management of relevant EC programmes, and encouraged the EEA EFTA States to submit comments at an early stage in the decision-shaping process after a new programme has been proposed. The EEA JPC also came with a direct request where it urged the Commission and the Council to consider possible simplifications of the decision-making procedures for EEA EFTA participation in EU programmes. It also called on the Commission to consult EEA EFTA experts when preparing for new programmes, and on the Norwegian Parliament to find a solution regarding the procedure of constitutional requirements concerning EEA EFTA participation in EU programmes.

30. In the resolution on **E-Commerce and EEA legislation**, the JPC exercised its control function by stressing the importance of removing artificial barriers to e-commerce between the EU and the EEA EFTA States. The JPC furthermore emphasized the importance of close co-operation between the EU and the EEA EFTA States when it comes to matters concerning the protection of personal data and privacy and the protection of consumers on issues relating to e-commerce. The JPC also called for close co-operation in the battle against cyber crime and e-piracy as well as in solving the problems relating to certain aspects of copyright and related rights in the information society. Also in this resolution the EEA JPC came with a few direct requests. The Committee asked the Joint Committee to consider the question of protection of intellectual property rights in the Internal Market. The EEA JPC furthermore called on the EEA EFTA States to develop their legislation in co-ordination with the EU on issues concerning the safeguarding of e-commerce transactions.

31. At the 16th JPC meeting (FL - Vaduz, 20 June 2001) the JPC adopted 2 resolutions, one on **the Annual Report on the Functioning of the EEA Agreement in 2000** and one on **EC comitology and the EEA**.

32. On the **Annual Report on the Functioning of the EEA Agreement in 2000** the JPC welcomed the decision to publish Joint Committee Decisions immediately after their adoption in order to increase transparency, and also welcomed the completion of constitutional procedures for all Joint Committee Decisions where the six-month delay had expired. The JPC reiterated its concern over the steady decrease over the past few years in the number of EFTA comments on EC legislation. The committee also underlined the need to make more resources available for Icelandic and Norwegian translations. The JPC made several direct requests, and called upon the contracting parties to eliminate the long outstanding backlog in the area of free movement of goods. The JPC furthermore called on the contracting parties to solve outstanding problems regarding Protocol 3, the recognition of diplomas throughout the EEA for architects from the Liechtenstein Fachhochschule, the Heavy Vehicles Fee in Liechtenstein as well as the EEA EFTA participation in the Commission's Advisory Committee on State Aid.

33. In the resolution on **EC comitology and the EEA**, the JPC emphasized the importance of EEA EFTA participation in EC comitology committees, as involvement in the comitology process leads to an increased understanding and knowledge in the EEA EFTA States about the proposed measures. In the resolution, the JPC reiterated its call to find a solution on the participation of the EEA EFTA States in the Commission's Advisory Committee on State Aid. It also called on the EEA EFTA States to produce a list of all EEA relevant EC comitology committees under Article 100.

34. At the 17th JPC meeting (B - Brussels, 15-16 October 2001) the JPC adopted 2 resolutions; one on **New Competition Policies in the EEA** and one on **New Governance of the EU and its implications for the EEA**.

35. In the resolution on the **New Competition Policies in the EEA** the JPC made no direct requests, however it underlined that equal conditions of competition within the EEA is important for the good functioning of the EEA Agreement. The EEA JPC also underlined the importance of incorporating the new competition policy into the EEA Agreement in a manner that ensures a homogenous EEA. The JPC furthermore called upon the contracting parties to solve certain specific EEA related issues raised by the reform, particularly in relation to the decentralised application of the competition rules. The EEA JPC noted that a network of competition authorities had to be set up under the new Regulation and stressed the importance of EEA EFTA participation in the network in order to ensure uniform application of the competition rules throughout the whole EEA, and in order to maintain the good co-operation between the EU and EFTA pillar.

36. In the resolution on the **New Governance of the EU and its implications for the EEA**, the JPC welcomed the increased openness and transparency in the European Commission's consultation processes but stressed that the core of the policy-making had to stay within the democratically accountable and responsible institutions. The JPC, exercising its support function, again urged the EEA EFTA States to submit more EFTA comments in order to ensure that EFTA views are known and taken into account in the Commission's consultation process. The JPC furthermore voiced regret over the lack of provisions in the EEA Agreement regarding co-operation between local and regional actors at EEA level. The JPC furthermore made a direct request where it urged the EEA EFTA States to participate in the EU's proposed sharing of best practice regarding implementing measures.

37. At the 18th JPC meeting (IS - Reykjavik, 27 May 2002) the JPC adopted 2 resolutions on **the Liberalisation of energy markets in the EEA**, and on **the Annual Report on the functioning of the EEA Agreement in 2001**.

38. In its resolution on the **Liberalisation of energy markets in the EEA**, the JPC underlined that legislation regarding liberalisation of energy markets constitute important steps forward in the work to further harmonise the EU/EEA rules in the internal market for electricity and gas. The JPC also stated that the liberalisation of the energy policies of the EEA must be developed in a sustainable direction taking into account the potential of renewable energy sources and energy efficiency measures. The JPC furthermore made one direct requests where it called on the EEA EFTA States to establish competent and independent regulators in order to enforce

full competition and promote the interests of consumers in a liberalised energy market.

39. In the resolution on **the Annual Report on the Functioning of the EEA Agreement in 2001**, the EEA JPC welcomed the high number of acts incorporated into the EEA Agreement during 2001. The JPC also welcomed the closure of the negotiations on Protocol 3 as well as the improved transposition of EEA legislation in Norway and Iceland during 2001. The EEA EFTA States were, however, again urged to take actions towards enhanced participation in the EEA decision-shaping process at the earliest stage possible in the legislative process. Furthermore, the EEA JPC called directly upon the EEA EFTA States to improve their administrative procedures with regards to integration of new EU acts into the Agreement. The EEA JPC also called for EEA EFTA participation in several new EU Agencies, and urged the EEA EFTA States to fully commit themselves to the goals and actions of the Lisbon Strategy. The EEA JPC called on the contracting parties to outline an information strategy for public access to EEA relevant documents.

40. At the 19th JPC meeting (B - Brussels, 26 November 2002) the JPC adopted 2 resolutions, one on the **Decision-shaping in the EEA** and one on the **Financial Services in the EEA**.

41. In the resolution on the **Decision-shaping in the EEA**, the JPC reiterated its call on the EEA EFTA States to optimise their opportunity to participate in the EEA decision-shaping process at the earliest stage possible. The JPC also made direct requests where it called on the EEA EFTA States to provide an annual update of the overview of actual EEA EFTA participation in EU committees and to make sure that the qualitative and quantitative level on EEA EFTA participation in EU committees is high. The EEA JPC also called on the EEA EFTA States to eliminate the backlog in the translation of legal acts.

42. In its resolution on the **Financial Services in the EEA**, the JPC emphasised the importance of the Financial Services Action Plan in the process of financial market integration. The EEA JPC noted that financial market integration was a top political priority according to the Cardiff Council in 1998, and one of the “pillars” of the economic and social agenda of the Lisbon Council in 2000. The JPC made 1 direct request and called on the parties to find a solution on the integration of the revised Money Laundering Directive into the EEA.

43. At its 20th meeting (NO - Ålesund, 20 May 2003), the JPC adopted 2 resolutions, one on **The Annual Report on the Functioning of the EEA Agreement in 2002**, and one on **the Future of an enlarged Europe**.

44. In its resolution on **The Annual Report on the functioning of the EEA Agreement in 2002**, the JPC welcomed the high, and increased, number of acts incorporated into the EEA Agreement during 2002. The JPC also welcomed the reduced backlog on the EFTA due to improved administrative procedures. Again the JPC stressed the importance of the EEA EFTA States taking actions towards enhanced participation in the EEA decision-shaping process at the earliest possible stage in the legislative process. In its resolution, the JPC made several direct requests for action. The EEA JPC reiterated its call on the Joint Committee to produce a more

analytical and comprehensive Annual Report for 2003, and it reiterated its call on the EEA EFTA States to closely follow developments in the EU with regards to the Lisbon Strategy. The EEA JPC also called for EEA EFTA participation in several agencies, and it urged the contracting parties to find a solution with a view to integrating the supplementary protection certificates for medicinal products into the EEA Agreement.

45. In its resolution on the **The Future of an enlarged Europe** the JPC expressed its support for the enlargement process and noted that an enlarged Single Market would bring benefits to all participants. Furthermore, the JPC emphasised that the accession of the candidate countries to the EU and the EEA should happen simultaneously, and that all the acceding countries should join the Schengen area as soon as possible. The JPC also called on the contracting parties to conclude the EEA enlargement negotiations. The Committee moreover welcomed the initiative in the EU of strengthening the control of subsidiarity by designing an early warning system involving national parliaments, and called for the implementation of a similar system in the EEA EFTA countries. The EEA JPC also called for the establishment of European Union delegations in Iceland and Switzerland.

46. At its 21th meeting (B - Brussels 27 November 2003), the JPC adopted two resolutions, one on **The “Draft Constitution for Europe” and its implications for the EEA**, and one on **The Wider Europe and the EEA**.

47. In the resolution on **The “Draft Constitution for Europe” and its implications for the EEA**, the JPC acknowledged the efforts in the “Draft Treaty establishing a Constitution for Europe” towards increasing democracy and transparency within the EU as well as improving and facilitating decision- and policy making. The JPC noted with interest the proposal allocating to the European Union an official voice in the world and stressed that it expected that the voices of smaller European partners outside the EU would be given sufficient opportunity to make their positions known as well. The EEA JPC made several requests for direct action and called on the contracting parties to seek swift ratification of the EEA Enlargement Agreement. The EEA JPC also called on the EEA EFTA States’ governments to achieve checks on the principle of subsidiarity concerning EEA legislation. Moreover the committee called on the contracting parties to initiate a technical update of the EEA Agreement, reflecting Treaty changes.

48. In its resolution on **The Wider Europe and the EEA**, the EEA JPC welcomed the Commission Communication on The Wider Europe and a neighbourhood policy aiming to promote security, prosperity, fundamental freedoms, human rights, the rule of law and democracy. The JPC called directly on the EEA EFTA States and urged them to, where feasible, mirror the actions in the EU action plans on the Wider Europe initiative. The EEA JPC also called on the EEA EFTA States to intensify their relations with the EU’s Southern and Mediterranean neighbours, and called for the participation of EEA EFTA parliaments in the Euro-Mediterranean Parliamentary Assembly.

49. At its 22nd meeting (FL - Vaduz 26-27 April 2004), the JPC adopted two resolutions, one on **the Draft Annual Report on the functioning of the EEA**

Agreement in 2003, and one on **Towards participatory democracy: the role of local and regional authorities in the EU and the EEA**.

50. In the resolution on **the Draft Annual Report on the functioning of the EEA Agreement in 2003**, the JPC raised concern over the fact that its call for a more analytical report for 2003 by the Joint Committee was hardly taken into account. The JPC, however, welcomed the increased number of Joint Committee Decisions incorporated into the EEA Agreement during 2003. The JPC also welcomed the enlargement of the EU and the EEA on 1 May 2004, however raised concern over the EEA EFTA States' ability to shape decisions and to make its voice heard in an enlarged Europe. The JPC made several direct requests in the resolution. The committee, in particular, called on the Joint Committee to find solutions with regards to a few outstanding issues; the supplementary protection certificates for medicinal products, the .eu top level domain and EEA EFTA participation in the European Aviation Safety Agency (EASA) and in the European Food Safety Authority (EFSA). The EEA JPC also reiterated its call on the EEA EFTA States to pursue the Lisbon Strategy in line with the EU Member States and to examine their relations with the "Wider Europe" countries in line with the EU. The EEA EFTA States were also urged to report to the JPC how EFTA comments are distributed and followed up.

51. In the resolution on "**Towards participatory democracy: the role of local and regional authorities in the EU and the EEA**", the JPC welcomed the increased number of representatives from local and regional authorities in Brussels, however regretted the lack of provisions in the EEA Agreement regarding co-operation between local and regional actors at EEA level. The JPC furthermore called on the EFTA States to establish an EFTA Committee of the Regions, and urged the EEA EFTA States to participate in town-twinning schemes under the new Community Action Programme to promote European citizenship.

52. At its 23rd meeting (B - Brussels 22-23 November 2004), the JPC adopted two resolutions, one on **The Internal Market Strategy and the EEA**, and one on **The decision shaping within the EEA and the role of parliamentarians**.

53. In the resolution on **The Internal Market Strategy and the EEA**, the JPC acknowledged that the Internal Market Strategy is the primary driver of market integration for the 28 EEA countries and that it is also an essential element of the Lisbon Strategy. The JPC called directly on the EEA countries on several occasions; urging them to support progress on the latest stages of the Financial Services Action Plan, urging them to reach an agreement on a key regulation on Sales Promotions foreseen by the Commission's strategy as well as on the Unfair Commercial Practices Directive. The EEA JPC also urged the EEA countries to engage in active information campaigns to inform citizens, businesses and civil servants about their rights and obligations in the Internal Market.

54. In the resolution **On Decision-shaping and the role of parliamentarians in the EEA**, the JPC expressed its concern about the EEA EFTA States' ability to shape decisions and to make its voice heard in an enlarged EEA. The JPC acknowledged the limited legal and formal access of the EEA EFTA Parliamentarians in the early stages of EEA decision-shaping, and urged them to make every effort to strengthen this role by a better use of existing channels, structures and bodies. The JPC furthermore called

directly on the EEA EFTA States and their respective parliaments to increase their participation in deliberations regarding proposed EEA legislation and to increase their interaction with the parliaments of other EEA Member States. The EEA JPC also called on the EEA EFTA parliamentarians to renew their efforts regarding an association with COSAC. The EEA JPC moreover called on the EU to consider allowing EEA EFTA representatives to participate as observers in all Commission working groups where EEA legislation is being prepared.

55. At its 24th meeting (IS - Reykjavik 25-26 April 2005), the JPC adopted two resolutions, one on **The Annual Report on the functioning of the EEA Agreement in 2004**, and one on **The Review of the Regional Aid Guidelines**.

56. In the resolution on **The Annual Report on the functioning of the EEA Agreement in 2004**, the JPC welcomed the high, and increased, number of decisions incorporated into the EEA Agreement during 2004, the slight increase in EFTA comments on EC legislation as well as the relatively low number of EU acts under consideration on the EFTA side. The JPC furthermore made quite a few direct requests. The committee reiterated its call on the Joint Committee to draft a more comprehensive and analytical annual report for 2005 taking major EU developments and horizontal policy issues into account when assessing the functioning of the Agreement. The JPC also called on the Joint Committee to include in its Annual Report for 2005 an impact analysis with regards to the financial contributions from the EEA EFTA States to the 10 new EU Member States. The JPC furthermore reiterated its call on the contracting parties to find solutions with a view to integrate the supplementary protection certificates for medicinal products and the Regulation on the implementation of the .eu top level domain into the Agreement. The JPC also urged the contracting parties to make provisions for the EEA EFTA participation in the European Food Safety Authority (EFSA). The JPC called on the Commission for further information on the reasoning behind its decision to open safeguard investigations on farmed salmon. With regards to the Emission Trading Scheme, the JPC called on the contracting parties to provide an explanation of the issue and its possible relevance for the EEA Agreement. The JPC furthermore called on the EEA EFTA States to pursue the Lisbon Strategy in line with the EU Member States, called on them to pursue monitoring and assessing the EU Neighbourhood Policy and stressed the need for further developments of the Northern Dimension. The JPC finally called upon the relevant parties to submit a response to the letter written by the EEA JPC President to the President-in-Office of the EEA Council on access of EEA EFTA Parliamentarians in the early stages of EEA decision-shaping.

57. In the resolution on **The Review of the Regional Aid Guidelines**, the JPC recalled that parts of the northern areas of Europe are characterised by very low population density, long distances and harsh climate, and that depopulation due to lack of employment opportunities is a problem in many of these areas, making them more vulnerable to any negative population trend. The JPC furthermore noted that the former Norwegian system of a regionally differentiated social security tax was widely considered to be the most clearly targeted and cost-effective means of stimulating employment and settlement in sparsely populated areas. The JPC made one direct request where it called on the European Commission to consider, in the review of the regional aid guidelines, the use of effective and cost-efficient measures to prevent

depopulation and to stimulate employment and settlement in regions with very low population density.

58. Developments concerning direct requests in these resolutions will be addressed at the 25th JPC meeting on 22-23 November 2005.

VII OVERVIEW: TYPE OF RECOMMENDATION AND WHERE THEY WERE ADRESSED

Table 1 - Recommendations by category (14th to 24th meeting)

Direct request	Support/Control
92	55

59. In the 23 resolutions adopted by the EEA JPC since 2000, the committee adopted a total of 147 recommendations. Out of these, the rapporteurs identified 92 direct requests for action. Only in the resolution on the **New Competition Policies in the EEA** adopted in 2001 were there no direct requests for action. Again, one should keep in mind that the nature of a request is often overlapping, thus one specific recommendation may be found in more than one category.

Table 2 - Requests or recommendations directed to specific institutions, bodies and member states (1st to 24th meeting)

	EEA Council	Joint Com.	EU States	EEA - EFTA States	EU Commission	ESA	Single EEA Member States	JPC Bureau	Others
2000-2005	6	23	42	90	14	5	2	0	6
1995-1999	3	13	21	22	15	3	3	1	1

60. The JPC has called upon several institutions or government bodies in highlighting their resolutions, either in the form of a direct request or by drawing attention to a specific development to be considered by an identified actor. Several of the recommendations and direct requests were also directed at more than one institution and/or member state. The EEA EFTA States are the most frequently called upon, followed by the EU States. Quite often the EEA EFTA and EU Member States are addressed in the same resolution or request. The frequent request directed to the Joint Committee is worth taking note of. The JPC Bureau was never identified, and individual Member States, whether they are from EU or EEA EFTA, are rarely identified.

VIII ASSESSMENT OF THE WORK CARRIED OUT BY THE EEA JPC

61. The EEA JPC has met twice a year during the period 2000 - 2005. The EEA JPC adopted between one and three resolutions at each meeting, and altogether an impressive 23 resolutions have been adopted. Most of the resolutions have been adopted by unanimity or by a large majority. By addressing certain Member States and calling on government institutions, the Committee puts the good functioning of

the Agreement and the homogeneity of the Single Market under scrutiny and parliamentary control. This is an important part of the JPC's mandate, and the EEA JPC has been developing its role as an "EEA watchdog".

62. Compared to the resolutions adopted by the JPC from 1995 until 1999, there is a clear move towards an increase in the number of direct requests for action. This reflects a desire on behalf of the JPC to, within the scope of its mandate, contribute towards concrete action and development. Recalling that the mandate of the EEA JPC can be seen as threefold; to promote a better understanding of the EEA Agreement, to perform democratic parliamentary control and to make direct requests or recommendations, one can assert that a crucial part of the role of the EEA JPC has been carried out successfully.

63. The co-operation between the rapporteurs has continued to be smooth and stimulating. The cooperation between the EEA EFTA delegations and the European Parliament delegation to the JPC has been constructive and fruitful and the rapporteurs find the cooperation conducive to a better understanding of the nature and scope of the EEA Agreement both in EFTA Parliaments and in the European Parliament.

64. With regards to inter-institutional relations, the rapporteurs are of the opinion that the co-operation with the EEA Joint Committee has continued to function well. They also appreciate the written statements and written responses to specific recommendations provided by the President-in-Office of the Joint Committee at each EEA JPC meeting. The Committee has, however, on a number of occasions called for more comprehensive assessments of the impact on the EEA Agreement of major developments within the EU, such as enlargement and the Lisbon Strategy.

65. The EEA JPC has adopted resolutions on a wide range of issues. The Committee furthermore gives its view on the overall functioning of the EEA Agreement on an annual basis. With regard to the Joint Committee's annual report on the functioning of the EEA Agreement, the EEA JPC has continued to be supportive of the repeated assessment by the EEA Joint Committee that the EEA Agreement is functioning well in the sense that it lives up to its original function of securing the extension of the internal market to the whole EEA. The rapporteurs regret, however, that the Joint Committee seems not to have taken note of the repeated request by the EEA JPC that the Annual Report on the Functioning of the EEA Agreement be more analytical and comprehensive. This would enable a wider audience to read and understand the report, and it would also enhance transparency and the democratic scrutiny of the functioning of the Agreement.

66. The importance of maintaining a homogenous Internal Market has been a high-ranking priority on the EEA JPC agenda during the past five years, and this has been reflected through numerous reports and resolutions. The EEA JPC is of the opinion that ensuring that the application and interpretation of internal market rules have developed along similar lines in the EU Member States on the one hand and the EEA EFTA States on the other hand is crucial for the whole project of a single market with common rules.

67. The basic premise of a homogenous EEA is the harmonisation of the free flow of capital, goods, persons and services. Over the past five years, the EEA JPC has focused on several important issues which has to do with these “four freedoms” and thus also the functioning of the EEA. Among these issues were the free movement of capital and financial market integration, common rules when it comes to electronic commerce and liberalisation of energy markets, and equal conditions of competition through the incorporation of all EEA relevant legislation on competition into the Agreement.

68. The EEA JPC has also addressed a variety of the “horizontal and flanking” policies of the EEA Agreement. Through resolutions and reports, the EEA JPC has gone beyond Single Market issues by drawing attention to issues which form the future path of European integration. As the Wider Europe initiative, now the European Neighbourhood Policy, has been a defining strategy over the past few years, the EEA JPC found it obvious to assess the impact of this policy on the EEA. The EEA JPC has also scrutinized developments within the field of justice and home affairs. Other obvious tasks have been the monitoring and scrutinizing of the impact of an enlarged Europe on the EEA, the impact of the Internal Market Strategy as well as the impact of the draft Constitutional Treaty on the EEA. The EEA JPC has also, on several occasions, called on the EEA EFTA States to closely follow the Lisbon Strategy and to take similar actions in the EEA EFTA states.

69. Reflecting the increasing importance of regional and local authorities in the EU policy-shaping process, the EEA JPC also found it important to assess the role of local and regional authorities in the EU and the EEA. The presence of local and regional actors on the European scene is imperative as they are responsible for the implementation and enforcement of a substantial part of EU and EEA legislation. The EEA JPC has followed this very positive process and found it appropriate to call on the local and regional authorities to take an active role in EU policy shaping.

70. Another important and high-ranking priority in the EEA JPC resolutions over the past five years has been emphasising the decision-shaping opportunities for EEA EFTA States within the framework of the EEA Agreement, both through the participation in EU committees and programmes, and through the submitting of EEA EFTA Comments. The EEA JPC has emphasised that the EEA EFTA States must do their utmost to participate and come with constructive input to the EU in the early stages of the decision-shaping processes. By taking full advantage of this opportunity the EEA EFTA States have a real chance of influencing the shaping of EEA legislation.

IX RECURRING ISSUES

71. During the period from 2000 until 2005 the JPC has welcomed several significant decisions which have been important contributions towards a truly functioning and homogenous Internal Market. The JPC welcome the fact that the contracting parties and other subjects of EEA JPC resolutions have taken many of its resolutions and recommendations into account. As mentioned earlier, the compliance or non-compliance of a direct request cannot be attributed exclusively to the JPC, however by drawing attention to a specific issue, the JPC may have enhanced or

influenced the outcome. There are, however, areas and issues which have been raised repeatedly by the EEA JPC over the past five years and the rapporteurs are of the opinion that some of them deserve elaboration in this report.

72. A homogenous EEA depends on the timely transposition of EEA legislation into the Agreement as well as in the EEA EFTA States. The backlog of EEA relevant acts under consideration by the EEA EFTA States has been a persistent issue during the past five years. This backlog has been pointed out by the Commission and the EEA JPC on several occasions over the period in question. In the Joint Committee's annual reports it has often been stressed that the backlog has been caused by administrative and technical delays. The rapporteurs therefore welcome the fact that the transposition of EEA legislation in the EEA EFTA States has improved considerably since 2001 when 170 acts were under consideration. In the Annual Report on the Functioning of the EEA Agreement in 2004, the Joint Committee states that at the end of the year the backlog had decreased to the "relatively low level" of 116 EU acts. The rapporteurs question, however, whether one can really use the words "relatively low level" with regards to this situation. The rapporteurs furthermore reiterate its call to the Joint Committee for a clarification with regard to what exactly constitute an acceptable timeframe when it comes to the consideration of acts. The rapporteurs also reiterate the importance of sustaining a rapid processing of EEA relevant acquis in the EEA EFTA States and call on the relevant parties to take the necessary steps to ensure this goal.

73. The rapporteurs are concerned about the general translation capacity into Norwegian and Icelandic, and about possible adverse implications of the lack of timely translations. The situation with regards to the backlog of translation of acts has deteriorated much over the past few years. In 2004 the delay in the publication of legal acts increased to approximately two years. In September 2005 the situation was more or less unchanged. The EEA JPC has repeatedly reiterated the importance of maintaining a homogenous Internal Market, as this will ensure businesses and citizens equal opportunities and freedoms. The JPC regret to see that the issue has not been raised by the JC in its annual report since the Annual Report on the Functioning of the EEA Agreement in 2000. As this is an issue of principle, regarding the functioning of the Internal Market, the rapporteurs underline once more the importance of ameliorating the situation and calls upon the EEA EFTA States to take actions towards this end.

74. During the decision-making process on the EU side, the EEA EFTA States have little, or no, formal opportunity to influence the Council and the European Parliament. In the pre-pipeline or preparatory stage, however, the EEA EFTA States have the opportunity to actively take part in the decision-shaping of EEA legislation. The rapporteurs note that overall this opportunity to influence decision-shaping has not been exploited to its fullest over the past five years, and underline that this should be a priority for the EEA EFTA States in the future. This is particularly important seen in light of the recent enlargement of the EU and the EEA of May 2004, after which the interest of ten new Member States also plays a part in the decision-shaping processes.

75. With regard to EEA EFTA participation in EU programmes, an important EEA EFTA means of influence, the rapporteurs recall that the EEA JPC has

repeatedly called on the Commission and the Council to consider possible simplifications of the decision-making procedures in order to facilitate timely participation by the EEA EFTA States. For the EEA EFTA states the present situation implies that they are often not able to participate in the first calls for proposals undertaken under the programmes. Possible constitutional requirements in the EEA EFTA States could also add time to this procedure. The rapporteurs regret the present situation and calls on the contracting parties to find a solution with the view to simplify the procedures for EEA EFTA participation in EU programmes.

76. EEA EFTA participation in EC committees is an important means to influence the shaping of policies in general and programmes in particular, and has as such been raised in numerous EEA JPC resolutions and reports since 2000. The rapporteurs welcome the extensive participation from the EEA EFTA States in a number of EU committees. The rapporteurs would, however, welcome a more co-ordinated strategy on how to convey the EEA EFTA view. The rapporteurs recall the resolution on “Decision-shaping in the EEA” from November 2002 in which the EEA JPC underlined the importance of ensuring that the EEA EFTA experts participating in EU Committees have substantial experience within the relevant field and that they also have a proper understanding of their role and the political context and government policy within their area of expertise. Being able to participate in a meeting is one thing, however the ability to make a solid contribution to that meeting is another thing. The rapporteurs therefore regret to see the lack of progress with regard to this very important issue, and urge the EEA EFTA States to make this a priority in the years to come. The rapporteurs also note that the EFTA Secretariat is in the process of outlining an overview of actual EEA EFTA participation in EU Committees, an important step towards increasing knowledge in the EEA EFTA States, but questions the time it has taken to complete such an overview. The rapporteurs reiterate that this overview should be finished fairly quickly, that it should be made available as soon as possible and updated annually.

77. Submitting comments on EU policies and policy issues is also an important part of the EEA EFTA States’ possibility to influence EC policy-shaping, and it is therefore imperative to take full advantage of this opportunity. The rapporteurs welcome EEA EFTA comments submitted on general and horizontal policy issues to Heads of States and Governments and EU presidencies. The rapporteurs note that both joint EEA EFTA Comments and the less formal national comments and input from individual EEA EFTA States are taken note of by the EU side and that this is a particularly important means of influencing emerging EU policy. It is important, however, to recall that these comments are most effective during the drafting stage of a proposal, and it is therefore of utmost importance that the EEA EFTA States contribute whenever the Commission request answers to questionnaires or comments on specific issues from committees or expert groups.

78. The rapporteurs welcome many positive developments over the past five years when it comes to EEA EFTA participation in EU agencies, however, they are still concerned over disagreements on issues of principle, such as voting rights and budgetary contributions, which has hampered the participation of the EEA EFTA States in some agencies. This has been raised on numerous occasions in EEA JPC reports and resolutions. The rapporteurs welcome, in particular, EEA EFTA participation in the European Aviation Safety Agency (EASA) and the European

Maritime Safety Agency (EMSA), however regret the difficulties with regards to EEA EFTA participation in the Bilbao Agency for Safety and Health at Work. The rapporteurs are of the opinion that the EEA EFTA States should participate in all agencies dealing with matters covered by the EEA Agreement. The rapporteurs therefore urge the contracting parties to find solutions with regards to the outstanding issues of principle so that a precedent can be set for EEA EFTA participation in EU Agencies for the foreseeable future. With regards to EEA EFTA participation in the European Food Safety Authority, the rapporteurs note that the outstanding issues are of technical nature, however regret that no solution has yet been found with regards to EEA EFTA participation. The rapporteurs would like to recall that the agency has started its work and that it is imperative that a solution be found on EEA EFTA participation in the nearest future.

79. The rapporteurs would like to recall that the Commission Services is increasingly undertaking public consultations prior to the drafting of EU legislation in order to promote transparency of the EU legislative process and to encourage the public to take part in the decision-shaping process. The rapporteurs therefore strongly encourage consumers, and the private and public sectors in the EEA EFTA States to take part in these public consultations. EEA EFTA social partners are in particular urged to optimise their unique potential to influence EU/EEA social legislation through participation in the EU Social Dialogue.

80. The rapporteurs welcome the briefings it has received over the past five years with regards to general and horizontal developments in the EU. The EEA JPC has particularly been repetitive over the period in question with regards to calling on the EEA EFTA States to closely follow and monitor the developments within the EU on the Lisbon Strategy. The rapporteurs note that many elements of the Lisbon Strategy affect the functioning of the Internal Market and that it therefore is important for the EEA EFTA States to participate in the relevant parts of the process. The rapporteurs welcome contributions from the EEA EFTA States to the High Level Group on the Lisbon Strategy as well as to the EU Spring Summit in 2004, which was largely devoted to the Lisbon Strategy. It is, however, with regret that the rapporteurs take note of the exclusion of the EEA EFTA States from the Statistical Annex in the Spring Report for 2004.

81. The rapporteurs note that the word “transparency” has received increased attention and interest in Europe over the past few years. In the EU there is talk of “bringing Europe closer to its citizens”. A campaign has been enacted towards this end, but the rapporteurs note that the recent rejection of the Constitutional Treaty in France and the Netherlands is a clear indication that the road ahead is long. Openness and transparency with regards to EU documents, hearings and reports is one important step towards this end. The rapporteurs would like to recall the Resolution on the Annual Report on the Functioning of the EEA Agreement in 2001 where the EEA JPC, in the name of transparency, called on the contracting parties to outline an information strategy for public access to EEA relevant documents. This issue is of equal importance for the EEA EFTA States, and the rapporteurs therefore welcome the adoption of the Decision of the Standing Committee of the EFTA States on Public Access to Documents adopted by the Standing Committee on 9 June 2005. This decision outlines a new and more transparent framework of guidelines for the Secretariat to use when processing requests from the public on access to EEA relevant

documents. The rapporteurs would, however, like to reiterate that the adoption of the Decision on Public Access to Documents should not be regarded as a victory in itself but rather as one positive development in the right direction on the road to a more transparent, open and democratic Europe. The rapporteurs therefore urge the EEA EFTA States and the EU Member States to continue their work on developing their principles of openness and transparency for the future. The rapporteurs regret, in the name of transparency and openness, the negative response provided by the EU on the request from the EEA JPC President on participation of the EEA JPC President and Vice-President in the EEA Council meetings. In light of the EU developments over the past few years, the rapporteurs question whether this response is in line with the general EU initiative towards increased transparency and openness.

X CONCLUSION

82. The EEA JPC takes great interest in being informed on developments in the EU and to have an exchange of view on topical issues. It takes great pride in assessing recent developments and in analyzing the possible effects on the EEA Agreement. The EEA JPC finds it important to ensure the homogeneity of the Single Market, as well as to ensure that new developments are not detrimental to the continued good functioning of the Agreement. In the light of a recently enlarged union which is on the verge of a new enlargement, which has introduced a single currency, which becomes increasingly integrated and takes policy initiatives in fields previously not covered by the European Treaties, the EEA JPC will continue to monitor and assess developments in the EEA which have a bearing on the EEA Agreement. Based on the experience from the past five years, it is the opinion of the rapporteurs that the EEA Agreement has continued to function well based on the premises that were set more than ten years ago.

83. There are, however, challenges ahead, particularly regarding the previous and upcoming enlargements of the EEA, and it is therefore imperative that the EEA JPC endeavour to become more topical and timely in its work. One important step towards this end would be to make the EEA JPC resolutions more specific and to the point when referring to policy. The EEA JPC should also continue to strive towards its participation in joint EEA EFTA and EU institutions.

84. Noting that the EEA JPC has three main functions beyond the exchange of view with their parliamentary counterparts and representatives of joint EEA institutions, namely to execute a support function, a control function and to make direct requests, the rapporteurs are of the view that all functions have been carried out with satisfaction. The Committee appreciates the statements provided by representatives of the EEA Council and the EEA Joint Committee, providing answers to specific recommendations and requests. The EEA JPC is positive to the continuation of this practice, and welcomes the noting of its resolutions in the appropriate bodies. As an advisory body, the EEA JPC sees itself as a vital contributor to the overall good functioning of the EEA Agreement. After the previous historic enlargement of the EU and the EEA, and the shift inwards of the EU's attention towards its ten new Member States, the EEA JPC has an increasingly important and challenging role to play.

DRAFT RESOLUTION

On the resolutions of the EEA JPC 2000 - 2005

Recommendations for action of the EEA JPC itself:

- The JPC shall provide an annual report on its resolutions, outlining the direct requests for action and indicating the status with regards to the compliance of the stated goal. This report, which should be brief and easily comprehensible, should also touch upon outstanding issues from previous years, aiming to provide a continually updated overview of the work of the EEA JPC and its impact;
- The JPC shall, in addition to the current recipients, forward its adopted resolutions and reports to any party which is subject to a recommendation in a resolution, or is called upon in a way which requires follow up;
- The JPC shall assess the decision-shaping opportunity of the EEA EFTA States in the EEA and furthermore look closely at how to optimise their influence on EEA relevant decision-shaping in the future.

The Joint Parliamentary Committee of the European Economic Area:

- A. monitoring developments in the EU and its institutions which might affect the EEA Agreement,
- B. underlining the fruitful cooperation between parliamentarians in the EEA, and the good relations between the JPC and the Joint Committee,
- C. mindful of its role as a contributor to a better understanding between the Community and EFTA States in the fields covered by the EEA Agreement, as having a democratic parliamentary control function, as having the right to scrutinize all EC legislation applying to the EEA as well as its implementation and to make direct recommendations,
- D. having adopted 23 resolutions between 2000 and the first half of 2005 on a wide variety of issues having bearing on the EEA Agreement and the functioning of the Single Market,
 - 1. Welcomes the note taken of the EEA JPC resolutions during the past five years by the appropriate bodies, and the written statements by the President-in-Office of the EEA Council and the Joint Committee which are provided at every JPC meeting;
 - 2. Welcomes the progress made on many matters raised by the JPC;
 - 3. Expresses concern over lack of progress of some recommendations made repeatedly, namely the supplementary protection certificates for medicinal products and the .eu top level domain;

4. Reiterates its call on the contracting parties to find a solution with regards to EEA EFTA participation in the European Food Safety Authority (EFSA), and with regards to the simplification of decision-making procedures for EEA EFTA participation in EU programmes;
 5. Welcomes the reduced backlog with regards to transposition of legislation into the EEA Agreement;
 6. Regrets, in the name of transparency, the negative response received by the EU with regards to the EEA JPC request for the participation of the EEA JPC President and Vice-President in the EEA Council meetings, and urges the EEA EFTA parliaments to continue its work towards this end;
 7. Notes that the opportunity for EEA EFTA States to influence decision-shaping in an enlarging Internal Market is a real challenge which requires a coherent and rational approach, and urges the EEA EFTA States to take full advantage of their opportunity to influence decision-shaping at an early stage in the decision-making procedure;
 8. Urges the Joint Committee to provide regular briefings on developments in the EU, and the possible impact on the EEA Agreement, in particular the relaunched Lisbon Strategy and the European Neighbourhood Policy;
 9. Calls upon the contracting parties to ensure homogeneity in the EEA, especially in view of future enlargements of the EEA;
 10. With reference to the enhanced role of the European Parliament in EU decision-making, calls on the EEA Council to confer more closely with the JPC on issues of particular concern in the EEA context;
 11. Is concerned about the increased backlog when it comes to translation of legal acts, warns that an inadequate response by the relevant parties might affect the harmonisation of EEA legislation and calls upon the EEA EFTA States to improve their administrative procedures in order to ameliorate the situation.
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Annex I

Resolutions adopted 2000-2005 Overview of developments

The EEA JPC expresses its views in the form of reports or resolutions, as appropriate. Each resolution contains one or more recommendations. Given the three-fold mandate of the JPC which is to contribute to a better understanding between the Community and the EFTA States, to ensure democratic parliamentary control and to scrutinise EC legislation applying to the EEA, the rapporteurs have chosen to classify the recommendations into two different categories:

- **Direct request** where it is within the scope of the JPC to make direct requests for action and to influence policy makers and institutions in a direct manner, thus going beyond mere control functions.
- **Support and/or control** where the JPC contributes to and promotes a better understanding between the Community and the EFTA States; and/or where the JPC ensures democratic parliamentary control and puts the implementation of the transposition of EC legislation into the EEA Agreement under scrutiny.

This classification is done because only one function can be easily measured; that is where the JPC calls for direct action. Based on this categorization, the following overview aims to portray the current status, and the degree to which stated goals in the direct requests inherent in EEA JPC resolutions have been achieved to date.

The compliance or non-compliance of a direct request cannot be attributed exclusively to the JPC, however by drawing attention to a specific issue, the JPC may have enhanced or influenced the outcome.

Where general political objectives are the basis of a resolution, members of the JPC should make their own assessments of developments. This overview attempts to assess real developments with regards to specific requests by the JPC, i.e. where the JPC has clearly indicated a need for action or response by an identified body or institution or Member State.

In order to provide an easily comprehensible overview, the current status of the direct requests made by the JPC is printed in bold italics immediately following the highlighted request itself.

14th JPC meeting

Oslo, Norway 24-25 May 2000

EEA JPC resolution on Homogeneity in the European Economic Area

In the resolution on Homogeneity in the European Economic Area, the EEA JPC made direct requests ten times where the committee:

- called upon the EEA EFTA side to examine closely EFTA participation in EC Committees, with a view to improve decision-shaping efforts in the future
A resolution on EC comitology and the EEA was presented at the JPC meeting on 21 June 2001 in Brussels and a survey by the EFTA Secretariat was published in April 2002 on actual EEA EFTA participation in EU Committees and groups. In June 2002 the EFTA Secretariat published a Bulletin called "The European Economic Area: Decision-shaping in Committees". It presented best practice in committees for increasing EFTA influence on EU legislation. The Secretariat organised a seminar in November 2005 to train experts in Committee participation. The EEA EFTA States also finished an overview of the actual participation of EEA-EFTA experts in the Commission's Committees and Working Groups in 2005.
- urged the EEA EFTA side to follow closely the target actions of the new Strategy for the Internal Market, also those not directly relevant to the EEA Agreement, and to consider necessary complementary actions
The EEA EFTA States are continuously monitoring the developments of the Internal Market and have commented on the Internal Market Strategy on several occasions, including a comment handed over to the European Commission in March 2003 and one to the Italian Presidency in September 2003. The Secretariat maintains a checklist monitoring progress of all the 102 actions.
- called on the Commission and the EFTA Surveillance Authority to include all available and relevant data on the EEA EFTA States in the corresponding sections of the Commission's Scoreboard in order to improve transparency
The EFTA Surveillance Authority (ESA) works closely with the Commission when preparing its Internal Market Scoreboard. ESA aims to provide scoreboards which closely reflect those provided by the Commission; however with a view to ensure that the scoreboards are maintained within the scope of the authority's competencies. In the Internal Market Scoreboard published by the Commission in July 2005, the EEA EFTA States were included in six of 21 tables.
- called on the EFTA Surveillance Authority to expand the assessment of the Single Market performance of the EEA EFTA States, in particular regarding feedback from citizens and businesses, using monitoring and reporting methods, which allow comparison and co-publication with the Commission's Scoreboard
In its scoreboards, ESA aims to report on the same issues and provide the same information as the Commission, however only on issues and in areas which it deems relevant given its more limited field of competence. One example of this practice is that ESA summarized the information from the Commission Scoreboard on SOLVIT, a complementary problem solving mechanism set up by the Commission in 2002, in its latest Scoreboard. The competencies of ESA encompass ensuring the fulfilment by the EFTA States of their obligations under the EEA Agreement and the Surveillance and Court Agreement; ensuring the application of the rules of the EEA Agreement on competition; and monitoring the application of the EEA Agreement by the other Contracting Parties to that Agreement.
- Urged the Commission and the EFTA Surveillance Authority to maintain the pressure on the EEA States to eliminate the backlog of transposition of Single Market legislation into national laws and regulations
According to the 16th Internal Market Scoreboard for the EFTA States, published in July 2005, Liechtenstein's transposition deficit has decreased from 2.7% to 1.7%, which constitutes a steady decline. Norway has, however, increased its backlog from 1.0% to 1.2%, while that of

Iceland remains unchanged. The average transposition deficit for the EFTA States has decreased to 1.4% down from 1.7% in the January 2005 Scoreboard.

- called on the EEA Joint Committee to continue its efforts to reduce back-logs incorporating EEA relevant legislation into the Agreement

The Annual Report of the Joint Committee for 2004 shows that 116 acts were under consideration by the EFTA side at the end of the year, slightly higher than the year before when the number was 94

- welcomed increased resources for translation of Joint Committee Decisions into Icelandic and Norwegian but urged the EEA EFTA States to secure the necessary resources to eliminate the backlog of translation of legal acts

This is still an area of concern to the EEA JPC. In 2004 the delay in the publication of legal acts increased to approximately two years. In September 2005 the situation was more or less unchanged.

- called on EU Member States and the EEA EFTA States to honour their obligations and to accelerate the implementation of Internal Market legislation in order to bring the transposition deficit down

According to the latest Internal Market Scoreboard published by the EFTA Surveillance Authority in July 2005, Norway holds the sixth place with regards to transposition deficit with a deficit of 1.2%. Norway topped the January 2005 Scoreboard. Iceland is ranked as number eight with a transposition deficit of 1.4%, which is unchanged from the January 2005 Scoreboard and Liechtenstein has reduced its transposition deficit by 1% since the January Scoreboard and is now ranked as number 16. Both Norway and Iceland meet the interim target of a transposition deficit of no more than 1.5% set by the Stockholm European Council in March 2001.

- urged the Commission and the EFTA Surveillance Authority to maintain similar policies when making decisions to initiate infringement proceedings

The legal basis for the Authority's actions for non-compliance is, in particular, Article 31 of the Surveillance and Court Agreement which entered into force in 1994. That provision is intended to give the Authority the same powers as the Commission has under Article 226 of the EC Treaty.

- called on the EEA Council to urge the governments of the eighteen EEA States to undertake efforts to increase public awareness of the existence and role of Single Market Co-ordination Centres and Contact Points

The work towards increasing public awareness of the existence and role of the Single Market is ongoing in the EEA States. In order to help businesses and citizens to explore and take advantage of their rights in the Internal Market, the European Commission has set up several Europe-wide networks such as SOLVIT, EURES, Dialogue with the Citizens, MISSOC and TED. All the EEA EFTA States have established SOLVIT offices.

EEA JPC resolution on Justice and Home Affairs and the EEA

In the resolution on Justice and Home Affairs and the EEA, the EEA JPC made one direct request where the committee:

- called on the EEA EFTA States to closely monitor all initiatives taken by the EU in the field of justice and home affairs and to assess the impact on the EEA Agreement
The issue has been raised and discussed in the EEA Council (i.e. at the 15th meeting 2001) and is being monitored on a permanent basis.

EEA JPC resolution on The Annual Report on the Functioning of the EEA Agreement in 1999

In the resolution on The Annual Report on the Functioning of the EEA Agreement in 1999, the EEA JPC made four direct requests where it:

- called for an elaboration of the problematic and complex issues mentioned in the Annual Report, particularly the constitutional issues in the EEA EFTA States
The Joint Committee gave an oral briefing mentioning the issues at the meeting of the JPC in November 2000. The late fulfilment of constitutional requirements in the EEA EFTA States has long been a problem for the homogeneity in the EEA. A practice of indicating whether or not the entry into force of a Decision is subject to fulfilment of constitutional requirements has however been adopted by the Joint Committee.
- urged the contracting parties to finalise Protocol 3 at the earliest opportunity and to report in detail on developments in this area to the EEA JPC at its 15th meeting in the Autumn of 2000
The EEA EFTA States and the Commission agreed on a new Protocol 3 in July 2001. The EEA Joint Committee Decision replacing the old Protocol 3 with the new one was adopted by the Joint Committee on 23 November 2001, and the new Protocol 3 entered into force on 1 January 2002.
- urged the contracting partners to find a quick solution with regards to the new Financial Instrument in order to secure the continued good functioning of the EEA Agreement
The Financial Instrument was established by Joint Committee Decision 47/2000 of 22 May 2000.
- urged the Commission to find a solution concerning the EEA EFTA States' participation in the management of Community programmes with a view to avoiding cases where EFTA participation in the management of the programme is excluded until the entry into force of the Joint Committee Decision.
This issue is still of concern to the EEA EFTA States. A letter was sent by the Norwegian Chairman of the EEA Standing Committee on 23 March 2005 outlining a proposal simplifying decision-making procedures for EEA EFTA participation in EU programmes to the EU Presidency. The issue is currently pending a response from the EU side. The EEA EFTA side is also working on simplifying the procedures on the EFTA side.

15th JPC meeting

Brussels, Belgium 27-28 November 2000

EEA JPC resolution on EFTA participation in EC Programmes

In the Resolution on EFTA participation in EC Programmes the JPC made three direct requests where it:

- urged the Commission and the Council to consider possible simplifications of the procedures for the clearing of draft EEA Joint Committee Decisions on programmes, thus facilitating timely participation by the EEA EFTA States
This issue was discussed previously in this report (resolution on the Annual Report on the Functioning of the EEA Agreement in 1999).
- called on the Commission to consult experts from the EEA EFTA States when preparing for a new programme
The Commission consults EEA EFTA experts when preparing for some new programmes, particularly within areas where the EEA EFTA States have been participating actively for a while. There are, however, cases in which the EEA EFTA experts are not consulted at all and other instances where the EEA EFTA experts, for various reasons, have not taken advantage of the opportunity presented to them. This issue is thus still of concern to the EEA JPC.
- called on the Norwegian Parliament to find a solution regarding the procedure of constitutional requirements concerning EEA EFTA participation in EC programmes, as the constitutional requirements after the adoption in the Joint Committee delay the entry into force of the EEA EFTA participation
The issue is still a concern for the EEA JPC; however the procedures have improved. In 2000 the Joint Committee introduced a new practice of indicating in a footnote whether or not the entry into force of a new act was subject to fulfilment of constitutional requirements.

EEA JPC resolution on E-Commerce and EEA legislation.

In the Resolution on E-Commerce and EEA legislation, the JPC made two direct requests and:

- was of the opinion that intellectual property rights should be protected in a balanced way without creating distortions of the internal EEA market, and asked the Joint Committee to consider this question and to report back to the JPC
A directive on the enforcement of intellectual property rights was adopted by the EU in April 2004 on its first reading. The transposition deadline is April 2006. EEA EFTA Comments were submitted in November 2003, and the act is under consideration by the EEA EFTA States.
- urged the EEA EFTA States to develop their legislation in coordination with the EU in issues concerning the safeguarding the e-commerce transactions, namely the electronic signatures
A Joint Committee Decision on the Directive on electronic signatures entered into force on 1 March 2001.

16th JPC meeting

Vaduz, Liechtenstein 20 June 2001

EEA JPC resolution on The Annual Report on the Functioning of the EEA Agreement in 2000

In the resolution on the Annual Report on the Functioning of the EEA Agreement in 2000, the EEA JPC made six direct requests and:

- called on the contracting parties to eliminate long outstanding backlog in the area of free movement of goods by the end of 2001
According to the "State of decision-making for the 1st half of 2005", there are relatively few EU acts which are under consideration on the EFTA side and there is a continued high rate of integration of new acts. During the first six months of 2005, 113 acts – except in the veterinary fields – had been incorporated into the EEA Agreement, compared to 273 during the whole of 2004. Although the EEA EFTA processing system is solid and considerable improvement in complying with deadlines has been achieved, this is still an issue of concern for the JPC.
- Called on the contracting parties to reassume the incorporation of veterinary acquis as soon as possible
In 2001 the EEA Joint Committee adopted a simplified procedure for handling certain acquis in the veterinary field. The new procedure implies that certain acts are immediately applied in the EFTA pillar and can simply be taken note of by the EEA Joint Committee, instead of being incorporated into the Agreement via an EEA Joint Committee Decision.
- Reiterated its call on the contracting parties to finalise Protocol 3 at the earliest opportunity and to report on developments in this area to the EEA JPC at its 17th meeting in the Autumn of 2001
This issue, which also was raised in the JPC resolution on the Annual Report on the Functioning of the EEA Agreement in 1999, has been solved. The EEA EFTA States and the Commission agreed on a new Protocol 3 in July 2001.
- called on the contracting parties to find a permanent solution to the problem concerning the recognition of diplomas throughout the EEA for architects from the Liechtenstein Fachhochschule
This issue has been solved.
- called on the EEA Joint Committee to report on the issues of principle regarding the Heavy Vehicles Fee in Liechtenstein at the 17th meeting of the EEA JPC in the Autumn of 2001, and urges in the meanwhile the contracting parties to find a quick solution to the issue
The issue was solved in 2001 with the presentation of a revised draft of the Eurovignette Directive.
- urged the contracting parties to find a permanent solution regarding EEA EFTA participation in the Commission's Advisory Committee on State Aid
The EEA EFTA States participate in the Commission's Advisory Committee on State Aid.

EEA JPC resolution on EC comitology and the EEA.

In the resolution on EC comitology and the EEA, the EEA JPC made two direct requests and:

- urged the contracting parties to finalise a solution to allow full EEA EFTA participation in the Commission's Advisory Committee on State Aid, and the Regulatory Committee on the minimum level of training for seafarers
The EEA EFTA States now participate in the Commission's Advisory Committee on State Aid and in the Regulatory Committee on the minimum level of training for seafarers .

- called on the EEA EFTA States to put together a list of EEA relevant EC comitology committees, under Article 100 EEA, including an overview of actual EEA EFTA participation in these committees, in order to increase the transparency of the EEA decision-making process
This request was also raised in the JPC resolution on Homogeneity in the European Economic Area. The EEA EFTA finalised a survey establishing an exact overview of the actual EEA EFTA participation in the European Commission's committees and working groups in the fall of 2005.

17th JPC meeting

Brussels, Belgium 15-16 October 2001

EEA JPC resolution on New Competition Policies in the EEA

In the resolution on New Competition Policies in the EEA, the EEA JPC made no direct requests for action.

EEA JPC resolution on New Governance of the EU and its implications for the EEA.

In the resolution on New Governance of the EU and its implications for the EEA, the EEA JPC made two direct requests and:

- urged the EEA EFTA States to submit more EFTA comments
The number of EFTA comments overall has decreased substantially since 2001, however one more comment was submitted in 2004 than in 2003. This is still an area of concern for the EEA JPC.
- called on the EEA EFTA States to participate in the EU's proposed sharing of best practice regarding implementing measures, in order to improve the quality and speed of transposition and implementation of legislation
The EEA EFTA States participate in the EU's Internal Market Advisory Committee (IMAC) where all 28 EEA Countries discuss transposition methods.

18th JPC meeting

Reykjavik, Iceland 27 May 2002

EEA JPC resolution on The Liberalisation of energy markets in the EEA

In its resolution on The Liberalisation of energy markets in the EEA, the EEA JPC made one direct request for action and:

- called upon the EEA EFTA States to establish competent and independent regulators in order to enforce full competition and promote the interests of consumers in a liberalised energy market
Norway, Iceland and Liechtenstein have established regulators.

EEA JPC resolution on The Annual Report on the functioning of the EEA Agreement in 2001

In its resolution on the Annual Report on the functioning of the EEA Agreement in 2001, the EEA JPC made eight direct requests for action and:

- called upon the EEA EFTA States to improve their administrative procedures with regards to integration of new EU acts into the Agreement
The number of EU acts under consideration by EFTA at the end of 2004 was sustained at a relatively low level; however it was slightly higher than the previous year. While 170 acts were under consideration by the EFTA side at the end of 2001, the number was 116 at the end of 2004.
- reiterated its call on the contracting parties to find a permanent solution to the problem concerning the recognition of diplomas throughout the EEA for architects from the Liechtenstein Fachhochschule
The issue has been solved.
- called on the Joint Committee to clarify the issues of principle with regards to the Eurovignette directive and to report back to the EEA JPC
The Joint Committee adopted a Decision on the incorporation of the Eurovignette Directive into the EEA Agreement in January 2002.
- called for the participation of the EEA EFTA States in the European Agencies on Maritime and Aviation Safety (EMSA and EASA) and in the European Authority for Food Safety (EFSA)
A decision on EEA EFTA participation in the European Maritime Safety Agency was adopted by the Joint Committee on 20 June 2003. The Joint Committee adopted a Decision on EEA EFTA participation in the European Aviation Safety Agency on 9 December 2004. A decision has yet to be taken with regards to EEA EFTA participation in the European Authority for Food Safety.
- called on the Joint Committee to inform the EEA JPC on the modalities of implementing Article 128 of the EEA Agreement on enlargement of the EEA at its 19th meeting in the Autumn of 2002
This has been done.
- called on the EEA EFTA States to fully commit themselves to the goals and actions of the EU's Lisbon Strategy in order to make the whole of the EEA the most competitive, dynamic and knowledge-based society by the end of the decade
The EFTA Ad hoc Group on the follow-up to the Lisbon Summit, established in October 2000, coordinated EEA EFTA comments to both the Stockholm (2001), the Barcelona (2002) and the Brussels (2003 and 2004) Summits. In January 2002 the group established an action plan identifying areas for follow-up on Lisbon Strategy initiatives of common interest to the EEA EFTA States. The EEA EFTA States received a briefing by the Commission in the Joint Committee meeting on 10 June 2005. On behalf of the EEA EFTA States, Prime Minister Otmar Hasler sent a letter to the President of the European council, Prime Minister Bertie

Ahern, with input to the 2004 European Council Spring Summit. The EEA EFTA States also came with input to the High Level Group on the Lisbon Strategy conveyed by Prime Minister Asgrimsson, and Prime Minister Bondevik wrote to President Juncker providing input to the European Council meeting in March 2005. In these inputs, the EEA EFTA States have emphasised their strong interest in the Lisbon strategy and their support in reinforcing the process. The EFTA Secretariat is currently preparing a Bulletin on EEA EFTA follow-up to the Lisbon Strategy. The EEA EFTA States were not included in the Statistical Annex of the Spring report as they had been in 2003.

- called on the contracting parties to outline an information strategy for public access to EEA relevant documents in the name of transparency, and to provide the EEA JPC with all relevant documents

A decision on Public access to EFTA documents was adopted by the EFTA Standing Committee on 9 June 2005 with the aim to improve the rules on transparency in EFTA. The new rules were inspired by the EU regulation for the European Parliament, Council and the Commission on access to documents, which entered into force in 2001. The Standing Committee decision, however, takes into account national law and the differences between the EFTA organisation and the EU. The proposed Constitutional Treaty for the European Union devotes substantial attention to increased democracy and transparency. One example is that the proceedings of the Council, when exercising its legislative function, are to be open to the public. The EU adopted the Transparency Directive in December 2004, and the compliance date is January 2007. In March 2005, Commissioner Siim Kallas proposed the launch of a European Transparency Initiative announcing plans to strengthen transparency rules for EU policy-makers and the thousands of lobbyists seeking to influence them in Brussels.

- called on the EEA EFTA States to agree on a common position for the updating of the EEA Agreement to counteract breaches in the legal homogeneity of the Internal Market as a result of EC Treaty changes after the entry into force of the EEA Agreement, and to submit its proposal to the Commission at the earliest possible stage

The EEA EFTA states have followed this closely on a case-by-case basis with the aim to reach a common position to preserve the legal homogeneity and functioning of the EEA Agreement.

19th JPC meeting

Brussels, Belgium 26 November 2002

EEA JPC resolution on Decision-shaping in the EEA

In the resolution on Decision-shaping in the EEA, the EEA JPC made three direct requests for action and:

- called on the EEA EFTA States to provide an annual update of the overview on actual EEA EFTA participation in EU committees
The overview, which first was presented in 2002, has not been updated annually. In fall 2005 the EEA EFTA States finished working on a survey to establish an exact overview of the actual EEA EFTA participation in the European Commission's committees and working groups.
- called on the EEA EFTA States to secure adequate training of representatives in EU committees, and to ensure the appropriate level of the EEA EFTA representatives, and furthermore to coordinate national views within and between ministries and between the relevant ministries and the Committee representatives
Measures towards this end have been implemented in the EEA EFTA countries. The EEA JPC does, however, feel that there is still much room for improvement. The integration of EU programmes after 2007 will further increase the need for co-ordination between ministries in the EEA EFTA countries and committee representatives.
- Called on the EU and the EEA EFTA States to scrutinise procedures concerning translation into Norwegian and Icelandic in the decision-shaping process with a view to ensuring the smooth functioning of EEA EFTA influence according to the relevant provisions of the EEA Agreement
This issue was discussed earlier in this report (resolution on Homogeneity in the European Economic Area).

EEA JPC resolution on Financial Services in the EEA.

In the resolution on the Financial Service in the EEA, the EEA JPC made one direct request for action and:

- urged the parties to find a solution on the integration of the revised Money Laundering Directive (2001/97/EC) into the EEA.
The revised Money Laundering Directive 2001/97/EC was adopted by the Joint Committee through Decision 98/2003 on 11 August 2003.

20th meeting

Ålesund, Norway 20 May 2003

EEA JPC resolution on The Annual Report on the Functioning of the EEA Agreement in 2002

In the resolution on the Annual Report on the Functioning of the EEA Agreement in 2002, the EEA JPC made four direct requests for action and:

- encouraged the EEA Joint Committee to draft a more comprehensive and analytical report for 2003 taking major EU developments into account when assessing the functioning of the Agreement
This request was repeated in the JPC's reports on The Annual Report on the functioning of the EEA Agreement in 2003 and 2004. The issue is thus still a concern for the JPC.
- urged the contracting parties to find solutions with a view to integrating the supplementary protection certificates for medicinal products and the directive on the prevention of the use of the financial system for the purpose of money laundering into the EEA Agreement
The issue of Supplementary Protection Certificates for Medicinal Products was discussed at the Joint Committee meetings in January and March 2003, however a solution has yet to be found. The revised Money Laundering Directive 2001/97/EC was adopted by the Joint Committee through Decision 98/2003 on 11 August 2003.
- reiterated its call for the participation of the EEA EFTA States in the European Agencies on Maritime and Aviation Safety (EMSA and EASA) and in the European Authority for Food Safety (EFSA)
Joint Committee decisions opening up for the participation of the EEA EFTA States in the European Agency on Maritime Safety and in the European Agency on Aviation Safety have been adopted. No decision has, however, been taken with regards to EEA EFTA participation in the European Authority for Food Safety.
- called on the EEA EFTA States to pursue the Lisbon Strategy in line with the EU Member States
See resolution on The Annual Report on the functioning of the EEA Agreement in 2001. This has been pursued on a regular basis by the EEA EFTA States.

EEA JPC resolution on The Future of an enlarged Europe

In the resolution on the Future of an enlarged Europe, the EEA JPC made four direct requests for action and:

- called on the parties to conclude the enlargement negotiations with the existing EEA member states in the imminent future
The EEA enlargement negotiations were concluded in July 2003.
- underlined the need to establish proper European Commission delegations in Iceland and Switzerland
The opening of a Delegation of the European Commission in Bern is scheduled for 2005. There is no proper European Commission delegation in Iceland, however the European Commission delegation in Oslo serves both Norway and Iceland.
- welcomed the initiative of strengthening the control of subsidiarity by designing an early warning system involving national parliaments and called for the implementation of a similar system for the EEA EFTA countries
The EEA Joint Parliamentary Committee has increasingly become a forum where topical and political issues, pertinent for the functioning of the EEA, have been raised and discussed. The

Committee has thus increasingly taken on a role as an early warning system where national parliaments are involved.

- called on the EEA EFTA States and the EU Member States to assess the outcome of the Convention on the functioning of the EEA Agreement, and to report back to the EEA JPC at its 21st meeting in autumn 2003

The EEA EFTA States have followed the drafting of the Constitutional Treaty and subsequent ratifications by Member States. In light of the outcomes of the referendum in France and the Netherlands, the EEA EFTA States are waiting to see what further actions will be taken by the EU.

21th meeting

Brussels, Belgium 27 November 2003

EEA JPC resolution on The “Draft Constitution for Europe” and its implications for the EEA,

In the resolution on the “Draft Constitution for Europe” and its implications for the EEA, the EEA JPC made three direct requests for action and:

- called on the contracting parties to seek swift ratification of the EEA enlargement agreement
The EEA enlargement agreement has been ratified by all the 28 EEA Member States. Italy was the last EEA State to ratify on 30 June 2005.
- called on the EEA EFTA States’ governments to achieve checks on the principle of subsidiarity concerning EEA legislation similar to those enjoyed by national parliaments in EU Member states
See JPC resolution on the Future of an enlarged Europe.
- called on the contracting parties to initiate a technical update of the EEA Agreement, reflecting Treaty changes, in order to safeguard the homogeneity of the Internal Market throughout the entire EEA
See JPC resolution on the Annual Report on the Functioning of the EEA Agreement in 2001. Considering that the EU has itself been in a debate for a Constitutional framework for the Union, any update of the EEA Agreement would be considered premature until it is known what form the Treaties that govern the Union will take.

EEA JPC resolution on The Wider Europe and the EEA

In the resolution on The Wider Europe and the EEA, the EEA JPC made two direct requests for action and:

- welcomed the forthcoming action plans and called upon the EEA EFTA States to assess the proposed actions, and where feasible, to mirror these actions
In the EEA Joint Committee in December 2003, the EEA EFTA States and Commission representatives had an in-depth exchange of views on the Neighbourhood Policy. The EEA EFTA States also received a briefing by the Commission services on the Neighbourhood Policy at the meeting of the EEA Joint Committee in March 2005. In March 2004, the EEA EFTA Foreign Ministers addressed the European Parliament's Foreign Affairs Committee on the topic of the EEA EFTA States and the EU's new Neighbourhood Policy. The EFTA States have established their own network of free trade agreements or declarations of co-operation with some of the countries in the European neighbourhood as well as co-operation through various other channels.
- called for modalities to be found for the participation of EEA EFTA parliaments in the Euro-Mediterranean Parliamentary Assembly
Parliamentarians from the EEA EFTA parliaments have not participated in the Euro-Mediterranean Parliamentary Assembly.

22nd meeting

Vaduz, Liechtenstein 26-27 April 2004

EEA JPC resolution on The Draft Annual Report on the functioning of the EEA Agreement in 2003,

In the resolution on the Draft Annual Report on the functioning of the EEA Agreement in 2003, the EEA JPC made six direct requests for action and:

- reiterated its resolution urging the contracting parties to find solutions with a view to integrating the supplementary protection certificates for medicinal products, noted that the issue was not discussed by the Joint Committee in 2003, and called on the Joint Committee to explain in detail the nature of the problem
This request was raised in the report on the Annual Report on the Functioning of the EEA Agreement in 2002. A solution has not yet been found on the issue, which is still of concern for the EEA JPC.
- called on the Joint Committee to finalise its decision on the integration of the Regulation on the implementation of the .eu top level domain
No solution has been reached.
- urged the contracting parties to make provisions for the EEA EFTA participation in the European Aviation Safety Agency (EASA) and in the European Food Safety Authority (EFSA)
A decision on EEA EFTA participation in the European Aviation Safety Agency was taken on 9 December 2004. A decision has yet to be taken with regards to EEA EFTA participation in the European Food Safety Authority.
- regrets the delays concerning EEA EFTA participation in EASA and EFSA due to issues of principle such as voting rights and budgetary contributions, and urged the contracting parties to agree on general principles to allow for speedier EEA EFTA participation in EU agencies
Most of the main principal issues relating to EEA cooperation in new EU agencies have been concluded.
- called on the EEA EFTA States to pursue the Lisbon Strategy in line with the EU Member States, called on the EEA EFTA States to pursue monitoring and assessing the EU Neighbourhood Policy, and called in particular on the EEA EFTA States to closely follow developments in the New Internal Market Strategy 2003-2006
These direct calls for action have been discussed in previous reports such as the EEA JPC report on the "Homogeneity in the European Economic Area", "The Annual Report on the functioning of the EEA Agreement in 2001" and on "The Wider Europe and the EEA."

EEA JPC resolution on Towards participatory democracy: the role of local and regional authorities in the EU and the EEA.

In the resolution on Towards participatory democracy: the role of local and regional authorities in the EU and the EEA, the EEA JPC made two direct requests for action and:

- called on the EFTA States to establish an EFTA Committee of the Regions which would function as an advisory body representing local and regional representatives from the EFTA States
No such body has been established.
- urged the EEA EFTA States to take part in the town-twinning scheme under the new Community action programme to promote active European citizenship

EEA EFTA participation in the new “Citizens for Europe” programme from 2007 (where town-twinning is one of the sub-programmes) is under consideration by EEA EFTA working groups.

23rd meeting

Brussels, Belgium 22-23 November 2004

EEA JPC resolution on The Internal Market Strategy and the EEA,

In its resolution on the Internal Market Strategy and the EEA, the EEA JPC made three direct requests for action and:

- urged the EEA EFTA States to contribute to the study on voluntary marking schemes, and to contribute with more resources to the marketing and use of Europe-wide quality marks
The EEA EFTA States have pursued this issue with the EU, but the EU has withdrawn its intention to embark on such a study. Instead it prefers to promote the establishment of European level marks.
- called on the EEA Countries to reach an agreement on a key regulation on Sales Promotions foreseen in the Commission's strategy as well as on the Unfair Commercial Practices Directive
With regard to the regulation on Sales Promotions, the EEA EFTA States are closely following the developments of the proposal. While the European Parliament delivered a very supportive first reading in 2003 the Council has so far failed to reach agreement. The main areas of contention are the scope and the type of the instrument. The EEA EFTA States are also closely following the developments with regard to the Unfair Commercial Practices Directive. The EEA EFTA States have participated in EU Expert Groups and have handed in comments on the proposal. The EP is currently in the process of its second reading.
- urged all EEA Countries to engage in active information campaigns to inform citizens, businesses and civil servants about their rights and obligations in the entire Internal Market
This issue was discussed previously in this report (Resolution on the Homogeneity in the European Economic Area from 2000).

EEA JPC resolution on The decision shaping within the EEA and the role of parliamentarians

In the resolution on the decision shaping within the EEA and the role of parliamentarians, the EEA JPC made four direct requests for action and:

- called on the EEA EFTA States and their respective parliaments to increase the participation of parliaments in deliberations regarding proposed EEA legislation
This issue has received increased attention in the EEA EFTA States, and the EEA EFTA States have made efforts towards increasing the participation of parliaments in deliberations regarding proposed EEA legislation.
- called on the EEA EFTA States' parliaments to increase their interaction with the parliaments of other EEA Member States
In recent years there has been a substantial increase in bilateral contacts between the EEA EFTA parliaments and the EU-25 national parliaments. And in light of fruitful co-operation of the EFTA parliamentary committee with the parliaments of the new member states, there are ongoing efforts to increase interaction with the remaining candidate countries.
- called on the EEA EFTA parliamentarians to renew their efforts regarding an association to COSAC, with a view to obtaining e.g. observer status
In February 2005, the Chairman of the Committee of Members of Parliament of the EFTA Countries (MPS) sent a letter to the Chairman of COSAC requesting that Parliamentarians of the four EFTA countries be present e.g. as observers at COSAC meetings. The request was denied.
- called on the possibility for the EU to allow EEA EFTA representatives to send observers to all Commission working groups where EEA legislation is being prepared

There is still room for considerable improvement on the EU side with regards to this issue as EEA EFTA countries are often not invited to participate in such working groups.