Agreement on the participation of Croatia in the European Economic Area (EEA) and the related Protocol, to take account of the accession of Croatia to the EU

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PURPOSE: to conclude an Agreement on the participation of Croatia in the European Economic Area and the related Protocol, to take account of the accession of Croatia to the European Union.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: the Agreement on the European Economic Area was signed on 2 May 1992 and entered into force on 1 January 1994.

The attached proposal creates the legal instrument for the conclusion of the Agreement on the participation of Croatia in the EEA and of the related Additional Protocol to the Agreement between Norway and the European Union on a Norwegian Financial Mechanism for the period 2009-2014 consequent to the participation of Croatia in the European Economic Area to take account of the accession of Croatia to the European Union.

On 4 September 2012, the Council authorised the Commission to open negotiations with Iceland, Liechtenstein and Norway to amend the EEA Agreement and the Agreement between the Norway and the European Union on a Norwegian Financial Mechanism for the period 2009-2014. The negotiations with Iceland, Liechtenstein and Norway were successfully concluded by the initialling of:

- the Agreement;
- the Protocol; and
- two additional protocols, namely: (a) the Additional Protocol to the Agreement between the European Economic Community and Iceland consequent to the accession of Croatia to the European Union; and (b) the Additional Protocol to the Agreement between the European Economic Community and Norway consequent to the accession of Croatia to the European Union.

These two additional protocols are part of a package with the current Agreement and Protocol but are contained in two separate proposals.

LEGAL BASIS: Article 217 in conjunction with Article 218(6) and the second subparagraph of Article 218(8) of the Treaty on the Functioning of the European Union (TFEU) and the Act of Accession of Croatia.

CONTENT: under this proposal, the Council is invited to adopt a decision aiming to approve, on behalf of the European Union and its Member States, the Agreement on the participation of Croatia in the European Economic Area and the related Additional Protocol to the Agreement between Norway and the European

Union on a Norwegian Financial Mechanism for the period 2009-2014 consequent to the participation of Croatia in the European Economic Area, to take account of the accession of Croatia to the European Union.

The text of the Protocol is attached to the proposal.

The proposed Agreement makes Croatia a contracting party to the EEA Agreement and commits the EU to providing an authentic version of the EEA Agreement in the new official language of the EU. The Protocol includes Croatia in the Norwegian Financial Mechanism.

The provisional application of the Agreement and the Protocol is envisaged as of the date stipulated by an exchange of letters between the Parties, pending the completion of the relevant procedures for its formal conclusion and entry into force.