

**EEA (Services)  
Summary Fact Sheet**

**Table 1: Background Information**

Parties	The European Community and its Member States: Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Luxemburg, Netherlands, Portugal, Spain, United Kingdom; Austria, Finland, Sweden (as of 1 <sup>st</sup> January 1995); Cyprus, Estonia, Latvia, Lithuania, Malta, Poland, Czech Republic, Slovak, Slovenia, Hungary (as of 1 <sup>st</sup> May 2004); Bulgaria, Romania (as of 1 <sup>st</sup> August 2007), and Iceland, Liechtenstein and Norway.	
Type of Agreement	Economic Integration Agreement.	
Date of signature	02 May 1992	
Date of entry into force	01 January 1994	
Review envisaged	none	
Website or contact addresses	The text of the Agreement, Annexes and Protocols, is available at: <a href="http://www.efta.int/content/legal-texts/eea">http://www.efta.int/content/legal-texts/eea</a>	
List of related WTO documents	WT/REG138/1 WT/REG138/2 S/C/M/52 WT/REG138/M/1-2-3 WT/REG138/3-4	Agreement Standard format Terms of Reference Minutes Questions and Replies

**Table 2: Scope and general aspects**

Scope	Sectors	Provides for universal sectoral coverage of all service activities which includes activities of an industrial and commercial character; and activities of craftsmen and of the professions (Art. 37).
	Modes of supply	The Agreement provides for liberalization through all modes of supply.
Positive/negative list		Positive list approach.
Sector-specific rules		Transport (Annex XIII); financial services (Annex IX); audiovisual services (Annex X); and telecommunications services (Annex XI).
Sectoral exclusions		Services supplied in the exercise of governmental authority.

**Table 3: Provisions of the Agreement**

Provision	Article	Additional information
MFN/National treatment	Art. 34 and 37	Companies or firms formed in accordance with the law of an EC or an EFTA Member State and having their registered office, central administration or principal place of business within the territory of the Parties must, for the purposes of the Chapter on the right of establishment, be treated in the same way as natural persons who are nationals of EC or EFTA Member States. Under the services Chapter, any person providing a service may, in order to do so, temporarily pursue his activity in the State where the service is provided, under the same conditions as are imposed by that State on its own nationals.
Movement of natural persons and right of establishment	Art. 28 and 31	The free movement of persons prohibits any discrimination based on nationality between EU and EEA EFTA nationals as regards employment, remuneration and other conditions of work and employment (Annex V). The Agreement also prohibits any restrictions on the freedom of establishment of nationals of an EU or an EEA EFTA State in the territory of any of the other States. However, given its specific geographic situation, Liechtenstein is allowed to restrict the right of taking up residence in Liechtenstein by other EEA nationals. The Agreement also prohibits any restrictions on the setting up of agencies, branches or subsidiaries by nationals of an EU or an EEA EFTA State established in the territory of any of these States. Annexes VIII to XI contain specific provisions on the right of establishment. The provisions of this Chapter and measures taken in pursuance thereof do not prejudice

		the applicability of provisions laid down by law, regulation or administrative action providing for special treatment for foreign nationals on grounds of public policy, public security or public health (Art. 33).
Elimination of discriminatory measures	Art. 28, 31 and 36	The Agreement provides for the absence or elimination of substantially all discrimination through elimination of existing discriminatory measures and prohibition of new or more discriminatory measures.
Treatment of third party suppliers	Art. 34	Companies or firms formed in accordance with the law of an EC or EFTA Member State and having their registered office, central administration or principal place of business within the territory of the Parties will, for the purposes of this Chapter, be treated in the same way as natural persons who are nationals of EC or EFTA Member States.
Denial of benefits	None	
Standards/mutual recognition	Art. 47 and 75	The Agreement foresees measures necessary for the mutual recognition of qualifications and to achieve the Parties' full conformity with Community technical regulations and European standardisation and conformity assessment procedures. Specific provisions on the recognition of professional qualifications are set out in Annex VII to the Agreement.
Safeguard mechanisms (intra-trade)	Art. 43(4) and 112	The Agreement contains provisions for balance-of-payments difficulties in the Community or in Norway, Iceland and Liechtenstein. It also provides for the possibility for a Party to take measures in case of serious economic, social or environmental difficulties, which are examined by the joint bodies. Such provisions have only been applied for goods and the movement of persons.
Domestic regulations	None	
Subsidies and state aid	Art. 61	Any aid granted by EC or EFTA Member States, or through State resources in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods is, in so far as it affects trade between the Parties, considered incompatible with the functioning of this Agreement. The Chapter provides a list of the State aids considered compatible with the Agreement and aid that may be considered compatible (Art. 61 paragraphs 1 and 2). All existing systems of State aid in the territory of the Parties, as well as any plans to grant or alter State aid, must be subject to constant review. This review is carried out, for EC Member States, by the EC Commission; and for EFTA States, by the EFTA Surveillance Authority.
IPR	Art. 65.2	Protocol 28 and Annex XVII contain provisions and arrangements concerning intellectual, industrial and commercial property, which, unless otherwise specified, apply to all products and services.
Government Procurement	Art. 65.1+ Annex XVI	The Agreement makes reference to the provisions on the application of EU rules on public procurement, including non-discrimination. Annex XVI contains provisions and arrangements for procurement.
Competition	Part IV	Any agreement or decision which may affect trade between the Parties and which have as their object or effect the prevention, restriction or distortion of competition within the territory covered by the Agreement is prohibited (Art. 53). Any abuse by one or more undertakings of a dominant position within the territory covered by the Agreement or in a substantial part of it, is prohibited as incompatible with the functioning of the Agreement in so far as it may affect trade between the Parties (Art. 54). The EC Commission and the EFTA Surveillance Authority ensure the application of the principles laid down in the competition Chapter (Art. 55).
Investment	None	
General reservations	Art. 33 and	Exceptions are provided for public policy, and security and health

	123	reasons.
Level of Government	Art. 94	The Agreement does not prejudice the right of each Party to amend, without prejudice to the principle of non-discrimination and after having informed the other Parties, its internal legislation in the areas covered by the Agreement.
Accessions	Art. 127 Art. 128	Any State becoming a member of the European Union will, and any State joining the EFTA may, also become a Party to the EEA. The terms and conditions for such participation will be the subject of an agreement between the Parties and the applicant State. Each Contracting Party may withdraw from the Agreement provided it gives at least twelve months' notice in writing to the other Contracting Parties.
Dispute resolution	Art. 111	Each of the parties may refer to the "EEA Joint Committee" any dispute relating to the application or interpretation of the Agreement. The Joint Committee may settle the dispute by means of a decision, which will be binding for each party.
Relations with other trade agreements	Art. 120	The application of the provisions of the Agreement prevail over provisions in existing bilateral or multilateral agreements binding the European Economic Community, on the one hand, and one or more EFTA States, on the other, to the extent that the same subject matter is governed by the Agreement. The Agreement's provisions do not preclude the form of cooperation specified in Art. 121.
Institutional provisions	Part VII	The Agreement provides for a cycle of annual meetings of the EEA Council, at ministerial level (Art. 89), and the Joint Committee, formed by representatives of the Parties (Art. 92). The institutions ensure the evaluation of the functioning of the Agreement and in particular decide on the modification of the annexes to take into account legislative developments in the European Community. Exchanges between the European Parliament and the Parliaments of Norway, Iceland and Liechtenstein take place within a Joint Parliamentary Committee that meets at least twice a year (Art. 95). Finally, the EFTA States established an independent surveillance authority, the EFTA Surveillance Authority (Art. 108), as well as procedures similar to those existing in the Community including to ensure the fulfilment of obligations under the Agreement and for control of the legality of acts of the EFTA Surveillance Authority regarding competition. The EFTA States also established a court of justice, the EFTA Court (Art. 108.2).
Other	Art. 78	The Parties agree to strengthen and broaden cooperation in the framework of the Community's activities in the fields of, <i>inter alia</i> , research and technological development, information services, small and medium-sized enterprises, tourism, the audiovisual sector, in so far as these matters are not regulated under the provisions of other Parts of the Agreement.

**Table 4a EC imports from Norway, Iceland and Liechtenstein (million euros), 2007**

	Imports	
	Value	% of total
<b>Norway</b>		
<b>Total</b>	<b>11912.3</b>	
Transportation	4115.4	34.5
Travel	2509.3	21.1
Other services	5275.3	44.3
<b>Iceland</b>		
<b>Total</b>	<b>703.1</b>	
Transportation	175.5	25.0

Travel	337.8	48.0
Other services	185.7	26.4

Source: Data provided by the Parties

**Table 4b EC exports to Norway, Iceland and Liechtenstein (millions euros), 2007**

	<b>Imports</b>	
	<b>Value</b>	<b>% of total</b>
<b>Norway</b>		
<b>Total</b>	19008.3	
Transportation	4017.7	21.1
Travel	6536	34.4
Other services	8445.5	44.4
<b>Iceland</b>		
<b>Total</b>	778	
Transportation	150.4	19.3
Travel	360.5	46.3
Other services	269.4	34.6

Source: Data provided by the Parties