

Foreword



2009 witnessed the 15th anniversary of the entry into force of the EEA Agreement. The modest marking of the event occurred in a year of worldwide economic turmoil. 2009 was also notable as it saw the Lisbon Treaty enter into force and Iceland apply for membership of the EU.

The financial crisis has had major consequences for the economies of the EFTA States. Iceland has suffered an unprecedented collapse in its financial sector, and has been forced to take far-reaching measures to address the crisis. More than 40 European banks, as well as Dutch deposit holders, have launched complaints against the Icelandic State's actions.

Refinancing of the banks and other state interventions raise many state aid issues, not only in Iceland but also in Norway where there have been several major cases. Liechtenstein has not notified any financial crisis measures.

It is important that all businesses across the EEA enjoy the same level of protection against possible anti-competitive practices. The Authority has recently issued two statements of objections addressed to Norwegian companies in the field of competition.

In recent years, the Authority has made a targeted effort to speed up its case handling and, as a consequence, reduced the number of pending cases. The number of open cases was reduced to 510 at the end of the year from 619 in 2008. The aim is to bring this number down even further. Twice a year, in parallel with the European Commission, the Authority publishes an Internal Market Scoreboard. The Scoreboard indicates how well the EFTA States perform in implementing directives. The average transposition deficit of the EFTA States has dropped to an excellent 0.7 %, which is the best rate since the EEA was created. Hopefully, this positive development will continue in 2010. It is important that the governments of the EFTA States devote sufficient resources to honour their EEA obligations even in times of many other competing priorities.

Last July, Iceland applied for membership of the EU. The application will not, however, have a bearing on the work of the Authority, and it will be “business as usual” when it comes to the surveillance of Iceland's obligations.

It may well be that the EEA Agreement was originally conceived by some as a provisional arrangement, but it was constructed to last. The Agreement is static in scope but dynamic in nature, as it provides for a regular addition of EU legislation to it. Last year alone, 284 new legal acts were incorporated into the Agreement. Without a vigilant EFTA Surveillance Authority ensuring compliance with a continuously adapted set of EEA rules, confidence in the Agreement would ultimately erode.

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