

Annual report 2024



ESA | EFTA
Surveillance
Authority



2024 ANNUAL REPORT

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LETTER FROM THE COLLEGE

The year 2024 marked the 30th anniversary of the entry into force of the Agreement on the European Economic Area (EEA). It has thus also been 30 years since the EFTA Surveillance Authority (ESA) embarked on its mission to ensure compliance with the Agreement, so that that people and businesses in Iceland, Liechtenstein and Norway can fully benefit from their EEA rights.

The anniversary year provided an opportunity to celebrate the success of the EEA Agreement, and to look forward. For ESA, this meant continuing our work on making the organisation fit for the future.

Cooperation with external partners is a key element in this regard. We continued our efforts toward closer cooperation with the European Commission, as evidenced by the second edition of the Annual Surveillance Policy Dialogue, held in June at the EFTA House. It brought together legal experts of ESA and the Commission to discuss common challenges in ensuring uniform surveillance of the internal market. The Dialogue helps deepen the cooperation and information exchange that happens throughout the year between our two institutions when discussing concrete cases. It is complemented by regular meetings between ESA's College and Maroš Šefčovič, European Commissioner for Trade and Economic Security.

Dialogue is also the keyword for our engagement with the EEA EFTA States – Iceland, Liechtenstein and Norway. The annual package meetings held in each country in 2024 again provided useful fora for discussions at the political and technical levels. They help us better understand national situations and reach common ground on the interpretation of EEA law. In Iceland and Norway, we organised highly successful “ESA days”. These allowed us to showcase our work and to engage with a variety of stakeholders, including lawyers and government officials, who are key for the proper implementation and enforcement of the EEA Agreement.

The present annual report reflects the whole range of enforcement work undertaken by ESA. It can be broken down to the following key areas:

■ ESA monitors the full and timely implementation of EEA directives and regulations in the EEA EFTA States. 2024 brought an increase in the average transposition deficit among the States and in the number of infringement cases brought against them.

■ ESA also monitors the correct implementation and application of EEA law, which is characterised by an enormous bandwidth – encompassing free movement of persons, goods, services and capital, food and feed safety, animal health and welfare, transport and connectivity, energy, environment, financial services, consumer protection, and much more. We continued our effort to reduce the volume of open cases and to focus our resources on cases that have a greater impact on the well-functioning of the EEA Agreement.

■ The sharper focus in surveillance is also the result of the increasing workload arising from the regulatory or supervisory tasks that ESA has been mandated to carry out in the energy, environment and financial services areas. Last year, for example, ESA took several decisions related to the electricity market, and issued its first-ever opinion on a draft permit for [the geological storage of CO₂](#) (Carbfix, Iceland).

■ ESA enforces the general prohibition on State aid and decides how exceptions to this rule apply in Iceland, Liechtenstein and Norway. In 2024, the number of State aid decisions remained stable compared to 2023, with 21 decisions adopted. The trend toward larger, more complex decisions continued. This included an assessment of Norway's participation as creditor in the [restructuring of the SAS Group](#), which found that it did not involve State aid. Other notable decisions include the opening of



ESA's College from left to right: Vice-President Stefan Barriga, President Arne Røksund, and Vice-President Árni Páll Árnason.

formal investigations into alleged State [aid granted by the Norwegian authorities through the Vy Group](#) to its wholly-owned subsidiary Vy Buss, and alleged unlawful [State aid granted by Norway to Bane NOR](#) and some contractual partners.

■ In the field of competition law, ESA continued its close cooperation with the European Commission and the national competition authorities. ESA carried out an unannounced inspection in the retail pharmaceutical sector in Iceland, in response to concerns over potential infringements of EEA antitrust rules. ESA also continued antitrust proceedings against Elkjøp, the leading retailer of electronic goods in Norway.

All of the above-mentioned areas also involve litigation work. 2024 was exceptionally busy at the EFTA Court, where ESA pursued a number of infringement cases and submitted observations in all ongoing Advisory Opinion procedures, in particular in the area of environment and free movement of persons.

Connecting with its stakeholders continues to be a priority, as reflected in the many visits received and events

held at EFTA House. A highlight was the conference on carbon capture and storage, organised in cooperation with the EFTA Secretariat. The event included Kadri Simson, the then European Commissioner for Energy, and attracted around 450 participants in person and online.

For us College members, 2024 marked the third year of our mandate, which began in January 2022. We have been at the helm of this organisation for a mere one-tenth of its existence. Yet we can say with confidence that we continue to be impressed with the volume and quality of ESA's output, which is due primarily to the high competence of ESA's staff. We would like to thank them for their hard work in 2024, and also convey our appreciation to all partners and stakeholders for their positive engagement throughout the year.

Together, we will ensure the continued success of the EEA Agreement.

Arne Røksund
President

Stefan Barriga
Vice-President

Árni Páll Árnason
Vice-President

THIS IS ESA

The EFTA Surveillance Authority (ESA) monitors compliance with the rules of the European Economic Area (EEA) in the EEA EFTA States, Iceland, Liechtenstein and Norway, enabling the three States to participate in the European Internal Market. The EEA was established by the Agreement on the European Economic Area in 1994 and joins the three EEA EFTA States with the 27 Member States of the European Union (EU) in a common market, known as the European Internal Market.

The purpose of the EEA Agreement is to guarantee the free movement of goods, persons, services, and capital in all EEA States. These are known as the four freedoms. Because of the EEA Agreement, EU law on the four freedoms, State aid and competition rules for undertakings is incorporated into the domestic law of the EEA EFTA States. The rules therefore apply throughout the entire EEA and ensure a common market with common rules. This removes barriers to trade and opens new opportunities for over 450 million Europeans, creating jobs and growth and adding to the international competitiveness of the EEA States.

As well as ensuring equal rights for all citizens and undertakings to participate in the Internal Market, and equal conditions of competition, the EEA Agreement provides for cooperation across the EEA in important areas such as research and development, education, social policy, the environment, consumer protection, tourism and culture. The success of the EEA Agreement depends on uniform implementation and application of common rules, providing for a system where the European Commission works with the EU Member States, while ESA works with the EEA EFTA States, to ensure compliance with EEA law.

THE ROLE OF ESA

ESA ensures that Iceland, Liechtenstein and Norway respect their obligations under the EEA Agreement. ESA operates independently of the EEA EFTA States and is based in Brussels. The role of ESA in ensuring compliance with EEA law is to protect the rights of individuals and undertakings, and to make sure that their rights are not violated by rules or practices of the EEA EFTA States or companies within those States. ESA also enforces restrictions on State aid, assessing its compatibility with the functioning of the Internal Market, and can order repayment of unlawful state aid. Likewise, ESA ensures that companies operating in the EEA EFTA States abide by EEA rules relating to competition. ESA can investigate possible infringements of EEA provisions, either by its own initiative or on the basis of complaints. It can impose fines on individual undertakings and assess mergers between undertakings where certain thresholds are met.

ESA can request a change in national rules or practices that are in breach of EEA law. If the EEA EFTA State concerned decides not to take appropriate action in response to ESA's request, ESA may initiate proceedings against that State before the EFTA Court. In monitoring and enforcing the EEA Agreement, ESA has powers that are similar to those of the European Commission, but they oversee the application of the same laws in different parts of the EEA. Due to their mirror-roles and the need to ensure uniform application of law, there is close contact and cooperation between the two institutions.

HOW ESA IS ORGANISED

ESA is led by a College of three members. Although appointed by the EEA EFTA States, the College members undertake their functions independently and free of political direction. The current College took office on



The EFTA House.

1 January 2022. It is led by President Arne Røksund, nominated by Norway, while College members are Árni Páll Árnason, nominated by Iceland, and Stefan Barriga, nominated by Liechtenstein, who joined ESA as a College member in October 2021. Under the leadership of the College, ESA employs experts in law, economics, veterinary science and other fields from across Europe. In 2024, ESA was divided into the following departments:

- Administration Department, led by Terje Hagen.
- Internal Market Directorate, led by Jónína S. Lárusdóttir.
- Competition and State Aid Directorate, led by Harald Evensen.
- Legal and Executive Affairs Department, led by Melpo-Menie Joséphidès.

CORE VALUES

ESA's core values – Integrity, Openness and Competence – are key elements of our ongoing operations. ESA

continued to ensure that they were embedded in all its internal and external activities in 2024.

Integrity: ESA operates in a fair, objective and independent manner. ESA's staff take ownership of their tasks and carry out these tasks in an environment of open discussion and high ethical standards.

Openness: ESA's communication and outreach activities are aimed at increasing knowledge about our work and tasks, as well as strengthening compliance with the EEA Agreement. ESA and its staff carry out their functions in a manner that is visible, approachable and transparent, while still showing due concern for information that needs to be protected.

Competence: ESA employs highly qualified staff, who have the skills and knowledge required for ESA to fulfil its role and to deal with tasks in an effective and efficient manner. ESA's staff develop their competence, and continuously improve their skills and knowledge, and aim for excellence. ESA is open to continuous improvement at the organisational and individual levels.

HUMAN RESOURCES

ESA employs highly competent and motivated multidisciplinary staff from across the EEA EFTA States and the EU Member States. We offer a collaborative and flexible working environment, with excellent opportunities for professional development. At the end of 2024, ESA employed 86 staff members, representing 21 nationalities, of which 50 were EEA EFTA nationals. Of ESA's 86 staff, 51% were female and 49% male.

For staff in management positions, there was an equal split between 50% female and 50% male. The EEA EFTA States have established staff regulations providing for employment by ESA on a temporary or fixed-term basis, which means that opportunities arise frequently for qualified candidates.

Each year, ESA also engages several Junior Professionals from the EEA EFTA States for an 11-month programme. This is an opportunity to gain experience in an international setting and make a vital contribution to ESA's work.

STAFF AT ESA



BUDGET AND FINANCIAL PERFORMANCE

ESA's 2024 budget amounted to EUR 21.3 million, an increase of 2.4% compared to 2023. The year ended with a surplus of EUR 480,000 (2023: deficit EUR 271,000). ESA's activities and budget are primarily financed by contributions from Norway (89%), Iceland (9%) and Liechtenstein (2%).

About 78% of ESA's expenditure represents personnel and turnover costs, including salaries, allowances, benefits and recruitment expenses. Expenditure remained almost flat compared to 2023, on a mix of negative salary indexation for staff and the result of saving initiatives initiated to retain temporary staffing capacity and to ensure that ESA's results would remain within the

available budget envelope. Capacity issues remained a key issue in 2024, resulting in the continued use of additional temporary staff for which the States offered additional budget. The result was positively impacted by unforeseen interest income due to the longer than foreseen retention of EUR 10.5 million of funds kept on the States' behalf.

Costs were reduced in the areas of travel, training and building operations compared to the previous year. Other operational expenses increased substantially, especially for IT technology expenditure and an increased need to engage consults and other specialised expertise.

ESA's annual financial statements are prepared in accordance with the International Public Sector

Accounting Standards (IPSAS) and made available on our website once they have been approved by the ESA/Court Committee (ECC). The 2023 financial statement was approved on 6 December 2024.

The EFTA Board of Auditors (EBOA) is the auditing authority of ESA. It is a permanent committee consisting of auditors representing the supreme national audit bodies of the EFTA States. EBOA, with support from external auditors, performs audits of the financial statements of the EFTA institutions. When auditing ESA's activities, EBOA meets 'at three' with audit representatives from Iceland, Liechtenstein and Norway, and reports to the ECC.

Amounts in thousand EUR	Actuals 2024	Budget 2024	Actuals 2023	Budget 2023
EEA EFTA States' contributions				
- Current year	21 144	21 144	20 679	20 679
- Multi-year contributions for IT investments*	20	20	20	20
Total EEA EFTA States' contributions	21 164	21 164	18 891	20 699
Financial income	198	-	19	-
Other income	227	150	234	150
Total income	21 589	21 314	20 952	20 849
Salaries, benefits, allowances and turnover costs	16 545	16 681	16 876	16 297
Travel, training and representation expenses	774	953	824	936
Office accommodation expenses**	1 535	1 620	1 568	1 589
Supplies and services expenditure	2 226	2 024	1 934	1 991
Financial expenses	29	36	21	36
Total expenditure	21 109	21 314	21 223	20 849
Net (deficit)/surplus for the year	480	-	(271)	-

Notes:

* Multi-year contributions for IT investments represents income from deferred contributions received in 2018 for new IT projects.

** Includes EUR 305,000 (2023: EUR 324,000) interest from a financial lease regarding the office building which has been classified as office accommodation expenses to align with the budgeted expense category.

MONITORING THE INTERNAL MARKET

The Internal Market comprises the 27 European Union member states, plus Iceland, Liechtenstein and Norway. It is founded on the principles of free movement of goods, persons, services and capital, and it aims to create an area without internal frontiers or regulatory obstacles.

These principles – or four freedoms – are supplemented by policies and legislation in a number of other areas, including social security, labour law, food safety, transport, public procurement, environment and energy. The evolving nature of Internal Market laws and policies helps ensure prosperity, growth, competition and trade. The Internal Market can also help drive efficiency, raise quality, and competition brings fairer prices to consumers.

ESA's role is to monitor that legislation that has been incorporated into the EEA Agreement is implemented and applied in national law in Iceland, Liechtenstein and Norway. This helps ensure that people and businesses enjoy the benefits of the Internal Market.

Central to ESA's work aimed at achieving compliance with EEA rules is dialogue with the States. In fact, in cases where non-compliance has been found, the majority are resolved via dialogue. ESA can also take legal action against the States, so-called infringement proceedings, to ensure that EEA rules are implemented and applied correctly. Only around 2% of cases end up in the EFTA Court.

At the start of 2024, ESA's Internal Market Affairs Directorate had 157 cases open due to late implementation of directives and regulations by the three EEA EFTA States into their national legal system. By the end of the year, this number had been reduced to 138 cases.

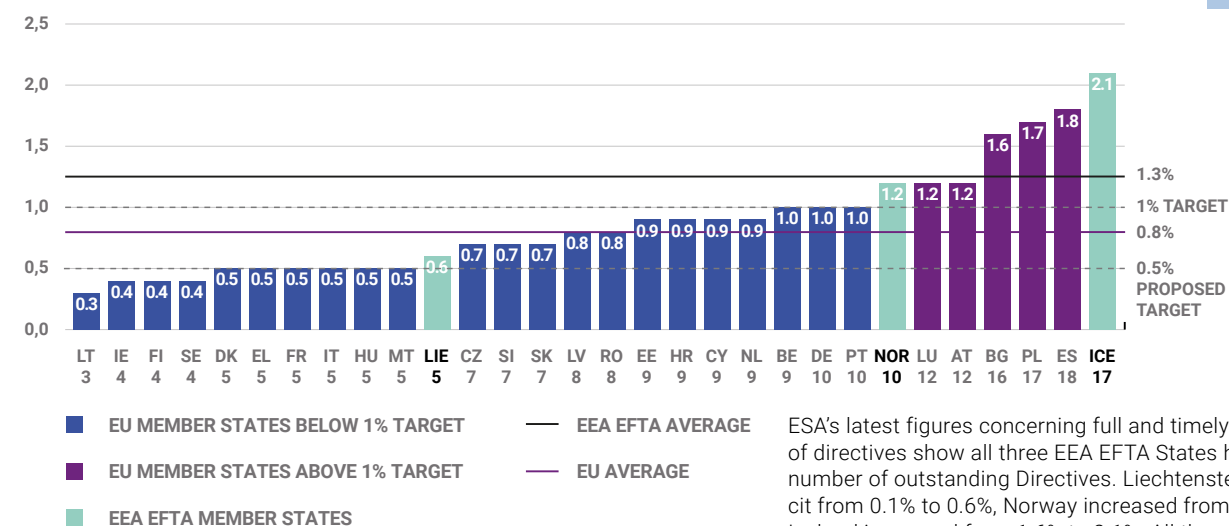
There were also 181 complaint, conformity assessments and own-initiative cases open at the start of the year. Of these, 42 had reached the infringement stage, meaning that legal proceedings had been launched. In addition, the directorate had 35 open audit and inspection cases and 101 other cases. These are regulatory tasks assigned to ESA by virtue of the EEA Agreement, and include things such as monitoring reports or binding decisions addressed to national competent authorities.

During the course of the year, a further 68 new complaint, conformity assessments and own-initiative cases had been opened. Of these were 30 complaint cases covering a wide array of issues, such as energy, the environment, financial services, transport and public procurement. Sixteen of the new cases opened were conformity assessments in areas such as consumer protection, intellectual property, medicinal products, and the mutual recognition of professional certificates. Another 22 cases concerned the incorrect implementation or application of Internal Market rules covering social security, telecommunication services, transport, and postal services.

Throughout the year, 51 complaint, own-initiative and conformity assessment cases were closed. Ten of these were closed after infringement proceedings had been launched.

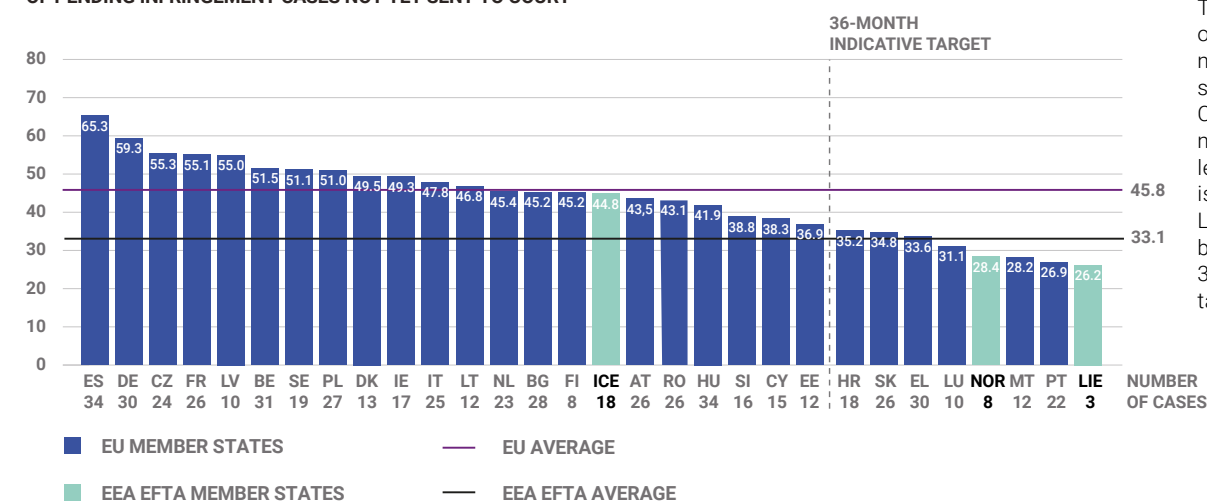
An increasingly important aspect of the work of the Internal Market Affairs Directorate is engagement and cooperation with the EU's agencies and supervisory bodies. In total, the department participated in 53 meetings with agencies or other bodies in 2024, most of which were in the financial-services sector.

COMPARISON OF EEA EFTA STATES' AND EU STATES' TRANSPOSITION DEFICIT



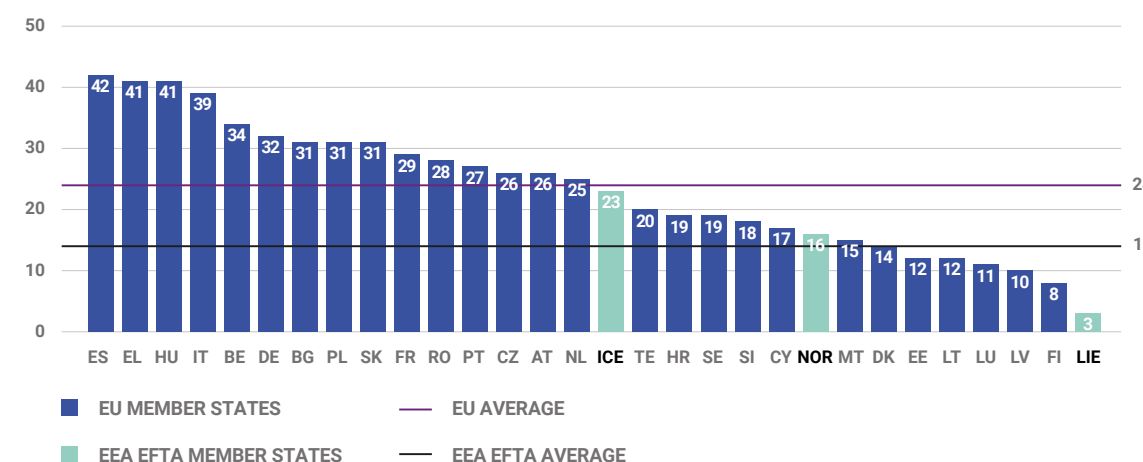
ESA's latest figures concerning full and timely implementation of directives show all three EEA EFTA States have increased the number of outstanding Directives. Liechtenstein increased its deficit from 0.1% to 0.6%, Norway increased from 0.8% to 1.2% and Iceland increased from 1.6% to 2.1%. All three EEA EFTA States are now above the 0.5% target.

COMPARISON OF EEA EFTA STATES' AND EU STATES' AVERAGE DURATION OF PENDING INFRINGEMENT CASES NOT YET SENT TO COURT



The average duration of pending infringement cases not yet sent to the EFTA Court, is calculated in months from when the letter of formal notice is sent. Norway and Liechtenstein fall below the EU's 36-month indicative target.

COMPARISON OF EEA EFTA STATES' AND EU STATES' INFRINGEMENT CASES DUE TO LACK OF CONFORMITY WITH OR INCORRECT APPLICATION OF INTERNAL MARKET RULES ON 1 DECEMBER 2024



Pending infringement cases concerning incorrect implementation of application of Internal Market rules.



A panel discussion during the ESA Day conference held in Oslo in October 2024 on the sidelines of the annual Package Meeting with Norway.

PROTECTING RIGHTS OF PEOPLE AND BUSINESS

MAGEN is the unit in ESA's Internal Market Affairs (IMA) Directorate that deals with cases concerning the 'four freedoms' and related issues pertaining to the Internal Market. The unit's main purpose is to investigate if EEA rules have been infringed in one way or other.

In 2024, several infringement procedures for breaches of the Internal Market rules were pursued. Some were at an early stage, whereas others were about to be referred to the EFTA Court. ESA has a range of tools that it deploys in its work to monitor the EEA Agreement, and to ensure that EEA EFTA States – Iceland, Liechtenstein and Norway – fulfil their obligations. This can include so-called conformity assessments, which are used by ESA to

explore how EEA legal acts have been implemented into national rules, conducting a systematic comparison of these rules.

An important aspect of ESA's infringement work is launching own-initiative cases following notifications that laws or the administrative practices in an EEA EFTA State may not be in line with EEA rules. This can include the assessment of 'infringement complaints' submitted to ESA by citizens and businesses that argue they are adversely affected by the alleged wrongful implementation or application of EEA rules.

ESA opened an own-initiative case concerning compensation measures in the recognition process for clinical nutritionists and other health professionals

when assessing professional qualifications obtained in another EEA State. In its letter of formal notice, ESA concluded that Norway was in breach of the EEA rules by maintaining the administrative practice of not providing any aptitude test for health professions in general, and additionally by not providing adequate support specifically to clinical nutritionists to realistically access a supervised practice period.

Another infringement procedure was launched against Iceland over the incorrect application of EEA rules in the calculation of parental leave benefits. The current legal framework in Iceland does not take into account income earned in another EEA State when determining the amount of parental leave benefits.

This followed an EFTA Court advisory opinion from 2022, which said that attributing no income to periods of employment in other EEA States was incompatible with EEA law. Following this, ESA opened an own-initiative case, urging Iceland to make amendments to its parental benefits legislation to ensure that individuals are no longer deprived of their rights under the EEA Agreement.

More than two years after the EFTA Court judgment, these amendments remain outstanding. ESA therefore decided to open an infringement procedure.

This case also illustrates the consequences of the lack of full implementation of Protocol 35 in Iceland. Protocol 35 of the EEA Agreement establishes that, in the case of conflict between national law and implemented EEA law, the latter shall prevail. Since Protocol 35 has yet to be fully implemented in Iceland, citizens and businesses may not be able to fully enjoy their EEA rights.

An infringement procedure is closed when the State complies with its obligations under EEA law. For instance, in 2024, [ESA closed a complaint case in the area of reimbursement of costs for cross-border healthcare](#).

The issue was whether Norwegian legislation and administrative practices relating to the reimbursement of costs for cross-border healthcare were in breach of

EEA law. At the centre of this was the Patients' Rights Directive, and up to what level treatment costs abroad would be covered by the home country. Norway's practice was rooted in a calculation method used for reimbursements between Norway's four regional health authorities. ESA maintained that under the directive, the same method could not be applied to the reimbursement of costs from treatment in other EEA States.

After Norway amended its national legislation and administrative practices in line with EEA law, ESA closed the case. However, following breaches of EEA laws, the State is required to remedy any harm caused to people and businesses due to the infringement.

COURT REFERRALS

The large majority of infringement proceedings launched by ESA are resolved through dialogue with the EEA EFTA States. On some occasions this is not possible, in which case ESA may refer the case to the EFTA Court for a final interpretation of the EEA rules on a given issue. A referral to the EFTA Court is the third and final stage in ESA's formal infringement proceedings.

In 2024, following a long-standing dialogue with the Icelandic authorities, [ESA referred Iceland to the EFTA Court](#) over its failure to enable the transfer of occupational pensions accrued in Iceland to the pension scheme of the EU institutions (PSEUI).

The EEA Agreement enables EEA EFTA citizens to work at the European Union Aviation Safety Agency (EASA) and provides that EU Staff Regulations apply to the organisation's staff. Iceland's refusal to transfer pension rights to PSEUI means that individuals concerned are placed at a disadvantage compared to their colleagues from other EEA States. This is likely to hinder the exercise of free movement of workers as guaranteed by the EEA Agreement. The Court had yet to rule on the case when the Annual Report was being finalised.



ESA is investigating if Norway's railway services comply with EEA rules

ENSURING SAFE, SECURE AND SUSTAINABLE **TRANSPORT**

The safe, secure, and sustainable transport of goods, services and people is fundamental for a functional and competitive Internal Market. The EEA Agreement covers all modes of transport, and ESA is charged with monitoring that EEA legislation covering aviation, maritime, rail and road transport are correctly implemented in Iceland, Liechtenstein and Norway. Accessible and secure

connectivity is a priority for the EU and the EEA EFTA States. ESA also ensures that national rules in Iceland, Liechtenstein and Norway related to accessibility and electronic communications, the information society, postal and audiovisual services comply with EEA legislation.

ESA ensures compliance with aviation and maritime security rules by conducting on-site inspections in the EEA EFTA States. In 2024, ESA carried out two maritime

security inspections (one in Norway and one in Iceland), and three aviation security inspections (two in Norway and one in Iceland).

In 2024, ESA issued two letters of formal notice in the area of transport. One case against Norway, concerning [the incorrect implementation of EEA port security rules](#); and one against Iceland, as ESA took further steps in a long-running investigation into [restrictions in the country's taxi market](#) after new legislative provisions entered into force in 2023.

MARITIME TRANSPORT

In May 2024, Norway initiated a consultation with ESA concerning the compatibility with EEA law of a legislative proposal that would require Norwegian minimum wages be provided to all seafarers on board ships sailing in Norwegian waters. The proposal by the Ministry of Trade, Industry and Fisheries also covers different types of activities in the Norwegian exclusive economic zone and the Norwegian continental shelf.

In response, ESA issued its opinion on the [draft legislative amendments](#). In the opinion, ESA points out that the proposal – as it currently stands – raises concerns of incompatibility with EEA rules on the freedom to provide maritime transport services across the EEA, and within one EEA State, so-called maritime cabotage.

RAILWAY SERVICES

In 2024, ESA continued to investigate the application of the regulation on public passenger transport services by rail and road in Norway. A particular focus was placed on public service obligations (PSOs) linked to certain railway

routes in Norway. ESA is currently investigating the direct award of PSO contracts for railway services in 2023, for which ESA has received two complaints. In addition, ESA in November 2024 launched an investigation into the announced direct award for a temporary contract concerning the PSO services in southern Norway. Subsequently, ESA also received a complaint concerning the announced award for the same services.

COOPERATION WITH EU AGENCIES AND BODIES

ESA works closely with the EU transport agencies: the European Union Aviation Safety Agency (EASA), the European Maritime Safety Agency (EMSA), and the European Union Agency for Railways (ERA).

These agencies provide ESA with the necessary expert advice, either periodically in accordance with their work programmes, on a case-by-case basis in accordance with the EEA legal framework, or following a specific ESA request.

In the maritime transport sector, EMSA assists ESA with security inspections and conducts visits to verify the implementation of EEA legislation concerning maritime safety. In the field of telecommunications, ESA cooperates with the Body of European Regulators for Electronic Communications (BEREC) and participates in the work of the European Regulators Group for Postal Services (ERGP) and the European Regulators Group for Audiovisual Media Services (ERGA).

ESA participates as an observer to the management board of the transport agencies and BEREC. In 2024, ESA participated for the first time in meetings of the EMSA administrative board and in the EASA management board.



FOOD AND FEED SAFETY, ANIMAL HEALTH AND WELFARE

ESA monitors the implementation in Iceland and Norway of EEA legislation related to food and feed safety, and animal health and welfare. Legislation in this area is dynamic and often marked by rapid implementation due to the need to ensure an effective and immediate impact.

AUDITS

A key part of ESA's work in the food and veterinary area is to conduct audits. Through these, ESA verifies the implementation of official controls and related enforcement activities in Iceland and Norway. Audits comprise both documentary reviews, which include

the assessment of control plans, risk-based planning systems, and control procedures, but also reviews and follow-up of controls, and on-site verification.

Following an [audit to Norway on animal welfare for pigs](#) carried out in October 2024, ESA concluded that Norway failed to comply with relevant EEA requirements. ESA's findings included unrealistic prioritisation and planning of official controls, not taking into account the resource situation in the field. This contributed to inconsistent and inadequate follow-up of identified non-compliance with animal welfare rules and lack of enforcement.

During the same audit, ESA also found that Norway had addressed all open recommendations from 2018 concerning the protection of animals during transport.

In an audit series on official controls on food of animal origin, composite products and live animals from non-EEA countries, ESA found significant improvements in the import control systems in both [Iceland](#) and [Norway](#) compared to previous audits and controls. The exchange of information between the national customs authorities and food and veterinary authorities remains challenging.

During an audit to Iceland in February 2024, ESA found that Iceland [has improved its food-safety controls of poultry meat and poultry meat products](#). The audit was designed to follow up on ESA's conclusion from 2022 that Iceland needed to strengthen its control system to ensure safe food.

DESK-BASED CONTROLS

Desk-based analyses are controls based on document reviews only. Certain desk-based analyses are specifically required by EEA legislation. ESA also uses desk-based analyses to assess the current situation in certain areas. Such controls are of a factfinding character and used as part of ESA's prioritisation of areas to be further controlled. Once finalised, summary reports of the desk-based analyses are shared with the relevant competent authorities.

In 2024, ESA found that Norway should maintain the disease-free status in terrestrial and aquatic animals listed in [ESA Decision No 032/21/COL](#). This followed an assessment of the management and maintenance of disease-free statuses in Norway. Notwithstanding, certain aspects of the surveillance should be verified on the spot.

ESA received eight notifications of new designations or of changes to existing border-control posts or inspection centres from Iceland and Norway. ESA assessed the information received to verify that minimum requirements were met. Five assessments were concluded during the year, with four being finalised following an on-site control visit.

DISEASE-FREE STATUS AND ERADICATION PROGRAMS

In 2024, ESA amended its [Decision No 203/21/COL](#) to reflect which rivers in Norway remain under the approved eradication programme to combat the salmon parasite *Gyrodactylus salaris*.

EMERGENCY MEASURES FOR ANIMAL DISEASES

Two emergency decisions concerning outbreaks of highly pathogenic avian influenza (HPAI) in Norway were adopted by ESA in 2024. [Decision No 029/24/COL](#) was adopted on 23 February in relation to an outbreak of HPAI in a holding with 8 000 poultry in Lund municipality in Rogaland county. [Decision No 202/24/COL](#) was adopted on 27 November in relation to an outbreak of HPAI in a holding with 96 captive birds on Frøya island in Trøndelag municipality.

INFRINGEMENT PROCEEDINGS – FOOD AND VETERINARY AREA 2024

In May, ESA sent a letter of formal notice to Iceland concluding that Iceland had failed to fulfil its obligations under EEA law [concerning products of animal origin from non-EEA countries](#). Due to the lack of systematic exchange of information between customs authorities and the Icelandic Food and Veterinary Authority, certain consignments are not reliably identified. As a result, not all relevant consignments undergo veterinary checks as required by EEA legislation.

In June, ESA sent a letter of formal notice to Iceland concluding that Iceland [had failed to meet its obligations under a 2022 EFTA Court Judgement](#) concerning the incorrect application of EEA legislation on animal by-products ([Case E-3/22](#)).

In a letter of formal notice sent in July, ESA concludes that Iceland [has failed to establish an effective and appropriate system of official controls for food](#), feed and veterinary matters as required by EEA law. This follows findings in multiple ESA audits of the country's food and veterinary sector since 2010 that have been looking at the obligations of the various competent authorities involved in official controls in Iceland.



ENERGY, ENVIRONMENT AND FINANCE

During 2024, ESA continued its compliance work related to climate change, energy, the environment, public procurement and financial services. This work is being conducted by ESA's ENFIP unit – Environment, Finance and Public Procurement – using a wide range of enforcement tools.

Among the units tools are traditional implementation checks, but also reports on specific issues and non-binding opinions. These reflect ESA's expanding tasks and the evolving legal landscape.

For example, last year ESA adopted its first report assessing progress made by the EEA EFTA States in meeting waste-recycling targets. In the field of carbon capture and storage, ESA issued its first non-binding opinion on a draft CO₂ storage permit. A total of 16 decisions were taken to strengthen Norway's integration into the EU's energy market. Crucial to carrying out these tasks were strengthened cooperation with the EU and the

EEA EFTA institutions, but also proactive engagement with relevant stakeholders, including non-governmental organisations (NGOs) and business associations.

CLIMATE CHANGE

ESA is responsible for monitoring that Iceland and Norway meet their climate targets as part of a European-wide effort to significantly reduce greenhouse gas emissions by 2030. In October, ESA issued its fourth Climate Progress Report, taking stock of Iceland's and Norway's progress in reducing greenhouse gas emissions in line with their commitments under relevant EEA law.

The EEA EFTA States also participate in the European Emissions Trading System ([Directive 2003/87/EC](#)), an EEA-wide carbon market to reduce greenhouse gas emissions. In 2024, ESA took a decision concerning free allowances to aviation and prepared its upcoming assessment of the EEA-EFTA States' free allocations to stationary installations for the in the 2026-2030 period.

ENVIRONMENT

ESA followed up on the implementation of EEA environmental rules in cooperation with the European Commission and the European Environment Agency. In the field of waste, ESA issued its first [Early Warning Report](#), assessing the EEA EFTA States' progress towards the waste recycling targets EEA law sets for 2025. The report showed that all EEA EFTA States are at risk of missing at least one of the targets.

In May, ESA set out its preliminary views in two cases concerning the implementation of the Water Framework Directive in Norway. One case concerns environmental controls over hydropower plants, and the other concerns the use of inappropriate deadline extensions to achieve the environmental objectives. In the field of air pollution, ESA closed a case against Iceland on the sulphur content of marine fuels. Following an extensive informal dialogue, Iceland amended its national legislation and inspection practice.

CARBON CAPTURE AND STORAGE

ESA organised, jointly with the EFTA Secretariat, a conference on the Development of Carbon Capture and Storage (CCS) in the EEA on 30 January 2024. More than 400 people attended the event in person and online. High-level representatives from national governments, the European Commission, ESA, industry and civil society discussed the impact of technological advancements and policy development, and the practical implementation of common rules for CCS across the EEA.

In June, ESA issued its first opinion on a draft CO₂ storage permit to the Icelandic Environment Agency. The draft permit covers CO₂ storage by mineralisation in the Hellisheiði industrial park by the company Carbfix.

In December, ESA received the draft permit for the Northern Light project, which aims to store CO₂ into the Norwegian continental shelf. ESA will issue its opinion for this draft permit in 2025.

ENERGY

ESA adopted 16 decisions related to the energy market in 2024, including on electricity network codes related to balancing, intraday and day-ahead trading, and forward markets. These were adopted in cooperation with the European Union Agency for the Cooperation of Energy

Regulators (ACER). ESA's decisions set methodologies for the determination of technical requirements by market participants. The complete list of ESA's decisions can be [found on our website](#).

In accordance with the two-pillar structure of the EEA Agreement, ESA's decisions are based on a draft from ACER and subject to consultation with the Norwegian Energy Regulatory Authority (NVE-RME). ESA's decision are subsequently addressed to NVE-RME, which will then approve and ensure implementation in Norway.

PUBLIC PROCUREMENT

Towards the end of the year, ESA closed a long-standing case against Norway concerning contracts for waste-management services awarded without competition.

EEA public procurement law allows for the direct award of contracts within the public sector, but only if certain conditions are met. The case was closed after the Norwegian authorities took steps to end the practice. As a result, contracts for these services should no longer be awarded in breach of EEA law, either because they are exposed to competition or because the public body entering into the contract ensures that the conditions of the relevant exemptions are complied with.

ESA's Internal Market Affairs Directorate also issued a letter setting out its preliminary view on alleged breaches of public procurement law in the market for public sector occupational pension services in Norway. Very few public tenders take place for these services and the Directorate took the view that this was the result of numerous contracts potentially having been awarded or amended in breach of EEA rules. ESA's consideration of the case and dialogue with the Norwegian Government has continued with the aim of ensuring that this market operates in accordance with EEA public procurement law.

FINANCIAL SERVICES

ESA continued its dialogue with Iceland, Liechtenstein and Norway concerning the transposition in the areas of banking, payments and capital markets. In parallel, ESA strengthened its collaboration with the European Commission's Directorate-General for Financial Stability, Financial Services and Capital Markets Union (DG FISMA), which is instrumental in ensuring uniform enforcement of financial services law across the Internal Market.

In July, ESA brought a case against Norway before the EFTA Court over its [restrictions on ownership in banks and insurance companies](#). Norway has, in ESA's view, incorrectly implemented and applied EEA legislation that fully harmonises the assessment criteria and the procedural rules for acquiring and increasing qualifying holdings in the financial sector.

In October, ESA sent Norway its [preliminary assessment](#) of the country's rules on banks' so-called requirements for permission and the use of the internal ratings-based (IRB) approach to calculate capital requirements for credit risk. ESA considers that the Norwegian Financial Supervisory Authority's expectations regarding banks' use of the IRB approach go beyond the requirements in the relevant EEA rules.

EEA COOPERATION

ESA continued its close cooperation with the three European supervisory authorities – the European Banking Authority (EBA), the European Securities and Markets Authority (ESMA), and the European Insurance and Occupational Pensions Authority (EIOPA), at both the board and technical levels. In particular, ESA expanded its engagement in supervisory workstreams to prepare for upcoming acts expected to be incorporated into the EEA Agreement in 2025. To support effective cooperation, ESA initiated the work with the agencies to update the multilateral memorandum of understanding (MMoU) to reflect evolving supervisory responsibilities.

In April, as part of the ongoing oversight of the EEA legal framework on anti-money laundering and counter-terrorism financing (AML/CFT), ESA took part in a targeted review of AML/CFT supervision of the banking sector in one of the EEA EFTA States. This review was organised by the EBA, to evaluate the consistent and effective application of EEA law and AML/CFT guidelines.



Downtown Vaduz,
Liechtenstein's
capital.



ESA is investigating alleged State aid to Norway's Posten.

STATE AID THE YEAR IN REVIEW

In the field of State aid, 2024 was marked by several large complex cases and a record number of decisions concerning the opening of formal investigations. ESA was also able to move forward on several complaint cases and dealt with numerous notifications of aid measures from Iceland and Norway.

The total number of State-aid decisions adopted in 2024 went up to 21, compared to 16 in the previous year. ESA continued to prioritise measures related to the green transition and had an active dialogue with the States on the prioritisation of other cases. Another key selection criterion when prioritising complaints is when measures have the potential to distort competition on important markets or foreclose markets.

FORMAL INVESTIGATIONS

ESA initiated six formal State-aid investigations in 2024. ESA has to open a formal investigation when, after a preliminary examination, it is unable to conclude

without doubt that a potential State-aid measure is in line with the EEA Agreement. In a decision to open a formal investigation, ESA sets out its preliminary views and doubts. During the investigation, ESA invites any interested party to comment on its preliminary view. The relevant State has the opportunity to respond to the comments from the interested parties.

In March, ESA opened an investigation concerning support measures relating to the [Norwegian wood industry](#). The opening followed a complaint, which alleged that two measures constituted unlawful and incompatible State aid benefitting the wood industry. The following month, ESA opened an investigation into [proposed exemptions from carbon taxes in Norway](#). That decision followed a notification from the Norwegian authorities of planned exemptions from excise duty on waste incineration and from CO₂ tax on the processing industry for emissions already covered by the European Emissions Trading System (ETS).

An investigation into [alleged State aid to Vy Buss](#) was

opened in July and concerned two different measures; a capital injection and a loan granted to Vy Buss. ESA has doubts whether the measures constitute State aid and, if so, whether they are compatible with EEA rules.

In September, ESA opened an investigation into the [purchasing of medical imaging services in Iceland](#). Another investigation was launched into [alleged State aid provided to Bane NOR](#), Norway's railway infrastructure agency. Both investigations were launched as a result of complaints.

Finally, in December, ESA opened an investigation into [alleged State aid granted by Norway to Posten](#). ESA began investigating whether the financing of Posten's universal service obligations constitute State aid and, if so, whether it would constitute new or existing State aid, and finally whether the compensation is compatible with EEA rules.

ESA closed one formal investigation during 2024, concluding that no aid was involved in a property-development project in [Farsund](#) municipality in Norway. At the end of the year, ESA had an all-time high number of 10 open formal investigations.

ICELANDIC CASES

ESA adopted a number of decisions concerning Icelandic State aid measures in 2024. In February, ESA approved [a new aid scheme for favourable tax rate on share option profits](#) for employees working for research and development (R&D) start-ups. The objective of the

scheme is to address some of the main challenges that R&D start-up entities face, such as the struggle to finance competitive wages and the difficulty to recruit and retain skilled staff.

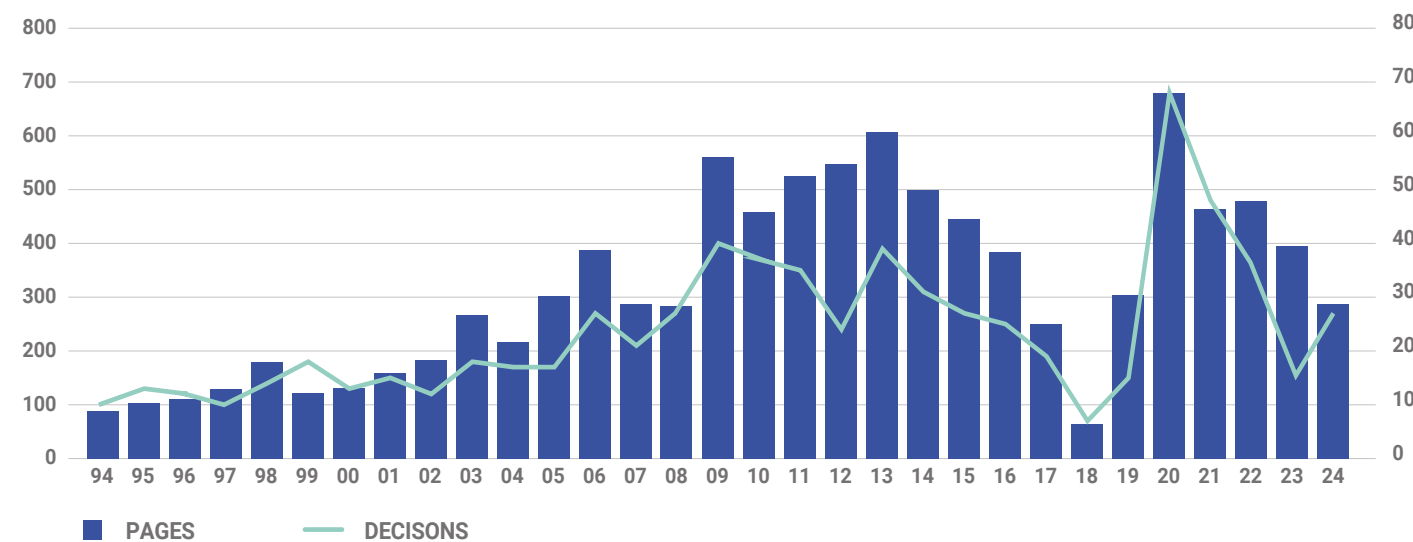
In November, ESA proposed appropriate measures to Iceland relating to the organisation of [Sorpa](#), a waste-management company owned by a group of municipalities. Among ESA's recommendations were that Sorpa's economic activities be transferred to a limited liability company subject to income tax. This would help ensure a level playing field in the waste-management sector and ensure compliance with EEA law. The recommendations have since been accepted by the Icelandic authorities.

In December, ESA [approved a dubbing and subtitling support scheme](#) for private media outlets in Iceland. The scheme aims to increase the prominence of the Icelandic language by alleviating some of the costs of dubbing and subtitling children's content.

NORWAY'S PARTICIPATION IN THE SAS GROUP RESTRUCTURING

In June, ESA took a decision assessing Norway's participation in the restructuring of the SAS Group. In 2022 to 2024, SAS went through a financial restructuring procedure under the United States Bankruptcy Code, known as Chapter 11, and a separate reorganisation in Sweden.

STATE AID OUTPUT 1994-2024



Norway participated in the restructuring as an unsecured creditor, its claim originating from a COVID-19 related guarantee scheme for airlines. As part of the restructuring, Norway wrote off its claim amounting to approximately NOK 1.7 billion in return for shares in the reorganised SAS, and a potential future cash payout. While Norway regarded the write-off as not entailing State aid to SAS, it notified to ESA its participation in the restructuring for legal certainty.

ESA found that Norway's debt write-off did not constitute State aid. Compared to alternatives, the restructuring provided Norway with a financially better result. That meant SAS did not receive an economic advantage from Norway's participation in the restructuring.

SAS announced in August the completion of the restructuring proceedings and emergence from Chapter 11 in the US, and a company reorganisation in Sweden.

MONITORING

Monitoring is an ex post State aid control that aims to correct irregularities in State aid measures. It helps to improve compliance with State aid rules both directly and indirectly through its deterrent effect. Monitoring is an important part of the State aid decentralisation process and, as such, is a cornerstone of the current State aid control system. In recent years, the scope of the General

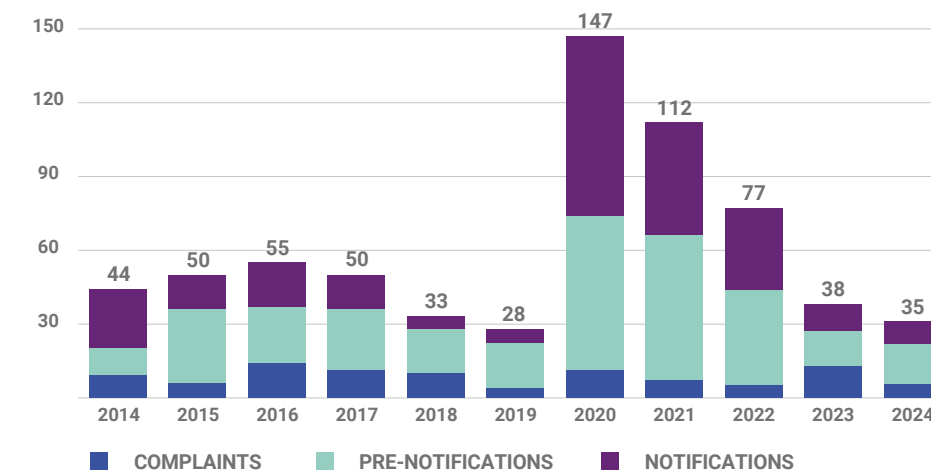
Block Exemption Regulation has been expanded, which has increased the importance of the monitoring work.

ESA's monitoring team follows an annual cycle that starts in September and finishes in spring or early summer. For each cycle, ESA selects a number of schemes to assess based on certain selection criteria. ESA requests information and documentation in order to assess the implementation by the EEA EFTA States of the applicable State aid rules. If irregularities are detected, a follow-up phase is initiated during which the national granting authorities need to amend the scheme to correct the irregularities and recover unlawful aid in some cases.

ESA has adopted a new monitoring approach that includes the prioritisation of certain aspects of the monitoring assessment and the implementation of general recommendations to the national granting authorities. The new approach enables ESA to focus on specific parts of schemes as appropriate and make the best use of its resources.

The new monitoring approach was first implemented during the 2023-2024 cycle, where ESA monitored four Norwegian schemes and one Icelandic scheme. That cycle was the first during which the assessment of all selected schemes was concluded within the cycle period. This was achieved thanks to a new and more efficient approach adopted by ESA.

(PRE-) NOTIFICATIONS AND COMPLAINTS RECEIVED 2014-2024



EEA COMPETITION LAW IN 2024

ESA ensures that undertakings operating in Iceland, Liechtenstein and Norway comply with the competition rules in the European Economic Area (EEA). These rules mirror those in the European Union and ESA's compliance work mirrors that of the European Commission.

Competition rules aim to safeguard healthy and fair competition between companies. This helps to provide fairer prices and provides consumers with greater choice. Competition can further incentivise companies to innovate and to deliver high-quality products and services.

ESA has equivalent powers and similar functions to those of the European Commission. It investigates possible infringements of the EEA competition rules either on its own initiative or in response to [complaints](#). The organisation has wide fact-finding powers, including unannounced inspections, and can impose fines of up to 10% of global turnover on companies that breach competition rules.

UNANNOUNCED INSPECTION IN ICELAND

In October 2024, ESA carried out unannounced inspections in the retail pharmaceutical sector in Iceland. This was done in response to concerns over potential infringements of EEA antitrust rules. Inspections are a preliminary step of antitrust investigations and do not prejudice the liability of the company nor the outcome of the investigation.

ANTITRUST PROCEEDINGS AGAINST ELKJØP

Following an unannounced inspection in June 2021, ESA opened formal antitrust proceedings in May 2023 against Elkjøp, a leading retailer of electronic goods in Norway. ESA's investigation continued in 2024, and focused on whether Elkjøp entered into exclusivity arrangements for certain electronic goods and arrangements where specific competitors were denied access to certain products. Such practices may potentially be anticompetitive and infringe Articles 53 and 54 EEA, which respectively prohibit anti-competitive agreements and abuse of a dominant position.

INVESTIGATION INTO NORD POOL

In March 2024, ESA sent a letter of preliminary objections to Norway regarding an exclusive right granted by the Norwegian Energy Regulatory Authority to Nord Pool, the incumbent power exchange in Norway. The exclusive right relates to the organisation of the day-ahead electricity auction including the capacity of the North Sea Link interconnector. This connects the electricity market

of Norway with that of the United Kingdom.

ESA's letter takes the view that such an exclusive right had the effect of maintaining or strengthening Nord Pool's dominant position in the Norwegian market for electricity trading facilitation services to the detriment of new entrants. ESA preliminarily concluded that Norway infringed Article 59(1), read in conjunction with Article 54 of the EEA Agreement. According to Article 59(1), EEA States must respect the EEA Agreement (such as the competition rules) regarding undertakings with exclusive rights. ESA's letter does not prejudice the outcome of the investigation. Norway responded to ESA's letter in June 2024, and by the end of 2024 the investigation was ongoing.

COOPERATION WITH THE EUROPEAN COMMISSION AND THE NATIONAL COMPETITION AUTHORITIES

ESA shares its jurisdiction with the European Commission. Competition rules in the EEA are subject to a "one-stop-shop" principle: either the Commission or ESA is competent to handle any given case.

In addition, national competition authorities (NCAs) and national courts in the EEA EFTA States apply Articles 53 and 54 EEA, together with their national competition

rules, in cases where there is an effect on EEA trade.

There is a system of close cooperation in place between these various enforcers to ensure a uniform application of the EEA competition rules.

The European Competition Network, which includes the Commission, ESA and national NCAs, ensures continuous dialogue between enforcers on the application of competition policy in the EEA. In 2024, ESA hosted five expert meetings at EFTA House in Brussels, in addition to the semi-annual meeting of the Director-Generals.

In addition, ESA regularly discusses competition policy and cases with the Norwegian and Icelandic NCAs and the Liechtenstein Bureau of Competition.

ESA'S ROLE IN THE ECOM SECTOR IN 2024

National telecom regulators in the EEA EFTA States are required to notify certain draft measures to ESA prior to their adoption. ESA assesses whether these measures comply with the regulatory framework for electronic communication (eCom) and EEA competition law principles. ESA may comment on notified draft measures and has certain veto rights.

THE EUROPEAN COMMISSION ANTITRUST/CARTEL DECISIONS

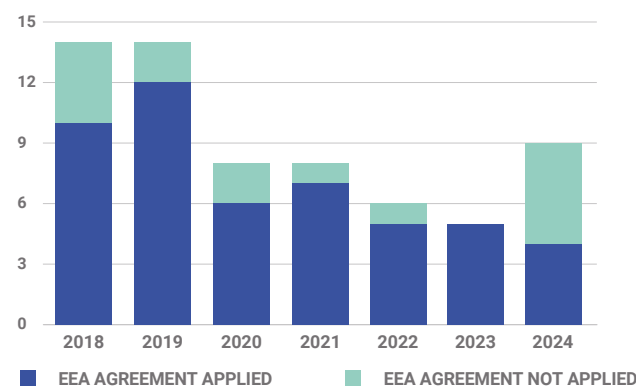


Figure 1 shows that the Commission has applied the EEA Agreement in many antitrust cases in recent years. In such cooperation cases, ESA has the opportunity to be heard.

THE EUROPEAN COMMISSION MERGER INTERVENTIONS

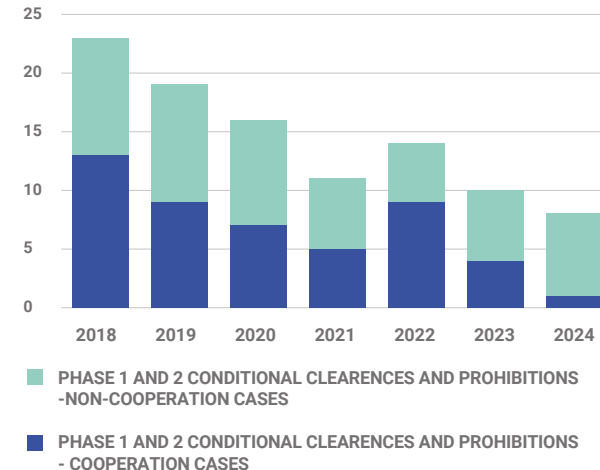


Figure 2 shows the number of mergers that were conditionally cleared or prohibited by the Commission since 2018. It shows that a sizeable share of those mergers were cooperation cases.

ECOM CASES 2018 - 2024

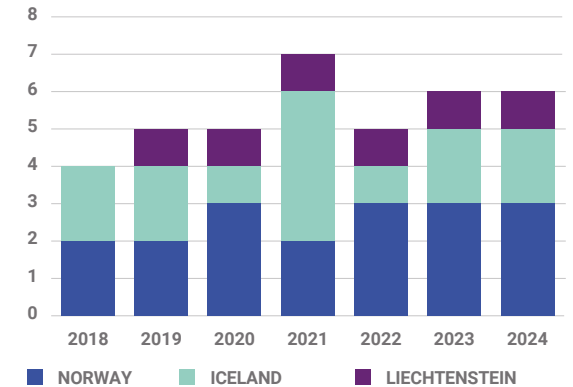


Figure 3 gives an overview of the number of eCom notifications since 2018

LEGAL AND EXECUTIVE AFFAIRS IN 2024

The Legal and Executive Affairs Department (LEA) is ESA's legal service, providing legal advice and representing ESA in court. LEA supports the College in reviewing, coordinating and communicating ESA decisions, and handles requests for public access to documents. ESA participates in all EFTA Court Advisory Opinion cases.

ESA may also bring infringement proceedings against EFTA States for non-fulfilment of their obligations under EEA law, and ESA's decisions can be challenged before the EFTA Court. ESA also participates in proceedings in the Court of Justice of the EU, the EFTA States' courts, and the European Court of Human Rights.

MAIN ACTIVITIES

In 2024, LEA reviewed 765 decisions and handled 118 public access requests. ESA's litigation work included 24 advisory opinions cases, six infringement proceedings concerning non-compliance with EEA law, 16 infringement proceedings concerning non-implementation of EEA law, and three actions for annulment of an ESA decision. ESA also participated in ten cases before the CJEU and General Court. The EFTA Court handed down 27 judgments in 2024: 16 advisory opinion, 10 infringement cases, and one concerning the validity of an ESA decision.

HIGHLIGHTS

E-25/24 Dartride AS v Norwegian State

One of 2024's most significant case concerned a request for an advisory opinion by Norway's Borgarting Court of Appeals on the principled question whether state liability for breaches of EEA law includes judiciary breaches.

E-16/23 ESA v Norway

Another noteworthy case is ESA's infringement action against Norway concerning the residence rights of EEA national children under Directive 2004/38/EC. The Court ruled that Norway had breached its EEA obligations by denying EEA national children who have sufficient resources

through their primary carers to be accompanied by those primary carers.

Joined cases E-13/22 and E-1/23 Birgir Þór Gylfason and Jórunn S. Gröndal v Landsbankinn hf & Elva Dögg Sverrisdóttir and Ólafur Viggó Sigurðsson v Íslandsbanki hf.

The EFTA Court delivered its advisory opinion concerning terms in consumer mortgage agreements linked to a variable interest rate. The Court held that under EEA law, such terms must be clear, understandable, and transparent so that consumers can understand their implications.

E-10/23 X v Finanzmarktaufsicht

The Liechtenstein Board of Appeals of the Financial Market Authority requested an Advisory Opinion regarding professional secrecy under Directive 2013/36/EU (Capital Requirements Directive IV). The Court clarified the concept of confidential information, and confirmed that it has jurisdiction to interpret the Surveillance and Court Agreement.

E-18/24 The Norwegian State v Greenpeace Nordic, Nature and Youth Norway

This case concerns environmental impact assessments under Directive 2011/92/EU (EIA Directive). The Court is asked whether greenhouse gas emissions from the end-user consumption of extracted petroleum must be assessed before granting development consent for oil extraction projects.

E-13/23 ESA v Norway

In this case, ESA initiated infringement proceedings against Norway concerning a notification requirement to set up subsidiaries or acquire financial institutions in other EEA States. The EFTA Court declared that ESA had not sufficiently substantiated such a breach and therefore dismissed ESA's application. ESA has reviewed the case closely to strengthen its future monitoring of compliance with EEA law in the Member States.

ESA'S COURT CASES IN 2024:

EFTA Court infringement proceedings concerning non-compliance:

[E-9/23 ESA v Norway](#)
[E-13/23 ESA v Norway](#)
[E-16/23 ESA v Norway](#)
[E-24/24 ESA v Norway](#)
[E-30/24 ESA v Iceland](#)
[E-16/24 ESA v Iceland](#)

EFTA Court infringement proceedings concerning non-implementation:

[E-14/23 ESA v Norway](#)
[E-4/24 ESA v Iceland](#)
[E-5/24 ESA v Iceland](#)
[E-6/24 ESA v Iceland](#)
[E-9/24 ESA v Iceland](#)
[E-10/24 ESA v Iceland](#)
[E-11/24 ESA v Iceland](#)
[E-12/24 ESA v Iceland](#)
[E-19/24 ESA v Iceland](#)
[E-20/24 ESA v Iceland](#)
[E-21/24 ESA v Iceland](#)
[E-22/24 ESA v Iceland](#)
[E-26/24 ESA v Iceland](#)
[E-27/24 ESA v Iceland](#)
[E-28/24 ESA v Iceland](#)
[E-29/24 ESA v Iceland](#)

Advisory opinions and actions for annulment:

[E-10/22 Eviny AS v ESA](#)
[Joined cases E-13/22 and E-1/23 Birgir Þór Gylfason and Jórunn S. Gröndal v Landsbankinn hf & Elva Dögg Sverrisdóttir and Ólafur Viggó Sigurðsson v Íslandsbanki hf.](#)
[E-2/23 A Ltd v Finanzmarktaufsicht](#)
[E-3/23 A v Arbeids- og velferdsdirektoratet](#)
[E-4/23 Neytendastofa v Íslandsbanki hf.](#)
[E-5/23 Criminal Proceedings against LDL](#)
[E-6/23 Criminal Proceedings against MH](#)
[E-7/23 ExxonMobil Holding Norway AS v Staten v/ Skatteetaten](#)
[E-8/23 Trannel International Limited v Staten v/Kultur- og likestillingsdepartementet](#)
[E-10/23 X v Finanzmarktaufsicht](#)

[E-11/23 Låssenteret AS v Assa Abloy Opening Solutions Norway AS](#)
[E-12/23 Norwegian Air Shuttle ASA v The Norwegian State, represented by the Ministry of Climate and Environment](#)
[E-15/23 K Nasjonalt klageorgan for helsetjenesten \(National Office for Health Service Appeals\)](#)
[E-1/24 TC](#)
[E-2/24 Bygg & Industri Norge AS and others v Norwegian State by the Ministry of Labour and Social Inclusion](#)
[E-3/24 Margrét Rósa Kristjánsdóttir v The Icelandic State](#)
[E-7/24 AA](#)
[E-8/24 Nordsjø Fjordbruk AS v The Norwegian State, represented by the Ministry of Trade, Industry and Fisheries](#)
[E-13/24 Friends of the Earth Norway and others v The Norwegian Government, represented by the Ministry of Climate and Environment and the Ministry of Trade, Industry and Fisheries](#)
[E-14/24 Elmatica AS v Confidee AS and Vidar Olsen](#)
[E-15/24 A v B](#)
[E-17/24 Söderberg & Partners AS v Gable Insurance AG in Konkurs](#)
[E-18/24 The Norwegian State v Greenpeace Nordic, Nature and Youth Norway](#)
[E-23/24 AO and IM](#)
[E-25/24 Dartride AS v Norwegian State, represented by the Ministry of Justice and Public Security](#)
[E-31/24 Toska ehf. and Lyf og heilsa hf. v ESA](#)
[E-32/24 SKEL fjárfestingafélag hf. v ESA](#)

EU court cases:

[C-465/20 P Commission v Ireland and Others](#)
[C-298/22 Banco BNP v BIC Português and Others](#)
[Joined cases C-611/22 P and C-625/22 P Illumina and Grail v Commission](#)
[C-48/22 P Google and Alphabet v Commission](#)
[C-329/23 Sozialversicherungsanstalt](#)
[C-482/23 Commission v Denmark](#)
[C-233/23 Alphabet and Others](#)
[C-775/23 Bursa Română de Mărfuri](#)
[C-573/24 NiZza](#)
[T-8/24 Meta Platforms Ireland Ltd v European Data Protection Board](#)

COMMUNICATION AND OUTREACH

The year 2024 was eventful for ESA, marked by numerous bilateral meetings, visits, presentations, and conferences, all organised or co-organized by ESA's communications staff. Most of these events took place in Brussels, either at ESA's headquarters in EFTA House or at the premises of partner organisations. Key events included the 2023–2024 EEA Law Moot Court in Iceland, breakfast and lunch seminars, book launches, ESA Day in Iceland, the first ESA Day in Norway, and the second annual Surveillance Policy Dialogue, organised in cooperation with the European Commission.

In addition, ESA continued its outreach efforts by participating in various career fairs in both Iceland and Norway, with a particular focus on promoting the Junior Professionals Programme for students in the fields of law, social sciences, and economics.

MOOT COURT

The 2023-24 EEA Law Moot Court was held in Reykjavík on 16 and 17 March 2024, with participation from students at the University of Iceland, Reykjavík University, and the Universities of Bergen, Oslo and Stavanger. The Moot Court President was EFTA Court President Páll Hreinsson. The Moot was hosted by the President of the Supreme Court of Iceland, Benedikt Bogason, and took place on the premises of the Supreme Court, and the District Court of Reykjavík.

The winning team were Anna Mae Manning, Daniela Yolanda Melara Lara, Nikoleta Pohankova, Julia Scandolo, and Pétur Magnús Pétursson, from Reykjavík University. The competition winners were invited on a VIP trip to Brussels and Luxembourg, where they visited at ESA, the EU institutions, the EFTA Court and the Court of Justice

of the EU. The week included expert workshops and in-depth discussions with judges and officials.

SURVEILLANCE POLICY DIALOGUE

The second Annual Surveillance Policy Dialogue was hosted at the EFTA House on 4 June. The Surveillance Policy Dialogue is a joint effort by ESA and the European Commission to ensure uniform surveillance of the internal market, in line with the EEA Agreement, through cooperation, exchange of information and consultations on surveillance policy issues. The second annual meeting focused on working methods and examples from a variety of areas under the Internal Market umbrella.

The event, which brought together staff members from the Commission and ESA, provided an opportunity to share experiences and good practices on enforcement for the good functioning of the internal market. The Annual Surveillance Policy Dialogue complements the regular meetings between ESA's College and the Commission's Executive Vice-President Maroš Šefčovič.

ESA's President Arne Røksund gave the opening remarks, which were followed by presentations and panel discussions with speakers from the two institutions.

Among the topics discussed were infringement litigation, enforcement policy and compliance assessment practices from various fields including financial services, employment and transport.

ESA AND THE MEDIA

ESA published 67 press releases in 2024, of which 29 were also published in Norwegian, 23 in Icelandic and two in German. Throughout 2024, ESA was mentioned in news media more than 1,750 times according to Retriever, the news monitoring service.



Visit by then European Commissioner for Competition Margrethe Vestager during a book launch held at EFTA House.



Winners and judges of the the 2023-24 EEA Law Moot Court.



ESA College members and Directors met with then European Commission Vice-President Maroš Šefčovič, today the Commissioner for Trade and Economic Security.



A panel debate during the ESA-European Commission Surveillance Policy Dialogue held at at EFTA House on 4 June.

PRESS RELEASES

INTERNAL MARKET AFFAIRS
DECISIONS AND REPORTS

Norway: [ESA closes investigation into Norwegian restrictions on subcontracting in public procurement](#) (Closure)

Norway: [Animal health: Norway requested to step up preparedness for infectious avian diseases](#) (Report)

Norway: [ESA approves Norwegian emergency measures to control an outbreak of avian influenza](#) (Emergency measure decision)

Norway: [Food safety: Norway continues addressing food and veterinary recommendations](#) (Report)

Norway: [Food safety: Iceland makes progress in several areas, but controls of animal by-products](#)

Norway: [Norway takes necessary steps to comply with EEA rules regarding maritime safety](#) (Closure)

Iceland: [Food safety: Iceland makes progress in several areas, but controls of animal by-products remain unsatisfactory](#)

Iceland: [Iceland takes necessary steps to comply with EEA rules for fish-oil production](#) (Closure)

Iceland: [ESA takes Iceland to the EFTA Court for not transposing EEA acts in the field of company law](#) (Court referral)

Iceland: [ESA closes complaint case concerning whaling in Iceland](#) (Closure)

Iceland: [ESA takes further steps against Iceland for restricting access to taxi market](#) (Supplementary letter of formal notice)

Iceland: [Food safety: Iceland improves poultry-meat controls](#) (Report)

Iceland: [ESA approves Norwegian measures to control and eradicate salmon fluke](#) (Food safety decision)

Iceland: [ESA takes Iceland to Court for failing to incorporate EEA rules on port infrastructure](#) (Court referral)

Iceland: [ESA asks Iceland to comply with EEA rules on veterinary import controls](#) (Letter of formal notice)

Iceland: [ESA asks Iceland to comply with EEA rules on animal by-products](#) (Letter of formal notice)

Iceland: [Food safety: ESA requests Iceland to implement an effective system for official controls](#) (Letter of formal notice)

Iceland: [ESA takes Iceland to court for failing to ensure the free movement of workers and services](#) (Court referral)

Iceland: [ESA takes Iceland to court for failing to implement EEA rules on preparedness for aircraft accident investigations](#) (Court referral)

Norway: [ESA takes Norway to court for restricting ownership in banks and insurance companies](#) (Court referral)

Iceland: [ESA takes Iceland to court for failing to include EEA financial rules in national law](#) (Court referral)

Norway: [ESA closes infringement proceedings against Norway over reimbursement of cross-border healthcare costs](#) (Closure)

Norway: [ESA asks Norway to comply with EEA rules on port security](#) (Letter of formal notice)

Iceland: [ESA closes an own initiative case against Iceland on the loading and unloading of large cargo ships](#) (Closure)

Iceland, Liechtenstein, Norway: [EEA EFTA States at risk of missing waste targets](#) (Report)

Iceland, Norway: [ESA encourages Norway and Iceland to strengthen emission-reduction efforts](#) (Report)

Norway: [ESA closes infringement proceedings against Norway over lack of public tender for municipal waste management](#) (Closure)

Norway: [ESA approves Norwegian emergency measures to control outbreak of avian influenza](#) (Emergency measure)

Iceland: [ESA asks Iceland to comply with EFTA Court judgment in maternity benefits case](#) (Letter of formal notice)

STATE AID DECISIONS

Norway: [ESA approves budget increase to Norwegian aid scheme for alternative fuels infrastructure](#)

Iceland: [ESA approves Icelandic tax scheme for employee share options](#)

Norway: [ESA opens investigation into possible breach of State aid rules benefitting the Norwegian wood industry](#)

Norway: [ESA opens investigation into proposed exemptions from carbon taxes in Norway](#)

Norway: [ESA approves new amendment to Norwegian CO2 compensation scheme](#)

Norway: [ESA approves Norwegian state aid scheme for rail freight operators following the collapse of Randklev bridge](#)

Norway: [ESA approves extension of Norwegian grant scheme for local broadcaster ESA approves prolongation of Norwegian NOx tax exemption scheme](#)

Norway: [ESA greenlights Norway's participation in SAS Group restructuring](#)

Norway: [ESA launches investigation into alleged State aid to Vy Buss](#)

Norway: [ESA finds no aid in Farsund property-development measures](#)

Norway: [ESA approves budget boost for Norwegian aid scheme for floating offshore wind](#)

Norway: [ESA approves Norwegian scheme for green industrial projects](#)

Norway: [ESA approves changes to Norwegian grant scheme for news and current affairs media](#)

Norway: [ESA approves changes to Norwegian grant scheme for news and current affairs media](#)

Iceland: [ESA launches investigation into the purchasing of medical imaging services in Iceland](#)

Norway: [ESA opens investigation into alleged State aid to Bane NOR](#)

Iceland: [ESA asks Iceland to comply with EEA rules on State aid in the waste-management sector](#)

Norway: [ESA greenlights prolongation of Norwegian tax incentives for electric cars](#)

Iceland: [ESA approves Icelandic scheme to support subtitling and dubbing of children's content](#)

Norway: [ESA greenlights amendments to Norwegian CO2 compensation scheme](#)

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COMPETITION DECISIONS

Norway: [ESA investigates possible breach by Norway of EEA competition rules over exclusive rights granted to power exchange Nord Pool](#)

Iceland: [EFTA Surveillance Authority carries out unannounced antitrust inspection](#)

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