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ANNEX

ANNEX

to the

Proposal for a

COUNCIL DECISION

on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

(Govsatcom and Secure Connectivity)

ANNEX

DRAFT DECISION OF THE EEA JOINT COMMITTEE

No […]

of […]

amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ("the EEA Agreement"), and in particular Articles 86 and 98 thereof,

Whereas:

(1) The Contracting Parties acknowledge the existing formal cooperation in the Union Space Programme. They wish to build on this strong partnership and to extend the cooperation to the GOVSATCOM component of the Union Space Programme established by Regulation (EU) 2021/696 of the European Parliament and of the Council and the Secure Connectivity Programme established by Regulation (EU) 2023/588 of the European Parliament and of the Council.

(2) It is appropriate to extend the cooperation agreed by the Contracting Parties to the EEA Agreement in Decision of the EEA Joint Committee No 319/2021 of 29 October 2021 to the Governmental Satellite Communication (GOVSATCOM) component of the Union Space Programme established by Regulation (EU) 2021/696 of the European Parliament and of the Council.

(3) It is appropriate to extend the cooperation of the Contracting Parties to the EEA Agreement to include Regulation (EU) 2023/588 of the European Parliament and of the Council of 15 March 2023 establishing the Union Secure Connectivity Programme for the period 2023-2027[1].

(4) The conditions for the participation of EFTA States and their institutions, undertakings, organizations and nationals in programmes of the European Union are set out in the EEA Agreement and in particular in Article 81 thereof.

(5) The agreements between the European Union and the EFTA States, respectively, on security procedures for the exchange of classified information should be taken into account.

(6) Additional cooperation principles may, if needed, be agreed between the Contracting Parties to regulate specific areas not covered by this Decision.

(7) The participation of the EFTA States in the GOVSATCOM component and the Secure Connectivity Programme on the basis of the EEA Agreement is of mutual interest to the Contracting Parties.

[1] OJ L 79, 17.3.2023, p. 1.

(8) It is appropriate that the participation of Iceland and Norway in the programme committees, working groups and other activities resulting from the GOVSATCOM component and the Secure Connectivity Programme commence from 1 September 2024, irrespective of when this Decision is adopted, or whether the fulfilment of constitutional requirements for this Decision, if any, is notified after 10 July 2025.

(9) On the basis of Iceland and Norway becoming users of the capacities and services of the GOVSATCOM component, Iceland and Norway will contribute financially to the EU commitments budgeted for the GOVSATCOM component for the financial years 2021 to 2024.

(10) On the basis of Iceland and Norway becoming users of the capacities and services of the Secure Connectivity Programme, Iceland and Norway will contribute financially to the EU commitments budgeted for the Secure Connectivity Programme for the financial years 2023 and 2024.

(11) The contributions are determined at this point in time based on significant investments executed in the first years of the implementation of the programme. These investments concern the creation of infrastructure that will be used by all participants of the system, including Iceland and Norway.

(12) Protocol 31 to the EEA Agreement should therefore be amended in order to allow for this extended cooperation to take place,

HAS ADOPTED THIS DECISION:

Article 1

Article 1 of Protocol 31 to the EEA Agreement shall be amended as follows:

1. Paragraph 8e shall be amended as follows:

   (a) in point (a), the words "the Governmental Satellite Communication (GOVSATCOM) and" shall be deleted;

   (b) points (b) to (o) shall be renumbered as point (c) to (p);

   (c) the following point shall be added after point (a):

   '(b) An EFTA State may become a participant in the Governmental Satellite Communication (GOVSATCOM) component subject to the conclusion of a specific agreement as referred to in Article 7(2) of Regulation (EU) 2021/696.';

   (d) the text of point (c) shall be replaced by the following:

   "The EFTA States shall contribute financially to the activities referred to under (a) in accordance with Article 82(1)(a) of and Protocol 32 to the Agreement.

   The EFTA States shall contribute financially to the activities referred to under (b) in accordance with Article 82(1)(a) of and Protocol 32 to the Agreement, after the conclusion of an agreement referred to under point (b).

   In addition, based on Article 82(1)(c) and (2) of the EEA Agreement and as agreed in accordance with paragraphs 8 and 9 of Article 1 of Protocol 32 to the EEA Agreement, Iceland shall, after the conclusion of an agreement referred to under (b), contribute the amount of EUR 98.000 (ninety-eight thousand) for the financial years 2021 to 2024 to the GOVSATCOM component. This amount shall take form of three equal instalments, to be included respectively in the

call for funds for the financial years of 2025, 2026 and 2027, as referred to in the first subparagraph of Article 2(2) of Protocol 32.

In addition, based on Article 82(1)(c) and (2) of the EEA Agreement and as agreed in accordance with paragraphs 8 and 9 of Article 1 of Protocol 32 to the EEA Agreement, Norway shall, after the conclusion of an agreement referred to under (b), contribute the amount of EUR 1.896.000 (one million eight hundred and ninety-six thousand) for the financial years 2021 to 2024 to the GOVSATCOM component. This amount shall take form of three equal instalments, to be included respectively in the call for funds for the financial years of 2025, 2026 and 2027, as referred to in the first subparagraph of Article 2(2) of Protocol 32.";

(e) in point (d), the word "(b)" shall be replaced by the word "(c)";

(f) the text of point (o) shall be replaced by the following:

"With regard to Liechtenstein, this paragraph shall be suspended until otherwise decided by the EEA Joint Committee."

2. The following is inserted after paragraph 8e:

'8f. (a) The EFTA States shall participate in the activities which may result from the following Union act:

- **32023 R 0588**: Regulation (EU) 2023/588 of the European Parliament and of the Council of 15 March 2023 establishing the Union Secure Connectivity Programme for the period 2023-2027 (OJ L 79, 17.3.2023, p. 1).

(b) An EFTA State may become a participant to the Union Secure Connectivity Programme subject to the conclusion of a specific agreement as referred to in Article 39(1) of Regulation (EU) 2023/588.

(c) The EFTA States shall contribute financially to the activities referred to under (a) in accordance with Article 82(1)(a) of and Protocol 32 to the Agreement, after the conclusion of an agreement referred to under point (b).

In addition, based on Article 82(1)(c) and (2) of the EEA Agreement and as agreed in accordance with paragraphs 8 and 9 of Article 1 of Protocol 32 to the EEA Agreement, Iceland shall, after the conclusion of an agreement referred to under (b), contribute the amount of EUR 510.700 (five hundred and ten thousand seven hundred) for the financial years 2023 and 2024. This amount shall take form of three equal instalments, to be included respectively in the call for funds for the financial years of 2025, 2026 and 2027, as referred to in the first subparagraph of Article 2(2) of Protocol 32.

In addition, based on Article 82(1)(c) and (2) of the EEA Agreement and as agreed in accordance with paragraphs 8 and 9 of Article 1 of Protocol 32 to the EEA Agreement, Norway shall, after the conclusion of an agreement referred to under (b), contribute the amount of EUR 10.124.000 (ten million and one hundred and twenty-four thousand) for the financial years 2023 and 2024. This amount shall take form of three equal instalments, to be included respectively in the call for funds for the

financial years of 2025, 2026 and 2027, as referred to in the first subparagraph of Article 2(2) of Protocol 32.

(d) With regard to Liechtenstein, this paragraph shall be suspended until otherwise decided by the EEA Joint Committee.'

Article 2

1. This Decision shall enter into force on the day following the last notification under Article 103(1) of the EEA Agreement[*].

Article 3

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, […].

For the EEA Joint Committee

The President

[…]

The Secretaries
To the EEA Joint Committee
[…]

[*] [No constitutional requirements indicated.] [Constitutional requirements indicated.]