

Quo vadis EEA? Quo vadis EEA research?

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A [conference at the University of Innsbruck](#) put the EEA Agreement under the microscope. The conference provided an interesting mix of contributions from academics and representatives from the EEA institutions. However, it also revealed several deficits in the academic research on the EEA.

Academic interest in the EEA

On 2 May 1992, after long negotiations, representatives of the European Union (EU) and its 12 member states, as well as of the seven countries of the [European Free Trade Association \(EFTA\)](#), signed the [Agreement on the European Economic Area \(EEA\)](#). However, after Switzerland opted out, as a result of a popular vote on its EEA accession, and Austria, Finland, and Sweden joined the EU, Norway, Iceland, and Liechtenstein remained the only EFTA countries that were also contracting parties to the EEA. It is thus no surprise that the EEA faded into oblivion for both politics and academia. The EU's Eastern enlargement, as well as the creation of a [European Neighbourhood Policy \(ENP\)](#), have further reinforced this development.

In recent years, however, political and academic interest in the EEA has increased significantly. There is a growing interest in the lessons that can be drawn from this privileged partnership that the EEA EFTA states have maintained with the EU over the last 25 years. This applies in particular with regard to states that are unwilling or unable to become EU members. Moreover, the EEA might be seen as an alternative for states that are no longer willing or able to be a member of the EU.

There is also a growing interest in the [functioning of the EEA](#) among the EEA EFTA states. The EEA Agreement is by far the most important agreement that the EEA EFTA states have concluded with the EU. It provides the framework for extensive legal integration and other forms of cooperation. However, during the last 25 years, the EEA has undergone various [changes](#) which have affected its scope, institutions and procedures.

On the occasion of the EEA's 25th anniversary the University of Innsbruck, in cooperation with the government of the Principality of Liechtenstein, organized a [conference](#) including contributions by

academics as well as by representatives from the EU and EFTA institutions. The contributions addressed the integration of the EEA EFTA States into EU policy making, the incorporation of new EU law into the EEA Agreement, the relationship between the EFTA institutions and the national authorities of the EEA EFTA states, as well as challenges in specific policy fields.

Challenges for academic research on the EEA

Despite this mix of topics and perspectives, the conference could not overcome the deficits in the academic research on the EEA. Half of the contributions came from official representatives of the EEA and its member states. This is not unusual for an EEA event. Indeed, research on the EEA is strongly influenced by the people who are directly involved in the administration and implementation of the EEA Agreement. Their perspective is of course extremely valuable, especially when it comes to describing the institutions and processes of the EEA. Nevertheless, those contributions are usually just descriptive and do not provide a differentiated examination of the EEA's strengths and weaknesses.

Another challenge for the academic research on the EEA is that this research is mostly country-specific. As a result, there are only very few comparative studies. The EEA EFTA states are also excluded from the Eurobarometer, which is why there is a lack of survey data that covers all EEA EFTA states as well as the EU states.

Coordinated research projects with researchers from the three EEA EFTA states are probably the only way to overcome this lack of empirical data and analyses. A current project of the EFTA Surveillance Authority (ESA) represents a good example for such a coordinated project. The project investigates national case law on state aid in the EEA EFTA states. All EEA EFTA states participate in the project. Before the project started the different institutions agreed on a common methodological approach and a regular exchange. This is intended to ensure the comparability of the results of the respective country reports.

At the same time, it would be desirable if the EFTA institutions and the EEA EFTA states would make legal notes and other explanatory documents publicly available so that they can be referred to in academic contributions. It appears that the EFTA Secretariat is planning to publish two basic legal notes on the EEA's two-pillar system. This would be of great benefit for the academic debate on the EEA and could improve the exchange between practice and science.

Quo vadis EEA research?

There are various examples of the growing academic interest in the EEA. Of particular note is the recent commentary on the EEA Agreement and the prominent reference to the EEA in various projects dealing with differentiated integration within and outside the EU. The latter takes up some well elaborated analyses that explain the EFTA states' reluctance towards European integration with the most common theories on European integration. Finally, there are various projects and

publications that compare the experiences of the EEA EFTA states with the goals of other European states.

It is very welcome that the EEA becomes embedded in the theoretical concepts of EU research. This is the only way to identify commonalities and differences in the European policies of the EU and EEA EFTA states. However, in order to make the complexity of the EEA Agreement visible, it is also important that the specific institutional arrangements of the EEA are analysed in detail. For example, the EEA cannot only be seen as a case of external differentiated integration because there is also a lot of differentiation within the policy fields covered by the EEA Agreement. This type of differentiation cannot be fully explained by the patterns that explain the EEA EFTA states' general reluctance towards European integration.

The EEA is also well known for its democratic deficit which results from the fact that the EEA EFTA states do not have a voting right in EU policy making. From the perspective of EU research, however, it is often overlooked that there is a specific EEA decision-making process. This specific decision-making may not completely eliminate the criticism of the EEA's democratic deficit but it shows that there is no automatic policy transfer from the EU to the EEA EFTA states.

On the other hand, those who focus only on the EEA may forget that the core of the EEA is EU law. To foster EEA rules and standards, the EEA EFTA states can participate in various committees and expert groups of the European Commission and can also comment on new legislative proposals by the EU. However, the actual impact of the EEA EFTA states on the development of new EEA relevant EU law is very limited. Moreover, to promote prosperity, innovation and competitiveness in the EEA by introducing new legal standards, the EEA EFTA states depend on the efficiency of EU policy making. In other words, the EEA can only be successful if it does not have disintegrative effects on the EU.

EEA under the microscope

The EEA is currently not much under scrutiny. If problems arise, pragmatic solutions are found. This became clear when the Prime Ministers of the EEA EFTA states met with the leaders of all the EU member states at the European Council on 22 March 2019 in order to celebrate 25 years of the EEA. In a joint statement the Prime Ministers of the EEA EFTA states concluded that the positive spirit of cooperation has allowed for adaptations and pragmatic solutions to meet common challenges. Likewise, Donald Tusk, President of the European Council, described the EEA as a long-term partnership, where everyone contributes and everyone benefits.

However, there are different perspectives on the EEA and its current assessment by the EU might be strongly affected by the problems that the EU is facing with other countries such as Switzerland and the United Kingdom. The academic research should thus not be dazzled by the positive picture that officials of the EU and the EFTA draw from the EEA. Instead, it should continue to put the EEA under the microscope. To do so academic research institutions of the three EEA EFTA states, but

also from the EU states, have to intensify their cooperation. We hope that academic conferences such as the one in Innsbruck as well as the website [EFTA-studies.org](https://efta-studies.org) will also contribute to this process.

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