

Parallel Legislation in the EEA: Automatic or Manual?

On the substance, this can mean taking part, to the fullest extent, not only in all internal market developments, but also in the so-called «flanking policies» (and, indeed, beyond!), for instance, in the wide range of Community programmes and whether on research, the environment or education: the more «intimate» the presence in the various types of committee involved in programme management, the better! Again, in more recent years, the Union has seen a mushrooming of specialised agencies, whether for food or air safety, or data protection or border controls and that in a broad range of activities which were, in the past, followed more directly by the Commission. Clearly, to the extent they contribute financially to these agencies, the maximisers will not only seek to be members of the bodies running the programmes, but even to be able to have – dare I say it? – a vote in decision-making. And, as it becomes ever more difficult to separate the internal from the external, the maximisers will increasingly seek to have a stronger influence in «third country relations», for instance, the «open skies» policies of the Union.

On the other hand, the «minimisers» would prefer to leave things much as they are: their motto might be: «don't rock the boat». This would mean, for instance, that there should be no need to discuss whether a piece of the *acquis* is, at all, «relevant» and, thereby, to be extended to the EEA: this has been the case, recently, with the so-called «greenhouse gas emissions directive». Again, the minimisers are bound to be irritated if they do have strong views on what they consider to be a fair compromise: thus, for them, the «.eu top level internet domain» should be for EU users only, a separate «lower-level» «.eea domain», for the EFTA/EEA states. And if they already have problems «at home», on issues such as novel foods and genetically modified organisms, the minimisers will not look forward to these problems being exacerbated in their daily EEA work.

Finally – and whether as maxi- or minimisers – «the protagonists» would tend to agree that joint committee decision-making procedures should be as straight-forward as possible. Thus, Regulation 2894 of 1994 could be applied to enable the Commission, even more than now, to put forward the Community position for joint committee decisions. In this way, duplication of effort – not least by the Council! – would be reduced: a current example being considered is the prolongation of