

Preface

There are few monographs on the law of the European Economic Area. This Handbook seeks to rectify this situation by comprehensively addressing the breadth of law encompassed by the EEA Agreement for the benefit of practitioners, legal scholars and students alike. The extension of the European Union's Single Market by the Agreement on the European Economic Area, in 1994, was a singular achievement. The Agreement binds 31 countries: the 28 EU Member States and 3 EFTA countries, Iceland, Liechtenstein and Norway. This Handbook may prove to be a source on which to teach a course on litigation before national courts and the EFTA Court. Moreover, students may find it approachable and absorbing. Primarily, however, this work is intended to give practitioners and legal scholars a real understanding of the subject matter of the EEA Agreement, its nuances and the role it plays in the national legal orders of Iceland, Liechtenstein and Norway. Strong focus is put on the jurisprudence of the two EEA courts and in particular that of the EFTA Court. The book is divided into 12 parts and each chapter has been written by a judge, noted practitioner or eminent academic in their respective fields from across the EEA and beyond.

Part I introduces the main features of the EEA Agreement and sets the Agreement into its historical context.

Part II—Genesis of EEA Law—provides an overview of the decision-making procedure in the European Economic Area, from the creation of EU law to incorporation into the EEA Agreement and implementation in the EEA/EFTA States. It also tackles the consequences that may occur if no agreement can be reached on the incorporation of an EU legal act into the EEA legal order and the consequences of a failure to unanimously agree in the EEA Joint Committee on the incorporation of an EU act.

Part III—Institutions and Procedure—describes the organs of the EFTA pillar of the EEA: the EFTA Surveillance Authority and the EFTA Court. The first President of ESA, Knut Almestad, aptly called these two institutions 'the quintessence of the EEA Agreement'. The part illustrates in detail the relationship between the two-sister EEA judicial institutions: the EFTA Court and the Court of Justice of

the European Union, in terms of the judicial dialogue between the judges and advocates general, and the cross-pollination of jurisprudence. It goes on to consider the EEA enforcement system.

Parts IV–VI look at the EEA from the ground up. The EFTA pillar is considered from the perspective of the national authorities, national courts and practising Bars of Iceland, Liechtenstein and Norway.

Parts VII–XII comprehensively address the material breadth of the EEA Agreement. Part VII focuses on the general principles and the general prohibition of discrimination on grounds of nationality, while Part VIII addresses the fundamental freedoms. Part IX considers competition law, a core element of the EEA single market, from both the Brussels and a national perspective, State aid, public procurement law and the twin principles of transparency and openness and their prime application in the form of access to documents. Part X moves on to further areas of economic law by focussing on financial services, gambling, intellectual property and tax law as well as mutual administrative and legal assistance. Part XI addresses the law of natural and economic resources and the Handbook closes in Part XII with an examination of social protection and public health.

I would like to thank the contributors for their efforts in distilling their expert knowledge into their respective chapters. Particularly, I would like to extend a special thanks to my Legal Secretary, Michael-James Clifton, LL.B. (EU), LL.M. Adv., Barrister, who not only co-authored the chapter on access to documents, but also coordinated the publication of the handbook on my behalf, proof-read and revised each chapter and liaised with both the publishers and fellow contributors and ensured the book's timely production.

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