



2025/1757

22.8.2025

COUNCIL DECISION (EU) 2025/1757

of 8 July 2025

on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment to Annex II (Technical regulations, standards, testing and certification) and Annex IV (Energy) to the EEA Agreement (EED)

(Text with EEA relevance)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 194(2) in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ (the 'EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Annex II (Technical regulations, standards, testing and certification) and Annex IV (Energy) to the EEA Agreement.
- (3) Directive 2012/27/EU of the European Parliament and of the Council ⁽³⁾ and Directive (EU) 2018/2002 of the European Parliament and of the Council ⁽⁴⁾ should be incorporated into the EEA Agreement.
- (4) Several provisions of Directive 2012/27/EU as amended by Directive (EU) 2018/2002 require substantive adaptations that reflect the specificities of the EEA Agreement and of the EFTA States.
- (5) Since the Union's energy efficiency headline targets for 2020 and 2030 do not apply to the EFTA States, Article 1(1) of Directive 2012/27/EU as amended by Directive (EU) 2018/2002 and Articles 3(1)(a) and 3(5) of Directive 2012/27/EU should not apply to the EFTA States. However, the EFTA States set out in a voluntary manner their national indicative targets for energy efficiency, as set out in the Declaration of EFTA States attached to the EEA Joint Committee Decision.
- (6) Article 5 of Directive 2012/27/EU refers to the minimum energy performance requirements to be complied with based on Article 4 of Directive 2010/31/EU of the European Parliament and of the Council ⁽⁵⁾. It is appropriate to allow Iceland to fulfil its obligations on the minimum energy performance requirements in central government's buildings based on its national legislation, given that Iceland has a derogation from incorporating Directive 2010/31/EU into its national law.
- (7) It is also appropriate to adapt Article 20(5) of Directive 2012/27/EU, in particular by replacing the reference to Article 5(1) with a more general reference to Article 5 in order to reflect the adaptations made under the latter provisions.

⁽¹⁾ OJ L 305, 30.11.1994, p. 6, ELI: <http://data.europa.eu/eli/reg/1994/2894/oj>.

⁽²⁾ OJ L 1, 3.1.1994, p. 3, ELI: http://data.europa.eu/eli/agree_international/1994/1/oj.

⁽³⁾ Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC (OJ L 315, 14.11.2012, p. 1, ELI: <http://data.europa.eu/eli/dir/2012/27/oj>).

⁽⁴⁾ Directive (EU) 2018/2002 of the European Parliament and of the Council of 11 December 2018 amending Directive 2012/27/EU on energy efficiency (OJ L 328, 21.12.2018, p. 210, ELI: <http://data.europa.eu/eli/dir/2018/2002/oj>).

⁽⁵⁾ Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (OJ L 153 18.6.2010, p. 13, ELI: <http://data.europa.eu/eli/dir/2010/31/oj>).

- (8) New energy savings to be achieved by Iceland pursuant to Article 7(1) of Directive 2012/27/EU should be set at a level that reflects the specificities of Iceland's energy market and energy mix.
- (9) Given that the Icelandic energy system is isolated, near fossil-free, with high levels of security of supply and energy independence, and relies extensively on renewable geothermal energy with special characteristics, it is appropriate to allow a derogation for Iceland from certain requirements as regards metering set out in Articles 9a, 9b and 9c of Directive 2012/27/EU.
- (10) Given that Iceland has no natural gas infrastructure and is exempt from Directive 2009/73/EC on the internal market for natural gas, Articles 9 and 10 of Directive 2012/27/EU as regards metering for natural gas and billing information should not apply to Iceland.
- (11) Given that Directive 2004/8/EC of the European Parliament and of the Council ⁽⁶⁾ does not apply to geothermal cogeneration in Iceland, Article 14 and Article 15 of Directive 2012/27/EU as amended by Directive (EU) 2018/2002 which correlate to Directive 2004/8/EC should not apply to Iceland.
- (12) Annex II (Technical regulations, standards, testing and certification) and Annex IV (Energy) to the EEA Agreement should therefore be amended accordingly.
- (13) The position of the Union within the EEA Joint Committee should therefore be based on the attached draft decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union, within the EEA Joint Committee on the proposed amendment of Annex II (Technical regulations, standards, testing and certification) and Annex IV (Energy) to the EEA Agreement, shall be based on the draft decision of the EEA Joint Committee attached to this Decision.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 8 July 2025.

For the Council

The President

S. LOSE

⁽⁶⁾ Directive 2004/8/EC of the European Parliament and of the Council of 11 February 2004 on the promotion of cogeneration based on a useful heat demand in the internal energy market and amending Directive 92/42/EEC (OJ L 52, 21.2.2004, p. 50, ELI: <http://data.europa.eu/eli/dir/2004/8/oj>).

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DECISION OF THE EEA JOINT COMMITTEE No ...**of ...****amending Annex II (Technical regulations, standards, testing and certification) and Annex IV (Energy) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Directive (EU) 2018/2002 of the European Parliament and of the Council of 11 December 2018 amending Directive 2012/27/EU on energy efficiency ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) The EFTA States are not included in the EU energy efficiency headline target of 20 % energy savings by 2020. Article 3 of Directive 2012/27/EU should apply to the EFTA States except for the provisions in Article 3(1)(a) and 3(5).
- (4) The EFTA States are not included in the EU energy efficiency 2030 headline targets of at least 32,5 %. Article 1(1) of Directive 2012/27/EU, as amended by Directive (EU) 2018/2002, should therefore not apply to the EFTA States. The EFTA States should instead set national indicative energy efficiency targets for 2030.
- (5) The derogations for Iceland aim to ensure that energy efficiency measures are implemented in a cost-effective and appropriate manner to its situation with an isolated and nearly fossil-free energy system, with high levels of security of supply and energy independence. Iceland has an extensive deployment of renewable geothermal energy with special characteristics, which inter alia makes it necessary for Iceland to derogate from certain requirements as regards metering in Articles 9a, 9b and 9c.
- (6) Article 5 of Directive 2012/27/EU refers to minimum energy performance standards contained in Article 4 of Directive 2010/31/EU on the energy performance of buildings. Iceland is exempt from applying Directive 2010/31/EU in accordance with Decision of the EEA Joint Committee No 135/2022. Therefore, obligations on the minimum energy performance in buildings shall follow from national legislation in Iceland.
- (7) Iceland has a disproportionally high share of energy intensive industry resulting in a savings obligation that is several times higher than the EU average. 88 % of primary energy in Iceland is renewable and the cost of electricity and heat is low, implying fewer cost optimal savings. Therefore, in accordance with Article 7(1), Iceland should achieve new energy savings each year from 1 January 2021 to 31 December 2030 equivalent to 0,24 % of final energy consumption averaged over the most recent three-year period prior to 1 January 2019.
- (8) Iceland has no natural gas infrastructure and is exempt from Directive 2009/73/EC on the internal market for natural gas in accordance with Decision of the EEA Joint Committee No 93/2017. Therefore, Articles 9 and 10 of Directive 2012/27/EU as regards metering for natural gas and billing information for natural gas should not apply to Iceland.

⁽¹⁾ OJ L 315, 14.11.2012, p. 1.

⁽²⁾ OJ L 328, 21.12.2018, p. 210.

- (9) Directive 2004/8/EC on the promotion of cogeneration based on a useful heat demand in the internal energy market does not apply to geothermal cogeneration as regards Iceland in accordance with Decision of the EEA Joint Committee No 151/2006. Articles 14 and 15 regarding cogeneration in Directive 2012/27/EU, as amended by Directive (EU) 2018/2002, correlate to the Articles regarding cogeneration in Directive 2004/8/EC. Iceland already covers 90 % of total heat demand with geothermal energy and continues to promote the development of geothermal cogeneration within its national legal framework wherever technically feasible. Therefore, Articles 14 and 15 should not apply to geothermal cogeneration as regards Iceland.
- (10) Additional flexibility in the application of Articles 5 and 20 of Directive 2012/27/EU has been agreed. In Article 20(5), the reference to Article 5(1) should be replaced by a reference to Article 5 to allow the obligations of the whole Article 5 to be fulfilled by contributions to a fund.
- (11) Directive 2012/27/EU repeals Directive 2004/8/EC⁽³⁾, which is incorporated into the EEA Agreement and is consequently to be repealed under the EEA Agreement.
- (12) Annexes II and IV to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following is added in point 6 (Directive 2009/125/EC of the European Parliament and of the Council) of Chapter IV of Annex II to the EEA Agreement:

‘, as amended by:

- **32012 L 0027**: Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 (OJ L 315, 14.11.2012, p. 1).’

Article 2

Annex IV to the EEA Agreement shall be amended as follows:

- 1. The text of point 24 (Directive 2004/8/EC of the European Parliament and of the Council) is replaced by the following:

‘**32012 L 0027**: Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC (OJ L 315, 14.11.2012, p. 1), as amended by:

- **32018 L 2002**: Directive (EU) 2018/2002 of the European Parliament and of the Council of 11 December 2018 (OJ L 328, 21.12.2018, p. 210).

The provisions of the Directive shall, for the purposes of this Agreement, be read with the following adaptations:

- (a) Articles 1(1) and 3(1)(a) and third subparagraph of Article 7(1) shall not apply to the EFTA States.
- (b) In Article 3(5), the following subparagraph shall be added:

“Each EFTA State shall set a national indicative energy efficiency target for 2030, based on either primary or final energy consumption, or energy intensity, as part of its respective integrated national energy and climate plan in accordance with Articles 3 and 7 to 12 of Regulation (EU) 2018/1999.”
- (c) In Article 5(1), the words “, or, as regards Iceland, obligations in accordance with national legislation in Iceland” shall be inserted after the words “Article 4 of Directive 2010/31/EU”.
- (d) In point (b) of Article 7(1), the following sentence shall be added:

“By way of derogation from the requirement in the first sentence of this point, Iceland shall achieve new savings each year from 1 January 2021 to 31 December 2030 equivalent to 0,24 % of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019.”

⁽³⁾ OJ L 52, 21.2.2004, p. 50.

- (e) Article 9 shall not apply to Iceland as regards metering for gas.
 - (f) In Article 9a(1), the words “, or the equivalent energy consumption as regards Iceland” shall be inserted after the words “actual energy consumption”.
 - (g) Articles 9a and 9c shall not apply to district heating systems in Iceland with fewer than 1 500 end-users.
 - (h) Article 9b shall not apply to Iceland.
 - (i) Article 10 shall not apply to Iceland as regards billing information for gas.
 - (j) In Article 20(5), the reference to Article 5(1) shall be replaced by a reference to Article 5.
 - (k) Articles 14 and 15 shall not apply to Iceland as regards geothermal cogeneration.’
2. The following is added in point 26 (Directive 2009/125/EC of the European Parliament and of the Council):
- ‘, as amended by:
- **32012 L 0027**: Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 (OJ L 315, 14.11.2012, p. 1).’

Article 3

The texts of Directives 2012/27/EU and (EU) 2018/2002 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 4

This Decision shall enter into force on, ... provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

Article 5

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 ..., ...

For the EEA Joint Committee

The President

The Secretaries

To the EEA Joint Committee

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

Declaration by the EFTA States to Decision No ... incorporating Directive 2012/27/EU of the European Parliament and of the Council into the EEA Agreement

[for adoption with the Decision and for publication in the OJ]

The incorporation of Directive 2012/27/EU of the European Parliament and of the Council into the EEA Agreement extends the common regulatory framework of measures to promote energy efficiency to the EFTA States. The EFTA States are not included in the EU energy efficiency headline target. However, the EFTA States have set the following respective indicative national energy efficiency targets:

- The Icelandic Government has set a national target of 25 % more efficient energy use by 2030 than in 2015. The target is expressed as a cross-sectoral objective of reducing energy intensity i.e. the ratio of energy consumption (final) to real GDP in PPS adjusted terms. The indicator is part of the energy forecast that is published annually by the Environment and Energy Agency of Iceland.
- On 6 November 2020 the Liechtenstein Parliament (Landtag) adopted its Energy Strategy for 2030 setting a national energy efficiency target of 20 % compared to 2008. Central elements of the efficiency increase in the period up to 2030 are building renovations, highly efficient new buildings and efficiency improvements in lighting, motor drives and domestic appliances. Both electric heat pumps for heat supply and the electrification of transport will lead to a significant substitution of fossil fuels in the future. Reporting on the achievement of objectives takes place annually (as part of a monitoring report for the attention of Parliament).
- The Norwegian Parliament (Storting) has set a national target of 30 % more efficient energy use by 2030 than in 2015 (Government Bill St. 25 (2015-2016)). The target is expressed as a cross-sectoral objective of reducing energy intensity i.e. the ratio of energy input (primary) to real GDP. The Ministry of Energy provides annual reporting on the target in the Report to the Storting (white paper) on the National Budget.