



Reykjavík, 18 August 2025

To the President and Members of the EFTA Court

Statement of Defence

submitted pursuant to Article 107 of the Rules of Procedure of the EFTA Court by

the Government of Iceland

represented by

Mr. Hendrik Daði Jónsson, Legal Adviser, Ministry for Foreign Affairs,
and Ms. Hanna Rún Sverrisdóttir, Legal Adviser, Ministry of Justice, acting as Agents
in

Case E-16/25

EFTA Surveillance Authority

v

Iceland

in which the EFTA Surveillance Authority seeks a declaration that Iceland has failed to adopt the measures necessary to make the Act referred to at points 12zc and 12zzq of Chapter XV and point 6 of Chapter XXIX of Annex II to the EEA Agreement, as adapted by Protocol 1 thereto, part of its internal legal order.

The Government of Iceland has the honour of lodging the following Statement of Defence.



I. Introduction

1. By a letter dated 16 June 2025, the Registrar of the EFTA Court served the Government of Iceland with the Application of the EFTA Surveillance Authority (“the Authority”), dated 12 June 2025, which the Court had received electronically on that day.
2. The Authority seeks a declaration from the EFTA Court that Iceland has failed to adopt the measures necessary to make Regulation (EU) 2019/1148 of the European Parliament and of the Council of 20 June 2019 on the marketing and use of explosives precursors, amending Regulation (EC) No 1907/2006 and repealing Regulation (EU) No 98/2013¹, referred to in points 12zc and 12zzq of Chapter XV and point 6 of Chapter XXIX of Annex II to the EEA Agreement (“the Agreement”), as adapted by Protocol 1 to the Agreement, (“the Act”), part of its internal legal order, as required by Article 7 of the Agreement.
3. In the Court’s letter of 16 June 2025, the Government of Iceland was invited, with reference to Article 107 of the Rules of Procedure of the EFTA Court, to lodge a defence within two months from the date of the notification, that is by Monday 18 August 2025.

II. Submissions

4. The Government of Iceland does not dispute the facts of the case, as presented in Section 2 of the Application. Namely, the Government acknowledges that the measures necessary to implement the Act into the Icelandic legal order had not been adopted by the deadline set out in the Authority’s Reasoned Opinion, that is by 13 January 2025.
5. The Government of Iceland will therefore not contest the declaration sought by the Authority under Section 5 of the Application.
6. The Government wishes to inform the Court, however, that a national regulation implementing the Act into the Icelandic legal order was adopted on 15 August 2025 and is currently pending publication in the Official Gazette of Iceland, after which it will enter into force.

¹ OJ L 186, 11.7.2019, pp. 1.



III. Conclusion

7. The Government of Iceland does not contest the declaration sought by the Authority under Section 5 of the Application.

For the Government of Iceland,

Hendrik Daði Jónsson

Hanna Rún Sverrisdóttir

Agents