

JUDGMENT OF THE COURT**of 16 November 2016****in Case E-4/16****EFTA Surveillance Authority v The Kingdom of Norway**

*(Non-compliance with a judgment of the Court establishing a failure to fulfil obligations — Article 33 SCA —
Measures necessary to comply with a judgment of the Court)*

(2017/C 189/13)

In Case E-4/16, EFTA Surveillance Authority v The Kingdom of Norway — APPLICATION for a declaration that the Kingdom of Norway has failed to fulfil its obligations under Article 33 of the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice by failing to take, within the time prescribed, the measures necessary to comply with the judgment of the Court of 2 December 2013 in Case E-13/13 *ESA v Norway*, the Court, composed of Carl Baudenbacher, President, Per Christiansen and Páll Hreinsson (Judge-Rapporteur), Judges, gave judgment on 16 November 2016, the operative part of which is as follows:

The Court hereby:

1. Declares that the Kingdom of Norway has failed to fulfil its obligations under Article 33 of the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice by failing, within the time prescribed, to take the measures necessary to comply with the judgment of the Court of 2 December 2013 in Case E-13/13 *ESA v Norway*.
 2. Orders the Kingdom of Norway to bear the costs of the proceedings.
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