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NOTE

From: General Secretariat of the Council
To: Council

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Subject: Legislative programming
- Exchange of views

1. In 2016, the European Parliament, the Council and the Commission agreed to reinforce the Union's annual and multiannual programming through the Interinstitutional Agreement on Better Law-Making¹ (IIA-BLM paragraphs 4 - 11). Also in 2016, the Council approved its practical arrangements on annual programming².
2. In accordance with the IIA-BLM (paragraph 6), the Commission is to engage in a dialogue with the European Parliament and the Council, both before and after the adoption of its annual Work Programme; more specifically, following the debate on the State of the Union, and before the adoption of the Commission Work Programme, the European Parliament and the Council will have an exchange of views with the Commission on the basis of the *Letter of intent*.

¹ OJ L 123, 12.5.2016, p. 1

² 6879/16

3. The Commission issued its *Letter of intent*³ on 13 September 2023. The letter sets out the main elements guiding the preparation of the Commission Work Programme for 2024.
 4. On 19 September 2023, the Council (General Affairs) will hear the presentation by the Commission of its *Letter of intent* and will hold an exchange of views on legislative programming.
 5. The Committee of Permanent Representatives prepared this exchange of views at its meeting on 15 September 2023.
 6. Delegations will find in the Annex a background note with the Presidency questions for the exchange of views.
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³ 12541/23

Legislative programming**- Exchange of views -****Introduction**

The 2016 Inter-institutional Agreement on Better Law-Making⁴ was set out to reinforce the EU's annual and multiannual programming with a view to improving law-making and focusing EU action and initiatives on the main policy priorities with European added value. Since then, the European Parliament, the Council of the EU and the European Commission have engaged together in annual programming cycles to determine the political and legislative priorities each year. In 2024, the work of the EU institutions will continue to be guided by the Joint Declaration on legislative priorities for 2023 and 2024⁵, signed in December 2022, which sets out a shared European vision for a stronger and more resilient Europe.

The conjunction of the increasing effects of climate change and environmental challenges, the COVID-19 pandemic, and the Russian war of aggression against Ukraine continues to demand decisive action of the EU and its Member States. In June 2023⁶, the European Council committed to continue to provide strong financial, economic, humanitarian, military and diplomatic support to Ukraine and its people for as long as it takes. It also referred to the need to increase Europe's strategic capacity to take more responsibility for its own defence. In its conclusions of March 2023⁷, it noted that the EU would ensure its own competitiveness by adapting to the green and digital transitions while leaving no one behind. These commitments will require continued efforts and coherent action at Union and national level.

⁴ OJ L 123, 12.5.2016, p. 1

⁵ OJ C 491, 23.12.2022, p. 1

⁶ EUCO 7/23

⁷ EUCO 4/23

Annual programming cycle

The Commission's 2023 Strategic Foresight Report⁸ provides valuable input into the legislative programming cycle. After exploring the key challenges that will determine the transformation of our society and economy towards a model that respects planetary boundaries, and safeguards global competitiveness, strong social foundations, and resilience, the report identifies ten areas for action to achieve the objectives of a socially and economically sustainable Europe with a stronger role in the world in the coming years, thereby delivering on the promise of the sustainability transition.

The Commission's *Letter of intent*⁹ sets out the main elements guiding the preparation of the forthcoming Commission Work Programme 2024. It emphasises the importance of prioritising the finalisation of legislative proposals already presented for the remainder of the term and, consequently, the Commission's intention to present only a limited number of new initiatives reflecting existing commitments or responding to emerging challenges. The *Letter of intent* identifies 18 key priorities across the Commission's six political priorities.

Against this background, Ministers are invited to exchange views on the main priorities and initiatives for next year around the following questions:

1. Do Ministers agree with the envisaged initiatives presented in the *Letter of intent*?
2. Which initiatives are for you the most needed?

Next steps

The Presidency will summarise the discussion in Council in a letter to the President of the Commission. This will serve as input for the rest of the annual legislative programming cycle, culminating in the Commission Work Programme 2024, which will be presented and discussed at a Council (General Affairs) meeting in autumn 2023.

⁸ 11782/23

⁹ 12541/23