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#### 'I' ITEM NOTE

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From: General Secretariat of the Council  
To: Permanent Representatives Committee

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Subject: Implementation of the Interinstitutional Agreement on Better Law-Making  
- State of play

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1. The Interinstitutional Agreement on Better Law-Making (IIA) entered into force on 13 April 2016<sup>1</sup>. A significant number of strands of work related to its implementation or follow-up have been taken forward since.

In the course of 2025, several provisions of the IIA have been addressed at the technical and political level. As provided for in the IIA (paragraph 50 of the IIA), the Interinstitutional Coordination Group meets regularly to monitor its implementation at technical level, focusing in particular on legislative programming and monitoring.

Below an overview of the work undertaken or pursued during 2025.

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<sup>1</sup> OJ L 123, 12.5.2016, p. 1.

2. With regard to the **annual and multiannual programming** (paragraphs 4 to 11 of the IIA), the Commission set out the key new initiatives for 2026 in its *Letter of intent*<sup>2</sup> of 10 September 2025, taking into consideration the annual Strategic Foresight Report<sup>3</sup> published on 9 September 2025. The *Letter of intent* was presented and discussed at the Council (General Affairs) meeting of 16 September 2025. Following this meeting, the Presidency provided its input in the form of a letter<sup>4</sup> summarising the ministerial exchange of views to the President of the Commission. The Commission adopted its 2026 Work Programme<sup>5</sup> on 21 October 2025 and presented it to the European Parliament (EP) on the same day and to the Council (General Affairs) on 17 November 2025.

The annual programming process continues in 2025 with a view to the approval of the Joint Declaration on the EU legislative priorities for 2026, expected at the meeting of the Council (General Affairs) of 16 December 2025, followed by its signature by the Presidents of the three Institutions in the margins of the European Council meeting on 18 December 2025.

3. In the area of **impact assessment** (paragraphs 12 to 18 of the IIA) within the Council, the Presidency and the General Secretariat of the Council (GSC) continued to work towards raising awareness on the applicable procedures to ensure that the preparatory bodies of the Council are adequately informed on these procedures and on the latest developments related to the handling of impact assessments (IAs) within the Council.

The Presidency has included IAs within the Council as a regular item on the agenda of the Working Party on Competitiveness and Growth (Better Regulation) during 2025 and has provided an updated overview to delegations on the latest developments related to the handling of IAs within the Council. The Presidency has also raised this issue in several meetings of different Council configurations, with a view to the possible adoption of Council conclusions on the economic consequences of EU legislation at the meeting of the Council (General Affairs) of 16 December 2025.

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<sup>2</sup> 12387/25.

<sup>3</sup> 12388/25.

<sup>4</sup> 13423/25.

<sup>5</sup> 14261/25 + ADD 1.

Furthermore, the Permanent Representatives Committee endorsed the report “Handling of impact assessments within the Council – Annual report covering the period January-December 2024”<sup>6</sup> on 8 April 2025. This annual report is the second to be issued under the revised reporting cycle.

4. Concerning practical arrangements for cooperation and information sharing on **international agreements** between the Council, the European Parliament, the Commission and the High Representative (paragraph 40 of the IIA), no developments have taken place recently.
5. In the area of **delegated and implementing acts** (paragraphs 26 to 31 of the IIA), on 11 February 2025, the Commission announced in its 2025 Work Programme the intended withdrawal of the remaining part of its proposal adapting a number of legal acts providing for the use of the regulatory procedure with scrutiny (RPS) to Articles 290 and 291 of the TFEU. On 6 October 2025, the withdrawal of the proposal was published in the *Official Journal*.<sup>7</sup> In light of this, work was not pursued in 2025, waiting for a new Commission proposal.
6. On **legislative transparency** (paragraph 38 of the IIA), the approach set out in the Note on strengthening legislative transparency of July 2020<sup>8</sup> continues to be implemented and relevant documents were published accordingly throughout 2025.

As part of the efforts to ensure transparency and communication of the legislative procedure, extensive technical work was carried out including through regular meetings among the services of the three Institutions in 2025 with a view to finalising the joint database on the state of play of legislative files (paragraph 39 of the IIA), also referred to as the “EU Law Tracker” (EULT).

The purpose of the EULT is to enhance the traceability of the various steps in the ordinary legislative procedure. As the main target audience is the general public, the EULT is designed to offer easy access to comprehensive information on ongoing legislative files in a clear and user-friendly manner, with direct links to existing repositories managed by the Institutions.

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<sup>6</sup> 6636/25.

<sup>7</sup> OJ C, C/2025/5423, 6.10.2025.

<sup>8</sup> 9493/20.

Following the finalisation and operationalisation of the EULT website by early November 2025, the three Institutions have agreed to launch a communication campaign, scheduled to commence in early 2026, with the objective of raising awareness about the website, its aims and benefits and promoting its use among stakeholders.

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