

Brussels, 6 December 2024
(OR. en)

16494/24

INST 386
POLGEN 158
JUR 681
IA 209
CODEC 2269

'I' ITEM NOTE

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

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

1. The Interinstitutional Agreement on Better Law-Making (IIA) entered into force on 13 April 2016¹. A significant number of strands of work related to its implementation or follow-up have been taken forward since.

In the course of 2024, several provisions of the IIA have been addressed at the technical as well as at the political level. As provided for in the IIA (paragraph 50 of the IIA), the Interinstitutional Coordination Group meets regularly to monitor the implementation of the IIA at technical level, focusing in particular on legislative programming and monitoring.

Below an overview of the work undertaken or pursued during 2024.

¹ OJ L 123, 12.5.2016, p. 1.

2. With regard to **annual and multiannual programming** (paragraphs 4 to 11 of the IIA), a first exchange of views on programming is planned at the Council (General Affairs) on 17 December 2024. The Council’s input will be transmitted to the Commission by way of a letter from the Presidency summarising these discussions to the Commission. The programming process will then continue in 2025 with a view to the adoption of Joint conclusions on policy objectives and priorities for 2025-2029 and of the Joint declaration on the EU’s legislative priorities for 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 of applicable procedures at all levels to ensure that the competent 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 the issue of IA within the Council as a regular item on the agenda of the Working Party on Competitiveness and Growth (Better Regulation) during its term and has provided an updated overview to delegations on the latest information and developments related to the handling of IAs within the Council. The report, “Handling of Impact Assessments within the Council – Annual Report covering January–December 2023”², was endorsed by COREPER on 8 May 2024. This marks the first report to follow a new reporting period running from 1 January to 31 December. While the previous annual report already addressed the period from January to May 2023, the latest report revisits that timeframe and also includes the months from June through December 2023, ensuring comprehensive coverage for the entire year.

² ST 9394/24.

4. Concerning practical arrangements for cooperation and information sharing on **international agreements** between the Council, the European Parliament (EP), the Commission and the High Representative (paragraph 40 of the IIA), the Council remains committed to good interinstitutional cooperation in the crucial area of international agreements in a way that respects Treaty procedures and the institutions' respective roles and responsibilities and ready to resume talks on these aspects with the EP, the Commission and the High Representative. No developments have taken place recently.
5. In the area of **delegated and implementing acts** (paragraphs 26 to 31 of the IIA), work on the remaining part of the Omnibus regulation on the adaptation of the Regulatory Procedure with Scrutiny (RPS) was paused in 2024 on account of the end of the legislative term. The renewal of the Framework Agreement for the joint register of delegated and implementing acts was approved by the three institutions on 21 February 2024 and signed on 8 May 2024.
6. On **legislative transparency** (paragraph 38 of the IIA), the approach set out in the COREPER note on strengthening legislative transparency from 14 July 2020³ continues to be implemented and relevant documents were published accordingly throughout 2024.

As part of the efforts to ensure the **transparency** and **communication** of the legislative procedure, work has been ongoing at technical level between the services of the three institutions on the development of a joint database on the state of play of legislative files (paragraph 39 of the IIA) or EU Law Tracker (EULT, formerly known as Joint Legislative Portal).

The aim is to offer both further traceability of the various steps in the ordinary legislative procedure and the possibility to retrieve related documents. As the main target audience is the general public, the EULT is meant to provide easy access to comprehensive information in an understandable and user-friendly manner, with direct links to existing repositories run by the institutions.

³ ST 9493/20.

On 29 April 2024, a minimum viable product was made available to the public. The development and testing of the agreed features (further search and filtering functionalities and a personalised space for users) is ongoing. In 2025, efforts will continue to focus on the final development phase, to present the website in all official EU languages and to transmit data on additional events, with the aim of delivering a fully-fledged EULT website by mid-2025.
