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OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
To: Delegations

No. prev. doc.: 8515/19 INST 112 POLGEN 79 JUR 193 RELEX 435

Subject: Interinstitutional agreement on Better Law-Making (cooperation and information-sharing on international agreements)

Delegations will find attached the statement on the above mentioned subject as adopted by the Council on 13 May 2019.

DRAFT COUNCIL STATEMENT

Subject: IIA on Better Law-Making - negotiations on international agreements

Paragraph 40 of the 2016 Interinstitutional Agreement on Better Law-Making acknowledges the importance of ensuring that each institution can exercise its rights and fulfil its obligations enshrined in the Treaties as interpreted by the Court of Justice of the European Union regarding the negotiation and conclusion of international agreements.

The Council of the EU has engaged in good faith and in a spirit of mutual sincere cooperation in the negotiation foreseen in paragraph 40 of improved practical arrangements for cooperation and information-sharing, including by tabling the first negotiation text. It has done so because it believes that it is in the Union's interest for the institutions to have a common understanding on the mechanisms for cooperation and information sharing in the key area of international agreements.

In this regard, the Council considers that the negotiation has been useful in terms of updating and simplifying procedures where appropriate, in compliance with Article 218 TFEU.

The Council stands ready to resume negotiations aiming to further improve the co-operation in the area of international agreements, in full respect of the principles of mutual sincere co-operation and institutional balance. It believes that reaching an agreement between the three institutions, with the objective of establishing a single point of reference between them, would reinforce coherence, consistency and cooperation, and ultimately improve the Union's capacity to act effectively and efficiently in the negotiation and conclusion of international agreements. In this respect, the Council recalls its concerns, expressed at the time, regarding the effects of the 2010 "Framework Agreement" between the European Parliament and the Commission on the institutional balance.