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Subject: Inter-Institutional Programming - a possible way forward

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#### Introduction

The purpose of this note is to set out possible arrangements on how inter-institutional programming might work in practice and how to take this forward. It builds on the discussions which have already taken place in COREPER and the General Affairs Council, as well as in the Friends of the Presidency group.

#### The Strategic Agenda and Commission's Annual Work Programme

The adoption of the Strategic Agenda by the European Council on 27 June has provided the EU as a whole with an overall policy agenda for the next five years which now has to be implemented. The priorities set by the European Council are reflected in the 10 Points (“Political guidelines for the next European Commission”) presented by President Juncker to the European Parliament in July. On that basis the new Commission was voted in office by the European Parliament and then appointed by the European Council. The Commission's Annual Work Programme constitutes the first stage in this process.

**On the basis of the aforementioned discussions, the Council shall be given the opportunity to express its views before the Annual Work Programme is adopted, on the basis of a "letter of intent" from the Commission President and/or the First Vice-President. This could take place at the GAC each October, on the basis of a note from the Presidency and prior discussions in both COREPER I and II. The final Commission Work Programme, once approved by the College, could continue to be presented to the GAC in November/December each year, with a debate at which delegations would be encouraged to identify particular priorities.**

*This process would reflect similar arrangements whereby the Parliament is able to express its views at the preparatory stage of the Commission's Annual Work Programme (see Annex IV of the EP-Commission Framework Agreement), but the procedure should be as light and simple as possible.*

#### Council internal planning

The Commission's Annual Work Programme, once adopted and presented to the Council, would constitute a basis on which to enable successive Council presidencies both to plan the internal work of the Council and subsequently to coordinate with the Parliament over legislative priorities. It is important that this process be flexible and that the Council's internal planning be considered as a working tool rather than a fixed programme.

**It is recommended that an informal rolling agenda be introduced which would be updated by the Presidency every six months (June and December). This would serve as an informal tool to help guide the work of the Council. To be useful, the next two presidencies at least - in addition to the presidency-in-office - would need to be involved in the exercise. The December update should draw closely on the Commission's Annual Work Programme and the subsequent discussion in the GAC. Presidencies would need to liaise closely with the President of the European Council to ensure coherence with the parallel exercise of planning the work of the European Council.**

*It is important that this rolling agenda be regarded as an informal planning tool. It would not be formally approved by the Council and would not therefore be binding on it. It would rather constitute an instrument to enable successive presidencies both to plan the work of the Council and to coordinate with the other institutions (see below).*

## Inter-institutional Programming

The rolling agenda could serve as a basis for contacts on Inter-institutional Programming between the incoming Council Presidency and the Parliament. Unlike the discussions within the Council, these contacts should be limited to legislative files. The objective should be to establish a shared list of priority legislative dossiers and agree on some degree of coordination between the co-legislators in the planning of legislative files.

**The incoming Council Presidency (to which future Presidencies could be associated) could establish contacts at political level with the Parliament in the run-up to the start of its term in office. The aim would be to establish a working list of priority legislative dossiers , which would be updated every six months and would therefore also be on a rolling basis. It would serve as a guide for both institutions in their internal planning, but also in joint planning of the legislative process (eg programming of trilogues) for the subsequent six months.**

*The idea would be to develop a “strategic dialogue” between the Council, the Commission and the European Parliament. The dialogue should involve three levels:*

- *a meeting of the Presidents of the Institutions, to launch it formally;*
- *an operational political level, to ensure the dialogue runs smoothly and the Institutions interact in a pragmatic and effective way. It could be at the level of the President of the GAC for the Council, the Vice President responsible for Interinstitutional Relations for the Commission, the President of the Conference of the Committee Chairs for the European Parliament;*
- *a senior administrative level (e.g. the Secretary Generals of the Institutions and the President of Coreper) to ensure the follow up and the day-to-day operational work on the programme.*

## Handling

As far as programming for 2015 is concerned, the timing will be particularly tight given the fact that the Commission has only just taken up office. The precise timetable will depend to some extent on the Commission.

### Possible Timing

- Presentation of Commission's letter of intent (November)
- State of play at the FoP Group on “improving the functioning of the EU (1 December)
- Discussion in COREPER (10 December)
- Presentation and discussion of Annual Work Programme in GAC (16 December)

As for subsequent years, all three institutions will need to try to agree amongst themselves on how they see inter-institutional programming being organised on a more regular and systematic basis. Such an agreement should ideally include a commitment from the Commission to involve the Council in the process leading up to the establishment of its Annual Work Programme as well as joint commitment from both co-legislators to establish - and update on a six-monthly basis - a working list of priority legislative dossiers.

### Possible Timing

- Presentation of Commission's letter of intent (end Sept/early October)
- Discussion in COREPER (October)
- Discussion in GAC (October)
- Presentation and discussion of Annual Work Programme in GAC (November)

The Italian Presidency proposes to submit to delegations a draft political declaration on inter-institutional programming to be agreed between all three institutions, which could be signed in December. This could include elements to achieve interinstitutional agreements on annual and multiannual programming, as foreseen by art. 17 TUE.