



TEXTS ADOPTED

P9_TA(2022)0301

Better regulation: Joining forces to make better laws

European Parliament resolution of 7 July 2022 on Better regulation: Joining forces to make better laws (2021/2166(INI))

The European Parliament,

- having regard to Article 5 of the Treaty on European Union (TEU),
- having regard to Protocol No 1 on the role of national parliaments in the European Union,
- having regard to Protocol No 2 on the application of the principles of subsidiarity and proportionality,
- having regard to the Charter of Fundamental Rights of the European Union,
- having regard to the communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions entitled ‘Better regulation: Joining forces to make better laws’ (COM(2021)0219),
- having regard to the Commission staff working document of 3 November 2021 entitled ‘Better Regulation Guidelines’ (SWD(2021)0305),
- having regard to the development cooperation objectives in Article 208 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to the Commission communication of 5 May 2021 entitled ‘Updating the 2020 New Industrial Strategy: Building a stronger Single Market for Europe’s recovery’ (COM(2021)0350),
- having regard to its resolution of 25 November 2020 entitled ‘A New Industrial Strategy for Europe’¹,
- having regard to the better regulation toolbox, which complements the Better Regulation Guidelines, both from November 2021,

¹ OJ C 425, 20.10.2021, p. 43.

- having regard to the Interinstitutional Agreement of 16 December 2003 on better law-making, and to its most recent version, the Interinstitutional Agreement of 13 April 2016 on Better Law-Making¹,
- having regard to the Commission communication of 24 March 2021 on the EU strategy on the rights of the child (COM(2021)0142),
- having regard to the opinion of the European Committee of the Regions entitled ‘Better regulation: Joining forces to make better laws’ (CDR 4071/2021),
- having regard to the report of 10 July 2018 presenting the findings of the Task Force on Subsidiarity, Proportionality and ‘Doing Less More Efficiently’,
- having regard to its resolution of 24 June 2021 on European Union regulatory fitness and subsidiarity and proportionality – report on Better Law Making covering the years 2017, 2018 and 2019²,
- having regard to its resolution of 9 June 2022 on Parliament’s right of initiative³,
- having regard to the European Court of Auditors special report No 16/2018 of 12 June 2018 entitled ‘Ex-post review of EU legislation: a well-established system, but incomplete’,
- having regard to its resolution of 9 June 2016 for an open, efficient and independent European Union administration⁴,
- having regard to its resolution of 16 December 2020 on a new strategy for European SMEs⁵,
- having regard to its resolution of 15 January 2020 on the European Green Deal, which welcomes the commitment by the Commission to ensure that all EU actions should help the EU achieve a sustainable future and a just transition, and to update the better regulation guidelines accordingly, requiring, inter alia, that a ‘sustainability first’ principle be integrated into the Better Regulation Agendas of the EU and its Member States⁶,
- having regard to President von der Leyen’s speech of 16 July 2019⁷,
- having regard to the plenary debate of 7 June 2021 on the ‘State of the SMEs Union – Implementation of the better regulation agenda / Reduction target for administrative burden’⁸,

¹ OJ L 123, 12.5.2016, p. 1.

² Texts adopted, P9_TA(2021)0316.

³ Texts adopted, P9_TA(2022)0242.

⁴ OJ C 86, 6.3.2018, p. 126.

⁵ OJ C 445, 29.10.2021, p. 2.

⁶ OJ C 270, 7.7.2021, p. 2.

⁷ https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_19_4230

⁸ P9_PV(2021)06-07(17).

- having regard to Rule 54 of its Rules of Procedure,
 - having regard to the opinions of the Committee on Development, the Committee on the Environment, Public Health and Food Safety, the Committee on Industry, Research and Energy, the Committee on Constitutional Affairs and the Committee on Petitions,
 - having regard to the report of the Committee on Legal Affairs (A9-0167/2022),
- A. whereas better law-making is a common goal for all EU institutions, and should be achieved by increasing transparency, accountability and cooperation between the institutions, Member States, citizens and stakeholders, ensuring full respect of all fundamental European values, including democracy, the rule of law and human rights; whereas transparency, integrity and accountability are also essential prerequisites of a democracy based on the rule of law; whereas European legislation should be fit for purpose, proportionate, clear, transparent and comprehensive in order to effectively benefit citizens and stakeholders; whereas better regulation helps to ensure that EU policies and legislation are geared towards the future, taking account of the faster pace of technological, societal and environmental developments; whereas, therefore, it will be increasingly important to back up regulatory proposals with evidence based on the most appropriate assessments and reliable peer-reviewed scientific evidence, as well as respect for the precautionary principle; in this regard, calls on the Commission to manage the evidence transparently, and to ensure that it is findable, accessible, interoperable and reusable; underlines that quality law-making cannot be reduced to quantitative targets for the short-term reduction of burdens and costs alone, but should deliver for everyone as a long-term investment in the shared prosperity of our societies and our future;
- B. whereas the Commission should fully comply with the provisions of Article 6(4) of the European Climate Law¹, which provides that any draft measures and legislative proposals need to be consistent with the fulfilment of the Union’s climate neutrality objective by 2050; whereas, to this end, the Commission must assess the consistency of all draft measures or legislative proposals, including budgetary proposals, with climate neutrality objectives and whether they ensure progress on adaptation to climate change;
- C. whereas the new climate consistency checks have only been applied to impact assessments of draft legislative measures and proposals as of 1 January 2022, in spite of the entry into force of the European Climate Law in July 2021, meaning that the provisions of the law have not been implemented for a number of proposals relevant to the European Green Deal;
- D. whereas the approach for checking compliance with the European Climate Law in impact assessments and evaluations is outlined in the communication on better regulation and in the subsequent guidelines and toolbox; whereas the Commission, however, should apply these checks systematically and do so at the beginning of the process of preparing a new draft measure or a fitness check of existing legislation so that it can genuinely guide policy choices; whereas the European Climate Law obliges

¹ Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 (‘European Climate Law’) (OJ L 243, 9.7.2021, p. 1).

the Commission to provide reasons in the event of non-alignment of a draft measure or legislative proposal with the objectives of the European Climate Law, as part of the consistency assessment referred to in Article 6(4);

- E. whereas in 2021 the Commission adopted its communication entitled ‘Better regulation: Joining forces to make better laws,’ its guidelines thereon and accompanying toolbox;
- F. whereas better law-making is a means to guarantee legal certainty and should deliver for all and serve the general interest of European society, businesses, workers, citizens, consumers and the environment; whereas high-quality legislation serves the public interest since it directly affects the competitiveness of the EU, its territories and businesses, and also represents a tool for strengthening democracy and direct citizen participation at both national and regional level;
- G. whereas a need for regulatory review exists and, where necessary and appropriate, also for simplification, in order to remove obstacles to the implementation of legislation, including across borders, and to make laws more effective, transparent and comprehensive for the beneficiaries, whether they be citizens or businesses;
- H. whereas the better regulation principles and tools should remain policy-neutral in order to guarantee an objective definition of problems and real alternative policy options to be considered by the Commission, the Council and Parliament;
- I. whereas better law-making must aim to serve the EU’s ambitions and especially its long-term objectives, such as generating economic growth, boosting investment and job creation, ensuring a more competitive and democratic Europe, social progress and the binding objective of Union climate neutrality by 2050, and the long-term priority objective for 2050 that citizens live well, within the limits of our planet; whereas sustainability should be at the heart of quality law-making, placing social, economic and environmental considerations on an equal footing; whereas, by applying the principles of better regulation, the Commission should identify the most effective solutions to maximise benefits, while simultaneously minimising the associated costs;
- J. whereas the Commission has committed itself to step up efforts to promote and improve the inclusive and systemic participation of children in the decision-making process at EU level, notably through child-specific consultation, for relevant future initiatives;
- K. whereas well carried out ex ante and ex post impact assessments, public consultations and the ‘evaluate first principle’ are essential tools for well-informed, better, efficient, accountable and transparent law-making that is tailored to the needs of the beneficiaries; whereas this contributes to the quantification of impacts, factoring in their cost-benefit ratio; whereas such assessments should consider economic, social and environmental aspects with an equal level of detailed analysis and accuracy, taking into account both qualitative and quantitative evidence, also including the impact of policy measures on fundamental rights; whereas the European Court of Auditors published a special report in 2018 with a set of recommendations to improve the quality of ex post reviews;
- L. whereas the ‘Have Your Say’ web portal aims to boost involvement of citizens and stakeholders in EU policy-making and has proven to be a useful tool for the preparation of EU policies; whereas the Commission launched a new version of the tool on 3 July 2020 in order to further improve its consultations and communication with the public

and increase transparency; whereas the European Court of Auditors published a special report in 2019¹ with a set of recommendations to further improve this portal, especially to make it more user-friendly, including with regard to outreach and transparency, as well as the use and availability of translations;

- M. whereas the Regulatory Scrutiny Board assesses the quality of impact assessments as well as of fitness checks and major evaluations to support high-quality decision-making; whereas around one third of impact assessments in 2021 received a negative first opinion; whereas the Board can play an important role in improving European legislation;
- N. whereas respect for multilingualism is a prerequisite for the EU institutions to work properly; whereas Article 1 TEU provides that decisions at EU level must be taken as openly and as closely as possible to the citizen; whereas publicly available European Union websites for funding and tender opportunities within the framework of the EU programmes are often published in the English language first; whereas the translation of these websites can take several months; whereas the availability of these websites in all official languages of the EU is important for fair competition;
- O. whereas the aim of the regulatory fitness and performance (REFIT) programme and the Fit for Future Platform (F4F) is to simplify EU laws and reduce unnecessary administrative and regulatory burdens, as well as costs, with a view to improve regulatory compliance and implementation, while achieving the underlying policy objectives, by focusing on regulatory offsetting and fitness checks of previous, current and future legislation;
- P. whereas the Commission introduced the ‘one in, one out’ approach with the intention of offsetting new burdens resulting from the Commission’s legislative proposals by removing already existing burdens in the same policy area;
- Q. whereas the ‘one in, one out’ approach can feed into the REFIT programme by extending it beyond assessing unnecessary burdens arising from individual pieces of existing legislation also to include new legislation and to look at entire policy areas; whereas, at the same time, the ‘one in, one out’ approach needs clarification concerning its implementation in practice, since legislation should always benefit citizens, businesses, workers and consumers;
- R. whereas achieving the benefits of simplification efforts at European level may also be reliant on the co-legislators maintaining the relevant provisions and depends on the choices made by the Member States when transposing them into national law, and on greater efforts from the Commission to coordinate and hold consultations with Member States and local and regional authorities;
- S. whereas in its communication of 24 October 2017 entitled ‘Completing the Better Regulation Agenda: Better solutions for better results’ (COM(2017)0651) the Commission expressed reservations about the ‘one in, one out’ approach and ‘fixing ex ante burden reduction targets’, considering that it ‘would create deregulatory pressures

¹ European Court of Auditors special report no 14/2019: ‘‘Have your say!’’: Commission’s public consultations engage citizens, but fall short of outreach activities’.

and impair its political responsibility to deliver what needs to be done when it needs to be done’;

- T. whereas according to information published on EUR-Lex¹ the Commission adopted or amended 1 977 legislative or non-legislative acts in 2021; whereas in the same period 1 008 legislative or non-legislative acts were repealed or expired;
 - U. whereas the Treaties grant Parliament the direct right of initiative only in very limited cases; whereas Parliament has called for increasing its right of initiative in its resolution on Parliament’s right of initiative;
 - V. whereas the functioning of the European Union is founded on representative democracy;
1. Welcomes the Commission’s aim that EU laws should deliver maximum benefits to citizens and businesses, in particular small and medium-sized enterprises (SMEs), and its intention to make the approach to better law-making more dynamic and adaptable to further developments; further welcomes the Commission’s commitment to making better use of strategic foresight, and calls for its integration into impact assessments and evaluations; underlines that the better regulation agenda should support the green transition of the Union’s economy by allowing, inter alia, innovative and enabling technologies to be brought to market more efficiently; welcomes the Commission’s intention to improve the analysis and reporting of proposals’ impacts, for example on competitiveness and SMEs, territoriality, sustainability, equality, subsidiarity and proportionality, which could also help identify gaps, needs and opportunities, as well as help discover existing risks and trends, and therefore contribute to defining policy priorities and devising strategic planning with a long-term perspective, especially in the least developed countries and with regard to achieving the sustainable development goals (SDGs);
 2. Calls on the Member States and the Commission to acknowledge the need for better regulation and simplification, taking into account economic, environmental, gender and social impacts in an integrated and balanced way;
 3. Further welcomes the Commission’s commitment to mainstream the SDGs in all its legislative proposals, in line with the UN’s 2030 Sustainable Development Agenda, to paying greater attention to gender equality and equality for all, and to ensuring that the ‘do no significant harm’ and precautionary principles are applied across all policy areas; calls for impact assessments also to take into account the impact on the achievement of the 2030 Agenda as a whole; notes with concern that by referring only to ‘relevant SDGs’, the integrated and holistic nature of the 2030 Agenda for Sustainable Development risks being overlooked; recalls the EU’s commitment to being a global front runner in implementing the 2030 Agenda and the SDGs, together with its Member States and their local and regional authorities, and in close cooperation with its international partners; regrets the fact that the Commission has not yet developed an integrated and holistic SDG implementation strategy; recalls that the EU must raise its

¹ <https://eur-lex.europa.eu/statistics/2021/legislative-acts-statistics.html>; <https://eur-lex.europa.eu/statistics/legal-acts/2021/legislative-acts-statistics-repealed-and-expired-acts.html>

visibility in developing countries through efficient communication on its cooperation and spending programmes;

4. Supports the commitment to improved analysis and reporting of environmental impacts in all EU policies through mandatory assessment of the ‘do no significant harm’ principle, and the fact that this assessment is to be applied to proposals from across all policy areas, in order to avoid uneven application; calls for the Commission to clearly define the ‘do no significant harm’ principle in order to ensure its consistent application; welcomes the proposal that sustainability and digitalisation should be better taken into account in law-making; underlines that the assessment of the ‘do no significant harm’ principle must take into account the broader costs and benefits to society, such as in the area of public health, and environmental impacts;
5. Recommends that the Commission consider implementing a ‘sustainability first’ approach and adopting it for all policy development and evaluation, prioritising long-term sustainability considerations; notes that ‘strategic foresight’ will support the REFIT programme, which identifies opportunities to reduce unnecessary regulatory burdens and ensures that existing EU legislation remains ‘fit for the future’;
6. Calls, in this regard, for the reports of the Intergovernmental Panel on Climate Change (IPCC) and the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) to be taken systematically into account in the strategic foresight process; welcomes in this regard the work of the Fit for Future (F4F) Platform, which brings together the expertise of, inter alia, public administrations, non-governmental organisations and small and large businesses in regular meetings to improve existing EU legislation; notes that this platform could also be used to discuss broader themes, such as the green transition;
7. Recalls that protecting, promoting and facilitating the fulfilment of human rights and democracy is a key priority of EU external action as enshrined in Article 21 TEU and that the Charter of Fundamental Rights of the European Union also applies to its external action; highlights that the EU has repeatedly reaffirmed its commitment to remain an influential player on the world stage and to keep playing a leading role as a global defender of democracy and human rights; regrets, therefore, that the proposal remains limited in translating the tool on fundamental rights in the EU’s better regulation toolbox into the guidelines on the EU’s global commitment and its Treaty-based obligation to human rights; underlines, therefore, the importance of the human rights impacts of all EU external policies, including trade policy and development cooperation, particularly regarding vulnerable groups;
8. Underlines therefore that the guidelines should be revised and effectively implemented to ensure that human rights are systematically duly taken into account, obliging the EU not to take any action that would prevent or make more difficult the realisation of human rights; underlines that the gender impact should be mainstreamed in all reporting and that, in addition to the general assessment of the human rights situation, human rights impact assessments need to include gender-disaggregated data and evaluate the specific human rights impact on women;
9. Underlines that environmental and health-related legislation has a direct impact on the life of EU citizens; calls, therefore, on the Commission to draw up a short explanatory memorandum in accessible, non-expert language to accompany all legislative proposals,

and to take all appropriate measures to ensure that all EU citizens can understand the essence of a legislative proposal, including the potential effects on their lives;

10. Welcomes the fact that, in line with the Commission communication of 9 March 2021 entitled ‘2030 Digital Compass: the European way for the digital decade’ (COM(2021)0118), better regulation will aim to promote the ‘digital by default’ principle in future EU legislation as an important tool to support the digital transformation; stresses that technologies such as AI can enhance the legislative process and improve access to information, as well as make legislation more understandable to citizens and companies; calls on the Commission to apply regulatory sandboxes¹ to legislation related to the digital transformation on a case-by-case basis and taking into account EU added value and proportionality, especially with a view to supporting SMEs and start-ups; calls, however, for these sandboxes to be strictly limited in time and scope, properly supervised and in line with EU *acquis* on personal data protection and fundamental rights;
11. Considers the development of new forms of digitalisation processes in the decision-making of all three institutions to be an essential challenge and opportunity to strengthen the quality of EU law-making in the digital era; believes that the commitments of the three institutions on such developments should be clearly identified and included in a revised Interinstitutional Agreement on Better Law-Making (IIA on BLM); calls on legislators to employ digitalisation in order to avoid unnecessary administrative burdens and to facilitate legislative work;
12. Welcomes the Commission’s intention to introduce a digital single reporting instrument for undertakings, consolidating reporting requirements arising from the revision of the Non-Financial Reporting Directive (NFRD), the taxonomy, but also the reporting requirements from the Fit for 55 package in a single tool, which has been designed with specific requirements and ready-made Key Performance Indicators (KPIs) and standards, accessible in a modular and digital way for companies and other organisations;
13. Stresses the importance of easy access for citizens to the sources of law and the need to create a single transparent website where the entire legislative process and additional documents of all EU institutions can be followed;
14. Notes that trade still relies on a large number of paper documents; believes that digitalisation and the use of electronic trade documents reduce cost and complexity; calls on the Commission to take advantage of the digital era and tools to reduce certain types of burdens or obligations; stresses the need to explore the use of electronic trade documents, which will increase efficiency and security, and reduce administrative burdens;

¹ Regulatory sandboxes are defined as concrete frameworks which, by providing a structured context for experimentation, enable, where appropriate in a real-world environment, the testing of innovative technologies, products, services or approaches – at the moment especially in the context of digitalisation – for a limited time and in a limited part of a sector or area under regulatory supervision, ensuring that appropriate safeguards are in place.

15. Highlights that there are 22.6 million¹ SMEs in the EU and that the Commission should therefore not only perform the SME test more systematically, but should also provide for a mandatory SME test to be performed in all legislative proposals where this is applicable; stresses that such a test should clearly identify how simplification could be attained in terms of costs and benefits, and, where possible, formulate additional recommendations to avoid unnecessary administrative or regulatory burdens for SMEs;
16. Recalls that the application of the ‘Think Small First’ principle enshrined in the Small Business Act is an essential element of the proportionality test carried out prior to any legislative proposal and should aim at ensuring that SMEs’ voices are heard and that their interests are taken on board as early as possible, in order to foster the development of SMEs, which are the backbone of our European economy;
17. Calls on the Commission to create the position of SME Envoy to help minimise unnecessary administrative and regulatory burdens across Member States, and who should be appointed with horizontal competences within the Presidency’s Cabinet;
18. Recalls that the Common Commercial Policy is an exclusive competence of the Union and that the provisions of Article 207 TFEU should be robustly defended and preserved; insists on the need to avoid lengthy ratification procedures regarding trade and investment agreements which contain mixed elements, in order to ensure their timely entry into force;
19. Strongly believes that all Europeans must be able to follow the EU legislative process; welcomes the Commission’s initiative to make the ‘Have your say’ web portal more accessible to people with disabilities and to consolidate public consultations into a single ‘call for evidence’; calls for all related documents, questionnaires and contributions to be available in all EU official languages as soon as possible; calls for greater transparency of the decision-making process and especially on how replies are taken into account, including by ensuring that replies are properly weighted according to their representativeness, depending on whether they represent individual or collective interests; notes that the design and choice of consultation has a significant effect on the type of input received and the outcome itself; urges the Commission to ensure that all calls for evidence it launches are neutral and unbiased, including by employing questionnaires that are designed in a manner which is evidence-based and formulated with open questions, where applicable; further recalls that petitions to Parliament are a vital form of citizen’s participation and feedback, which the Commission should regularly assess and address;
20. Calls for greater transparency in the consultation process and for the publication of summary reports of the consultations, available in all EU languages and also accessible to people with disabilities;
21. Considers that the Commission, in its efforts to ensure that EU policies draw on a clear understanding of policy areas subject to rapid structural change, such as the environment and digitalisation, should make use of the input included in the petitions of citizens and civil society organisations; considers citizens’ participation key in policy

¹ <https://www.statista.com/statistics/878412/number-of-smes-in-europe-by-size>

areas such as fundamental rights, respect for the rule of law and the fight against all forms of discrimination on any grounds whatsoever;

22. Believes that the quality of legislation affecting developing countries is determined, among other parameters, by its legitimacy and effectiveness, which in turn depend on the nature of the consultation process, on how responsive that legislation is to the needs of the countries concerned, and whether its implementation achieves the desired results without causing harm; welcomes the Commission's focus on improving the understanding of the needs and impacts of EU legislation outside the EU by increasing engagement with external partners; calls on the Commission to make this engagement effective by ensuring inclusive, meaningful and effective consultation processes, involving affected stakeholders such as social partners and civil society representatives in developing countries, as well as experts and businesses in the various areas concerned; suggests that the outcome of those consultations and the evidence gathered should truly be used as input when drafting the legislation and, in particular, that the context and the specific needs of affected stakeholders in partner countries where the consultation is to be carried out be taken into account; welcomes the initiative to make consultation processes more focused, clearer and user-friendly; calls on the Commission to ensure that the envisaged simplification of the public consultation process does not harm its effectiveness; highlights the role that the EU delegations can play, particularly in developing countries, and the need to make available the instruments and resources needed for the implementation of these consultations;
23. Calls for the EU institutions to respect the principles, rights and obligations enshrined in the Charter of Fundamental Rights and EEC Council Regulation No 1/1958, as well as in internal guidelines and decisions, such as the Code of Good Administrative Behaviour, in the field of multilingualism;
24. Calls for the EU institutions to provide the necessary human resources to ensure that multilingualism is respected throughout the different stages of the legislative process;
25. Considers the uniformity of linguistic versions in the official EU languages as a crucial prerequisite for a reliable interpretation of existing regulations by courts and EU and Member States' authorities, and thus as an important contribution to the uniform application and enforcement of EU law; calls for the institutions to substantially meet these requirements in the course of future law-making;
26. Calls for all European Union websites on funding and tender opportunities to be translated simultaneously into all official languages of the EU, as their initial exclusive availability in the English language puts Member States which do not have English as an official language at a disadvantage;
27. Insists on the strong links between the implementation of the NextGenerationEU recovery package and the objective of ensuring stronger resilience of EU societies, and the need for the EU institutions to reach out to Union citizens in order to raise awareness about the fundamental nature of these political tasks and their implementation; believes that such outreach should ultimately contribute to more flexible and more effective interinstitutional decision-making capable of responding in a robust and decisive manner to the experiences of the pandemic;

28. Calls for a stronger political dialogue between the EU institutions and national parliaments, local and regional authorities, the European Committee of the Regions and the European Economic and Social Committee;
29. Acknowledges the current trend where, within the scope of Protocols No 1 and No 2, national parliaments aim for more engagement through the political dialogue on EU policies in order to develop a greater added value for citizens; further acknowledges requests for similar forward-looking involvement of the European Committee of the Regions in this regard by providing own-initiative opinions;
30. Recalls that a significant proportion of EU legislation is implemented at sub-national levels which have valuable first-hand experience in applying EU legislation in close contact with the local economy, social partners, civil society and citizens, and can help strengthen the effectiveness and visibility of EU actions;
31. Reiterates the specificity of local and regional authorities and the need for tailor-made consultations; recommends that the Commission consult the European Committee of the Regions proactively in the development of open consultations and roadmaps for proposals that significantly affect sub-national levels of government;
32. Stresses that active subsidiarity is an integral component of the better regulation agenda; welcomes, in this regard, the fact that the Commission is making increased use in its legislative proposals of the subsidiarity assessment grid, as suggested in its communication of 23 October 2018 entitled 'The principles of subsidiarity and proportionality: Strengthening their role in the EU's policymaking' (COM(2018)0703);
33. Expects the Conference on the Future of Europe also to pave the way for further reforms related to the principle of subsidiarity, in particular by also applying subsidiarity in EU governance processes;
34. Acknowledges that better regulation is a shared objective and a responsibility of all EU institutions; confirms that, as co-legislator, Parliament will streamline its internal services to better contribute to the assessment and monitoring of the impact on developing countries of EU legislation with external dimensions, including of the relevant texts adopted by Parliament relating to legislative procedures and EU spending programmes; confirms also that it will reinforce accordingly the cooperation and coordination between committees, strengthen the expertise on development policies throughout all the relevant committees and clarify the role that the Committee on Development is called on to play as guarantor of the principle of policy coherence for development, as stated in the Rules of Procedure of the European Parliament (Annex VI), all this with the aim of improving the quality and effectiveness of EU legislation;
35. Recalls that the continuous and attentive review of citizens' petitions presents great opportunities to make better regulation more inclusive and efficient, and to improve policymakers' understanding of local and regional realities and of citizens' concerns and priorities; acknowledges that EU legislation should ensure the equal treatment of citizens and businesses, and the effective enforcement of citizens' rights throughout the Union and that the strong and equal enforcement of existing European rules should be guaranteed;

36. Recalls the importance of maintaining close contact between the co-legislators in advance of interinstitutional negotiations, including by inviting representatives of other institutions to informal exchanges of views on a regular basis, in line with the commitment outlined in paragraph 34 of the IIA on BLM; regrets that this commitment has not given rise to any new cooperation structures or to systematic practices for facilitating these exchanges; suggests that the co-legislators agree on a code of good practice in this respect;
37. Strongly believes that more emphasis must be put on institutional consultation, coordination and cooperation between and within EU institutions; urges the Commission to streamline its internal procedures to systematically associate DG INTPA with all impact assessments, in particular for internal legislation with potential effects beyond the EU, and to duly take into account the inputs, suggestions and recommendations provided by this DG in the framework of policy coherence for development; calls on the Commission to reinforce the involvement and meaningful participation of DG INTPA during interservice consultations and in the GRI (Interinstitutional Relations Group) and the EXCO (Group for External Coordination), and to take duly into consideration the inputs from this leading DG concerning development cooperation and developing countries;
38. Calls for the mainstreaming of children's rights in EU legislation through providing for children's rights impact assessments of the legislative proposals; calls in this regard for the introduction of a children's rights test in the framework of the impact assessments toolbox, which could consist of consultation of stakeholders, including a child participation mechanism, the identification of affected areas, the measurement of the impact on children and the assessment of alternative mechanisms;
39. Encourage the Commission, following its commitment enshrined in the EU strategy on the rights of the child, to launch more public consultations addressed to children and adolescents and actively use the EU Child Participation Platform to include the voice of young citizens in the EU decision-making process;
40. Calls for the institutions to take all necessary measures to ensure the participation of vulnerable people, such as disabled people, in the EU decision-making process; highlights the need for better access to information for all citizens; calls for the launch of more public consultations targeted at particular groups, such as children, young people or older people; calls on all EU decision-makers to take stakeholders' input into account and ensure effective follow-up in the ensuing decision-making processes;
41. Calls for the development of impact markers for specific issues such as impacts on vulnerable groups; praises, in this regard, the UNICEF proposal for a child marker evaluating the impact of policies on children and calls for the development of similar mechanisms in other policy areas;
42. Calls on the Commission to perform impact assessments on all legislative proposals, without exception; deeply regrets that this was not the case for several politically sensitive proposals in the past; recalls that on several occasions Parliament has carried out its own impact assessments in replacement of the Commission's in order to inform policy-making; calls for a sufficient amount of time and resources to be allocated to impact assessments in order to ensure their quality; nevertheless, recalls that impact assessments help to inform political decision-making, but should never replace or

unduly delay the legislative process; highlights, however, that the main focus during the EU's legislative process should be on quality, transparency and state-of-the-art knowledge and data in the impact assessments and not on the speed at which initiatives are completed; calls for impact assessments to be published immediately upon their completion, and not only when the policy proposal is presented, thus ensuring greater transparency on how EU decisions are taken; acknowledges that the effective implementation of better regulation and, in particular, of the ex ante impact assessments will require an appropriate level of resources; urges the Commission to allocate the appropriate means in this regard;

43. Highlights and regrets the acknowledged lack of impact assessments for several key legislative files, which can only partly be attributed to the COVID-19 pandemic and notes the Commission's intention to publish an analytical staff working document with proposals or within three months of their adoption, in cases where an impact assessment was not prepared; stresses that while this is a welcome step towards more transparency, it should not lead to the Commission circumventing its impact assessment obligations, and that the Commission should publish staff working documents at the same time as the legislative proposal;
44. Welcomes the intention of the Commission to strengthen territorial impact assessments and rural proofing¹, in order to better take into account the needs and specificities of different EU territories, such as urban/rural areas, cross-border areas and outermost regions; recalls the importance of territorial impact assessments for the European Committee of the Regions, including rural impact assessments, urban impact assessments and cross-border impact assessments;
45. Highlights the need to develop additional tools to assess the environmental impacts of new policies, initiatives and legislation where existing tools are insufficient, in order to ensure that the green ambitions of the von der Leyen Commission, together with its focus on the UN SDGs, become more prominent in the Commission's impact assessments and legislative proposals; in this regard, calls for the costs that may arise from policy inaction, notably in the areas of health, the climate, the environment and the social dimension, and the cumulative effects arising from delays to be considered; considers that impact assessments must pay equal attention to the evaluation of the economic, social, health and environmental consequences of the Commission's proposals in particular, and that the impact on the fundamental rights of citizens and on equality between women and men must be assessed;
46. Regrets the fact that impact assessments of Union policy and legislation on developing countries, in particular of non-development internal legislation, remain few in number and do not properly assess and address the potential impact on developing countries; strongly believes that ex ante impact assessments are a valuable tool for identifying and

¹ In its communication of 30 June 2021 entitled 'A long-term Vision for the EU's rural areas – Towards stronger, connected, resilient and prosperous rural areas by 2040' (COM(2021)0345), the Commission describes rural proofing as follows: 'Given the multidimensional nature of rural development and the fact the Treaties aim for economic, social and territorial cohesion, there is a need to review EU policies through a rural lens, considering their potential impacts and implications on rural jobs and growth as well as development prospects, social well-being and equal opportunities for all, and the environmental quality of rural areas'.

addressing potential risks of a policy and/or legislative proposal on developing countries, and in particular on the least developed countries; calls on the Commission to pay more attention to the impact of EU legislation on developing countries and to respect and promote the objectives of development cooperation in these initiatives, when relevant, particularly in areas such as migration, environment, agriculture and combating transnational crime, such as organised crime, drug and human trafficking and money laundering; urges the Commission to translate the impact assessments' conclusions into legal provisions in its non-development legislative acts, so as to better reflect the EU's commitment to Article 208 TFEU;

47. Expresses concerns about the implementation of the provisions of the European Climate Law in cases where no impact assessment is performed, especially for politically sensitive proposals, including secondary legislation; recalls that, as agreed under the IIA, the Commission should carry out impact assessments of its legislative and non-legislative initiatives, delegated acts and implementing measures that are expected to have significant economic, environmental or social impacts;
48. Notes that tool 35 contains elements to guide the performance of impact analyses in developing countries and expects that this tool will be used extensively; considers that the current sectors for which impact assessments should be prioritised need to mirror current and future challenges of the Union and reflect Parliament's positions, and should show a clear correspondence with the relevant areas of EU law, so as to facilitate the identification of legislation to which particular attention needs to be paid; suggests that the toolbox needs to be further strengthened in order to facilitate the identification and analysis of potential economic, social and environmental impacts in developing countries; suggests that a new heading, 'Impact on developing countries', be introduced for specific tools in the toolbox, including, but not limited to, tools 23, 25 and 26; suggests that under that heading, a number of guiding questions be inserted in order to detect whether legislation contributes to the objectives of development policy and to the implementation of the 2030 Agenda in both the EU and developing countries; recalls that human rights impacts, including on children, indigenous people, LGBTIQ people and other vulnerable groups, in developing countries are of importance for European development cooperation; in this regard, calls on the Commission to introduce separate categories of impact assessments on human rights, gender and women's rights and on the rule of law and good governance in developing countries; recalls that in order to learn from past actions and improve in the future, it is also important to constantly evaluate the effectiveness of the procedures and tools, and, in this regard, calls on the Commission to regularly report back to Parliament on the implementation of tool 35;
49. Underlines the importance of interlinking human rights impact assessments with the new EU human rights due diligence policy framework by ensuring that the data generated on corporate human rights and environmental risks per sector, business activities and value chains feed into EU-level and national enforcement and monitoring bodies, providing for measurable benchmarks and substantive content;
50. Recalls that Parliament has set up a dedicated directorate, the Directorate for Impact Assessment and European Added Value, to be able to carry out ex ante and ex post impact assessments with a view to supporting evidence-based policy-making and calls for enough funding and human resources for this directorate and other Parliament services which are designed to support Members' capacity to improve their function as co-legislators;

51. Recalls that Parliament assessments should take into account the effectiveness of the provisions in terms of achieving their objectives, ensuring value for money and keeping real costs proportional to benefits, their suitability and relevance to emerging needs, their added value and their internal and external coherence with other policy areas;
52. Supports the Commission's commitment to policy reviews and encourages the Commission to make greater use of ex post assessments to evaluate the effectiveness and benefits of legislation which in turn can help inform future policy developments and improve regulatory approaches; stresses the importance of the 'evaluate first' principle for ensuring that lessons learnt from the past can influence future policy cycle action; is seriously concerned about the increasing trend of evaluations and impact assessments being carried out in parallel, although evaluation results should feed into any revision of legislation;
53. Welcomes the fact that quality control for evaluations and their supporting studies has been standardised through interservice groups and quality checklists; observes, however, that the same quality controls are not in place regarding ex post reviews other than evaluations; encourages the Commission to define a set of minimum quality standards for ex post reviews other than evaluations with a view to ensuring their quality across the Commission's services; considers that such minimum quality standards should require ex post reviews to include a detailed outline of the methodology used, including data collection and analysis tools, a justification of its choice and the limitations involved;
54. Highlights that monitoring and review clauses in legislation ensure that the necessary data is collected and evaluated; invites the Commission, in cooperation with the European Parliament and the Council, in the context of the existing IIA, to develop an interinstitutional toolbox on review and monitoring clauses, containing, among other things, a taxonomy of possible outcomes and/or ex post reviews that can be requested and guidance on drafting monitoring clauses, both for the EU institutions or bodies and the Member States;
55. Stresses that ex post evaluations are also an important tool to assess the impact of legislation on citizens and businesses, whereby special attention should be given to the impact on SMEs, and calls on the Commission to enable the F4F Platform and the Member States to provide feedback on the Commission's cost and benefits estimates after implementation;
56. Stresses that better law-making objectives need to be regularly reviewed and evaluated against the criteria of the better law-making agenda, including monitoring and reporting; underlines that the objectives need to be well-balanced, proportionate and evaluated in terms of their effectiveness; recalls the importance of comparable EU-wide data for the purposes of this evaluation and calls on the Commission to examine whether the use of the better regulation tools have helped to achieve objectives such as improved policy outcomes;
57. Welcomes the Commission's renewed commitment to transparency of the evaluation process and calls for the publication of multiannual evaluation plans, including the relevant background information used; further emphasises the need to increase the availability of public, complete and accessible evidence supporting impact assessments and evaluations, and welcomes, in this regard, the Commission's intention to improve

its evidence registers and the links between them as well as to make its internal databases and repositories easily publicly accessible; supports, in this regard, the Commission's intention to set-up a Joint Legislative Portal, which should provide the most intuitive layout and user-friendly experience possible in order to avoid information overload and insists on the need to make this joint portal fully operational by the end of 2022; endorses the objective of increased cooperation between the institutions to facilitate and streamline access to all of the data collected on a given policy initiative throughout the legislative process;

58. Underlines that EU-funded pilot projects and proofs of concept, where possible, can contribute to shape the drafting of legislation, as well as facilitate its implementation and enforcement;
59. Stresses that it is important that the Commission answer written questions from Parliament in due time; regrets the fact that in the past, the vast majority of written questions have been answered late and insists that the Commission improve its response time to written questions; points out that the quality of the replies to Parliament's questions is often very poor and calls, therefore, for an immediate and structurally significant improvement of the Commission's answers to parliamentary questions;
60. Stresses that transparency from the European institutions is key to the legislative process, as citizens have a right to know how laws affecting them are made; welcomes the agreement that was recently reached on the Transparency Register with the Council; regrets the fact that not all EU institutions and bodies, as well as Member States' representations, are obliged to apply the Transparency Register;
61. Calls for further improvement within all institutions of the transparency of discussions and decisions; deplores the lack of transparency in the Council's decision-making process and the practice of over-classifying documents and applying a very broad interpretation of the exceptions included under Regulation (EC) No 1049/2001, in particular with regard to the protection of the decision-making process and the protection of legal advice, which often means that the principle of overriding public interest in the disclosure of related documents is not applied; believes that the use of secrecy exceptions for Council documents should be applied in a coherent system with independent oversight and consistency with the case-law of the Court of Justice of the European Union (CJEU); urges the Council to increase the number and type of relevant documents they make public, in particular the positions expressed by the Member States, so that the public has the opportunity to know what position their government took on their behalf at EU level and also to contribute to enhancing the scrutiny of EU decision-making by national parliaments, applying to all decisions, from legislative files to implementing and delegated acts;
62. Recalls that transparency and publicity in relation to an ongoing legislative procedure are inherent to the legislative process and can therefore be applied to access to documents for trilogues as stated by the CJEU in its case-law, in case T-540/15, *Emilio De Capitani v European Parliament* in particular; believes that the EU needs to develop a more ambitious access to documents policy and provide for better application of the existing rules, including for documents related to internal, trilogue and international negotiations; recalls that, according to the European Ombudsman, restrictions on access to documents, particularly legislative documents, should be exceptional and limited to what is absolutely necessary; adds, furthermore, that openness and transparency confer

greater legitimacy on and confidence in the democratic legislative process of the EU; regrets the practice whereby ‘efficiency of the institution’s decision-making process’ is routinely invoked to refuse access to legislative preparatory documents;

63. Considers that Regulation (EC) No 1049/2001 on public access to documents could be reviewed so that, for example, digitalisation and digital document management, existing case-law on transparency and access to documents, and general developments in the public perception of transparency would be fully taken into account; emphasises that any revision should lead to more, not less, transparency;
64. Stresses that open, efficient, transparent and independent administrative and legislative decision-making processes are a precondition of high-quality policies and regulation; emphasises that the introduction of harmonised administrative procedures could contribute positively to good governance and regulatory practices in the EU and reinforce the connection between expert decision-making and democratic legitimacy; recalls that in its resolutions of 15 January 2013, 9 June 2016 and 20 January 2021, Parliament called for the adoption of a regulation on an open, efficient and independent EU administration under Article 298 TFEU, and notes that this request has not been followed up by a Commission proposal; calls, therefore, once again on the Commission to come forward with a legislative proposal on a European law of administrative procedure, taking into account the steps taken so far by Parliament in this field;
65. Recalls the need to apply consistent principles of legislative drafting, in particular transparency, accountability, as well as clarity and precision, in line with the principles recognised by CJEU jurisprudence;
66. Points out that bodies with even lower levels of transparency such as the Eurogroup should, as a first step, be subject to the Council’s rules of procedure, and make available to the public the voting procedures, minutes, results and explanation of votes, and its deliberations;
67. Takes note of the use of instruments such as the REFIT and the F4F Platform to identify opportunities for simplification and reducing unnecessary costs and administrative burdens before the Commission proposes a revision, while ensuring the highest standards of protection and enhancing compliance with EU law; recalls that the F4F Platform’s role is also to assess whether specific Union legislation and its objectives remain future-proof, proportionate, and adapted to new challenges, while focusing on regulatory offsetting;
68. Calls on the Commission to step up its efforts to identify the most effective solutions by applying the principles of better regulation so that, for the purposes of EU policies, benefits can be maximised and associated costs simultaneously minimised in the interests of the beneficiaries; underlines the need for the consistent application of the ‘think small first’ principle and the strengthening of the principle of being ‘big on big things, small on small things’ in order to ensure a proper focus on SMEs in EU and national legislation, and as the basis for a new interinstitutional commitment to reducing administrative burdens;
69. Welcomes the Commission’s decision to establish a subgroup within the F4F Platform consisting of the European Committee of the Regions’ Network of Regional Hubs; calls on the Commission to give meaningful follow-up to the platform’s opinions and to

reinforce the evidence-based approach of its ex post and ex ante evaluations with local and regional expertise;

70. Recalls that mid-term reviews and sunset clauses are useful tools to ensure that our EU laws are always up to date or are withdrawn in a timely manner after serving their purpose; considers that the Commission should develop and introduce a more integrated approach on sustainability that would better take into account the interplay of the economic, social and environmental impacts of EU policies and legislation; recommends that the F4F Platform identify and explore legislation that runs counter to the European Green Deal and wider SDG objectives, including by adopting a ‘think sustainability first’ approach in this context;
71. Reiterates its call on the Commission¹ to facilitate the achievement of the European Green Deal by tackling obstacles and red tape that may slow down its implementation, by paying special attention to the implications and costs of applying Union laws, especially for SMEs;
72. Recalls that the assessment of ‘unnecessary burden’ needs to consider ‘net’ effects of EU legislation at different administrative levels, while taking the principle of subsidiarity fully into account, where the adoption of one piece of EU-level legislation, especially in the form of directly applicable EU regulations, can result in a lower administrative burden at national or local levels, as well as improve the functioning of the internal market by making the rules transparent and predictable and ensuring that they are uniformly applied in all EU Member States, thereby also reducing the cost and impact of negative environmental, climate and health-related externalities; notes that making EU legislation clearer to comply with, for instance via the better regulation agenda, might support the uniform application of EU legislation;
73. Notes that further progress needs to be achieved, in particular in the realm of the simplification and standardisation of forms and procedures, with the consistent implementation of the ‘once only’ and ‘digital by default’ principles, both at EU and Member State level;
74. Believes that all international trade and investment agreements need to be ‘fit for the future’ in all their dimensions, thereby promoting economic, social and environmental sustainability and contributing to the fulfilment of international commitments; stresses, in this regard, the importance of conducting sustainability impact assessments prior to launching trade and investment negotiations; underlines the need to develop and to make use of a more integrated approach on sustainability that would better take into account the interplay of the economic, social and environmental impacts of EU legislation, policies and initiatives, including its trade and investment agreements, by also taking into account the cumulative impact that different legislative proposals, as well as trade and investment agreements, could have overall;
75. Believes that the EU institutions should draw on expertise from different policy areas in order to ensure optimal decision-making and adopt highly effective measures; calls for all three EU institutions to improve coordination between their internal bodies and to avoid working in silos; stresses the importance of promoting coherent regulatory

¹ The Committee on the Environment, Public Health and Food Safety’s opinion on the draft general budget of the European Union for the financial year 2022 – all sections.

systems through, for example, the harmonisation of concepts across related legislative initiatives, as this can improve compliance;

76. Stresses the need to explore innovative legislative approaches such as legal design; highlights that legal design is a human-centred approach that can help bridge the gap between EU citizens, stakeholders and EU legislation; recalls that a human-centred approach postulates that legislation ought to be primarily created with citizens and stakeholders in mind and should be easily understandable;
77. Draws the attention of the Council and the Commission to the recommendations made by Parliament's Focus Groups underlining the need to revise Rules 132 and 166 of Parliament's Rules of Procedure on access to the Council and the Commission so as to allow MEPs to attend or be questioned during meetings of Council working groups, the Committee of Permanent Representatives (COREPER) or Council;
78. Stresses the requirement set out in Article 218(10) TFEU to keep the European Parliament immediately and fully informed at all stages of the procedure related to agreements between the Union and third countries or international organisations; deplores the fact that Parliament is not granted access to the different proposals related to the negotiating positions of the contracting parties to international trade and investment agreements; considers that the IIA on BLM, which acknowledges the importance of ensuring that each institution can exercise its rights and fulfil its obligations enshrined in the Treaties regarding the negotiation and conclusion of international agreements, should be adequately implemented in this regard;
79. Underlines the need to ensure the proportionality of regulatory requirements in the context of international trade instruments;
80. Stresses that established practices in relation to the provisional application of trade and investment agreements should be applied to all international agreements, in order to ensure that no agreement is provisionally applied before Parliament has voted to give its consent;
81. Believes that effective regulation must strike a balance between short-term needs and long-term challenges; underlines that 'strategic foresight' plays a key role in helping to future-proof EU policy-making by ensuring that assessments of new initiatives are grounded in a longer-term perspective, emphasising the added value of quality legislation as an investment in the future; welcomes the integration of 'foresight elements' into the Commission's better regulation agenda in impact assessments and evaluations; considers, however, that the Commission should better align and combine its better regulation and strategic foresight activities in order to better integrate both processes; underlines that the Commission's methodology for quantifying costs, deciding on trade-offs and implementing strategic foresight remains unclear, and urges the Commission to provide proof of how these approaches have been followed in practice; encourages the Commission to look into innovative cost assessment tools; strongly recommends in this regard also to take the reports of the Intergovernmental Panel on Climate Change (IPCC), the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) and the European Scientific Advisory Board on Climate Change established under Article 10(a) of Regulation (EC) No 401/2009 in connection with Regulation (EU) 2021/1119 establishing the framework for achieving climate neutrality into account in the strategic foresight process;

82. Takes note of the involvement of the Regulatory Scrutiny Board in impact assessments, fitness checks, and major evaluations of current legislation, which improves the evidence-based work of the Commission; notes that the Regulatory Scrutiny Board can play a role in ensuring an unbiased and high-quality level of work from the Commission and that its expertise and experience could be used to carry out other tasks within the Commission; stresses that the Regulatory Scrutiny Board can only provide an effective check on the Commission's work if its independence and impartiality are indisputably established; calls, in this regard, for the independence of the board and for the transparency of the Regulatory Scrutiny Board on meetings with stakeholders, reviews, recommendations and opinions to be significantly improved, including through making the use of the Transparency Register mandatory for members of the Board; underlines that the work of the Board should not ultimately affect the Commission's capacity to propose legislation or unduly delay the adoption of legislative proposals; calls on the Commission to publish all of the Board's opinions immediately after adoption, without any exception, in order to ensure coherence, transparency and accountability throughout the process, and also to deliver them to Parliament and the Council; further calls on the Commission also to make the draft evaluations and draft impact assessments that are submitted to the board available to the co-legislators; takes note that the Regulatory Scrutiny Board is composed of four members of the Commission and three external experts; calls on the Commission to reconsider the decision-making process of the Regulatory Scrutiny Board, as the current system allows opinions to be adopted without the input of external experts or to establish an independent Regulatory Scrutiny Board outside the Commission; further calls on the Commission to extend its collaboration with the Regulatory Scrutiny Board, strengthening it by providing more means for it to do its work and to ensure support from the Joint Research Centre;
83. Takes note of the 'one in, one out' approach by which the Commission aims to offset newly introduced burdens by relieving citizens and businesses of equivalent burdens at EU level in the same policy area; takes note that the 'one in, one out' approach aims to strengthen the REFIT programme by extending it beyond the burdens arising from current acts to also include burdens from new legislation, as well as to manage the cumulative burden in each policy area; calls for the 'one in, one out' approach also to be based on relevant stakeholder involvement; notes that the Commission introduced this approach unilaterally, without a prior impact assessment or consultation; underlines that the implementation of this approach should not affect political imperatives or the objectives of better regulation, and emphasises that it should not lead to mechanical or mathematical decisions to repeal legislation, lower its standard or result in a chilling effect on legislation, and that its aim should be to modernise and reform EU legislation to face new challenges, including by replacing, merging and improving legislation; stresses nevertheless that, while additional unnecessary administrative burdens should be avoided when designing, transposing and implementing EU legislation, this approach should not be translated into deregulation or 'no-regulation', nor should it prevent Member States from maintaining or taking more ambitious measures and adopting higher social, environmental and consumer protection standards in cases where only minimum standards are defined by Union law;
84. Insists that the effective implementation of EU law is essential in order to enhance citizens' trust in EU policies and institutions; recalls that under Article 197 TFEU, such implementation must be regarded as a matter of common interest for the Member States; calls on the Member States to avoid adding unnecessary additional administrative or compliance burdens when transposing EU legislation, especially for

SMEs, since so-called gold-plating practices are one of the main sources of unnecessary administrative burdens; considers nevertheless that the principle of better regulation should not prevent Member States' parliaments from maintaining or taking more ambitious measures in cases where only minimum standards are set out in Union law; supports the Commission's request to the Member States to report when they choose to add elements that do not stem from EU legislation;

85. Recalls that the need for new legislation should not automatically imply that current legislation is no longer needed; in this regard, is of the opinion that a thorough impact assessment must equally be conducted for any potential repeal, to avoid unexpected consequences and undesirable effects; calls for this approach to be based on a transparent and evidence-based methodology giving proportionate consideration to all sustainability aspects, both in terms of benefits and costs, including the costs of non-compliance and inaction, and taking into account the administrative or economic impacts, while also looking at the EU *acquis* holistically and considering their social, environmental and public health impacts; calls on the Commission, in this regard, to make its 'one in, one out' calculator public and to obtain the support of the other EU institutions before applying this approach; considers that better law-making should primarily be based on qualitative rather than quantitative considerations; underlines the importance of quality legislation in delivering on EU flagship initiatives; welcomes the Commission communication's commitment to work with Member States, regions and key stakeholders to remove obstacles and red tape hindering the progress of the green transition; stresses the importance of ex post evaluations to ensure that the EU is delivering on its commitments;
86. Underlines, moreover, that, in applying the 'one in, one out' approach, all compliance costs, both administrative and adjustment costs, should be considered; stresses the need to ensure that this approach is applied by the Member States, as well as by local and regional authorities, during the relevant transposition process; encourages the exchange of best practices on compensatory measures, methodologies and the data collected;
87. Stresses that trust in the enforcement of regulations plays an important role in the legitimacy of European legislation; calls on the Commission to increase its efforts in enforcing the EU's laws and to effectively address all breaches of EU law;
88. Stresses, in this regard, the importance of Parliament, the Council and the Commission engaging in a more structured cooperation in order to assess the implementation and effectiveness of Union law with a view to improving it; points out the need for the swift, timely and correct implementation of Union legislation by the Member States in order to properly assess the need for further legislation;
89. Notes that the persistently large number of infringement procedures shows that the timely and correct implementation and application of EU law in the Member States remains a serious challenge and requests urgent measures to enhance the transparency of Commission decisions taken in such procedures; reiterates that the effective enforcement of EU legislation is a key part of the better law-making agenda; points out that excessive regulatory burdens for citizens and businesses can often be attributed to Member States' compliance issues; calls on the Commission to enforce EU legislation in full and without undue delay and to leverage all existing tools; stresses that the Commission's enforcement policy must be more predictable and transparent and reinforce legal certainty for all stakeholders;

90. Invites the Conference on the Future of Europe to discuss the strengthening of the European Parliament's right of legislative initiative, as it is the only democratically elected body in the EU and directly represents European citizens; recalls Commission President von der Leyen's commitment to support Parliament's right of initiative; regrets that this possibility has been regularly deferred to future Treaty revisions; stresses that a parliamentary right of initiative is an important feature of representative democracy at Member State level and sees the necessity to empower MEPs, as the direct representatives of EU citizens, by strengthening their right to shape the EU's legislative agenda; welcomes the commitment of the Commission President to support the right of initiative of the European Parliament and the Commission's commitment to always respond with a legislative act to requests under Article 225 TFEU; calls on the Council and the Commission to eliminate possible barriers to Parliament's ability to exercise its power to propose legislative initiatives; considers that the Framework Agreement could be revised to ensure increased facilitation of this right; highlights the need to also clarify differences between the various types of Parliament reports and clarify the action requested from the Commission;
91. Stresses that the Conference on the Future of Europe is an unparalleled initiative of directly engaging with the EU's citizens in order to hear about their perspective on European policy-making; believes that, following the conclusion of the Conference, an evaluation must be made to explore the possibility of introducing practices that can increase citizen participation in the legislative process; underlines the importance of enabling citizens to fully exercise their democratic right to participate in the EU's decision-making process through active interaction with their elected representatives, as well as promoting direct participation; suggests that the Commission reflect on integrating participatory mechanisms into the interinstitutional dialogue which leads up to its annual work programme;
92. Notes EU citizens' rapidly evolving understanding of the impact of EU governance on their daily lives and on future developments against the backdrop of an increasingly social media-driven information society, which accelerates and increases awareness about the functioning of EU decision-making and the demands on EU governance; reiterates that there is a need to fully engage citizens in the EU decision-making process beyond the act of voting and in other channels and instruments, in a manner which takes into account the entire policy cycle; reiterates the importance of effective participatory mechanisms and its call for the establishment of permanent participatory mechanisms in line with its resolution of 7 July 2021¹, and highlights the need to establish them at the European, national, regional and local levels, including the necessary tools for adequate horizontal and vertical coordination among institutions at different levels; considers that these mechanisms could build on, but not be limited to, online policy debate platforms, youth consultations and a continuation of the Citizens' Panels;
93. Points out that better law-making requires effective legislative procedures conducive to concluding EU decision-making procedures within a suitable time frame; regrets the fact that the special legislative procedures set out in the Treaties have too seldom been successfully concluded owing to the lack of commitment of the Council and in the absence of effective procedural guidelines;

¹ OJ C 99, 1.3.2022, p. 96.

94. Welcomes the Conference on the Future of Europe's deliberations on the participation of citizens in the EU decision-making process; highlights in particular the recommendations of Citizens' Panel No 1, in particular recommendations 35, 36, 41, 46 and 48, as well of Citizens' Panel No 2, in particular sub-stream 2.1, No 10 and No 11; sub-stream 3.1, No 16; sub-stream 4.1, No 24 and sub-stream 4.2, No 29 and No 32, and stream 5, Citizens' Participation, especially No 39 thereof; insists on the need to meaningfully engage with the recommendations made in the final report on the Conference, which will be drawn up by the Executive Board in cooperation with the Conference Plenary on the basis of the Conference Plenary's debates on the recommendations from the national and European Citizens' Panels, as well as input from the Multilingual Digital Platform; considers that the panels' recommendations clearly demonstrate that citizens are calling for more transparency in EU public debate and for more outreach and more information to be provided by the EU institutions through the active use of all communication channels, while emphasising the role of social media, which should accompany EU decision-making, including legislative processes; calls on the Commission, the Council and Parliament to implement the final conclusions of the Conference based on the Citizens Panels' recommendations, in accordance with the principles enshrined in the Treaties;
95. Recommends that the legislative process arising from the right of legislative initiative conferred on Parliament by the Treaties must include a request for the establishment of a legislative calendar for the initiatives concerned, similar to the ordinary legislative procedure; underlines, moreover, that any such special legislative procedure must respect the provisions of the IIA on BLM on the institutional obligation for all three institutions to negotiate and to do so in line with the principle of mutual sincere cooperation in Article 13(2) TEU;
96. Considers that in cases in which Parliament exercises the right of initiative, such as on the regulations relating to its own composition, the election of its Members and the general conditions for the exercise of its functions, and the statute of the Ombudsman, as well as the constitution of temporary committees of inquiry, measures should be considered in a future Interinstitutional Agreement to avoid important institutional files becoming blocked;
97. Stresses the important role played by Parliament as the institution representing the citizens of the EU, including in its oversight of and cooperation with the Commission and other institutions on behalf of the public and in ensuring a bottom-up approach regarding the effects of legislation on citizens; reiterates, therefore, the importance of safeguarding the role of Parliament in the preliminary assessment of future legislation, through existing parliamentary tools;
98. Welcomes the Commission's efforts to consolidate the consultation process, the commitment to report on each public consultation within eight weeks of its closure and the commitment to more actively publicising consultations in order to reach more citizens, stakeholders, including SMEs, and local and regional authorities; calls on the Member States to contribute to this process by promoting the consultations within their territories; notes that some stakeholders with greater financial resources can be more active in contributing to consultations; believes that the input collected needs to reflect a balanced view of the stakeholder landscape and this requires facilitating the collection of input from all stakeholders, including citizens and citizens' representatives with fewer resources;

99. Instructs its President to forward this resolution to the Council and the Commission.