



## Press Release

Luxembourg, 30 July 2020

### “Better Regulation” must remain at the heart of EU law-making, auditors say

“Better Regulation” is the set of principles and tools which the Commission uses to develop its policies and prepare its legislative proposals. It has been a key feature of EU policy-making for nearly 20 years and is internationally one of the most advanced systems, according to a new review from the European Court of Auditors. But more could be done to consult citizens and other stakeholders, improve the evidence base for decision-making, and promote, monitor and enforce the implementation and application of EU law.

The EU’s body of legislation is constantly developing as laws are adopted, amended, repealed or expire. The Commission both proposes legislation and plays a key role in monitoring its application and evaluating its results.

The Better Regulation approach aims to ensure that decision-making is open and transparent, that citizens and stakeholders can contribute throughout the policy and law-making process, that EU actions are based on evidence and an understanding of the likely impacts, and that regulatory burdens on businesses, citizens and public administrations are kept to a minimum. The Commission has been applying the Better Regulation principles for nearly 20 years. According to a recent OECD study, the Commission has put in place one of the world’s most advanced Better Regulation systems.

*“Better Regulation is about ensuring that EU legislation is sound, evidence-based, timely, transparent and accountable”, says Pietro Russo, the Member of the European Court of Auditors responsible for the review. “Through this review, we aim to contribute to the public debate on how to make the EU work better. As the need for evidence-based policy is only growing stronger, Better Regulation must remain at the heart of EU law-making, for the benefit of our citizens and businesses.”*

In their review, the auditors recall that the Commission has made Better Regulation one of its priorities since 2015. They also note that the Commission recently took stock of how well the various better regulation tools and processes are functioning. At the same time, the auditors identify a number of challenges in relation to Better Regulation in EU law-making:

- o ensuring that EU policies and legislative initiatives are sufficiently covered by good quality and timely data and evidence that support consultation and impact assessment *before* decisions are

*The purpose of this press release is to convey the main messages of the European Court of Auditors’ review. The full review is at [eca.europa.eu](https://eca.europa.eu).*

## ECA Press

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made (for instance, quantifying the costs and benefits of the various options), as well as monitoring *during* and evaluating the effects *after* the implementation of a policy;

- o further simplifying EU legislation (e.g. eliminating unnecessary rules or procedures and having clarity for beneficiaries and public administrations as the main goal, particularly through explanatory documents) and monitoring its implementation and application in Member States (e.g. using the EU budget to help ensure EU law is applied, and developing an overall oversight framework with enforcement priorities and benchmarks for handling infringement cases);

- o improving the transparency of the legislative process for citizens and other stakeholders, for instance by making consultation activities more visible and accessible.

Furthermore, as achieving the goals of Better Regulation also depends on effective cooperation between the Commission, the European Parliament and the Council, the auditors insist that it is essential for the co-legislators to act on the commitments made in the 2016 interinstitutional agreement to promote transparent, evidence-based law-making. In this respect too, the auditors consider that more could be done to further improve the assessment of amendments made by the co-legislators, and to increase transparency in certain areas of the legislation procedure (e.g. “trilogue” meetings and lobbying).

#### **Notes to Editors**

The ECA’s review “*Law-making in the European Union after almost 20 years of Better Regulation*” is available on the ECA website ([eca.europa.eu](http://eca.europa.eu)) in 23 EU languages. A review presents and establishes the facts surrounding a specific issue; it is not an audit. This review draws on relevant results from previous audits, international benchmarking, analysis of publicly available information and academic research, and consultations with stakeholders and experts in the field.

The auditors have recently published related reports on [public participation in EU law making](#) and [putting EU law into practice](#).

Information on the measures the ECA has taken in response to the COVID-19 pandemic can be found [here](#).

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