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A7-0345/2011

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REPORT

on the proposal for a Council regulation (Euratom) laying down the rules for the participation of undertakings, research centres and universities in indirect actions under the Framework Programme of the European Atomic Energy Community and for the dissemination of research results (2012-2013) (COM(2011)0071 – C7-0076/2011 – 2011/0045(NLE))

Committee on Industry, Research and Energy

Rapporteur: Jan Březina

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

In amendments by Parliament, amendments to draft acts are highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the draft act which may require correction when the final text is prepared – for instance, obvious errors or omissions in a language version. Suggested corrections of this kind are subject to the agreement of the departments concerned.

The heading for any amendment to an existing act that the draft act seeks to amend includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend. Passages in an existing act that Parliament wishes to amend, but that the draft act has left unchanged, are highlighted in **bold**. Any deletions that Parliament wishes to make in such passages are indicated thus: [...].

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a Council regulation (Euratom) laying down the rules for the participation of undertakings, research centres and universities in indirect actions under the Framework Programme of the European Atomic Energy Community and for the dissemination of research results (2012-2013)
(COM(2011)0071 – C7-0076/2011 – 2011/0045(NLE))**

(Consultation)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2011)0071),
 - having regard to Articles 7 and 10 of the Euratom Treaty, pursuant to which the Council consulted Parliament (C7-0076/2011),
 - having regard to Rule 55 of its Rules of Procedure,
 - having regard to the report of the Committee on Industry, Research and Energy (A7-0345/2011),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to alter its proposal accordingly, in accordance with Article 293(2) of the Treaty on the Functioning of the European Union and Article 106a of the Euratom Treaty;
 3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 4. Asks the Council to consult Parliament again if it intends to substantially amend the Commission proposal;
 5. Instructs its President to forward its position to the Council and the Commission.

Amendment 1

Proposal for a regulation Recital 1

Text proposed by the Commission

(1) The Framework Programme of the European Atomic Energy Community for nuclear research and training activities for 2012-2013, hereinafter 'the Framework

Amendment

(1) The Framework Programme of the European Atomic Energy Community for nuclear research and training activities for 2012-2013, hereinafter 'the Framework

Programme (2012-2013)', was adopted by Council Decision No .../.../Euratom of ... concerning the Framework Programme of the European Atomic Energy Community for nuclear research and training activities (2012-2013). It is the responsibility of the Commission to ensure the implementation of the Framework Programme (2012-2013) and its specific programmes, including the related financial aspects.

Programme (2012-2013)', **which** was adopted by Council Decision No .../.../Euratom of ... concerning the Framework Programme of the European Atomic Energy Community for nuclear research and training activities (2012-2013, ***is intended to complement the other actions of the Union in the area of research policy that are necessary for the implementation of the Europe 2020 strategy, in particular those relating to education and training, competitiveness and innovation, industry, employment and the environment.*** It is the responsibility of the Commission to ensure the implementation of the Framework Programme (2012-2013) and its specific programmes, including the related financial aspects.

Amendment 2

Proposal for a regulation Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) The Framework Programme (2012-2013) should contribute to achieving the Innovation Union that is one of the flagship initiatives of the Europe 2020 strategy, by reinforcing competition with a view to scientific excellence and accelerating the implementation of key innovations in the field of nuclear energy, especially as regards nuclear fusion and safety, while also playing a part in meeting the challenges of the energy sector and climate change.

Amendment 3

Proposal for a regulation Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) The design and implementation of the Framework Programme (2012-2013) should be based on the principles of simplicity, stability, transparency, legal certainty, consistency, excellence and trust following the recommendations of the European Parliament in its report on simplifying the implementation of the Research Framework Programmes.

Amendment 4

Proposal for a regulation Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) Increased attention and budget spending are needed for initiatives ancillary to core nuclear research, in particular as regards investment in human capital and actions aimed at addressing the risk of skills shortages in the coming years (e.g. grants to researchers in the nuclear field) and the consequent loss of leadership for the Union.

Amendment 5

Proposal for a regulation Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) Special attention should be paid to the development of contractual arrangements that reduce the risk of failure to perform as well as the reallocation of risks and costs over time.

Amendment 6

Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) The Framework Programme (2012-2013) should promote participation from the outermost regions of the Community, as well as from a wide range of undertakings, research centres and universities.

Amendment

(8) The Framework Programme (2012-2013) should promote participation from the outermost regions of the Community, as well as from a wide range of undertakings, research centres and universities, ***whose research activities should be based on respect for fundamental ethical principles, especially those laid down in the Charter of Fundamental Rights of the European Union.***

Amendment 7

Proposal for a regulation
Recital 23 a (new)

Text proposed by the Commission

Amendment

(23a) The implementation of ITER in Europe, pursuant to the agreement of 21 November 2006 on the establishment of the ITER International Fusion Energy Organisation in the context of the joint implementation of the ITER project, should constitute the central element of research activity in the area of fusion under the Framework Programme (2012-2013).

Amendment 8

Proposal for a regulation
Article 11 – paragraph 2

Text proposed by the Commission

They may also lay down, according to the nature and objectives of the indirect action, additional conditions to be met as regards type of participant and, where appropriate,

Amendment

They may also lay down, according to the nature and objectives of the indirect action, additional ***justified*** conditions to be met as regards type of participant and, where

place of establishment.

appropriate, place of establishment.

Amendment 9

Proposal for a regulation

Article 12 – paragraph 3

Text proposed by the Commission

3. Calls for proposals shall have clear objectives so as to ensure that applicants do not respond needlessly.

Amendment

3. Calls for proposals shall have clear ***quantitative and qualitative*** objectives so as to ensure that applicants do not respond needlessly.

Amendment 10

Proposal for a regulation

Article 14 – paragraph 1 – subparagraph 2

Text proposed by the Commission

The criteria shall be those of excellence, impact and implementation. Within these conditions, the work programme shall further specify the evaluation and selection criteria and may add additional requirements, weightings and thresholds, or set out further details on the application of the criteria.

Amendment

The criteria shall be those of excellence, impact and implementation. Within these conditions, the work programme shall further specify the evaluation and selection criteria and may add ***clearly justified*** additional requirements, weightings and thresholds, or set out further details on the application of the criteria.

Amendment 11

Proposal for a regulation

Article 14 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. All stages of the process should be optimised in order to avoid delay and encourage cost-effectiveness. That involves access to draft work programmes, publication of calls for proposals, drafting of proposals, the selection procedures and the time taken to approve and to pay

grants.

Amendment 12

Proposal for a regulation

Article 16 – paragraph 2 – subparagraph 4

Text proposed by the Commission

Appropriate measures shall be taken to ensure a reasonable gender balance *when appointing groups of independent experts.*

Amendment

Appropriate measures shall be taken *when appointing groups of independent experts* to ensure a reasonable gender balance and *a balance between Member States undertaking research and training in the nuclear field.*

Justification

When appointing groups of independent experts, it is important to take steps to ensure not only a reasonable gender balance but also a similar balance between Member States undertaking research and training in the nuclear field and associated states.

Amendment 13

Proposal for a regulation

Article 16 – paragraph 2 – subparagraph 4 a (new)

Text proposed by the Commission

Amendment

Appropriate measures shall be taken to ensure an adequate balance between industry (including SMEs) and academia when appointing groups of independent experts.

Amendment 14

Proposal for a regulation

Article 30 – paragraph 3 – subparagraph 1 – point e

Text proposed by the Commission

Amendment

e) they must be exclusive of non-eligible costs, in particular identifiable indirect taxes including value added tax, duties,

e) they must be exclusive of non-eligible costs, in particular identifiable indirect taxes including *non-recoverable* value

interest owed, *provisions for possible future losses or charges*, exchange losses, cost related to return on capital, costs declared or incurred, or reimbursed in respect of another Union project, debt and debt service charges, excessive or reckless expenditure, and any other cost that does not meet the conditions referred to in points (a) to (d).

added tax, duties, interest owed, exchange losses, cost related to return on capital, costs declared or incurred, or reimbursed in respect of another Union project, debt and debt service charges, excessive or reckless expenditure, and any other cost that does not meet the conditions referred to in points (a) to (d).

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	6.10.2011
Result of final vote	+: 41 -: 4 0: 1
Members present for the final vote	Jean-Pierre Audy, Ivo Belet, Bendt Bendtsen, Jan Březina, Maria Da Graça Carvalho, Giles Chichester, Christian Ehler, Ioan Enciu, Vicky Ford, Gaston Franco, Adam Gierek, Norbert Glante, Fiona Hall, Jacky Hénin, Edit Herczog, Romana Jordan Cizelj, Krišjānis Kariņš, Lena Kolarska-Bobińska, Béla Kovács, Bogdan Kazimierz Marcinkiewicz, Marisa Matias, Judith A. Merkies, Miloslav Ransdorf, Herbert Reul, Teresa Riera Madurell, Jens Rohde, Paul Rübig, Amalia Sartori, Francisco Sosa Wagner, Konrad Szymański, Michael Theurer, Evžen Tošenovský, Ioannis A. Tsoukalas, Claude Turmes, Niki Tzavela, Marita Ulvskog, Vladimir Urutchev, Alejo Vidal-Quadras, Henri Weber
Substitute(s) present for the final vote	Antonio Cancian, Jolanta Emilia Hibner, Yannick Jadot, Werner Langen, Vladko Todorov Panayotov, Mario Pirillo
Substitute(s) under Rule 187(2) present for the final vote	Werner Schulz