

EUROPEAN PARLIAMENT

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Committee on Industry, Research and Energy

2007/2286(INI)

19.12.2007

OPINION

of the Committee on Industry, Research and Energy

for Committee on Constitutional Affairs

on the Treaty amending the Treaty on European Union and the Treaty
establishing the European Community
(2007/2286(INI))

Draftsman: Ján Hudacký

PA_NonLeg

SUGGESTIONS

The Committee on Industry, Research and Energy calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

General

1. Reiterates its long-standing position that a consolidated text of the Treaties should be produced once the present amending Treaty is ratified by the Member States;
2. Is of the view that Protocol No 6 on the Internal Market and Competition should be exercised with prudence and that the Treaty provision "*the Union shall, if necessary, take action under the provisions of the Treaties*" should be clarified by reference to the other provisions of the Treaties and the *acquis communautaire*;

Industry

3. Believes that, in the area of industry, the amendments to the existing provisions of the EC Treaty will not interfere with the existing structure of business interests and investment decisions because:
 - a) industry falls under the EU's competence of supporting, coordinating or complementing the actions of the Member States, while it is for the Member States to determine and promote their industrial policy,
 - b) for the development of the industrial sector, guidelines are to be established at Union level, along with common indicators and arrangements for the periodic assessment and monitoring of industrial policies and the exchange of best practices between Member States is being encouraged,
 - c) the provision "*excluding any harmonisation of the laws and regulations of the Member States*" does not necessarily mean the end of a common approach to industry,
 - d) The European Parliament appreciates the EU's commitment to improving its economic, social and territorial cohesion on the basis of special attention being paid to rural areas and areas affected by industrial transition,
 - e) The European Parliament will no longer participate in decision-making when coordinated action is deemed necessary; it will only be kept informed;

R&D

4. Notes that amended Articles 163, 165 and 166 of the EC Treaty should be considered as improvements because they strengthen scientific and technological bases via the establishment of a European Research Area in which researchers, scientific knowledge and technology circulate freely, thus permitting researchers to cooperate freely across borders while also stimulating competitiveness in the Union, especially in the industrial

sector;

5. Notes two potentially contentious issues between the European Parliament and the Council, the latter being supported by the Commission:
 - a) international agreements will no longer fall under the traditional Article 300 procedure,
 - b) the retention of Articles 171 and 172 will mean the continuance of the consultation procedure to establish agencies, thus compromising the Parliament's prerogative to be a full participant in the setting-up of agencies;

Space

6. Expresses its satisfaction at the insertion of a provision on European Space Policy into the section on Research and Technological Development and the consequential recognition in the Treaty of the fact that space has equal importance to R&D;
7. Welcomes the opportunity given to Parliament and to the Council to establish, under the codecision procedure, the necessary measures which may take the form of a European Space Programme; however, considers that '*excluding any harmonisation of the laws and regulations of the Member States in this field*' may imply some obstacles to the implementation of a common European Space Policy;
8. Also welcomes the provision relating to the establishment of any appropriate relations explicitly with the European Space Agency;

Energy

9. Rejoices at the fact that energy will now have a separate Title in the Treaty and thus a legal basis in the context of the internal market, while attention will be paid to the functioning of the energy market, security of the energy supply, energy efficiency and energy saving, the development of new and renewable forms of energy and the interconnection of energy networks;
10. Expresses its satisfaction at and support for the solidarity clause to be applied "*if severe difficulties arise in the supply of certain products, notably in the area of energy*";
11. Stresses that while the future ordinary legislative procedure (presently codecision) will be followed as a rule, deciding the energy mix will still remain within the competence of the Member States and fiscal measures in this field will still require the consultation of Parliament and unanimity in Council;

European Atomic Energy Community Treaty

12. Considers that, despite its imperfections, the Euratom Treaty remains for the time being an indispensable legal framework and no particular changes have been made to it by the present amending Treaty; considers, however, that Protocol No 12 to the amending Treaty, relating to the Euratom Treaty, makes the text illegible and very complicated due to numerous cross-references and the repeal of certain articles of the Euratom Treaty;

13. Notes that the Euratom Treaty will continue to have full legal effect; draws attention to Protocol No 12 seeking to adapt the Euratom Treaty in order to take account of common provisions laid down in the other Treaties, such as institutional and financial provisions; therefore reiterates the need for a consolidated text of the Euratom Treaty;

Research Fund for Coal and Steel

14. Draws the Commission's attention to the fact that Protocol No 11 on the Research Fund for Coal and Steel introduces procedural provisions that will not enhance the participation of the European Parliament in the decision-making process, by retaining the consultation procedure in a sector, research and technological development, where it is co-legislator, irrespective of the budgetary implications of this fund.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	19.12.2007
Result of final vote	+: 42 -: 5 0: 0
Members present for the final vote	Šarūnas Birutis, Jan Březina, Renato Brunetta, Jerzy Buzek, Pilar del Castillo Vera, Jorgo Chatzimarkakis, Giles Chichester, Dragoş Florin David, Den Dover, Lena Ek, Nicole Fontaine, Adam Gierek, Norbert Glante, Umberto Guidoni, Fiona Hall, David Hammerstein, Rebecca Harms, Mary Honeyball, Ján Hudacký, Romana Jordan Cizelj, Anne Laperrouze, Romano Maria La Russa, Pia Elda Locatelli, Angelika Niebler, Reino Paasilinna, Atanas Papanicolas, Anni Podimata, Miloslav Ransdorf, Vladimír Remek, Herbert Reul, Mechtild Rothe, Paul Rübig, Andres Tarand, Britta Thomsen, Catherine Trautmann, Claude Turmes, Nikolaos Vakalis, Alejo Vidal-Quadras, Dominique Vlasto
Substitute(s) present for the final vote	Danutė Budreikaitė, Joan Calabuig Rull, Edit Herczog, Lambert van Nistelrooij, Pierre Pribetich, Dirk Sterckx, Silvia-Adriana Ţicău, Vladimir Urutchev
Substitute(s) under Rule 178(2) present for the final vote	