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*Committee on Industry, Research and Energy  
The Chair*

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24.1.2023

Mr Salvatore De Meo  
Chair  
Committee on Constitutional Affairs  
BRUSSELS

Subject: Opinion on proposals of the European Parliament for the amendment of the Treaties (2022/2051(INL))

Dear Chair,

Under the procedure referred to above, the Committee on Industry, Research and Energy has been asked to submit an opinion to your committee. At their meeting of 17 May 2022, ITRE coordinators decided to draw up the opinion in the form of a letter.

The Committee on Industry, Research and Energy considered the matter at its meeting of 24 January 2023. At that meeting, it decided to call on the Committee on Constitutional Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution.

Yours sincerely,

Cristian-Silviu Buşoi

## SUGGESTIONS

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

1. Welcomes the recommendations of the Conference on the Future of Europe and recognises the impressive work achieved by the participants of the Conference; believes that most of the recommendations in the remit of the Committee on Industry, Research and Energy could be implemented on the basis of the current treaties; believes however that the opportunity of a treaty reform should be seized to implement some targeted improvements;
2. Calls for the general use of the ordinary legislative procedure in all Union legislation, therefore Art 182 (4) [research specific programmes] and Art 188(1) [setting up of joint undertakings] need to be changed accordingly; likewise the consent and consultation procedures in Protocol No 37 on the financial consequences of the expiry of the ECSC Treaty and on the Research Fund for Coal and Steel need to be changed to the ordinary legislative procedure
3. Calls for Article 194 to be amended as follows:

### Article 194

1. In the context of the establishment and functioning of the internal market and with regard for the need to preserve and improve the environment **and the climate, a common** Union policy on energy shall aim, in a spirit of solidarity between Member States, to:

- (a) ensure the functioning of the energy market;
- (b) ensure security, **affordability, safe, clean, sustainable and undisrupted** of energy supply in the Union;
- (c) ~~promote~~ **ensure** energy efficiency, **including energy efficiency first principle, enhancing private and public financing for energy efficiency**, and energy saving and the development **and widespread use** of new and renewable forms of energy **in order to achieve an energy efficient and renewable energies based economy**; and
- (d) ~~promote~~ **ensure** the interconnection of energy networks.

2. Without prejudice to the application of other provisions of the Treaties, the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, shall establish the measures necessary to achieve the objectives in paragraph 1. Such measures shall be adopted after consultation of the Economic and Social Committee and the Committee of the Regions.

Such measures shall not **have a significant effect on the** ~~affect a~~ Member State's right

to determine the conditions for exploiting its energy resources, its choice between different energy sources and the general structure of its energy supply, without prejudice to Article 192(2)(c).

3. By way of derogation from paragraph 2, the Council, acting in accordance with a special legislative procedure, shall unanimously and after consulting the European Parliament, establish the measures referred to therein when they are primarily of a fiscal nature.
4. Demands that the protection of and respect for academic freedom, including institutional autonomy, be clearly enshrined in the Treaties, strengthening their legal protection throughout the Union and suggests to amend Art. 179 (1) TFEU as follows:

The Union shall have the objective of strengthening its scientific and technological bases by achieving a European research area in which researchers, scientific knowledge and technology circulate freely, and encouraging it to become more competitive, including in its industry, while promoting all the research activities deemed necessary by virtue of other Chapters of the Treaties. ***It shall respect and promote academic freedom and the freedom to conduct research as an individual and institutional right.***

5. Calls on the European Council to adopt a decision in favour of examining the proposed amendments and on the President of the European Council to convene a Convention composed of representatives of the national Parliaments, of the Heads of State or Government of the Member States, of the European Parliament and of the Commission.