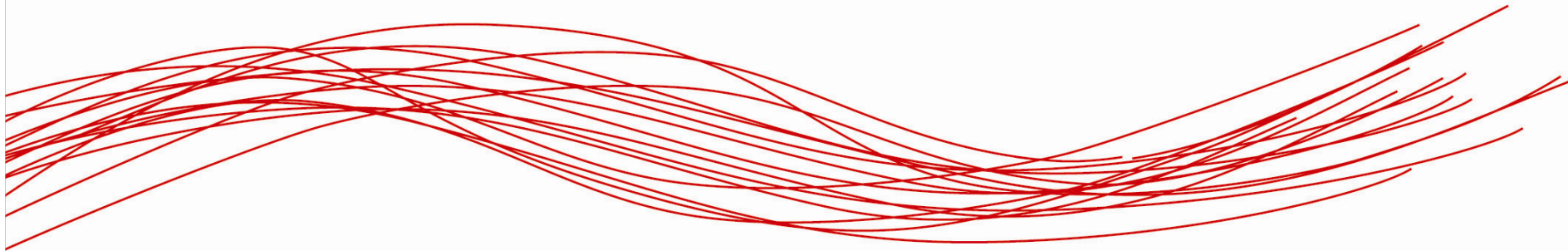




# European research in motion

## Treati(es) on the European Union (TEU & TFEU)



**Laszlo SZENDRODI, Counsellor, Sciences and Technologies**  
**Chair of the G-13 and G-14 Research Working Parties of the European Council**

**Hungarian Presidency**  
**Permanent Representation of Hungary to the European Union**





# Impact of the Lisbon Treaty on the ERA

There are not just 1, but 2 new treaties:

**Treaty on the European Union (TEU)**

and

**Treaty on the Functioning of the European Union (TFEU)**



## Treaty on the European Union (TEU)

in Article 1:... „**the Union shall replace and succeed the European Community**”

It means that no amendment is needed to replace the EC with the EU e.g. in the legal text of the grant agreements signed before 1st December 2009

but

After 1st December 2009 all the grant agreements will be signed by the Commission as representative either of the **European Union** or of the **Euratom Community**

The procedures are the same for: model grant agreements  
model appointment letters for experts;  
templates for Commission decisions; and for  
current pending Commission decisions.



## Treaty on the European Union (TEU)

in Article 3.3: **The Union shall establish an internal market.** It shall work for the sustainable development of Europe based on balanced economic growth... and improvement of the quality of the environment. **It shall promote scientific and technological advance.**



# Treaty on the Functioning of the European Union (TFEU)

## TITLE I CATEGORIES AND AREAS OF UNION COMPETENCE

### in Article 4

2. Shared competence between the Union and the Member States applies in the following principal areas: (a) internal market; (b) social policy, ...; (c) economic, social and territorial cohesion, etc.

**3. In the areas of research, technological development and space, the Union shall have competence to carry out activities, in particular to define and implement programmes; however, the exercise of that competence shall not result in Member States being prevented from exercising theirs.**



# Treaty on the Functioning of the European Union (TFEU)

## TITLE XIX RESEARCH AND TECHNOLOGICAL DEVELOPMENT AND SPACE

### Article 179 (ex Article 163 TEC)

**1. 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.**



# Treaty on the Functioning of the European Union (TFEU)

## TITLE XIX

### RESEARCH AND TECHNOLOGICAL DEVELOPMENT AND SPACE

#### Article 179 (ex Article 163 TEC)

2. For this purpose the **Union** shall, throughout the **Union**, encourage undertakings, including small and medium-sized undertakings, research centres and universities in their research and technological development activities of high quality; it shall support their efforts to cooperate with one another, aiming, notably, at permitting researchers to cooperate freely across borders and at enabling undertakings to exploit the internal market potential to the full, in particular through the opening-up of national public contracts, the definition of common standards and the removal of legal and fiscal obstacles to that cooperation.



# Treaty on the Functioning of the European Union (TFEU)

## TITLE XIX RESEARCH AND TECHNOLOGICAL DEVELOPMENT AND SPACE

### Article 179 (ex Article 163 TEC)

**3. All Union activities under the Treaties in the area of research and technological development, including demonstration projects, shall be decided on and implemented in accordance with the provisions of this Title.**





# Treaty on the Functioning of the European Union (TFEU)

## TITLE XIX

### RESEARCH AND TECHNOLOGICAL DEVELOPMENT AND SPACE

#### Article 180 (ex Article 164 TEC)

In pursuing these objectives, the **Union** shall carry out the following activities, complementing the activities carried out in the Member States:

(a) implementation of research, technological development and demonstration programmes, by promoting cooperation with and between undertakings, research centres and universities;

(b) promotion of cooperation in the field of **Union** research, technological development and demonstration with third countries and international organisations;

(c) dissemination and optimisation of the results of activities in **Union** research, technological development and demonstration;

(d) stimulation of the training and mobility of researchers in the **Union**.



# Treaty on the Functioning of the European Union (TFEU)

## TITLE XIX

### RESEARCH AND TECHNOLOGICAL DEVELOPMENT AND SPACE

#### Article 181 (ex Article 165 TEC)

**1. The Union and the Member States shall coordinate their research and technological development activities so as to ensure that national policies and Union policy are mutually consistent.**

**2. In close cooperation with the Member State, the Commission may take any useful initiative to promote the coordination referred to in paragraph 1, in particular initiatives aiming at the establishment of guidelines and indicators, the organisation of exchange of best practice, and the preparation of the necessary elements for periodic monitoring and evaluation. The European Parliament shall be kept fully informed.**



# Treaty on the Functioning of the European Union (TFEU)

## TITLE XIX

### RESEARCH AND TECHNOLOGICAL DEVELOPMENT AND SPACE

#### Article 182 (ex Article 166 TEC)

1. A multiannual framework programme, setting out all the activities of the **Union**, shall be adopted by the European Parliament and the Council, acting in accordance with the ordinary legislative procedure after consulting the Economic and Social Committee. The framework programme shall:
  - establish the scientific and technological objectives to be achieved by the activities provided for in **Article 180** and fix the relevant priorities,
  - indicate the broad lines of such activities,
  - fix the maximum overall amount and the detailed rules for **Union** financial participation in the framework programme and the respective shares in each of the activities provided for.



# Treaty on the Functioning of the European Union (TFEU)

## TITLE XIX

### RESEARCH AND TECHNOLOGICAL DEVELOPMENT AND SPACE

#### Article 182 (ex Article 166 TEC) continued

2. The framework programme shall be adapted or supplemented as the situation changes.

3. The framework programme shall be implemented through specific programmes developed within each activity. Each specific programme shall define the detailed rules for implementing it, fix its duration and provide for the means deemed necessary. The sum of the amounts deemed necessary, fixed in the specific programmes, may not exceed the overall maximum amount fixed for the framework programme and each activity.



# Treaty on the Functioning of the European Union (TFEU)

## TITLE XIX

### RESEARCH AND TECHNOLOGICAL DEVELOPMENT AND SPACE

#### Article 182 (ex Article 166 TEC) continued

**4. The Council, acting in accordance with a special legislative procedure and after consulting the European Parliament and the Economic and Social Committee, shall adopt the specific programmes.**

**5. As a complement to the activities planned in the multiannual framework programme, the European Parliament and the Council, acting in accordance with the ordinary legislative procedure and after consulting the Economic and Social Committee, shall establish the measures necessary for the implementation of the European research area.**



# Treaty on the Functioning of the European Union (TFEU)

## TITLE XIX

### RESEARCH AND TECHNOLOGICAL DEVELOPMENT AND SPACE

#### Article 183 (ex Article 167 TEC)

For the implementation of the multiannual framework programme the **Union shall:**

- determine the rules for the participation of undertakings, research centres and universities,
- lay down the rules governing the dissemination of research results.

(in the Article 167 of the TEC: ... **the Council shell...???**)



# Treaty on the Functioning of the European Union (TFEU)

## TITLE XIX

### RESEARCH AND TECHNOLOGICAL DEVELOPMENT AND SPACE

#### Article 184 (ex Article 168 TEC)

In implementing the multiannual framework programme, supplementary programmes may be decided on involving the participation of certain Member States only, which shall finance them subject to possible **Union** participation.

The **Union** shall adopt the rules applicable to supplementary programmes, particularly as regards the dissemination of knowledge and access by other Member States.



# Treaty on the Functioning of the European Union (TFEU)

## TITLE XIX

### RESEARCH AND TECHNOLOGICAL DEVELOPMENT AND SPACE

#### Article 185 (ex Article 169 TEC)

In implementing the multiannual framework programme, the **Union** may make provision, in agreement with the Member States concerned, for participation in research and development programmes undertaken by several Member States, including participation in the structures created for the execution of those programmes.





# Treaty on the Functioning of the European Union (TFEU)

## TITLE XIX

### RESEARCH AND TECHNOLOGICAL DEVELOPMENT AND SPACE

#### Article 186 (ex Article 170 TEC)

In implementing the multiannual framework programme the **Union** may make provision for cooperation in **Union** research, technological development and demonstration with third countries or international organisations.

The detailed arrangements for such cooperation may be the subject of agreements between the Union and the third parties concerned.



# Treaty on the Functioning of the European Union (TFEU)

## TITLE XIX

### RESEARCH AND TECHNOLOGICAL DEVELOPMENT AND SPACE

#### Article 187 (ex Article 171 TEC)

The **Union** may set up joint undertakings or any other structure necessary for the efficient execution of Union research, technological development and demonstration programmes.



# Treaty on the Functioning of the European Union (TFEU)

## TITLE XIX

### RESEARCH AND TECHNOLOGICAL DEVELOPMENT AND SPACE

#### Article 188 (ex Article 172 TEC)

**The Council, on a proposal from the Commission and after consulting the European Parliament and the Economic and Social Committee, shall adopt the provisions referred to in Article 187. The European Parliament and the Council, acting in accordance with the ordinary legislative procedure and after consulting the Economic and Social Committee, shall adopt the provisions referred to in Articles 183, 184 and 185. Adoption of the supplementary programmes shall require the agreement of the Member States concerned.**



# Treaty on the Functioning of the European Union (TFEU)

## TITLE XIX

### RESEARCH AND TECHNOLOGICAL DEVELOPMENT AND SPACE

#### Article 189 (does not exist in the TEC at all)

1. To promote scientific and technical progress, industrial competitiveness and the implementation of its policies, the Union shall draw up a European space policy. To this end, it may promote joint initiatives, support research and technological development and coordinate the efforts needed for the exploration and exploitation of space.



# Treaty on the Functioning of the European Union (TFEU)

## TITLE XIX

### RESEARCH AND TECHNOLOGICAL DEVELOPMENT AND SPACE

**Article 189 (does not exist in the TEC at all) continued**

- 2. To contribute to attaining the objectives referred to in paragraph 1, the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, shall establish the necessary measures, which may take the form of a European space programme, excluding any harmonisation of the laws and regulations of the Member States.**
- 3. The Union shall establish any appropriate relations with the European Space Agency.**
- 4. This Article shall be without prejudice to the other provisions of this Title.**



# Treaty on the Functioning of the European Union (TFEU)

## TITLE XIX RESEARCH AND TECHNOLOGICAL DEVELOPMENT AND SPACE

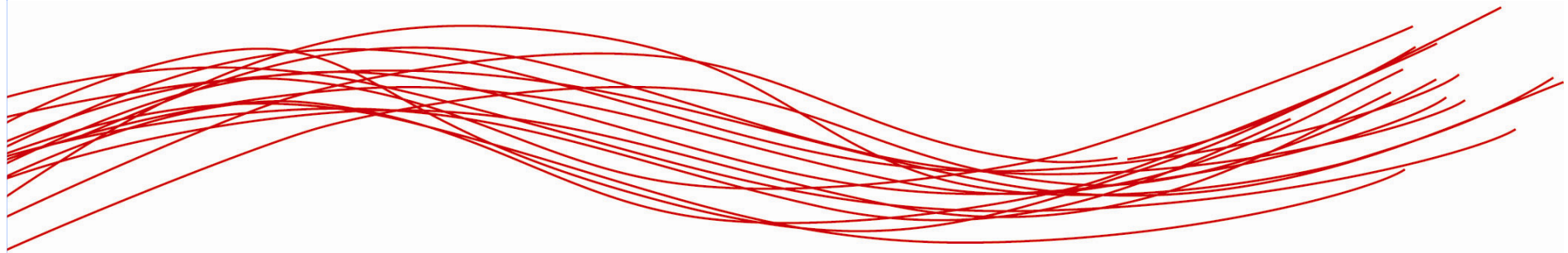
### Article 190 (ex Article 173 TEC)

At the beginning of each year the Commission shall send a report to the European Parliament and to the Council. The report shall include information on research and technological development activities and the dissemination of results during the previous year, and the work programme for the current year.



## European Research in motion

# Thank you for your attention!



**This presentation contains slides contributed from various sources which represent the personal views of the contributors. These views are not necessarily those of the European Council and should not be relied upon as a statement of the European Council or the Permanent Representation of Hungary to the EU. Neither the European Council, nor any person acting on its behalf, may be held responsible for the use to which information contained in this publication may be put, or for any errors which, despite careful preparation and checking, may appear.**

**Non-commercial reproduction authorised, subject to acknowledgement of source.**

