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RECH 83
COMPET 147
IND 48
MI 131
EDUC 69
TELECOM 86
ENER 61
ENV 117
REGIO 32
AGRI 107
TRANS 110
SAN 103
CADREFIN 111
IA 30**

'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
Subject:	Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (first reading) - Decision to use the written procedure for the adoption of the Council's position at first reading and of the statement of the Council's reasons = Statement

Statement by France

France welcomes the ambition of the EU's new research and innovation programme, Horizon Europe, and supports the adoption of the Regulation establishing this programme.

Nevertheless, we reiterate our reservation with regard to the reference, in recital 6, to the 'innovation principle'.

While acknowledging the need to assess the impact of EU law on innovation, in line with the Better Regulation Toolbox, we would emphasise that there is no legal definition of the ‘innovation principle’, unlike the precautionary principle, which is recognised by the Treaties (Article 191(2) of the Treaty on the Functioning of the European Union) and in the case-law (see, in particular, the judgments of the Court of Justice of the European Union (Grand Chamber) of 9 March 2010 in Joined Cases C-379/08 and C-380/08, *ERG and Others*, and of 1 October 2019 in Case C-616/17, *Mathieu Blaise and Others*).
