

Subject: Precautionary principle under attack: please delete so-called 'Innovation Principle' from Horizon Europe research funding programme

Dear Member of the European Parliament,

At next week's plenary session, you will be voting on 'Horizon Europe', the future EU research funding programme. The European Commission's draft plans for Horizon Europe consist in a package of two proposals, a [regulation](#) and a [decision](#) (plus their annexes).

The European Consumer Organisation (BEUC) **wishes to raise the alarm over the reference to a so-called 'innovation principle'** in both the draft regulation (in recital 3, p.16) and the draft decision (under Pillar III, paragraph 2.2. of Annex I, p. 68).

Such 'innovation principle' has no place in the EU research funding programme, nor in any other EU legal text. The European Commission does not provide a definition for this purported principle, which poses problems in terms of legal certainty and clarity of scope¹. Created by an industry lobby group² with the sole purpose of **undermining the Treaty-based precautionary principle**³, the 'innovation principle' has no legal basis nor any democratic legitimacy. It is not even needed, as a significant part of EU policies and regulations is already geared towards promoting innovation.

The precautionary principle is a **safety net for European consumers**. It crucially allows authorities to take temporary, precautionary measures in the absence of a final proof of harm to consumers or the environment.

Contrary to widespread misconceptions:

- **Science is central to the proper use of the precautionary principle:** faced with indications of possible harmful effects on the environment or health, albeit with insufficient, inconclusive, or uncertain evidence, policy-makers can decide to invoke (or not) the precautionary principle to reflect the level of protection desired by society⁴. The precautionary principle is meant to guide the political choices which are made to manage the risks identified by scientific research.

.../...

¹ Instead it refers to a 2018 [Communication](#), which simply states in a footnote that "the Innovation Principle is an integral part of the EU Better Regulation approach, and ensures that whenever policy and legislation are developed, the impact on innovation is fully assessed".

² See http://www.riskforum.eu/uploads/2/5/7/1/25710097/businessseurope-ert_innovation_principle_joint_statement.pdf

³ Article 191 of the Treaty on the Functioning of the European Union.

⁴ See EC [Communication](#) on the precautionary principle (2001).

- **Precaution drives innovation:** The precautionary principle pushes industry to research and innovate in safer or greener alternatives, which benefits both consumers and the economy⁵.

In fact, the precautionary principle is underused. It took years, sometimes decades, for policy-makers to address some health hazards, despite early warnings. One notorious example is lead that was added to petrol for decades, ignoring experts' warning about its likely toxicity as early as 1925. The European Environment Agency's report '*Late lessons from early warnings: science, precaution, innovation*'⁶ includes numerous instances of cases where early warnings existed but no actions were taken⁷.

Legitimate and effective regulation has been, and will remain in the future, critical for ensuring consumer trust in innovation. It promotes worthwhile innovation that is valuable to society at large and ensures that proper weight is given to environmental and health risks and concerns.

Unfortunately, the ITRE committee overlooked this important issue when it voted on both texts on 21 November⁸. Yet the European Parliament has a chance to make up for this missed opportunity during the plenary vote: we call on you to **vote in the interest of consumers and support the deletion of the 'innovation principle' from Horizon Europe**.

We remain at your disposal for any question you may have.

Yours faithfully,

Monique Goyens
Director General

⁵ A 2013 [report](#) by CIEL showed that "spikes in the patenting of phthalate-alternatives clearly correlate with the timing of new laws to protect people and wildlife from phthalates. As the stringency of measures increased, so too did the number of inventions disclosed in patent filings by the chemical industry. Similarly, the phase-out of ozone depleting substances also illustrates how progressively stricter rules at the global level can drive a sustained effort to invent safer alternatives."

⁶ <https://www.eea.europa.eu/publications/late-lessons-2>

⁷ Despite claims to the contrary, the Precautionary Principle has never been used under the REACH regulation to regulate a chemical according to the Commission [recent review](#).

⁸ The Nica Report on the regulation proposal is available [here](#), whilst the Ehler Report on the decision proposal can be found [here](#).