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**2017/0213 (APP)**

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RECH 107  
FIN 231  
COMPET 160  
ENER 100

**'I/A' ITEM NOTE**

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From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council

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No. Cion doc.: 11947/17 RECH 295 FIN 523 COMPET 587 ENER 348 - COM(2017) 452 final

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Subject: Proposal for a Council Decision amending Decision 2003/76/EC establishing the measures necessary for the implementation of the Protocol, annexed to the Treaty establishing the European Community, on the financial consequences of the expiry of the ECSC Treaty and on the Research Fund for Coal and Steel  
- Adoption

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1. On 25 August 2017 the Commission submitted to the Council the proposal for a Council Decision amending Decision 2003/76/EC establishing the measures necessary for the implementation of the Protocol, annexed to the Treaty establishing the European Community, on the financial consequences of the expiry of the ECSC Treaty and on the Research Fund for Coal and Steel<sup>1</sup>.

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<sup>1</sup> Doc. 11947/17.

2. The proposed Decision is limited in scope and aims to provide a bridging solution to the exceptional decrease in the revenue stemming from the assets of the European Coal and Steel Community (ECSC) in liquidation dedicated to the funding of research projects for coal and steel. The decrease, due to the low-interest-rate environment on the capital markets in recent years, has led to the proposed revision of the rules on the cancellation of commitments made under the research programme of the Research Fund for Coal and Steel (RFCS) and on recovered amounts, so as to authorise their recycling in the research programme. Furthermore, these de-commitments and amounts recovered from the RFCS cannot be allocated to budget items other than research in the sectors related to the coal and steel industry, in accordance with Protocol No 37 on the financial consequences of the expiry of the ECSC Treaty and on the Research Fund for Coal and Steel, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union.
3. The Research Working Party examined the proposal on 2 October, 23 October and 13 November 2017 and agreed on a number of amendments mainly to make the text clearer from a legal point of view.
4. On 12 December 2017, the Council requested the consent of the European Parliament on the draft Council Decision, in accordance with the first paragraph of Article 2 of Protocol No 37 on the financial consequences of the expiry of the ECSC Treaty and on the Research Fund for Coal and Steel.
5. The European Parliament gave its consent on 13 March 2018.
6. The Permanent Representatives Committee is therefore invited to recommend to the Council, as an "A" item in one of its next sessions:
  - to adopt the draft Council Decision amending Decision 2003/76/EC establishing the measures necessary for the implementation of the Protocol, annexed to the Treaty establishing the European Community, on the financial consequences of the expiry of the ECSC Treaty and on the Research Fund for Coal and Steel, as finalised by the legal-linguists and set out in doc. 14532/17;

- to request publication of the Decision in the Official Journal of the European Union for information.
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