**NON LEGISLATIVE PROCEDURE - Consultation**

**European Parliament legislative resolution of 14 December 2016 on the proposal
for a Council decision amending Decision 2008/376/EC on the adoption of
the Research Programme of the Research Fund for Coal and Steel and on
the multiannual technical guidelines for this programme**

**2016/0047** **(NLE)**

**1. Rapporteur:** Jerzy BUZEK (EPP/PL)

**2. EP reference number:** [A8-0358/2016](http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&mode=XML&reference=A8-2016-0358&language=EN) / P8\_TA-PROV(2016)0501

**3. Date of adoption of the resolution:** 14 December 2016

**4. Subject:** Research Fund for Coal and Steel

**5.** **Interinstitutional reference number:** 2016/0047 (NLE)

**6.** **Legal basis:** Article 2 of Protocol 37 annexed to the Treaty on the Functioning of the European Union

**7. Competent parliamentary committee:** Committee on Industry, Research and Energy (ITRE)

**8. Commission’s position:**

The resolution contains 13 amendments on which the Parliament calls on the Commission to alter its proposal accordingly.

The Commission proposal is limited to amending only the technical guidelines of the Council decision (Articles 21 to 25, 29, 33 and 39) contained in Chapter III.

The Commission welcomes the amendments 2, 7 first part, 8 and 9, which seek to punctuate/ clarify certain aspects of the Commission proposal within the scope of the revision of the technical guidelines.

On the first part of amendment 1 and on amendment 15, the Commission is willing to accept a reference in line with Article 26 of the Commission rules on expert groups.

The Commission is unable to support amendments 3, 4, 5, 16 and 20, since these fall outside the said scope and touch on the principles and objectives of the Research Fund for Coal and Steel (RFCS) as enshrined in Protocol 37 annexed to the Treaty on the Functioning of the European Union.

The remaining amendments cannot be supported for the following reasons:

• Amendment 1, second part, and amendment 10: A reference to the applicability of a Commission decision and a Parliament resolution is not acceptable for legal reasons. Moreover, Article 39 addressed by amendment 10 deals with experts not covered by the Commission rules for expert groups (refer to Article 1 of these rules, sub (b) and (e) respectively).

• Amendment 6: The task this amendment seeks to add to the remit of the Advisory Groups is already covered by the tasks described under Article 21 (d) and (f) (unchanged).

• Amendment 7, second part: Given the tasks of the Advisory Groups, the Commission proposal modifies the capacity of its members to represent a common interest by stakeholders, in line with the horizontal rules on expert groups. Experts representing stakeholders cannot act in their personal capacity.

**9. Outlook for amendment of the proposal:** The Commission will seek to have the amendments 2, 7 first part, 8 and 9 taken up in the draft Council position established at the level of the Research Working Party in June 2016 under the Dutch Presidency. It will also seek to have suitable references in line with Article 26 of the Commission rules on expert groups taken up in the said Council position under the articles addressed by amendments 1 and 15.

**10. Outlook for the adoption of the proposal:** In view of the draft compromise text established under the Dutch Presidency, adoption could be foreseen in the first quarter of 2017.