RESOLUTION

of the European Parliament containing the comments accompanying the decision concerning discharge for the financial management of the European Coal and Steel Community (ECSC) for the financial year ended 23 July 2002

THE EUROPEAN PARLIAMENT,

— having regard to Articles 78g and 97 of the ECSC Treaty,

— having regard to the Protocol on the financial consequences of the expiry of the ECSC Treaty and on the Research Fund for Coal and Steel, annexed to the Treaty establishing the European Community, adopted in Nice on 26 February 2001 (1),

— having regard to the Joint Declaration of the European Parliament, the Council and the Commission concerning post-ECSC arrangements adopted on 21 November 2001 in the context of the budgetary procedure triilogues (2),

— having regard to the resolutions of the Council and of the representatives of the governments of the Member States, meeting within the Council, of 20 July 1998 (3) and 21 June 1999 (4) concerning the expiry of the Treaty establishing the European Coal and Steel Community,

— having regard to the Commission communication of 6 September 2000 to the Council, the ECSC Consultative Committee, the Economic and Social Committee and the Committee of the Regions entitled ‘Expiry of the ECSC Treaty: Financial activities after 2002’ (COM(2000) 518),

— having regard to Decision 2002/234/ECSC of the representatives of the governments of the Member States, meeting within the Council, of 27 February 2002 on the financial consequences of the expiry of the ECSC Treaty and on the research fund for coal and steel (5), in order to govern the administration of the ‘ECSC in liquidation’ pending the entry into force of the Treaty of Nice, and having regard to the statements (6) made in connection therewith by the Commission and the Representatives of the Governments of the Member States, meeting within the Council,

— having regard to Council Decision 2003/76/EC of 1 February 2003 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 (7),

— having regard to Council Decision 2003/77/EC of 1 February 2003 laying down multiannual financial guidelines for managing the assets of the ECSC in liquidation and, on completion of the liquidation, of the Research Fund for Coal and Steel (8),

— having regard to Council Decision 2003/78/EC of 1 February 2003 laying down the multiannual technical guidelines for the research programme of the Research Fund for Coal and Steel (9),


(1) OJ C 80, 10.3.2001, p. 1 (see p. 67).
(2) Doc SN 4609/01 Rev 1 of the Council of the European Union.
(9) OJ L 29, 5.2.2003, p. 28.
— having regard to the Court of Auditors’ report on the financial statements of the ECSC as at 23 July 2002 (1), which includes the statement of assurance of 27 March 2003 concerning the reliability of the Commission’s accounts pursuant to Article 45c(5) of the ECSC Treaty,

— having regard to the Court of Auditors’ annual report and statement of assurance concerning the ECSC of 26 June 2003, in accordance with Article 45c(1) and (4) of the ECSC Treaty, for the financial year ended 23 July 2002, together with the Commission’s replies (C5-0646/2003) (2),

— having regard to the Commission communication entitled ‘Financial statements of the ECSC in liquidation at 31 December 2002’ (3),

— having regard to the Court of Auditors’ Annual Report concerning the financial year 2002 (4), and in particular paragraphs 10.18 to 10.20 (Loans and Borrowings of the ECSC in liquidation),

— having regard to the Commission communication entitled ‘Definitive Annual Accounts of the European Communities - Financial Year 2002’ (5),

— having regard to Article 89(7) of the Financial Regulation of 21 December 1977 (6) and to Article 147(1) of the Financial Regulation of 25 June 2002 (7), pursuant to which all Community institutions must take all appropriate measures to act on the observations accompanying the discharge decisions,

— having regard to the Commission report of 29 October 2003 on the follow-up to the 2001 discharges (COM(2003) 651) and the follow-up (see Section III of that report) to the Resolution of the European Parliament on discharge for the financial management of the ECSC for the financial year 2001 supplemented by a communication of 30 January 2004 from Commission DG BUDG to the Secretariat of the Committee on Budgetary Control,

— having regard to the Council’s recommendation of 9 March 2004 (C5-0145/2004),

— having regard to Articles 93 and 93a of and Annex V to its Rules of Procedure,

— having regard to the report of the Committee on Budgetary Control (A5-0201/2004),

A. Whereas from 1 January to 23 July 2002 the ECSC continued to finance redeployment aid for workers and research grants from its operating budget, EUR 35 million for the former and EUR 72 million for the latter, plus further commitments of EUR 21 million for the Rechar Programme of social measures in the coal industry.

B. Whereas on 1 January 1998 the ECSC levy on coal and steel products, which was until then one of the main sources of revenue of the ECSC budget, was set by the Commission at 0 %.

C. Whereas, over the last few years, the ECSC’s main sources of revenue have been the net profit on financial fixed assets, withdrawals from reserves and the cancellation of unused commitments.

D. Whereas the ECSC balance sheet total has been declining since 1997 and at 23 July 2002 posted a fall of EUR 839 million since 31 December 2001.

E. Whereas, chiefly because of value adjustments, net losses on financial operations rose from EUR 12 million to EUR 69 million.

F. Whereas interest received fell from EUR 215 million to EUR 91 million and net profit on financial operations fell from EUR 19 million to EUR 16 million, and income relating to the ECSC operating budget, for the final ECSC financial year of just under seven months, fell from EUR 65 million to EUR 21 million.

G. Whereas bond-financed loans still outstanding on 23 July 2002 which are not covered by Member State guarantees were fully covered by the Guarantee Fund, and whereas those loans totalled EUR 529 million.

H. Whereas the ECSC-administered liquid assets stood at EUR 1 557 million at 23 July 2002.

I. Whereas the Resolution of the European Council on growth and employment adopted on 16 and 17 June 1997 in Amsterdam and the above-mentioned Council resolution of 21 June 1999 called for the revenues from outstanding reserves to be used for a research fund for activities related to the coal and steel industries.

J. Whereas the sum remaining after deduction of the repayment of outstanding debt should be deemed to be EU budget 'own resources', which should yield annual interest of some EUR 60 million, to be allocated to research related to the coal and steel industries outside the framework programme for research.

K. Whereas the expiry of the ECSC Treaty on 23 July 2002 entailed the complete disappearance of the ECSC's legal regime and the dissolution of the Consultative Committee set up by that Treaty.

L. Whereas the annual report on the ECSC for the financial year ended 23 July 2002 was adopted by the Court of Auditors on 26 June 2003.

M. Whereas the Court of Auditors concludes that the financial statements give a true and fair view of the assets and financial situation of the European Coal and Steel Community at 23 July 2002 and of the results of its operations for the year then ended.

N. Whereas the Court of Auditors notes that, taken as a whole, the legality and regularity of the transactions underlying the ECSC financial statements for the financial year ended 23 July 2002 are sufficiently assured.

1. Acknowledges the achievements of all those who instituted and shaped the European Coal and Steel Community and who in so doing have made a major contribution to the peaceful unification of Europe;

2. Calls, therefore, on the Commission, as it has done in previous years, to publish in the official languages an overview suitable for the general public of the work undertaken by the ECSC since it was established; acknowledges that the Commission has made a start on groundwork in this connection which must however promptly be taken further;

3. Welcomes the progress made in connection with the cessation of ECSC activities, in particular the abovementioned Decision of the representatives of the governments of the Member States, meeting within the Council, of 27 February 2002 which created the requisite legal basis for the 'ECSC in liquidation', pending the entry into force of the Treaty of Nice on 1 February 2003;

4. Urges the Commission, as it has already done in previous years, to carry out without delay an overall assessment of research originally funded by the ECSC, in particular an assessment of the coal research programme and of the criteria proposed for the selection of new coal research projects, as has already been done for the steel sector; regards such assessments as an important basis for the activities of the new Research Fund for Coal and Steel;
5. Notes that, over the last 15 years, the ECSC has disbursed some EUR 800 million to firms and institutes for applied research in the steel sector alone without, as a rule, and contrary to what is expressly provided for in ECSC research contracts, receiving its contractual share of proceeds from the patents this has made possible; calls on the Commission to enforce its legal claim to its share of proceeds from research funding by means of a registration procedure for patents and other suitable measures;

6. Acknowledges a measure of progress in overcoming the security problems affecting the IT system used for ECSC research management; expects the Commission, however, to comply immediately with all the Court of Auditors' and external auditors' observations on the reliability of the IT system;

7. Notes that all the loans outstanding after 23 July 2002 which are not covered by guarantees from a Member State are covered in full by the ECSC reserves and acknowledges the strategy adopted by the Commission for prudent financial management of the ECSC, and the ‘ECSC in liquidation’;

8. Notes the progress made in reducing administrative costs reported in the document entitled ‘Expiry of the ECSC Treaty: Impact on Administrative Costs of the Commission’ (submitted to the Committee on Budgetary Control by DG BUDG on 30 January 2004), and calls on the Commission to inform Parliament at regular intervals of the outcome of its Annual Policy Strategy with regard to redeployment of staff members involved in administering the ‘ECSC in liquidation’;

9. Welcomes the progress made in transferring the ECSC Consultative Committee’s acquired knowledge to the European Economic and Social Committee (EESC) and, in particular, the fact that the EESC’s new Consultative Commission on Industrial Change (CCIC), which comprises members of the ESC and delegates from the professional organisations representing the coal and steel sector and related sectors, was established on 24 October 2002 and held its inaugural meeting on 28 November 2002; invites the CCIC to publish the findings of its deliberations on a regular basis in the official languages;

10. Welcomes the successful conclusion of the negotiations with the accession countries on the conditions for their participation in the new Research Fund for Coal and Steel, whereby the payment of their contributions, determined in accordance with the size of their mineral resources, will be staggered to take account of their respective economic situations, and calls on the Commission to give it regular progress reports on the implementation of the decisions taken as a result of those negotiations;

11. Calls on the Commission to continue to conduct a regular review of all outstanding dormant commitments and to cancel only amounts in respect of which it is unlikely that there will be any movement in the future;

12. Notes that the financial statements for the ECSC in liquidation as at 31 December 2002 were not published in the Official Journal until 11 October 2003; none the less welcomes the detailed and informative way in which they are set out, which should be the benchmark for subsequently published financial statements for the ECSC in liquidation, and calls on the Commission to ensure maximum transparency with regard to figures on trends in, and use of, ECSC assets and on revenue from them;

13. Expects the Court of Auditors, which has submitted no specific report on the financial statements for the ECSC in liquidation as at 31 December 2002, to carry out the necessary audits each year and to publish the results in the Official Journal;

14. Stresses that it will continue to keep an eye on the mandatory use of revenues from ECSC assets for the benefit of research in the coal and steel sector.