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DRAFT STATEMENT OF THE COUNCIL'S REASONS

Subject: Position of the Council at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council establishing the space programme of the Union and the European Union Agency for the Space Programme
– Draft Statement of the Council's reasons

I. INTRODUCTION

1. On 6 June 2018 the Commission presented the above-mentioned proposal for a Regulation¹ to the European Parliament and the Council.
2. The European Economic and Social Committee adopted its opinion on 17 October 2018².
3. The Committee of the Region adopted its opinion on 5-6 December 2018³.

¹ Doc. 9898/18 + ADD 1

² Doc. 13686/18

³ Doc.15568/18

4. On 13 March 2019, the Committee of the Permanent Representatives confirmed the Common Understanding⁴. It was understood that elements in brackets in the text were left outside of the scope of the negotiations, as they required the completion of negotiations on the Multiannual Financial Framework 2021-2027 for the Council to establish its position.
5. The European Parliament adopted its first-reading position on 17 April 2019⁵.
6. The political agreement on the Multiannual Financial Framework 2021-2027 was reached on 21 July 2020.
7. The Presidency was granted a negotiating mandate⁶ on 4 November 2020, so negotiations resumed. Overall three trilogues took place.
8. On 14 January 2021 the Chair of the Committee on Industry, Research and Energy addressed a letter to the Presidency indicating that, should the Council transmit formally to the Parliament its position in the form that it was presented in the Annex to that letter, he would recommend to the Parliament's plenary to approve the Council's position without amendment, subject to subsequent legal-linguistic review.

II. OBJECTIVE

The Regulation seeks to establish the space programme of the Union, including its objectives, budget and rules for implementation. This allows to combine and streamline the existing regulations covering Galileo, EGNOS, Copernicus and the Space Surveillance and Tracking framework and to allow for new activities, such as GOVSATCOM.

The Regulation also establishes the European Union Space Programme Agency (EUSPA), which replaces the EU GNSS Agency (GSA).

⁴ Doc. 7481/19 + COR 1

⁵ P8_TA(2019)0402

⁶ Doc. 12594/20

III. ANALYSIS OF THE COUNCIL'S POSITION AT FIRST READING

A. General

Following the vote in the plenary, the Parliament and the Council conducted negotiations with the aim of concluding an early second-reading agreement on the basis of a Council first-reading position that the Parliament could approve as such. The text of the Council's first-reading position fully reflects the compromise reached between the two co-legislators.

B. Key issues

The elements agreed in the Common Understanding were not modified, subject to corrections from lawyer-linguists. The main points of the compromise reached with the Parliament include:

- the duration of the programme;
- the rules applying to the participation of third countries and international organisations in the space programme;
- the rules governing access to SST services, GOVSATCOM services and Galileo Public Regulated Service by third countries or international organisations;
- the details on the ownership and use of assets;
- the budget and its distribution per category of expenditure;
- the rules on cumulative and alternative funding;
- the eligibility and participation conditions for the preservation of the security, integrity and resilience of operational systems of the Union;
- the role of EUMETSAT and other entities;
- the work programme;
- the necessary implementing and delegated acts.

IV. CONCLUSION

The Council's position fully reflects the compromise reached in the negotiations between the European Parliament and the Council, facilitated by the Commission. This compromise is confirmed by the letter that the Chair of the ITRE Committee addressed to the Chairman of the Permanent Representatives Committee on 14 January 2021. In this letter the ITRE Chair indicates that he will recommend to the members of the ITRE Committee, and subsequently to the plenary, that they approve the Council's position at first reading without amendments at the European Parliament's second reading, subject to verification by the lawyer-linguists of both Institutions.
