



Council of the
European Union

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LIMITE

**CORLX 606
CFSP/PESC 892
TRANS 476
MAR 144
AVIATION 157
RECH 432
CSC 320
ESPACE 91**

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION amending Decision (CFSP) 2021/698 to include the Union Secure Connectivity Programme

COUNCIL DECISION (CFSP) 2023/...

of ...

**amending Decision (CFSP) 2021/698
to include the Union Secure Connectivity Programme**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 28 thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) A range of potential threats to the security and the essential interests of the Union and of its Member States could arise from the deployment, operation and use of systems and services set up under the Union Secure Connectivity Programme, as established in Regulation (EU) 2023/... of the European Parliament and of the Council¹⁺.
- (2) It is therefore appropriate to extend the scope of Council Decision (CFSP) 2021/698² to the systems and services set up under the Union Secure Connectivity Programme,

HAS ADOPTED THIS DECISION:

¹ Regulation (EU) 2023/... of the European Parliament and of the Council of ... establishing the Union Secure Connectivity Programme for the period 2023-2027 (OJ ...).

⁺ OJ: please insert serial number for PE-CONS 65/22 and complete the corresponding footnote.

² Council Decision (CFSP) 2021/698 of 30 April 2021 on the security of systems and services deployed, operated and used under the Union Space Programme which may affect the security of the Union, and repealing Decision 2014/496/CFSP (OJ L 170, 12.5.2021, p. 178).

Article 1

Decision (CFSP) 2021/698 is amended as follows:

- (1) the title is replaced by the following:

‘Council Decision (CFSP) 2021/698 of 30 April 2021 on the security of systems and services deployed, operated and used under the Union Space Programme and the Union Secure Connectivity Programme which may affect the security of the Union, and repealing Decision 2014/496/CFSP’;

- (2) in Article 1(1), point (a) is replaced by the following:

‘(a) to avert a threat to the security of the Union or of one or more of its Member States or to mitigate serious harm to the essential interests of the Union or of one or more of its Member States arising from the deployment, operation or use of the systems set up and services provided under the components of the Union Space Programme or the Union Secure Connectivity Programme (the “Programmes”); or’;

- (3) in Article 1, paragraph 2 is replaced by the following:

‘2. In the implementation of this Decision, due account shall be given to the differences between the components of the Programmes, in particular as regards Member States’ authority and control over sensors, systems or other capacities relevant to the Programmes.’;

- (4) in Article 3, paragraph 2 is replaced by the following:
- ‘2. The Agency or the relevant appointed security monitoring structure and the Commission shall provide advice to the High Representative on the likely wider impact on the systems set up and services provided under the components of the Programmes of any instructions which the High Representative intends to propose to the Council pursuant to paragraph 1.’;
- (5) in Article 5, paragraph 1 is replaced by the following:
- ‘1. Within a year after the security configuration of the committee established under Article 107(1)(e) of Regulation (EU) 2021/696 has determined, on the basis of the risk and threat analysis performed by the Commission pursuant to Article 34(2) of Regulation (EU) 2021/696, under the procedure referred to in Article 107(3) thereof, whether a system set up or a service provided, or both, under a particular component of the Programmes is security-sensitive, the High Representative shall prepare, and submit for approval to the PSC, the necessary operational procedures for the practical implementation of the provisions set out in this Decision as regards the system or service concerned, or both. For that purpose, the High Representative shall be supported by experts from Member States, the Commission, the Agency and the relevant appointed security monitoring structure, as appropriate.’.

Article 2

This Decision shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

Done at ...,

For the Council

The President
