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NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. Cion doc.:	10935/25
Subject:	*Preparation of the Meeting of the Council (Competitiveness (Internal Market, Industry, Research and Space)) on 3-4 December 2026* Regulation on the safety, resilience and sustainability of space activities in the Union (EU Space Act) - Progress Report

I. INTRODUCTION

1. On 26 June 2025, the Commission transmitted the above-mentioned proposal[1] for a Council Regulation to the European Parliament and to the Council.

[1] 10935/25.

2. The objective of the draft regulation is to lay down the rules for the functioning of the internal market of space-based data and services and to lay down a set of harmonised rules on safety, resilience and environmental sustainability for that purpose.

3. The European Parliament referred the file to the Committee on Industry, Research and Energy (ITRE), which has appointed Elena Donazzan (ECR, Italy) as rapporteur.

4. The European Economic and Social Committee adopted its opinion[2] on 4 December 2025.

5. The Danish Presidency decided to request the opinion of the Committee of the Regions[3], which provided its opinion[4] on 8 December 2025.

II. STATE OF PLAY IN THE COUNCIL

6. Under the Irish Presidency, the Space Working Party met five times to discuss the EU Space Act (EUSA). Building on a questionnaire on use cases circulated by the Cyprus Presidency in June, the Irish Presidency organised a workshop for an in-depth discussion of those use cases in relation to aspects of the proposal concerning scope and governance.

7. All Member States have maintained a scrutiny reservation throughout the Irish Presidency.

III. PROGRESS OF THE WORK DURING THE IRISH PRESIDENCY

8. Building on the work carried out under the Danish and Cyprus Presidencies, the Irish Presidency made substantial modifications based on comments from delegations and further streamlined the text.

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2 16553/25.
3 13515/25.
4 8400/26.

9. The main substantive changes include the following matters:

(a) The vocabulary used in the Regulation was modified to avoid confusion with existing national or international processes: “EUSA registration” was completely removed, so the process applicable to space operators from third countries and to international organisations is called “EUSA verification” consistently. The term “space operation services” was replaced with “operational space services” which is more precise.

(b) The scope (Article 2) was modified to exclude space objects that are operated by, or under the control of, military or defence authorities for the entire lifetime of the space object, or that are owned by military authorities, as well as space objects in transit flights going beyond the graveyard orbit. In addition, space objects used temporarily for defence or military operations are exempted from, in particular, the proposed regulation’s trackability requirements, for the duration of that use.

(c) Several definitions (Article 5) were clarified, in particular space-based data, space activity, third-country space operator and constellation. All references to Union-owned assets or governmental assets were deleted.

(d) As an optional alternative to EUSA certification, a new process for self-certification (Article 7a), without going through a Qualified Technical Body, was provided for, among other situations, cases where a governmental entity owns all the payloads or the majority of the platform of a spacecraft, or which performs governmental operations.

(e) The procedure for EUSA certification for constellations (Article 9) was clarified for instance in respect of changes in the parameters of any satellite in a constellation that may affect the compliance of that satellite with relevant technical requirements.

(f) The provision of space-based data in the Union (Article 23a) was modified substantially by introducing control points: EUSA certification applies to Earth observation data, which should carry the e-certificate. Contracting authorities covered by the EU's public procurement rules, as well as EU institutions, agencies and bodies, must ensure, when they purchase services that use space-based data concerning Earth observation, that those space-based services were generated by a space object whose operational space services are entered in the Union Repository for Space Activities (URSA). Only Earth observation space-based data may carry an e-certificate. For satellite communication data, the relevant authorities in charge of landing rights should consider whether the satellite communication service concerned is generated by a space object whose space activities are entered in URSA.

(g) The chapter on governance in the Member States was further streamlined, including as regards the process for becoming a national qualified technical body (Article 32a and deletion of Article 34). A new Article 39a on market surveillance by Member States was introduced with a link to existing market surveillance authorities.

(h) The chapter on governance at EU level was simplified, for example as regards fines and periodic penalty payments (Article 56).

(i) The technical rules of Title IV and the related annexes were consolidated, with more detail on trackability and collision avoidance as well as on optical and electromagnetic interference. Annex V, which concerns spacecraft space debris mitigation, was shortened.

(j) The chapter on environmental sustainability was modified substantially. Union space operators must submit a life-cycle assessment study, including calculation, calculation method and outcomes, based on international practices. That method will first be laid down in an implementing act, which will become obsolete if an international standard is drawn up that reflects that method. Use of the EU environmental footprint method is now voluntary under Article 97 until such time as that method may be reflected in an international standard. In Article 99, the transmission of dataset to the Commission is voluntary.

(k) The chapter on in-space operations and services (ISOS) was modified to further take into account the technological maturity, reliability and sectoral readiness of ISOS.

(l) Article 115 on professional secrecy was simplified.

10. On cybersecurity, the Irish Presidency refrained from modifying the legal provisions. The current compromise text addresses through two implementing acts the issues of the scope of the NIS2 Directive[5], space operators from third countries and derogations.

V. CONCLUSION

11. Substantial progress has been made on the examination of the proposal, including on core issues such as scope and governance. The Irish Presidency devoted a substantial amount of time to topical discussions and, together with the Commission's constructive input, provided a more precise text comprising substantial modifications that address several issues raised by delegations.

12. The state of play at the current stage of the Irish Presidency is reflected in a Presidency compromise text[6], dated 29 October 2026, covering the whole proposed regulation. The Space Working Party continues its examination of the proposal with a view to reaching the Council's position as soon as possible.

13. The Committee of the Permanent Representatives is invited to take note of this Progress Report on the proposed EU Space Act and to forward it to the Council.

14. The Competitiveness Council is invited to take note of this Progress Report on the proposed EU Space Act.

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5 Directive (EU) 2022/2555 of the European Parliament and of the Council of 14 December 2022 on measures for a high common level of cybersecurity across the Union, amending Regulation (EU) No 910/2014 and Directive (EU) 2018/1972, and repealing Directive (EU) 2016/1148 (NIS 2 Directive) (OJ L 333, 27.12.2022, ELI: http://data.europa.eu/eli/dir/2022/2555/oj).

6 14787/26 (track changes) and 15118/26 (clean).