



Council of the
European Union

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NOTE

From: General Secretariat of the Council
To: Delegations

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Subject: Proposal for a COUNCIL DECISION on the extension of the Agreement on the promotion, provision and use of Galileo and GPS satellite-based navigations systems and related applications between the European Community and its Member States and the United States of America
- Presidency text

Following the Space Working Party of 1 February, delegations will find in annex the text of the above-mentioned Proposal for a Council Regulation, including some corrections compared to the Commission proposal (5426/22).

Changes are marked in **bold underline** for additions and in ~~strikethrough~~ for deletions.

Proposal for a

COUNCIL DECISION

on the extension of the Agreement on the promotion, provision and use of Galileo and GPS satellite-based navigation systems and related applications between the European Community and its Member States and the United States of America

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 189, in conjunction with Article 218(6), second subparagraph, point (a) (v) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament¹,

Whereas:

- (1) The Council with Decision 2011/901/EU² approved the conclusion of the Agreement on the promotion, provision and use of Galileo and GPS satellite based navigation systems and related applications between the United States of America, of the one part, and the European Community and its Member States, of the other part³. The Agreement was signed at Dromoland Castle, Ireland, on 26 June 2004 and entered into force on 12 December 2011.

¹ OJ C , , p. .

² Council Decision 2011/901/EU of 12 December 2011 on the conclusion of the Agreement on the promotion, provision and use of Galileo and GPS satellite-based navigation systems and related applications between the European Community and its Member States, of the one part, and the United States of America, of the other part (OJ L 348, 31.12.2011, p. 1).

³ Agreement on the promotion, provision and use of Galileo and GPS satellite-based navigation systems and related applications between the European Community and its Member States, of the one part, and the United States of America, of the other part (OJ L 348, 31.12.2011, p.3).

- (2) In accordance with Article 20(5) of the Agreement, the Agreement is to remain in force for 10 years and at least three months before the end of the initial 10-year period, the Parties are to inform each other of their intention to extend the Agreement for a period of five years. The Agreement expired on 12 December 2021.
- (3) Both Parties have confirmed their intention to extend the Agreement for an additional period of five years without any amendment to the Agreement. The content of the Agreement should remain the same after the extension. For the purpose of ensuring continuity of the Agreement, this Decision should enter into force as a matter of urgency and should apply from 12 December 2021.
- (4) **Since the European Union has the competence to extend the Agreement on its own, the United States should be notified that, as of the date of the extension, the European Union will ensure all the obligations under the Agreement vis-à-vis the United States.**
- (5)** The extension of the Agreement should therefore be approved on behalf of the Union.

HAS ADOPTED THIS DECISION:

Article 1

The extension of the Agreement on the promotion, provision and use of Galileo and GPS satellite-based navigation systems and related applications between the United States of America and the European Community and its Member States for an additional period of 5 years is hereby approved on behalf of the Union.

Article 2

The Commission **President of the Council** shall, on behalf of the Union, deliver to the United States of America the diplomatic note provided for in Article 20(1) of the Agreement and **give the notification to the Government of the United States of America that the Union has completed its internal procedures necessary for the extension of the Agreement in accordance with Article 20 of the Agreement.**

Article 2a

The President of the Council shall, on behalf of the Union, make the following notifications:

‘As a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union has replaced and succeeded the European Community and from that date exercises all rights and assumes all obligations of the European Community. Therefore, references to “the European Community” in the text of the Agreement are, where appropriate, to be read as to “the European Union”.

As of the date of extension, the European Union shall ensure all the obligations under the Agreement vis-à-vis the United States.’

Article 3

This Decision shall enter into force on the date of its adoption.

It shall apply from 12 December 2021.

Done at Brussels,

For the Council

The President