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From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

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Subject: *Preparation of the Council (Competitiveness (Internal Market, Industry, Research and Space)) on 28-29 May 2026*

Regulation on the safety, resilience and sustainability of space activities in the Union (EU Space Act)

- *Progress report*

Delegations will find attached the progress report on the EU Space Act.

I. INTRODUCTION

1. On 26 June 2025, the Commission transmitted the above-mentioned proposal¹ for a Regulation of the European Parliament and of the Council.
2. The objective of the draft Regulation is to lay down 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 opinion² on 4 December 2025.
5. The Danish Presidency decided to request the opinion of the Committee of the Regions³, which provided its opinion⁴ on 8 December 2025.

II. STATE OF PLAY IN THE COUNCIL

6. Under the Cyprus Presidency, the Space Working Party met nine times to discuss the EU Space Act (EUSA). Among those, the Horizontal Working Party on Cyber Issues was invited once to discuss the resilience part of the proposal.

1 10935/25.

2 16553/25.

3 13515/25.

4 8400/26.

7. The Cyprus Presidency structured the discussions by topics:
- a) Scope (Articles 1 to 4 and 21)
 - b) Authorisation process (Articles 6 to 9, 24 and 25)
 - c) Governance and competence (Articles 28 to 39 and 40 to 57)
 - d) Market access, third countries and international organisations (Articles 14 to 19 and 105 to 108)
 - e) Standards (Articles 65a, 72, 112a)
 - f) Technical rules including resilience and sustainability (Articles 58 to 98) and ISOS (Article 101), including relevant technical annexes.
 - g) Capacity-building measures (Articles 109 and 110)
 - h) Transitional and final provisions (Articles 113 to 119).
8. All Member States have upheld a scrutiny reservation throughout the Cyprus Presidency.

III. PROGRESS OF THE WORK DURING THE CYPRUS PRESIDENCY

9. Building on the work carried out under the Danish Presidency, the Cyprus Presidency streamlined and simplified the text and the accompanying Annexes even further, made substantial modifications based on comments from delegations and addressed several legal issues.

10. First, the main changes related to simplification and streamlining include the following:
- a) The terminology used in the Regulation was modified to avoid confusion with existing national or international processes: “authorisation” refers only to national authorisation processes; the process applicable to EU space operators concerning the assessment of the aspects of safety, resilience and environmental sustainability harmonised under this Regulation is called “EUSA certification” consistently, while “EUSA registration” refers to the process applicable to space operators from third countries and international organisations; where the requirements of the EUSA are met, the result of these processes is an “entry” into the Union Repository of Space Activities (URSA).
 - b) The EUSA registration process for third country space operators (Article 17) was aligned with the EUSA certification process within the Union. Meanwhile the process for third country operators from equivalent or mutually recognised jurisdictions was clarified in a new provision (Article 17a).
 - c) The provisions on the EUSA certification process managed by national authorities and qualified technical bodies (QTBs) were deleted, and now these arrangements are for Member States to decide, whereas the EUSA certification process for Union-owned assets remains detailed (Articles 7, 7a). The requirements for QTB were streamlined in both Article 32a and Annex IX.
 - d) The governance at EU level was streamlined, in particular concerning the Agency’s tasks (Article 40), the establishment of the Compliance Board (Article 43) and the Commission’s supervision powers (Articles 48 to 57).

- e) The technical rules of Title IV, which were spread between the Regulation, Annexes I to VIII and the future implementing acts, were streamlined as much as possible to ensure clarity. Consequently, Annex II was deleted and several other annexes were considerably shortened, so that the main obligations are part of the Regulation provisions, making the text easier to read without substantial change.
- f) In Articles 96 to 99, the obligations on environmental sustainability were simplified (deletion of the environmental footprint declaration) and the text was shortened.
- g) The Union space label was deleted, as it was considered as an administrative burden that could potentially impose further obligations on industry beyond the mandatory technical rules of the Regulation.
- h) Article 112a on standards was aligned with existing legislation and the text clarifies that technical specifications established for standards through implementing acts should build on, and be aligned, with the established United Nations guidelines as well as International Organization for Standardization (ISO) standards and European Cooperation for Space Standardization (ECSS) methods.

11. Second, the main substantial changes requested by delegations were as follows:

- a) The EUSA certification for launch services was modified so that it is issued by the competent authority of the Member State in which the launch takes place, rather than the country of establishment of the applicant (Article 6);

- b) The possibility to use a QTB from another Member State was added (Article 8); In addition, the requirement for national QTBs to be public bodies was removed (Article 32a(3)).
- c) The process for the entry in URSA of third country space operators from equivalent or mutually recognised jurisdictions was clarified (new Article 17a).
- d) The applicability of the Act in relation to international organisations was clarified throughout the text, in particular that specific obligations (Articles 14, 18 and 23a) apply to them through international agreements (Articles 107 and 108) while respecting their inviolability (Article 48 no longer applicable).
- e) The Agency fees were deleted, as the process to evaluate and collect them seemed disproportionate compared to the potential revenues they could generate (Article 41).

12. Third, the Cyprus Presidency clarified the following outstanding legal issues:

- a) The term “space services” was replaced with “space operation services” to clearly separate them from “space-based data”.
- b) The scope of application of the Regulation on space-based data was clarified to better reflect the principle of proportionality whilst maintaining the anticircumvention logic of the provisions. To this end, in Article 23a the requirements for the providers of space-based data were clarified. Moreover, it was clarified that the application of this Regulation should be limited to those cases where the space-based data is the sole service or a decisive part of the service provided by the space-based data provider. Moreover, space-based data provision for research and educational purposes has been excluded from the scope (Art. 23a). These provisions are duly justified in recitals (43h) and (43i).

- c) In Article 3, the possibility for a Member State to apply stricter requirements than those of the Regulation was clarified: only the Member State in charge of the EUSA certification (Article 6(1b)) may apply these requirements and only when it is objectively necessary and consistent with Member States' obligations under Union law. Recital 42a further clarified the scope of what is harmonised under this Regulation.
 - d) In Article 6(1), the scope of application of the Regulation is limited to providing space operation services within the Union, while recital 17b was added on what constitutes a service under the Act, further clarifying the Danish Presidency version.
 - e) A clear justification was added in recital (93) on the environmental footprint obligations and its link to the single market.
 - f) On international organisations, Article 108 was modified to focus solely on the scope of the Regulation.
13. On cybersecurity, the Cyprus Presidency refrained from modifying the legal provisions, as it will need to align them with the more general reporting regime for incidents proposed in the Digital Omnibus⁵. Nevertheless, the corresponding recital (68) was updated in line with the current text.

⁵ 15698/25.

IV. OTHER ISSUES

14. Overall, delegations considered that the Presidency compromise text is moving in the right direction, notably by reducing complexity and further simplifying the text. At the same time, Member States underlined that several issues remain open and require further work. These include, in particular, the scope of the Regulation and the treatment of dual-use activities and related exemptions; the overall governance architecture and the division of responsibilities between the different actors involved; the need to avoid creating a parallel Union regulatory layer that could duplicate national procedures or generate administrative uncertainty; and the treatment of third-country operators, including the functioning of the equivalence regime.
15. Delegations also seek clarity on the impact of the proposed Regulation on the liability of Member States under the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies and the Convention on International Liability for Damage Caused by Space Objects.

V. CONCLUSION

16. Progress has been made on the technical examination of the proposal, including recitals and annexes. The Cyprus Presidency devoted considerable time to discussions on all articles, which, together with the Commission's constructive approach and Member States' active involvement, helped prepare a clearer and more streamlined text, that also addressed several legal issues.
17. The Cyprus Presidency presented a compromise text⁶ covering the whole Regulation on 30 March 2026. The Space Working Party continues the examination of this proposal with a view to advancing the negotiations as much as possible.
18. The Committee of the Permanent Representatives is invited to take note of this Progress Report on the EU Space Act and to forward it to the Council.
19. The Competitiveness Council is invited to take note of this Progress Report on the EU Space Act.

⁶ 7805/26 (track changes) and 7806/26 (clean).