



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

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Subject:	Draft Council Conclusions on "The European Earth Monitoring Programme (GMES) and its operations (from 2014 onwards)"

Delegations will find attached the second draft Council Conclusions on "The European Earth Monitoring Programme (GMES) and its operations (from 2014 onwards)" for discussion during the Space Working Party meeting on 26 January 2012.

Draft Council Conclusions on

"The European Earth Monitoring Programme (GMES) and its operations (from 2014 onwards)"

The COUNCIL OF THE EUROPEAN UNION

RECALLING

- (1) ~~the orientation of the Seventh Space Council on "Global challenges: taking full benefit of European space systems", as adopted by the Competitiveness Council meeting on 25 November 2010¹;~~
- (2) the Council Conclusions entitled "Towards a space strategy for the European Union that benefits its citizens", as adopted by the Competitiveness Council meeting on 31 May 2011² **which considers that both GMES and GNSS should continue to be financed by the EU budget;**
- (3) the Council Resolution on "Orientations concerning added value and benefits of space for the security of European citizens" reflecting the orientations of the Eighth Space Council on 6 December 2011³;
- (4) Taking note of the Commission communication "European Earth monitoring programme (GMES) and its operations (from 2014 onwards)" of 30 November 2011⁴;

¹ ~~Doc. 16864/10~~

² Doc. 10901/11

³ Doc. 18232/11

⁴ Doc. 17072/11

- (5) Taking note of the Commission communication “A budget for Europe 2020”⁵ of 29 June 2011, which sets out the proposals for the EU Multiannual Financial Framework 2014-2020 (MFF) and proposes to finance GMES outside of the MFF;
- (6) Recognizing that the present Council Conclusions are without prejudice to decisions on the next MFF;
- (7) **Taking note of the Resolution of the European Parliament on "a space strategy for the European Union that benefits its citizens" adopted on 19 January 2012 ("PATRICIELLO report")**;⁶
1. RECALLS that GMES is one of the Flagship programmes of the European **Union** Space Policy under the responsibility **of the European Union** and **the** management of the European Commission, and has been set up as such by Regulation⁷;
 2. REAFFIRMS that it is a priority for the European Union to ensure the development, **operation** and exploitation of sustainable GMES services and infrastructure in the medium and long term;
 3. RECALLS the strategic, political and technological importance of GMES, as well as its considerable economic, environmental and social benefits, as recently elucidated by independent studies;
 4. RECALLS that the primary purpose of the GMES Programme is to support development and implementation of policies of the Union, and therefore ~~FURTHER CONSIDERS~~ **it appropriate** that the programme ~~must be~~ **is** implemented within the frame provided for by the treaties;

⁵ Doc. 12475/11

⁶ 2011/2148(INI)

⁷ O.J. L 276/1 - 20/10/2010

I. Funding

5. TAKES NOTE of the information provided by the Commission that GMES has not shown cost overruns in the past, and is not likely to have cost overruns in the future, since it is based on a structure that allows reprioritisation of the content and objectives;
6. CONSIDERS that implementing GMES on the basis of an intergovernmental agreement would be regarded as a sign of disengagement of the EU towards major strategic sectors;

6.bis CONSIDERS that the proposed funding modality for the GMES ultimately changes the nature of the GMES as a Union Programme and constitutes a serious challenge for the implementation of GMES;

7. CONSIDERS that the Commission's proposal to fund GMES via intergovernmental contributions from all EU Member States outside the forthcoming **MFF** multiannual Framework (MFF) represents a change from previous practice in terms of transparency and budgetary discipline of the EU budget ~~and constitutes a serious challenge for the implementation of the GMES;~~
8. **Furthermore, RECOGNISES that all spending proposals for the next MFF must mirror the October 2010 European Council Conclusion that the "forthcoming multi-annual Financial Framework must reflect the consolidation efforts being made by Member States to bring deficit and debt onto a more sustainable path."**

II. Governance

- ~~8. NOTES the proposed governance structure for GMES from 2014, involving the European Global Navigation Satellite System (GNSS) Agency (GSA) and other actors at operational level;~~

9. INVITES the Commission to, as soon as possible, further clarify the ~~proposed~~ governance structure in close collaboration with the Member States and key stakeholders for the operations of GMES during its progression to full operational capability status, and continued operation of the programme;

III. Data and Information Policy

10. RECOGNIZES recent efforts made by the Commission to move forward with the data and information policy for GMES by convening a workshop on this topic and starting a dialogue with the Member States and key stakeholders;
11. ENCOURAGES the European Commission to keep momentum and URGES the European Commission **to develop the GMES data and information policy based on full and open access to information produced by GMES services and data collected through GMES infrastructure, in consultation with all relevant stakeholders to promptly complete the definition of a purposive data policy for GMES, based on a principle of easy access in a full and open manner to information produced by GMES services and data collected through GMES infrastructure, subject to relevant international agreement, security restrictions and licensing conditions, including registration and acceptance of users licenses **and which maximizes the use of GMES and build on a well balanced approach between free-of-charge access to public data and services and the need to strengthen Earth observation markets in Europe and the growth of existing and emerging European data and data services providing businesses; as well as the governance of the security of GMES components and information;****
12. ~~STRESSES that GMES data policy should maximize the dissemination and use of GMES data through free of charge access to EU financed data, such as Sentinel data and services;~~
13. ~~RECALLS that data policy should strengthen Earth observations markets in Europe and the growth of existing and emerging service providing businesses; as well as the governance of the security of GMES components and information;~~

IV. Required action - steps ahead

14. CONSIDERS that **the timeframe to set up** the proposed new funding modality **before the expiry of the current GMES Regulation (2011 – 2013) is far from realistic** ~~for the GMES Programme may~~ **and would** cause serious **and costly** delays **as well as** and potentially hamper the successful implementation of the GMES Programme.

 15. CALLS ON the Commission to speedily prepare a legislative proposal **based on article 189 (TFEU)** to ensure the **smooth** implementation of the GMES Programme towards full operational capability status without delays and cost overruns, following the appropriate procedures within the context of negotiations on the MFF.
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