



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 18 October 2012

14867/12

**Interinstitutional File:
2012/0274 (NLE)**

**TRANS 332
MAR 125
AVIATION 153
RELEX 928
ESPACE 41
NIS 79**

PROPOSAL

from: European Commission
dated: 10 October 2012

No Cion doc.: COM(2012) 569 final

Subject: Proposal for a Council Decision on the conclusion of the Cooperation Agreement on a civil Global Navigation Satellite System (GNSS) between the European Community and its Member States and Ukraine

Delegations will find attached a proposal from the Commission, submitted under a covering letter from Jordi AYET PUIGARNAU to Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union.

Encl.: COM(2012) 569 final



Brussels, 9.10.2012
COM(2012) 569 final

2012/0274 (NLE)

Proposal for a

COUNCIL DECISION

on the conclusion of the Cooperation Agreement on a civil Global Navigation Satellite System (GNSS) between the European Community and its Member States and Ukraine

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

Ukraine is one of the eight countries with significant technological knowhow important in satellite navigation equipment, applications and regional technology.

The Ukrainian space industry is among the world's leaders in the design and production of launchers and critical Global Navigation Satellite Systems (GNSS) components.

Since 2000 Ukraine has shown interest in European GNSS projects and has developed an own contribution to the regional EGNOS System Test Bed, precursor of Galileo. Since 2010 discussions are on-going to extend the EGNOS coverage to the Ukrainian territory. The EGNOS coverage of Ukraine will increase the integrity of EGNOS in Eastern Poland, Romania and Bulgaria.

On 7 October 2003 the EU-Ukraine summit adopted the Ukraine - EU Joint Statement on Cooperation in Satellite Navigation.

The Council authorised the Commission on 8 October 2004 to open negotiations with Ukraine for the conclusion of a Cooperation Agreement on a Civil Global Navigation Satellite System.

The Cooperation Agreement on a Civil Global Navigation Satellite System between Ukraine, of the one part, and the European Community and its Member States, of the other part was signed on 1 December 2005.

This Agreement will allow for the EGNOS extension to Ukraine and the collaboration in areas such standardisation, certification, radio spectrum, industrial cooperation and trade and market development.

The signatory Member States of the European Union have completed their respective internal procedures related to the entry into force of the agreement.

Bulgaria and Romania are to become parties to the agreement by the conclusion of a protocol in accordance with Art 6(2) of the Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the treaties on which the European Union is founded.

The Council is requested to adopt the following proposal for a Decision on the conclusion of the agreement on behalf of the European Union after the approval of the European Parliament.

Proposal for a

COUNCIL DECISION

on the conclusion of the Cooperation Agreement on a civil Global Navigation Satellite System (GNSS) between the European Community and its Member States and Ukraine

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 172 in conjunction with 218(6)(a) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national Parliaments,

Having regard to the consent of the European Parliament¹,

Whereas:

- (1) On 8 October 2004, the Council authorised the Commission to open negotiations with Ukraine for the conclusion of a Cooperation Agreement on a Civil Global Navigation Satellite System (GNSS).
- (2) In accordance with the Decision of the Council of 15 November 2005, the Cooperation Agreement on a Civil Global Navigation Satellite System (GNSS) (hereafter referred to as 'the Agreement') between the European Community and its Member States, of the one part, and Ukraine of the other part, was signed on 1 December 2005.
- (3) This Cooperation Agreement allows for closer cooperation with Ukraine in the area of satellite navigation. It will implement a number of elements of the European satellite navigation programmes.
- (4) The Agreement should be approved on behalf of the European Union.

HAS ADOPTED THIS DECISION:

Article 1

The Cooperation Agreement on a Civil Global Navigation Satellite System (GNSS) between the European Community and its Member States, of the one part, and Ukraine of the other part is hereby approved on behalf of the European Union.

¹ Consent given on [...201.].

The text of the Agreement is attached to this Decision

Article 2

The President of the Council shall designate the person empowered to give the notification, on behalf of the Union, provided for in Article 17(1) of the Agreement, and shall make the following notification:

'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 to be read as to “the European Union”’.

Article 3

The position to be taken by the Union in the GNSS Steering Committee and the Joint Technical Working Groups, referred to in Article 14 of the Agreement, shall be adopted by the Council, on a proposal from the Commission.

Article 4

This Decision shall enter into force on the day of its adoption. It shall be published in the *Official Journal of the European Union*.²

Done at Brussels,

For the Council
The President

² The date of entry into force of the Agreement will be published in the Official Journal of the European Union by the General Secretariat of the Council