



**COUNCIL OF
THE EUROPEAN UNION**

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"I/A" ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Proposal for a Regulation of the European Parliament and of the Council establishing the Copernicus Programme and repealing Regulation (EU) No 911/2010 (**first reading**)
- Adoption of the legislative act (**LA + S**)
= Statement

Statement by the Commission

Following the agreement by the European Parliament and the Council to include Copernicus in the MFF as a European Union programme, the financial management of this programme is now subject to the provisions of Article 317 of TFEU according to which the Commission has the obligation to implement the budget under its own responsibility. The Commission, in executing such an obligation, is accountable to the European Parliament and to the Council.

The budget of Copernicus will, *inter alia*, be devoted to the procurement and purchase of the satellites for the space component, their launching into orbit, costs related to maintaining them in operation as well as expenditure related to enabling the provision of services. The implementation of the budget will therefore involve a large number of contracts, contract change notices and work orders with a high degree of technical and project management complexity. In order to make the best use of available technical expertise and experience in the relevant areas, particularly in relation to procuring the space component, the Commission will conclude delegation agreements with ESA and EUMETSAT, as foreseen by the Regulation. The Commission intends to entrust ESA and EUMETSAT with the role of contracting authority for the majority of the contracts, including developmental, operational and co-funded activities. Thus, ESA and EUMETSAT will be provided with the necessary flexibility to implement Copernicus and the ability to effectively conduct day-to-day contract management.

The Commission will only remain contracting authority where it deems this to be essential for the fulfilment of its basic obligations under the Treaty, the Copernicus Regulation and the Financial Regulation.

The Commission recalls that the EU Member States will be fully involved before the final decision on the delegation agreements is taken.