



**COUNCIL OF
THE EUROPEAN UNION**

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From:	Presidency
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Subject:	Towards a shared European vision for space fostering competitiveness - Draft Council conclusions

With a view to the Space Working Party meeting on 24 March 2014, delegations will find attached the first Presidency draft of Council conclusions on "Towards a shared European vision for space fostering competitiveness".

DRAFT COUNCIL CONCLUSIONS

"Towards a shared European vision for space fostering competitiveness"

THE COUNCIL OF THE EUROPEAN UNION

HAVING REGARD to the Treaty on the Functioning of the European Union (TFEU)¹ establishing an EU competence in space, which strengthens the political dimension of space in Europe, and provides that the Union shall establish any appropriate relations with the European Space Agency (ESA);

HAVING REGARD to the Framework Agreement between the Union and the European Space Agency (the "Framework Agreement"), which entered into force on 28 May 2004² and was renewed in 2012 for four years, and to the close cooperation between the two parties;

HAVING REGARD to the Council resolutions and orientations adopted and those of the "Space Councils" and WELCOMING the progress achieved by the European Commission and ESA in the implementation of the European Space Policy;

RECALLING the Council Conclusions on "Towards a space strategy for the European Union that benefits its citizens" of 31 May 2011³ which welcomed, inter alia, the Commission's commitment to further developing the EU-ESA relationship on the basis of the Framework Agreement, avoiding any unnecessary duplication of activities and improving their complementarity of efforts;

¹ In particular Articles 4 and 189.

² OJ L 261 of 6.8.2004, p. 64.

³ Doc. 10901/11.

TAKING NOTE of the Communication to the Council and the Parliament adopted on 14 November 2012 by the European Commission on “Establishing appropriate relations between the EU and the European Space Agency (ESA)”⁴;

TAKING NOTE of the political declaration adopted on 20 November 2012 by the ESA Council at Ministerial level, which was supported by EU Member States present as observers, entitled “Towards the European Space Agency that best serves Europe”, which mandated the Director General of ESA to work with the European Commission in order to provide a common analysis of the situation of the space sector and a common vision on its evolution aiming at building up coherence, convergence and complementarity among the different actors; and to bring forward proposals for decisions at the occasion of the next ESA Council meeting at ministerial level, now foreseen in December 2014;

RECALLING the Council Conclusions on "Establishing appropriate relations between the EU and the European Space Agency (ESA)" of 18 February 2013, which, inter alia, recognised that “the Framework Agreement and its governance elements may, in its present form, no longer provide the most appropriate framework with which to ensure an efficient and effective European space policy” and invited the European Commission to work together with the Director General of ESA and in close cooperation with the respective EU and ESA Member States, including through existing fora⁵ to ensure coherence, convergence and complementarity with a view to preparing common proposals on the further evolution of EU/ESA relations on the basis of common analysis, for decisions by the respective bodies by 2014;

TAKING NOTE of the Commission Progress Report adopted on 6 February 2014⁶;

1. PRAISES the Union's achievements so far, in particular the Galileo, EGNOS and Copernicus programmes, the European Space Policy and associated international cooperation and research and development activities, in particular those conducted under the Union framework programmes for research and innovation.

⁴ Doc. 16374/12.

⁵ High Level Space Policy Group and Space Policy Expert Group.

⁶ Doc. 5978/14.

2. ACKNOWLEDGES the important role ESA, as an independent intergovernmental organisation, plays in space matters and in relation to Union space programmes together with other relevant actors.
3. WELCOMES the technical and commercial success of European space systems, including access to space and telecommunications, and EMPHASISES that space systems have substantial further potential to underpin innovation, smart and inclusive growth, job creation and industrial competitiveness.
4. EMPHASISES that it is essential to establish an appropriate framework for relations between the EU and ESA so as to optimise the impacts of European investment in space; REAFFIRMS its willingness to take further steps towards the establishment of an improved cooperation framework and UNDERLINES the need to take forward the process of reflection and an analysis of the means by which the relationship between the EU and ESA may evolve and be further strengthened in support of the European space sector and Union policies, with a view to enhancing Europe's capacity for building and operating space infrastructure and space systems autonomously as well as maximising their exploitation through use of space-based services and space data.
5. UNDERLINES that the implementation of the Galileo, EGNOS and Copernicus flagship programmes constitutes a first priority and CONSIDERS that the relevant lessons learnt will provide a good basis for an improved cooperation framework.
6. UNDERLINES that the actions launched under Horizon 2020 should underpin the innovation and competitiveness of the European space sector, and therefore INVITES the Commission to exploit ESA expertise and competence, through a partnership approach.

7. RECALLS that the Union should lead in identifying and bringing together user needs and in ensuring the availability and continuity of operational services supporting its policies. It should also pursue an optimum regulatory environment to facilitate innovation, uptake by European, national, regional and local authorities, access to international markets and should promote the European space technology and services capabilities in the framework of international cooperation.
8. STRESSES that ESA's capacities and expertise constitute a European asset, in particular with regard to its competence in space technologies and systems, access to space, scientific knowledge and space technologies and its excellence in space-based scientific research with a view to support innovation and global competitiveness and preparing for the future.

In view of the next steps aiming at providing the Union and ESA Member States with concrete, coherent and converging proposals on how to improve EU-ESA relations based on mutual trust:

9. SHARES the Commission's assessment that there is no political consensus for ESA to become an EU agency, CONCLUDES that further assessment of this possibility would be an unnecessary distraction and, therefore, CALLS on the Commission to rule this option out.
10. INVITES the Commission to work together with the Director General of ESA in order to perform an assessment to identify further improvements in the relationship and, considering simplification and streamlining measures, to identify whether these could only be pursued through amendment to the EU-ESA Framework Agreement or the introduction of the "EU pillar".
11. UNDERLINES that a dynamic and stepwise approach should be considered for the cooperation scheme with different timelines including for the short term, mid-term and long-term.

12. STRESSES that, in addition to the current analyses, the Commission should consider the impact on industrial competitiveness of Europe's space sector, programmatic content, specific institutional needs, financial, administrative and legal aspects, with a view to identifying pragmatic solutions and using existing and flexible legal mechanisms to the extent possible.
 13. INVITES the Union and ESA Member States to consider the possibility of endorsing the respective common option through, inter alia, a joint and concomitant meeting of the Council of the Union and the ESA Council at ministerial level, thus making it possible to start a new phase of collaboration, which creates opportunities for greater synergies and maximises the return on investment and the benefits for Europe.
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