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REPORT

From: General Secretariat of the Council
To: Permanent Representatives Committee (Part 1)

Subject: Draft Council conclusions on the "The Mid-term Evaluation of the Galileo and EGNOS programmes and of the performance of the European GNSS Agency"
– Adoption

I. INTRODUCTION

1. On 23 October 2017, the Commission submitted a Report to the European Parliament and the Council on the implementation of the Galileo and EGNOS programmes and on the performance of the European GNSS Agency¹. The report was presented in compliance with Article 34 of Regulation (EU) No 1285/2013 and Article 26 of Regulation (EU) No 912/2010.

¹ Doc. 13607/17 + ADD 1.

2. The interim evaluation focuses on the period from 1 January 2014 to 31 December 2016 and covers the progress made in the European GNSS programmes Galileo and EGNOS against the evaluation criteria set up in the Better Regulation Guidelines: effectiveness, efficiency, relevance, coherence and EU added value, specific requirements enshrined in the GNSS Regulation, and the overall political objectives of the Union. As the GNSS Regulation entrusts the GSA with a key role in the implementation of the European satellite navigation programmes, the GSA was evaluated jointly.

II. WORK WITHIN THE COUNCIL

3. At the meeting of the Working Party on Transport, Intermodal Questions and Networks of 30 October 2017, the Presidency presented the first draft of the Council conclusions² which were discussed at a number of subsequent meetings in November.
4. On 23 November 2017, the Working Party examined the final Presidency compromise text³ and reached agreement with one amendment to paragraph 14 tabled during that meeting. **One delegation maintains a scrutiny reservation on paragraph 13 and two delegations maintain a scrutiny reservation on paragraph 14 of the draft Council conclusions.**

III. CONCLUSION

5. In the light of the above, the Permanent Representatives Committee is invited to confirm the agreement on the draft Council conclusions set out in the annex with a view to their adoption by the Transport, Telecommunications and Energy Council on 5 December 2017.

² Doc. 13658/17.

³ Doc. 13658/3/17 REV 3.

DRAFT COUNCIL CONCLUSIONS ON

"The Mid-term Evaluation of the Galileo and EGNOS programmes and of the performance of the European GNSS Agency"

THE COUNCIL OF THE EUROPEAN UNION,

RECALLING:

- The European Council Conclusions of October 2017, which highlight the importance of successfully building a Digital Europe⁴;
- The Council Conclusions on “Report from the Commission to the European Parliament and the Council on the Mid-term review of the European satellite radio navigation programmes” of March 2011, on "EU Space Industrial Policy - Releasing the potential for economic growth in the space sector" of May 2013⁵, on "Underpinning the European space renaissance: orientations and future challenges" of December 2014⁶, on 'The Global Strategy on the EU's Foreign and Security Policy' of October 2016⁷, on "A Space strategy for Europe" of May 2017⁸;
- The Communication of the European Commission on a Space Strategy for Europe⁹ and the Joint statement on Shared Vision and Goals for the future of Europe in Space¹⁰, signed on 26 October 2016 by the Commission on behalf of the EU and by ESA;

⁴ doc. EUCO 14/17.

⁵ doc. 10295/13.

⁶ doc. 16502/14.

⁷ doc. 13202/16.

⁸ doc. 9817/17.

⁹ doc. 13758/16.

¹⁰ doc. 12808/1/16 REV 1.

- Regulation (EU) No 1285/2013 of the European Parliament and of the Council of 11 December 2013 on the implementation and exploitation of European satellite navigation systems and repealing Council Regulation (EC) No 876/2002 and Regulation (EC) No 683/2008 of the European Parliament and of the Council¹¹.

Introduction

1. WELCOMES the Report from the Commission on a "Mid-term evaluation of the Galileo and EGNOS programmes and on the performance of the European GNSS Agency", UNDERLINES the progress achieved in the implementation of Galileo and EGNOS programmes, including Galileo initial services for the open service (OS), the public regulated service (PRS) and the search and rescue (SAR) contribution to COSPAS-SARSAT being globally provided; TAKES NOTE that EGNOS services are provided to end users in Europe with a high degree of stability and performance;
2. UNDERLINES that the European satellite navigation systems are of strategic importance for the independence of the EU regarding satellite navigation, positioning and timing services; whilst RECOGNISING the need to maintain interoperability with other GNSS;
3. STRESSES that Galileo and EGNOS should remain user-driven civil programmes under civil governance and control;
4. STRESSES that Galileo and EGNOS are key technologies forming a firm basis for the development of a strong and innovative downstream application market within the EU and making an important contribution to the socio-economic growth while addressing global political challenges.

¹¹ OJ L 347, 20.12.2013, p. 1–24.

Maximisation of socio-economic benefits

5. EMPHASISES that the widespread use of the Galileo signal is of key importance for the development of a strong downstream market for space-based applications and services, and UNDERLINES that adequate measures, including regulatory ones, where appropriate, should be taken to achieve the full compatibility with Galileo and EGNOS as a standard for devices sold in the EU, and to encourage the uptake of Galileo- and EGNOS-ready devices on the global market;
6. INVITES the Commission, in close cooperation with the Member States, GSA and user communities, to develop and implement comprehensive awareness raising campaign and capacity building measures targeting both space and non-space users and to consider measures to strengthen the competitiveness of the European GNSS downstream industry, in order to maximise the use of satellite navigation services and to fully exploit the benefits they provide;
7. CALLS ON the Commission to examine possible synergies between Galileo and EGNOS and other EU programmes, in spreading the use of satellite navigation services and to drive the demand for commercial applications and services in case of integrated applications especially with Copernicus;
8. SUPPORTS the Commission's commitment to continue cooperation with international partners on system compatibility and interoperability, and to promote the use of Galileo services and applications in emerging markets, such as Asia and South America; EMPHASISES the relevance of supporting the adoption and use of EGNOS technology and services beyond the EU, notably in Africa; UNDERLINES that any extension of EGNOS geographic coverage outside the EU territory should not be covered from the EU budget for Galileo and EGNOS and should not put the implementation of the programme objectives within the EU at risk.

Programmes' implementation and evolution

9. ACKNOWLEDGES the significant progress made in deploying the Galileo space infrastructure and calls for timely completion and launch of the remaining satellites, relying on European launchers as a priority;
10. EMPHASISES the need to ensure cybersecurity for Galileo in order to secure sufficient response and preparedness against cyber threats while being in line with available resources allocated to that priority; EXPECTS the security of the Galileo infrastructure, including the ground segment, to be developed further;
11. STRESSES the importance of preparing the next generation of Galileo and EGNOS infrastructure and services in line with fast evolving user needs both in the public and private sector and, with a view of maximising the development of new applications, without putting the continuity of the operational service provision of the programmes at risk and without prejudice to the next MFF.

Governance

12. TAKES NOTE of the progress achieved in implementing the governance model established in the GNSS Regulation and WELCOMES the fact that the public governance of the programmes has ensured a smooth transition from the deployment to the exploitation phase of the Galileo programme; EMPHASISES the need for further optimisation, including operating and management costs, while managing the operational phase of the programmes;

13. HIGHLIGHTS the expertise of GSA; UNDERLINES that, in order to further optimise the governance model initiated in 2014 and to meet the challenges involved in the operational phase of Galileo programme, it is essential for the GSA to become fully responsible for the tasks related to programme management and the operations, including the independence of security accreditation activities, of Galileo and EGNOS and CALLS for regulatory measures and the allocation of appropriate financial resources to that effect, with particular focus on finding a sustainable solution to ensure that GSA's human resources are adequate to its responsibilities;
14. UNDERLINES the primary objective to preserve the programmatic stability, legal certainty, and Union's credibility with regard to the timely provision of the PRS and the ongoing negotiations with third countries on their access to the PRS; UNDERLINES the need, in full compliance with the above objectives, to further optimise the security governance of Galileo and EGNOS programmes, including the PRS related regulatory framework and standards in compliance with article 13 of Decision No 1104/2011/EU and Article 18 of the Commission Delegated Decision supplementing this Decision, through a structured process, in order to ensure coherence with the evolving security context; EMPHASISES the need to continue to improve the roles and responsibilities of entities implementing and verifying the security requirements, and to ensure the independence of the SAB;
15. RECALLS its support to the continued reliance of the Commission and the Member States, as appropriate, on the technical expertise of ESA, as well as of European National Space Agencies and other European national entities in charge of space;

Conclusions

16. RECALLS the Union's commitment to reaching and providing Galileo full operational capability by the year 2020;
17. HIGHLIGHTS the importance of Galileo and EGNOS for ensuring Europe's strategic autonomy in the field of satellite navigation while fostering a globally competitive European space sector and opening up business opportunities for European downstream industry; CALLS ON the Commission to promote non-dependence regarding key technologies for the Galileo space and ground infrastructure;
18. REITERATES that the continuity of the infrastructure and the sustainability of services will form a critical basis for the long-term success of Galileo and EGNOS; STRESSES the need to secure adequate resources to fully exploit their potential and to create a positive and predictable investment climate in the downstream sector, without prejudice to the next MFF;
19. ENCOURAGES the GSA, in close cooperation with the Commission, to accelerate the promotion and marketing of the Galileo and EGNOS services by maximising opportunities for downstream commercial exploitation and by ensuring better integration with other services including, but not limited to financial services, intelligent transport systems and conventional navigation systems;
20. REITERATES that it is of utmost importance for all Member State territories located in Europe to benefit from the full coverage of EGNOS services and, in this context, URGES the Commission to reach the full coverage of EGNOS services in all Member States' territories as soon as possible but no later than 2025; UNDERLINES the necessity of the EGNOS Safety of Life service to fulfil the ICAO requirements; CALLS for the allocation of appropriate financial resources to that effect;

21. UNDERLINES the challenges involved in the operational phase of the programmes and the necessity to adopt gradual changes in governance structures in order to provide for an efficient programme management while facilitating more rapid and transparent decision making processes; CALLS FOR streamlining the roles and responsibilities of relevant actors;
 22. CALLS FOR adequate evolution of the programmes, taking into account the new challenges ahead, including those relating to security whilst prioritising the stability and reliability of the system;
 23. EMPHASIZES the need to report regularly on the implementation of the programmes and to revise their orientations, in agreement with Member States, when appropriate, in order to adapt to the fast changing environment and evolving user needs.
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