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Subject: Negotiating directives and ad hoc procedure for the negotiations between the European Community and the European Space Agency in order to conclude a framework agreement

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

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COUNCIL OF
THE EUROPEAN UNION

Brussels, 2 May 2002

8488/02

RESTREINT UE

RECH 80

"I/A" ITEM NOTE

From : General Secretariat of the Council
To : Coreper/Council
No. Cion prop. : 6396/02 RECH 39 RESTREINT

Subject : Negotiating directives and ad hoc procedure for the negotiations between the European Community and the European Space Agency in order to conclude a framework agreement

1. The Commission submitted the above proposal for negotiating directives to the Council on 15 February 2002.
2. It is recalled that the Council, on 16 November 2000, passed a resolution on a European Space strategy calling on the Commission and ESA to arrive at an efficient framework for cooperation. The ESA ministerial Council also adopted a corresponding resolution and consultations have since taken place between the two organisations to prepare negotiations on a framework agreement.
3. The Research Working Party has examined the draft negotiating directives and, at its meeting on 29 April 2002, reached agreement on the text as set out in Annex¹.

¹ S: Scrutiny Reservation.

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4. It is suggested, therefore, that the Permanent Representatives Committee should recommend the Council to adopt, as an "A" item at a forthcoming meeting, the negotiating directives contained in Annex.

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**NEGOTIATING DIRECTIVES AND
AD HOC PROCEDURE FOR THE NEGOTIATIONS BETWEEN
THE EUROPEAN COMMUNITY
AND THE
EUROPEAN SPACE AGENCY
IN ORDER TO CONCLUDE A
FRAMEWORK AGREEMENT**

1. Objective and guidelines

The objective of the negotiations is to conclude a framework agreement between the European Community and the European Space Agency contributing to:

- The use of space technology to further Community policies
- The progressive development of an overall European Space Policy.

To this end, the Commission will identify, together with ESA, the complementary roles of both organisations building upon the corresponding Resolutions adopted by the EC and ESA Councils on 16 November 2000, thereby elaborating on the added value of their cooperation for the benefit of the European space sector.

2. Main purpose and contents of the framework agreement

Following the Communication of the Commission "*Towards a European Space Policy*" the purpose of the framework agreement is to establish a common basis and set appropriate operational arrangements between the European Community and the European Space Agency for evolving towards an overall European Space Policy.

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The proposed approach could initially lead to the adoption of common elements required for joint initiatives involving space technologies..

The framework agreement should address and clarify especially the following issues:

- (1) Support to the coherent, progressive development of an overall European Space Policy,
- (2) Definition of the co-operative operational arrangements between the European Community and ESA,
- (3) Definition of joint programmes/projects and of ESA's role as the implementing organisation/agency for the joint space initiatives,
- (4) Definition of appropriate mechanism to co-ordinate the external dimension of the projects,
- (5) Definition of appropriate mechanism to co-ordinate spectrum-related activities,
- (6) As additions in the form of annexes, the definition of a clear operational framework with regard to the sectorial fields of co-operation, such as: Earth observation, navigation, telecommunication and their applications, launchers, technology, spectrum policy related to space, science, International Space Station, etc.

3. Procedure

- a) The Commission shall conduct the negotiations on behalf of the Community in consultation with a Special Committee appointed by Council to assist it in this task.
- b) The Commission shall report back regularly to the Council on the outcome of the negotiations.