



**Brussels, 10 December 2024
(OR. en)**

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**ESPACE 106
EEE 60
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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION authorising the opening of negotiations with the Kingdom of Norway for an agreement laying down the rules for the participation of the Kingdom of Norway in the GOVSATCOM component of the Union Space Programme and in the Union Secure Connectivity Programme, and for access to governmental services

COUNCIL DECISION (EU) 2024/...

of ...

**authorising the opening of negotiations with the Kingdom of Norway
for an agreement laying down the rules for the participation
of the Kingdom of Norway in the GOVSATCOM component
of the Union Space Programme
and in the Union Secure Connectivity Programme,
and for access to governmental services**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular
Article 189, in conjunction with Article 218(3) and (4), thereof,

Having regard to the recommendation from the European Commission,

Whereas:

- (1) Article 7(2), first subparagraph, point (b), of Regulation (EU) 2021/696 of the European Parliament and of the Council¹ provides for the participation in the GOVSATCOM component of the Union Space Programme of members of the European Free Trade Association (EFTA) which are members of the European Economic Area (EEA), subject to an agreement to be concluded in accordance with Article 218 of the Treaty on the Functioning of the European Union (TFEU). Article 8(1) of Regulation (EU) 2021/696 provides that third countries are able to have access to GOVSATCOM services provided that they conclude an agreement in accordance with Article 218 TFEU and comply with Article 43 of that Regulation.
- (2) Article 11(3) and Article 39(1) of Regulation (EU) 2023/588 of the European Parliament and of the Council² provide for the participation in the Union Secure Connectivity Programme of members of EFTA which are members of the EEA, subject to an agreement to be concluded in accordance with Article 218 TFEU. Article 40 of Regulation (EU) 2023/588 provides that third countries are able to have access to governmental services provided that they conclude an agreement, in accordance with Article 218 TFEU, laying down the terms and conditions for access to governmental services, and comply with Article 43(1) of Regulation (EU) 2021/696.

¹ Regulation (EU) 2021/696 of the European Parliament and of the Council of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU (OJ L 170, 12.5.2021, p. 69, ELI: <http://data.europa.eu/eli/reg/2021/696/oj>).

² Regulation (EU) 2023/588 of the European Parliament and of the Council of 15 March 2023 establishing the Union Secure Connectivity Programme for the period 2023-2027 (OJ L 79, 17.3.2023, p. 1, ELI: <http://data.europa.eu/eli/reg/2023/588/oj>).

- (3) Council Decision (CFSP) 2021/698³ sets out the responsibilities to be exercised by the Council and the High Representative to avert a threat to the security of the Union or of one or more of its Member States or to mitigate serious harm to the essential interests of the Union or of one or more of its Member States arising from the deployment, operation or use of the systems set up and services provided under GOVSATCOM, as a component of the Union Space Programme, or the Union Secure Connectivity Programme, or in the event of a threat to the operation of any of those systems or the provision of those services.
- (4) There is longstanding cooperation between the Union and the Kingdom of Norway ('Norway') with regard to space. Norway is participating in the Union Space Programme.
- (5) The Agreement between the Kingdom of Norway and the European Union on security procedures for the exchange of classified information⁴ entered into force on 1 December 2004.

³ Council Decision (CFSP) 2021/698 of 30 April 2021 on the security of systems and services deployed, operated and used under the Union Space Programme and the Union Secure Connectivity Programme which may affect the security of the Union, and repealing Decision 2014/496/CFSP (OJ L 170 12.5.2021, p. 178, ELI: <http://data.europa.eu/eli/dec/2021/698/oj>).

⁴ OJ L 362, 9.12.2004, p. 29, ELI: http://data.europa.eu/eli/agree_international/2004/843/oj.

- (6) Negotiations should be opened with a view to concluding an agreement with Norway laying down the rules for the participation of Norway in the GOVSATCOM component of the Union Space Programme and in the Union Secure Connectivity Programme, and for access to the respective governmental services of the Union and the Member States and of Norway,

HAS ADOPTED THIS DECISION:

Article 1

1. The Commission is hereby authorised to open negotiations for an agreement with the Kingdom of Norway ('Norway') laying down the rules for the participation of Norway in the GOVSATCOM component of the Union Space Programme and in the Union Secure Connectivity Programme, and for access to the respective governmental services of the Union and the Member States and of Norway.
2. The negotiations shall be conducted on the basis of the negotiating directives of the Council set out in the addendum to this Decision.

Article 2

The Commission is hereby nominated as the Union negotiator.

Article 3

The negotiations shall be conducted in consultation with the Council Working Party on Space, which is hereby designated as the special committee provided for in Article 218(4) TFEU, and in accordance with the directives contained in the addendum to this Decision, subject to any directives which the Council may subsequently issue to the Commission.

Article 4

This Decision is addressed to the Commission.

Done at ..., ...

For the Council

The President
