EU/USA Agreement: promotion, provision and use of GALILEO and GPS satellite-based navigation systems and related applications

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PURPOSE: to conclude and Agreement on the promotion, provision and use of GALILEO and GPS satellite-based navigation systems and related applications between the United States of America (US) and the European Community (EC) and its Member States.

PROPOSED ACT: Council Decision.

BACKGROUND: on the basis of a Commission proposal of 14 July 1999, the Council authorised the Commission on 30 September 1999 to open negotiation with the US for the conclusion of an agreement concerning the development of a Civil Global Navigation System. These negotiations were successfully completed.

The Agreement was signed in Dromoland Castle, Ireland, on 26 June 2004 and **entered into application provisionally on 1 November 2008**. Member States have completed their respective internal procedures related to the entry into force of the agreement.

IMPACT ASSESSMENT: no impact assessment was undertaken.

LEGAL BASIS: Articles 171(3) 172 in conjunction with Article 218 (6) (a) of the Treaty on the Functioning of the EU.

CONTENT: this proposal involves the conclusion of the e Agreement on the promotion, provision and use of GALILEO and GPS satellite-based navigation systems and related applications between the United States of America, of the one part, and the European Community and its Member States, of the other part. Bulgaria and Romania are to become parties to the agreement by the conclusion of a protocol in accordance with Art 6(2) of the Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the treaties on which the European Union is founded.

Objectives: the objective is to provide a framework for cooperation between the Parties in the promotion, provision and use of civil GPS and GALILEO navigation and timing signals and services, value-added services, augmentations, and global navigation and timing goods. The Parties intend to work together, both bilaterally and in multilateral fora, as provided in the text, to promote and facilitate the use of these signals, services, and equipment for peaceful civil, commercial, and scientific uses, consistent with and in furtherance of mutual security interests. The Agreement is intended to complement and facilitate agreements in force, or which may be negotiated in the future, between the Parties related to the design and implementation of civil satellite-based navigation and timing signals and services, augmentations, or value-added services.

Nothing in the Agreement shall supersede, modify or derogate from standards, procedures, rules, regulations and recommended practices adopted in ICAO, or IMO, or under the Marrakech Agreement Establishing the World Trade Organisation.

Interoperability and Radio Frequency Compatibility: the Parties agree that GPS and GALILEO shall be radio frequency compatible and, to the greatest extent possible, interoperable at the non-military user

level. In order to achieve this interoperability and facilitate the joint use of the two systems, the Parties agree to realise their geodetic coordinate reference frames as closely as possible to the International Terrestrial Reference System. The Parties also agree to transmit the time offsets between GALILEO and GPS system times in the navigation messages of their respective services.

The radio frequency compatibility and interoperability working group shall continue work already underway with a view toward achieving, inter alia:

- radio frequency compatibility in the modernisation or evolution of either system; (The Parties need to assess further the radiofrequency compatibility of GALILEO and GPS III).

- enhanced signal availability and reliability through complementary system architectures for the benefit of users worldwide;
- interoperability at the non-military user level.

The Council is requested to adopt the following proposal for a Decision on the conclusion of the agreement on behalf of the European Union after the approval of the European Parliament.

BUDGETARY IMPLICATION: the proposal has no implications for the EU budget.