





Basic information	
<p>2003/0177(CNS)</p> <p>CNS - Consultation procedure Regulation</p>	Procedure completed
<p>GALILEO, satellite radionavigation programme: management, GNSS Supervisory Authority and Center for security and safety</p> <p>Repealed by 2009/0047(COD) Amended by 2006/0090(CNS)</p> <p>Subject</p> <p>3.30.03.06 Communications by satellite</p>	

Key players				
European Parliament	Committee responsible		Rapporteur	Appointed
	ITRE Industry, External Trade, Research, Energy		RADWAN Alexander (PPE-DE)	02/10/2003
	Committee for opinion		Rapporteur for opinion	Appointed
	RETT Regional Policy, Transport and Tourism		The committee decided not to give an opinion.	
Council of the European Union	Council configuration		Meetings	Date
	General Affairs		2596	2004-07-12
	Transport, Telecommunications and Energy		2589	2004-06-10
European Commission	Commission DG		Commissioner	
	Energy and Transport			

Key events			
Date	Event	Reference	Summary
31/07/2003	Legislative proposal published	COM(2003)0471 	Summary
22/09/2003	Committee referral announced in Parliament		
18/03/2004	Vote in committee		Summary
18/03/2004	Committee report tabled for plenary, 1st reading/single reading	A5-0209/2004	

31/03/2004	Decision by Parliament	T5-0242/2004	Summary
31/03/2004	Results of vote in Parliament		
10/06/2004	Resolution/conclusions adopted by Council		Summary
12/07/2004	Act adopted by Council after consultation of Parliament		
12/07/2004	End of procedure in Parliament		
20/07/2004	Final act published in Official Journal		

Technical information	
Procedure reference	2003/0177(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Repealed by 2009/0047(COD) Amended by 2006/0090(CNS)
Legal basis	EC Treaty (after Amsterdam) EC 308
Stage reached in procedure	Procedure completed
Committee dossier	ITRE/5/19918

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0209/2004	18/03/2004	
Text adopted by Parliament, 1st reading/single reading		T5-0242/2004 OJ C 103 29.04.2004, p. 0452-0657 E	31/03/2004	Summary
European Commission				
Document type	Reference	Date	Summary	
Legislative proposal	COM(2003)0471 	31/07/2003	Summary	
Follow-up document	COM(2004)0636 	06/10/2004	Summary	

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

GALILEO, satellite radionavigation programme: management, GNSS Supervisory Authority and Center for security and safety

2003/0177(CNS) - 31/03/2004 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a non-binding resolution drawn up by Alexander RADWAN (EPP-ED, D) which broadly welcomes the Commission proposal on the establishment of Galileo's management structures. The Commission proposal on establishing a management structure is concerned with the deployment phase, which is planned to begin in 2006, and with the ensuing operational phase from 2008. In fact, the Commission proposes setting up two authorities: - a Supervisory Authority; - a Security Centre. The proposed Supervisory Authority is to be a Commission institution; as the Commission owns the Galileo infrastructure it is also to be responsible for controlling the satellite navigation system. The Supervisory Authority will also monitor the use of the frequencies for which it holds user rights, for the period these are allocated by the ITU. There will also be a private partner who will probably be one of the consortia of firms which have applied to the Joint Undertaking for an operator concession and are still in the process of selection. It will be responsible for the commercial success of the system. MEPs adopted amendments to the Commission proposal which aim to avoid delays in the setting up of the Supervisory Authority. As to the future ownership of Galileo post 2006, the House underlines that due to the fact the system will have been substantially paid for by public money, all assets should be transferred to the Supervisory Authority (under control of the Commission). Parliament also adopted amendments calling for an MEP to be given observer status on Galileo's administrative board and stressing that the Supervisory Authority's seat should be close to the concessionaire and not necessarily in Brussels. Its second seat shall be in Brussels. The Security Centre that is to be set up will guarantee the operational and external security of the system. It is to be based in the Council Secretariat, will not meet in public and will give the operator any necessary security instructions. Parliament requests that the Administrative Board shall be made up of twelve members. Four shall be appointed by the Commission, and eight by the Council of the European Union. The term of office shall be five years. This term of office shall be renewable once. The European Parliament may appoint an observer, who may attend the meetings of the Administrative Board. Lastly, the Parliament stressed the need for transparent procedures for appointing office-holders in the Supervisory Authority, who will have positions of considerable responsibility. On the issues of a potential security threat to the Union arising from the use of Galileo, MEPs acknowledge that it is the Council and the High Representative who are competent to act in this area. They also recognise that the Council is preparing a joint action setting out these powers.

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2003/0177(CNS) - 06/10/2004 - Follow-up document

This communication concerns a report on the basis of which the Council will consider moving to the deployment and operational phases of the European satellite radionavigation programme.

The report examines the funding of the operational and deployment phases and confirms that there will be substantial funding from the private sector. While the private sector is willing to invest massively in the project, given the commercial prospects, a Community financial contribution is nevertheless necessary in order to ensure the programme's financial stability.

The world market for satellite radionavigation products and services doubled from EUR 10 billion in 2002 to EUR 20 billion in 2003. It will amount to around EUR 300 billion by 2020, with some 3 billion receivers in operation. These receivers will combine all the services offered by the GALILEO, EGNOS and GPS systems.

The cost of the deployment phase is estimated at EUR 2.1 billion. Since each of the shortlisted consortiums has undertaken to bear two-thirds of this cost, i.e. EUR 1.4 billion, EUR 700 million will be needed from the Community budget in order to fund the phase.

The operational phase will be funded by the private sector, but given the constraints arising from the public service obligations imposed on the operation of the major public infrastructure that the GALILEO system represents, and the time needed for the private sector to develop fully the satellite radionavigation market and the marketing of its services, it will be necessary to provide some exceptional public funding during the first years of the operational phase.

In order to ensure funding from the Community budget, the Commission has submitted a proposal for a European Parliament and Council regulation on the implementation of the deployment and commercial operating phases of the European satellite radionavigation programme (Please see COM(2004) 0477.)

The report also looks at income from third countries and confirms that several third countries are particularly keen to participate in the GALILEO programme, including financially.

The GALILEO system must offer various services with specific features and guarantee a high degree of security. These are: an open service, a commercial service, a safety-of-life service, a public regulated

service (PRS), and assistance for the search and rescue service of the COSPAS-SARSAT system and other relevant systems. The report looks at this requirement in detail.

It concludes as follows:

In accordance with its terms of reference, the Galileo Joint Undertaking has successfully completed the procedure for selecting the future concession holder. The conditions governing the launch of the GALILEO programme have been met. In particular, the following have been confirmed:

- the strategic aspects of an infrastructure aimed at guaranteeing the independence of the EU while ensuring complementarity with the American GPS system;
- the technical definition of a system giving the EU control over satellite radionavigation technology;
- the commercial viability of the system as a result of the availability of substantial income;
- the complementarity of the five services proposed for the programme, which are designed to meet the needs of civilian users as a whole;
- the integration of EGNOS, the precursor of the European global satellite radionavigation system into the approach pursued, including the concession arrangement;
- a significant financial contribution from the private sector;
- lastly, the international dimension of the project and the growing desire of third countries to participate actively and financially in the programme.

The other conditions set by the Council for moving to the next phases of the programme, namely system deployment and operation, have also been met:

- the conclusion with the United States of an agreement on the interoperability of the American and European systems, which was signed on 26 June 2004;
- the establishment of the future structures for the management of the system, the Supervisory Authority and security arrangements, with the adoption by the Council of two texts of 12 July 2004.

All the conditions are therefore met for the Council to confirm:

- the irrevocable transition to the programme deployment and operational phases;
- the essential features of the system, in particular as regards services;
- the commitment of the public authorities with regard to the funding of the deployment and operational phases and the monitoring of the system.

Confirmation is necessary in order:

- to enable the Joint Undertaking to complete the negotiation of the concession contract due to be signed in the course of 2005, and
- to enable private-sector stakeholders to confirm their bids and financial commitments.

GALILEO, satellite radionavigation programme: management, GNSS Supervisory Authority and Center for security and safety

2003/0177(CNS) - 10/06/2004

The Council recorded its political agreement on the text of the draft Council Joint Action on aspects of the operation of the European satellite radio navigation system (GALILEO) affecting the security of the European Union.

The Joint Action will be adopted without discussion at a forthcoming Council meeting, after finalisation of the text in all official Community languages, together with the adoption of the draft Council Regulation on the establishment of structures for the management of the European satellite radio navigation programme.

The Joint Action sets out the responsibilities to be exercised by the Council in cases where the security of the European Union or its Member States may be affected by the operation of the European satellite radio navigation system.

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2003/0177(CNS) - 31/07/2003 - Legislative proposal

PURPOSE : to propose the establishment of structures for the management of the European satellite radionavigation programme. **CONTENT** : the Commission proposes the future management structures for GALILEO programme in its deployment phase (2006-2008) and operational phase (from 2008). Two structures, each with essential public-interest missions, are proposed: - a Supervisory Authority and - a Centre for Safety and Reliability. More specifically, the Supervisory Authority proposed by the Commission will be a Community body having legal personality and placed under the Commission's authority. Its function will be to manage the public interests relating to GALILEO, and it will have the following main tasks: - acting as a licensing authority vis-à-vis the private concessionaire to be appointed before the end of 2004 and ensuring that the concessionaire complies with the concession contract and the specifications attached to it, notably in terms of public service obligations as regards continuity and guarantee of service; - managing Community funds allocated to GALILEO; - acting as a technological observatory to anticipate further developments of the system. In addition, the Supervisory Authority will also act as custodian of all the frequencies necessary to ensure the operation of the European satellite radionavigation system. In order to ensure its safety and reliability against attack (malicious or otherwise) and to prevent its use for terrorist or other purposes running counter to the interests of the European Union and its Member States, the Commission proposes to create, under the auspices of the Secretary-General of the Council, a Centre for Safety and Reliability made up of a small permanent team that will be operational at all times. The centre will provide expertise in negotiations related to the safety and reliability of the system and will participate in preparing and ensuring compliance with the future operational and regulatory framework for safety and reliability. It will also have to be capable of taking with the operator, in real time, such signal scrambling or interruption measures (selective or otherwise) as may be required in an emergency. The centre should also help to speed up the conclusion of a cooperation agreement with the United States on interoperability between GPS and GALILEO and on the development of arrangements for cooperation in the event of a crisis. **FINANCIAL STATEMENT** : - Chapter 06 03 Trans-European Networks. The choice of article and items, under Chapter 06 03, will be determined under the budget procedure for 2006; - allocation for the action : EUR 3.55 million/year in commitment appropriations. This annual allocation is included in the appropriations entered under Article 06 03 01 for the year 2006 (financial allocation for the period 2000-2006 laid down by regulation) and will possibly be included in the future in the financial allocation to be fixed for subsequent years.

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2003/0177(CNS) - 12/07/2004 - Final act

PURPOSE : to set up a European Global Navigation Satellite System (GNSS) Supervisory Authority.

LEGISLATIVE ACT : Council Regulation 1321/2004/EC on the establishment of structures for the management of the European satellite radionavigation programmes.

CONTENT : This Regulation sets up the European GNSS Supervisory Authority (the Authority), to manage the public interests relating to, and to be the regulatory authority for the European GNSS programmes. The tasks of the Authority include the following:

- the Authority will conclude a concession contract with whichever consortium is selected on completion of the development phase of Galileo and take steps to ensure compliance by that consortium with the obligations - in particular the public service obligations - arising from the concession contract. It should be noted that the Council underlined that substantial private sector participation is a fundamental element for the success of Galileo in its deployment and operational phases;
- the Authority will be the concession holder's sole interlocutor on the matter of frequencies;
- the Authority will be responsible for managing and controlling the use of the funds specifically allocated to it for the programmes;
- the Authority will assist the Commission in matters involving satellite radio-navigation, particularly in cases where legislative and regulatory measures prove necessary;
- the Authority will utilise ongoing research, development and technological assessment activities, in particular those carried out by ESA;

In addition, the following points should be noted:

- following its dissolution, the Galileo Joint Undertaking will transfer all property it has acquired to the Authority. All property developed by the concession holder during the deployment phase will be vested in the Authority unless otherwise agreed in advance, as the programme definition, development and validation phases have been financed almost entirely from public funds and all components thus developed will be put at the disposal of the concession holder;
- the Member States and the Commission are represented on an Administrative Board entrusted with the necessary powers to establish the budget, verify its execution, adopt the appropriate financial rules, establish transparent working procedure for decision making by the Authority, approve its work programme and appoint the Executive Director;
- in order to guarantee the full autonomy and independence of the Authority, the latter will have an autonomous budget whose revenue comes essentially from a contribution from the Community.

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2003/0177(CNS) - 10/06/2004

The Council have adopted the following conclusions :

- with regard to the Regulation on management structures : the Council states that the adoption of the Regulation on the establishment of structures for the management of the European satellite radio navigation programmes does not prejudice the outcome of the decisions to be taken on the deployment and operational phases, including its financial aspects. It calls upon the Commission to start the procedures to set up in due time the European GNSS Supervisory Authority. Council states that, when decisions or action relating to substantive security policy issues must be taken by the Council in accordance with the Regulation on the establishment of structures for the management of the European satellite radio navigation programmes, or on the security aspects of international agreements relating to the European GNSS system, the Council Security Committee, meeting in a GNSS security experts formation, will, as appropriate, issue technical recommendations in accordance with the Council's security regulations or, if the matter is entirely security-related, substantively prepare COREPER's work. It is recalled that the Council is the competent institution to authorise the Commission to enter into negotiations with third countries and to subsequently sign and conclude international agreements with third countries, on the subject of the European GNSS system and it is underlined that the procedure set out in the Council Joint Action agreed would be applicable notably in cases where a Member State considers that its national security is under threat;

- with regard to the EU-Israel agreement : the Council welcomes the initialling of the Co-operation Agreement on a civil GNSS between the European Community and its Member States and the State of Israel. It agrees its content and invites the Parties to finalise the legal and linguistic editing of the text in the weeks to come with a view to an early signature;

- with regard to the EU-US agreement : Council welcomes the initialling of the Agreement between the European Community and the United States of America on the promotion, provision and use of GALILEO and GPS satellite-based navigation systems and related applications. It notes with satisfaction the agreement reached recently on the issue of national security compatibility compliance requirements, together with a commitment from the United States, in the spirit of partnership upon which both sides have embarked, to find alternative PRS signal modulations if needed, and is confident that the Agreement which provides substantive benefits for both parties, can be signed in the near future, possibly at the EU-US summit on 26 June provided that the radio frequency compatibility document is finalised;

- with regard to the GJU-NRSCC agreement : the Council welcomes the initialling of the Agreement on the Cooperation in the GALILEO Program between the GALILEO Joint Undertaking and the National Remote Sensing Centre of China (NRSCC). It notes the positive opinion of the GALILEO Joint Undertaking's Supervisory Board on said agreement and invites the Administrative Board to finalise it without delay.