



2022/0039(COD)

30.5.2022

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DRAFT REPORT

on the proposal for a regulation of the European Parliament and of the Council
establishing the Union Secure Connectivity Programme for the period 2023-
2027
(COM(2022)0057 – C9-0045/2022 – 2022/0039(COD))

Committee on Industry, Research and Energy

Rapporteur: Christophe Grudler

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ¶ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

CONTENTS

	Page
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION.....	5
EXPLANATORY STATEMENT.....	57



DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council establishing the Union Secure Connectivity Programme for the period 2023-2027 (COM(2022)0057 – C9-0045/2022 – 2022/0039(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2022)0057),
 - having regard to Article 294(2) and Article 189(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0045/2022),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the opinion of the Committee on Budgets,
 - having regard to the report of the Committee on Industry, Research and Energy (A9-0000/2022),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) There is a growing demand by the Union governmental actors for secure and reliable satellite communication services, particularly because they are the only viable option in situations where ground-based communication systems are *non-*

Amendment

(1) There is a growing demand by the Union governmental actors for secure and reliable satellite communication services, particularly because they are the only viable option in situations where ground-based communication systems are

existent, disrupted or unreliable. Affordable and cost-effective access to satellite-based communication is also indispensable *in remote regions and in the high seas* and airspace. *For instance*, where *lack of high-bandwidth communication currently limits the ability to take full advantage of new sensors and platforms observing the 71% of our planet that is ocean*, satellite communication ensures the long-term availability of worldwide uninterrupted access.

disrupted or unreliable. Affordable and cost-effective access to satellite-based communication is also indispensable *where there are no terrestrial networks, including over oceans* and airspace, *in remote areas, and where local networks have been destroyed by natural disasters or cannot be trusted in crisis situations*. *More globally*, satellite communication can increase the overall resilience of communication networks, offering for example alternative in the case of cyber incidents on terrestrial networks.

Or. en

Justification

Merged with Recital 9 for a better understanding.

Amendment 2

Proposal for a regulation Recital 4

Text proposed by the Commission

(4) *The EU adopted the GOVSATCOM component of Regulation (EU) 2021/696 on 28 April 2021*, to ensure the long-term availability of reliable, secure and cost-effective satellite communications services for GOVSATCOM users. Regulation (EU) 2021/696 envisages that in a first phase, of the GOVSATCOM component until approximately 2025, existing capacity would be used. In that context, the Commission is to procure GOVSATCOM capacities from Member States with national systems and space capacities and from commercial satellite communication or service providers, taking into account the essential security interests of the Union. In that first phase, GOVSATCOM services are to be introduced by a step-by-step approach. It is also based on the premise

Amendment

(4) *One of the important components of the Union Space Programme established by Regulation (EU) 2021/696 is GOVSATCOM, which aims* to ensure the long-term availability of reliable, secure and cost-effective satellite communications services for GOVSATCOM users. Regulation (EU) 2021/696 envisages that in a first phase, of the GOVSATCOM component until approximately 2025, existing capacity would be used. In that context, the Commission is to procure GOVSATCOM capacities from Member States with national systems and space capacities and from commercial satellite communication or service providers, taking into account the essential security interests of the Union. In that first phase, GOVSATCOM services are to be introduced by a step-by-step

that if in the course of the first phase a detailed analysis of future supply and demand reveals that this approach was insufficient to cover the evolving demand, will be necessary to move to a second phase and develop additional bespoke space infrastructure or capacities through cooperation with the private sector, e.g. with Union satellite operators.

approach. It is also based on the premise that if in the course of the first phase a detailed analysis of future supply and demand reveals that this approach was insufficient to cover the evolving demand, **it** will be necessary to move to a second phase and develop additional bespoke space infrastructure or capacities through cooperation with the private sector, e.g. with Union satellite operators.

Or. en

Amendment 3

Proposal for a regulation Recital 5

Text proposed by the Commission

(5) It is now clear that the Union's current satellite communication assets cannot meet new needs of the governmental **users who** are moving towards higher security solutions, low latency and global coverage. **Although** recent technical progress has allowed **non-geostationary-orbit** (NGSO) communications constellations to emerge and gradually offer high-speed and low-latency connectivity services. There is a window of opportunity for addressing the evolving needs of the governmental users by developing and deploying additional infrastructure as filings for the frequencies necessary to provide the required services are currently available within the European Union. If not used, these filings will become obsolete and be attributed to other players. As frequencies are an increasingly scarce resource, the EU **may not get** this opportunity **again**.

Amendment

(5) It is now clear that the Union's current satellite communication assets, **based on the existing capacities from Member States with national systems and the private sector offer**, cannot meet **the** new needs of the governmental **demand which** are moving towards higher security solutions, low latency and global coverage. Recent technical progress has allowed **non-geostationary orbit** (NGSO) communications constellations to emerge and gradually offer high-speed and low-latency connectivity services. There is **therefore** a window of opportunity for addressing the evolving needs of the governmental users by developing and deploying additional infrastructure as filings for the frequencies necessary to provide the required services are currently available within the European Union. If not used, these filings will become obsolete and be attributed to other players. As frequencies are an increasingly scarce resource, the EU **should seize** this opportunity.

Or. en

Justification

Precision : it is the pooling of the existing capacities of MS and the private sector that is not sufficient.

Amendment 4

Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) The Union should ensure the provision of resilient, global, guaranteed and flexible satellite **communication** solutions for evolving governmental needs, built on an EU technological and industrial base, in order to increase the resilience of Member States' and Union institutions' operations by guaranteed and uninterrupted access to satellite **communication**.

Amendment

(8) The Union should ensure the provision of resilient, global, **secure, uninterrupted,** guaranteed and flexible satellite solutions for evolving governmental needs, built on an EU technological and industrial base, in order to increase the resilience of Member States' and Union institutions' operations by guaranteed and uninterrupted access to satellite **services**.

Or. en

Justification

It should be clearly indicated that the system should be a multi-services system, including communication and non-communication services.

Amendment 5

Proposal for a regulation
Recital 9

Text proposed by the Commission

(9) **Satellite communication can increase the overall resilience of communication networks. A space-based communication system is the only viable option in situations where ground-based systems are non-existent, disrupted or unreliable. For example, it can provide means for digital communication in areas where terrestrial networks are absent,**

Amendment

deleted

including over oceans and during flights, as well as over remote areas, or where local networks have been destroyed due to natural disasters, or they cannot be trusted in crisis situations.

Or. en

Justification

Included in Recital 1 for better understanding.

Amendment 6

**Proposal for a regulation
Recital 10**

Text proposed by the Commission

(10) Therefore, it is important to establish a new, Union Secure Connectivity Programme ('the Programme') to provide for the Union **satellite based communication** infrastructure, which should **be built upon** the GOVSATCOM component of the Union Space Programme and which should also take advantage of additional national and European capacities, which exist at the time the action is being carried out and develop further the European Quantum Communication Infrastructure (EuroQCI) initiative.

Amendment

(10) Therefore, it is important to establish a new, Union Secure Connectivity Programme ('the Programme') to provide for the Union **satellite-based, multi-services** infrastructure, which should **integrate and complement** the GOVSATCOM component of the Union Space Programme, and which should also take advantage of additional national and European capacities, which exist at the time the action is being carried out and develop further **and integrate** the European Quantum Communication Infrastructure (EuroQCI) initiative.

Or. en

Justification

It should be clearly indicated that the system should be a multi-services system, including communication and non-communication services. Also, the Govsatcom component is rather integrated and complemented. Indeed, the mutualisation of capacities of MS and private actors is complemented by the new infrastructure proposed in this Programme.

Amendment 7

Proposal for a regulation

Recital 11

Text proposed by the Commission

(11) The Programme should ensure the provision **of the** governmental services **and allow** for the **provision of the commercial services** through a dedicated governmental **and** commercial infrastructure. **The Programme should therefore consist of development and validation actions for the construction of the initial space and ground infrastructure and for the launch of the initial space infrastructure. The Programme should then entail deployment activities aimed at completing both the space and ground infrastructure required for the provision of governmental services. The provision of governmental services, the operation, maintenance and continuous improvement of the infrastructure, once deployed, as well as the development of the future generations of the governmental services should be part of the exploitation activities. The exploitation activities should begin as soon as possible with the provision of the initial set of services aimed by 2024 to meet as soon as possible the evolving needs of the governmental users.**

Amendment

(11) The Programme should ensure the provision **and long-term availability of worldwide uninterrupted access to secure, autonomous, reliable and cost-effective satellite** governmental services, **supporting the resilience and protection of critical infrastructure, surveillance, external actions, crisis management, as well as applications that are critical** for the **Union's economy, security and defence**, through a dedicated governmental **infrastructure, which integrates and complements the capacities of GOVSATCOM. Moreover, the Programme should allow for the provision of commercial services by the private sector through a** commercial infrastructure. **That infrastructure is intended to help to improve the connectivity across the Union and around the globe, for citizens and business, including, but not limited to, providing access to affordable high-speed broadband that can help remove communication dead zones and increase cohesion across the Union, including its outermost regions, rural, peripheral, remote and isolated areas and islands, where deployment of broadband-fibre is too expensive and connectivity is best achieved by means of satellite** infrastructure.

Or. en

Justification

For better understanding : inclusion of parts of Recital 22 on added value of commercial infrastructure. References to programs' activities are regrouped into a single Recital (11a).

Amendment 8

Proposal for a regulation Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) The Programme should therefore consist of the development, validation and related deployment activities for the construction of the initial space and ground infrastructure, required for the provision of governmental services. The exploitation activities should begin as soon as possible with the provision of the initial set of services by 2024, so that the evolving needs of the governmental users are met as soon as possible. The Programme should then entail activities aiming to complete both the space and ground infrastructure required for a full operational capability of the governmental services by 2027. The provision of governmental services, the operation, maintenance and continuous improvement of the infrastructure, once deployed, as well as the development of the future generations of the governmental services, should be part of the exploitation activities.

Or. en

Justification

From Recital 11, for ease of reading, activities should be regrouped under one recital.

Amendment 9

Proposal for a regulation Recital 14

Text proposed by the Commission

Amendment

(14) In order to expand the Union satellite communication capacities, the Programme infrastructure should integrate

(14) In order to expand the Union satellite communication capacities, the Programme infrastructure should integrate

the infrastructure developed for the purposes *of the* of the GOVSATCOM component of the Union Space Programme. In particular, the Programme's ground infrastructure should encompass the GOVSATCOM Hubs and other ground segment assets.

and complement the infrastructure developed for the purposes of the GOVSATCOM component of the Union Space Programme. In particular, the Programme's ground infrastructure should encompass the GOVSATCOM Hubs and other ground segment assets.

Or. en

Amendment 10

Proposal for a regulation

Recital 15

Text proposed by the Commission

(15) The services enabled by the Programme should connect strategic areas *such as the Arctic and Africa*, and contribute to geopolitical resilience by offering additional connectivity in line with policy targets in these regions and the Global Gateway strategy²⁰.

²⁰ JOIN(2021) 30 final.

Amendment

(15) The services enabled by the Programme should *help* connect *areas outside the Union, in particular* strategic areas, and contribute to geopolitical resilience by offering additional connectivity in line with policy targets in these regions and the Global Gateway strategy²⁰.

²⁰ JOIN(2021) 30 final.

Or. en

Justification

Naming selective areas seems to restrictive, as areas of strategic importance are numerous.

Amendment 11

Proposal for a regulation

Recital 16

Text proposed by the Commission

(16) It is appropriate that the satellites built for the purposes of the Programme are equipped with payloads that can *allow to* increase the capacity and services of *the*

Amendment

(16) It is appropriate that the satellites built for the purposes of the Programme are equipped with *subsystems, including* payloads, that can increase the capacity and

components of the Union Space Programme, enabling thereby the development of additional missions under the conditions set out in Regulation (EU) **2021/696**It could offer alternative positioning, navigation and timing services complementing Galileo, ensure the broadcast of EGNOS/SBAS messages with a lower latency, provide space based sensors for space surveillance and support enhancement of current Copernicus capabilities in particular for emergency and civil security services.

services of **communication and non-communication** components of the Union Space Programme, enabling thereby the development of additional missions under the conditions set out in Regulation (EU) **2021/696**. **It** could offer alternative positioning, navigation and timing services complementing Galileo, ensure the broadcast of EGNOS/SBAS messages with a lower latency, provide space based sensors for space surveillance and support enhancement of current Copernicus capabilities in particular for emergency and civil security services.

Or. en

Amendment 12

Proposal for a regulation Recital 17

Text proposed by the Commission

(17) It is vital for the security of the Union and its Member States and for ensuring the security and integrity of the governmental services, that, **where possible**, the space assets of the Programme are launched from the territory **of the Member States**. Furthermore, microlaunchers **are able to** provide additional flexibility to allow for a rapid deployment of the space assets.

Amendment

(17) It is vital for the security of the Union and its Member States and for ensuring the security and integrity of the governmental services, that the space assets of the Programme are launched from the **Union's** territory. Furthermore, microlaunchers **could** provide additional flexibility to allow for a rapid deployment of the space assets **from the Union's territory. In exceptional, duly substantiated circumstances, it should be possible for such launchers to take place from the territory of a third country.**

Or. en

Justification

Launches should take place from the Union. Only in exceptional cases that disposition can be lifted.

Amendment 13

Proposal for a regulation Recital 18 a (new)

Text proposed by the Commission

Amendment

(18a) The Programme should maximise the development and use of innovative and disruptive technologies as well as novel business models, in particular by small and medium-sized enterprises and start-ups developing market-driven space technologies and applications.

Or. en

Justification

In replacement of the "New Space" definition, the Rapporteur believes that it is important to focus on the objectives: support innovative companies, disruptive technologies and novel business models from the European space sector.

Amendment 14

Proposal for a regulation Recital 22

Text proposed by the Commission

Amendment

(22) The Programme should also allow for the provision of commercial services by the private sector. Such commercial services could in particular contribute to availability of high-speed broadband and seamless connectivity throughout Europe, removing communication dead zones and increasing cohesion across Member State territories, including rural, peripheral, remote and isolated areas and islands, and provide connectivity over geographical areas of strategic interest.

deleted

Or. en

Justification

Moved to Recital 11.

Amendment 15

Proposal for a regulation

Recital 25

Text proposed by the Commission

(25) This Regulation lays down a financial envelope, which is to constitute the prime reference amount, within the meaning of point 18 of the Interinstitutional Agreement of 16 December 2020 between the European Parliament, the Council of the European Union and the European Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management, as well as on new own resources, including a roadmap towards the introduction of new own resources²², for the European Parliament and the Council during the annual budgetary procedure.

²² OJ L 433 I, 22.12.2020, p. 28.

Amendment

(25) This Regulation lays down a financial envelope, which is to constitute the prime reference amount, within the meaning of point 18 of the Interinstitutional Agreement of 16 December 2020 between the European Parliament, the Council of the European Union and the European Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management, as well as on new own resources, including a roadmap towards the introduction of new own resources²², for the European Parliament and the Council during the annual budgetary procedure. ***The Programme is a new initiative that was not envisaged when the multiannual financial framework (MFF) for 2021-2027 was established. In order to avoid any reduction to the amounts awarded to other Union programmes, the financial envelope allocated to the Programme should be drawn, to the extent possible, from the unallocated margins under the MFF ceilings or mobilised through the non-thematic MFF special instruments.***

²² OJ L 433 I, 22.12.2020, p. 28.

Or. en

Justification

New initiatives should be funded using fresh resources. Solutions will need to be found in order to finance properly this important Programme for the Union's strategic autonomy,

before the next revision of the MFF.

Amendment 16

Proposal for a regulation

Recital 25 a (new)

Text proposed by the Commission

Amendment

(25a) *The next revision of the MFF should provide adequate funding for the Programme, to ensure its coherence, ambition and long-term financing.*

Or. en

Justification

To ensure its continuity and the success of this Programme, the upcoming revision of the MFF should enable the sustainable funding of the Programme.

Amendment 17

Proposal for a regulation

Recital 27

Text proposed by the Commission

Amendment

(27) The Horizon Europe Programme will allocate a dedicated share of its Cluster 4 components to R&I activities related to development and validation of the secure connectivity system, including for the potential technologies that would be developed *under New Space*. The Neighbourhood, Development and International Cooperation Instrument (NDICI) will allocate a dedicated share of its Global Europe funds for activities related to the operation of the system and the worldwide provision of services that will allow to offer an array of services to international partners. The Union Space Programme will allocate a dedicated share of its GOVSATCOM component for the activities related to the development of the

(27) The Horizon Europe Programme will allocate a dedicated share of its Cluster 4 components to R&I activities related to development and validation of the secure connectivity system, including for the potential technologies that would be developed ***by innovative actors of the space industry***. The Neighbourhood, Development and International Cooperation Instrument (NDICI) will allocate a dedicated share of its Global Europe funds for activities related to the operation of the system and the worldwide provision of services that will allow to offer an array of services to international partners. The Union Space Programme will allocate a dedicated share of its GOVSATCOM component for the

GOVSATCOM Hub which will form part of the ground infrastructure of the Secure Connectivity system. The funding stemming from these programmes should be implemented in accordance with the rules of these programmes. Since those rules may differ significantly from the rules under this Regulation, the need to achieve effectively the intended policy objectives should be taken into account when deciding to finance actions from both the allocated funds from Horizon Europe and NDICI and from the Union Secure Connectivity Programme.

activities related to the development of the GOVSATCOM Hub which will form part of the ground infrastructure of the Secure Connectivity system. The funding stemming from these programmes should be implemented in accordance with the rules of these programmes. Since those rules may differ significantly from the rules under this Regulation, the need to achieve effectively the intended policy objectives should be taken into account when deciding to finance actions from both the allocated funds from Horizon Europe and NDICI and from the Union Secure Connectivity Programme.

Or. en

Justification

See Recital 18a.

Amendment 18

**Proposal for a regulation
Recital 28 a (new)**

Text proposed by the Commission

Amendment

(28a) In order to ensure that the Programme is implemented successfully, it is important to ensure that sufficient resources are available. Member States should therefore make a financial contribution that would be additional to the amount available through the Union budget. It should also be possible for Member States to make in-kind contributions. Additional financial contributions and in-kind contributions from other parties should also be possible.

Or. en

Justification

The Programme is to be funded by the Union budget, Member States and the private sector.

The Member States contribution should be guaranteed.

Amendment 19

Proposal for a regulation

Recital 38

Text proposed by the Commission

(38) A public-private partnership is the most appropriate scheme to ensure that the objectives of the Programme could be pursued. It would permit to build upon the existing EU satellite communication technological and infrastructural base and to provide robust and innovative governmental services, while allowing the private partner to complement the Programme infrastructure with additional capabilities to offer commercial services through additional own investments. Such a scheme would furthermore optimise deployment and operation costs by sharing development and deployment costs on components common to both governmental and commercial infrastructures, as well as operational costs by allowing a high level of capacity mutualisation. It would stimulate innovation *in particular for New Space* by enabling the sharing of Research and Development risks between public and private partners.

Amendment

(38) A public-private partnership is the most appropriate scheme to ensure that the objectives of the Programme could be pursued. It would permit to build upon the existing EU satellite communication technological and infrastructural base and to provide robust and innovative governmental services, while allowing the private partner to complement the Programme infrastructure with additional capabilities to offer commercial services through additional own investments. Such a scheme would furthermore optimise deployment and operation costs by sharing development and deployment costs on components common to both governmental and commercial infrastructures, as well as operational costs by allowing a high level of capacity mutualisation. It would stimulate innovation by enabling the sharing of Research and Development risks between public and private partners.

Or. en

Justification

Concept of "New Space" is too vague, see 18a.

Amendment 20

Proposal for a regulation

Recital 39

(39) The implementation model could take the form of a concession contract or other contractual arrangements. Regardless of the implementation model, several key principles should be put in place. The contract should establish a clear distribution of tasks and responsibilities between the public and private partners. **Thus, it should avoid any overcompensation of the private partner** for the provision of governmental services, allow the provision of commercial services to be established by the private sector and ensure an appropriate prioritisation of governmental user needs. The Commission should be able to assess and approve such services to ensure that the Union's essential interests and Programme's objectives are preserved **and adequate safeguards are put** in place to prevent potential distortions of competition stemming from the provision of commercial services; **such safeguards could include** separation of accounts between governmental and commercial services, open, fair and non-discriminatory access to infrastructure necessary for the provision of commercial services. The public-private partnership should foster the participation of start-ups and SMEs along the whole value chain of the concession and across Member States, hereby incentivising the development of innovative and disruptive technologies

(39) The implementation model could take the form of a concession contract or other contractual arrangements. Regardless of the implementation model, several key principles should be put in place. The contract should establish a clear distribution of tasks and responsibilities between the public and private partners, **together with a clear allocation of risks between them, with a view to ensuring that the private partner assumes responsibility for the consequences of any failings for which it is liable. The contract should ensure that private partners do not receive overcompensation** for the provision of governmental services, allow the provision of commercial services to be established by the private sector and ensure an appropriate prioritisation of governmental user needs. The Commission should be able to assess and approve such services to ensure that the Union's essential interests and Programme's objectives are preserved. **It is important that there are measures** in place to **ensure that those essential interests and objectives are preserved. In particular, the Commission should be able to take necessary measures to ensure service continuity in the event of that the contractor is unable to fulfil its obligations. The contract should** prevent, **inter alia, conflicts of interest and** potential distortions of competition stemming from the provision of commercial services. **That could be done by including** separation of accounts between governmental and commercial services, open, fair and non-discriminatory access to infrastructure necessary for the provision of commercial services. The public-private partnership should foster the participation of start-ups and SMEs along the whole value chain of the concession and across Member States, hereby incentivising the development of

innovative and disruptive technologies.

Or. en

Justification

The contracts should ensure that the Union's financial interest is preserved.

Amendment 21

Proposal for a regulation
Recital 39 a (new)

Text proposed by the Commission

Amendment

(39a) In line with the objectives of the European Green Deal, the Programme should minimise, to the extent possible, its environmental impact. To that end, the procurement referred under the Programme should include principles and measures on sustainability, such as provisions to minimise and offset the greenhouse gas emissions generated by the development, production and deployment of the infrastructure and measures to prevent light pollution.

Or. en

Justification

Even if space activities have a modest environmental impact, they must be fully taken into account and mitigated.

Amendment 22

Proposal for a regulation
Recital 39 b (new)

Text proposed by the Commission

Amendment

(39b) Given the growing number of spacecraft and debris in orbit, the new European constellation should be an example of good practices in space traffic

management, in order to reduce the amount of debris produced, prevent on-orbit break-ups and on-orbit collision, and provide appropriate end-of-life spacecraft measures.

Or. en

Justification

As the latest EU constellation, this infrastructure should set an example of good practices on STM.

Amendment 23

Proposal for a regulation

Recital 43

Text proposed by the Commission

(43) The mission of the European Union Agency for the Space Programme ('the Agency') is to contribute to the Programme, particularly as regards security accreditation. Certain tasks linked to those areas should therefore be entrusted to the Agency. In relation to security in particular, and given its experience in this area, the Agency should be responsible for the security accreditation of the governmental services and infrastructure. Furthermore, the Agency should perform the tasks which the Commission confers on it. When entrusting tasks to the Agency, adequate human, administrative and financial resources should be made available.

Amendment

(43) The mission of the European Union Agency for the Space Programme ('the Agency') is to contribute to the Programme, particularly as regards security accreditation. Certain tasks linked to those areas should therefore be entrusted to the Agency. In relation to security in particular, and given its experience in this area, the Agency should be responsible for the security accreditation of the governmental services and infrastructure. ***Where possible, the Agency should realise synergies and efficiencies, based on the expertise developed throughout the European Global Navigation Satellite System (EGNSS) lifecycles.*** Furthermore, the Agency should perform the tasks which the Commission confers on it. When entrusting tasks to the Agency, adequate human, administrative and financial resources should be made available. ***The resources of the Agency should be re-evaluated on an ongoing basis, to enable the Agency to fully fulfil its tasks and missions.***

Or. en

Justification

Using the expertise built with the EGNSS experience will be important for the cost efficiency of the Programme. As the full scale and extent of the infrastructure is not known yet, the Agency resources should be adapted accordingly when it is the case.

Amendment 24

Proposal for a regulation

Recital 52

Text proposed by the Commission

(52) The cybersecurity of the Programme infrastructures, both ground and space, *is* key to ensuring the continuity of the service and the operations of the system. The need to protect the system and its services against cyberattacks, including by making use of new technologies, should therefore be duly taken into account when establishing security requirements.

Amendment

(52) The cybersecurity, ***physical security and redundancy measures*** of the Programme infrastructures, both ground and space, ***are*** key to ensuring the continuity of the service and the operations of the system. The need to protect the system and its services against cyberattacks, including by making use of new technologies, should therefore be duly taken into account when establishing security requirements.

Or. en

Justification

Physical attacks are also a real threat. Redundancy improves the resilience of the infrastructure.

Amendment 25

Proposal for a regulation

Recital 57

Text proposed by the Commission

(57) Considering the importance for the Programme of its ground governmental infrastructure and the impact thereof on its security, the location of such infrastructure should be determined by the Commission. The deployment of the ground governmental infrastructure of the

Amendment

(57) Considering the importance for the Programme of its ground governmental infrastructure and the impact thereof on its security, the location of such infrastructure should be determined by the Commission. The deployment of the ground governmental infrastructure of the

Programme should continue to follow an open and transparent process, which could involve the Agency where appropriate based on its field of competence.

Programme should continue to follow an open and transparent process, which could involve the Agency where appropriate based on its field of competence. ***When determining the location, the Commission should seek, as far as possible, synergies with existing infrastructure of components of the Union Space Programme.***

Or. en

Justification

When possible, the Commission should seek synergies, in particular to improve the cost efficiency of the Programme.

Amendment 26

Proposal for a regulation Recital 64

Text proposed by the Commission

(64) ***In principle***, the governmental services should be provided free of charge to users of the governmental services. If, after analysis, the Commission concludes that there is a shortage of capacities, it should be permitted to develop a pricing policy as part of those detailed rules on the service provision in order to avoid a distortion of the market. The Commission should be conferred with implementing powers to adopt such pricing policy. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

Amendment

(64) The governmental services should, ***as a general rule***, be provided free of charge to users of the governmental services. ***However, capacity for those services is limited.*** If, after analysis, the Commission concludes that there is a shortage of capacities, it should be permitted to develop a pricing policy as part of those detailed rules on the service provision in order to ***match supply and demand of services and*** avoid a distortion of the market. The Commission should be conferred with implementing powers to adopt such pricing policy. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

Or. en

Justification

Clarification on the pricing policy.

Amendment 27

Proposal for a regulation

Article 2 – paragraph 1 – point 6

Text proposed by the Commission

Amendment

(6) *‘New Space industry’ means private companies, small and medium-sized enterprises and start-ups that develop novel space technologies and applications;*

deleted

Or. en

Justification

The Rapporteur believes that it is difficult to give a precise definition of "New Space". It is more important to focus on the promotion of innovation in the space ecosystem (new Recital 18a).

Amendment 28

Proposal for a regulation

Article 3 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. The general objective of the Programme is to establish a secure *and* autonomous space-based *connectivity* system *for the provision of guaranteed and resilient satellite communication services*, in particular to:

1. The general objective of the Programme is to establish a secure, autonomous *and multi-services* space-based system *under civil control, integrating and complementing the capacities of the GOVSATCOM component of the Union Space Programme*, in particular to:

Or. en

Justification

The system should be a multi-services system, including communication and non-communication services. GOVSATCOM is fully part of the new Connectivity system. It should be clearly spelled out in the general objective.

Amendment 29

Proposal for a regulation

Article 3 – paragraph 1 – point a

Text proposed by the Commission

(a) ensure the long-term availability of worldwide uninterrupted access to secure and cost-effective satellite **communication** services to governmental users in accordance with **paragraphs 1 to 3 of Article 7**, which supports protection of critical **infrastructures**, surveillance, external actions, crisis management and applications that are critical for the economy, environment, security and defence, thereby increasing the resilience of Member States;

Amendment

(a) ensure the **provision and** long-term availability of worldwide uninterrupted access to secure, **autonomous, reliable** and cost-effective satellite services to governmental users in accordance with Article **7(1), (2) and (3)**, which supports **the** protection of critical **infrastructure**, surveillance, external actions, crisis management and applications that are critical for the economy, environment, security and defence, thereby increasing the resilience of **the Union and** Member States;

Or. en

Justification

The system should be a multi-services system, including communication and non-communication services.

Amendment 30

Proposal for a regulation

Article 3 – paragraph 1 – point b

Text proposed by the Commission

(b) allow for the provision of commercial services by the private sector in accordance with Article 7(4).

Amendment

(b) allow for the provision of commercial services by the private sector in accordance with Article 7(4) **to further develop worldwide high-speed broadband and seamless connectivity;**

Or. en

Amendment 31

Proposal for a regulation

Article 3 – paragraph 2 – point a

Text proposed by the Commission

(a) improve the resilience of the **Union communication services by developing, building and operating a multi-orbital connectivity infrastructure, continuously adapted to evolution of demand for satellite communications, while taking into account the existing and future assets of the Member States used in the frame of the GOVSATCOM component of the Union Space Programme established by Regulation (EU) 2021/696⁴³** ;

⁴³ 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).

Amendment

(a) improve the **quality**, resilience **and autonomy** of the **Union's and the Member States' satellite services**;

⁴³ 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).

Or. en

Justification

For clarity, this part of the text is moved to Article 5 relating to Infrastructure of the secure connectivity system.

Amendment 32

Proposal for a regulation

Article 3 – paragraph 2 – point b

Text proposed by the Commission

(b) **contribute to** cyber resilience by proactive and reactive defence against cyber and electromagnetic threats and operational cybersecurity, **and integrate**

PE732.693v01-00

26/58

Amendment

(b) **increase the** cyber resilience **of the Union**, by proactive and reactive defence against cyber and electromagnetic threats

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the space and related ground segment of the European Quantum Communication Infrastructure to enable secure transmission of cryptographic keys;

and operational cybersecurity;

Or. en

Justification

EuroQCI is set as a specific objective, see (b a).

Amendment 33

Proposal for a regulation

Article 3 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) develop and integrate the space and related ground segment of the EuroQCI to enable secure transmission of cryptographic keys;

Or. en

Justification

EuroQCI is set as a specific objective.

Amendment 34

Proposal for a regulation

Article 3 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) ***improve and expand the capabilities and services of other components of the Union Space Programme;***

(c) ***enable, as appropriate, the development of additional communication and non-communication services, including the improvement and expansion of capabilities and services of components of the Union Space Programme, as well as services that are not components of the Union Space Programme, by hosting additional satellite subsystems, including***

payloads;

Or. en

Justification

The infrastructure should be able to host additional subsystems, including ones to reinforce other components of the Union Space Programme, but not limited to. These subsystems can be communication or non-communication services.

Amendment 35

Proposal for a regulation

Article 3 – paragraph 2 – point d

Text proposed by the Commission

(d) incentivise the **deployment** of innovative and disruptive technologies, **in particular by leveraging the New Space industry**; and

Amendment

(d) incentivise the **development and use** of innovative and disruptive technologies **and new business models**; and

Or. en

Justification

Concept of new space is too vague, see recital 18a.

Amendment 36

Proposal for a regulation

Article 3 – paragraph 2 – point e

Text proposed by the Commission

(e) allow further development of high-speed broadband and seamless connectivity throughout the Union, **removing** communication dead zones **and increasing** cohesion across **Member State territories, and allow connectivity** over geographical areas of strategic interest outside of the Union.

Amendment

(e) allow further development of high-speed broadband and seamless connectivity throughout the Union **and thereby remove** communication dead zones, **enable affordable access, and increase** cohesion across **the Union and** over geographical areas of strategic interest outside of the Union.

Or. en

Justification

Part moved to the General Objectives Article 3 (1) (b). The commercial services should facilitate the access to affordable broadband.

Amendment 37

Proposal for a regulation

Article 4 – paragraph 1 – introductory part

Text proposed by the Commission

1. The provision of the governmental services referred to in Article 7(1) shall be ensured through the **implementation of the** following activities:

Amendment

1. The provision of the governmental services referred to in Article 7(1a) shall be ensured through the following activities, **which shall complement the GOVSATCOM component of the Union Space Programme:**

Or. en

Justification

Precision on the role of GOVSATCOM, that is complemented by the new Connectivity infrastructure.

Amendment 38

Proposal for a regulation

Article 4 – paragraph 1 – point a

Text proposed by the Commission

(a) development **and** validation activities, **comprising the construction and launch** of the **initial** space and ground infrastructure required to provide governmental services;

Amendment

(a) development, validation **and related deployment** activities of the space and ground infrastructure required to provide **first** governmental services **by 2024;**

Or. en

Justification

The term deployment includes construction and launch.

Amendment 39

Proposal for a regulation

Article 4 – paragraph 1 – point c

Text proposed by the Commission

(c) deployment activities to complete the space and ground infrastructure required to provide governmental services;

Amendment

(c) deployment activities to complete the space and ground infrastructure required to provide governmental services, ***leading to full operational capability by 2027;***

Or. en

Justification

Clarification on the timeline.

Amendment 40

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

2. The exploitation activities referred to in paragraph 1, point (d), shall begin progressively with the provision of a preliminary set of services by 2024. Those early services shall be improved through the gradual deployment of the space and ground infrastructure leading to full operational capability aimed by 2027.

Amendment

deleted

Or. en

Justification

Operational dates for each part of the Programme are included in Paragraph 1 (a) & (c) for the sake of clarity.

Amendment 41

Proposal for a regulation

Article 4 – paragraph 3

PE732.693v01-00

30/58

PR\1256964.docx

Text proposed by the Commission

Amendment

- 3. Actions referred to in Article 6 shall be provided throughout the whole duration of the Programme.** **deleted**

Or. en

Justification

Included in relevant Article 6 (2a). There is no benefit to have it here.

Amendment 42

Proposal for a regulation Article 4 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

- 3a. The provision of commercial services shall be ensured and financed by the contractor referred to in Article 15(2).**

Or. en

Justification

Moved from Article 7 (4) for clarity.

Amendment 43

Proposal for a regulation Article 5 – paragraph 1

Text proposed by the Commission

Amendment

1. The infrastructure of the **secure connectivity system** shall consist of governmental and commercial infrastructure as laid down in paragraphs 2 and 3 respectively.

1. The infrastructure **shall be established by developing, building and operating a multi-orbital infrastructure, scalable to adjust to the evolution of governmental demand for satellite services and offering low latency, while integrating and complementing the existing and future capacities used in the frame** of the **GOVSATCOM** component of

the Union Space Programme. It shall consist of governmental and commercial infrastructure as laid down in paragraphs 2 and 4 respectively.

Or. en

Justification

For clarity parts of the text are moved from Article 3 (1) (a) to Art 5 relating to Infrastructure of the secure connectivity system. It should be clearly indicated that the system should be a multi-services system, including communication and non-communication services.

Amendment 44

Proposal for a regulation

Article 5 – paragraph 2 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) satellites or satellite
subcomponents;

(a) **either** satellites or satellite
subsystems, including payloads;

Or. en

Amendment 45

Proposal for a regulation

Article 5 – paragraph 2 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

(c) infrastructure for monitoring the security of the **Programme** infrastructure and services;

(c) infrastructure for monitoring the security of the **governmental** infrastructure and services;

Or. en

Justification

This paragraph is referring of the assets of the governmental infrastructure, not of the whole Programme.

Amendment 46

Proposal for a regulation

Article 5 – paragraph 2 – subparagraph 3

Text proposed by the Commission

The governmental infrastructure shall **support** additional payloads that may be used as part of the space-based infrastructure of the components of the Union Space Programme listed in Article 3 of Regulation (EU) 2021/696 under the terms and conditions set out in that Regulation.

Amendment

The governmental infrastructure shall **host, as appropriate, additional subsystems, in particular** payloads, that may be used as part of the space-based infrastructure of the components of the Union Space Programme listed in Article 3 of Regulation (EU) 2021/696 under the terms and conditions set out in that Regulation **and used for services that are not components of the Union Space Programme.**

Or. en

Justification

The infrastructure should be able to host additional subsystems, including ones to reinforce other components of the Union Space Programme, but not limited to.

Amendment 47

Proposal for a regulation

Article 5 – paragraph 3 – subparagraph 1

Text proposed by the Commission

The Commission shall, by means of implementing acts, lay down, where necessary, measures required to determine the location of the centres belonging to the ground governmental infrastructure, except the GOVSATCOM Hubs, in accordance with security requirements, following an open and transparent process. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2) of this Regulation. The location of the GOVSATCOM Hubs shall be determined in accordance with Article 67(2) of

Amendment

The Commission shall, by means of implementing acts, lay down, where necessary, measures required to determine the location of the centres belonging to the ground governmental infrastructure, except the GOVSATCOM Hubs, in accordance with security requirements, following an open and transparent process. **During that process, the Commission shall take into account all possible synergies with existing centres related to other components of the Union Space Programme.** Those implementing acts shall be adopted in accordance with the

regulation (EU) 2021/696.

examination procedure referred to in Article 42(2) of this Regulation. The location of the GOVSATCOM Hubs shall be determined in accordance with Article 67(2) of regulation (EU) 2021/696.

Or. en

Justification

The location of the ground infrastructure should maximise the synergies with existing infrastructure of other components of the Union Space Programme.

Amendment 48

Proposal for a regulation
Article 5 – paragraph 5

Text proposed by the Commission

5. In order to protect the security interests of the Union, the space assets of the secure connectivity system shall be launched by ***a launch service provider that complies*** with the conditions set out in Article 19 and, ***where possible***, from the territory of the ***Member States***.

Amendment

5. In order to protect the security interests of the Union, the space assets of the secure connectivity system shall be launched by ***providers that comply*** with the conditions set out in Article 19 and from the territory of the ***Union***.

Or. en

Justification

In general, any launch should take place from the Union's territory.

Amendment 49

Proposal for a regulation
Article 5 – paragraph 5 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

By way of derogation from the first subparagraph, the Commission may allow a provider to launch a space asset from the territory of a third country in exceptional, duly substantiated

circumstances.

Or. en

Justification

Only in duly justified cases, launches could take place from third countries

Amendment 50

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

1. The Programme shall support an innovative and competitive Union space sector ***and stimulate the New Space industry in the Union, and*** in particular the initiatives and activities listed in Article 6 of Regulation (EU) 2021/696, including, where appropriate, support of commercial services.

Amendment

1. The Programme shall support an innovative and competitive Union space sector, in particular the initiatives and activities listed in Article 6 of Regulation (EU) 2021/696, including, where appropriate, support of commercial services.

Or. en

Justification

Concept of "New Space" is too vague, see Recital 18a.

Amendment 51

Proposal for a regulation
Article 6 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission shall contribute to the activities referred to in paragraph 1, by taking the following measures:

Amendment

2. The Commission shall contribute to the activities referred to in paragraph 1, ***throughout the duration of the Programme,*** by taking the following measures:

Or. en

Justification

Moved from Article 4 (3). The support for innovation should cover all the Programme's timeline.

Amendment 52

Proposal for a regulation

Article 6 – paragraph 2 – point c

Text proposed by the Commission

(c) require through the contracts referred to in Article 15 that start-ups and SMEs are able to deliver own services to end-users;

Amendment

(c) require through the contracts referred to in Article 15 that start-ups and SMEs **from across the Union** are able to deliver own services to end-users;

Or. en

Amendment 53

Proposal for a regulation

Article 6 – paragraph 2 – point d a (new)

Text proposed by the Commission

Amendment

(da) contribute to the development of skills in space-related fields and to training activities.

Or. en

Amendment 54

Proposal for a regulation

Article 7 – paragraph 1

Text proposed by the Commission

Amendment

1. ***The provision of*** governmental services shall be ***ensured as laid down in the service*** portfolio referred to in ***paragraph 3 and in accordance with the operational requirements set out in in***

1. ***A service portfolio for*** governmental services shall be ***established. It shall consist of the following categories of services, which complement the*** portfolio of ***GOVSATCOM services***

paragraph 2.

referred to in *Article 63(3) of Regulation (EU) 2021/696:*

Or. en

Justification

The place of GOVSATCOM is here recalled. The service portfolio is also more detailed in the following points (a) (b) (c).

Amendment 55

**Proposal for a regulation
Article 7 – paragraph 1 – point a (new)**

Text proposed by the Commission

Amendment

(a) services offered to governmental users based on governmental infrastructure, such as robust, worldwide, low-latency services or space data relays;

Or. en

Justification

The first kind of governmental services are the ones based on the governmental infrastructure, with the highest levels of security.

Amendment 56

**Proposal for a regulation
Article 7 – paragraph 1 – point b (new)**

Text proposed by the Commission

Amendment

(b) services offered to governmental users based on commercial infrastructure, such as secure, worldwide, low-latency services or worldwide narrowband services;

Or. en

Justification

The second kind of governmental services should be the ones based on the commercial infrastructure.

Amendment 57

Proposal for a regulation

Article 7 – paragraph 1 – point c (new)

Text proposed by the Commission

Amendment

(c) *quantum key distribution services.*

Or. en

Justification

The third kind of governmental services is the quantum key distribution service.

Amendment 58

Proposal for a regulation

Article 7 – paragraph 3

Text proposed by the Commission

Amendment

3. The Commission shall adopt, by means of implementing acts, the service portfolio for the governmental services in the form of a list of services and their attributes, including geographical coverage, frequency, bandwidth, user equipment, and security features. Those implementing acts shall be based on the operational requirements referred to in paragraph 2 of this Article and applicable security requirements referred to in Article 27(2). These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2).

3. The Commission shall adopt, by means of implementing acts, the service portfolio for the governmental services, ***which complements the service portfolio for GOVSATCOM services referred to in Article 63(3) of Regulation (EU) 2021/696***, in the form of a list of services and their attributes, including geographical coverage, frequency, bandwidth, user equipment, and security features. Those implementing acts shall be based on the operational requirements referred to in paragraph 2 of this Article and applicable security requirements referred to in Article 27(2). These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(2).

Amendment 59**Proposal for a regulation
Article 7 – paragraph 4***Text proposed by the Commission**Amendment*

4. ***The provision of commercial services shall be financed by the contractor referred to in Article 15(2).*** The terms and conditions for the provision of commercial services shall be determined in the contracts referred to in Article 15. ***They shall in particular specify how the Commission will assess and approve the provision of commercial services to ensure that the Union's essential interests and the Programme's general and specific objectives referred to in Article 3 are preserved. They shall also include adequate safeguards to prevent distortions of competition in the provision of commercial services, to avoid any conflict of interest, undue discrimination and any other hidden indirect advantages to the contractor referred to in Article 15(2). Such safeguards may include the obligation of accounting separation between the provision of governmental services and the provision of commercial services, including the setting up of a structurally and legally separate entity from the vertically integrated operator for the provision of governmental services, and the provision of open, fair and non-discriminatory access to infrastructure necessary for the provision of commercial services.***

4. The terms and conditions for the provision of commercial services shall be determined in the contracts referred to in Article 15.

Or. en

Justification

For clarity, the part related to the financing of the commercial part is moved to Article 4 (3a). The part detailing the terms and conditions is moved to Article 15, where it is more relevant.

Amendment 60

Proposal for a regulation

Article 8 – paragraph 4 – subparagraph 1

Text proposed by the Commission

By way of derogation from paragraph 3, the Commission may, ***in duly justified cases*** and on an exceptional basis, determine, by means of implementing acts, a pricing policy.

Amendment

By way of derogation from paragraph 3, the Commission may, ***where strictly necessary to match supply and demand of governmental services*** and on an exceptional basis, determine, by means of implementing acts, a pricing policy.

Or. en

Justification

Clarification of the pricing policy.

Amendment 61

Proposal for a regulation

Article 8 – paragraph 4 – subparagraph 2

Text proposed by the Commission

By determining ***this*** pricing policy, the Commission shall ensure that the provision of the governmental services does not distort competition, that there is no shortage of the governmental services ***and that the price identified will*** not result in an overcompensation of the ***beneficiary***.

Amendment

By determining ***the*** pricing policy, the Commission shall ensure that the provision of the governmental services does not distort competition ***and*** that there is no shortage of the governmental services. ***The pricing policy shall*** not result in an overcompensation of the ***contractor***. ***Any revenue from the pricing policy shall be used to increase capacity of the secure connectivity system or to procure additional capacity.***

Or. en

Justification

Clarification of the pricing policy.

Amendment 62

Proposal for a regulation Article 8 – paragraph 6

Text proposed by the Commission

Amendment

6. The provision of governmental services between the users authorised by the same Programme participant shall be determined and implemented by that Programme participant. *deleted*

Or. en

Justification

Moved to Article 9 (Programme participants) where it is more relevant.

Amendment 63

Proposal for a regulation Article 9 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The prioritisation of governmental capacities between the users authorised by each Programme participant shall be determined and implemented by that Programme participant.

Or. en

Justification

From original Article 8. It is more relevant to have it in the Article on Programme participants. Clarification that here it is referred to the prioritisation between users authorised by one Participant to the Programme.

Amendment 64

Proposal for a regulation Article 13 – paragraph -1 (new)

Text proposed by the Commission

Amendment

-1. The Programme shall receive additional financial contributions from Member States of at least EUR 1,6 billion. They may also provide in-kind contributions to the Programme.

Or. en

Justification

For the good functioning of the Programme, it is important that the necessary financial resources from the Member States are clearly indicated and secured.

Amendment 65

Proposal for a regulation

Article 13 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) Member States;

deleted

Or. en

Justification

See new paragraph -1.

Amendment 66

Proposal for a regulation

Article 13 – paragraph 2

Text proposed by the Commission

Amendment

2. The additional financial **contribution** referred to in **paragraph 1** of this Article and revenues pursuant to Article 8(4) shall be treated as external assigned revenue in accordance with Article 21(5) of Regulation (EU, Euratom) 2018/1046 (the ‘Financial Regulation’).

2. The additional financial **contributions** referred to in **paragraphs -1 and 1** of this Article and revenues pursuant to Article 8(4) shall be treated as external assigned revenue in accordance with Article 21(5) of Regulation (EU, Euratom) 2018/1046 (the ‘Financial Regulation’).

Justification

See new paragraph -1.

Amendment 67**Proposal for a regulation
Article 15 – paragraph 6***Text proposed by the Commission*

6. The contracts referred to in this Article shall include adequate safeguards to avoid any overcompensation of the contractor, distortions of competition, **any conflict** of interest, undue discrimination **and** any other hidden indirect advantages. ***In accordance with Article 7(4), they shall contain provisions on the assessment and approval process of commercial services provided by the contractor to ensure that the Union's essential interest and the Programme objectives are preserved.***

Amendment

6. The contracts referred to in this Article shall ***ensure that the provision of commercial services preserves the Union's essential interests and the Programme's general and specific objectives referred to in Article 3. They shall in particular specify how the Commission is to assess and approve the provision of commercial services, in order to ensure that the Union's essential interests and the Programme's general and specific objectives are preserved and what measures are to be taken in the event that those essential interests are not respected or those objectives are not met. In particular, they shall include measures to ensure service continuity in the event of a major failing on the part of the contractor.***

Those contracts shall also include adequate safeguards to avoid any overcompensation of the contractor, distortions of competition, ***conflicts*** of interest, undue discrimination ***or*** any other hidden indirect advantages. ***Such safeguards may include the obligation of accounting separation between the provision of governmental services and the provision of commercial services, including the setting up of a structurally and legally separate entity from the vertically integrated operator for the provision of governmental services, and the provision of open, fair, reasonable and***

non-discriminatory access to infrastructure necessary for the provision of commercial services.

Or. en

Justification

The details of the contracts are moved from Article 7 (4), as it is more relevant to have them here in the Implementation model. The Union's financial interests should be preserved, and measures should be planned in the event of a failing of the contractor.

Amendment 68

**Proposal for a regulation
Article 15 – paragraph 7**

Text proposed by the Commission

Amendment

7. The contracts referred to in this Article shall contain provisions on the establishment of a scheme to offset the CO₂ emissions generated by the launches of the infrastructure referred to in Article 5. **deleted**

Or. en

Justification

Moved to Article 17 on the Implementation model.

Amendment 69

**Proposal for a regulation
Article 15 – paragraph 7 a (new)**

Text proposed by the Commission

Amendment

7a. Without prejudice to the Financial Regulation, the Commission shall, upon the request of the European Parliament, provide detailed information about the procurements and contracts referred to in this Article.

Justification

The procurements and contracts will be crucial in the implementation of the Programme. The European Parliament should have the necessary information regarding them.

Amendment 70**Proposal for a regulation****Article 17 – paragraph 2 – point h***Text proposed by the Commission*

(h) to satisfy environmental criteria;

Amendment

(h) to satisfy environmental criteria, ***including provisions on the minimisation of greenhouse gas emissions generated by the development, production and deployment of the infrastructure, and the establishment of a scheme to offset the remaining greenhouse gas emissions, such criteria including appropriate measures to reduce light pollution caused by the spacecraft;***

Justification

More specific provisions on environmental protection should be included. Including greenhouse gas emissions minimisation and compensation. Light pollution is also an important preoccupation for astronomers, measures should be taken in this regard.

Amendment 71**Proposal for a regulation****Article 17 – paragraph 2 – point h a (new)***Text proposed by the Commission**Amendment*

(ha) to ensure space sustainability by requiring contractors to implement a comprehensive debris mitigation plan, which includes an assessment of risks and preventive actions related to the generation of debris during launch and

release phase, the prevention of on-orbit break-ups, on-orbit collisions, and the adequate removal of satellites that have reached the end of their mission operations, and providing data to the entities in charge of producing SST information and SST services as referred to in Article 55 of Regulation (EU) 2021/696;

Or. en

Justification

This Union's Programme should be exemplary regarding Space Traffic Management and the limitation of the amount of débris.

Amendment 72

Proposal for a regulation

Article 21 – paragraph 1 – point e

Text proposed by the Commission

(e) service continuity and necessary infrastructure continuity, including protection from relevant threats;

Amendment

(e) service continuity and necessary infrastructure continuity, including **security monitoring and management**, and protection from relevant threats;

Or. en

Amendment 73

Proposal for a regulation

Article 23 – paragraph 6

Text proposed by the Commission

6. Where appropriate, the Commission shall ensure the coherence of activities performed in the context of the Programme with activities carried out in the space domain at Union, national or international level. It shall encourage cooperation between the Member States

Amendment

6. Where appropriate, the Commission shall ensure the coherence of activities performed in the context of the Programme with activities carried out in the space domain at Union, national or international level. It shall encourage cooperation between the Member States

and, where relevant to the Programme, facilitate convergence of their technological capacities and developments in the space domain.

and, where relevant to the Programme, facilitate convergence **and interoperability** of their technological capacities and developments in the space domain.

Or. en

Justification

Technological interoperability is key in order to ensure efficiency across the space policy of the Union and of Member States.

Amendment 74

**Proposal for a regulation
Article 24 – paragraph 2 – introductory part**

Text proposed by the Commission

2. The Commission **may** entrust, by means of one or more contribution agreements, the following tasks to the Agency:

Amendment

2. The Commission **shall** entrust, by means of one or more contribution agreements, the following tasks to the Agency:

Or. en

Amendment 75

**Proposal for a regulation
Article 24 – paragraph 4**

Text proposed by the Commission

4. Where activities are entrusted to the Agency, appropriate financial, human and administrative resources shall be ensured for their implementation. For this purpose, the Commission may allocate part of the budget for the activities entrusted to the Agency for the funding of human resources necessary for their implementation.

Amendment

4. Where activities are entrusted to the Agency, appropriate financial, human and administrative resources shall be ensured for their implementation. For this purpose, the Commission may allocate part of the budget for the activities entrusted to the Agency for the funding of human resources necessary for their implementation. ***The Agency's resources shall be re-evaluated on an ongoing basis to enable it to meet its needs and missions.***

Justification

As the full scale and extent of the infrastructure is not known yet, the Agency's resources should be adapted accordingly when it is the case.

Amendment 76**Proposal for a regulation****Article 25 – paragraph 1 – point a***Text proposed by the Commission*

(a) the supervision of the development **and** validation activities referred to in Article 4(1), point (a), undertaken within the framework of contracts referred to in Article 15, ensuring coordination between the tasks and budget entrusted to ESA under the present article and possible ESA's own resources made available to the Programme or the contractor referred to in Article 15(2) according to terms and conditions to be agreed in the contribution agreements referred to in Article 23(4);

Amendment

(a) the supervision of the development, validation **and the related deployment** activities referred to in Article 4(1), point (a), **and of the development and evolution referred to in point Article 4(1), point (e)**, undertaken within the framework of contracts referred to in Article 15, ensuring coordination between the tasks and budget entrusted to ESA under the present article and possible ESA's own resources made available to the Programme or the contractor referred to in Article 15(2) according to terms and conditions to be agreed in the contribution agreements referred to in Article 23(4);

Justification

ESA should be able to help on the deployment activities, but also on the future evolution of the infrastructure.

Amendment 77**Proposal for a regulation****Article 33 – paragraph 2***Text proposed by the Commission*

2. The timetable for the work of the Security Accreditation Board shall not

Amendment

2. The timetable for the work of the Security Accreditation Board shall not

hamper the timetable of activities provided in the work programme referred to in Article 37(1).

hamper the timetable of activities provided in the work programme referred to in Article 38(1).

Or. en

Justification

Correction of a reference error in the original text.

Amendment 78

Proposal for a regulation

Article 39 – paragraph 2 – subparagraph 1 – introductory part

Text proposed by the Commission

By [DATE 3 YEARS AFTER THE ENTRY INTO FORCE], and every **four** years thereafter, the Commission shall evaluate the implementation of the Programme. It shall assess:

Amendment

By [DATE 3 YEARS AFTER THE ENTRY INTO FORCE], and every **three** years thereafter, the Commission shall evaluate the implementation of the Programme. It shall assess:

Or. en

Justification

Every four years is too long for the renewal of the evaluation.

Amendment 79

Proposal for a regulation

Article 39 – paragraph 2 – subparagraph 1 – point a

Text proposed by the Commission

(a) the performance of the services provided under the Programme;

Amendment

(a) the performance of the **secure connectivity infrastructure and** services provided under the Programme, **including connection speed, low latency, availability, reliability, autonomy, worldwide access;**

Or. en

Justification

The evaluation should be more detailed, in order to have a good analysis of the Programme's results.

Amendment 80

Proposal for a regulation

Article 39 – paragraph 2 – subparagraph 1 – point a (new)

Text proposed by the Commission

Amendment

(aa) the governance and implementation models, and their efficiency;

Or. en

Justification

The evaluation should be more detailed, in order to have a good analysis of the Programme's results.

Amendment 81

Proposal for a regulation

Article 39 – paragraph 2 – subparagraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the evolution of available capacities and the development of new technologies;

Or. en

Justification

The evaluation should be more detailed, in order to have a good analysis of the Programme's results.

Amendment 82

Proposal for a regulation Article 46 – paragraph 1

Text proposed by the Commission

If necessary, appropriations **may** be entered in the Union budget beyond 2027 to cover the expenses necessary to fulfil the objectives provided for in Article 3, to enable the management of actions not completed by the end of the Programme, as well as expenses covering critical operational activities and services provision.

Amendment

If necessary, appropriations **shall** be entered in the Union budget beyond 2027 to cover the expenses necessary to fulfil the objectives provided for in Article 3, to enable the management of actions not completed by the end of the Programme, as well as expenses covering critical operational activities and services provision.

Or. en

Justification

It is important to send a signal that the necessary resources will be available after 2027.

Amendment 83

Proposal for a regulation Annex I – paragraph 1 – specific objective 1– introductory part

Text proposed by the Commission

Specific objective 1: Improve the resilience of the ***Union communication services by developing, building and operating a multi-orbital connectivity infrastructure, continuously adapted to evolution of demand for satellite communications, while taking into account the existing and future assets of the Member States used in the frame of the GOVSATCOM component of the Union Space Programme established by Regulation (EU) 2021/696.***

Amendment

Specific objective 1: Improve the ***quality***, resilience ***and autonomy*** of the ***Union's and Member States satellite services***

Or. en

Amendment 84

Proposal for a regulation

Annex I – paragraph 1 – specific objective 1 – indicator 1

Text proposed by the Commission

Amendment

Indicator 1: Member States governments and EU institutions can access initial set of governmental services in **2025**, with full capacity in 2027

Indicator 1: Member States governments and EU institutions can access initial set of governmental services in **2024**, with full capacity in 2027

Or. en

Amendment 85

Proposal for a regulation

Annex I – paragraph 1 – specific objective 1 – indicator 2

Text proposed by the Commission

Amendment

Indicator 2: Service availability

Indicator 2: Service availability **and worldwide coverage**

Or. en

Amendment 86

Proposal for a regulation

Annex I – paragraph 1 – specific objective 2 – introductory part

Text proposed by the Commission

Amendment

Specific objective 2: **Contribute to** cyber resilience by proactive and reactive defence against cyber and electromagnetic threats and operational cybersecurity, **and integrate the space and related ground segment of the European Quantum Communication Infrastructure to enable secure transmission of cryptographic keys**

Specific objective 2: **Increase the** cyber resilience **of the Union**, by proactive and reactive defence against cyber and electromagnetic threats and operational cybersecurity

Or. en

Amendment 87

Proposal for a regulation

Annex I – paragraph 1 – specific objective 2 a (new)

Text proposed by the Commission

Amendment

Specific objective 2a: Develop and integrate the EuroQCI

Or. en

Amendment 88

Proposal for a regulation

Annex I – paragraph 1 – specific objective 2 a (new) – indicator 1 (new)

Text proposed by the Commission

Amendment

Indicator 1: Number of Member States connected to the terrestrial network of the EuroQCI

Or. en

Amendment 89

Proposal for a regulation

Annex I – paragraph 1 – specific objective 2 a (new) – indicator 2 (new)

Text proposed by the Commission

Amendment

Indicator 2: Quantum key distribution satellites needed for the functioning of the EuroQCI are in orbit and functional

Or. en

Amendment 90

Proposal for a regulation

Annex I – paragraph 1 – specific objective 3 – introductory part

Text proposed by the Commission

Amendment

Specific objective 3: **Improve and expand the** capabilities and services of **other** components of the Union Space Programme

Specific objective 3: **Enable, as appropriate, the development of additional communication and non-communication services, including the improvement and expansion of** capabilities and services of components of the Union Space Programme, **as well as services that are not components of the Union Space Programme, by hosting additional satellite subsystems, including payloads**

Or. en

Amendment 91

Proposal for a regulation

Annex I – paragraph 1 – specific objective 3 – indicator 1

Text proposed by the Commission

Amendment

Indicator 1: Number of payloads **servicing other components of** the Union Space Programme

Indicator 1: Number of payloads **improving** the Union Space **Situational Awareness capacities**

Or. en

Amendment 92

Proposal for a regulation

Annex I – paragraph 1 – specific objective 3 – indicator 1 a (new)

Text proposed by the Commission

Amendment

Indicator 1a: Number of payloads improving the European Global Navigation Satellite System capabilities

Or. en

Amendment 93

Proposal for a regulation

Annex I – paragraph 1 – specific objective 3 – indicator 1 b (new)

Text proposed by the Commission

Amendment

***Indicator 1b: Number of payloads
improving the Copernicus capabilities***

Or. en

Amendment 94

Proposal for a regulation

Annex I – paragraph 1 – specific objective 4 – introductory part

Text proposed by the Commission

Amendment

Specific objective 4: Incentivise the development of innovative and disruptive technologies, ***in particular by leveraging the New Space industry.***

Specific objective 4: Incentivise the development ***and use*** of innovative and disruptive technologies ***and new business models***

Or. en

Amendment 95

Proposal for a regulation

Annex I – paragraph 1 – specific objective 4 – indicator 1

Text proposed by the Commission

Amendment

Indicator 1: Number of ***start-up***, SME and midcap companies ***participating in the development*** of the infrastructure

Indicator 1: Number of ***start-ups***, SMEs and midcap companies ***providing services on the basis*** of the infrastructure

Or. en

Amendment 96

Proposal for a regulation

Annex I – paragraph 1 – specific objective 5 – introductory part

Text proposed by the Commission

Specific objective 5: Allow further development of high-speed broadband and seamless connectivity throughout the Union, **removing** communication dead zones **and increasing** cohesion across **Member State territories, and allow connectivity** over geographical areas of strategic interest outside of the Union.

Amendment

Specific objective 5: Allow further development of high-speed broadband and seamless connectivity throughout the Union **and thereby remove** communication dead zones, **facilitate affordable access and increase** cohesion across **the Union**, over geographical areas of strategic interest outside of the Union.

Or. en

Amendment 97

Proposal for a regulation

Annex I – paragraph 1 – specific objective 5 – indicator 1

Text proposed by the Commission

Indicator 1: Speed of the commercial satellite broadband

Amendment

Indicator 1: Speed **and latency** of the commercial satellite broadband

Or. en

Amendment 98

Proposal for a regulation

Annex I – paragraph 1 – specific objective 5 – indicator 2

Text proposed by the Commission

Indicator 2: Number of new commercial satellite communication **potential** users in EU rural areas **and in** geographical areas of strategic interest

Amendment

Indicator 2: Number of new commercial satellite communication users in EU rural areas, **outermost regions, overseas countries and territories, and** geographical areas of strategic interest **outside the Union**

Or. en

Amendment 99

Proposal for a regulation

Annex I – paragraph 1 – specific objective 5 – indicator 2 a (new)

Text proposed by the Commission

Amendment

***Indicator 2a: Number of countries where
the commercial broadband is available
worldwide***

Or. en

EXPLANATORY STATEMENT

Le 16 février 2022, la Commission européenne a présenté une nouvelle initiative "établissant le programme de connectivité sécurisée de l'Union pour la période 2023-2027 ". Cette proposition vise à répondre aux besoins croissants des États membres, des citoyens et des entreprises de l'UE, en matière de services spatiaux autonomes, fiables, sécurisés et à faible latence.

Le rapporteur souscrit pleinement à la vision du programme, devenu encore plus impératif depuis l'invasion de l'Ukraine par la Russie, qui a souligné en particulier l'importance des communications par satellite lorsque les infrastructures terrestres sont endommagées ou indisponibles. Plus généralement, l'évolution rapide des besoins et les incertitudes géopolitiques ne permettent pas de prévoir précisément où l'UE aura besoin de nouvelles capacités satellitaires à l'avenir. L'arrivée d'une nouvelle constellation européenne, en particulier en orbite terrestre basse (LEO), est donc essentielle, car elle permettra la fourniture de services à l'échelle mondiale, à faible latence et sera adaptable en fonction des besoins.

Ce nouveau programme devrait s'intégrer pleinement dans la politique spatiale de l'Union et permettre des synergies avec d'autres parties du programme spatial de l'Union, d'autres politiques pertinentes de l'Union et des États membres. Cette infrastructure renforcera fortement l'autonomie stratégique de l'Union, en fournissant des services essentiels qui ne dépendront pas de pays tiers. En particulier, le Rapporteur souligne l'importance d'une capacité propre de l'Union à accéder à l'espace, afin d'assurer une maîtrise entière de l'infrastructure.

Néanmoins, des améliorations sont nécessaires afin de faire de ce Programme européen un succès total. Ce projet de rapport a été construit autour de quatre priorités :

Un règlement plus clair

Certaines parties du texte n'étaient pas toujours évidentes à comprendre. C'est pourquoi le rapporteur propose des clarifications et de déplacer des éléments à travers le texte, afin d'améliorer la compréhension du texte. Par exemple sur l'intégration du composant GOVSATCOM du programme spatial, sur les objectifs du Programme, ou sur la politique de

tarification des services gouvernementaux. Par ailleurs, le Rapport souligne qu'au-delà des services de télécommunications, cette nouvelle infrastructure doit pouvoir offrir d'autres services, notamment en complétant les autres composantes du Programme Spatial de l'Union. Enfin, les différents types de services gouvernementaux sont mieux précisés.

Un programme utile pour l'ensemble de l'Union Européenne

Ce programme devrait avoir un impact positif dans toute l'Union. Ici, le rapport préfère éviter d'utiliser le terme de " nouvel espace " et se concentrer sur les objectifs sous-jacents : avoir un secteur spatial innovant et compétitif dans toute l'Union, accessible à tous les acteurs. Il est important que des start-ups et PME puissent bénéficier de cette infrastructure, à la fois en amont, mais également dans la fourniture de services grâce à l'infrastructure.

Une contribution à des services de communications abordables, et une infrastructure modèle d'un point de vue environnemental

En ce qui concerne la partie commerciale du programme, l'objectif consistant à supprimer les zones de communications mortes est de première importance. Pour atteindre cet objectif, nous devons également veiller à ce que, le cas échéant, conformément à la directive 2018/1972 (code européen des communications électroniques), les services commerciaux par satellite contribuent à la fourniture d'un service universel abordable.

En outre, le programme devrait améliorer ses mesures concernant la durabilité de l'infrastructure, les émissions de gaz à effet de serre, ou la pollution lumineuse. Le Rapport détaille également des mesures pour avoir une constellation responsable d'un point de vue du Space Traffic Management.

Une mise en œuvre rapide et certaine du programme

Compte tenu des nouvelles menaces et de la rareté des fréquences, il est important que l'infrastructure soit lancée le plus rapidement possible. C'est pourquoi le rapport cherche à s'assurer que le financement est garanti, en particulier celui de l'Union et des États membres, car ces financements donneront confiance aux acteurs privés pour investir dans le projet. En outre, des garanties doivent être fournies en cas de défaillance du contractant. Ces deux éléments apporteront plus de confiance dans le programme et assureront sa bonne mise en œuvre.

Enfin, l'Agence de l'Union européenne pour le programme spatial doit disposer de toutes les ressources nécessaires pour remplir ses missions dans le cadre du programme, et l'Agence Spatiale Européenne verra son rôle élargi, notamment pour le déploiement de l'infrastructure et les évolutions futures de celle-ci.