



Council of the
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NOTE

From:	Presidency
To:	Delegations
Subject:	Draft Council conclusions on ‘an EU approach on space traffic management’

Delegations will find attached a first Presidency draft of Council conclusions on ‘an EU approach on space traffic management’ with a view to the Space Working Party meeting of 15 March 2022.

THE COUNCIL OF THE EUROPEAN UNION

RECALLING

- A. the Communication from the Commission of 22 January 2021¹ on an ‘Action Plan on synergies between civil, defence and space industries’, announcing the development of an ‘EU strategy for Space Traffic Management (STM)’ as a new flagship project;
- B. the Council conclusions of 26 November 2021 on ‘Space for everyone’², recognising the importance of the Space Situational Awareness (SSA) component, including Space Surveillance and Tracking (SST), in protecting the existing space infrastructure, and stressing the need to continue the discussion on and take actions for the development of Space Traffic Management at political, legal and technical levels;
- C. the Council conclusions of 28 May 2021 on ‘New Space for People’³, underlining the importance of developing an STM approach for Europe in the future and guiding global standards, and acknowledging the opportunities brought by operational services in the area of SSA, in supporting safe, secure and sustainable space activities and protecting European space infrastructure;
- D. the Council conclusions of 11 November 2020 on ‘Orientations on the European contribution in establishing key principles for the global space economy’⁴, stressing the need for a more coordinated approach to STM at European level (including technical and operational), in order to preserve its interests, to protect its private and public investments in space in a sustainable manner, and welcoming the fact that the European Union is exploring the possibility of declaring acceptance of the rights and obligations under the relevant United Nations Treaties and Conventions on Outer Space;

¹ COM (2020)70 of 22 February 2021.

² 14307/21.

³ 8956/21.

⁴ 12851/20.

1. WELCOMES the Joint Communication of the Commission and the High Representative (HR) of the Union for Foreign Affairs and Security Policy on ‘An EU Approach for Space Traffic Management – An EU contribution addressing a global challenge’; WELCOMES the definition of STM proposed in that Communication, recalling that STM is primarily a safety and sustainability issue; and PROPOSES using that definition as a basis for the upcoming discussions on STM at EU and international level;
2. RECOGNISES that STM entails strategic, competitiveness and innovation challenges that can be better tackled through concerted actions and an enhanced dialogue between Member States with a view to sharing capacities, information and best practices;
3. UNDERLINES that access to space and SSA are essential pillars of the EU’s autonomy and that enhancing operational capabilities in those fields through a common effort will provide a strong basis for preserving the global rank of the EU among space powers;
4. WELCOMES the mechanism for consulting all relevant EU stakeholders in order to aggregate, by early 2023, the requirements for an EU STM approach; and NOTES the need to take into account the implications of STM in the security and defence field;

I. Reinforcing our capabilities

5. HIGHLIGHTS the importance of the EU having its own infrastructure in order to retain its autonomy in monitoring risks in, from and towards space, notably those stemming from potential collisions, so as to protect its space assets as well as those of its Member States and of EU companies and to maintain, in the long term, access to and use of space in a safe and sustainable manner;
6. UNDERLINES that the EU and its Member States, through national developments and together with the EU SST consortium and the SST industry, have already developed world-class operational space surveillance and tracking capabilities providing operational services upon which an EU approach to STM should be built;

7. RECALLS that the EU SST consortium already provides collision avoidance services to more than 270 institutional, commercial and military satellites distributed in Low Earth Orbit, Medium Earth Orbit and Geostationary Orbit and that it recently provided valuable information on the fragmentation resulting from the intentional destruction of an inactive satellite and thus is already contributing to the strategic autonomy of the EU and to the protection of the EU's space assets;
8. SUPPORTS the further development of SST capabilities and services in order to achieve a higher level of strategic autonomy;
9. RECOMMENDS, to that end, to focus the work of the future EU SST partnership on:
 - a. enhancing and optimising the network of sensors;
 - b. accelerating SST data sharing, including commercial data, through the European operational database;
 - c. building and maintaining an autonomous EU catalogue of space objects;
10. ENCOURAGES current and future members of the EU SST consortium to form a new partnership in SST; and SUPPORTS the new SST partnership, in which each member is to have tailored roles and responsibilities based on added value analysis and the avoidance of unnecessary duplication of effort, and the inclusion of additional Member States' capabilities that could improve the services provided while keeping governance efficient and agile;
11. ENCOURAGES the Commission, in close cooperation with the Member States, to create the conditions for a sustainable, thriving, innovative and competitive European industry and start-up ecosystem, in support of the activities of the future EU SST partnership; to that end, WELCOMES the establishment of the European Industry and Start-up Forum (EISF) to ensure technological and innovation cross-fertilisation and solutions with a view to fostering European competitiveness and consolidating an ecosystem in the SSA/STM domain; and ENCOURAGES the Commission together with EISF to conduct a thorough market assessment of value-added services related to STM as part of that framework;

12. RECOGNISES the need to ensure complementarity between public and commercial services;
13. ENCOURAGES the future EU SST partnership to increase the procurement of data and operational services; and WELCOMES the work of the Commission to initiate specific actions in the framework of CASSINI to ensure European start-ups are sufficiently capitalised to be able to reap their full innovation potential and compete with non-EU fast-growing actors;
14. WELCOMES cooperation of the European Space Agency (ESA) and its support to EU decisions on STM policy through complementary activities in space weather, space debris mitigation, space debris remediation, end-of-life management and eco-design, while avoiding duplication with the Union's activities;

II. Reinforcing coordination on regulation and standardisation

15. ACKNOWLEDGES the role that the Commission could play in coordinating Member States' national efforts to address STM regulation and standardisation, in order to foster the convergence of national positions on an EU approach to STM;
16. WELCOMES the proposal to establish an EU forum to ensure effective information and coordination on the development of international standards and guidelines; STRESSES that this forum needs to include relevant experts from the Member States and industry; and ENCOURAGES the development of national expertise across Member States;
17. RECALLS the need for global reciprocity in the development of a set of obligations to avoid affecting the competitiveness of the European industry and European start-ups; RECOMMENDS ensuring a coherent approach based on a well-functioning internal market, while fully taking into account the risks and benefits of developing EU STM legislation on the competitiveness of the European industry;
18. RECOMMENDS taking stock of, and using as a basis for the development of standards and good practices, the 21 voluntary Long-term Sustainability (LTS) Guidelines for the Long-term Sustainability of Outer Space Activities adopted by the United Nations Committee on the Peaceful Use of Outer Space (UN COPUOS), as well as existing national legislation and good practices; RECOMMENDS focusing first on a limited set of guidelines and recommendations to be implemented at national level and to be reinforced step by step, if appropriate;

19. WELCOMES the identification of possible measures to incentivise the implementation of STM standards and guidelines; and WELCOMES the proposal of a toolbox which can help identify a possible common set of measures to be implemented by Member States, e.g. a minimum set of requirements for mutual recognition of national certification mechanisms;
20. RECOMMENDS focusing, as a priority, on two objectives: first, limiting as much as possible the production of new debris during the full life cycle of a space system; and second, guaranteeing that operators are well informed of the risk of collisions in orbit and coordinating the decision to manoeuvre in order to avoid such collisions;

III. Reinforcing the EU's voice on the international scene

21. RECOMMENDS promoting global burden sharing in SSA as well as cooperation, coordination and communication on data sharing and service provision in relation to STM with key partners and third countries, including through the development of a network of regional capacities;
22. CALLS ON the Member States to accelerate the implementation of the 21 UN LTS Guidelines and to share, on a voluntary basis, their experiences in this area; and ENCOURAGES Member States to exchange views about the negotiation going on in the LTS Working Group in Vienna;
23. NOTES the preliminary consensus needed in order to collectively promote a unified EU position internationally, taking due account of Member States' and the EU industry's interests; RECOMMENDS developing common lines to be taken by the HR to strengthen the EU's voice in international negotiations on STM, without prejudice to the competencies of the Member States;
24. ENCOURAGES the EU to declare the acceptance of the rights and obligations under the relevant United Nations Treaties and Conventions on Outer Space, in particular the Rescue Agreement, the Liability Convention and the Registration Convention; and ENCOURAGES the Commission to develop the measures needed in order to implement the obligations enshrined in these Conventions, in particular the registration of the Galileo satellites.