

The Role of the 2019-2024 European Parliament in the European Space sector

1. The powers of the European Parliament...

The elections of the ninth legislature (2019-2024) of the European Parliament (EP) on 23rd-26th of May 2019 occurred in a general context of rapid evolution in regards of the global space institutional landscape, which leads to the need to reflect on the perimeter of competences of this institution in regards of space affairs.

The EP is the only directly elected body within the European Union system having legislative and budgetary powers (shared with the Council). Its role includes oversight on the European Commission (EC)'s activities to shape a European space policy. Thanks to these broad attributions, the EP gives the EU space policy-making process a democratic footprint.

The importance of the EP in the space sector has further been underlined with the adoption of the Lisbon Treaty, as the TFEU, art. 189(2) specifically gives the EP (along with the Council) powers on the establishment of the European space programme. The EP is therefore, on top of its balancing role towards the executive character of the EC, capable at the same time of determining the legal framework of the European space programme. These competences were exercised in the elaboration of the legislative resolution on the proposal for a regulation of the Space programme of the Union, which foresees the setting up of the European Union Agency for the Space Programme (adopted on 17th of April 2019 - 560 in favour, 63 against and 32 abstentions).

The next EP will thus inherit a stepping stone legislation on European space policy. However, space affairs were not at the heart of the electoral debates, for two main reasons: First because the resolution on an overarching reorganisation of the sector was secured by the outgoing EP - and second, because no political platform at national level pressed on these specific matters.

2. ...and its active implications on the European space sector.

The Committee on Industry, Research and Energy (ITRE) is the main responsible committee on space-related issues. The 2014-2019 EP marked the European space sector by visibly exercising its counterbalancing budgetary and legislative powers (in regards of the EC and the Council) – through a vote on institutional reorganization.

Regarding budget, the EP actively contributed to the elaboration of the Multi-annual Financial Framework (MFF) 2021-2027. Following a proposition from the EC which set the total budget of the EU space programme at €16 billion until 2027, the EP sent back a counter-proposal which included an additional €900 million. It should be noted that this counter-proposal specifically addressed sensitive space programmes (SSA and GOVSATCOM), which further highlights the interest and strategic role of the EP in space-related matters.

The EP did debate and vote on the effective expansion of the GNSS Agency (GSA) into the newly created EU Agency for the Space Programme. Beyond the “renaming” of GSA, the EP further proposed a Steering Committee to oversee this new EU institutional space actor, through a better interlinkage and coordination of the major actors involved. Finally, the EP formulated a proposal to increase the competencies of the agency, by adding the right to sign partnership agreements with national space agencies. The creation of this new EU Agency marks a milestone in the European space landscape: it establishes the EU as a full-fledged space actor and reorganizes in part the European decision-making process on space through the active inclusion of the EP. As a consequence, it entrenches the role of the EP in the implementation of the EU space competences enshrined in the TFEU.

3. The EU space policy landscape: an “institutionalized consensus”?

The EU space institutional landscape seems to be underpinned by an “institutionalized consensus” through which EU institutions (EC, EP, and Council) converge on the same visions and intents regarding space policy, based on historical institutional practices. It is this “institutionalized consensus” that sets the perimeter of the EP’s role in shaping European space policy on a practical standpoint.

This “consensus” comes primarily into play at the budgetary level: although the new EP will be faced with the unprecedented task of approving a MFF discussed by a previous legislature, the risk of seeing a change in the “EU space budget” emanating from the new EP seems very unlikely due to the timeline of the legislative process established between the EC, the EP and the Council. The specific nature of the space sector – transverse and enabling to other sectors - also contributes to this consensus. The space sector, despite benefitting from a Europe-wide common vision and ambition, can be affected by the potential contentions arising in other vertical sectors that see space as a potential competitor for access to public funding. On the other hand, this potential offset can be compensated by the sectors enabled by space, which might be subject to political cooperation: it is notably the case for the digital economy, where space is considered, according to the 17th of May regulation, “indispensable in the daily lives of Europeans”.

Finally, the “institutionalized consensus” is further accentuated by the alignment of the EC on the “political colouration” of the EP, through the *Spitzenkandidat* designation process.

4. What awaits the 2019-2024 European Parliament?

One of the core questions in which the EP will be involved regards EU/third-party partnerships. This point addresses three fundamental aspects regarding the future of the European space sector:

- First, one specific issue which still seems unresolved at the moment is the clarification of the legal framework that will articulate the future relationship between the newly created EU Agency for the Space Programme and ESA. The latter stands as the most qualified European institutional body with regards to technology development, major programmes management, international cooperation as well as industrial policy which remains a critical concern for the space sector at European level. ESA is *de facto* a privileged partner of the EU and the cooperation between the two institutions seems to be currently on its “historical track”. An EU-ESA Joint Council took place shortly after the elections (28th of May) in Brussels, and the ESA Council at Ministerial Level (SPACE19+) next November will involve the EC,
- Second is the future development of the overarching regulations of the EU, applicable to all industrial sectors. Obviously, no “exceptional regime” will ever be envisaged for space. However, it is clear that a few specificities will probably need to be further considered given the unique involvement of the EU as a first rank operational player, as well as to better cope with the reality of the commercial markets, where open competition is largely biased by massive governmental investments in the rest of the world,
- Third, and more fundamentally, is the definition of the role that Europe intends to play in Space matters on the international scene. This encompasses the way Europe as a whole will contribute in a coordinated manner to the foreseeable international negotiations related to the further development of the regulations applicable to space activities worldwide. It also has a lot to do with the will and capacity for Europe to weigh internationally as a full-fledged “space power”, which entails a number of highly controversial security-related concerns.

On these difficult issues, the views of Member States are currently far from being aligned. The new European Parliament once doted with appropriate deliberating committees will obviously have a key role to play and might contribute to the building up of the required “institutionalized consensus”.

Available for download from the ESPI website:

www.espi.or.at

Short title: “ESPI Briefs” No. 32

Published in: June 2019

Editor and publisher:

European Space Policy Institute, ESPI

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