
ESA PUSHBACK AGAINST NEW EU SPACE AGENCY PLAN

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The European Space Agency (ESA) has opposed the proposed new name for an EU satellite agency - because it is too similar to ESA's own.

Last year, the European Commission proposed to rebrand the European Global Navigation Satellite Systems Agency to the European Union Agency for the Space Programme.

In a document released at the request of EUobserver, the independent ESA urged the commission to change the name.

There is no proposed acronym yet for the new EU agency.

"'European Space Agency' is a worldwide recognised brand also legally protected as the name of an international organisation legally equivalent to that of a state," the document said.

"It is also filed and protected as an EU trademark in all classes of products and services related to space activities," it went on.

"In order to avoid confusion, the name of the EU agency should be better distinguished from ESA as to reflect their specific mandates," the document said.

ESA is not only concerned about the name of the Prague-based EU agency, but also about its proposed new powers.

The document, dated 22 July 2018, is a 50-page paper signed off by the ESA director-general, asking for "certain amendments" of an EU bill published by the commission the month before.

It asks for changes in more than 50 paragraphs of the proposed legal text.

A general trend is that the proposed changes aim to acknowledge or strengthen the role of ESA, which is an intergovernmental organisation not part of the European Union.

Most of the EU's member states are also ESA members, but ESA also has non-EU countries Norway and Switzerland as members - as well as the United Kingdom, which is leaving the EU, but not ESA.

The released document is clearly part of an ESA effort to assert its authority vis-a-vis the EU.

Space activities have traditionally been an area where national governments had full authority, sometimes acting through the intergovernmental ESA. But the supranational EU has become increasingly active in space since the 2009 entry into force of the Lisbon treaty.

The EU has been particularly active in several satellite programmes, like Galileo, which are overseen by the Prague-based European Global Navigation Satellite Systems Agency (GSA).

The commission's plan to rename GSA to the ESA-sounding name was part of its 2018 proposal for an own EU space programme, which at the moment is still under negotiation with other EU institutions.

The plan has some worried that the EU will duplicate what ESA is already doing.

Through the amendments sent to the commission, the ESA is trying to claw back some influence as well as recognition of what it is already doing and has contributed financially.

Basically, ESA wants to be more involved in the EU programme than the commission proposed.

One example is the area of governmental satellites communication, or Govsatcom, a field which includes the use of satellites for, for example, law enforcement.

The EU has proposed that the Prague-based GSA take on Govsatcom activities. One ESA amendment gives ESA an observer role.

Another relevant area of space activities is space surveillance and tracking (SST), which can prevent collisions by navigating space debris.

The commission's proposed bill would exclude third countries and international organisations from SST activities, including the ESA. The international organisation proposed to scrap the exclusion.

No penalties?

The ESA also proposed a higher budget of the EU space programme, suggesting that the overall budget of €16bn should be increased by €3.5bn.

The ESA said that the Copernicus earth observation programme needed a budget of [] instead of []. It also said that [] to cover both Govsatcom and SST was not enough: Govsatcom should be funded with €1.5bn, with SST to receive €0.5bn.

The space agency also protested against a paragraph that stipulated the ESA could be punished if it overran on planned costs or schedule.

"In space programmes, schedule or budget discrepancies occur in case of unpredictable events (e.g. a failed launch) which must be accepted. A penalty scheme is inappropriate," the ESA document said.

Trilogue to consider?

Formally, the ESA has no say in EU legislation.

However, its suggestions could become part of the three-way negotiations between the commission, the European Parliament, and the Council of the EU (representing EU member governments).

The first such trilogue was held on 14 January, and a second one is tentatively scheduled for later this month.

Last October, British centre-left MEP Clare Moody, involved in EU parliament talks on the bill, told EUobserver the similarities between the names were "a concern".

"The European Space Agency has been doing a magnificent jobs for years," she said.

"We shouldn't be trying to override that or step into the way of that. There needs to be clarity about the different roles of the different bodies."

However, she did not have a better name suggestion, and in the end, the parliament stuck with the commission-proposed name, the European Union Agency for the Space Programme. So did the council, in its negotiating mandate

FoI delay

The EU commission's secretariat-general released the ESA document on Monday (11 February), after an access to documents request by this website, filed in September 2018.

Initially, the commission's directorate-general for Internal Market, Industry, Entrepreneurship and SMEs had claimed the document did not exist.

"We regret to inform you that the commission does not hold any documents that would correspond to the description given in your application," director-general Lowri Evans said in a letter dated 19 December 2018.

EUobserver asked the secretariat-general for a review of the position, following which the paper was released. The secretariat-general gave no explanation why the paper was initially withheld.

Kaynak/Source: