Meeting at ESA’s Headquarters in Paris on 27 May, the Ministers responsible for space matters in the Agency’s fifteen Member States and Canada agreed on a series of measures to put Europe’s Ariane-5 launcher programme back on track and set up the development of future launchers within a reorganised launcher sector, to free funds for the International Space Station, and to strengthen relations between ESA and the European Union.

This ESA Council Meeting at Ministerial Level was a follow-on from the gathering of Ministers that took place in Edinburgh (UK) in November 2001, where they had taken a number of important decisions on current programmes and new initiatives, with the overarching ambition of putting space at the service of European citizens. The Edinburgh decisions having been implemented, new decisions were now required to help ensure that Europe remains at the forefront in space, especially in the field of launch systems, and that space is fully recognised as a key to efficient implementation of major European policies in such areas as transport, environment, science, and security in the broadest sense.

The decisions taken in Paris are critical to safeguarding Europe’s guaranteed access to space. The Ministers have helped ESA restore the competitiveness of Europe’s launcher system, restructure its launcher sector and prepare the future generation of launchers. In addition, they agreed to unblock funds for exploitation of the International Space Station and reaffirmed their commitment to closer cooperation with the European Union.

In particular, the Ministers decided to support Europe’s commercial launch operator, Arianespace, in the resumption of production of the ‘generic version’ of Ariane-5 in order to guarantee continuity of launcher operations. At the same time they decided to support the qualification of the new and more powerful version (ECA, for a 10t lift-off capacity) by means of two flights in 2004 and to reduce production costs further. In order to sustain Europe’s guaranteed access to space, the Ministers also agreed on a specific programme over
the period 2005-2009 aimed at intensifying the institutional use of Ariane-5.

In addition to this first set of measures to resolve present difficulties in the launcher sector, which is undergoing a severe worldwide crisis, structural measures have been agreed to secure the robustness of the overall European launcher sector, demonstrating the political will to strengthen the sector. Firstly, the Ministers supported the need to reorganise the launcher sector so as to establish a strong link between production and development. They also decided to prepare for development of the next generation of launchers, thereby improving Europe’s competitiveness in the field, and to build up international cooperation. This cooperation, initially with Russia, includes operation of the Russian Soyuz launcher by Arianespace from the Guiana Space Centre, Europe’s spaceport in Kourou, French Guiana, from 2006 onwards.

Another subject dealt with by the Ministers was Europe’s exploitation of the International Space Station. At the previous Ministerial Council in Edinburgh, part of the funding necessary for European exploitation of the Space Station had been blocked pending confirmation that the American partner would honour commitments it had given previously, showing that Europe was indeed willing to cooperate, but not at any price. The Ministers agreed in Paris to unblock a first part of the ISS Exploitation Programme funds, to cover time-critical activities related mainly related to the availability of ESA’s Automated Transfer Vehicle (ATV) and to the European ISS ground segment. Timely availability of the ATV will help to make up for a reduced Shuttle fleet following the tragic loss of ‘Columbia’.

The Ministers also addressed the relationship between ESA and the European Union, which has become a regular agenda item at the Ministerial Councils. The first Resolution adopted at the Edinburgh meeting in November 2001 had reflected a very positive outcome with respect to this relationship, calling in particular for a framework agreement to formalise cooperation between the two organisations. Since then, this subject has received attention at the highest political level, as seen in the cooperation between the European Commission and ESA on drafting the Green Paper on European Space Policy and also in the possible inclusion of space matters within the revised terms of reference currently under consideration for the European Union.
New steps have therefore been taken towards achieving a closer relationship between ESA and the Union. The Ministers expressed their wish to see it deepened and developed further, and urged the Agency to complete, before the end of 2003, the framework agreement that will form the basis upon which ESA and the EU will work together permanently.

In addition, the Ministers noted that Europe is now in a position to finalise the conditions for participation in the Galileo navigation programme. The agreement reached between ESA Member States on 26 May has cleared the way for the official launch of the Joint Undertaking between ESA and the European Union, the legal entity that will have the task of coordinating their cooperation on Galileo, the European initiative to develop a global satellite navigation system for its citizens.

Regarding ESA’s Science Programme, the Ministers welcomed the Science Programme Committee’s decision on the new mission baseline for Rosetta. The spacecraft will now be launched in February 2004 from Kourou, French Guiana, using an Ariane-5 launcher and will rendezvous with the new target comet, Churyumov-Gerasimenko, in November 2014. The cost of the Rosetta launch delay has created a cash-flow problem for the science programme, which was already operating under tight budgetary restrictions, but this problem will now be resolved by the ESA Council, through the approval of greater financial flexibility at Agency level.

The texts of the four Resolutions that were adopted at the Paris Ministerial Conference are reproduced in the following pages.

Describing the outcome of the Ministerial Council, Mrs Edelgard Bulmahn, the German Minister who chaired the meeting said:

"The decisions reached are among the most important in years. The ESA Member States have provided the Ariane launcher system with the structures it needs to deal effectively with competition in a keenly disputed market. Thanks to the agreement on restructuring, policy-makers and industrialists alike can rely on planning stability over the years ahead. Responsibilities have been clearly established and price stability has been secured".

Antonio Rodotà, ESA’s Director General, also expressed his great satisfaction with the outcome, commenting that:

"This is a great day for Europe in general and its space community in particular. Conscious of the economic, industrial and strategic importance of guaranteed access to space and applications such as satellite navigation, our Member States have given fresh momentum to European space activities, demonstrating Europe’s continued resolve to remain at the forefront".
RESOLUTION ON THE RESTRUCTURING OF THE ARIANE LAUNCHER SECTOR

(adopted on 27 May 2003)

Council, meeting at Ministerial Level,

RECALLING the purpose of the Agency as outlined in Article II of the Convention,

HAVING REGARD to the Resolution on Directions for the Agency’s evolution and Policy: “Space Serving European Citizens” (ESA/C-M/CLIV/Res.1(Final)), adopted by Council meeting at Ministerial Level on 15 November 2001, and in particular Chapter VI thereof on the Evolution of the European Launcher Sector,

HAVING REGARD to the Resolution on the Creation of a Council Working Group on the Long-Term Perspective of the European Launcher Sector (ESA/C/CLIX/Res.1 (Final)),

HAVING REGARD to the Director General’s proposal for the strategy for access to space 2003-2009 (ESA/C-M(2003)10),

HAVING REGARD to the Director General’s proposal for the Ariane-5 Recovery Plan based on requirements (ESA/C-M/R(2003)1),

HAVING REGARD to the Director General’s proposal for the restructuring of the Ariane sector (ESA/C-M(2003)11),

HAVING REGARD to the Resolution on the preparation of an Ariane-5 Recovery Plan (ESA/C/CLXII/Res.2 (Final)), adopted by Council on 27 February 2003,

HAVING REGARD to the Declaration by certain European Governments on the Ariane Launcher Production Phase (the “Production Declaration”), which entered into force on 20 December 2001 and is applicable until the end of 2006,

HAVING REGARD to the Resolution on the renewal of the Ariane Launcher Production Phase, adopted by Council on 11 October 2001 (ESA/C/CLI/I/Res.1 (Final)), by which Council has accepted that the Agency should fulfil the mandate entrusted to it by the Governments party to the Production Declaration,

HAVING REGARD to the Convention on the Ariane Launcher Production Phase concluded between the Agency and Arianespace on 8 February 2002,

HAVING REGARD to the Resolution on the CSG (2002-2006) adopted by Council on 15 November 2001 (ESA/C-M/CLIV/Res. 3 (Final)),

RESOLUTION ON THE RESTRUCTURING OF THE ARIANE LAUNCHER SECTOR

(adopted on 27 May 2003)
TAKING INTO ACCOUNT the Resolution on European Strategy in the launcher sector adopted by Council on 20 June 2000 (ESA/C/CXLVI/Res.2 (Final)), and STRESSING that, in order to develop that strategy, Europe needs to maintain capabilities that support unrestricted use of space, the foremost of which is guaranteed and affordable access to space with launchers developed within the framework of the Agency programmes whose reliability must be improved and supported,

CHAPTER I
ARIOANE 5 : RATIONALE FOR EXCEPTIONAL MEASURES

RECOGNISES that the success of the Ariane launcher on the worldwide commercial market has significantly lightened the financial burden on Governments and industry of guaranteeing access to space, given that the European institutional market is still today far from capable of sustaining such a guarantee, DRAWS ATTENTION to the current situation of this market, its detrimental effects on the economic outlook for the European launcher sector, in particular for Arianespace, and its potential consequences for the sustainability of guaranteed affordable access to space, and CONCLUDES that this situation requires Governments and Industry to take exceptional measures designed to:

(a) sustain such guaranteed access to space with the Ariane-5 launcher;
(b) stabilise the economics of Ariane-5 launcher production; and
(c) improve the competitiveness of the Ariane-5 launcher.

CHAPTER II
IMPROVING THE COMPETITIVENESS OF THE ARIANE-5 LAUNCHER

A. Qualification of the Ariane-5 ECA launcher

1. AGREES to proceed with qualification of the Ariane-5 ECA launcher and DECIDES that the qualification process will comprise:

(a) completion of the development of the Vulcain-2 engine and consolidation of the ESC-A stage;
(b) a dedicated qualification flight of an Ariane-5 ECA, to be carried out in March 2004; and
(c) launch of the ATV-1 by an Ariane-5 ES version to be carried out in September 2004.

2. INVITES the Director General to support within the existing Ariane-5 launcher programmes:

(a) continuation of the Ariane-5 launch service using Ariane-5 Generic versions until Ariane-5 ECA versions are qualified and are ready for commercial exploitation; and
(b) definition of a cost-efficient back-up, the GCA version, in the event that major difficulties hamper the qualification of the Ariane-5 ECA version.
3. WELCOMES the endorsement of this approach by the Ariane-5 Participating States concerned by the qualification of the Ariane ECA version as proposed above, through implementation, within the framework of the relevant programmes, of the following measures:

(a) preservation of the qualification status of the Ariane-5 generic launchers through a contribution to non-recurring costs according to the geographical distribution of industrial activities, within the framework of the Additional Ariane-5 ARTA Programme Declaration (ESA/PB-ARIANE/CLIV/Dec.3, rev.9(Final)), for a maximum amount of 72.5 MEuro at 2003 economic conditions to be borne by that programme within its subscribed financial envelope;

(b) execution of Vulcain-2 development activities within the framework of the Additional Ariane-5 Evolution Programme Declaration (ESA/PB-ARIANE/CLIV/Dec.1, rev.3(Final));

(c) blocking of financial contributions within the framework of the Ariane-5 Plus Programme for an amount of 315 MEuro at 2003 economic conditions, corresponding to activities referred to in document ESA/PB-ARIANE(2003)41 until a further, unanimous decision of the Participating States is taken which might include a resumption of Ariane-5 EC-B activities. Such a decision is currently planned to be taken after the completion of the in-flight demonstration programme, it being understood that if no such decision has been taken at that time, the contribution scale referred on the Ariane-5 Plus Programme Declaration will be adjusted in line with the achieved industrial return. The additional Ariane-5 Plus Programme Declaration will be amended in due time as necessary;

(d) consolidation of the Ariane-5 ESC-A and ECA system activities through a contribution to relevant development costs according to the geographical distribution of industrial activities, within the framework of the Additional Ariane-5 Plus Programme Declaration (ESA/PB-ARIANE/CLXXI/Dec.1, rev.7(Final)) for a maximum amount of 72.5 MEuro at 2003 economic conditions to be borne by that Programme within the non-blocked part of its subscribed financial envelope; and

(e) execution of a new Ariane-5 ECA in-flight demonstration programme with a financial envelope of 228 MEuro at 2003 economic conditions, within the framework of the Additional Ariane-5 Slice-9 Programme Declaration (ESA/C-M(2003)5) to be entered into force on this day, the applicable scale of contributions and schedule of payment being reproduced in Annex 2 hereto.

4. NOTES the exchange of letters between the Agency and CNES on the savings of CNES/CSG expenditure over the period 2003-2004 (ESA/C-M(2003)13), and INVITES the Director General to submit to Council by September 2003 proposals to modify the Resolution on the CSG (2002-2006) (ESA/C-M/CLIV/Res.3(Final)) accordingly.

5. AGREES that the above-mentioned decisions taken by Member States, including in their capacity as Participating States in the Ariane-5 programmes, are tied to the corresponding commitments taken by Industry (ESA/C-M/R(2003)2).

B. Reorganisation of the Ariane Launcher Sector

1. DECIDES that a single launcher system prime contractor shall be responsible for Ariane-5 launch-vehicle design, development and manufacture and shall commit to the Agency on manufacturing objectives consistent with a business plan jointly agreed with Arianespace and to be submitted at the beginning of any new development of the Ariane-5 launcher, and AGREES that this new industrial
organisation shall apply to the manufacture of the Ariane-5 batch PA expected to begin in June 2003, and at a later stage, to new developments expected to start in early 2005.

2. RECALLS that Arianespace has, through the Convention concluded with the Agency referred to in the preamble, been entrusted with execution of the Ariane launcher production phase and RECOMMENDS that Arianespace shall:

(a) remain in charge of execution of the Ariane launcher production phase;
(b) bear overall responsibility and liability in relation to Ariane launch service customers;
(c) commit to a business plan jointly agreed with the launcher system prime contractor; and
(d) procure Ariane launchers from the launcher system prime contractor.

3. DECIDES, with immediate effect, that all future Ariane launcher programmes and activities, including the expected resumption of ECB development, will be executed and managed by the Agency in conformity with the provisions of the ESA Convention and with the Agency’s applicable rules and procedures, including the Code of Best Practices.

4. INVITES the Director General to take all necessary measures in a timely fashion to implement this new managerial approach, and to report to Council on the Agency’s organisation he will put in place to be able to fulfil its new responsibilities and to work with all the players of the launcher sector; in doing this, the Director General will make best use of all existing management and technical capabilities in CNES (ESA/C-M(2003)14), DLR, ASI and other national space agencies, under contracts or arrangements to be concluded between the Agency and the national agencies concerned, with a view to excluding unnecessary duplication of expertise.

5. INVITES the Director General to introduce in all new contracts with industry for the implementation of Ariane launcher development programmes and production activities including the expected resumption of ECB development, specific provisions concerning:

(a) incentives and penalties based on performance and results;
(b) commitments by industry to production objectives and appropriate risk sharing consistent with a business plan to be jointly agreed between Arianespace and the launcher system prime contractor;
(c) full visibility on all development and production costs, to be subject to audits, and on the relevant business plan,

and further INVITES the Director General to present reports on the implementation of the above-mentioned provisions to the appropriate Council subordinates bodies.

6. INVITES the Director General to submit to Council, in consultation with CNES and in connection with the submission of his proposal on Agency funding of CNES/CSG beyond 2004, a proposal for a new organisation of launch operations at the Centre Spatial Guyanais (CSG).
7. INVITES the Director General to submit to Council by 11 December 2003, a report covering the following:

- an assessment by Arianespace of the worldwide commercial market for launch services and options for extending its range of services for optimising its commercial exploitation;
- a proposal for a long-term industrial policy of the Agency for the entire launcher sector, in particular considering issues such as enhancement of industrial competitiveness ensuring a balanced distribution of roles and tasks between the launcher system primes and suppliers;

and INVITES the Director General to report on a regular basis to Council on the implementation of the above-mentioned reorganisation and industrial policy.

CHAPTER III
SUSTAINING GUARANTEED ACCESS TO SPACE WITH ARIANE-5

A. The European Guaranteed Access to Space (EGAS) Ariane Programme

1. NOTES that the consequences of the downturn of the commercial market require measures in order to secure the availability of Ariane-5 for the launch of the European institutional missions.

2. AGREES that the objectives of the EGAS Ariane programme are to:

(a) place industry on a level playing field compared to competitors through to 2009 by covering selected fixed costs activities; and
(b) foster the creation of a European institutional market through the conclusion between the Agency and European institutions of bilateral agreements whereby these institutions will use the Ariane launcher and benefit from launch priority and the best market prices for their missions.

3. DECIDES that, in order to proceed with the necessary preparations, the EGAS Ariane Programme shall be carried out as an Optional Agency Programme governed by the ESA Convention and the Agency’s rules and procedures, with complete visibility on, and critical analysis of, all costs, including all EGAS production costs, on the basis of the programme proposal (ESA/PB-ARIANE/R(2003)2, rev. 1 and addendum 1).

4. INVITES the Director General to implement the EGAS Ariane Programme, in accordance with the provisions of Chapter II. B of this Resolution.

5. DECIDES that the EGAS Ariane Programme’s financial envelope amounts to 960 MEuro at 2003 economic conditions, NOTES further that the indicative contribution scale for the EGAS Ariane programme contained in Annex 1 hereto, corresponds to the distribution of the weighted amounts of industrial activities within the Ariane-5 production and NOTES that these contributions will be reduced if the net result of Ariane-5 batch PA exploitation exceeds the forecasts in the Arianespace Business Plan referred to in ESA/C-M/R(2003)3.
6. DECIDES that the provisions of Article II of the Resolution on the reform of the Agency’s Budget Structure and Charging Policy adopted by Council on 18 December 1996 (ESA/C/CXXVII/Res.1 (Final)) shall be applied to the EGAS Ariane Programme.

7. INVITES the interested Member States to draw up by 9 October 2003, and to subscribe by 11 December 2003 to a Declaration setting out their undertakings in respect of the content of the EGAS Ariane Programme, which will be forwarded to Council along with the draft Implementing Rules.

8. AGREES that the commitments made by Member States through the EGAS Ariane Programme are tied to commitments made by industrial suppliers of Arianespace (ESA/C-M/R(2003)2) and commitments made by Arianespace (ESA/C-M/R(2003)3) through its business plan 2003-2010 adopted by the Board of Directors of Arianespace, and INVITES the Director General to present to Council, on a regular basis, progress reports on the implementation of the above-mentioned commitments made by Arianespace and Industry.

9. NOTES that the above-mentioned Arianespace business plan presents a balanced economical situation from 2010 onwards without the EGAS Ariane Programme, assuming no significant changes in market conditions.

B. Arianespace

1. NOTES the commitment by industry (ESA/C-M/R(2003)2) to implement at the latest at the end of 2004, the recapitalisation process of Arianespace reflecting the distribution of the Ariane-5 development and production activities.

2. INVITES the Director General of the Agency, in pursuance of the mandate given to the Agency by the Governments party to the Ariane Production Declaration (the Participants) referred to in the preamble, to engage in consultations with Arianespace through the establishment of a High-Level Board meeting preferably at least once a year, to be chaired by the Director General of the Agency and bringing together representatives of Member States and members of the Arianespace Board of Directors, with a view to jointly assessing the consequences, for participants, of strategic decisions to be taken by Arianespace, and further INVITES the Director General of the Agency to report to Council on the outcome of these meetings of the High-Level Board.

3. INVITES the Director General on the basis of the elements contained in the present Resolution to propose the corresponding amendments to the Convention between the Agency and Arianespace referred to in the preamble for the endorsement by the other Party, Arianespace, and further INVITES him to submit this amended Convention to Council for approval on 11 December 2003.

4. RECOMMENDS that the Director General propose the necessary amendments to the Production Declaration referred to in the preamble to the States participating in that Declaration, so as to permit full implementation of the decisions referred to in the present Resolution.
RESOLUTION ON THE UNBLOCKING OF
THE INTERNATIONAL SPACE STATION EXPLOITATION
PROGRAMME PERIOD 1, SUB-ENVELOPE 2002-2004

(adopted on 27 May 2003)

Council, meeting at Ministerial Level,

HAVING REGARD to the Resolution on the Agency’s programmes (ESA/C-M/CLIV/Res. 2 (Final)), adopted at Ministerial Level in Edinburgh on 15 November 2001, and in particular sections 1(d) and 3 of Chapter II therein,

HAVING REGARD to the Resolution on the International Space Station (ISS) Programme ESA/C-M/CLIV/Res. 4 (Final)), adopted at Ministerial Level in Edinburgh on 15 November 2001,

RECALLING that NASA, working together with the other ISS Cooperating Agencies, has taken significant steps to restore stability to the US part of the ISS Programme over the last 18 months, including (a) consolidation of its research priorities on ISS, through the REMAP exercise, (b) reorganisation of its senior ISS management, and (c) the return to a higher degree of transparency and credibility in its programme costs, while remaining within agreed spending limits,

EXPRESSING satisfaction that “Option Path 4” agreed by the Heads of Agency at their meeting in Tokyo on 6 December 2002 is a promising way of consolidating the ISS scenario and is the basis for unblocking funds from the ESA ISS Exploitation Programme in accordance with Chapter II.1.d of ESA/C-M/CLIV/Res.2 (Final),

RECALLING that the agreed Option Path is expected to enable the European Partner to meet its utilisation and resource requirements within the existing programmatic and budgetary framework, by providing inter alia for: (a) rescue capability for a six-person crew, using two Soyuz capsules docked to the ISS from 2006/07 onwards, and for a crew of at least seven through a combination of a NASA Orbital Space Plane (OSP) and one Soyuz capsule docked to the ISS, when the OSP becomes available (currently planned in 2010), (b) accommodation and life-support corresponding to the crew size, and (c) a transport scenario based on a combination of transportation vehicles (ATV, HTV, Progress, Shuttle) providing for the necessary upload and download logistics,


RECALLING the deep sadness caused in Europe and elsewhere by the loss of the 7 crew members caused by the destruction of the Space Shuttle ‘Columbia’ during its return to Earth on 1 February 2003, and CONSCIOUS of the impact of this tragic event on the overall ISS Programme,
1. CONSIDERS with satisfaction that the ISS configuration resulting from the process pursued by the Partners to restore stability to the US portion of the International Space Station Programme complies with the objectives defined in the ISS Agreements (IGA and MOUs).

2. CONFIRMS the European commitment to the ISS Programme, in particular by:
   (a) the timely development and operational availability as early as possible of the ESA Automated Transfer Vehicle (ATV), launched by Ariane-5, this being an objective also supported by NASA;
   (b) the consolidation of adequate Ariane-5 launcher capabilities, so as to permit the timely fulfillment of the ATV mission;
   (c) the timely availability of operations and utilisation means for Columbus; and
   (d) continuity in astronaut training and flight operations preparation activities.

3. NOTES the decision taken by the States participating in the European participation in the International Space Station Exploitation Programme (ESA/PB-MS/XXIX/Dec.1, rev.1 (Final)) to proceed in a phased approach and therefore:
   (a) unblock a part of the firm financial sub-envelope of Period 1 specified for the activities to be carried out from 2002 to 2004 blocked at the time of subscription, this corresponding to an amount of 124.1 MEuros out of the total blocked amount of 296.0 MEuros at 1998 economic conditions, and
   (b) decide, on the basis of the report referred to in Section 4, on the unblocking of the remaining 171.9 MEuros at 1998 economic conditions before the end of 2003, recognising that this is critical for ensuring continuity in the implementation of the ISS Exploitation Programme, including the fulfillment of existing programme obligations.

4. INVITES the Director General to report, in preparation for the unblocking decision to be made before the end of 2003, on:
   (a) progress made in the implementation of “Option Path 4”, with particular emphasis on the finalised ISS configuration option and the common systems operations costs, including the conclusion of the corresponding arrangements among the Partners;
   (b) negotiations with NASA on conditions for the termination of the X-38 ESA/NASA Memorandum of Understanding and CRV activities;
   (c) ATV/Ariane-5 launch configuration in the context of the consolidation of the Ariane-5 Programme; and
   (d) industrial implementation of the operations phase of the ISS Exploitation Programme.
RESOLUTION ON RELATIONS BETWEEN THE EUROPEAN SPACE AGENCY AND THE EUROPEAN UNION

(adopted on 27 May 2003)

The Council, meeting at Ministerial Level,

HAVING REGARD to the Resolution on the Reinforcement of the Synergy between the European Space Agency and the European Community (ESA/C/CXXXVI/Res. 1 (Final)), adopted on 23 June 1998, and a similarly worded Resolution adopted by the Council of the European Union on 22 June 1998,

HAVING REGARD to the Resolution on Shaping the Future of Europe in Space, adopted by the Council of the European Space Agency meeting at Ministerial Level in Brussels on 11 May 1999 (ESA/C-M/CXL/I/Res. 1 (Final)), and to the Resolution on developing a Coherent European Space Strategy, adopted by the Council of the European Union on 2 December 1999,

HAVING REGARD to the Resolution on a European Strategy for Space, adopted by the Council of the European Space Agency meeting at Ministerial Level in Brussels on 16 November 2000 (ESA/C-M/CXLVIII/Res.1 (Final)) and a similarly worded Resolution adopted by the Council of the European Union on the same day,

HAVING REGARD to the Resolution on Directions for the Agency’s Evolution and Policy: “Space Serving European Citizens” (ESA/C-M/CLIV/Res. 1 (Final)), adopted by the Council of the European Space Agency meeting at Ministerial Level in Edinburgh on 15 November 2001, and in particular Chapter I thereof,

RECOGNISING that, through adoption of the above Resolutions, the Councils of the European Union and the European Space Agency have laid the basis for enhanced cooperation between the two organisations, taking into account their distinct missions and institutional bases, with the aim of strengthening the efforts devoted to space-related activities in support of policies,

WELCOMING the efforts made by Member States to the benefit of the European Space Policy developed within the Agency, thus reaching the final agreement among them for the launching of the Development and Validation of the Galileo Programme in cooperation with the European Union,

NOTING the Director General’s Report to Council concerning relations between the Agency and the European Union (ESA/C-M(2003)20),

1. REITERATES its determination that space-related matters be addressed at the highest political level in Europe, thus confirming that space capability is a critical tool, through its many applications, in the context of the European Union’s major policies such as transport, environment, information society and security.
2. REAFFIRMS that close cooperation between the Agency and the European Union seeks to foster European capabilities in space-related technologies and their applications, including Europe’s ability to benefit from affordable, guaranteed access to space, and to develop an appropriate regulatory framework to support European commercial operators and industrial entities active in the space field.

3. RECALLS the extensive discussion in various forums over recent months of the case for including space-related matters in the renewed competences (see note) of the European Union; WELCOMES the opportunity given to all interested participants to contribute to a strengthening of Europe’s capabilities and standing in the development and operation of space infrastructures and INVITES the Member States to consider, together with the Director General, appropriate initiatives leading to:

(a) the possible inclusion of space-related matters within the renewed competences (see note) of the European Union in order to contribute to enhanced cooperation among the European States in space research and technology and their space applications, in the widest possible sense;

(b) the Agency being consistently recognised as providing the broadest competence (see note) and the most suitable organisational structure for continuing its role in the definition and implementation of Europe’s involvement in the space field, also ensuring the coordination of national centres in pursuing the network of centres initiative;

(c) appropriate mechanisms being defined and adopted to optimise coordination between the European Union and the Agency with a view to maximising benefits and fully exploiting the complementarity and synergies between the two organisations.

4. NOTES the Green Paper initiative launched by the European Commission, in collaboration with the Director General of the European Space Agency, and INVITES the Director General to pursue that collaboration with the European Commission in drafting the White Paper and developing a subsequent plan of action which should assess the role of the various players involved in space-related activities and policies in Europe and the interaction between them, to examine possible reforms of the current institutional framework and to regularly consult with the Council.

5. NOTES the work being done on drafting and negotiating a Framework Agreement between the European Community and the European Space Agency; STRESSES the need to conclude such an Agreement, of an appropriate duration, by the end of 2003 at the latest in view of the White Paper, as a step towards the progressive development of a space policy in an integrated European perspective, with due regard for the complementarity of the two organisations, in order to achieve efficient and mutually beneficial cooperation; WELCOMES the inclusion in such an Agreement of appropriate provisions identifying the possible forms of cooperation, including the management by ESA of space research and development pertaining to European Community initiatives and participation by the European Community in ESA Optional Programmes, the respective roles of the Parties, and the inclusion also of implementing rules providing for monitoring of the cooperation by high-level representatives of the Member States of the two organisations and for joint implementation of the external dimension of the cooperation; and INVITES the negotiating parties to regularly inform the Joint Space Strategy Advisory Group on the progress of the negotiations.
6. INVITES the Director General to:

   (a) take appropriate steps, on conclusion of the negotiation of the Framework Agreement, to arrange for
       a coincident meeting of the Council of the European Union and of the Council of the European Space
       Agency at Ministerial Level to approve the Framework Agreement;

   (b) draw up, in consultation with the European Commission, a report identifying possible areas in which
       the European Community, in pursuance of the Framework Agreement, could contribute to the space
       sector in response to public and private needs, and to present that report at the above meeting.

7. INVITES the Director General to ensure, in applying the Framework Agreement and in the context of
   the future strengthening of cooperation between the Agency and the European Union, that States which
   are Members of the Agency but not Members of the European Community or European Union are not
   placed at a disadvantage compared with States which belong to both organisations.

8. INVITES the Director General to pursue his discussions with the European Union with a view to extending
   the cooperation envisaged in the Framework Agreement to other matters falling within the competences
   (see note) of the Union, thus fulfilling Council’s recommendations in ESA/C-M/CLIV/Res.1 (Final).

Note: In accordance with the relevant applicable treaty:
RESOLUTION ON 2010 PERSPECTIVES FOR THE EUROPEAN LAUNCHER SECTOR

(adopted on 27 May 2003)

Council, meeting at Ministerial Level,

RECALLING the purpose of the Agency as outlined in Article II of the Convention,

HAVING REGARD to the Resolution on Directions for the Agency’s Evolution and Policy: “Space Serving European Citizens”(ESA-C-M/CLIV/Res.1(Final)), adopted by Council meeting at Ministerial Level on 15 November 2001, and in particular Chapter VI thereof on the Evolution of the European Launcher Sector,

HAVING REGARD to the Resolution on the Creation of a Council Working Group on the Long-Term Perspective of the European Launcher Sector (ESA/C/CLIX/Res.1 (Final)),

HAVING REGARD to the Director General’s proposal for the strategy for access to space 2003-2009 (ESA/C-M(2003)10),

HAVING REGARD to the Resolution concerning cooperation between ESA and Russia in the field of launchers (ESA/C/CLIX/Res.3 (Final)), adopted by Council in Montreal (Canada) on 13 June 2002, and in particular the provisions granting highest priority to the launchers developed within the framework of the Agency under the payload allocation policy to be implemented by Arianespace in respect of the exploitation of Soyuz from the CSG and the provision concerning the visibility to be provided by Arianespace to the Agency on such exploitation,

HAVING REGARD to the Resolution on the Renewal of the Ariane Launcher Production Phase, adopted by Council on 11 October 2001 (ESA/C/CLII/Res.1 (Final)), by which Council has accepted that the Agency should fulfil the mandate entrusted to it by the Governments party to the Production Declaration,

HAVING REGARD to the Convention on the Ariane Launcher Production Phase concluded between the Agency and Arianespace on 8 February 2002,

HAVING REGARD to the Resolution on the CSG (2002-2006) adopted by Council on 15 November 2001 (ESA/C-M/CLIV/Res. 3 (Final)),

HAVING REGARD to the Resolution on the Restructuring of the Ariane Launcher Sector (ESA/C-M/CLXV/Res.1(Final)) adopted on 27 May 2003 by Council meeting at Ministerial Level,

1. STRESSES that the restructuring of the Ariane sector must be associated with a perspective for the European launcher sector for the 2010 timeframe, integrating within an overall coherent strategy:
(a) an affordable access to space ensured for the long-term;
(b) a response to growing European institutional launch-service needs stemming from the building-up of the European Union and the implementation of European policies in such areas as environment, security and defence;
(c) action to enhance the competitiveness of the European launcher sector, in particular by widening the range of launch services offered by Arianespace;
(d) a strengthening of the launcher Research and Development base in Europe through the development of technological capabilities.

2. WELCOMES to this effect the strategy for 2003-2009 and the associated Long-Term Plan (LTP) for the launcher sector, proposed by the Director General in ESA/C-M(2003)10 as the appropriate framework for determining the actions and programmatic measures required to implement that strategy.

FUTURE LAUNCHERS PREPARATORY PROGRAMME (FLPP)

3. UNDERLINES the need to implement the FLPP in parallel with the restructuring of the Ariane sector in order to:
(a) develop European technological capabilities and hence enhance the long-term competitiveness of European launchers;
(b) avoid the risk of Europe having to respond, from an inadequate technological base, to a major non-European technological breakthrough;
(c) permit the progressive restructuring of the industrial organisation for the next-generation launcher; and
(d) develop system-level capabilities lacking in Europe but necessary for assessing the risks inherent in developing and operating reusable launch vehicles.

4. REAFFIRMS the importance of initiating international cooperation as a source of added value for technology development and in the perspective of launcher developments undertaken in cooperation.

5. WELCOMES Russia as the first partner in long-term cooperation on access to space, that partnership to begin the preparation of future launchers within the FLPP and the exploitation of Soyuz.

6. WELCOMES the preparatory work achieved by the FLPP potential participants which has resulted in a programme proposal (ESA/PB-ARIA[N(2001)112, rev. 2), NOTING that the full implementation of this programme is being affected by the Ariane-5 Recovery Plan and STRESSING, however, the need to start in 2004 activities defined in the programme proposal, NOTES that the FLPP 1 will start in 2004 with early activities covered by a financial sub-envelope amounting to 24 MEuro at 2003 economic conditions.
7. NOTES the indicative scale of contributions for the FLPP 1- Early Activities set out in Annex 1 hereto and INVITES the participating States to draw up by 9 October 2003 and subscribe in time for the subscription of the Soyuz at the CSG Programme Declaration referred to in paragraph 14 of this Resolution, a Declaration setting out their undertakings in respect of the early activities and, including provisions for deciding on the continuation of FLPP 1 following the completion of the Ariane-5 ECA qualification flight mentioned in Chapter II A.1.b) of the Resolution on the Restructuring of the Ariane Launcher sector referred to in the preamble, and to transmit that Declaration to Council, and in due course, to draw up for approval by Council draft Implementing Rules containing specific provisions on the management and execution of the Programme.

SOYUZ AT THE CSG PROGRAMME

8. NOTES that the Soyuz launcher operating from the CSG complements the GTO and non-GTO launchers and that its exclusive exploitation by Arianespace enhances the competitiveness of the entire launcher sector.

9. DECIDES that the Soyuz at the Guiana Space Centre (CSG) programme shall be carried out as an Optional Programme within the framework of the Agency in conformity with the provisions of the Convention and with the Agency’s rules and procedures and on the basis of programme proposal ESA/PB-ARIANE (2003)29 and add.1, which in particular defines the breakdown of the costs of investments required for the exploitation of Soyuz at the CSG for a total amount of 314 MEuro.

10. NOTES the commitment by Arianespace (ESA/C-M/R (2003)4) to contribute, from the profits on Soyuz launcher exploitation, to the funding of the Soyuz at the CSG Programme for a minimum amount of 121 MEuro covering at least all Russian deliveries.

11. NOTES that the financial envelope for the Soyuz at the CSG Programme amounts to 314 MEuro at 2002 economic conditions and NOTES further the first indications on intended subscriptions to the Programme expressed by some Member States as indicated in Annex 2 hereto, and the further interests expressed by other Member States on their possible participation to the Programme, in particular based on their potential industrial return during the corresponding development and exploitation phases.

12. UNDERLINES that the financial contributions of the Participating States indicated in Annex 2 hereto will be reduced by the financial contributions to be made by Arianespace as provided for in paragraph 10 above and ACKNOWLEDGES that no financial contributions of the Participating States will be called up before 2006.

13. INVITES the States participating in that programme to: (a) include provisions in the Declaration aimed at ensuring that the costs of the Programme stay within the 100 % of the subscribed financial envelope, (b) accordingly, instruct the Director General to keep the costs at completion of the Programme within the 100 % of the subscribed financial envelope, including by means of fixed-price contracting with the Programme prime.
14. INVITES the interested Participating States to draw up by 9 October 2003 and subscribe by 11 December 2003 a Declaration setting out their undertakings in respect of the content of the Programme, to be fully covered by their financial commitments, and to transmit it to Council, and in due course, to draw up for approval by Council draft Implementing Rules containing specific provisions on the management and execution of the Programme.

15. AGREES that the Ariane Launcher Programme Board shall monitor the execution of this Programme and take the relevant measures, in particular approval of the annual budget.

16. STRESSES that implementation, within the framework of the Agency, of the Soyuz at the CSG Programme will call for the following additional legal instruments:
   (a) the Agreement between the Agency and Rosaviakosmos on Long-Term Cooperation and Partnership in the Field of Launchers;
   (b) the Agreement between the Agency and France concerning Soyuz at the CSG.

17. INVITES the Director General to submit drafts of these Agreements to Council for approval in good time for subscription of the Soyuz at the CSG Programme.

18. INVITES the Director General to take the present Programme into account in his proposal, to be submitted to Council in 2004, concerning the CSG Resolution (2005-2009) and further INVITES him on the basis of the elements contained in the present Resolution to propose the corresponding amendments to the Convention between the Agency and Arianespace referred to in the preamble, for endorsement by Arianespace, and to submit the amended Convention to Council for approval in the course of 2004.