

COOPERATION AGREEMENT ON SATELLITE NAVIGATION BETWEEN THE EUROPEAN UNION AND ITS MEMBER STATES AND THE KINGDOM OF NORWAY

The Cooperation Agreement on Satellite Navigation between the European Union and its Member States and the Kingdom of Norway, which has been approved by Cabinet in January 2014, is being submitted for the kind consideration and approval by the FEAC. Following the positive approval of the Standing Committee or, in the absence of this, upon the expiry of one month, MEIB, as line Ministry, shall direct the Ministry for Foreign Affairs to issue and deliver the Instrument of Ratification of this Agreement.

With respect to your considerations on the subject you may wish to peruse the following:

1. Introduction

The approval of the Standing Committee on Foreign and European Affairs is being sought for Malta to ratify the GALILEO Cooperation Agreement with the Kingdom of Norway, signed in Brussels on 22 September 2010 (EU and 27 member states).

2. Background

Technological, geographical and financial reasons have ensured Norway an important role in the European Global Navigation Satellite System (GNSS). Norway provides critical technology to Galileo and is the host for two important ground installations on Svalbard and Antarctica that contribute to the proper functioning of the system. This Agreement aims to settle the principles of cooperation in general, and the rights and obligations of Norway mainly in relevant areas, such as security, that are not covered by existing Galileo acquis. The Agreement has been negotiated on the basis of negotiation directives adopted by the Council on 8 July 2005. The Agreement was initialled on 17 July 2009.

The Agreement will be complemented by a proposed EEA Joint Committee Decision (Doc No 25100, Case No. 25099) amending Protocols 31 and 37 to the EEA Agreement, by which Norway subscribes to Council Regulation (EC) No 1321/2004 of 12 July 2004 on the establishment of structures for the management of the European satellite radio-navigation programmes, Regulation (EC) No 1942/2006 of 12 December 2006 amending Regulation (EC) No 1321/2004 on the establishment of structures for the management of the European satellite radio-navigation programmes, and Regulation (EC) No 683/2008 of the European Parliament and of the Council of 9 July 2008 on the further implementation of the European satellite navigation programmes (EGNOS and Galileo). Articles 4(5) and 6(4) of this Regulation open up the possibility for third countries to provide additional funding to the European GNSS programmes in accordance with conditions to be laid down in Agreements pursuant to Article 300 of the Treaty.

The Agreement is limited to topics that are necessary to allow close cooperation with Norway. The construction and management of Galileo and EGNOS as EC-wide programs highlight the need for common approaches and working methods between all the EU member states and some non-EU states (Norway and Switzerland). The rules for these topics need to be set by the governments and coherently enforced Europe-wide. The Commission, as program manager acting on behalf of the Community, the owner of the system, needs to take

all reasonable measures to induce this coherence. Failing to do this would increase security risks and the exposure of the EC and its Member States to liability claims in case of serious incidents.

3. Legal Basis

Articles 172, in conjunction with Article 218(5) and the first subparagraph of Article 218(8) of the Treaty on the Functioning of the European Union.

4. Implications for Malta

Legal: There are no legal implications for Malta

Economic & Financial: There are no economic and financial implications for Malta