

Towards an Enlarged Partnership – ESA's Relations with the Czech Republic, Hungary, Poland and Romania

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Background

The Budapest Workshop was well timed. ESA had first established relations with these countries in the early nineties when they approached the Agency asking to collaborate in its space programmes. This led in due time to the signing of framework Agreements with Hungary, Romania, Poland and the Czech

Republic. These relations then evolved through joint co-operation projects, leading eventually to the participation of both the Czech Republic and Hungary in the PRODEX optional programme. Now, almost ten years later, it was felt necessary to analyse the current situation and to identify ways in which relations could evolve, and to discuss possible means for establishing closer links. Some of the countries involved expressed – formally or informally – their interest in acceding to the ESA Convention.

In October 1999, ESA organised a two-day Workshop in Budapest together with the Hungarian Space Office, with a view to analysing existing relations between ESA and its partners in Central and Eastern Europe, namely the Czech Republic, Hungary, Poland and Romania. The Workshop's main objectives were to discuss the results of the existing cooperation and to present ESA's new programmes and activities, as well as its administrative procedures and regulations. The space authorities from the four countries also presented their own space programmes and plans.

did not involve participation in any of the other ESA programmes and activities, a fundamental consideration in terms of the strengthening of links with ESA, especially with regard to possible future accession to the ESA Convention.

At the meeting in Budapest, ESA introduced the different mechanisms defined in the ESA Convention (Article XIV) in order to establish co-operating links with non-member States. Three types of co-operation are foreseen in this Article: Co-operation Agreements, participation in ESA Optional Programmes, and Associate Membership Agreements. These three types of cooperation have in fact been the paths followed by several States that have acceded to the ESA Convention since its initial entry into force. Austria, Norway and Finland, for example, were first linked with ESA by a general Cooperation Agreement, participated in ESA Optional Programmes, and were then granted Associate Member State status, before becoming full Member States. The only exception has been Portugal, which acceded to the ESA Convention after first having had a general Co-operation Agreement and a specific Agreement on Portugal's participation in the ARTES Optional Programme. Actual accession to the ESA Convention is dealt with under a separate article, namely Article XXII.

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The Czech and Hungarian participations in the PRODEX programme have so far been a very positive experience. However PRODEX, being an optional programme with a limited scope,

After the introduction to the different forms of co-operation under Article XIV and the presentations by ESA and by the four countries of their respective present and future plans and programmes in the space field, two aspects emerged at the workshop:

- *Interest and potential synergy existed between ESA programmes and the future plans in the space field of its four European partners.* The Director General of the Hungarian Ministry for Foreign Affairs introduced the Hungarian Research and Development Programme, which should provide more opportunities for Hungarian scientists. This recent increase in awareness of space programmes can be explained by the important brain drain among scientists in the former Central and Eastern European countries that has developed into a very serious issue. The Director General of Foreign Affairs explained that the Hungarian wish to seek closer relations with ESA should be seen in light of this new policy.
- *The path of cooperation proposed by ESA to these States in order to become, in the near or long term, an ESA Member State, did not suit their needs or current financial capacities.* The main difficulty for these States in following the usual path of cooperation with a view to acceding to the ESA Convention emanates from the step from a general Cooperation Agreement to an Associate Membership Agreement. In particular, the conclusion of an Associate Membership Agreement was not considered suitable because it required financial participation by the States concerned in ESA's General Budget (at a rate of 50% of what they would pay as a full Member State), which implied too steep a budgetary increase with respect to their current financial and industrial capacities. Therefore for these States, which had already signed a Co-operation Agreement with ESA and which wanted to reinforce their own space programmes through reinforced co-operation with ESA, the signing of an Associate Membership Agreement was seen as too broad. They explained that an intermediate step would greatly enhance the potential for cooperation and would facilitate the development of cooperation projects with ESA, with a view to facilitating their progressive integration into the Agency's programmes and activities.

In formulating his conclusions to the Budapest workshop, the ESA Director of Strategy and Technical Assessment proposed to convey these important messages to the ESA Member States.

The Council Working Group on the enlargement of the Agency

Following the Budapest Workshop, a report was presented to the ESA Council on its outcome, which also contained some proposals regarding the creation of a new concept that would allow our four European

partners to participate more in ESA's programmes and activities. Member States were reminded in particular that official reflection on the Agency's enlargement had last taken place in 1985, when the Council had set up guidelines regarding this matter. Given the geopolitical changes since 1985, Council, during its December meeting in 1999, decided to set up an ad-hoc Council Working Group that would look into the Agency's enlargement.

The mandate of the Working Group was to:

- Identify the various stages leading to such enlargement in the mutual interests of the Member States and the States that want to accede to the Convention.
- Propose guidelines for the establishment of progressively closer ties with the Agency.
- Establish criteria for the admissibility of applications to accede to the Agency's Convention, and to identify the action required to enable the States concerned to meet those criteria.
- Define the specific status of a 'State in Transition' with a view to enabling States that may wish to accede to the Agency's Convention to prepare to do so by participating in Agency activities relevant to the scientific and industrial capabilities that they wish to develop.

The Working Group met twice and produced a report that was adopted by Council in June 2000. This report contained several recommendations, the most important being that *'the Agency establishes a specific framework for facilitating the participation of European non-Member States in ESA programmes'*. This has led to the creation of the new concept of a 'European Co-operating State'.

The new concept of a European Co-operating State (ECS)

Council also decided on several criteria as regards the eligibility of States wanting to assume ECS status. These must be European, and must have signed a framework Agreement with ESA. Council agreed that the Czech Republic, Hungary, Poland and Romania were directly eligible for the new ECS status.

Based on this report, a new model Agreement for ECSs was proposed, allowing for the indirect participation by an ECS in all ESA programmes and activities. This ECS model Agreement was discussed in the relevant Council subordinate bodies before being adopted by Council itself on 21/22 March 2001. As a result, ESA's Director General has been authorised to use this model in

negotiations with Cooperating States that, in the near or longer term, want to become full Members of ESA.

To attain ECS status, the candidate State must first negotiate and then conclude an ECS Agreement with the Agency. This is then a bilateral engagement between the ECS and ESA whereby the State is allowed, subject to the fulfilment of certain conditions, to participate in ESA programmes and activities. These activities are defined in a five-year work Plan for European Cooperating States (PECS) to be jointly agreed by ESA and the ECS concerned. The Agency shall execute the PECS in conformity with its rules and procedures. A dedicated Committee composed exclusively of ECS representatives ('the PECS Committee') is set-up to monitor and control the execution of the PECS. One main difference between the previous general Cooperation Agreements and an ECS Agreement is that a minimum financial contribution of 1 MEuro per year is required from each ECS.

In conclusion, it is interesting to note that, with a limited financial contribution, the new Agreement provides the ECS with the possibility of taking part in ESA programmes through the PECS without actually becoming a participant in the ESA programme concerned as originally foreseen in Article XIV.2 of the ESA Convention. The purpose of this new form of cooperation is first of all to strengthen the links between the ECS and the Agency in order to facilitate its future possible membership of ESA. However, there is no obligation to accede to the ESA Convention, but the objective is clearly to associate the ECS to ESA programmes and activities and to prepare in the most efficient manner for this possible future accession. It is envisaged that PECS participation will not only strengthen the ECS's national institutional capacity, but also assist in the development of its national space industry. Another objective is to develop cooperation between the scientific and applications user communities in the ECS and in the Agency's Member States, and to ensure coherence between Member-State and ECS space activities, for example by avoiding unnecessary duplication.

The ECS Agreement will, upon its entry into force, replace the other Agreements concluded with ESA and will have a duration of five years. Thereafter, depending of the results achieved within this period of cooperation, three possibilities can be envisaged: the ECS can continue to cooperate with ESA under an ECS Agreement, the ECS can apply for Associate Membership, or the ECS can apply directly to become a Member State. The advantages of

this new concept are that it provides a permanent structure, and links between the ECS and ESA permitting the development of relations through participation in Agency programmes. Not only the strictly programmatic side is involved, but also participation in new ESA initiatives like the SME (Small and Medium-sized Enterprise) and Outreach activities. This consolidation of joint activities via an ECS Agreement will hopefully ensure that the eventual step to becoming an ESA Associate or full Member State should not be too large.

The next steps

To support the International Affairs Department in the implementation of this new policy, a 'PECS Manager' has been nominated who will be responsible for the day-to-day relations with the ECS, especially as regards the content of the PECS. ESA will now present the new concept in detail to the four European partners, before proceeding with the negotiation of an ECS Agreement with each interested applicant. However, to ensure that this new concept would be broadly acceptable to those four States, ESA had already informed them of the basic underlying ideas prior to its adoption by Council, to check that it would be acceptable to them.

ESA will also organise a special workshop in Paris in September 2001 to which representatives of the four European partners will be invited. The objective will be to present in greater detail the different possibilities existing through this newly created status and to understand the different views and possible concerns of our partners in order to proceed, on a bilateral basis, with the negotiation of an ECS Agreement with each of them.

The return for the Agency and the ESA Member States lies in stimulating relations with interested European countries, expanding the overall European scientific and industrial base, and enriching ESA as a research and development organisation.