

**RESOLUTION ON THE ROLE OF SPACE IN DELIVERING EUROPE'S
GLOBAL OBJECTIVES**

(adopted on 26 November 2008)

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 the Agency's long-term plan for discovery and competitiveness adopted at ministerial level in Berlin on 6 December 2005 (ESA/C-M/CLXXXV/Res.1 (Final)),

HAVING REGARD to the Framework Agreement between the European Space Agency and the European Community which came into force on 28 May 2004,

HAVING REGARD to the Resolution on the European Space Policy (ESA/C/CXCIV/Res.1 (Final)) adopted by Council at ministerial level at the occasion of the Space Council of 22 May 2007 and to the Resolution 'Taking forward the European Space Policy' (ESA/C-M/CCII/Res.1 (Final)) adopted by Council at ministerial level at the occasion of the Space Council of 26 September 2008,

HAVING REGARD to the Director's General proposal for the 2008 Council meeting at ministerial level (ESA/C-M(2008)6, rev.1),

CHAPTER I

SPACE AND THE GLOBAL CHALLENGES

RECOGNISING that the major challenges facing society are increasingly global challenges which require solutions that are elaborated globally, and EMPHASISING that space by its nature provides global solutions and creates global knowledge,

CONSIDERING that assured access to space-based systems provides Europe with necessary tools to perform its strategic global role,

CONSCIOUS that space systems have a unique ability to contribute to the economy and security of Europe and to improve knowledge, thereby allowing decision-makers to address the most pressing challenges, not least global climate change and sustainable development,

RECOGNISING that the investment of ESA Member States made since more than 30 years allow industry, operators, scientists and research centres to provide a firm basis for Europe to play a key role in facing global challenges,

RECALLING that space has always been a field where cooperation and competition have coexisted, and that these two dimensions will continue to be driving forces for any future space policy, with on the one hand the definition of international cooperation endeavours and partnerships, and on the other hand the recognition that Europe needs to be competitive in space so as to remain a major space actor as well as a respected and influential partner; and RECALLING also that space contributes to European identity and cohesion,

1. CONGRATULATES the Agency and its industrial partners on the success of the recent European space missions in exploration and exploitation, where ESA has confirmed its position as a leading global agency and a reliable international partner, and WELCOMES in particular the successful launch, with the support

of European astronauts, of Node 2, Columbus and ATV, allowing the full use of the International Space Station (ISS), as well as the successful launch of GIOVE-A and GIOVE-B;

2. CONSIDERS that space activities in Europe must be assessed by their impact on the enhancement of Europe's global influence, on the effectiveness of European policies, on scientific progress and on the ability of its businesses to compete effectively in global markets;
3. CONSIDERS that, through the establishment of the 'Space Council' under the EC-ESA Framework Agreement, the Member States of ESA and the Member States of the European Union have recognised the fundamental importance of cooperation and coordination to the effective identification of mutual objectives and the delivery thereof;
4. WELCOMES in particular the central role recognised to ESA by the European Community and Member States for the implementation of the European GNSS programmes and of GMES;
5. RECOGNISES that the relationship between ESA and the EU will continue to grow and that this relationship is substantially strengthened by the steps being taken or planned by several EU Member States to apply for membership of ESA; and RECALLS the accession agreement with the Czech Republic, signed on 8 July 2008;
6. RECALLS that the European Space Policy (ESP) mentioned in the preamble has set out strategic objectives for space in Europe and has identified the practical route to their achievement; and CONFIRMS that the first current priorities for the implementation of the European Space Policy, in line with the Resolution of the fifth meeting of the Space Council, are the successful implementation of GALILEO and GMES;

7. EMPHASISES the following topics as further priorities for the ESP implementation, as defined in the Resolution of the fifth meeting of the Space Council, namely:
 - i. space and climate change, so as to improve the understanding of the extent of climate change and of its consequences in order to provide the evidence base for key decisions to be taken in environment policy;
 - ii. space and the Lisbon strategy, to contribute to growth and employment by providing new business opportunities and innovative solutions for various services, throughout Europe, thus contributing to territorial cohesion;
 - iii. space and security, considering both the important contribution of space to the CFSP/ESDP including the Petersberg tasks, and the need to ensure the security of space assets which have become indispensable for our economy;
 - iv. space exploration, which is a political and global endeavour for which Europe must develop within a world-wide effort a common vision and long-term strategic planning ensuring key positions for Europe, based on its domains of excellence;
8. WELCOMES the programme proposals made by the Director General which respond to the above defined priorities and which provide the basis for the decisions taken on this day and recalled in Chapter III below for implementing the first step of the Long Term Plan provided for in Chapter II below;
9. RECALLING the objective of achieving a substantial increase in the coordination of space, security and defence related activities in Europe among the European institutional actors within the existing framework of decision competence and finance scheme, INVITES the Director General to pursue the dialogue with the European Commission and the EU Council, including EDA, EUSC and the Member States as appropriate, in accordance with the Resolution of the fifth meeting of the Space Council mentioned in the preamble;
10. INVITES the Director General to carry out and coordinate studies on different scenarios as appropriate to support the debate for a long-term global vision on

exploration, as foreseen in the Resolution of the fifth meeting of the Space Council mentioned in the preamble;

11. AFFIRMS the need to continue the adaptation of the space sector in Europe to further strengthen its efficiency, building on existing competences in ESA, the Member States and industry, so that the priorities identified for the implementation of the European Space Policy can be achieved successfully and efficiently;
12. REAFFIRMS that the coordination of the European space programme and the national space programmes by the Agency as provided for in the Convention has the purpose to increase the efficiency of the total European space effort and to ensure a balanced participation of all Member States in function of interest, investments and existing expertise;
13. IDENTIFIES the following specific actions to be pursued following these principles:
 - evolution of ESA's decision-making process;
 - evolution of industrial and procurement policy rules;
 - definition and implementation of a consistent scheme for infrastructure development and maintenance in Europe;
14. WELCOMES the relevant proposals made by the Director General on the above topics which provide the basis for the decisions taken under Resolution 4.

CHAPTER II

THE AGENCY'S LONG TERM PLAN 2009-2018

1. WELCOMES the results achieved in the implementation of the Long-Term Plan 2006-2015 as foreseen in ESA/C-M/CLXXXV/Res. 1 (Final) adopted in Berlin on 6 December 2005;
2. CONSIDERS that the Director General's proposal for the Long Term Plan 2009-2018 aims at responding to the global challenges in the context described in the previous chapter, and follows the priorities of the Member States of ESA and EU as highlighted in the Resolution on the European Space Policy mentioned in the preamble, as well as providing a strategic framework for implementing ESA Member States priorities and objectives, in particular regarding scientific and technology policies, thereby enhancing coordination with EU and national initiatives, and providing the financial planning per programme domain for approved and not yet approved programmes and initiatives for a period of ten years; and RECALLS that the Long Term Plan does not imply by itself any financial commitment by the Member States;
3. INVITES the Director General to continue to position the Agency as a global space agency for the benefit of Europe and to implement short-term objectives and priorities in order to prepare mid-term decisions to be taken at next Council meeting at ministerial level planned in 2011;
4. AGREES that for the implementation of the activities referred to in the Long Term Plan, once approved and funded by Member States, the Agency shall provide the necessary technical and managerial skills, both through its own resources and expertise and by availing itself of the competences and expertise existing in Europe without creating unnecessary duplications, both in the public and in the private sector;

5. INVITES the Director General to issue a yearly report giving the progress of the implementation of the activities referred to in the above Long Term Plan.

CHAPTER III

DECISIONS ON PROGRAMMES AND ACTIVITIES

1. WELCOMES the decisions taken this day on the Level of Resources for the Agency's Mandatory activities 2009-2013¹ and on optional programmes, aimed at responding to the global challenges, along the lines of the European Space Policy and of the 2009-2018 ESA Long-Term Plan, as follows:

(a) the decisions and subscriptions relevant to:

- the GMES Space Component programme (GSC, segment 2)²,
- the Meteosat Third Generation Space Segment Development programme (MTG)³,
- the European Global Navigation Satellite System Evolution programme (GNSS Evolution)⁴,

which contribute to the development and exploitation of space applications serving Europe's public policy objectives and the needs of European enterprises and citizens, including in the field of environment, development and global climate change, particularly when coordinated with the programmes of the EU and of the Member States;

(b) the decisions and subscriptions relevant to:

- the Space Situational Awareness programme (SSA)⁵,

which aim at contributing to the protection of European space assets and data generated by them;

¹ See ESA/C-M/CCVI/Res. 2 (Final)

² See ESA/PB-EO/CXI/Dec. 1, rev. 5 (Final)

³ See ESA/PB-EO/CXXIII/Dec. 1 (Final)

⁴ See ESA/PB-NAV/LIII/Dec. 1, rev. 4 (Final)

⁵ See ESA/C/SSA-PP/VII/Dec.1 (Final)

(c) the decisions and subscriptions relevant to:

- the Elements 1, 3-4, 5, 7 (EDRS), 8, 10 (IRIS), 11 and 20 (IAP) of the Advanced Research in Telecommunication Systems (ARTES) programme⁶,
- the General Support Technology Programme (GSTP, period 5)⁷,

which contribute to ensure a strong and competitive space industry which fosters innovation and growth and prepares the development of future cost-effective services;

(d) the decisions and subscriptions relevant to:

- the Scientific programme⁸,
- the European Participation in the International Space Station Exploitation programme (ISS Exploitation, Period 3)⁹,
- the European Programme for Life and Physical Sciences and Applications in Space (ELIPS)¹⁰,
- the Enhanced ExoMars Mission component and Mars Robotic Exploration Preparation Programme (MREP) component of the European Space Exploration Programme - Aurora¹¹,
- the Global Monitoring of Essential Climate Variables (Climate Change Initiative) Element of the European Earth Watch programme¹²,

which contribute to the knowledge-based society by investing strongly in space-based science, and playing in particular a significant role in the international exploration endeavour;

(e) the decisions and subscriptions relevant to:

- the funding of the Guiana Space Centre (CSG)¹³,

⁶ See ESA/JCB/C/Dec. 1, rev. 39 (Final)

⁷ See ESA/IPC/CXXIX/Dec. 1, rev. 17 (Final)

⁸ See ESA/C-M/CCVI/Res. 2 (Final)

⁹ See ESA/PB-MS/XXIX/Dec. 1, rev. 4 (Final)

¹⁰ See ESA/PB-MG/LXX/Dec. 1, rev. 8 (Final)

¹¹ See ESA/C-M/CLIV/Dec. 1, rev. 9 (Final)

¹² See ESA/PB-EO/LXXXVII/Dec. 1, rev. 13 (Final)

- the Ariane-5 Launcher Research and Technology Accompaniment programme (Ariane-5 – ARTA, 2011-2013)¹⁴,
- the Ariane 5 Post ECA programme¹⁵,
- the Vega Research and Technology Accompaniment programme (VERTA, 2011-2012)¹⁶,
- the Future Launchers Preparatory Programme (FLPP, Period 2 Step 2)¹⁷,
- the European Transportation and Human Exploration Preparatory Activities Programme¹⁸, as a Slice of the European Participation in the International Space Station Development Programme

which contribute to secure unrestricted access to space and to new and critical technologies, systems and capabilities; while consolidating the positioning of Europe on a global scale;

(f) the decisions relevant to the Mandatory Basic Activities which play a crucial role in allowing the essential operations of the Agency, while strengthening its capabilities and enabling it to better meet future opportunities and challenges;

(g) the decisions completing the funding of the following ongoing programmes:

- the Earth Observation Envelope Programme (3rd period)¹⁹,
- the GMES Services Element of the European Earth Watch Programme²⁰,
- the Scientific Experiment Development Programme (PRODEX)²¹,
- the Soyuz at CSG Programme²²,
- the Small Launcher Development Programme²³;

¹³ See ESA/C-M/CCVI/Res. 3 (Final)

¹⁴ See ESA/PB-ARIANE/CLIV/Dec. 3, rev. 14 (Final)

¹⁵ See ESA/PB-LAU/CCXL/Dec. 1 (Final)

¹⁶ See ESA/PB-ARIANE/CCXXII/Dec. 1, rev. 3 (Final)

¹⁷ See ESA/PB-ARIANE/CCI/Dec. 1, rev. 7 (Final)

¹⁸ See ESA/PB-HME/XVIII/Dec. 1 (Final)

¹⁹ See ESA/PB-EO/LXXIV/Dec. 1, rev. 11 (Final)

²⁰ See ESA/PB-EO/LXXXVII/Dec. 1, rev. 13 (Final)

²¹ See ESA/C/LXXV/Dec. 1, rev. 23 (Final)

²² See ESA/PB-ARIANE/CCVI/Dec. 2, rev. 5 (Final)

²³ See ESA/PB-ARIANE/CLXXI/Dec. 2, rev. 12 (Final)

2. WELCOMES the balance of the Ariane-5 batch PB exploitation, under current conditions and based on commitments by Arianespace and industry, including those referred to in ESA/C/R(2008)8, which globally fulfil the objectives related to Ariane-5 batch PB exploitation as set out in the applicable provisions of the EGAS Ariane programme, and consequently INVITES the Director General to complete the implementation of the aforementioned programme;
3. CONSIDERING the Launch Service Procurement Policy for ESA missions defined in the Resolution on the Evolution of the European launcher Sector adopted by Council on 6 December 2005²⁴, INVITES the DG to propose in 2009 a coherent mechanism for reviewing the costs of Ariane, Vega and Soyuz from the CSG standard launch services for ESA missions, which shall not present an unreasonable disadvantage within the meaning of Article VIII of the ESA Convention;
4. WELCOMES the subscriptions to the Period 3 of the ISS Exploitation programme based on the plan of expenditures estimated by the Director General for industrial activities during such period; INVITES the Director General to provide the Council, at the earliest point in time, with a complete procurement and contract plan for Period 3 including the actual commitments which have been done under 120% mechanism; INVITES the Director General, in case of industrial deliveries entailing the need of an anticipated financial coverage, to call for a meeting of the Council to allow the Participating States to take appropriate measures, including, as necessary, the earlier subscription to the financial envelope for Period 4, in order to avoid possible overcosts in the overall P3 and P4 budget envelope;
5. INVITES the Director General to prepare relevant data necessary for Participating States to the ISS Exploitation programme to take decisions by 2010, together with the other ISS partners, about the possible continuation of ISS operations beyond 2015. Such data will include financial implications for

²⁴ See ESA/C-M/CLXXXV/Res. 3 (Final)

Participating States as well as the geographical distribution of recurrent activities for ISS exploitation;

6. WELCOMES, for the implementation of the above activities and programmes, the entry into force on this day of the Declarations, amended Declarations, and amended additional Declarations and their subscription by the Participating States concerned, the corresponding financial envelopes being indicated at 2008 economic conditions, or at other economic conditions when specified.

CHAPTER IV

KEY DECISIONS TO BE TAKEN AT THE NEXT COUNCIL AT MINISTERIAL LEVEL

1. CONSIDERS that the decisions and programmes adopted this day pave the way to take in 2011 at the latest decisions concerning political questions, the response to which will shape the European space sector in the long term:
 - Exploration: will Europe be a leading partner in a world wide exploration initiative, encompassing robotic exploration of the Solar System and human spaceflight leading to the exploration of the Moon?
 - Launchers: what is an appropriate structure of Arianespace and the launcher industry for a balanced exploitation of Ariane-5 and Vega on a robust and sustainable basis? What will come next after Ariane 5, Soyuz at CSG and Vega?
 - Applications related to security: which steps can be taken for space to support Europe's security and defence policies?
 - Applications related to environment, development and global climate change: which further steps have to be taken for space to support Europe's sustainable development policies?
2. INVITES the Director General to prepare, together with the relevant partners and in particular with the European Commission, such decisions on the basis of:

- political debates which must position Europe on the world scene,
- possible funding scenarios,
- discussions with international partners, and
- progress and results of relevant ESA activities, on-going and decided on this day.

**RESOLUTION ON THE LEVEL OF RESOURCES
FOR THE AGENCY'S MANDATORY ACTIVITIES 2009-2013**

(adopted on 26 November 2008)

Council, meeting at ministerial level,

HAVING REGARD to Articles V.1 (a) and XI.5 (a) (ii) and (iii) of the Convention,

HAVING REGARD to the Director General's proposal for the level of resources for the Agency's mandatory activities 2009-2013 (ESA/C-M(2008)14),

1. DECIDES by a unanimous vote of all Member States to determine at 3,410.9 Meuro at current economic conditions the level of resources to be made available to the Agency for the period 2009-2013 which is broken down as follows:

- (a) for the Scientific programme, an amount of 2,326.8 Meuro:

2009	2010	2011	2012	2013	TOTAL
433.9	449.1	464.8	481.1	497.9	2,326.8

- (b) for the Agency's basic activities, an amount of 1,084.1 Meuro:

2009	2010	2011	2012	2013	TOTAL
206.3	211.4	216.7	222.1	227.6	1,084.1

2. SUPPORTS, having due regard to the Science Programme Committee decision-making procedures, the continuation of ongoing scientific missions and the implementation of the Cosmic Vision 2015-2025 plan, with the aim to consolidate Europe's leading position in the discoveries of the Universe and advances in knowledge based on the excellence of the ESA Scientific programme and its successful missions.
3. WELCOMES the steps taken by the Director General and the Scientific Advisory Committees to enhance the synergies of the Scientific programme with the other programmes of the Agency in the fields of space exploration, Earth science and physical and life science from ISS utilisation, in particular the setting-up of the High Level Science Policy Advisory Committee (HISPAC), and INVITES the Director General to develop further such synergies.
4. ENCOURAGES all actions taken to manage risks in the development of the highly challenging missions, including those taken at national level, and WELCOMES the Director General's initiative to continue to develop mechanisms to improve cost control and mitigate risks in particular within the Scientific programme.
5. STRESSES the importance of all ESA basic activities to strengthen ESA's technological and managerial capabilities, and EMPHASISES in particular the contribution of the General Studies Programme (GSP), the Technology Research Programme (TRP) and Basic Technical Activities to develop qualified technologies and to prepare the future.
6. UNDERLINES the importance of long term preservation of scientific data generated by ESA missions in the different fields of science, EXPRESSES its support for the Director General's proposal to initiate relevant actions in the field of data related to the challenges on climate change monitoring and prediction, and INVITES the Director General to analyse the mechanisms and related costs by which the actions could be extended to the process of long-term data preservation in all fields of science and to make relevant proposals at the Council meeting at ministerial level planned for 2011.

7. AGREES that the initiation of the above long-term data preservation and the asbestos removal, as described in section 2.8 of document ESA/C-M(2008)14, shall be funded for an amount of 32.9 Meuro at current economic conditions by excess other income accrued during 2008 and other income expected in 2009.

RESOLUTION ON THE CSG (2009-2013)

(adopted on 25 November 2008)

Council, meeting at ministerial level,

RECALLING that, since 1975, the Agency has contributed to the funding of the Guiana Space Centre (hereinafter referred to as “the CSG”) and RECOGNISING the need to continue contributing to such funding in order to allow ready access to space for all Member States, the European launch base being a main element of the guaranteed access to space for Europe,

HAVING REGARD to the Resolution on the evolution of the European launcher sector (ESA/C-M/CLXXXV/Res. 3 (Final)) adopted by the Council meeting at ministerial level on 6 December 2005, hereinafter referred to as “the 2005 Launchers Resolution”, and in particular to its Chapter V on CSG Launch Range funding,

HAVING REGARD to the Agreement between the Agency and the French Government on the Guiana Space Centre and associated services, to be concluded on the basis of a text approved by the Council on 18 June 2008 (ESA/C(2008)77), hereinafter referred to as “the CSG Agreement”,

TAKING NOTE of the Declaration by certain European Governments on the Launchers Exploitation Phase of Ariane, Vega and Soyuz from the Guiana Space Centre, finalised by Government Representatives of the Member States of the Agency on 30 March 2007 (see ESA/C/R(2007)2) and applicable from 1 January

2009 until the end of 2020, provided the conditions for its entry into force are fulfilled, hereinafter referred to as “the Launchers Exploitation Declaration”,

HAVING REGARD to the Resolution (ESA/C/CXCV/Res. 3 (Final)), adopted by the Council on 13 June 2007, through which the Agency accepts the mandate entrusted to it in the Launchers Exploitation Declaration,

TAKING NOTE of the exploitation agreements for the launchers Ariane (hereinafter referred to as “the Ariane Exploitation Agreement”) and Vega (hereinafter referred to as “the Vega Exploitation Agreement”), concluded by Member States of the Agency participating in the relevant Agency’s launcher development programmes at the occasion of the Council meeting on 13 June 2007,

TAKING NOTE of the Arrangement between the Agency and Arianespace on the launchers exploitation phase of Ariane, Vega and Soyuz from the Guiana Space Centre, to be concluded on the basis of a text approved by the Council on 19 June 2008 (ESA/C/R(2008)7), hereinafter referred to as “the ESA/Arianespace Exploitation Arrangement”,

HAVING REGARD to the Resolution on the CSG (2002-2006) (ESA/C-M/CLIV/Res. 3, rev.1 (Final)) adopted by the Council meeting at ministerial level on 15 November 2001, as amended by Resolution ESA/C/CLXIX/Res. 5 (Final) adopted by the Council on 4 February 2004, and to the Resolution on the CSG - Extension until end 2008 (ESA/C-M/CLXXXV/Res. 4 (Final)), adopted by the Council meeting at ministerial level on 6 December 2005,

HAVING REGARD to the Director General’s proposal for the Agency contribution to the funding of the Guiana Space Centre and associated services over the period 2009-2013 (ESA/PB-LAU(2007)42, rev. 3), hereinafter referred to as “the DG’s Proposal”, which has been drawn up in compliance with the principles set out in Chapter V of the 2005 Launchers Resolution,

(Principles for the Agency contribution to the funding
of the CSG and associated services)

- I. NOTES that, according to the CSG Agreement, the French Government guarantees to the Agency the availability of the CSG Launch Range, as therein defined, for the Agency programmes and activities and for the exploitation phase of Ariane, Vega and Soyuz, and that the CSG Launch Range is rendered and kept compatible with the requirements of those development and exploitation activities, and FURTHER NOTES that CNES is designated by the French Government as the authority responsible for the implementation of this guarantee.
- II. AGREES on the following principles:
 - II.1. The Agency shall contribute, for the period 2009-2013, to the costs of services to be provided by CNES under Article 8 of the CSG Agreement (hereinafter also referred to as “the Reference MCO Costs” in accordance with the DG’s Proposal); the yearly amounts of the Reference MCO Costs to be funded by ESA Member States for the period 2009-2013 are set out in Annex I to this Resolution and detailed in the DG’s Proposal;
 - II.2. For the period 2009-2013, the yearly amounts of the Agency’s internal costs to be funded by ESA Member States are set out in Annex I to this Resolution and detailed in the DG’s Proposal;
 - II.3. The yearly amounts referred to in paragraphs II.1 and II.2 shall be final for the period 2009-2011, subject to economic conditions updating according to the Agency’s rules and procedures;

- II.4. The final yearly amounts related to the period beyond the year 2011 will be decided by the Council on the basis of a corresponding proposal for the Agency contribution to the funding of the CSG and associated services. Such proposal shall be established by the Director General of the Agency on the basis of Reference MCO Costs estimates to be supplied by CNES and subsequently negotiated between the Agency and CNES; if the negotiations aimed at setting the final yearly amounts for the period beyond 2011 cannot be completed in good time and pending a decision by Council on the Agency contribution to the funding of the CSG and associated services for the period beyond 2011, the provisional amounts set out in Annex I to this Resolution shall be used to determine the Agency contribution to the Reference MCO Costs and the Agency's internal costs for the period 2012-2013;
- II.5. The amounts of the Reference MCO Costs and the modalities for their funding provided by ESA Member States within the frame of this Resolution may be revised in the event of a substantial change in the services to be provided by CNES; in such case the Director General shall assess the situation jointly with CNES and, if appropriate, with Arianespace; on the basis of this assessment the DG's Proposal and this Resolution shall be revised as necessary to take account of such substantial change;
- II.6. The Agency contribution to the Reference MCO Costs shall be alleviated in the event described in Attachment II of the ESA/Arianespace Exploitation Arrangement.

(ESA Member States' contribution)

- III. AGREES that the Agency contribution to the Reference MCO Costs as set out in paragraph II above shall be funded by ESA Member States in accordance with the initial composite contribution scale set out in Annex II of this Resolution.
- IV. AGREES that the initial composite contribution scale set out in Annex II of this Resolution shall also be applied to the funding by ESA Member States of the Agency's internal costs referred to in paragraph II above.
- V. NOTES that the initial composite contribution scale is determined according to the funding modalities defined in the DG's Proposal and summarised in Annexes I and II of this Resolution, and FURTHER NOTES that the initial composite contribution scale shall be subject to adjustment as provided for in Annex II of this Resolution.

(Specific use of the CSG Launch Range)

- VI. AGREES that the Agency's consent to the use of the CSG Launch Range foreseen in Article 10 of the CSG Agreement, including the financial modalities associated with such use, shall require a Council decision and should entail an alleviation of Member States contributions to the CSG funding during the period concerned. The procedure and the criteria on the basis of which this decision will be taken shall be determined by Council.

(Disposal of CSG Launch Range facilities)

- VII. AGREES that any income from the sale of CSG Launch Range facilities referred to in Article 14.2 of the CSG Agreement be shared between CNES and the Agency with the Agency receiving two thirds and CNES one third.

(ESA/CNES Contract for the CNES services under the CSG Agreement)

- VIII. INVITES the Director General of the Agency to conclude on the basis of the CSG Agreement and this Resolution a Contract with CNES, to take effect as from 1 January 2009, it being understood that the previous contract with CNES shall be terminated at the end of the year 2008. This contract shall lay down the detailed arrangements for implementing the provisions of the CSG Agreement and detail the related services to be provided by CNES; it shall also include the arrangements for payments and control by the Agency, taking into account the involvement of the Agency in the CNES strategic decision making process provided for in Article 8.1 of the CSG Agreement. The Contract shall be divided in two periods (2009-2011 and 2012-2013) in accordance with the provisions of paragraphs II.3 and II.4.
- IX. RECALLS that the Launchers Programme Board is charged with approving the main principles of the Contract referred to in paragraph VIII above; INVITES the Launchers Programme Board to monitor the execution of the Contract referred to in paragraph VIII above and to draw up appropriate rules and procedures regarding, in particular, a reporting system.

(Industrial Policy principles)

- X. AGREES that the Industrial Policy principles implemented over the period 2002-2008 remain applicable to the period 2009-2013 with a further enhancement of some provisions so as to proactively target for a return coefficient of 1 for all Member States at the end of the period, and in particular with the objective to:
- a. Further improve the Agency involvement in the CNES procurement process by:
 - i. Monitoring the inclusion by CNES of the procurement actions in EMITS, which shall include an intended invitation to tender translated into the English language; with respect to the Investment Plan, where appropriate and on a case by case basis, some invitations to tender (ITTs) shall be issued in French and in English,
 - ii. Adopting the concept of Best Practices for the selection of CNES contractors, with the CNES “Commission de Choix” playing the role of the ESA Senior Procurement Board,
 - iii. Adopting the industrial return as a selection criterion to be formally used in the “Commission de Choix”,
 - iv. Applying the decisions taken by the Agency on the nationality of a bidder immediately after the first part of the CNES tendering process (pre-selection of bidders) and in any case before the selection process is completed,

- v. Ensuring that consensus between CNES and ESA is found on the selection of contractors at the “Commission de Choix”.
 - b. Provide the Agency with a comprehensive Procurement Plan (five years) at the beginning of the period and with its subsequent updates.
- XI. AGREES to take into account in the Agency’s return statistics the running and capital expenditure committed by CNES, and INVITES the Industrial Policy Committee to examine the relevant implementing modalities on the basis of the rules and procedures in force in the Agency and taking due account of the specific nature of activities in French Guiana, and INVITES the Director General to submit an annual report on the execution of the Contract referred to in paragraph VIII above to the Industrial Policy Committee, whose comments shall be conveyed to the Launchers Programme Board.
- XII. STRESSES the need to foster the participation of European industry in the CSG activities, on the basis of the following measures:
 - a. by implementing a procurement policy aiming at maximising the cost reduction, the opportunities for the European industry, and the possible synergies related to the industrial activities performed at the CSG, in particular those offered by the parallel exploitation of Ariane, Vega and Soyuz from CSG;
 - b. by implementing a system of proactive monitoring of the evolution of the industrial return allowing to dynamically adapt the targets applied to the procurement actions to the actual return situation, with a view to reach a return objective of 1 for each Member State;

- c. by introducing a guarantee for each Member State of a minimum return coefficient of 0.84 at the end of the year 2011;
- d. by monitoring on a yearly basis the achieved industrial return and implementing corrective actions as necessary;
- e. by performing, at the end of the year 2011, a formal review of the achieved industrial return over the period 2009-2011. The remaining deficits with regard to the minimum return coefficient of 0.84 shall be balanced in the following period in accordance with the applicable ESA rules and procedures, unless the Member States concerned agree on a different scheme;
- f. by duly documenting in the Agency's statistics the actions referred to in paragraphs XII.d) and e) above.

XIII. INVITES Member States to take such steps as they consider most appropriate to encourage firms potentially interested in activities carried out at the CSG to reply to invitations to tender issued by CNES.

XIV. NOTES that the Agency will have full visibility and audit rights on the total costs incurred over the period 2009-2013 as detailed in the DG's proposal and FURTHER NOTES that under the terms of the ESA/Arianespace Exploitation Arrangement ESA shall grant Arianespace full visibility on the official reporting documents provided to ESA decision-making bodies on the above-mentioned costs.

(Europeanisation measures and public relations)

- XV. NOTES that, in the CSG Agreement, the French Government undertakes to continue and build upon the Europeanisation measures implemented during the previous period to better reflect the European dimension of the CSG and the financial effort being made by the Member States. Such measures are detailed in the DG's Proposal, in particular, CNES on behalf of the French Government shall assign non-French nationals of Member States of the Agency to positions set aside for CNES staff on secondment to French Guiana, so as to fulfil an overall objective of 20 such non-French nationals assigned to these positions.
- XVI. INVITES the Director General to draw up and apply measures for improving the European image of the CSG through public relations and communication efforts, to which end the Agency shall coordinate with CNES, Arianespace, and the other entities present on site in order to jointly define a unified policy on public relations and communication, decide how it is to be put into practice and follow its execution; this policy shall in particular enhance the Agency's presence in media, VIP visits as well as public events, and shall draw attention to the part played by ESA and its Member States in funding, developing and exploiting the CSG.

(Meetings)

- XVII. INVITES the Director General of the Agency and the President of CNES to hold a joint meeting each year (or whenever necessary, at the request of either party) for the purposes of taking strategic decisions as referred to in paragraph VIII above, hearing reports on implementation of such decisions, and settling any specific matters; they may set up temporary ad hoc groups as necessary and are invited in particular to maintain the group on the European image created pursuant to the terms of a previous Resolution on

the CSG (1993-2001) adopted on 24 June 1993 (ESA/C/CIX/Res. 2 (Final), rev.2 (Final)), it being understood that the mandate and composition of this group shall be further developed to take into account the exploitation of Ariane, Vega and Soyuz from 2009 onwards.

(Continuation)

XVIII. INVITES the Director General of the Agency to draw up in due time a proposal on the Agency contribution to the funding of the CSG and associated services beyond the year 2011 as foreseen in paragraph II.4, including the legal arrangements required to cover that continuation.

ANNEX I

Yearly Amounts¹

1. Reference MCO Costs

The final and provisional yearly amounts of the Reference MCO Costs over the period 2009-2013, referred to in paragraph II of this Resolution and established on the basis of the nominal mission model defined in the DG's Proposal, are the following:

Amounts in M€ at 2009 e.c.	Final amounts				Provisional amounts			TOTAL
	2009	2010	2011	Total	2012	2013	Total	
TOTAL COSTS	132.9	130.8	129.6	393.3	129.6	129.6	259.2	652.5

1.1. Costs to be funded by ESA Member States according to GNP scale

Under the funding modalities defined in the DG's Proposal, one-third of the Reference MCO Costs is to be funded by ESA Member States according to the scale applicable to the Agency's mandatory activities (GNP scale, see Annex II to this Resolution). The corresponding yearly amounts are the following:

Amounts in M€ at 2009 e.c.	Final amounts				Provisional amounts			TOTAL
	2009	2010	2011	Total	2012	2013	Total	
Costs funded according to the GNP scale	44.3	43.6	43.2	131.1	43.2	43.2	86.4	217.5

¹ The yearly amounts, here expressed in 2009 e.c., correspond to those defined in the DG's Proposal, there expressed in 2006 e.c. The applicable HICPs (Harmonised Indices of Consumer Prices) have been used for the conversion.

1.2. Costs to be funded by ESA Member States and Arianespace on the basis of their apportionment to Ariane, Vega and Soyuz

Under the funding modalities detailed in the DG's Proposal, one-third of the Reference MCO Costs are to be apportioned to each of the launchers Ariane, Vega, and Soyuz and shall be funded as follows:

- ESA Member States, party to the Ariane Exploitation Agreement, will cover the costs apportioned to Ariane on the basis of the industrial return established according to the applicable rules and procedures (see Annex II to this Resolution).
- ESA Member States, party to the Vega Exploitation Agreement, will cover the costs apportioned to Vega on the basis of the industrial return established according to the applicable rules and procedures (see Annex II to this Resolution).
- Arianespace will, through payments to the Agency which will be transferred to CNES, cover the costs apportioned to Soyuz.

The corresponding yearly amounts are the following:

Amounts in M€at 2009 e.c.	Final amounts				Provisional amounts			TOTAL
	2009	2010	2011	Total	2012	2013	Total	
Costs apportioned to Ariane	37.4	36.8	36.5	110.7	36.5	36.5	73.0	183.7
Costs apportioned to Vega	2.3	2.2	2.2	6.7	2.2	2.2	4.4	11.1
Costs apportioned to Soyuz	4.6	4.6	4.5	13.7	4.5	4.5	9.0	22.7
TOTAL COSTS	44.3	43.6	43.2	131.1	43.2	43.2	86.4	217.5

2. Agency internal costs to be funded by ESA Member States

The final and provisional yearly amounts for the Agency internal costs over the period 2009-2013 referred to in paragraph II of this Resolution are the following:

Amounts in M€at 2009 e.c.	Final amounts				Provisional amounts			TOTAL
	2009	2010	2011	Total	2012	2013	Total	
Agency internal costs	2.5	2.5	2.5	7.5	2.5	2.5	5.0	12.5

3. Total costs to be funded by ESA Member States

The final and provisional yearly amounts for the total costs to be funded by ESA Member States over the period 2009-2013, resulting from the above, are the following:

Amounts in M€at 2009 e.c.	Final amounts				Provisional amounts			TOTAL
	2009	2010	2011	Total	2012	2013	Total	
Total costs to be funded by ESA Member States	86.5	85.1	84.4	256.0	84.4	84.4	168.8	424.8

ANNEX II – ESA Member States Contribution Scale1. Initial composite contribution scale

ESA Member States will fund the costs set out in section 3 of Annex I above according to the initial composite contribution scale shown below.

Country	Initial Contribution Scale [%]
Austria	1.48
Belgium	4.29
Czech Republic	0.43
Denmark	0.93
Finland	0.74
France	34.15
Germany	18.48
Greece	0.98
Ireland	0.71
Italy	12.00
Luxembourg	0.12
Netherlands	3.32
Norway	1.48
Portugal	0.65
Spain	5.68
Sweden	2.00
Switzerland	3.38
United Kingdom	9.18
Total	100.00

The initial composite contribution scale is established on the basis of the ESA Member States' contributions calculated according to the funding modalities defined in the DG's Proposal and summarised in Annex I above.²

The underlying initial GNP scale and initial Ariane and Vega industrial return scales are provided below.

² The formula used is the following:

$$S_i[\%] = \frac{\frac{1}{3} C_{Total} \cdot GNP_i + C_{Ariane} \cdot IR(Ariane)_i + C_{Vega} \cdot IR(Vega)_i}{\frac{1}{3} C_{Total} + C_{Ariane} + C_{Vega}} \cdot 100$$

Abbreviations: S_i =share of costs to be funded by State "i", C_{Total} =total Reference MCO Costs (section 1 of Annex I), C_{Ariane}/C_{Vega} =Reference MCO Costs apportioned to Ariane/Vega (section 1.2 of Annex I); GNP_i =GNP percentage value applicable to State "i" (section 2 of Annex II); $IR(Ariane)_i/(Vega)_i$ =normalised industrial return on Ariane/Vega for State "i" (section 2 of Annex II).

2. GNP scale and industrial return

The table below provides

- the initial GNP scale applicable over for the period 2009-2013;
- the normalised initial industrial return scale applicable to Ariane over the period 2009-2013, including only those ESA Member States party to the Ariane Exploitation Agreement, and established on the basis of the data resulting from the Audit Phase 2 exercise (see ESA/PB-ARIANE(2005)31), this source data also being shown below;
- the normalised initial industrial return scale applicable to Vega over the period 2009-2013, including only those ESA Member States party to the Vega Exploitation Agreement, and established on the basis of the best estimated data related to the VERTA flights, this source data also being shown below.

Country	GNP Scale [%]	Ariane industrial return [%] (normalised)	Ariane industrial return [%] (Audit data)³	Vega industrial return [%] (normalised)	Vega industrial return [%] (VERTA estimates)³
Austria	2.20	0.71	0.70		
Belgium	2.71	6.04	5.97	6.08	5.75
Czech Republic	0.82				
Denmark	1.76				
Finland	1.41				
France	15.49	56.65	56.00	27.52	26.03
Germany	20.65	17.03	16.83		4.94
Greece	1.86				
Ireland	1.23	0.14	0.14		
Italy	12.27	9.21	9.10	52.73	49.88
Luxembourg	0.23				
Netherlands	4.67	1.77	1.75	2.58	2.44
Norway	2.24	0.67	0.66		
Portugal	1.24		0.01		
Spain	7.99	2.84	2.81	7.40	7.00
Sweden	2.64	1.32	1.31	0.76	0.72
Switzerland	3.19	3.62	3.58	2.93	2.77
United Kingdom	17.40		1.14		0.47
Total	100.00	100.00	100.00	100.00	100.00

³ Provided for reference purposes only.

3. Adjustments of the contribution scale

The initial composite contribution scale provided in section 1 of this Annex shall be adjusted each time a change is observed in the GNP scale in accordance with the Agency's rules and procedures.

Moreover, at the end of the period 2009-2011 it shall be retroactively adjusted by taking into account the actual Ariane and Vega normalised industrial return scales updated on the basis of the most recent available data resulting from the audits carried out by the Agency.

In the event described in paragraph II.4, pending a decision by Council, the initial composite contribution scale shall be adjusted for the period 2012-2013 in line with the modalities applicable to the period 2009-2011 and described in this Annex.

**RESOLUTION ON
THE EVOLUTION OF THE AGENCY**

(adopted on 25 November 2008)

Council, meeting at ministerial level,

HAVING REGARD to the Resolution on the evolution of the Agency (ESA/C-M/CLXXXV/Res. 5 (Final)), adopted at ministerial level in Berlin on 6 December 2005,

HAVING REGARD to the Resolution on the European Space Policy (ESA/C/CXCIV/Res. 1 (Final)) adopted by Council at ministerial level at the occasion of the Space Council of 22 May 2007 and to the Resolution “Taking forward the European Space Policy” (ESA/C-M/CCII/Res.1 (Final)) adopted at ministerial level by the Council on 26 September 2008,

HAVING REGARD to the Resolution “The Role of Space in delivering Europe’s Global Objectives” (ESA/C-M/CCVI/Res. 1 (Final)) adopted by the Council at ministerial level,

HAVING REGARD to the Director General’s proposal for the 2008 Council meeting at ministerial level (ESA/C-M(2008)6, rev.1),

HAVING REGARD to the Framework Agreement between the European Space Agency and the European Community and the establishment of the European Space Council in which the Council of the European Space Agency and the Council of the European Union come together to coordinate and implement space initiatives of common interest, requiring reflections and actions for enhancing coherence in particular in financial systems, industrial policy, and decision-making processes,

HAVING REGARD to the increase in the Agency membership, from the 10 founding Member States to the current 18 Member States; RECALLING the recent accession of the Czech Republic to the ESA Convention on 12 November 2008; and HAVING REGARD to the desire expressed by several other Member States of the European Union to become members of ESA,

HAVING REGARD to Article VI of the Convention regarding facilities and services,

UNDERLINING the need to further increase the efficiency of ESA, and to reinforce its competitiveness, pursue its financial management reform, the adaptation of its industrial procurement policy and the implementation of measures to better control projects' costs and planning,

CHAPTER I

PROGRESS OF THE FINANCIAL MANAGEMENT REFORM

1. TAKES NOTE of the progress made since the Council at ministerial level of December 2005 in reforming the financial management of the Agency as reported in the Director General's Proposal (ESA/C-M(2008)6, rev.1);
2. WELCOMES the overall strategy developed by the Director General for further increasing the efficiency of internal operations, the major element of which is the Financial Management Reform, whose introduction is planned to start as of 1 January 2010;

3. SUPPORTS the extension of the Financial Management Reform to subjects such as the management of the workforce and quality;
4. SUPPORTS in particular the proposals emanating from the Financial Management Reform with regard to the voting procedure for the adoption of annual optional programme budgets, constituting a single consolidated funding request to be adopted by Council, following recommendation by the competent Programme Boards and the Administrative and Finance Committee, and providing the required basis for call-up of contributions from Member States.

CHAPTER II

DECISION-MAKING PROCESS

1. RECOGNISES the need to adapt the decision-making process to take into account the organizational experience and current position in order to ensure the continuous efficiency and effectiveness of the Agency in a changing environment;
2. NOTES the importance of stable budget assumptions inter alia for the development of the best possible international cooperation arrangements;
3. NOTES the great advantages of the expected significant increase of Member States, and STRESSES the need to adapt the decision making process to ensure its continued efficiency in such circumstances;
4. APPRECIATES the analyses of the decision-making process performed by Council and the Director General since the Council at ministerial level in Berlin in 2005 and the ensuing evolution considerations;

5. INVITES the Director General to develop a package of proposals balancing the interests of Member States and able to command a consensus, with the objective of Council at ministerial level adopting such fully-fledged proposals at its meeting in 2011 and their entry into force at the latest by the subsequent meeting of Council at ministerial level.

CHAPTER III

INDUSTRIAL AND PROCUREMENT POLICIES

1. APPROVES with immediate effect for all procurements to be approved after this Council meeting at Ministerial level, the four steps and associated voting rights, proposed by the Director General in ESA/C-M(2008)6, rev.1, modifying the approach for large procurements conducted in the frame of the Agency's activities and programmes, in order to further foster competition and cost control;
2. ENDORSES the principles proposed by the Director General for the Agency's risk management policy¹ and SUPPORTS the use of a variable profit scheme;
3. SUPPORTS a new product policy aiming at offering the opportunity of participation in ESA procurements to all categories of firms and at reducing risks in development programmes and INVITES the Director General to foster the reuse of products developed within the programmes of the Agency and of its Member States in the procurements within the Agency;

¹ See ESA/C-M(2008)6, rev.1 and ESA/IPC(2008)77, rev. 1

4. RECALLING the need for a balanced implementation of the Agency's industrial policy, covering all categories of industries, UNDERLINES the important role played by small and medium-sized enterprises (SMEs) in creating a dynamic of growth and employment in Europe, WELCOMES the Resolution ESA/IPC/CCXLVI/Res. 1 (Final) and INVITES the Director General to take the relevant actions;
5. INVITES the Director General to develop the instruments for implementing changes in the Agency's procurement policy as addressed in paragraphs 2 to 4 above, and submit the relevant documents by mid 2009 at the latest to Council for approval, associating as required the Agency delegate bodies in that exercise;
6. TAKING NOTE of the Council Resolution "Taking forward the European Space Policy" mentioned in the preamble which foresees that the EU develops adequate instruments and funding schemes for the space sector, RECOGNISES the need to seek greater consistency of EU industrial and procurement rules with those of ESA allowing for the effective and transparent implementation of joint ESA and EU programmes and for a reinforcement of the competitiveness of the European Space sector, and INVITES the ESA Director General to start reflections with the European Commission and Member States, with a view to making a common analysis of the current rules for joint ESA-EU programmes resulting in a proposal for a cooperation scheme between ESA and EU, respecting the core objectives of the ESA industrial and procurement rules, involving EU and ESA Member States in an appropriate way and to report to their respective Member States by the end of 2009.

CHAPTER IV

IMPROVED CONTROL OF PROJECT COSTS AND PLANNING

1. ACKNOWLEDGES the innovative nature and the inherent technical risks of ESA Programmes and the specific environment within which the Agency initiates and implements its programmes and projects;
2. RECOGNISES the need for continuous improvement of the procurement and project management approaches in light of the constantly changing business environment;
3. TAKES NOTE of the measures taken by the Agency to improve the approaches to the procurement and technical management of its projects and programmes;
4. ENCOURAGES the Director General to put in place methods, processes and tools, to reinforce the Agency's capabilities to control the cost and planning of ESA projects, as described in ESA/C-M(2008)6, rev.1, and INVITES the Director General to report to Council on implementation and effects of such actions by mid-2010.

CHAPTER V

FURTHER DEVELOPMENT OF SITE INFRASTRUCTURE FOR ESA PROGRAMMES

1. TAKES NOTES of the importance of the existing ESA site infrastructure and of its origins and evolution over time; RECOGNISES the need to identify potential requirements for further evolutions while ensuring an adequate workload and maintenance of the existing sites, taking into account:
 - the adoption of new programmes and activities,
 - the need for improvement of the Agency's efficiency,
 - the budget constraints, and

- the availability of capabilities in national centres;
2. WELCOMES the willingness of certain ESA Member States to host new ESA facilities or sites, to respond to these requirements;
 3. AGREES that developments of new ESA sites shall be made according to Article VI of the Convention referred to above and that the creation of such new sites and new facilities is driven by the need for new or enhanced capabilities required for implementing in particular new ESA programmes and activities, all Member States having the possibility to host an ESA site based on the respect of the following guiding principles :
 - (a) new sites or new facilities shall support the efficient and coherent development of capabilities among ESA sites, as well as between ESA facilities and Member States facilities;
 - (b) existing expertise and facilities shall be updated and maintained and an efficient management approach to the benefit of ESA programmes shall be pursued limiting the dispersion of activities for individual programmes, avoiding unnecessary duplications and taking into account that some technical facilities might become obsolete over time;
 - (c) the hosting Member State of a new ESA site has to demonstrate significant financial involvement in the ESA programmes for which such a site is to be developed and to guarantee the sustainable funding of the investment made, including its extraordinary maintenance costs;
 4. WELCOMES the interest shown by ESA Member States that already are hosting ESA sites in the further development of such sites taking into account the investments made in the past;
 5. INVITES the Director General to define and implement on the basis of the principles referred to in paragraph 3 above, a balanced approach for further evolution of ESA sites, taking into account:

- the interest of the ESA Member States concerned, coherently with the investments made in the past to develop sites and facilities, and
- an adequate maintenance of the existing sites,

and further INVITES him to propose at the end of 2010 a development scheme for ESA Infrastructure;

6. RECOGNISES the importance of national infrastructure and facilities complementary to ESA's infrastructure for implementing ESA programmes and INVITES the Director General to take them into account, as well as other relevant European facilities, within the building-up of the infrastructure required by future ESA programmes, it being understood that such facilities will be part of networks located at different ESA or national sites.