



EUROPEAN COMMISSION
IMPACT ASSESSMENT BOARD

Brussels,
D(2012)

Opinion

Title

DG ENTR - Impact Assessment on: Proposal for a Regulation concerning the setting up and operations of European space surveillance and tracking services

(draft version of 21 March 2012)

(A) Context

Space infrastructures and derived services have become critical to the European economy, policies and society. The Commission's Communication 'Towards a space strategy for the European Union that benefits its citizens', adopted in April 2011, identified the protection of these infrastructures as one of the major issues for the future involvement of the EU in space. Despite some existing capabilities, Europe lacks operational space surveillance and tracking (SST) services and is to a large extent dependant on information on space objects orbiting the Earth and collision risks provided by third parties. This impact assessment accompanies the proposal related to the setting up and operations of European SST services.

(B) Overall assessment

The report needs to be significantly improved in several important respects. Firstly, the problem definition and baseline scenario should be strengthened by providing a more detailed overview of existing SST infrastructures and of the expected developments in this area. Secondly, the report should better show the need for and value added of setting up the EU framework and how this could effectively overcome the reasons for failure to set up an operational SST system so far in Europe. The level of ambition of the proposal should also be clarified by indicating the extent to which the existing assets could be used and by explaining much more clearly the new infrastructure development needs. Thirdly, the report should improve the design of policy options, clearly distinguishing for each option the provisions related to the governance, data policy, services operations and funding. Finally, the assessment of impacts should be strengthened, in particular as regards social impacts and impacts on industrial activity.

Given the nature of these recommendations, the Board asks DG ENTR to submit a revised version of the report, on which it will issue a new opinion.

(C) Main recommendations for improvements

(1) Strengthen the problem definition and baseline scenario. The report should present a much better overview of the current state of play as regards the SST infrastructures existing at EU and/or Member States level and of the interactions between the involved players. It should be clearer about the services these infrastructures provide (such as collision alerts information or verification of the information provided by third parties systems) and for which user groups (civil or military users, in all Member States or only in those owning some infrastructure). The baseline scenario should be more fully developed. It should in particular describe the expected evolution in terms of the SST-related policies which are already in place or planned and explain how the situation would be likely to evolve without the EU involvement, for instance cooperation among Member States/third countries. It should also mention possible mitigating measures aiming to control or reduce the quantity of space debris produced, including possible progress on cooperation on prevention at international level.

(2) Better explain the EU value added and level of ambition of the proposal. Against the background of a strengthened problem definition and baseline description, the report should better demonstrate the need for, and value added of what could be achieved in the area of space surveillance and tracking within an EU framework compared to a European Space Agency or Member State cooperation framework. In order to do so, the report should discuss more extensively how the EU involvement could overcome the reasons for failure to set up an operational SST system so far, such as the obstacles caused by Member States' divergent interests, for instance on security matters. The report should also be more transparent about the level of ambition of the proposal and indicate what would be required in order to achieve the provision of the desired level of the STT services at European level. In particular, it should clarify the extent to which the existing assets could be used and explain much more clearly the new infrastructure development needs, including the order of magnitude of the expected costs to be borne by participating Member States and if relevant relate it to evidence from the ex-post evaluation of the European space policy.

(3) Improve the presentation of options. The report should provide a more detailed description of policy options, clearly distinguishing for each option the provisions related to the governance, data policy, services operations and funding. It should systematically describe the role of and interactions between all involved actors, including Member States (such as the infrastructure owner, service provider or service user). The trade-offs between different user needs and interests (such as military, public, commercial or between different Member States) should be analysed. The feasibility of an option based on enhanced cooperation should be clarified. The report should also discuss the willingness of Member States to participate in the setting up of the European SST system (financially, or by giving at the disposal the relevant assets) as a result of the incentive in the form of a (limited) EU participation to funding. In doing so, it should clarify which concrete obstacle such an incentive would target, and should better explain its intended leverage effect. Finally, the report should specify what exactly will be financed by the EU contribution and assess the risks of budgetary constraints at EU and Member State level.

(4) Strengthen the assessment of impacts. The report should systematically and in greater detail assess social impacts, in particular health and safety, and impacts on European industrial activity for all policy options. It should clarify whether there are specific SME-related aspects to be considered, and where relevant assess them. The

report should also better explain how the options will affect the existing bilateral cooperation between Member States, and between Member States and third countries. Finally, the assumptions underlying the estimated annualised losses due to space debris and those behind the expected amount of EU funding should be clarified.

Some more technical comments have been transmitted directly to the author DG and are expected to be incorporated in the final version of the impact assessment report.

(D) Procedure and presentation

The report should present in much greater detail the views of stakeholders (in particular of Member States) as regards the policy options related to the setting up of the SST system.

(E) IAB scrutiny process

Reference number	2012/ENTR/021
External expertise used	No
Date of Board Meeting	18 April 2012