

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2022/1089

of 27 June 2022

on the extension of the Agreement on the promotion, provision and use of Galileo and GPS satellite-based navigation systems and related applications between the European Community and its Member States, of the one part, and the United States of America, of the other part

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 189, in conjunction with Article 218(6), second subparagraph, point (a)(v), thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament (¹),

Whereas:

- (1) The Council, by Decision 2011/901/EU (²), approved the conclusion of the Agreement on the promotion, provision and use of Galileo and GPS satellite based navigation systems and related applications between the European Community and its Member States, of the one part, and the United States of America, of the other part (³) ('the Agreement'). The Agreement was signed at Dromoland Castle, Ireland, on 26 June 2004, and entered into force on 12 December 2011.
- (2) In accordance with Article 20(5) of the Agreement, the Agreement is to remain in force for 10 years; and, at least three months before the end of the initial 10-year period, the Parties are to inform each other of their intention as regards extending the Agreement for a period of 5 years. The Agreement expired on 11 December 2021.
- (3) Both Parties have confirmed their intention to extend the Agreement for an additional period of 5 years without any amendment to the Agreement. For the purpose of ensuring continuity of the Agreement, this Decision should enter into force as a matter of urgency and should apply from 12 December 2021.
- (4) Since the Union has the competence to extend the Agreement on its own, the United States of America should be notified that, as of the date of the extension, the Union will ensure the respect of all obligations under the Agreement vis-à-vis the United States of America.
- (5) The extension of the Agreement should therefore be approved on behalf of the Union,

(¹) Consent of 7 June 2022 (not yet published in the Official Journal).

(²) Council Decision 2011/901/EU of 12 December 2011 on the conclusion of the Agreement on the promotion, provision and use of Galileo and GPS satellite-based navigation systems and related applications between the European Community and its Member States, of the one part, and the United States of America, of the other part (OJ L 348, 31.12.2011, p. 1).

(³) Agreement on the promotion, provision and use of Galileo and GPS satellite-based navigation systems and related applications between the European Community and its Member States, of the one part, and the United States of America, of the other part (OJ L 348, 31.12.2011, p. 3).

HAS ADOPTED THIS DECISION:

Article 1

The extension of the Agreement on the promotion, provision and use of Galileo and GPS satellite-based navigation systems and related applications between the European Community and its Member States, of the one part, and the United States of America, of the other part for an additional period of 5 years is hereby approved on behalf of the Union.

Article 2

The President of the Council shall, on behalf of the Union, give the notification to the Government of the United States of America that the Union has completed its internal procedures necessary for the extension of the Agreement in accordance with Article 20(5) of the Agreement.

Article 3

The President of the Council shall, on behalf of the Union, make the following notification:

‘As a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union has replaced and succeeded the European Community and from that date exercises all rights and assumes all obligations of the European Community. Therefore, references to “the European Community” in the text of the Agreement are, where appropriate, to be read as to “the European Union”.

As of the date of extension, the European Union shall ensure the respect of all obligations under the Agreement vis-à-vis the United States of America.’

Article 4

This Decision shall enter into force on the date of its adoption.

It shall apply from 12 December 2021.

Done at Luxembourg, 27 June 2022.

For the Council

The President

A. PANNIER-RUNACHER
