

(Acts adopted under Title V of the Treaty on European Union)

**COUNCIL JOINT ACTION 2004/552/CFSP**  
**of 12 July 2004**  
**on aspects of the operation of the European satellite radio-navigation system affecting the security of the European Union**

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS JOINT ACTION:

Having regard to the Treaty on European Union, and in particular Article 14 thereof,

*Article 1*

Without prejudice to Regulation (EC) No 1321/2004, this Joint Action sets out the responsibilities to be exercised by the Council in cases where the security of the European Union or its Member States may be affected by the operation of the European satellite radio-navigation system (hereinafter the system).

Whereas:

(1) Council Regulation (EC) No 1321/2004 of 12 July 2004 on the establishment of structures for the management of the European satellite radio-navigation programme <sup>(1)</sup> has set up a Community agency, called the European GNSS Supervisory Authority (SA).

*Article 2*

1. In the event of a threat to the security of the European Union or of a Member State arising from the operation or use of the system, or in the event of a threat to the operation of the system, in particular as a result of an international crisis, the Council, acting unanimously, shall decide on the necessary instructions to the European GNSS Supervisory Authority (SA) and the concession holder of the system. Any Member of the Council, the SG/HR or the Commission may request a Council discussion to agree such instructions.

(2) That Regulation provides that the SA will, *inter alia*, manage all aspects relating to the radio-navigation system's safety and security, without prejudice to aspects relating to the security of the European Union and its Member States.

2. The Council shall, if practicable, invite advice from the SA on the likely wider impact on the Galileo system of any instructions it intends to decide on.

(3) It also provides that the SA will be the licensing authority *vis-à-vis* the private concession holder, who will be responsible for implementing and managing the operation of the system, and will, through the concession agreement with the SA, be obliged to carry out any instructions from the Council pursuant to this Joint Action.

3. The Political and Security Committee shall provide an opinion to the Council as appropriate.

(4) In situations where the operation of the system may affect the security of the European Union or its Member States, the Council should decide on the necessary measures to be taken.

(5) The Secretary-General of the Council, High Representative for the Common Foreign and Security Policy (SG/HR), should, for the purposes of this Joint Action, be empowered to take the necessary measures in cases of urgency, and should be in a position to ensure permanent surveillance of the operation of the system,

*Article 3*

1. In exceptional cases, where the urgency of the situation is such that it requires immediate action, the SG/HR is authorised to issue the necessary instructions referred to in Article 2(1). The SG/HR shall immediately inform the Council and the Commission of any instructions issued pursuant to this Article.

<sup>(1)</sup> See page 1 of this Official Journal.

2. The Council may decide to modify the instructions as necessary.

*Article 4*

The Council, acting unanimously, will as necessary review and refine the rules and procedures set out in Articles 2 and 3 of this Joint Action in the light of the development of the European satellite radio-navigation system. In that context, the Council will, in particular, specify the measures to be taken in the event of a threat to the security of the European Union or a Member State, notably where PRS receivers are lost, misused or compromised; it will also specify how it can provide the SA with the necessary instructions for all matters that could have an impact on the security of the European Union or its Member States.

*Article 5*

This Joint Action shall enter into force on the day of its adoption.

*Article 6*

This Joint Action shall be published in the *Official Journal of the European Union*.

Done at Brussels, 12 July 2004.

*For the Council*

*The President*

B. BOT

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