



2024/1067

16.4.2024

COMMISSION IMPLEMENTING DECISION (EU) 2024/1067

of 12 April 2024

laying down rules for the application of Regulation (EU) 2023/588 of the European Parliament and of the Council as regards the location of the control centres belonging to the ground infrastructure of the Union Secure Connectivity Programme

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2023/588 of the European Parliament and of the Council of 15 March 2023 establishing the Union Secure Connectivity Programme for the period 2023-2027 ⁽¹⁾, and in particular Article 5(3) thereof,

Whereas:

- (1) According to Article 19(2) of Regulation (EU) 2023/588, the Union Secure Connectivity Programme is to be implemented through several contracts, which may take the form of concession contracts, supply, service, or works contracts or mixed contracts. In Commission Implementing Decision C(2023) 1776 ⁽²⁾ the Commission decided to proceed to implement the Union Secure Connectivity Programme through a concession contract and, with contract notice DEFIS/2023/CD/0008, to procure a Concession Contract for the Implementation of the Union Secure Connectivity Programme, regarding the establishment of the governmental infrastructure, including deployment of the space and ground segment.
- (2) Article 5(2), point (d), of Regulation (EU) 2023/588 provides that the governmental infrastructure of the secure connectivity system is to include ground infrastructure for the provision of governmental services to government-authorised users. The ground infrastructure is to be composed of centres, as referred to in Article 5(3) of Regulation (EU) 2023/588 ('control centres').
- (3) To comply with the service requirements laid down in Commission Implementing Decision (EU) 2023/1053 ⁽³⁾, the tenderer of the procurement for a concession contract referred to in recital 1 has proposed a concept of operation based on 3 control centres located on different sites. According to this concept, the operation of the secure connectivity system needs to be based on a balanced repartition of functions, including those related to satellite control, mission control, service management and maintenance, over the above-mentioned sites. To that end, the control centres need to be permanently operational and be able to jointly provide a seamless backup of functions for the core operations and service management of the system. The control centres also need to be able to ensure a proper load balancing of the functions across the system, including in a high demand or crisis scenario.

⁽¹⁾ OJ L 79, 17.3.2023, p. 1, ELI: <http://data.europa.eu/eli/reg/2023/588/oj>.

⁽²⁾ Commission Implementing Decision C(2023) 1776 of 15 March 2023 on the financing of the Union Secure Connectivity Programme and the adoption of the work programme for 2023-2027 (direct management) and 2023-2027 (indirect management)

⁽³⁾ Commission Implementing Decision (EU) 2023/1053 of 30 May 2023 laying down rules for the application of Regulation (EU) 2023/588 of the European Parliament and of the Council as regards operational requirements for governmental services provided under Union Secure Connectivity Programme and its service portfolio (OJ L 141, 31.5.2023, p. 44, ELI: http://data.europa.eu/eli/dec_impl/2023/1053/oj).

- (4) Article 5(3), first subparagraph of Regulation (EU) 2023/588 requires that the selection of a location for the control centres has to be the subject of an open and transparent process. For that purpose, the Commission sent a call for expression of interest to all Member States, giving each Member State the possibility to express the interest to host a control centre in compliance with the concept of operation proposed by the tenderer of the concession procurement. A committee composed of representatives of the Commission and of the Agency has evaluated those proposals against operational and financial criteria relating to technical requirements, security (including the general security requirements referred to in Article 30(3) of Regulation (EU) 2023/588), risks, the schedule for deployment of the control centres, service provision planning and costs, aimed at establishing the most advantageous price-quality ratio.
- (5) France, Italy, and Luxembourg proposed to base the control centres in, respectively, Toulouse, Fucino, and Bettembourg. As a result of the evaluation, the committee recommended the locations proposed by France, Italy and Luxembourg as the most suitable to host the control centres.
- (6) The entry into force of this Decision is imminent in order to ensure the smooth implementation of the Programme, in particular the timely and operational deployment of the sites for the ground governmental infrastructure.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Programme Committee established by Article 107 of Regulation (EU) 2021/696 of the European Parliament and of the Council⁽⁴⁾, in the GOVSATCOM configuration,

HAS ADOPTED THIS DECISION:

Article 1

The centres belonging to the ground infrastructure of the Union Secure Connectivity Programme (the 'control centres') shall be located in Toulouse (France) Fucino (Italy) and Bettembourg (Luxembourg), provided that the following conditions are met:

- (a) the Commission and the potential concessionaire have concluded a concession contract in accordance with Article 19(5) of Regulation (EU) 2023/588, addressing, inter alia, a concept of operation based on the three centres to be permanently operational, to perform functions of equivalent level of criticality, and to jointly ensure a seamless backup of all functions for system operations and service delivery.
- (b) the Commission and each of the concerned Member State hosting a control center have concluded a hosting agreement in the form of an administrative agreement.

Article 2

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels, 12 April 2024.

For the Commission
The President
Ursula VON DER LEYEN

⁽⁴⁾ Regulation (EU) 2021/696 of the European Parliament and of the Council of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU (OJ L 170, 12.5.2021, p. 69, ELI: <http://data.europa.eu/eli/reg/2021/696/oj>).