

proportions. It should again be stressed that less favoured regions in particular will have opportunities only if they tap new forms of innovation. Benchmarking based on experience and best practice is not very helpful for these regions, as

outstanding examples (such as Martinsried) cannot be copied. The regions must be involved in the development of appropriate methods, tailored to their environment, drawing on their experience and using comparable instruments.

Brussels, 16 May 2002.

The President
of the Committee of the Regions
Albert BORE

Opinion of the Committee of the Regions on the 'Proposal for a Council Regulation on the establishment of the Galileo Joint Undertaking'

(2002/C 278/02)

THE COMMITTEE OF THE REGIONS,

having regard to the Proposal for a Council Regulation on the establishment of the Galileo Joint Undertaking [COM(2001) 336 final — 2001/0136 (CNS)];

having regard to the decision of the Commission of 25 June 2001, under the first paragraph of Article 265 of the Treaty establishing the European Community, to consult the Committee on the subject;

having regard to the decisions of its bureau of 12 June 2001 to instruct Commission 3 for Trans-European Networks, Transport and the Information Society to draw up the relevant opinion, and of 6 February 2002 to instruct the Commission for Territorial Cohesion Policy to draw up the relevant opinion;

having regard to the Presidency Conclusions of the Cologne European Council (3 and 4 June 1999) and the Feira European Council (19 and 20 June 2000) with regard to Galileo;

having regard to the Council Resolution of 5 April 2001;

having regard to the draft opinion adopted by the Commission for Territorial Cohesion Policy⁽¹⁾ on 5 March 2002 (CdR 380/2001 rev. 2) (rapporteur: Mr Tabakídis, EL-PES, Mayor of Agii Anargyri);

whereas the first contracts and feasibility studies were funded under the Fourth and Fifth R&D Framework Programmes;

whereas the definition phase of Galileo was completed in April 2001, and the programme moved onto the next stage, testing and confirming the validity of the working assumptions adopted, particularly those regarding the architecture of the system;

whereas the definition phase will be followed by the system development phase involving production of satellites and terrestrial components, satellites launchings, and installation of remaining equipment, so that the system will be operational in 2008;

⁽¹⁾ New organisation of the commissions and their remits, 6 February 2002.

whereas Galileo contains a strong R&D component, which justifies the establishment of a joint undertaking under Article 171 of the Treaty establishing the European Community;

whereas the purpose of the joint undertaking is the successful implementation of the Galileo system's development phase and to ensure an effective combination of private and public capital,

adopted the following opinion unanimously at its 44th plenary session of 15 and 16 May 2002 (meeting of 15 May).

The Committee of the Regions recommends the following:

1. The joint undertaking must operate in keeping with all the rules of transparency and equal treatment laid down by Community legislation.
2. The rules for award of contracts in connection with the joint undertaking must comply with the relevant Community law.
3. Political control on the part the EU Member States must be ensured at every stage of system implementation.
4. If the involvement of the Member States is to be effective, there must be a specific follow-up committee made up of representatives of the Member States and of the joint

undertaking. The follow-up committee must be able to finally reject European Commission proposals.

5. The follow-up committee should be principally responsible for policy decisions, while the administrative board should be responsible for decisions on the day-to-day running of the joint undertaking and for meeting the objectives set.
6. The European Space Agency will be represented on the administrative board and will also have a major part to play in providing technical support for the joint undertaking in achieving its objectives.
7. The statutes of the joint undertaking must clarify the role of each body and define their powers.
8. Matters concerning copyright and ownership of services should be made very clear.

Brussels, 15 May 2002.

*The President
of the Committee of the Regions*
Albert BORE
