



KATHOLIEKE UNIVERSITEIT
LEUVEN

European Space Procurement: Towards a Third Way

Rik Hansen

SWF-IFRI Conference 13 September 2011

'European Space Governance: The Outlook'



Leuven Centre
for Global
Governance Studies



Plan

1. Procurement in the European Space Sector
2. Legal Framework
3. SP4ESP
4. Recent Developments
5. Conclusions
6. Questions remaining

1. Procurement in the European Space Sector

- Public procurement
- Economic characteristics of the space market
- Institutional complications: EU, ESA and member states



2. Legal Framework

- EU: Financial Regulation, GNSS regulation
- ESA: Procurement Regulations (2009)
- EU-ESA: framework agreement

3. FP7 Project: SP4ESP (I)

- Starting point: procurement as a tool
- Structure:
 - Legal analysis
 - EU
 - ESA
 - Market analysis
 - Stakeholder consultation
 - Analogies & existing instruments
 - Result: Toolbox



3. FP7 Project: SP4ESP (II)

SP4ESP study report:

Faix, M., Kerner, I., Hansen, R., Mey, J., Heinrich, O., Plücken, M., Hobe, S., Schwier, H., Hofmannova, M., Sterkx, S., Holdorf, J., Wouters, J. (2011). A Coherent European Procurement Law and Policy for the Space Sector: Towards a Third Way. (Hobe, Stephan, Ed., Hofmannova, Mahulena, Ed., Wouters, Jan, Ed.). Kölner Schriften zum Internationalen und Europäischen Recht, 22. Berlin: Lit Verlag.

4. Recent Developments

- EU
 - Art. 189 TFEU
 - Mid-term review of navigation programmes
 - Commission Communication (2011)
 - GMES left out of proposed MFF (2014 – 2020)
- ESA
 - Implementation of Procurement reform

5. Conclusions

- Legally (and institutionally): several possible solutions
- Procurement problem at the intersection of funding, governance and industrial policy
- Problems not to be confounded



6. Questions Remaining

- Funding for GMES
- Sector-specific industrial policy for the space sector
- Institutional future: EU - ESA