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## A “SOVEREIGN EUROPE” IN OUTER SPACE FOR THE GOOD? SOME REFLECTIONS ON AN INTERNATIONAL ACTOR (STILL) LOST IN AN INCREASINGLY COMPETING SECURITY SCENARIO

CONTENTS: 1. Introduction. – 2. The EU’s Pursuit of Strategic Autonomy in Outer Space. – 3. The Main Components of the European Union’s Space Policy Contributing to its Security and Defence. – 4. The Impact of the Renewed EU Space Policy on its External Action. A Contradiction in its Declared External Objectives? – 5. Conclusions.

### 1. Introduction

«Space is critical for the strategic autonomy of the EU and its Member States. (...) Yet, space is an increasingly contested area. (...) In a geopolitical context of increasing power competition and intensification of threats to the EU and its Member States, EU leaders have identified space as a strategic domain (...)».<sup>1</sup>

In recent times, the European Commission has put a strong emphasis on enhancing European Union’s (EU) space capabilities and services, inter alia, to protect its internal public order and security. As part of the political commitment of President von der Leyen’s “geopolitical Commission”,<sup>2</sup> during his keynote speech at the 16<sup>th</sup> European Space Conference on 23 January 2024, the then Commissioner for Internal Market Thierry Breton called for Europe to remain at the forefront of space innovation to build a “sovereign Europe”, inter alia by reducing technological dependencies from abroad and prioritizing

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<sup>1</sup> European Commission and High Representative, Joint Communication to the European Parliament and the Council «European Union Space Strategy for Security and Defence», JOIN (2023) 9 final, Brussels, 10.3.2023, p. 1.

<sup>2</sup> U. VON DER LEYEN, *A Union that strives for more. My agenda for Europe*. Available from: [https://commission.europa.eu/document/download/063d44e9-04ed-4033-acf9-639ecb187e87\\_en?filename=political-guidelines-next-commission\\_en.pdf](https://commission.europa.eu/document/download/063d44e9-04ed-4033-acf9-639ecb187e87_en?filename=political-guidelines-next-commission_en.pdf) [Accessed 15 January 2025]; L. Simón, *A geopolitical Commission? Beware the industrial-strategic gap in EU defence policy*, in *Análisis del Real Instituto Elcano (ARI)* no. 1/2020.

security and defense. In his opinion, in the face of an "unprecedented crisis", a "paradigm shift" in the European approach to launchers was necessary to promote a competitive European solution that ensures the EU's autonomous access to space.<sup>3</sup> Additionally, he admitted that it was still necessary to unlock the full potential that space programs are expected to play in maintaining the Union's security and defense given the increasingly competitive and uncertain international security environment, paving the way for strengthening investments and synergies between the European Defense Fund (EDF) and the EU Space Program in the medium term.

Actually, Breton's discourse aligns with the comprehensive approach that the Union has maintained apropos the reinforcement of its "strategic autonomy".<sup>4</sup> In fact, because of the growing competition and militarization of space by major powers and other state and private actors,<sup>5</sup> ensuring autonomous, free, and safe access to space as a "global commons" has become progressively imperative for the EU. This scenario is reproduced, for example, in the Strategic Compass and the EU Space Strategy for Security and Defence.<sup>6</sup> Both strategies highlight the Union's concern over the "growing rivalry" in outer space from third states like China and Russia, the congestion from the gradual access to space by private and violent non-state actors (VNSAs), and the security against deliberate (cyber)attacks and technical incidents resulting from poor or negligent space traffic management. However, these are not the only strategic documents to consider in order to obtain a whole picture of how the EU Institutions have translated their political commitment into action. As a result, we observe in the last decade a paradigm shift in the way that the EU perceives space as an enabler of its own role in protecting its security and as an autonomous global actor.<sup>7</sup>

Being aware of the transnational and global nature of the risks and challenges, the Union has also looked beyond its borders to meet its geopolitical aspirations. Indeed, besides aiming to strengthen the "technological sovereignty of the EU space sector" and reduce

<sup>3</sup> European Commission, Speech by Commissioner Breton - EU Space: The Top 5 Priorities for 2024 and beyond, Brussels, 23 January 2024; J. Schickler, «New space launcher policy pledge after Ariane failure», *Euronews* (23/01/2024). Available from: <https://www.euronews.com/next/2024/01/23/new-eu-space-launcher-policy-pledge-after-ariane-failure> [Accessed 15 January 2025].

<sup>4</sup> D. FIOTT, *The European space sector as an enabler of EU strategic autonomy*, In-Depth Analysis requested by the SEDE Subcommittee, European Parliament, Policy Department for External Relations, PE 653.620, December 2020; N. HELWIG, V. SINKKONEN, *Strategic Autonomy and the EU as a Global Actor: The Evolution, Debate and Theory of a Contested Term*, in *European Foreign Affairs Review*, 27, Special Issue, pp. 1-20; C. BEAUCILLON, *Strategic Autonomy: A New Identity for the EU as a Global Actor*, in *European Papers*, 8 (2), 2023, pp. 417-428.; C. CELLERINO, *EU Space Policy and Strategic Autonomy: Tackling Legal Complexities in the Enhancement of the 'Security and Defence Dimension of the Union in Space'*, in *European Papers*, 2023, pp. 487-501; L. SCHMITZ, T. SEIDL, *As Open as Possible, as Autonomous as Necessary: Understanding the Rise of Open Strategic Autonomy in EU Trade Policy*, in *Journal of Common Market Studies*, 2023, pp. 834-852; P. RIEKER, M. GISKE, *European Actorness in a Shifting Geopolitical Order. Strategic Autonomy through Differentiated Integration*, London, 2023.

<sup>5</sup> D. FIOTT, *The Strategic Compass and EU space-based defence capabilities*, In-depth analysis requested by the SEDE sub-committee, PE 702.569, November 2022; J. Jordán, *Competición entre grandes potencias y militarización del espacio exterior*, in *Araucaria*, 2023, pp. 169-194; J.-F. MORIN, E. TEPPER, *The Empire Strikes Back: Comparing US and China's Structural Power in Outer Space*, in *Global Studies Quarterly*, 2023, pp. 1-13.

<sup>6</sup> Respectively, Council of the EU, A Strategic Compass for Security and Defence - For a European Union that protects its citizens, values and interests and contributes to international peace and security, 7371/22, Brussels, 21 March 2022; European Commission and High Representative, «European Union Space Strategy for Security and Defence», cit.

<sup>7</sup> D. FIOTT, *The European space sector and The Strategic Compass*, cit.; C. CELLERINO, *EU Space Policy*, cit.; European Parliament resolution, of 23 November 2023, Strategic compass and EU space-based defence capabilities (C/2024/4221).

third-party dependence,<sup>8</sup> EU Institutions have decisively advocated establishing partnerships, supporting multilateralism, and preserving the validity of international rules and agreements for the peaceful exploration and use of outer space. The EU has envisaged taking this approach despite the persistent institutional crisis to provide for a global response to certain threats and challenges, and to address the intrusion of VNSAs and private actors in a realm not subject to state sovereignty.<sup>9</sup> The EU's commitment to the international order, nonetheless, clashes with the reality of global norms not being respected by several régimes and non-State actors and mainly conceived for, and arranged by, governments during the Cold War. Moreover, it enters into conflict with the goals that the EU has proclaimed in the fields of defense and security to protect its own internal security and public order as exemplified in the space sector. There arises a paradox which has received little attention by scholars of European integration.

To address this research gap, this article takes stock of recent developments in EU space policy aiming at enhancing its internal security and defense capabilities. In doing so, we will explore how the Union's latest action in space barely matches its avowed "normative" role in international affairs. Indeed, it perceives how the rationale for the EU to cooperate with third partners in outer space is no longer just promoting scientific collaboration and European economic priorities through unbiased space diplomacy,<sup>10</sup> but also to encourage its own security and defense interests –though still at an initial stage, being afraid of losing the pace in space global governance, set by the United States of America (USA) «as a structural superpower».<sup>11</sup> Despite acknowledging that the EU's pursuit of strategic autonomy is not necessarily at odds with the promotion of multilateralism, it seems that European leaders are aware that it is not the right moment to promote new norms in an increasingly contested security environment and the persistent crisis of institutionalism, which is reflected in the increasing militarization of space and the contestation of its basic principles of international use as agreed more than half a century ago. Consequently, the EU has focused in the last five-year period on safeguarding its «internal security and geopolitical interests» disregarding its other self-proclaimed roles in international affairs, such as conflict prevention and peacebuilding.<sup>12</sup>

To understand the whole picture, the article is structured as follows. Firstly, we will briefly review how the EU has defined space in strategic and operational terms as part of its strategic autonomy (next section). Next, we explore the main elements of EU space policy

<sup>8</sup> European Commission and High Representative, «European Union Space Strategy for Security and Defence», cit., p. 6; European Commission, Speech by Commissioner Breton, cit.; J. Schickler, «New space launcher policy...», cit.

<sup>9</sup> On this topic, J. M. FARAMINÁN GILBERT, *La gobernanza espacial y la regulación del espacio ultraterrestre ante la irrupción de actores no estatales*, in E. SIMÓ-SOLER, E. PEÑA-ASENSIO (coords.), *Defensa Planetaria*, Madrid, 2023, pp. 113-131.

<sup>10</sup> M. RIDDERVOLD, *The European Union's Space Diplomacy: Contributing to Peaceful Co-operation?* In *The Hague Journal of Diplomacy* (online), 2023, pp. 317-350; M. RIDDERVOLD, *The EU as a diplomatic actor in space*, *Blog Post* (online), Universiteit Leiden, 2023. Available from: <https://www.universiteitleiden.nl/hjd/news/2023/blog-post---the-eu-as-a-diplomatic-actor-in-space> [Accessed 15 January 2025]; L. GJESVIK, M. RIDDERVOLD, *A more strategic European Union in a more contested space*, in *Policy Brief*, No. 13/2023, Norwegian Institute of International Affairs. Available from: [https://www.nupi.no/content/pdf\\_preview/27682/file/NUPI\\_Policy\\_Brief\\_13\\_2023\\_GjesvikRiddervold-2.pdf](https://www.nupi.no/content/pdf_preview/27682/file/NUPI_Policy_Brief_13_2023_GjesvikRiddervold-2.pdf) [Accessed 15 January 2025].

<sup>11</sup> J.-F. MORIN, E. TEPPER, *The Empire Strikes Back*, cit.

<sup>12</sup> K. MUSTASILTA, *Preventing What for Whom?: EU Conflict Prevention Efforts in Pursuit of Autonomy*, in *European Foreign Affairs Review*, Special Issue, 2022, p. 58.

and Law directly or indirectly related to security and defense (third section). Given this background, then we investigate how the EU has –to a certain degree– promoted multilateralism through its action within international organizations and partnering with strategic, like-minded allies and sponsored the idea of agreeing on new non-legally binding international rules in space to address the current needs of States, citizens and businesses (fourth section). In fact, this has been its traditional role for decades.<sup>13</sup> However, as we will conclude, the Union has prioritized in recent times enhancing its defense means to protect its internal security and public order, shifting from the purely civil and commercial use of space it promoted some years ago to include nowadays this “fourth dimension of warfare” as an operational ground in current international relations.

In our work, we review the abundant programmatic and strategic documentation published by the Union in the last decade, as well as the discourse of some European political leaders. In particular, we note that the role of the Institutions is key to advancing this Union policy, in line with Calle Håkansson’s statements on the Commission’s action in the field of defence,<sup>14</sup> despite that Member States «still retain political control (of community initiatives) via the treaty provisions on the CSDP».<sup>15</sup> Furthermore, to understand the role sought by the EU in international affairs, it is necessary to consider that this strategic autonomy, in fact, is a subtle exercise of «realpolitik with European characteristics».<sup>16</sup> However, as we will demonstrate, the EU’s self-proclaimed «principled pragmatism»<sup>17</sup> has more of the latter than the former when it comes to building an autonomous, strong space policy. Consequently, its objectives are far from becoming merely a “normative power”,<sup>18</sup> or an international actor for the good of international society. This official discourse and the subsequent academic debate should be considered obsolete following the publication of the 2016 EU Global Strategy (EUGS).<sup>19</sup> In attaining its “securitarian” goals, therefore, the interests of the Institutions align with those of the Member States; a trend which predicts further space and defence policy developments to enhance their synergies in the coming years under the political leadership of President von der Leyen II –further reinforced after eradicating the internal critical elements (i.e., Josep Borrell and Thierry Breton), and the appointment of Andrius Kubilius as the new EU Commissioner for Defence and Space.

<sup>13</sup> M. RIDDERVOLD, *The European Union’s Space Diplomacy*, cit.; M. RIDDERVOLD, *The EU as a diplomatic actor*, cit.

<sup>14</sup> C. HÅKANSSON, *The European Commission’s new role in EU security and defence cooperation: the case of the European Defence Fund*, in *European Security*, 2021, pp. 589-608.

<sup>15</sup> D. FIOTT, *From Liberalisation to Industrial Policy: Towards a Geoeconomic Turn in the European Defence Market?* In *Journal of Common Market Studies*, 2024, p. 1017.

<sup>16</sup> S. BISCOP, *The EU Global Strategy: Realpolitik with European Characteristics*, in *Security Policy Brief*, Egmont Institute, No. 75, June 2016.

<sup>17</sup> European External Action Service (EEAS), *Shared vision, common action – A stronger Europe – A global strategy for the European Union’s foreign and security policy*, Publications Office, 2016. On this document, S. BISCOP, *The EU Global Strategy*, cit.; N. TOCCI, *From the European Security Strategy to the EU Global Strategy: explaining the journey*, in *International Politics*, 2017, pp. 487-502; D. LIÑÁN NOGUERAS, *Un nuevo discurso estratégico para la política exterior de la Unión Europea*, in *Revista de Derecho Comunitario Europeo*, 2017, pp. 11-24; E. BARBÉ, P. MORILLAS, *The EU global strategy: the dynamics of a more politicized and politically integrated foreign policy*, in *Cambridge Review of International Affairs*, 2019, pp. 753-770.

<sup>18</sup> I. MANNERS, *Normative Power Europe: A Contradiction in Terms?* In *Journal of Common Market Studies*, 2002, pp. 235-258.

<sup>19</sup> EEAS, *Shared vision, common action*, cit.

## 2. *The EU's Pursuit of Strategic Autonomy in Outer Space*

The evolution of EU space and defense policies cannot be understood today without taking into consideration the role played by the European Commission in the last decade. Indeed, attaining Union's "strategic autonomy", improving the resilience of its space assets and services, and preserving the safe and free access to outer space to make the Union "a stronger global actor" were political commitments of both Juncker's (2014-2019) and von der Leyen's (2019-present) presidencies<sup>20</sup>. In fact, notwithstanding their traditional objections to share certain areas of national sovereignty linked to their "core" functions<sup>21</sup>, this endeavour was supported by Member States acting through the (European) Council at the EU level, in addition to the purely intergovernmental framework of the European Space Agency (ESA), which offered the technical expertise to develop the EU Space Programme while the Union provided the political guidelines and legitimacy to move forward.<sup>22</sup>

The first steps in this direction followed the release of the EUGS, in June 2016, and its endorsement by the European Council later in December. Since then, it is undeniable the "renaissance" of the Common Security and Defence Policy (CSDP), being its starting point the December 2013 summit of European leaders.<sup>23</sup> In "revitalizing" the CSDP, the leadership played in particular by President von der Leyen's Team has been crucial as a "policy entrepreneur" taking full advantage of external and internal factors;<sup>24</sup> a role that is also observable in the development of EU space policy, on this occasion strongly impelled by a «techno push» as the main driver for action.<sup>25</sup> This political determination in promoting a further defence cooperation within the EU has been built, on the one hand, on the EUGS and its implementing documents in the field of defence and security and, on the other hand, on the acquiescence of Member States, particularly under the leadership of the French-German axis –and, in some instances, because of the power vacuum led by them. This has resulted in a geopolitical Commission that has shown a «profound political ambition», as exemplified by the establishment of the EDF,<sup>26</sup> along with the initiatives launched in recent times in the space sector to enhance Europe's defence and security. Acting this way, the EU has sponsored a «shift from a purely scientific/commercial approach to space policy to a

<sup>20</sup> Jean-Claude Juncker's political guidelines and state of the Union addresses are available at: [https://commission.europa.eu/publications/president-junckers-political-guidelines\\_en](https://commission.europa.eu/publications/president-junckers-political-guidelines_en); and [https://state-of-the-union.ec.europa.eu/state-union-addresses-jean-claude-juncker\\_en](https://state-of-the-union.ec.europa.eu/state-union-addresses-jean-claude-juncker_en). For her part, Ursula von der Leyen's priorities and addresses are available at: [https://commission.europa.eu/strategy-and-policy/priorities-2019-2024\\_en](https://commission.europa.eu/strategy-and-policy/priorities-2019-2024_en), and [https://state-of-the-union.ec.europa.eu/index\\_en](https://state-of-the-union.ec.europa.eu/index_en) [Accessed 15 January 2025].

<sup>21</sup> In fact, vestiges of this traditional reticence remain in the Treaties. For instance, Article 4.2 of the Treaty on European Union (TEU) states that the Union shall respect "the essential State functions, in particular those for ensuring its territorial integrity, maintaining law and order, and safeguarding national security. In particular, national security remains the sole responsibility of each Member State."

<sup>22</sup> C. CELLERINO, *EU Space Policy*, cit.; L. VILLAFRANCE-IZQUIERDO, *Copernicus : un programme sécuritaire hybride*, in *Note d'Analyse du GRIP* (online). Available from: <https://www.grip.org/copernicus-un-programme-securitaire-hybride/> [Accessed 15 January 2025].

<sup>23</sup> L. RUIZ DÍAZ, *Designing the renewed European defence policy through permanent structured cooperation. Why?* In *Defence Studies*, 2021, pp. 162-180.

<sup>24</sup> C. HÅKANSSON, *The European Commission's new role*, cit.; C. Håkansson, *The strengthened role of the European Union in defence: the case of the Military Mobility project*, in *Defence Studies*, 2023, pp. 436-456.

<sup>25</sup> L. VILLAFRANCE-IZQUIERDO, *Copernicus*, cit.

<sup>26</sup> C. HÅKANSSON, *The European Commission's new role*, cit., p. 597.



more strategic one, where security and defence interests of the EU and of the Member States are taken into account (...)» and may constitute a proxy for future developments in CSDP.<sup>27</sup>

In the EUGS, the Union sets the basis for the recognition of outer space as a strategic domain for guarantying Europe's security and public order. It acknowledges that, because European security depends on the effective assessment of internal and external threats and challenges, this mammoth task "requires" greater investment in «Intelligence, Surveillance and Reconnaissance, including Remotely Piloted Aircraft Systems, satellite communications, and autonomous access to space and permanent earth observation».<sup>28</sup> Additionally, the EUGS defends the autonomy and security of the EU's space-based services, and the need to enhance the synergies between defence, industrial and space policies.<sup>29</sup> Months later, the Council adopted a series of documents that defined the objectives briefly explored by the EUGS, set the means to achieve them, and outlined the Union's new military and geostrategic ambitions as an international political actor,<sup>30</sup> although the whole geopolitical and strategic picture would be further accomplished by the Strategic Compass.<sup>31</sup>

Despite representing a major U-turn in EU's strategic approach when compared to the "Solana document",<sup>32</sup> however, neither the EUGS nor its implementing documents in the field of security and defence paid enough attention to the space domain. In the maelstrom of the EUGS and the "polycrisis" that would follow those years (e.g., Brexit, unregulated migration flows, Trump's Foreign Policy, and Covid-19), the release of the Space Strategy for Europe<sup>33</sup> tried to fill these lacunae. Based on the new competences in the matter granted by the Treaty of Lisbon, this specific Strategy has definitively arranged the foundations for developing the existing regulatory and political framework and, therefore, the programs and elements of the EU space policy –including those serving security and defence. It is noteworthy that the Space Strategy for Europe, endorsed by the Council,<sup>34</sup> also emphasized the need to reinforce Europe's autonomy in accessing and using space in a secure and safe environment, assuming that "the EU will become the largest institutional European customer" of launchers within the framework of its flagship space programs, Galileo and Copernicus.<sup>35</sup> Last but not least, the 2016 Space Strategy highlighted too that enhancing synergies between civilian and defence capabilities and supporting the European defence

<sup>27</sup> C. CELLERINO, *EU Space Policy*, cit., pp. 487 and 490.

<sup>28</sup> EEAS, *Shared vision, common action*, cit., p. 45.

<sup>29</sup> *Ibidem*, p. 50.

<sup>30</sup> Council conclusions on implementing the EU Global Strategy in the area of Security and Defence - Council conclusions (14 November 2016), 14149/16, Brussels, 14 November 2016; Implementation Plan on Security and Defence, No. 14392/16, Brussels, 14 November 2016; Council Conclusions on the Implementation of the Joint Declaration by the President of the European Council, the President of the European Commission and the Secretary General of the North Atlantic Treaty Organization, 15283/16. Additionally, European Commission, Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions «European Defence Action Plan», COM (2016) 950 final, Brussels, 30.11.2016.

<sup>31</sup> Council of the EU, *A Strategic Compass*, cit.

<sup>32</sup> Council of the EU, *A secure Europe in a better world. European Security Strategy*, 15849/03, Brussels, 5 December 2003.

<sup>33</sup> European Commission, Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions "Space Strategy for Europe", COM (2016) 705 final, Brussels, 26.10.2016.

<sup>34</sup> Council of the EU, Outcome of the Council Meeting, 3503rd Council meeting, Competitiveness, 14926/16, Brussels, 28 and 29 November 2016; Council of the EU, *A Space Strategy for Europe - Council conclusions* (adopted on 30/05/2017), 9817/17, Brussels, 30 May 2017.

<sup>35</sup> European Commission, *Space Strategy for Europe*, cit., pp. 2 and 6.

industry must be conceived as a prerequisite to achieve these strategic and policy goals in the space and defence sectors. That was a key undertaking to definitely open EU budget to invest in defence research and capability development, «(breaking) a long-standing taboo»<sup>36</sup> by doing “legal engineering” through its supporting competences in this particular field of European integration.

This renewed policy push to boost European industrial policy was shortly confirmed in successive communications aimed at creating a new model of European industry.<sup>37</sup> Far from becoming an empty political commitment made by President von der Leyen, the European Council requested the Commission to develop an ambitious industry policy «to make Europe’s economy fit for the green and digital transitions and reduce strategic dependencies, particularly in the most sensitive areas».<sup>38</sup> In March 2024, the defence sector was finally included as part of this new industrial policy following the publication of the first ever European Defence Industrial Strategy (EDIS).<sup>39</sup> Again, the interest was to improve the competitiveness of European defence industry and promote actions to be supported by a new European Defence Industry Program (EDIP)<sup>40</sup> that, along with the EDF, is expected to help accelerate European projects of common interest «to contribute –at EU level– to secure and protect the Union’s and Member States’ free access to the contested areas such as cyber, space, air and maritime, and to the implementation of the EU Capability Development Priorities».<sup>41</sup> The EDIP will also aid EU programs to establish the link between short-term measures, to be completed by 2025-2027, and those aimed at ensuring the continuity of EU financial support in the long term, with the 2035 horizon in mind, alongside the deadlines managed within the Permanent Structured Cooperation (PESCO) and the EU Space Programme.

Finally, the EU Space Strategy for Security and Defence<sup>42</sup> marks the height of the reformulation of space policy as an element of the Union’s security. It also responds to successive calls *i)* to strengthen «synergies between civil, space, and defense industries in EU

<sup>36</sup> D. FIOTT, *Strategic Investment. Making geopolitical sense of the EU’s defence industrial policy*, in *EUISS Chaillot Papers*, 2019, p. 3.

<sup>37</sup> European Commission, Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Investing in a smart, innovative and sustainable Industry. A renewed EU Industrial Policy Strategy, COM (2017) 479 final, Brussels, 13.9.2017; European Commission, Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions A New Industrial Strategy for Europe, COM (2020) 102 final, Brussels, 24.7.2020; European Commission, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Updating the 2020 New Industrial Strategy: Building a stronger Single Market for Europe’s recovery, COM (2021) 350 final, Brussels, 5.5.2021.

<sup>38</sup> European Council meeting (15 December 2022) – Conclusions, EUCO 34/22, Brussels, 15 December 2022, 5. Additionally, Council of the EU, A Strategic Compass, cit.

<sup>39</sup> European Commission and High Representative, Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions A new European Defence Industrial Strategy: Achieving EU readiness through a responsive and resilient European Defence Industry, JOIN (2024) 10 final, Brussels, 5.3.2024.

<sup>40</sup> European Commission, Proposal for a Regulation of the European Parliament and of the Council establishing the European Defence Industry Programme and a framework of measures to ensure the timely availability and supply of defence products (EDIP), COM (2024) 150 final, Brussels, 5.3.2024.

<sup>41</sup> European Commission and High Representative, A new European Defence Industrial Strategy, cit., p. 16.

<sup>42</sup> European Commission and High Representative, «European Union Space Strategy for Security and Defence», cit.

programmes»;<sup>43</sup> *ii*) to link the space and cyberspace domains, especially concerning the exchange of information on potential threats and the implementation of corresponding regulations;<sup>44</sup> and *iii*) to prompt a paradigm shift from emergency responses to readiness, further elaborated by the EDIS.<sup>45</sup> Among the actions envisaged by the Space Strategy for Security and Defence, the Joint Communication included the envisaged proposal for a "EU Space Law"<sup>46</sup> to provide «a comprehensive and consistent framework for the resilience of space systems and services in the EU»,<sup>47</sup> along with Directives on measures for a high common level of cybersecurity across the Union (2022/2555) and on the resilience of critical entities (2022/2557). This piece of legislation is expected to, at the very least, minimize the current legislative «mosaic of national laws and policies»<sup>48</sup> given that the current Treaties exclude the possibility of "any harmonisation of the laws and regulations of the Member States" when it comes to the European space policy (Art. 189.2 TFEU).

In summary, all these strategies insist on considering outer space a tactical domain as a means to reinforce Europe's strategic autonomy and industrial competitiveness globally. As reasserted by the Council, «is key for the EU's freedom of action and autonomous decision-making in security and defence», and constitutes an operational domain for security and defence, along with land, sea, air and cyber.<sup>49</sup> These objectives have been part of the Institutions' discourse on space policy in the aftermath of the EUGS and has been gradually translated into European law, as exemplified by Regulation 2024/795 establishing the Strategic Technologies for Europe Platform (STEP), Regulation 2019/452 establishing a framework for the screening of foreign direct investments into the Union, and Regulation 2024/1252 establishing a framework for ensuring a secure and sustainable supply of critical raw materials, along with the envisaged EU Space Law proposal. The Union has also aimed to establish partnerships with the aerospace and defence sectors, third States, and international organizations working in those fields, such as the ESA. These alliances have, in turn, let the Commission to advance its legislative proposals while reducing potential criticisms,<sup>50</sup> in particular if they provide for additional funding, as the EDF does and the new EDIP is expected to.

<sup>43</sup> European Commission, A New Industrial Strategy for Europe, cit., 14. Additionally, European Commission, European Defence Action Plan, cit.; and European Commission, Updating the 2020 New Industrial Strategy, cit.; European Commission, White Paper on options for enhancing support for research and development involving technologies with dual-use potential, COM (2024) 27 final, Brussels, 24.1.2024; Council of the EU, A Strategic Compass, cit., p. 33; and European Parliament, European defence industry reinforcement through common procurement (EDIRPA), European Parliament legislative resolution of 12 September 2023 on the proposal for a regulation of the European Parliament and of the Council on establishing the European defence industry Reinforcement through common Procurement Act (C/2024/1776).

<sup>44</sup> Additionally, European Parliament resolution of 23 November 2023 Strategic compass, cit.

<sup>45</sup> European Commission and High Representative, A new European Defence Industrial Strategy, cit., pp. 6-7.

<sup>46</sup> Information on the attended proposal at: <https://www.europarl.europa.eu/legislative-train/theme-a-europe-fit-for-the-digital-age/file-eu-space-law> [Accessed 15 January 2025].

<sup>47</sup> European Commission and High Representative, «European Union Space Strategy for Security and Defence», cit., p. 3.

<sup>48</sup> L. CESARI, *Developing an EU Space Law: the process of harmonising national regulations* [online]. Available from: <https://www.mcgill.ca/iasl/article/developing-eu-space-law-process-harmonising-national-regulations> [Accessed 15 January 2025].

<sup>49</sup> Council Conclusions on the EU Space Strategy for Security and Defence, 14512/23, Brussels, 13 November 2023, p. 6.

<sup>50</sup> C. HAKANSSON, *The European Commission's new role*, cit.; L. CESARI, *Developing an EU Space Law*, cit.; L. VILLAFRANCE-IZQUIERDO, *Copernicus*, cit.



That said, the interests of EU Member States must converge for the planned measures to come through, as they did with the creation of the EDF.<sup>51</sup> Without their commitment to move forward, EU space policy could not meet the envisaged goals because they remain the only competent authorities to regulate space-related activities. For now, it seems we are heading in that direction, as reflected in the Council's position on the EU Space Strategy for Security and Defence.<sup>52</sup> However, further actions are essential to respond to the Union's current geopolitical ambitions to become a space power and truly autonomous strategic actor, as repeatedly claimed by the European Commission and the European Parliament.<sup>53</sup> As we will further analyse, the new initiatives launched in recent times take this approach.

### 3. *The Main Components of the European Union's Space Policy Contributing to its Security and Defence*

The EU has based the establishment of its own –relatively autonomous– space policy on the shared competencies attributed to it in the fields of research, technological development and space (Arts. 4.3, 179 and 189 TFEU). To those, the EU has recently enacted several legal instruments to fulfil its new tasks in promoting defence cooperation under its supporting, complementing competences to uphold European industry, including the defence sector (Arts. 6 and 173 TFEU) or even, in the absence of a specific provision, making full use of the financial powers conferred to it (Art. 182 TFEU). As a result, for decades, the Union has promoted –in direct partnership with the ESA– the development of globally relevant programs for Earth observation (Copernicus) and satellite-based radionavigation, positioning, and geolocation systems (Galileo and EGNOS). As the main novelty, these programs are now ruled by a single Regulation (2021/696), and supported by a revamped agency –i.e., the EU Agency for the Space Program (EUSPA), which has acquired a reinforced duty in the area of security and safety. This last point includes too enhancing situational awareness in space to ensure the proper and uninterrupted functioning of space-based services in the face of (natural or man-made) risks and space-related challenges (e.g., traffic congestion and debris), a service provided by the Space Situational Awareness component of the EU Space Programme.

In recent times, the EU has passed several proposals for developing the security dimension of its consolidated European space policy. Although this «shift towards the securitarian sphere» was already observed in the 1990s,<sup>54</sup> the new initiatives seek to complement the civil components and services of EU space programs by strengthening its security dimension and contribution to European defense, while insisting –at least on paper– on respecting their full independence and civilian nature. On the one hand, the Commission has opened a procurement procedure for the concession contract to design, develop and operate a satellite multi-orbital constellation supported by terrestrial infrastructure named IRIS<sup>2</sup> Satellite Constellation (Infrastructure for Resilience, Interconnectivity, and Security by Satellite) within the EU Secure Connectivity Program for 2023-2027, in close alliance with the ESA. Once operational, IRIS<sup>2</sup> is expected to offer States and businesses, through a

<sup>51</sup> D. FIOTT, *From Liberalisation to Industrial Policy*, cit.; C. HAKANSSON, *The European Commission's new role*, cit.

<sup>52</sup> Council Conclusions on the EU Space Strategy for Security and Defence, cit.

<sup>53</sup> For instance, European Parliament resolution of 23 November 2023 Strategic compass, cit.; and European Parliament, European defence industry reinforcement through common procurement (EDIRPA), cit.

<sup>54</sup> L. VILLAFRANCE-IZQUIERDO, *Copernicus*, cit., p. 2.

public-private partnership, highly secure, sovereign, and global communication services meeting their operational needs, such as protecting critical infrastructure, surveillance, and supporting external action or crisis management, as well as military applications by 2027. Given the «extraordinary opportunity for Europe» to become a significant, autonomous actor in the new international order thanks to its contribution to the space sector,<sup>55</sup> the Union has allocated to this end a large budget for the current multiannual financial framework 2021-2027, close to 15 billion euros<sup>56</sup> –although still insufficient compared to the investment data from partner countries (the United States of America, USA) and competitors (China)<sup>57</sup>. It also confirms the links between the space and cyber domains, and the efforts that the EU is currently making to fill the many lacunae of its space policy and the challenges it faces with the –still limited– means at its disposal, evidencing the support offered by the aerospace industry.<sup>58</sup>

On the other hand, the Union launched in 2021 the Governmental Satellite Communications (GOVSATCOM) initiative. This component of the EU Space Programme for the provision of Secure Satellite Communications is intended to ensure the long-term availability of reliable, secure and cost-effective governmental satellite communication services to the Union and its Member States’ authorities managing critical security missions and infrastructure, including national security actors and EU Agencies and Institutions. Envisaged by the Strategic Compass,<sup>59</sup> GOVSATCOM is a user-centric programme aiming to contribute to the Union’s rapid response in the event of specific threats, such as crisis management, border and maritime surveillance, and monitoring of key infrastructures building on the information provided by both Governmental operators –including IRIS<sup>2</sup>– and private providers, counting too on the involvement of actors from the “New Space” ecosystem. Moreover, besides its security uses, it will provide support to several EU policies, such as its Arctic and maritime policies. In sum, the Union expects to become a «technology setter, not a follower» in space.<sup>60</sup>

The restructuring of these systems responds, besides technological, industrial, and commercial issues –areas upon which the Union has traditionally based its competence– to maintaining the security and defence of the EU. Following the identification of threats and risks established by successive strategic documents published over the last decade and with

<sup>55</sup> J. VENTURA-TRAVERSE BOSCH, *El sector espacial, una extraordinaria oportunidad para Europa*, in *Cuadernos de Estrategia*, Instituto Español de Estudios Estratégicos, Madrid, 2021, pp. 17-88.

<sup>56</sup> Data available at: [https://commission.europa.eu/funding-tenders/find-funding/eu-funding-programmes/european-space-programme\\_en](https://commission.europa.eu/funding-tenders/find-funding/eu-funding-programmes/european-space-programme_en) [Accessed 15 January 2025].

<sup>57</sup> Data available at: <https://www.statista.com/statistics/745717/global-governmental-spending-on-space-programs-leading-countries/> [Accessed 15 January 2025].

<sup>58</sup> European Space Policy Institute (ESPI). 2022. Space Venture Europe 2021. Entrepreneurship and Investment in the European Space Sector, Full Report, Vienna. Available from : <https://www.espi.or.at/wp-content/uploads/2022/06/ESPI-Report-83-Space-Venture-Europe-2021.pdf> [Accessed 15 January 2025]; EU Agency for the Space Program (EUSPA). 2023. EUSPA Secure SATCOM. Market and User Technology Report. Luxembourg: Publications Office of the European Union. Available from: [https://www.euspa.europa.eu/sites/default/files/euspa\\_secure\\_satcom\\_report\\_2023.pdf](https://www.euspa.europa.eu/sites/default/files/euspa_secure_satcom_report_2023.pdf) [Accessed 15 January 2025]; L. VILLAFRANCE-IZQUIERDO, *Copernicus*, cit.

<sup>59</sup> Council of the EU, A Strategic Compass, cit. p. 35.

<sup>60</sup> European Commission, IRIS<sup>2</sup>: the new EU Secure Satellite Constellation. Available from: [https://defence-industry-space.ec.europa.eu/eu-space/iris2-secure-connectivity\\_en](https://defence-industry-space.ec.europa.eu/eu-space/iris2-secure-connectivity_en) [Accessed 15 January 2025].

the direct support of the Council<sup>61</sup> and the European Parliament,<sup>62</sup> this push aims to improve the EU's autonomy and secure space management and free access. This securitarian realignment is particularly reflected in the objectives of the various elements and programs of the EU space policy, which now include among their general goals «improving the protection and security of the Union and its Member States, reinforcing the Union's autonomy»; and specifically, «supporting an autonomous, secure, and cost-effective access capacity to space, considering the essential security interests of the Union» (Arts. 4 of the EU Space Programme Regulation and 3 of the Union Secure Connectivity Programme Regulation, respectively).

These legal and policy developments are also intended to overcome the current disconnection between civil and defense domains in space programs, following the guidelines of the Action Plan on Synergies between Civil, Defense, and Space Industries.<sup>63</sup> Actually, the EU's investment in research and the development of dual-use capacities and technologies via programs like Horizon Europe has also served as a “spearhead” to close the circle of this security dimension recently observed in European space policy. Therefore, this move is deemed a natural inference of the gradual transformation of EU space policy into a strategic domain. These programs will hence particularly support startups and SMEs through the CASSINI initiative, promote “hybrid” standardization, and encourage the transfer of technologies from defense to the civil sector – and vice versa,<sup>64</sup> besides implementing information exchange and awareness mechanisms<sup>65</sup>. One of the main obstacles these initiatives will encounter, albeit not the only ones (e.g., funding), is the different timelines between some programs (2027) and others –particularly in the field of defense, which operate on longer timeframes (2035). It seems, then, that supporting these initiatives will continue to be among the incoming Commission's goals beyond the EDIP, along the lines of the EU Strategic Agenda 2024-2029.

Strictly in the fields of security and defence, EU Institutions plan to increase synergies with the aerospace sector. Indeed, many of the proposals build upon the existing examples in which some security actors are becoming users of space program services. This is the case of the European Border and Coast Guard Agency (Frontex), which acts as a single and central point of contact for the acquisition, fusion and provision of Copernicus border surveillance services, currently under the Copernicus Contribution Agreement 2021-2028. The European Maritime Safety Agency has been also designated as the entity responsible for implementing Copernicus maritime surveillance services on behalf of the European Commission. These two agencies of the EU's Area of Freedom, Security and Justice are currently users of the security services offered by Copernicus to receive real-time information

<sup>61</sup> *Inter alia*, Council of the EU, Orientations on the European contribution in establishing key principles for the global space economy - Council Conclusions (11 November 2020), 12851/20, Brussels, 11 November 2020; Council of the EU, A Strategic Compass, cit.; Council of the EU, EU approach to space traffic management - Council conclusions (adopted on 10/06/2022), 10071/22, Brussels, 10 June 2022; and Council Conclusions on the EU Space Strategy for Security and Defence, cit.

<sup>62</sup> European Parliament resolution of 23 November 2023 Strategic compass, cit.; and European Parliament, European defence industry reinforcement through common procurement (EDIRPA), cit.

<sup>63</sup> European Commission, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions «Action Plan on synergies between civil, defence and space industries», COM (2021) 70 final, Brussels, 22.2.2021.

<sup>64</sup> *Ibidem*.

<sup>65</sup> Additional information available at: [https://defence-industry-space.ec.europa.eu/funding-and-grants/calls-proposals/call-expressions-interest-eu-space-isac\\_en](https://defence-industry-space.ec.europa.eu/funding-and-grants/calls-proposals/call-expressions-interest-eu-space-isac_en) [Accessed 15 January 2025].

that facilitates their threat identification tasks in support of the Union's security and the law enforcement, customs, and Rule of Law activities of their Member States' authorities. They provide, thus, a clear example of the potential partnerships between the civil aerospace sector –and the numerous actions in other European programs, such as Horizon Europe; and the defence and security domains sought by the new legislative and programmatic initiatives adopted in the last years, ultimately falling under the responsibility of the Commission. In fact, besides managing ongoing defence and space industrial programs, the European Executive is sought to integrate «military and security user requirements in the design of relevant new EU space systems and the upgrade of relevant existing system» to adapt them to their new security maintenance uses, for which they must consider the 2035 horizon according to the EU Space Strategy for Security and Defence.<sup>66</sup> Specifically, this adaptation to military needs should start with defining the service portfolio of the IRIS<sup>2</sup> initiative in its design phase, currently undergoing with the support of the European Defence Agency (EDA), EUSPA and ESA.

Among these initiatives to be developed following the guidelines of the EU Space Strategy for Security and Defence, PESCO stands out. Foreseen in the Lisbon Treaty but postponed until its full establishment by a CFSP Decision in December 2017<sup>67</sup>, PESCO represents the first exercise of enhanced cooperation in defence that, besides supporting the EDTIB, impacts the aerospace sector. However, among the many shortcomings that can be attributed to PESCO regarding its ambition level, governance, or real implications for the defence industry and the construction of the necessary capacities,<sup>68</sup> it is noteworthy that only four (out of 68) agreed projects are directly space-related. These are the Common Hub for Governmental Imagery (CoHGI project), the European Military Space Situational Awareness Network (EU-SSA-N), the Defense of Space Assets (DoSA project), and the EU Radionavigation Solution (EURAS). Among the remarkable aspects, these projects are expected to rely on capabilities developed under the EU Space Program, such as EU Space Traffic Management<sup>69</sup> and Galileo (EU-SSA-N and EURAS projects, respectively), or existing capabilities, such as the EU Satellite Centre (EUSatCen) in the case of the CoHGI project. The ultimate goal, also in line with the EU Space Strategy for Security and Defence, is to improve and create synergies between space domain knowledge and surveillance across the several ongoing or planned programs and projects, ensure communications inter alia in the conduct of CSDP missions and operations, and enhance the resilience of positioning, navigation and timing (PNT) services like those offered by Galileo.

At this point, however, existing single-state, bilateral and multilateral initiatives in aerospace and defence domains complicate further the geopolitical environment for the EU, acting as a centrifugal force at the expense of European integration. These multitude of

<sup>66</sup> European Commission and High Representative, «European Union Space Strategy for Security and Defence», p. 10.

<sup>67</sup> All the information on the legal instruments, projects and partners are available at: <https://www.pesco.europa.eu/> [Accessed 15 January 2025].

<sup>68</sup> N. NOVÁKY, *The EU's Permanent Structured Cooperation in defence: Keeping Sleeping Beauty from snoozing*, in *European View*, 2018, pp. 97-104; S. BISCOP, *European Defence and PESCO: Don't Waste the Chance*, in *Policy Papers*, 2020. Available from: [https://www.iai.it/sites/default/files/euidea\\_pp\\_1.pdf](https://www.iai.it/sites/default/files/euidea_pp_1.pdf) [Accessed 15 January 2025]; S. Biscop and B. CÓZAR-MURILLO, *PESCO: The Last Chance*, in *Egmont Policy Brief*, 2024. Available from: [https://www.egmontinstitute.be/app/uploads/2024/04/SBiscop\\_BCozarMurillo-Policy\\_Brief\\_341.pdf?type=pdf](https://www.egmontinstitute.be/app/uploads/2024/04/SBiscop_BCozarMurillo-Policy_Brief_341.pdf?type=pdf) [Accessed 15 January 2025].

<sup>69</sup> Additional information available at: [https://defence-industry-space.ec.europa.eu/eu-space/space-traffic-management\\_en](https://defence-industry-space.ec.europa.eu/eu-space/space-traffic-management_en) [Accessed 15 January 2025].

initiatives, along with traditional reluctance from governments to share specific information and intelligence, divert the focus of Member States from the full potential of PESCO and other European initiatives to reinforce EU defence and turn it into a genuine player in space. Moreover, they pose the additional problem of hampering EU competitiveness in an increasingly competitive international market, and contribute to the increasing congestion of space traffic and the effective management of space debris. Nevertheless, as frankly put by Yf Reykers and Pernille Rieker, «European-led ad hoc coalitions are here to stay»,<sup>70</sup> despite the undeniable examples of integration in space and defence-related affairs at the EU level. For instance, France's ambitions to strengthen its sovereignty in the space domain are clearly superior to the expectations that the EU framework offers, while, at the same time «(f)or many EU countries, space and defence is still not seen as a major issue».<sup>71</sup> Therefore, successive French governments have traditionally placed special emphasis on strengthening national space policy and the budget dedicated to this area, as Prime Minister Élisabeth Borne did a few years ago.<sup>72</sup> Here, the Commission's work for the forthcoming years as a “policy entrepreneur” will be to persuade participating Member States (pMS) of the relative gains that these PESCO and space defence projects bring, for which certain pressure from below by national industries and the EDTIB is to be expected, as potential and actual beneficiaries of such European initiatives, as demonstrated by the initial results of the first EDF calls.<sup>73</sup> A challenging task given «the short-term crisis-oriented goals and pragmatic individual interests» of pMS in these EU-led and ad hoc initiatives in defence.<sup>74</sup>

#### 4. *The impact of the Renewed EU Space Policy on its External Action. A Contradiction in its Declared External Objectives?*

The strategies released in the aftermath of the EUGS and the policy initiatives taken hitherto also impel the EU to act abroad since «internal and external security are ever more intertwined».<sup>75</sup> Actually, these strategies act as the Union's published «autobiographies», outlining its conception of self as a security actor of a particular kind, with particular self-

<sup>70</sup> Y. REYKERS, P. RIEKER, *Ad hoc coalitions in European security and defence: symptoms of short-term pragmatism, no more?* In *Journal of European Integration*, 2024, p. 875.

<sup>71</sup> D. Fiott, *The Strategic Compass*, cit., p. 27.

<sup>72</sup> C. PALIERSE, T. PONTIROLI, *Spatial : la France prête à investir 9 milliards en trois ans*, in *Les Echos*, 18 September 2022. Available from: <https://www.lesechos.fr/industrie-services/air-defense/spatial-la-france-annonce-9-milliards-deuros-sur-trois-ans-1788712> [Accessed 15 January 2025]; D. GALLOIS, *La France confirme ses ambitions dans le spatial*, in *Le Monde*, 19 September 2022. Available from: [https://www.lemonde.fr/economie/article/2022/09/19/la-france-confirme-ses-ambitions-dans-le-spatial\\_6142215\\_3234.html](https://www.lemonde.fr/economie/article/2022/09/19/la-france-confirme-ses-ambitions-dans-le-spatial_6142215_3234.html) [Accessed 15 January 2025].

<sup>73</sup> D. FIOTT, *Investing and innovating? Spain and the European Defence Fund*, in *Análisis del Real Instituto (ARI)*, Real Instituto Elcano. Available from: <https://media.realinstitutoelcano.org/wp-content/uploads/2023/08/investing-and-innovating-spain-and-the-european-defence-fund-elcano-royal-institute.pdf> [Accessed 15 January 2025].

<sup>74</sup> Y. REYKERS, P. RIEKER, *Ad hoc coalitions*, cit., p. 875.

<sup>75</sup> EEAS, *Shared vision, common action*, cit., 7; Council of the EU, *A Strategic Compass*, cit.; European Commission, *Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions on the EU Security Union Strategy*, COM (2020) 605 final, Brussels, 10.3.2020.



identity commitments in the world».<sup>76</sup> This is where the EU has unveiled its true intentions when it comes to the place that space policy is ought to play within the maintenance of its internal security and the European public order. Based on the events and discourses that we will explore in these lines, the real aim of enhancing EU space policy in recent times is to strengthen its security and defense capabilities once the “normative power” discourse has been surpassed and progressively superseded by “principled pragmatism” as a new operating principle in the EU’s external action. As Diego Liñán Noguerras points out «The role of values as the central axis of foreign policy is being relativized. I believe the core assessment of the new strategy is correct: the defense of *interests* is compatible with the defense of principles and values. What is being abandoned is the imposition of EU values on societies and states at all costs, which has simply failed. In other words, there is now a more modest conception of the EU’s transformative power. This is where its new flagship concept of *resilience* takes on meaning».<sup>77</sup>

Undoubtedly, the EUGS represents a clear example of the subtle balance of Union’s “principled pragmatism”. On the one hand, it calls for the EU to adopt a more assertive role in international affairs in an increasingly turbulent and competitive –if not outright conflictive– international security context. In particular, the EUGS identifies guaranteeing the security of its citizens and territory –and promoting peace and prosperity «in our neighbouring and surrounding regions»– as one of the Union’s main priorities for its external action.<sup>78</sup> To do so, it calls for enhancing its defence capabilities to provide the Union with a «more credible European defence» to act «autonomously while also contributing to and undertaking actions in cooperation with (North Atlantic Treaty Organization, NATO)».<sup>79</sup> On the other hand, it also states that the Union must remain committed to multilateralism and the promotion of a rules-based global order that the EU is sought to defend in its external action according to Article 21 of the Treaty on the EU (TEU) and the official (“normative”) discourse maintained for over two decades by its Institutions.<sup>80</sup> Therefore, contributing to an effective, rules-based global governance is also deemed to be part of the DNA of the EU. This challenging equilibrium has also been mainstreamed into space policy, which is now conceived as an internal part of its security and defence capabilities.

The Union has maintained in its strategic and space policy agenda some elements of its normative discourse. For instance, the EU has continuously upheld the prevalence of current global international norms and principles and maintained that space is a “global commons”.<sup>81</sup> For decades, the Institutions have advocated in their official discourse for the validity of the 1967 Outer Space Treaty and the principles developed in the United Nations (UN) framework. For them, they represent «the cornerstone of the global governance of outer space, together with relevant resolutions adopted by the UN General Assembly».<sup>82</sup>

<sup>76</sup> M. MÄLKSOO, *From the ESS to the EU global strategy: external policy, internal Purpose*, in *Contemporary Security Policy*, 2016, p. 377.

<sup>77</sup> D. LIÑÁN NOGUERAS, *Un nuevo discurso estratégico*, cit., p. 22.

<sup>78</sup> EEAS, *Shared vision, common action*, cit. On this document and its vision of the world, see footnote 17.

<sup>79</sup> *Ibidem*, p. 20.

<sup>80</sup> For instance, Council Conclusions on EU priorities at the United Nations during the 78th session of the United Nations General Assembly, September 2023 – September 2024, 11688/23, Brussels, 10 July 2023; and Council of the EU, *Implementation Plan on Security and Defence*, cit., p. 9.

<sup>81</sup> EEAS, *Shared vision, common action*, cit., 15; and European Commission and High Representative *European Union Space Strategy for Security and Defence*, cit., p. 1.

<sup>82</sup> European Commission and High Representative, *European Union Space Strategy for Security and Defence*, cit., p. 14; Council of the EU 2022a and 2023; EEAS 2022 and 2024a)

Furthermore, the EUGS insists on encouraging «work(ing) on principles for responsible space behaviour, which could lead to the adoption of an international voluntary code of conduct».<sup>83</sup> As an example of this, the new EU industrial policy calls on Member States and the EU «to set global standards» and specifications –in close cooperation with NATO– that support European interests both in the space and cyber domains as new scenarios of international contestation.<sup>84</sup>

In fact, this attempt to become a rule setter in international affairs matches the thesis presented by Ian Manners at the beginning of this century.<sup>85</sup> Soon after, it was adopted by EU actors as part of their own discourse for over a decade and openly declared in the EUGS and subsequent strategic documents. Likewise, it matches its long-established role as a diplomatic actor in space. As Marianne Riddervold declares, the Union «contributes to space diplomacy through its focus on regulating and institutionalising space activities» even if it encounters an ever-increasing competing world order, particularly after the Russian aggression against Ukraine.<sup>86</sup> Consequently, in addition to its Safety, Security and Sustainability of Outer Space (3SOS) bottom-up public diplomacy initiative<sup>87</sup>, at the UN the EU has sought for deploying its space diplomatic skills to address global challenges, such as the prevention of an arms race in outer space (PAROS) and pledging to stop testing destructive direct-ascent anti-satellite (ASAT). Its main mantra has been to promote the peaceful development of space for economic, strategic and societal purposes through the mechanisms of bargaining and communication, in line with what one would expect of a liberal institutionalist actor.<sup>88</sup> For instance, it has openly supported the “Space2030” Agenda and the Open-Ended Working Group (OEWG) on reducing space threats through norms, rules and principles of responsible behaviours,<sup>89</sup> combining thus legally-binding and politically binding tools as it did vis-à-vis the PAROS.<sup>90</sup> EU’s commitment to international

<sup>83</sup> EEAS, Shared vision, common action, cit., 42; European Commission and High Representative, «European Union Space Strategy for Security and Defence», cit., p. 14.

<sup>84</sup> European Commission and High Representative, European Union Space Strategy for Security and Defence, cit.; European Commission and High Representative, A new European Defence Industrial Strategy, cit.; European Commission, «Updating the 2020 New Industrial Strategy», cit.; European Commission, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, An EU Strategy on Standardisation. Setting global standards in support of a resilient, green and digital EU single market, COM (2022) 31 final, Brussels, 2.2.2022.

<sup>85</sup> I. MANNERS, *Normative Power Europe*, cit.

<sup>86</sup> M. RIDDERVOLD, *The European Union’s Space Diplomacy*, cit.

<sup>87</sup> More information on this initiative to promote “ethical conduct” in space is available at: [https://www.eeas.europa.eu/eeas/sos-sos-sos-eu-calls-ethical-conduct-space-avoid-collision-and-orbital-debris\\_en](https://www.eeas.europa.eu/eeas/sos-sos-sos-eu-calls-ethical-conduct-space-avoid-collision-and-orbital-debris_en) [Accessed 15 January 2025].

<sup>88</sup> M. RIDDERVOLD, *The European Union’s Space Diplomacy*, cit.

<sup>89</sup> EEAS, Conference on Disarmament, EU Statement in Subsidiary Body 3: Prevention of an Arms Race in Outer Space, Geneva, 7 June 2022. Available from: [https://www.eeas.europa.eu/delegations/un-geneva/conference-disarmament-eu-statement-subsidiary-body-3-prevention-arms-race-outer-space\\_en](https://www.eeas.europa.eu/delegations/un-geneva/conference-disarmament-eu-statement-subsidiary-body-3-prevention-arms-race-outer-space_en) [Accessed 15 January 2025]; EEAS, Open Ended Working Group on reducing space threats through norms, rules and principles of responsible behaviours - EU Statement. Geneva, 31 January 2023. Available from: [https://www.eeas.europa.eu/delegations/un-geneva/open-ended-working-group-reducing-space-threats-through-norms-rules-and-principles-responsible\\_en](https://www.eeas.europa.eu/delegations/un-geneva/open-ended-working-group-reducing-space-threats-through-norms-rules-and-principles-responsible_en) [Accessed 15 January 2025]; EEAS, European Union Statement at the 78th Session of the United Nations General Assembly First Committee: Outer Space, New York, 19 October 2023. Available from: [https://www.eeas.europa.eu/delegations/un-new-york/eu-statement-%E2%80%93-un-general-assembly-1st-committee-outer-space\\_en](https://www.eeas.europa.eu/delegations/un-new-york/eu-statement-%E2%80%93-un-general-assembly-1st-committee-outer-space_en) [Accessed 15 January 2025]; European Commission and High Representative, «European Union Space Strategy for Security and Defence», cit., p. 15.

<sup>90</sup> EEAS, European Union Statement, cit.

cooperation, law and institutions has continued even when «war in Ukraine has put security and defence on top of the EU agenda».<sup>91</sup>

Praxis has, however, evidenced a more self-interested goal in recent times because of the current challenging international security environment, which has rapidly evolved in an increasingly more pessimistic landscape than initially portrayed by the EUGS –or even the 2022 Strategic Compass. Indeed, latest international events have demonstrated the inadequacy of the current international space order to effectively address the many challenges and risks it encounters, now private and VNSAs have access to outer space and its militarization is more than evident. Therefore, contrary to the thesis defended by some authors,<sup>92</sup> the Union has conceived outer space as an area of geopolitical competition and has been defined as a strategic domain whose peaceful use and free access needs to be secured.<sup>93</sup> Moreover, EU's space diplomacy exemplifies too that science diplomacy, «contrary to being always co-operative in goals, can actually have both a 'statist approach' and a 'globalist approach' (...); that is, advancing broader foreign policy goals and fostering the international order by its active engagement and collective action».<sup>94</sup> As an example of this kind of instrumentalization of EU's space diplomacy, the Commission has considered that «For the EU to retain its influence in setting global standards, its own standardisation system, a core of the Single Market, has to function in an agile and efficient way. Be it on hydrogen, batteries, offshore wind, safe chemicals, cybersecurity or space data, our industry needs European and international standards that underpin its twin transition (digital and ecological) in a timely manner. Establishing global leadership in these key priority standards is also a critical matter for the competitiveness and resilience of EU industries».<sup>95</sup>

Moreover, instead of purely relying on multilateralism, cultivating partnerships in space-related affairs has demonstrated to be a more pragmatic approach for the pursuit of EU's interests. Indeed, notwithstanding the close relationship established with the ESA as «its natural partner»,<sup>96</sup> the EU has sought too for enhancing «cooperative regional orders» and developing regional alliances with key partners sharing common values and interests,<sup>97</sup> acknowledging the «ongoing competition between different global and regional powers».<sup>98</sup> In this mammoth task, the EU has even sought collaboration with those not necessarily sharing the same values and interests around the world (e.g., the mutually beneficial tailored partnerships) in the Western Balkans, eastern and southern neighbourhood, Africa – including supporting the African Union and Economic Community of West African States (ECOWAS), the Indo-Pacific –mainly limited to its cooperation with the Association of

<sup>91</sup> M. RIDDERVOLD, *The EU as a diplomatic actor*, cit.

<sup>92</sup> M. RIDDERVOLD, *The European Union's Space Diplomacy*, cit.; L. GJESVIK, M. RIDDERVOLD, A more strategic European Union, p. 2.

<sup>93</sup> Council of the EU, A Strategic Compass, cit.; European Commission and High Representative, «European Union Space Strategy for Security and Defence», cit., 1.

<sup>94</sup> M. K. D. CROSS, S. M. PEKKANEN, *Introduction. Space Diplomacy: The Final Frontier of Theory and Practice*, in *The Hague Journal of Diplomacy*, 2023, p. 199.

<sup>95</sup> European Commission, Updating the 2020 New Industrial Strategy, cit., pp. 14-15; in the same vein, A New Industrial Strategy for Europe, cit., p. 3.

<sup>96</sup> C. CELLERINO, *EU Space Policy*, cit., 493.

<sup>97</sup> EEAS, Shared vision, common action, cit.; Council of the EU, A Strategic Compass, cit.; European Commission and High Representative, «European Union Space Strategy for Security and Defence», cit.

<sup>98</sup> S. BISCOP, *The EU Global Strategy*, cit., 4.

Southeast Asian Nations (ASEAN) and Japan— and Latin America.<sup>99</sup> The Union, however, has not demonstrated the same capacity to influence these third States to change the international order as it has with candidate countries for accession, nor the capacity of the USA «as a structural superpower».<sup>100</sup> Furthermore, this role is relegated to a secondary position in informal discussions and the promotion of codes of conduct in multilateral forums, which do not guarantee it a role in the governance of outer space in the medium or long term.

Of particular relevance is the “strategic partnership” sought with NATO and the bilateral relationship with the USA, which both occupy the greater part of EU’s space diplomatic efforts. Following the 2023 Joint Declaration, space has finally entered the NATO-EU bilateral agenda as a new area of cooperation inter alia through political dialogue, regular staff-to-staff meetings and parallel and coordinated exercises including a space component. However, because of the traditional inconsistencies between the transatlantic security community and the practice of Europe and the USA in transatlantic space politics,<sup>101</sup> confidence-building seems to be a prerequisite to foster cooperation in space security at this early stage of collaboration between both partners since space was deliberately absent in the 2016 and 2018 Joint Declarations. In fact, to some extent the USA might be seen as a competitor to the EU’s interests in becoming a strategic autonomous actor—that is, less dependent vis-à-vis USA space technologies— and protecting its own space and EDTIB businesses, complicating further the mutual trust and openness envisaged by the EU in its relationship with NATO. Moreover, this lasting dependence on US technologies also complicates the relationship amid the EU Institutions, as evidenced by the complaints raised by the European Parliament in recent times for not being consulted on the agreement with the United States for the launch from its territory of four Galileo satellites by SpaceX.<sup>102</sup>

That said, the EU itself is full of inconsistencies and contradictions in its discourse as a global space actor. Beyond the need to overcome traditional disconnections and inconsistencies in its security policy stemming from persistent strategic and institutional aspects specially when it comes to its external action,<sup>103</sup> the EU has stressed developing its strategic autonomy in space to contribute to its own security and defence at the expense of its self-proclaimed normative discourse. The pre-eminence of this security-focused and—to a certain extent— selfish dimension in the development of the EU space policy should not be apprehended as an entirely negative attitude from its part. In fact, the strengthening of the Union’s space capabilities contributes too to global security and helps to inform the decision-

<sup>99</sup> Council of the EU, A Strategic Compass, cit.; EEAS, Annual Progress Report on the Implementation of the Strategic Compass for Security and Defence. Report of the High Representative of the Union for Foreign Affairs and Security Policy to the Council, March 2024. Available from: [https://www.eeas.europa.eu/sites/default/files/documents/2024/StrategicCompass\\_2ndYear\\_Report\\_0.pdf](https://www.eeas.europa.eu/sites/default/files/documents/2024/StrategicCompass_2ndYear_Report_0.pdf) [Accessed 15 January 2025].

<sup>100</sup> J.-F. MORIN, E. TEPPER, *The Empire Strikes Back*, cit.

<sup>101</sup> On this thesis, S. WANG, *Transatlantic Space Politics: Competition and Cooperation above the Clouds*, London, 2013.

<sup>102</sup> A. PUGNET, *EU weather satellite agency’s SpaceX launch decision needs urgent review, lead space MEP says*, in *Euractiv* (5 July 2024). Available from: <https://www.euractiv.com/section/global-europe/news/eu-weather-satellite-agencys-spacex-launch-decision-needs-urgent-review-lead-space-mep-says/> [Accessed 15 January 2025]; M. GREENACRE, *European satellite agency criticised over SpaceX deal*, in *Science Business*, 8 July 2024. Available from: <https://sciencebusiness.net/news/european-satellite-agency-criticised-over-spacex-deal> [Accessed 15 January 2025].

<sup>103</sup> L. J. RUIZ DÍAZ, *Hacia una visión integral de la seguridad. La necesaria coordinación de los instrumentos de la acción exterior de la UE en materia de seguridad y defensa*, in J. L. DE CASTRO (coord.), *La Unión de Seguridad y Defensa: el futuro ya está aquí*, Madrid, pp. 195-227.

making processes of other international institutions, such as the United Nations, which has required –and obtained– insights from the EUSatCen.<sup>104</sup> At this point, the EU needs to balance both the goals of its security and defence policies with its role in international affairs, acknowledging that there is a strong demand to assert its (soft and hard) instruments in a competing international society in which not all the actors respect the rules. This requires, at the same time, an introspective exercise to clarify the role the EU truthfully wants –or is able– to play in the world, as well as the strengthening of space capabilities that, by all accounts, play a decisive role in Europe’s security and defence.

## 5. Conclusions

Considering recent international events threatening global peace and security, the EU has launched significant initiatives to enhance its space and defense policies to face them. It has been learnt by doing and taking a more pragmatic approach to international affairs. However, the Union is not yet “sovereign” either technologically or politically. Nor can it be considered an “autonomous” geopolitical actor. From the above, it is evident that the ongoing dependence on third parties for technology and raw materials must be addressed, in addition to bolstering and securing its own space-related capacities and services. It can be done by seeking alternative technologies that do not rely on raw materials or space technologies from third states and increasing the production and procurement of European products. Supporting the EDTIB and the European aerospace sector is essential, aligning with the approaches of recently published strategic documents. Before this, nevertheless, it is necessary to increase the budget allocated to these programs, as the Union did in response to the Covid-19 pandemic with the creation of Next Generation EU for Europe’s economic recovery.

The political commitment evidenced by von der Leyen’s Team in recent times reflects thus the need to transform the space sector into a full-fledged driver of economic development and a means to safeguard Europe’s security, as well as the wellbeing of its citizens. Reaching its strategic autonomy may be perceived just as the catalyst to attain these goals. However, only by deepening and developing the current initiatives with strong political commitment from all the parties involved –i.e., EU Institutions, Member States, the EDTIB and space industry– can it be said that the Union has achieved the global actorness in space and security that it has long proclaimed. Moreover, the Union cannot forget that international cooperation is still needed to deal with the global threats and challenges menacing space. Collaboration is part of its DNA, and the international community needs, now more than ever, an actor committed to respecting and renewing international law to adapt it to the new reality in space. Indeed, the EU must be part of the solution –not part of the problem– by adopting revised international standards to prevent space from becoming a “jungle” because of its increasing militarization and privatization, in addition to the growing contestation of its basic international principles. Contrary to what is happening today, the Union must be

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<sup>104</sup> EEAS, Space: Keynote speech by High Representative/Vice-President Josep Borrell at the 16th European Space Conference, Brussels, 24 January 2024. Available from: [https://www.eeas.europa.eu/eeas/space-keynote-speech-high-representativevice-president-josep-borrell-16th-european-space-conference\\_en](https://www.eeas.europa.eu/eeas/space-keynote-speech-high-representativevice-president-josep-borrell-16th-european-space-conference_en) [Accessed 15 January 2025].



part of shaping the new governance of outer space. For this to happen, it is indispensable to have a von der Leyen's Commission II that leads this process as a "policy entrepreneur" and sets the pace for the Member States in that direction because they still have the final say in space and defence policies. Time will tell if we are proven right.