

Final Document on finalising the revision of the  
Declaration by certain European Governments on the Launchers Exploitation Phase of  
Ariane, Vega and Soyuz from the Guiana Space Centre

(finalised on 4 December 2017)

The governments of the States parties to the Declaration on the Launchers Exploitation Phase of Ariane, Vega and Soyuz from the Guiana Space Centre which was finalised on 30 March 2007, entered into force on 26 November 2009 and is applicable from 1 January 2009 until 31 December 2020 (hereinafter referred to as "the 2007 Declaration"), namely:

The Republic of Austria,

the Kingdom of Belgium,

the Czech Republic,

the Kingdom of Denmark,

the Republic of Estonia,

the Republic of Finland,

the French Republic,

the Federal Republic of Germany,

Hungary,

the Republic of Ireland,

the Italian Republic,

the Grand Duchy of Luxembourg,

the Kingdom of the Netherlands,

the Kingdom of Norway,

the Kingdom of Spain,

the Kingdom of Sweden,

the Swiss Confederation,

the United Kingdom of Great Britain and Northern Ireland,

I. RECALL that the Governments parties to the 2007 Declaration entrusted the launch service provider, namely Arianespace S.A.S and Arianespace Participation SA (hereinafter referred to as "Arianespace"), through the Agency, with the execution of the exploitation phase of Ariane, Vega and Soyuz launchers from the Guiana Space Centre for the period running until 2020 and NOTE the Governments' current practices for implementing article 1.11 of the 2007 Declaration (LED-P(2016)5),

II. RECALL that the ESA Council established a new programme for launchers which was set up and subscribed by the Participating States on 2 December 2014 for the development of Ariane 6 and Vega C (hereinafter referred to as "Ariane and Vega programme") which is described in ESA/PB-LAU/CCLXXX/Dec.1, rev.6 (Final) at the time of the finalisation of the present document,

III. RECALL the ESA Council conclusions regarding the transfer of Arianespace shares between CNES and ArianeGroup dated 17 December 2015 and in particular section 3 (ESA/C(2015)130, rev.1) with which they expressed their concurrence at the occasion of the 6<sup>th</sup> LED meeting that took place on 17 December 2015 (LED-P(2015)3, rev. 1).

IV. RECALL that CNES transferred on 31 December 2016 its shares in Arianespace to ArianeGroup resulting in ArianeGroup controlling Arianespace in terms of percentage of the capital of the company, its shares and voting rights, leading to a change in governance of the European launcher sector.

V. RECALL that ESA's Resolution on Europe's access to space (ESA/C-M/CCXLVII/Res.1 (Final)) invited the Parties to the 2007 Declaration to review the provisions of the latter,

VI. RECOGNISE the need to introduce modifications to the 2007 Declaration for what concerns the exploitation of the Ariane 6 and Vega C launchers and their future evolutions while allowing for the continuation of the Governments' practices referred to in paragraph I.

VII. RECORD the completion of their work and welcome the establishment by unanimity of the revision of the 2007 Declaration in accordance with section V.5 thereto (hereafter referred to as the "2017 Declaration") in the content and form attached to this Final Document.

VIII. AGREE that (i) the 2007 Declaration shall remain in force and shall continue to be binding on the Parties to the 2007 Declaration which do not intend to become Parties to the 2017 Declaration; and that (ii) the 2017 Declaration will supersede the 2007 Declaration for those Parties to the 2007 Declaration that will decide to become Parties to 2017 Declaration in accordance with the requirements set out in the latter.

IX. ACKNOWLEDGE that their intention is to convey as soon as possible to the Director General of the Agency the notification in writing of their acceptance to become Parties to the 2017 Declaration, and INVITE the Governments of the Member States of the Agency that are not Parties to the 2007 Declaration to accede to the 2017 Declaration.

X. INVITE the Council of the Agency to prolong the authorisation given to the Director General of the Agency concerning the exercise of the duties of depositary of the Launchers Exploitation Declarations, together with the other duties described in section V of the 2017 Declaration, for the whole duration of the 2017 Declaration.

XI. REQUEST that the Council and the Director General of the Agency monitor and ensure the consistency and compliance with the 2017 Declaration of (i) the Arrangement between the European Space Agency and Arianespace on the Launchers Exploitation Phase of Ariane, Vega and Soyuz from the Guiana Space Centre which entered into force on 1 January 2009 and will be revised on the basis of the 2017 Declaration as well as of (ii) all other legal instruments implementing the rules for the exploitation of Ariane 6 and Vega C and their future evolutions.