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German Space Industry

Position on the EU Space Act (EUSA)



German Aerospace
Industries Association

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On 25 June 2025, the European Commission presented its proposal for a European Space Law (“EU Space Act”, EUSA). Its aim is to establish a uniform regulatory framework for space activities across the EU.

The background to this initiative is the increasing fragmentation of national legal frameworks, which is seen as an obstacle to a functioning internal market – especially in light of the growing commercial space sector. The draft provides for harmonisation of key areas, including authorisation and licensing procedures, common safety and liability standards, as well as uniform obligations for operators, manufacturers, and service providers. This is intended to facilitate cross-border activities, provide legal certainty, and strengthen the international competitiveness of the European space sector.

The legislative proposal will now be considered under the ordinary legislative procedure in the European Parliament and the Council of the EU. Adoption is not expected before 2026. The Act is scheduled to enter into force on 1 January 2030, with transitional periods until the end of 2031, particularly for small enterprises as well as educational and research institutions. For missions whose Critical Design Review is completed within twelve months of entry into force, the EUSA will only apply as of 1 January 2032.

Assessment by the German Space Industry

The German space industry supports the objective of a European legal framework in principle but views the current draft of the EUSA with scepticism. In its present form, the Act risks weakening the competitiveness of the European space sector rather than strengthening it. Significant amendments are urgently required in several key areas to render the draft practical, flexible, innovation-friendly, and industry-oriented.

Whether the EUSA contributes to strengthening competitiveness will crucially depend on its concrete design. From the perspective of the German space industry, it is essential that the draft ensures harmonisation of national legislations. It must establish common minimum standards to prevent distortions of competition and regulatory dumping between Member States. At the same time, the EUSA must not lead to additional bureaucratic burdens beyond existing national laws, as neither start-ups, SMEs, nor large enterprises can absorb such extra costs.

Particular concern is raised by the decision to base the proposal on Article 114 of the Treaty on the Functioning of the European Union (TFEU) as

the legal basis. While this is legally apparent, as it allows for internal market harmonisation, and the current draft does not amount to full centralisation, it nevertheless entails risks. Authorisation and supervision will remain, in principle, with the Member States (except for Union assets), which we expressly welcome. National liability obligations will also remain. At the same time, however, this choice introduces significant risks: the EU assumes additional tasks through new instruments such as the Union Register of Space Objects (URSO), the EU e-Certificate and technical assessments. For the German space industry, this creates the danger of additional bureaucracy and a de facto shift of compe-

tences to the detriment of national oversight. In the long term, reliance on Article 114 increases the risk of further centralisation, where Member States could effectively lose influence and room for manoeuvre.

Overregulation that goes beyond established international standards—such as ISO 24113—would hinder rather than promote innovation and progress. Moreover, the implementation of international standards already shows significant divergences between Member States. The EUSA should therefore include explicit references to internationally recognised standards in order to avoid double regulation and provide legal certainty. Likewise, national programmes and ESA cooperation must not be restricted by the EUSA.

From the perspective of the German space industry, specific approaches are required, including the exemption of security-related activities, the establishment of the European space database URSO, as well as the recognition of new markets such as in-orbit services and collision avoidance measures. Uniform standards must apply to all market participants, while procedures should be differentiated according to company size and risk profile. These measures are essential to foster growth and innovation. Harmonisation must not be purely formal: evidence of actual trade or operational barriers between EU Member States has so far not been transparently documented. In order to prevent the flexibility of national systems from resulting in a race to the bottom, mutual recognition must be tied to common minimum standards. Should Article 114 remain the legal basis, strict safeguards will be required to prevent overregulation and competence shifts.

The German space industry also takes a critical view of the distribution of roles among European space organisations. The draft significantly strengthens the role of the European Union Agency for the Space Programme (EUSPA), while recognising ESA's proven functions only via agreements. This entails the risk of duplication of structures. ESA's role must therefore be firmly anchored in the legislative text itself.

Furthermore, the decision in favour of Article 114 TFEU as the legal basis, and against Article 189 TFEU, raises both legal and political questions. It suggests that the European Commission deliberately seeks to influence a policy area traditionally within the remit of the Member States and ESA.







Uniform rules for all Member States may appear administratively expedient at first glance, but they could undermine historically evolved structures and proven national procedures. Germany should therefore insist on tailored, practice-oriented solutions and avoid an overregulated one-size-fits-all approach. In principle, the German space industry positively assesses the intended strengthening of legal certainty, the aim of a unified internal market, and the introduction of common safety and sustainability standards.





The German space industry therefore calls for the ongoing legislative process to be used to adapt the draft in an industry- and innovation-friendly manner. A viable European legal framework for space must provide legal certainty while at the same time being flexible, interoperable and forward-looking – in the interest of a strong, innovative, and competitive European space sector.





Recommendations for Action

1. From the perspective of the German space industry, the draft of the EUSA should be reconsidered. Article 114 TFEU does not lead to full centralisation; nevertheless, full harmonisation of national authorisations should be questioned and limited to clear minimum standards.
2. The provisions enshrined in the EUSA must be kept as simple as possible. Despite the differing requirements of start-ups, SMEs and large industrial enterprises, they must be equally easy to apply without imposing additional bureaucracy on any of these groups.
3. Existing procedures must be urgently simplified. Umbrella authorisations should be enabled, clear deadlines established, and bureaucratic hurdles systematically dismantled in order to create legal certainty and investment incentives.
4. The technical requirements in the EUSA should be proportionate, risk-based and technology-neutral. Blanket overregulation would stifle innovation and overburden in particular smaller actors.
5. ESA must continue to play a central role in steering, standard-setting and the strategic coordination of European space activities. The industry rejects any shift of these functions to EUSPA.
6. Internationally established standards—such as ISO 24113 (Space debris mitigation requirements)—should be expressly incorporated into the EUSA in order to avoid double regulation and ensure compatibility with global rules. The European space industry must not be placed at a competitive disadvantage in the global market.
7. The scope of the draft should be clearly defined so as to avoid competitive disadvantages for European launch service providers.

Demands of the German Space Industry	Excerpt EUSA	Status	Comments	Recommended Action
Completely exclude security-related activities (Art. 4(2) TEU)	Clear exemption for military/national security missions Art. 2(2): security-related activities explicitly excluded	Adequate 	Clearly fulfilled – security-related activities are excluded.	Ensure monitoring of implementation; regularly evaluate exemptions.
Industry-friendly legal framework to promote competitiveness, investment security, and innovation	Objective: functioning internal market & promotion of innovation; new markets such as ISOS and NewSpace acknowledged	Needs improvement 	The overall intention is positive, but transparent evidence of trade or operational barriers between EU Member States is still lacking. Mutual recognition should occur only if clear standards are met – otherwise there is a risk of regulatory dumping.	Specify the objective, define transitional arrangements, and explicitly anchor innovation potential.
Compatibility with national & international rules on authorisation, liability & registration	EUSA contains minimum standards, but national specificities are to be respected (p. 5, Art. 3)	Needs improvement 	The framework should be coherent, but details on liability and registration remain unresolved.	Add binding clarification regarding international norms and national specificities.
No additional bureaucratic burdens; authorisations remain national	Arts. 6–10: national authorities are responsible, but minimum requirements apply EU-wide	Needs improvement 	The minimum requirements could potentially create unnecessary bureaucracy. Overregulation: extensive new obligations concerning environment, cybersecurity, and documentation.	Reduce bureaucracy; allow collective authorisations, establish central competences, and set clear deadlines.
The legislation must be designed flexibly and with a forward-looking approach so as not to impede new business models and technologies.	Arts. 9 & 11: simplified procedures, innovation-friendliness, label as a voluntary incentive	Needs improvement 	Only limited simplified procedures are provided, which are insufficient to reduce the burden on all market participants.	Promote innovation-friendly procedures and flexibility in implementation; enshrine concrete measures.
Only basic standards at EU level; technical details through standardisation bodies	Art. 104: standardisation mandated by the EU Commission, elaboration foreseen by expert bodies	Needs improvement 	Technical specifications should indeed be standardised, but industry input must be taken into account. The EU Commission is largely empowered as the implementing agency, which should be viewed critically.	Actively involve industrial bodies; ensure technical expertise in standard setting.

Demands of the German Space Industry	Excerpt EUSA	Status	Comments	Recommended Action
No disadvantage should arise for European launchers due to the extraterritorial application of EUSA provisions – ensure fair competitive conditions.	Art. 2(1): The Regulation applies to space activities that are provided or used within the EU or launched from the EU. Application to launches outside the EU is not explicitly foreseen, unless the operator or services have a direct connection to the internal market.	Needs improvement 	The scope of application of the EUSA is not clearly defined. There is a risk that customers may switch to non-European providers to circumvent regulatory obligations. This could create a structural competitive disadvantage for European launchers.	Clearly define the scope of application to prevent competitive disadvantages.
Level playing field with clear consideration of relevant market actors	Art. 5(16): Defines the term “space operator” as the legal or natural person responsible for control or operation. No differentiation is made by company size or market role.	Critical 	The provisions set out in the EUSA must be kept as simple as possible and, despite the differing requirements of start-ups, SMEs, and large enterprises, must remain equally applicable to all—without creating additional bureaucracy.	Take into account the differing needs of market actors and design procedures proportionately—without imposing additional administrative burdens on start-ups, SMEs, or large industrial enterprises.
Focus on private and commercial activities – no restriction of national programmes/ESA cooperation	Recitals 2–6: national programmes and ESA cooperation are possible, but embedded within the EU framework	Critical 	Cooperation remains permitted, but the EU framework imposes partly strict conditions. Cooperation is thus only allowed under reservation – national programmes risk being constrained.	Explicitly enshrine guarantees for unrestricted national programmes and ESA cooperation.
No harmonisation of national authorisation & supervision; respect for Art. 189 TFEU	EUSA is based on Art. 114 TFEU for harmonisation (pp. 4–5); Art. 189 TFEU is deliberately not applied	Critical 	Action is required here – the chosen legal basis undermines national sovereignty.	Instead of full harmonisation: alignment with common objectives while preserving national procedures.
Consideration of existing international standards (e.g. ISO 24113)	Arts. 96–100: new EU standards; existing standards not explicitly referenced, ISO 24113 remains unconsidered	Critical 	ISO 24113 is not explicitly mentioned – risk of parallel standards exists.	The EUSA should include clear references to internationally recognised standards in order to avoid double regulation and ensure planning certainty.

Demands of the German Space Industry	Excerpt EUSA	Status	Comments	Recommended Action
ESA should retain its established role in programme management, technical standard setting, and strategic coordination. An excessive transfer of competences to EUSPA, particularly in areas such as authorisation, standardisation, and funding allocation, is rejected.	Arts. 24, 111: EUSPA is assigned new tasks in standardisation, certification, fund allocation, and the technical implementation of space projects. An explicit role for ESA within the EUSA is not foreseen. Art. 108: The Commission, the Agency, and the Member States may cooperate with ESA, within their respective competences, insofar as this is necessary for the implementation of this Regulation.	Critical 	The draft significantly strengthens the role of EUSPA while deliberately excluding ESA's proven functions. This implies a structural realignment of Europe's space architecture, which must be critically examined. ESA must not be relegated to a marginal role.	Embed ESA structurally and bindingly into the governance framework.
Technical requirements (safety, resilience, sustainability) must be proportionate, technology-neutral, and risk-based	Title IV (Arts. 80–95): uniform requirements in the areas of safety, resilience, and environment; no risk-based or flexible approach defined	Critical 	There is a risk of overregulation, particularly imposing excessive burdens on SMEs. Furthermore, if adopted in 2027 only a short period would remain before its entry into force in 2030.	Legally enshrine risk-based and technology-neutral principles.

The German Aerospace Industries Association (BDLI)

With more than 260 member companies from across Germany, the BDLI represents the German aerospace industry, which is distinguished by international technological leadership and global success. The German aerospace industry is not only a driving force for economic growth and technological innovation but also an important employer for highly qualified talent.

Covering virtually all strategic key technologies, the German aerospace industry employed over 120,000 people directly in 2024 and generated an annual turnover of more than €52 billion. The space companies represented within the BDLI cover the entire value chain and are global leaders in all areas of space activities.

The BDLI's core tasks include communication with political institutions, authorities, associations, and foreign representations in Germany, as well as provid-

ing a wide range of member services in Germany and internationally.

The BDLI is officially accredited with the German Bundestag. It is a member of the Aerospace and Defence Industries Association of Europe (ASD) and the Federation of German Industries (BDI). The BDLI also owns the trademark for the ILA Berlin Air Show, which showcases innovation, new technologies, and sustainability in the aerospace sector.

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