AGREEMENT

BETWEEN

THE UNITED STATES NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

AND

THE EUROPEAN ORGANISATION FOR THE EXPLOITATION OF METEOROLOGICAL SATELLITES

ON

LONG-TERM COOPERATION

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PREAMBLE

The United States National Oceanic and Atmospheric Administration (hereinafter referred to as "**NOAA**")

and

The European Organisation for the Exploitation of Meteorological Satellites, established by the Convention opened for signature in Geneva on 24 May 1983, and entered into force on 19 June 1986 (hereinafter referred to as "**EUMETSAT**"), as amended by the Amending Protocol attached to EUMETSAT Council Resolution EUM/C/Res.XXXVII, which entered into force on 19 November 2000,

Hereinafter referred to as the "Parties",

RECOGNIZING the importance to users worldwide of continuity and timely delivery of satellite observations for operational weather and climate monitoring, as well as for environmental monitoring services,

RECALLING that EUMETSAT and NOAA have enjoyed long-standing and fruitful cooperation in the field of Earth observation, witnessed by their cooperation in the development and operation of geostationary meteorological and polar-orbiting Earth-observing satellite systems, including the Ocean Surface Topography Mission, which has resulted in major cost savings to the United States and Europe,

RECALLING the framework for general cooperation between EUMETSAT and NOAA agreed through Exchange of Letters in February 1993,

RECALLING the Agreement between NOAA and EUMETSAT on Access to Images and Meteorological Data Distribution Material from EUMETSAT Meteosat Satellites, first concluded in July 1995 and most recently updated in July 2008,

RECALLING that, following episodes in the 1980s and 1990s in which NOAA and EUMETSAT respectively repositioned geostationary satellites to fill gaps created by failures of European and U.S. satellites, EUMETSAT and NOAA signed in August 1993 an Agreement on Long-term Back-up of Operational Meteorological Satellite Systems,

RECALLING the Agreement between EUMETSAT and NOAA on an Initial Joint Polar Orbiting Operational Satellite System (IJPS) signed in November 1998, pursuant to which NOAA and EUMETSAT have established a unique, integrated, and shared system by exchanging instruments and coordinating the operations of NOAA and EUMETSAT polar satellites to provide and improve operational meteorological and environmental forecasting and global climate monitoring services worldwide,

RECALLING the Agreement between NOAA and EUMETSAT on Joint Transition Activities (JTA) regarding Polar-Orbiting Operational Environmental Satellite Systems signed in June 2003 and amended in January 2005, February 2006, July 2008 and July 2011, which provides for additional instruments and data exchange, transition activities and

planning for a future cooperation on a Joint Polar System, continuing the unique, integrated, and shared system established by the IJPS Agreement,

RECALLING the successful cooperation in operational oceanography through the Memorandum of Understanding among CNES, EUMETSAT, NASA, and NOAA for Cooperation in the Ocean Surface Topography Mission concluded in April 2006 and amended in April 2008, and the Memorandum of Understanding among CNES, EUMETSAT, NASA, and NOAA for Cooperation in the Jason-3 Programme, concluded in July 2010,

ACKNOWLEDGING the widespread benefits of this successful cooperation in operational oceanography to the global community, including important improvements to ocean modelling, tropical storm forecasting, climate change monitoring, and safety and transportation at sea,

CONSIDERING EUMETSAT's and NOAA's plan to continue building on the solid and successful past cooperation through further agreements on a Joint Polar System in the EPS-SG and JPSS timeframe, the continuation of the Ocean Surface Topography Mission with Jason-CS, climate monitoring and coordination of third party data access for the benefit of the global user community, and through further agreements concerning geostationary operational satellite systems in the MTG and GOES-R and follow-on timeframe,

AWARE that meteorological and environmental satellite data are essential in global weather forecasting, and in research on climate change, climate and environmental monitoring, and in other sectors of global Earth observation in support of the worldwide user communities,

CONSIDERING the support expressed by NOAA and EUMETSAT to the implementation of the World Meteorological Organization (WMO) Integrated Global Observing System (WIGOS), as described in the "Vision for the Global Observing System (GOS) in 2025" approved by the XVI WMO Congress, which provides a long-term goal to foster the development of the GOS and meet the challenges of future weather and climate observations from space,

CONSIDERING that the Coordination Group for Meteorological Satellites (CGMS) has committed to contribute to the implementation of the WMO "Vision for the GOS in 2025" at its 39th Plenary meeting,

CONSIDERING that the 3rd World Climate Conference which met in Geneva from 31 August to 4 September 2009, established a Global Framework for Climate Services (GFCS) "to strengthen production, availability, delivery and application of science-based climate prediction and services,"

CONSIDERING the wider objectives of the Global Climate Observing System (GCOS), the United Nations Environment Programme (UNEP), the United Nations Framework Convention on Climate Change (UNFCCC), the Group on Earth Observations (GEO), the Committee on Earth Observation Satellites (CEOS), the Intergovernmental Oceanographic Commission (IOC), and other related programmes,

CONSIDERING that the European Union and the U.S. have developed an "EU – U.S. Dialogue on Civil Space Cooperation", to which both EUMETSAT and NOAA contribute,

NOTING the Copernicus Programme, established by the European Commission and the European Space Agency, which aims to develop a portfolio of European operational services, and the intention of NOAA and EUMETSAT to secure reciprocal access to satellite data and products to support their activities and Copernicus services, in accordance with relevant Data Policies,

CONSISTENT WITH the National Space Policy of the United States issued in June 2010, which encourages NOAA to make use of international partnerships to help sustain and enhance weather, climate, ocean, and coastal observations from space,

CONSISTENT WITH the EUMETSAT Strategy "A Global Operational Satellite Agency at the Heart of Europe", approved by the EUMETSAT Council in June 2011, which sets out the strategic objective to meet the needs of EUMETSAT Member States for global space-based observations through international cooperation,

WISHING to establish a policy framework for more detailed agreements covering specific cooperation programmes between NOAA and EUMETSAT,

WISHING to encourage future cooperation that is based on consultation and sound planning, and compatible with phased decisions on both sides,

HAVE AGREED AS FOLLOWS:

Article 1
Purpose

1. This Agreement recognizes the long-term coordination and cooperation commitments of existing agreements between EUMETSAT and NOAA and provides a general policy framework to enhance the Parties' ability to plan for long-term space-based observing systems for operational meteorology and operational monitoring of the oceans, the composition of the atmosphere, and climate monitoring.

2. Any resulting cooperative undertakings on specific areas will be subject to separate agreements consistent with this Agreement.

Article 2
Areas of Cooperation

The Parties agree to continue and enhance the current areas of cooperation, to promote full, open, and timely access to data from space-based observing systems and to expand their joint activities to additional areas as follows:

1. Continued Coordination of Geostationary Operational Satellite Systems

   (a) To continue the current cooperation in operational geostationary meteorological satellite systems (including, but not limited to, data exchange, coordination of programme schedules, exchange of technical information to optimise operations, contingency planning, long-term back-up arrangements, and risk reduction);

   (b) To exchange information and review user requirements, mission objectives, and standards for future operational geostationary satellite systems.

2. Continued Cooperation on Polar-orbiting Operational Satellite Systems

   (a) To continue and enhance the current cooperation covered by the Initial Joint Polar System (IJPS) and Joint Transition Activities (JTA) agreements for a shared polar-orbiting operational satellite system (including, but not limited to, coordination of orbits, exchange of instruments, sharing of ground segment infrastructures to enhance timeliness of data access, data exchange, coordination of programme schedules, and exchange of technical information to optimise operations including collision avoidance);

   (b) To prepare for the establishment and exploitation of a shared Joint Polar System to provide long-term continuity of observations from polar-orbits (including, but not limited to, coordination of orbits, use of common data formats, sharing of ground segment infrastructures, support to operations after the IJPS/JTA timeframe, risk reduction activities and contingency planning including third-party data, and sharing of space surveillance data in support of collision avoidance) in the JPSS and EPS-SG timeframe;

(c) To ensure the long-term continuity of observations from polar-orbit beyond the Joint Polar System through the establishment of common user requirements and mission objectives and agreement on technical concepts and shared implementation responsibilities.

3. Continued Cooperation on Operational Oceanography

(a) To continue the current cooperation covered by the Ocean Surface Topography Mission (OSTM)/Jason-2 and Jason-3 Memoranda of Understanding, with the other OSTM/Jason-2 and Jason-3 partners, for the joint operations of the ocean surface topography satellite systems;

(b) To prepare for the establishment and exploitation of the Jason Continuity of Services (Jason-CS) satellites (including, but not limited to, contribution to instrument payload, joint operations, sharing of ground infrastructures, and common user services), in cooperation with relevant international partners;

(c) To plan for the long-term continuity of Ocean Surface Topography Missions beyond Jason-CS.

4. Cooperation on Climate Monitoring

(a) To cooperate on the establishment of sustainable long-term data records based on global datasets in support of climate monitoring activities;

(b) To cooperate on the establishment of a global architecture for climate monitoring from space in support of the observation needs of the Global Framework for Climate Services (GFCS).

5. Scientific Cooperation

(a) To continue and expand cooperation on instrument calibration and validation and long-term monitoring of instrument performance to enhance the benefits derived from the use of data from space-based observing systems;

(b) To support the definition of the requirements for future space-based observing systems and prepare for the use of the resulting data;

(c) To continue and expand cooperation on scientific algorithm development and data product validation to create a suite of consistent, high quality environmental data products towards an integrated global observing system.

6. Support to User Communities

(a) To continue cooperation on user training activities including the development of joint training materials, organisation of joint workshops and conferences, with a focus on support to the WMO Virtual Laboratory (V-Lab);

(b) To continue and enhance the Parties' respective contributions to the implementation and operations of GEONETCast in support to the Group on Earth

Observations (GEO) with regard to their respective geographical zones of interest;

(c) To develop plans to facilitate coordinated access to data and products through optimisation and interoperability of archive systems.

(d) To continue coordination of Direct Broadcast activities to provide independent, resilient, and more affordable low rate data access.

7. Coordination with Other Satellite Operators

(a) To pursue a coordinated and consultative approach to collaboration with other meteorological satellite operators in support to the WMO Integrated Global Observing System (WIGOS) within the framework of CGMS;

(b) To identify potential research missions to transition into operational missions for meteorology, climate monitoring, and related missions in collaboration with the relevant space development agencies, and to facilitate those transitions;

(c) To work together to seek mutual access to relevant third-party data in agreement with other satellite operators and encourage other satellite operators to participate in the incremental growth of global observing capabilities.

(d) To exchange information and views on matters related to CGMS, CEOS, GEO, and other relevant international groups.

Article 3
Coordination and Implementation

1. The Parties will serve as the primary point of contact with each other concerning cooperative activities within the scope of this Agreement. As such, NOAA will be responsible for coordination with other agencies and partners within the United States and EUMETSAT will be responsible for coordination with other agencies and partners within Europe.

2. The coordination and review of matters of mutual interest resulting from this Agreement will be through meetings co-chaired by the Director-General of EUMETSAT and the Assistant Administrator for Satellite and Information Services of NOAA.

3. The implementation of specific undertakings within the scope of this Agreement will be through existing or future agreements established between the Parties on a specific project or programme basis.

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Article 4
Observer Status and Exchange of Representatives

1. To ensure efficient implementation of this Agreement, the Parties grant to each other permanent observer status at relevant decision-making bodies.

   (a) On the EUMETSAT side, this provides NOAA with observer status at EUMETSAT Council meetings;

   (b) On the NOAA side, this provides EUMETSAT with observer status at meetings of appropriate, equivalent, high-level decision-making bodies.

2. To further enhance cooperation, the Parties will continue to exchange (resident) representatives, as necessary.

Article 5
Funding

Cooperative activities under this Agreement are subject to the availability of appropriated funds and to the applicable laws and regulations, policies and programmes of each Party. This Agreement creates no financial obligations.

Article 6
Settlement of Disputes

1. Any dispute in the interpretation or implementation of the terms of this Agreement will be referred to the Director-General of EUMETSAT and the Assistant Administrator for Satellite and Information Services of NOAA for settlement.

2. Any dispute which cannot be settled by the Parties may, upon agreement of the Parties, be submitted to conciliation, mediation, arbitration, or other form of dispute resolution.

Article 7
Effective Date, Duration, Amendments, and Termination

1. This Agreement will be effective upon its signature by both Parties and will remain in effect unless terminated in accordance with Paragraph 3 below.

2. This Agreement will be formally reviewed by the Parties every five years, and may be amended by written agreement of the Parties as a result of this review.

3. Either Party may terminate this Agreement after giving not less than one year written notice to the other Party.

IN WITNESS WHEREOF, the undersigned, being duly authorised, have signed this Agreement.

Done at WASHINGTON DC on 27 AUGUST 2013 in two originals in the English language.

For the United States National Oceanic and Atmospheric Administration:

Kathryn Sullivan

Administrator

For the European Organisation for the Exploitation of Meteorological Satellites:

Alain Ratier

Director-General