

**Cooperation Arrangement
between
the European Commission
and
the Government of the United States of America
on Cooperation on Earth Observation data related to the Copernicus
programme**

1. Both the Government of the United States and the European Commission have an interest in the use of Earth observation data and the development of products and services which should benefit citizens on both sides of the Atlantic. This is a forward-looking area that interlinks space infrastructure, science and technology, and innovative applications.
2. The United States and the European Union have close historical, economic and political ties. A joint declaration on space cooperation between the United States and the European Union was signed by Vice-President Tajani and Undersecretary Hormats on May 21, 2012.
3. Earth observation satellites and related data distribution technologies, applications and services play a key role for economic and social development, industrial competitiveness and support for policy making in the United States and the European Union. Both sides acknowledge the international dimension of the respective Earth observation strategies of the United States and the European Union.
4. Both sides recognise that the European Union and the United States are pursuing Earth observation activities in a number of areas of common interest and that sharing each other's satellite data on the basis of reciprocity should provide mutual benefits.
5. The United States and the European Commission have collaborated since 2005 within the Group on Earth Observations (GEO) and have endorsed the GEOSS Data Sharing Principles, which advocate full and open access worldwide.
6. The Copernicus programme was established by Regulation (EU) No 377/2014. The space component of the Copernicus programme comprises a set of satellites or instruments, the so-called "Sentinels". According to Article 9 of the Copernicus regulation the European Commission manages, on behalf of the Union, the relationships with international partner countries and international organisations and hence acts as the direct interlocutor for the U.S. Government and its Agencies for the Copernicus programme. The European Space Agency (ESA) and the European Organisation for the Exploitation of Meteorological Satellites (EUMETSAT) are entrusted with tasks related to technical implementation of the Copernicus

programme in coordination with, and subject to the prior agreement by, the European Commission.

7. The United States has a long history, decades in many cases, of providing the world with full and open access to data from its Earth observation satellites. U.S. Agencies provide significant Earth observation data from dozens of satellites currently used by European Union member states and by Copernicus services, and are full partners in joint missions used by Copernicus, including Jason-3 and Jason-CS/Sentinel-6.
8. The Copernicus programme and the Earth observation programmes of the U.S. Agencies provide a wide range of satellite observations to support forecasting, management and mitigation of natural disasters, as well as land, ocean and atmosphere monitoring. ESA and EUMETSAT have a long-established and strong cooperation with the U.S. Agencies, including the U.S. National Oceanic and Atmospheric Administration (NOAA), the U.S. National Aeronautics and Space Administration (NASA), and the U.S. Geological Survey (USGS), with established bilateral agreements on exchange of data and technical cooperation.
9. The European Commission intends to provide the Government of the United States with access to the Sentinel data using high bandwidth connections from data hub to data hub with a view to foster the exchange of Earth Observation data between Europe and the United States. The European Commission does not normally provide direct downlink capabilities to ground stations. Both sides are committed to the principle of full, free and open access to European Sentinel and U.S. Earth observation satellite data and information, subject to applicable security restrictions.
10. Recognising the fact that the European Commission intends to provide data from all families of Sentinel satellites, both sides should uphold the principle of no exchange of funds in the provision of data and ground infrastructure maintenance.
11. Both sides are determined to foster additional cooperation activities in the areas of data access and data applications between the Agencies entrusted with the operations and utilization of the Sentinel satellites and U.S. Government Earth observation satellites. Satellite system cooperation may focus on, but should not be limited to interoperability, intercalibration, compatibility and spectrum use. Cooperation on Earth observation data, applications and services should lead to an active down-stream sector and joint product development, validation and quality control. Both sides envisage cooperating on high level data pre-processing of common interest.
12. Both sides are committed to supporting the continued availability of adequate electromagnetic spectrum bands for their respective satellites in order to maintain high

quality data, in particular the radio frequency bands used for satellite-based synthetic aperture radar (SAR) sensors.

13. When providing access to the Sentinel data obtained in the framework of this Cooperation Arrangement, the U.S. implementing Agencies should implement a simple user registration process where only a limited amount of information is requested (see Annex). Upon request, aggregated registration information should be shared with the European Commission for statistical and evaluation purposes. Each side intends to ensure the protection of individual personal data according to the privacy protections and data protection provisions offered by their respective laws. This information is important for assessing the success of the Copernicus programme and ensuring the continuation of a full, free and open data policy.
14. This Cooperation Arrangement may be complemented by separate "technical operating arrangements", as necessary, between the implementing Agencies on both sides (ESA, EUMETSAT, NASA, NOAA, USGS). These should, as appropriate, address issues of liability, and technical data interface specifications. Furthermore, this Cooperation Arrangement is not intended to affect existing bilateral agreements of the implementing Agencies.
15. Both sides intend to facilitate the coordination of this Cooperation Arrangement by a joint 'Copernicus Cooperation group', whose members meet whenever necessary, to oversee and stimulate cooperative activities (e.g. exchange of best practices, comparison of products, exchange of personnel) under this Cooperation Arrangement.
16. This Cooperation Arrangement is intended to serve as a basis for cooperation and exchange of data from operational satellites which encourages the application of data to new products and services. It is not intended to create any rights or obligations for either side, nor to create any legal rights or financial obligations under international or national law.

Signed in Washington, D.C. on 16 October 2015 in two originals in the English language.

For the European Commission:



For the Government of the
United States of America:

