

Charter On Cooperation To Achieve The Coordinated Use Of Space Facilities In The Event Of Natural Or Technological Disasters Rev.3 (25/4/2000).2

Contents

Preamble
Article I Definitions
Article II Purpose of the Charter
Article III Overall organisation of cooperation
Article IV Contributions by the parties
Article V Associated bodies
Article VI Accession
Article VII Entry into force, expiry and withdrawal
Article VIII Implementation

Preamble

RECOGNISING the potential applications of space technologies in the management of disasters caused by natural phenomena or technological accidents, and in particular Earth observation, telecommunications, meteorology and positioning technologies;

RECOGNISING the development of initiatives concerning the use of space facilities for managing natural or technological disasters;

RECOGNISING the interest shown by rescue and civil protection, defence and security bodies and the need to respond to that interest by making space facilities more easily accessible;

DESIROUS to strengthen international cooperation in this humanitarian undertaking;

HAVING REGARD to United Nations Resolution 41/65 of 1986 on remote sensing of the Earth from space;

BELIEVING that by combining their resources and efforts, they can improve the use of available space facilities and increase the efficiency of services that may be provided to crisis victims and to the bodies called upon to help them;

HEREBY AGREE AS FOLLOWS:

Article I - Definitions

For the purposes of this Charter:

The term "natural or technological disaster" means a situation of great distress involving loss of human life or large-scale damage to property, caused by a natural phenomenon, such as a cyclone, tornado, earthquake, volcanic eruption, flood or forest fire, or by a technological accident, such as pollution by hydrocarbons, toxic or radioactive substances;

The term "Charter" means this text;

The term "crisis" means the period immediately before, during or immediately after a natural or technological disaster, in the course of which warning, emergency or rescue operations take place;

The term "space data" means raw data gathered by a space system controlled by one of the parties, or to which that party has access, and transmitted or conveyed to a ground receiving station;

The term "information" means data that have been corrected and processed by the parties using an analysis program, in preparation for use in crisis management by one or more associated bodies in aid of the beneficiaries; it forms the basis for the extraction of specific products for use on location;

The term "space facilities" means space systems for observation, meteorology, positioning, telecommunications and TV broadcasting or elements thereof such as on-board instruments, terminals, beacons, receivers, VSATs and archives;

The term "parties" means the agencies and space system operators that are signatories to the Charter;

The term "associated bodies" means the rescue and civil protection, defence and security bodies or other services referred to in Articles 5.2 and 5.3;

The term "cooperating bodies" refers collectively to the various bodies and institutions, referred to in Article 3.5 of the Charter, with which the parties cooperate;

The term "crisis victims" means any State or community for whose benefit the intervention of the parties is sought by the associated bodies.

The term "beneficiary bodies" means all the bodies benefiting from information intended for crisis management; for example, the authorities and bodies concerned in countries affected by a disaster. Certain associated bodies may also be beneficiaries at the time of a disaster.

Article II - Purpose of the Charter

In promoting cooperation between space agencies and space system operators in the use of space facilities as a contribution to the management of crises arising from natural or technological disasters, the Charter seeks to pursue the following objectives:

- supply during periods of crisis, to States or communities whose population, activities or

property are exposed to an imminent risk, or are already victims, of natural or technological disasters, data providing a basis for critical information for the anticipation and management of potential crises;

- participation, by means of this data and of the information and services resulting from the exploitation of space facilities, in the organisation of emergency assistance or reconstruction and subsequent operations.

Article III - Overall organisation of cooperation

3.1 The parties shall develop their cooperation on a voluntary basis, no funds being exchanged between them.

3.2 The Charter shall be open, in accordance with the provisions of Article VI below, to space agencies and national or international space system operators wishing to cooperate in it.

3.3 The administrative, operational and technical coordination needed to achieve this cooperation shall be provided by a Board on which each party is represented and an executive Secretariat for implementation of the Charter.

3.4 The authorities and bodies concerned in a country affected by a disaster (beneficiary bodies) should request the intervention of the parties either directly through the rescue and civil protection, defence and security bodies of the country to which one of the parties belongs or of a State belonging to international organisations that are parties to the Charter (associated bodies) or where appropriate via a cooperating body acting in partnership with an associated body.

The country affected by a disaster may also make a direct approach to the parties' Secretariat but, for the purposes of the intervention itself, the bodies concerned in that country must engage a partnership with one or more associated bodies.

The above provisions in no circumstances prevent parties intervening on their own initiative.

3.5 The European Union, the UN Bureau for the Coordination of Humanitarian Affairs and other recognised national or international⁶ organisations, whether governmental or non-governmental, are bodies with which the parties may have cause to cooperate in pursuance of the Charter (cooperating bodies). The Board shall maintain a regularly updated list of cooperating bodies.

Article IV - Contributions by the parties

The parties shall use their best endeavours in the conduct of this cooperation, which shall

proceed on the following basis:

4.1 Space facilities available for use The parties shall undertake to maintain an up-to-date list of the available space facilities under their management and, as far as possible, of such space facilities under the management of private or public operators as may be called upon to supplement the parties' own facilities. In particular, the list shall specify for each space system the following details:

- mission characteristics
- orbital characteristics
- operational condition
- programming procedure
- products and services provided by ground systems.

4.2 Scenario-writing

The parties shall together analyse recent crises for which space facilities could have provided or did provide effective assistance to the authorities and rescue services concerned. A report, structured according to the crises identified and the types of situation encountered, and highlighting possible contributions by existing facilities, shall be prepared by the Secretariat in consultation with the associated bodies described in Article V below and where appropriate with cooperating bodies.

Moreover, the parties shall keep abreast of new methods being developed in applied research for warning of, anticipating and managing disasters. Once these new methods (or technologies) have been identified and validated by the design authorities and associated bodies, they may, with the Board's approval, be subjected to pre-operational implementation testing. A test report and an assessment of the areas of application of the method would then be prepared by the Secretariat.

Lastly the Secretariat shall be responsible for designing and proposing, on the basis set out above, scenarios for each type of crisis. Each scenario shall state the conditions under which the parties⁷ would coordinate, in the event of a crisis being identified, their action in supplying appropriate information and services, access to the available space facilities being planned accordingly. These scenarios, approved by the Board and regularly updated, shall constitute the basis for action in the event of identification of a crisis.

4.3 Identification of a crisis situation

A crisis situation exists primarily where so identified by a country affected by a disaster and at least one associated body seeking the intervention of the parties under the terms of the Charter, in accordance with the provisions of Article 3.4 above.

The Secretariat shall handle all associated body requests and shall thus have the authority, once it has identified a crisis situation, to arrange for the appropriate action to be taken.

4.4 Planning of space facility availability in the event of a crisis

In the event of a crisis, the parties shall use their best endeavours to plan the availability of space facilities or arrange for it to be so planned.

Such planning shall reflect the provisions described in the corresponding scenarios defined in Article 4.2 above. In the event of an alert or potential crisis, the parties may, in anticipation, plan the availability of the satellite systems under their control.

4.5 Organisation and assistance on completion of planning arrangements

The parties shall use their best endeavours, in accordance with the identified crisis scenarios, to supply associated bodies and, where appropriate, beneficiary bodies with data, and if necessary associated information and services, gathered by the space facilities. Implementation of the procedures described in the scenarios implies coordination of tasks between the parties, possibly leading to combining of the available resources:

- access to data archives
- merging of the data to aid understanding of pre-crisis situations
- access to data acquired at the time of the crisis
- merging of those data to report on the crisis
- routing of information to the user
- access to all the technological resources available -telecommunications, data collection, navigation.

The procedures for accessing and integrating data or other services (telecommunications, data collection, navigation) to obtain specific products shall, as far as possible, be stipulated in the scenario descriptions.

Article V - Associated bodies

5.1 The role of associated bodies in intervention by the parties is defined in Article 3.4.

5.2 An associated body shall, for the purposes of this Charter, be an institution or service responsible for rescue and civil protection, defence and security under the authority of a State whose jurisdiction covers an agency or operator that is a party to the Charter, or of a Member State of ESA or of an international organisation that is a party to the Charter.

5.3 Any entity or service authorised to this effect by the Board may also be considered an associated body.

5.4 The parties shall ensure that associated bodies which, at the request of the country or countries affected by a disaster, call on the assistance of the parties undertake to:

- alert the Secretariat as soon as possible in the event of a crisis and designate their points of contact;
- promptly provide the Secretariat with the necessary details;

- use the supplied information only for the purposes defined with the Secretariat;
- take part as necessary in the relevant meetings organised by the Secretariat;
- report on the use made of the data, information and services supplied and prepare an assessment of each case for which intervention took place;
- confirm that no legal action will be taken against the parties in the event of bodily injury, damage or financial loss arising from the execution or non-execution of activities, services or supplies arising out of the Charter;
- meet any other condition agreed with the Secretariat or Board..9

Article VI - Accession

6.1 It is the intent of the parties to encourage the widest possible accession to the Charter by agencies and national or international space system operators.

Requests to adhere to the Charter may be made by any space system operator or space agency with access to space facilities which agrees to contribute to the commitments made by the parties under Article IV above and is willing to assume the responsibilities of a party under the terms of the Charter.

6.2 The Board shall examine accession requests and formulate its recommendations to the parties to the Charter within 180 days of their submission. In doing so, it shall consider that any new accession must, in particular:

- bring a significant contribution by the acceding party to the intervention capacity required for the purposes of the Charter and a commitment to bear its share of the common costs;
- help to achieve the objectives of the parties;
- be such as not to compromise normal deployment of the systems already in place.

On the basis of such recommendations by the Board, any accession shall require the unanimous approval of the parties to the Charter.

Article VII - Entry into force, expiry and withdrawal

7.1 The Charter shall enter into force on the day of its signature by at least two parties. It may be terminated at any time by mutual consent of the parties. Any party may withdraw from the Charter after notifying, with 180 days' notice, the other party or parties in writing of its intention to do so. The possibility of pursuing the mission in a modified form shall be examined by the parties. The party intending to withdraw shall endeavour to maintain continuity of its current contribution.

7.2 Subject to the provisions of Article 7.1 above, the Charter shall remain in force for a period of five years from the date of its entry into force, and shall be automatically extended for subsequent periods of five years.

Article VIII - Implementation

The implementation arrangements for this Charter shall be defined by the parties meeting in

the Board.

IN WITNESS WHEREOF, the undersigned have signed the Charter in two originals, one in the French and one in the English language, both texts being equally authentic.