European Earth monitoring programme (GMES) and its initial operations 2011–2013

2009/0070(COD) - 22/09/2010 - Final act

PURPOSE: to set up a Community programme for Earth observation (GMES) and the rules for the implementation of GMES initial operations (20112013).

LEGISLATIVE ACT: Regulation (EU) No 911/2010 of the European Parliament and of the Council on the European Earth monitoring programme (GMES) and its initial operations (2011 to 2013).

BACKGROUND:

CONTENT: the Council adopted this regulation on the European Earth observation programme (GMES) and its initial operations (2011-2013), following an agreement reached with the European Parliament at first reading. It will contribute to the establishment of GMES as an operational programme, and will provide additional funds for its initial operations allowing a gradual build-up of capabilities until 2013, as well as putting into place the necessary structures for the governance of the programme.

Scope of GMES: the GMES programme shall build on the research activities carried out under Decision No 1982/2006/EC concerning the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007 to 2013) and the GMES Space Component Programme of ESA.

The GMES programme shall comprise the following:

(a) a **service component** ensuring access to information in support of the following areas:

- atmosphere monitoring,
- climate change monitoring in support of adaptation and mitigation policies,
- emergency management,
- land monitoring,
- marine environment monitoring,
- security;

(b) a **space component** ensuring sustainable spaceborne observations for the service areas referred to in this Regulation;

(c) an **in-situ component** ensuring observations through airborne, seaborne and ground-based installations for the service areas.

GMES initial operations (2011 to 2013): these operations may comprise operational actions in the following fields: (i) specific service areas; (ii) measures to support take-up of services by users; (iii) data access; (iv) support for in-situ data collection; (v) the GMES space component.

The objectives of the operational actions are defined in the Annex.

Organisational arrangements: the Commission shall ensure the coordination of the GMES programme with activities at national, Union and international levels, notably GEOSS. The implementation and operation of GMES shall be based on partnerships between the Union and the Member States, in

compliance with their respective rules and procedures. The voluntary contributions of Member States, and the potential synergies with relevant national, Union and international initiatives, shall be co-ordinated in accordance with the advisory procedure.

The Commission shall manage the funds allocated to the activities under this Regulation in accordance with the Financial Regulation. It shall ensure the complementarity and consistency of the GMES programme with other relevant Union policies, instruments and actions, relating in particular to the environment, security, competitiveness and innovation, cohesion, research (in particular the activities of the Seventh Framework Programme linked to GMES, without prejudice to Decision No 1982/2006/EC), transport and competition, international cooperation, the European Global Navigation Satellite Systems (GNSS) programmes, the protection of personal data and existing intellectual property rights, Directive 2007/2/EC, the Shared Environmental Information System (SEIS) and Union activities in the field of emergency response.

Since GMES is a user-driven programme, the Commission shall ensure that service specifications match user needs. To that end, it shall establish a transparent mechanism for regular user involvement and consultation, enabling identification of user requirements at Union and national level. The Commission shall ensure coordination with relevant public sector users in Member States, third countries and international organisations. Service data requirements shall be established independently by the Commission after consultation of the User Forum.

Technical coordination and implementation of the GMES space component shall be **delegated to ESA**, relying on the European Organisation for the Exploitation of Meteorological Satellites (EUMETSAT) where necessary.

The Commission shall entrust the coordination of the technical implementation of the GMES services, where appropriate, to competent Union bodies or intergovernmental organisations.

Service delivery: the Commission shall take adequate measures to ensure effective competition in the provision of GMES services and to promote the participation of SMEs. It shall facilitate the use of the GMES services output to develop the downstream sector. **GMES Committee**: the Commission shall be assisted by a committee (GMES Committee). The GMES Committee may meet in specific configurations to deal with concrete issues, notably those relating to security (Security Board). The committee shall ensure the coordination of contributions to GMES by the Union, the Member States and inter-governmental agencies, making the best use of existing capacities and identifying gaps to be addressed at Union level. It should also assist the Commission in monitoring the coherent implementation of GMES. It should monitor the evolution of policy and enable exchanges of good practice in GMES.

User Forum: the User Forum is hereby set up as a dedicated body. It shall advise the Commission with regard to the definition and validation of user requirements, and to the coordination of the GMES programme with its public sector users. It shall be chaired by the Commission and shall consist of GMES public sector users appointed by the Member States.

Funding: the financial envelope allocated to the operational actions shall be **EUR 107 million**. Appropriations shall be authorised annually by the budgetary authority within the limits laid down in the MFF. The fund should if possible be further increased so that commitment appropriations can be allocated for the space component during the current MFF. The Commission should also submit a long-term financing strategy for the future MFF during the first semester of 2011, without prejudice to the outcome of the negotiations on the MFF 2014-2020.

In its financial planning, the Commission should ensure that data continuity is maintained both during and after the end of the period of the initial GMES operations (2011 to 2013), and that the services can be used uninterruptedly and without restrictions.

It should be noted that third countries or international organisations may also provide additional funding for the GMES programme.

GMES data and information policy: the data and information policy for actions financed under the GMES programme shall have the following objectives: (a) promoting the use and sharing of GMES information and data; (b) full and open access to information produced by GMES services and data collected through GMES infrastructure, subject to relevant international agreements, security restrictions and licensing conditions, including registration and acceptance of user licences; (c) strengthening Earth observation markets in Europe, in particular the downstream sector, with a view to enabling growth and job creation; (d) contributing to the sustainability and continuity of the provision of GMES data and information; (e) supporting the European research, technology and innovation communities.

Monitoring and evaluation: the Commission shall monitor and evaluate the implementation of the operational actions. It shall submit an interim evaluation report by 31 December 2012 and an ex-post evaluation report by 31 December 2015.

Entry into force: 09/11/2010.