



Revised ESA Data Policy for ERS, Envisat and Earth Explorer missions

(Simplified version)

1 OBJECTIVES OF THE ESA EARTH OBSERVATION DATA POLICY

The purpose of this Data Policy is to:

- adapt the existing ESA Earth Observation Data Policies to the “Joint Principles for a Sentinel Data Policy”, as approved by the States participating in the GMES Space Component Programme; and
- consolidate the data policy provisions for different ESA missions, which were so far contained in separate documents.

The ESA Data Policy is applicable to the ERS, Envisat and Earth Explorer missions and hence follows their established objective to maximise the beneficial use of the Earth Observation data provided and to maintain a balanced use of these data for a variety of applications, be it scientific, for public good or commercial. This includes all primary and processed data (up to level 2) as defined according to the UN terminology (UN resolution A/RES/41/65).

Furthermore the data policy shall:

- Allow for the continued and enlarged support to Earth science activities, in line with individual mission objectives;
- Encourage the evaluation of innovative technologies and instruments for observing the Earth;
- Allow for the continued support to operational applications, already established, and new operational applications being developed, in particular for the GMES services;
- Create the conditions for the private sector to invest in derived products and services;
- Support the development of a globally competitive Earth Observation industry in ESA Member States.

2 LEGAL FRAMEWORK

The ERS, Envisat and Earth Explorer missions are funded by the States participating in the respective ESA programmes. ESA, on behalf of the Participating States, retains ownership of all primary data originating from these missions together with any derived products generated under ESA contract.

Data provided by the ERS, Envisat and Earth Explorer missions shall be available in an open and non-discriminatory way, and distribution of the data shall be consistent with United Nations Resolution A/RES/41/65 dated 3 December 1986 on Principles relating to Remote Sensing of the Earth from Space.

All ERS, Envisat and Earth Explorer data will be archived at least for the active lifetime of the missions, and, pending approval of the related funding, beyond.



3 EO DATA COLLECTION AND ACCESS CONDITIONS

The available Earth Observation datasets, for which the ESA Data Policy is applicable, can be split into two major groups:

1. The free dataset, representing the majority of data, and including data collections available on-line without any technical or financial constraints attached, and
2. The restrained dataset for which priorities are managed through categories of use, due to technical and financial constraints.

3.1 Free dataset

The free dataset includes data from:

- The ERS and Envisat missions, in particular related to atmospheric chemistry, altimetry, (A)ATSR, MERIS, and a subset of the SAR data, and
- The Earth Explorer missions.

There is full and open access to the above datasets, free of charge, assuming that the access is provided on-line. Access to data is granted upon electronic on-line registration and the user accepting the ESA Terms & Conditions, with immediate on-line access to the datasets thereafter. The Terms & Conditions cover all types of use. No specific proposal describing the use of the data needs to be submitted.

Onward distribution for free datasets can be granted by ESA upon request and confirmation by ESA. Specific data requests not supported on-line such as complete copies of a dataset or specifically scheduled data acquisition shall be handled via a project proposal (see section 3.2.1).

The free dataset is regularly updated. Its detailed content is available on the ESA missions' homepages or with the ESA Earth Observation Help Desk.

3.2 Restrained dataset

The restrained dataset includes:

- The SAR data from the ERS and Envisat missions.
- Requests for datasets of very large volume from the ERS, Envisat and Earth Explorer missions.

The restrictions introduced for the SAR data are due to technical constraints:

- Data are not systematically processed and made available on-line since most SAR products are generated responding to specific user requests;
- Operation of the SAR instrument in different modes leads to conflicts between users' demands.

In the case of SAR data, the rationale for dealing with the above technical constraints follows a scheme of category-1 and -2, adapted from previous data policies.

3.2.1 *Project proposal for restrained dataset and Category-1*

Access to the restrained dataset is initiated by the submission of a project proposal to ESA. After review of the project proposal with regard to its relevance and feasibility, ESA notifies the user of the acceptance of the project, assigning a maximum quota for instrument planning and/or for



product delivery. Access to data is granted upon acceptance of the ESA Terms & Conditions. In the case of SAR instrument planning or product delivery, access is given with a category-1 priority which is lower than category-2 priority. In case of conflict between category-1 planning requests, the priority shall be given on a first come – first serve basis.

Data is provided free of charge for category-1, no programming or production fees apply. ESA may however ask the user to provide a contribution in case of requests for very large datasets.

3.2.2 Category 2 (only valid for SAR data)

Category-2 applies only to:

- SAR data requests from the GMES Services to ESA, and
- SAR data requests through the ESA Distributing Entities for other operational needs and for commercial distribution.

Category-2 has a higher priority in case of conflict with category-1. In case of conflict between category-2 planning requests, the priority shall be given on a first come – first serve basis.

Distributing Entities define the price structure for the data they distribute. Distributing Entities are charged by ESA for programming and production fees when using ESA ground segment facilities, and programming fees only when using non-ESA acquisition stations.

Category-2 data requested by GMES services are served by the ESA distributed Ground Segment, without applying programming or production fees. Some GMES services may want to use non-ESA acquisition stations, in particular for a Quasi-Real-Time service; in this case the non-ESA acquisition stations define the production fee costs.

3.2.3 Non-ESA acquisition stations (Envisat)

Envisat ASAR data and MERIS (Full Resolution) data can be acquired by non-ESA stations. Non-ESA stations can be national or foreign stations:

- National stations are those stations set up by nationally registered private or public entities in Participating States. They include fixed and mobile stations located within or outside their national territory. National stations are not charged access fees for the right to acquire data,
- Foreign stations are owned and operated by organisations legally established in non-Participating States. Foreign stations are charged access fees for the right to acquire data.

Non-ESA stations can acquire Envisat data when they have an agreement with ESA (category-1) or with the Distributing Entities (category-2). Category-1 allows data acquisition by listening into transmissions scheduled by ESA (i.e. without requesting specific programming), while category-2 allows programming for the ASAR instrument (programming fees apply).

Additional information is available through
the ESA Earth Observation Help Desk (eohelp@esa.int)
or at <http://earth.esa.int> .