


Reference : APPL-01-2004	Version : 1.6	
	Status : Draft	
Date : September 2004	Nature : Open	
Origin : CBERS PCC Committee	Revised by : CBERS PCC Committee	
Authorized by : CBERS PCC Committee	Approved by : CBERS PCC Committee	

Document Title <h2 style="text-align: center;">CBERS Complementary Protocol on CBERS Application System</h2>

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DOCUMENT HISTORY

Version	History of Changes
1.0	Initial Analysis done by INPE
1.1	Version revised by INPE's vice-director
1.2	Additional revision by INPE
1.3	Additional revision of item 4
1.4	Consolidated version proposed by INPE
1.5	Version revised by Brazil's PCC
1.6	Version approved by PCC (Brazil and China)

COMPLEMENTARY PROTOCOL TO THE FRAMEWORK AGREEMENT BETWEEN
THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA AND THE
GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL ON COOPERATION
IN THE PEACEFUL APPLICATION OF OUTER SPACE SCIENCE AND
TECHNOLOGY ON THE COOPERATION FOR THE CBERS APPLICATION SYSTEM

The Government of the People's Republic of China, and The Government of the Federative Republic of Brazil (hereinafter referred to as "The Parties"), For the purpose of further strengthening the cooperation in the field of peaceful use of space technology between the Parties;

In order to further promote the role of space technology in the social, economic and cultural development of the two countries;

Recalling the terms of the Framework Agreement between the Government of the People's Republic of China and the Government of the Federative Republic of Brazil on Cooperation in the Peaceful Applications of Outer Space Science and Technology, signed in Beijing, on November 8th, 1994;

Recalling the terms of the Protocol on Cooperation in Space Technology between the Government of the People's Republic of China and the Government of the, Federative Republic of Brazil signed in Brasilia, on September 21st, 2000;

Considering that the Parties have signed a Protocol for the extension of the CBERS program, and have agreed to establish a cooperation project to develop China-Brazil Earth Resources Satellites (CBERS) numbers 03 and 04, with provisions for cooperation in the application system; and Recalling the terms of the Memorandum of Understanding on the Cooperation for the Development of an Application System for the China-Brazil Earth Resources Satellite Program, signed in Beijing on May 24th, 2004,

Have agreed as follows:

Article I

The Parties agree to extend the scope of the CBERS Program by setting up a cooperative framework which will enable establishing the CBERS application system through specific cooperation projects, which shall include the distribution of CBERS products to countries other than China and Brazil.

Article II

All cooperation projects under this Protocol are subject to the general terms and conditions agreed between China and Brazil as regards the CBERS Program.

Article III

The Parties designate respectively the Chinese National Space Administration (CNSA) and the Brazilian Space Agency (AEB) as the entities responsible for implementing the actions agreed in this Protocol and to oversee the implementation of all cooperation projects proposed under this Complementary Protocol.

The CNSA and the AEB may, each on its side and under its discretion, entrust other entities with the responsibilities set forth in this Article.

Major cooperation projects and decisions should be approved by each Party after assessment by both the Joint Project Committee of the CBERS Program (hereinafter referred to as JPC) and the Program Coordination Committee between China and Brazil (hereinafter referred to as PCC).

Article IV

The Parties agree to appoint or to establish a proper organization or joint committee which will be responsible for organizing and implementing the cooperation projects proposed under this Complementary Protocol.

Article V

The Parties agree to implement, through specific cooperation projects, the following work:

1. Jointly establish the requirements for the tasks, functions and specifications of the Application System Infrastructure.
2. Jointly consolidate the overall and implementation technical schemes of the Application System Infrastructure.
3. Jointly define a development and production plan for the Application System Infrastructure that prioritizes the supply of technology by Chinese and Brazilian companies.

Article VI

1. The Parties agree to distribute CBERS products to countries other than China and Brazil subject to the conditions set in the CBERS Data Policy, which is annexed to and as an integral part of the Complementary Protocol.
2. The Parties shall share equally the revenues of the distribution of CBERS products, according to the CBERS Data Policy.

Article VII

The Parties agree to establish a specific cooperation project aimed at the construction of data receiving and processing systems for CBERS satellites, as part of the effort of distributing CBERS products in countries other than China and Brazil. The specific cooperation project shall be submitted to the PCC, through the JPC, for approval by the Parties and shall conform to the CBERS Data Policy defined and approved by the Parties.

Article VIII

The Parties agree to carry out the following activities regarding cooperation and development of CBERS data applications:

1. Develop and extend CBERS data application software and end users' products.
2. Hold meetings for exchanging experience on CBERS data applications.
3. Jointly promote technical training on CBERS data applications for users from China, Brazil and other countries.
4. Jointly establish and implement criteria and standards for the evaluation of CBERS image products and procedures for image calibration and quality assessment.
5. Jointly compile and promote discussions regarding users' requirements for the sensors of future satellites of the CBERS series and prepare proposals of technical requirements for such sensors.

The activities outlined above shall be implemented through specific cooperation projects.

Article IX

The Parties agree to make their best effort to facilitate the entry and exit of equipment and materials from the other Party necessary for the implementation of activities under this Complementary Protocol.

Article X

Subject to its laws and regulations, each Party shall facilitate, on a reciprocal basis, entry documentation for the other Party's nationals to enter and exit its national territory in order to carry out activities within the scope of this Complementary Protocol.

Article XI

The Parties should establish special arrangements concerning the issue of intellectual property, taking into account national laws and regulations of each country and international rules adopted by both Parties.

Article XII

Disputes concerning the interpretation or application of this Complementary Protocol shall be settled by mutual consultations between the Parties through diplomatic channels.

Article XIII

This Complementary Protocol shall enter into force upon Signature. This Complementary Protocol shall remain in force for five consecutive years. It shall be automatically renewed for equal and successive periods of five years, unless either of The Parties notifies the other Party, through diplomatic channels, with a minimum of six months prior notice, of its intention to terminate this Protocol. Unless otherwise agreed between the Parties, the denouncement notice shall not affect on-going cooperation projects.

This Complementary Protocol may be amended by written agreement between the Parties.

Done in _____ on _____, _____ 2004, in duplicates, in the Portuguese, Chinese and English languages, all three texts being equally authentic. In case of any difference of interpretation, the English text shall prevail.

FOR THE GOVERNMENT OF
THE FEDERATIVE REPUBLIC OF
BRAZIL

FOR THE GOVERNMENT OF THE
PEOPLE'S REPUBLIC OF CHINA