



RESOLUTION 40 (Cg-XII, 1995)

WMO POLICY AND PRACTICE FOR THE EXCHANGE OF METEOROLOGICAL AND RELATED DATA AND PRODUCTS INCLUDING GUIDELINES ON RELATIONSHIPS IN COMMERCIAL METEOROLOGICAL ACTIVITIES

THE CONGRESS,

NOTING:

- (1) Resolution 23 (EC-XLII) - Guidelines on international aspects of provision of basic and special meteorological services.
- (2) Resolution 20 (EC-XLVI) - WMO policy on the exchange of meteorological and related data and products.
- (3) Resolution 21 (EC-XLVI) - Proposed new practice for the exchange on meteorological and related data and products.
- (4) Resolution 22 (EC-XLVI) - WMO guidelines on commercial activities
- (5) The report to Twelfth Congress of the chairman of the Executive Council Working Group on the Commercialization of Meteorological and Hydrological Services, established at the request of the Eleventh Congress by the Executive Council in Resolution 2 (EC-XLIII) - Working Group on the Commercialization of Meteorological and Hydrological Services,

RECALLING:

- (1) The general policies of the Organization, as set down in the Third WMO Long-term Plan (1992-2001) adopted by Eleventh Congress, which include, inter alia, that Members should reaffirm their commitment to the free and unrestricted international exchange of basic meteorological data and products, as defined in WMO programmes (Third WMO Long-term Plan, Part I, Chapter 4, paragraph 127),
- (2) The concern expressed by the Eleventh Congress that commercial meteorological activities had the potential to undermine the free exchange of meteorological data and products between Meteorological Services.

CONSIDERING:

- (1) The continuing fundamental importance, for the provision of meteorological services in all countries, of the exchange of meteorological data and products between WMO Members' national Meteorological and Hydrometeorological (NMSs), WMCs, and RSMCs of the WWW Programme.
- (2) Other programmes of world importance such as GCOS, GOOS, WCRP, and IGOSS, which are sponsored and implemented in cooperation with other international organizations,
- (3) The basic role of WMO Members' NMSs in furthering applications of meteorology to all human activities,
- (4) The call of world leaders at UNCED (Brazil, 1992) for increasing global commitment to exchange scientific data and analysis and for promoting access to strengthened systematic observations,

- (5) The provision in the UN/FCCC committing all Parties to the Convention to promote and cooperate in the full, open, and prompt exchange of information related to the climate system and climate change,

RECOGNIZING:

- (1) The increasing requirement for the global exchange of all types of environmental data in addition to the ongoing exchange of meteorological data and products under the auspices of the WWW,
- (2) The basic responsibility of Members and their NMSs to provide universal services in support of safety, security and economic benefits for the peoples of their countries,
- (3) The dependence of Members and their NMSs on the stable, cooperative international exchange of meteorological and related data and products for discharging their responsibilities,
- (4) The continuing need for governments to provide for the meteorological infrastructure of their countries,
- (5) The continuing need for, and benefits from, strengthening the capabilities of NMSs, in particular in developing countries, to improve the provision of services,
- (6) The dependence of the research and education community on access to meteorological and related data products,
- (7) The right of Governments to choose the manner by, and the extent to, which they make data and products available domestically or for international exchange,

RECOGNIZING FURTHER:

- (1) The existence of a trend towards the commercialization of many meteorological and hydrological activities,
- (2) The requirement by some members that their NMSs initiate or increase their commercial activities,
- (3) The risk arising from commercialization to the established system of free and unrestricted exchange of data and products, which forms the basis for the WWW, and to global cooperation in meteorology,
- (4) Both positive and negative impacts on the capacities, expertise and development of NMSs, and particularly those of developing countries, from commercial activities of other NMSs,

REMINDS Members of their obligations under Article 2 of the WMO Convention to facilitate worldwide cooperation in the establishment of observing networks and to promote the exchange of meteorological and related information; and of the need to ensure stable ongoing commitment of resources to meet this obligation in the common interest of all nations;

ADOPTS the following policy on the international exchange of meteorological and related data and products:

"As a fundamental principle of the World Meteorological Organization (WMO), and in consonance with the expanding requirements for its scientific and technical expertise, WMO commits itself to broadening and enhancing the free and unrestricted¹ international exchange of meteorological and related data products;

¹ "Free and unrestricted" means non-discriminatory and without charge (Resolution 23 (EC-XLII) - Guidelines on international aspects of provision of basic and special meteorological services. "Without Charge", in the context of this resolution, means at no more than the cost of reproduction and delivery, without charge for the data and products themselves.

ADOPTS the following practice on the international exchange of meteorological and related data and products²:

- (1) Members shall provide on a free and unrestricted basis essential data and products which are necessary for the provision of services in support of the protection of life and property and the well-being of nations, particularly those basic data and products, as, at a minimum, described in Annex 1 to this resolution, required to describe and forecast accurately weather and climate, and support WMO Programmes;
- (2) Members should also provide the additional data and products which are required to sustain WMO Programmes at the global, regional, and national levels and, further, as agreed, to assist other Members in the provision of meteorological services in their countries. While increasing the volume of data and products available to all Members by providing these additional data and products, it is understood that WMO Members may be justified in placing conditions on their re-export for commercial purposes outside of the receiving country or group of countries forming a single economic group, for reasons such as national laws or costs of production;
- (3) Members should provide to the research and education communities, for their non-commercial activities, free and unrestricted access to all data and products exchanged under the auspices of WMO with the understanding that their commercial activities are subject to the same conditions as identified in **ADOPTS** (2) above;

STRESSES that all meteorological and related data and products required to fulfil Members' obligations under WMO programs will be encompassed by the combination of essential and additional data and products exchange by Members;

URGES Members to:

- (1) Strengthen their commitment to the full and unrestricted exchange of meteorological and related data and products.;
- (2) Increase the volume of data and products exchanged to meet the needs of WMO Programmes;
- (3) Assist other members, to the extent possible, and as agreed, by providing additional data and products in support of time-sensitive operations regarding severe weather warnings;
- (4) Strengthen their commitments to the WMO and ICSU WDCs in their collection and supply of meteorological and related data and products on a free and unrestricted basis;
- (5) Implement the practice of on the international exchange of meteorological and related data products, as described in **ADOPTS** (1) to (3) above;
- (6) Make known to all Members, through the WMO Secretariat, those meteorological and related data and products which have conditions related to their re-export for commercial purposes outside the receiving country or group of countries forming a single economic group;
- (7) Make their best efforts to ensure that the conditions which have been applied by the originator of additional data and products are made known to initial and subsequent recipients;

FURTHER URGES Members to comply with:

- (1) The Guidelines for Relations among National Meteorological or Hydrometeorological Services Regarding Commercial Activities as given in Annex 2 to this resolution.
- (2) The Guidelines for Relations between National Meteorological or Hydrometeorological Services and the Commercial Sector as given in Annex 3 to this resolution;

² See Annex 4 to this resolution for definitions.

INVITES Members to provide explanation of the WMO policy, practice, and guidelines to the commercial sector and other appropriate agencies and organizations;

REQUESTS the Executive Council to:

- (1) Invite the president of CBS, in collaboration with other commissions as appropriate, to provide advice and assistance on the technical aspects of implementation of the practice;
- (2) Invite the president of CHy to continue his work on the issue of commercialization and the international exchange of hydrological data and products;
- (3) Keep the implementation of the resolution under review and report to the Thirteenth Congress;

REQUESTS the Secretary General to:

- (1) Keep Members informed on the impacts of commercialization on WMO Programmes and to facilitate the exchange of relative information on commercialization among NMSs;
- (2) Report to all Members on those meteorological and related data and products on which members have placed conditions related to their re-export for commercial purposes;
- (3) Maintain effective coordination with IOC and other involved international organizations in respect of joint programmes during WMO's implementation of the practice;

DECIDES to review the implementation of this resolution at the Thirteenth Congress.

Annex 1 to Resolution 40 (CG-XII)

Data and products to be exchanged without charge and no conditions on use

Annex 2 to Resolution 40 (CG-XII)

Guidelines for relations among national meteorological or hydrometeorological services (NMSs) regarding commercial activities

Annex 3 to Resolution 40 (CG-XII)

Guidelines for relations between national meteorological or hydrometeorological services (NMSs) and the commercial sector

Annex 4 to Resolution 40 (CG-XII)

Definition of terms in the practice and guidelines