

No. 52672*

**Canada
and
European Space Agency**

Agreement between Canada and the European Space Agency concerning cooperation.
Noordwijk, 9 January 1984

Entry into force: *9 January 1984 by signature and with retroactive effect from 1 January 1984, in accordance with article XIII*

Authentic texts: *English, French and German*

Registration with the Secretariat of the United Nations: *Canada, 13 April 2015*

Note: *See also annex A, No. 52672.*

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**Canada
et
Agence spatiale européenne**

Accord concernant la coopération entre le Canada et l'Agence spatiale européenne.
Noordwijk, 9 janvier 1984

Entrée en vigueur : *9 janvier 1984 par signature et avec effet rétroactif à compter du 1^{er} janvier 1984, conformément à l'article XIII*

Textes authentiques : *anglais, français et allemand*

Enregistrement auprès du Secrétariat des Nations Unies : *Canada, 13 avril 2015*

Note : *Voir aussi annexe A, No. 52672.*

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[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT
BETWEEN CANADA AND THE EUROPEAN SPACE AGENCY
CONCERNING COOPERATION**

The Government of Canada (hereinafter referred to as "Canada")

and

the European Space Agency established by the Convention opened for signature in Paris on 30 May 1975 (hereinafter referred to as "the Agency" or "ESA"),

NOTING that Canada enjoyed observer status in the European Space Conference and in the European Space Research Organization,

RECALLING the Agreement signed in Montreal on 9 December 1978, and entered into force on 1 January 1979, establishing the framework for cooperation, for exclusively peaceful purposes, in the fields of space research and technology and their space applications, as an important step towards closer relations between Canada and the Agency,

CONSIDERING that in the pursuance of this Agreement Canada has participated in General Studies concerning future projects which are part of the Agency's basic activities, and has concluded with the Agency arrangements concerning its participation in optional telecommunications and earth observation programmes,

CONFIRMING the mutual benefits brought by Canada's participation in the Agency's activities and programmes,

DESIRING to pursue and to strengthen the close cooperation between Canada and the Agency,

HAVING REGARD to Article XIV.1 of the ESA Convention,

HAVE AGREED AS FOLLOWS:

ARTICLE I

The purpose of this Agreement is to provide for a continuing framework for close cooperation between Canada and the Agency for a period following that covered by the Agreement referred to in the Preamble.

ARTICLE II

Canada shall participate in the following outputs of the Agency's general budget:

- studies on future projects,
- education,
- Earthnet,
- fixed common costs,
- the part of the common investments and the part of the fixed support costs remaining to be borne by the said General budget.

Canada shall not participate in the technological research programme.

ARTICLE III

Canada may also participate in other parts of the Agency's mandatory, optional or operational activities and programmes in accordance with detailed arrangements to be concluded in each case between Canada and the Agency.

ARTICLE IV

1. Canada shall contribute to the outputs of the Agency's general budget identified in Article II at a rate of 3 % for a three-year period following the entry into force of this Agreement. This percentage will be reviewed for the remaining period of this Agreement.
2. Canada shall contribute to the expenditure of the activities and programmes in which it participates, as identified in Article III, in accordance with the provisions of the relevant Arrangement.
3. Canada's contributions as provided for in this Article shall be updated and paid in conformity with the rules and procedures in force in the Agency.

ARTICLE V

Canada shall participate in the meetings of the Agency's delegate bodies in accordance with the following provisions:

- (a) Canada shall have the right to be represented at open meetings of the Council of the Agency by not more than two delegates, who may be accompanied by advisors. These delegates shall have the right to vote on questions relating to the activities and programmes to which Canada contributes under Articles II and III. These delegates shall have the right to be heard on other questions.

- (b) Canada shall have the right to be represented, by not more than two delegates, who may be accompanied by advisors at meetings of the subordinate and advisory bodies of the Agency, competent in any capacity to deal with the activities and programmes in which Canada participates. Canada shall also have the right to be similarly represented on the Programme Boards of the Agency concerned with those optional programmes in which Canada participates in accordance with the detailed arrangements referred to in Article III. Canada shall have the right to be heard at the above meetings and to vote on issues relating to those activities and programmes in which Canada participates.
- (c) Canada may request to be represented in an observer capacity at meetings of any subordinate body or Programme Board which is solely concerned with programmes in which Canada does not participate.

ARTICLE VI

The Agency shall endeavour to ensure a fair industrial return to Canada, to the same extent as provided to Member States, with respect to the geographical distribution of work relating to the activities and programmes in which Canada participates.

ARTICLE VII

Canada shall have access, to the same extent as provided to Member States, to information, including contract reports, relating to the activities and programmes in which Canada participates.

ARTICLE VIII

Canada shall endeavour, to the extent that it is consistent with its policy, to make use for its own purposes of the space facilities, services and products of the Agency and of its Member States, developed within the framework of the Agency, including launching means. On their side, the Agency and its Member States shall endeavour, to the extent that it is consistent with their policies, to make use for their own purposes of Canadian space facilities, services and products.

ARTICLE IX

Canada and the Agency agree to keep each other regularly informed about, and consult together on, their space programmes and projects, and to study problems of common interest. To this end Canada and the Agency shall exchange