

**No. 52673\***

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**Canada  
and  
European Space Agency**

**Cooperation Agreement between the Government of Canada and the European Space Agency. Montreal, 31 May 1989**

**Entry into force:** *31 May 1989 by signature and with retroactive effect from 1 January 1989, 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. 52673.*

*\*No UNTS volume number has yet been determined for this record. The Text(s) reproduced below, if attached, are the authentic texts of the agreement /action attachment as submitted for registration and publication to the Secretariat. For ease of reference they were sequentially paginated. Translations, if attached, are not final and are provided for information only.*

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**Canada  
et  
Agence spatiale européenne**

**Accord de coopération entre le Gouvernement du Canada et l'Agence spatiale européenne. Montréal, 31 mai 1989**

**Entrée en vigueur :** *31 mai 1989 par signature et avec effet rétroactif à compter du 1<sup>er</sup> janvier 1989, 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. 52673.*

*\*Le numéro de volume RTNU n'a pas encore été établi pour ce dossier. Les textes reproduits ci-dessous, s'ils sont disponibles, sont les textes authentiques de l'accord/pièce jointe d'action tel que soumises pour l'enregistrement et publication au Secrétariat. Pour référence, ils ont été présentés sous forme de la pagination consécutive. Les traductions, s'ils sont inclus, ne sont pas en form finale et sont fournies uniquement à titre d'information.*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

COOPERATION AGREEMENT  
BETWEEN THE GOVERNMENT OF CANADA  
AND THE EUROPEAN SPACE AGENCY

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"),

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,

RECALLING the Agreement signed in ESTEC (Noordwijk) on 9 January 1984 for continuing this cooperation between Canada and the Agency, which entered into force on 1 January 1984, interpreted by an exchange of letters of 9 January 1984 and amended by a further exchange of letters concluded on 15 April 1987,

CONSIDERING that in pursuance of these Agreements 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 as well as in the Hermès programme,

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

NOTING that Canada and ESA have worked closely together in establishing a long-term international cooperative framework for participation in the Space Station programme,

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

HAVING REGARD to Article XIV.1 of the Agency's Convention,

HAVE AGREED AS FOLLOWS:

ARTICLE I

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

ARTICLE II

Canada shall benefit from all activities executed under the Agency's General Budget, except that Canada shall not participate in the basic technological research programme. However, where technology closely related to preparatory programme(s) in which Canada is participating is concerned, Canadian firms can also be considered in the relevant procurement proposals.

ARTICLE III

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

ARTICLE IV

1. Canada shall contribute annually to the Agency's General Budget expenditure (excluding the outputs "Technological research" and "Head Office building") in its initially approved version. This contribution shall represent 50% of its contribution scale calculated on the basis used for the Member States of the Agency and adopted in accordance with Article XIII.1 of the Agency's Convention. However, this level of contribution shall be progressively reached and shall be fully applicable as from the third year following the entry into force of this Agreement: (4.22% for the first year; 4.86% for the second year).
2. Canada shall contribute to the expenditure of the activities and programmes in which it participates, in accordance with the provisions of the relevant detailed arrangements concluded pursuant to Article III.
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 above. Canada shall not have the right to vote in Council on the General Budget or on matters related to it, but shall have the right to state its opinion and 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. 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.
- (c) Canada may attend Potential Participants' meetings, in particular meetings dealing with the preparation of programmes related to programmes in which Canada participates.
- (d) Canada shall not have the right to be represented at the meetings of the Council, of any subordinate bodies or Programme Boards which are held on a restricted basis in accordance with the relevant rules of procedure. However, Canada may be authorised by the body concerned, either at Canada's request or at the request of one or more delegations, to attend discussions on certain items on the agendas of such meetings, when they involve matters of interest to Canada and the Agency, in order to express its opinion.
- (e) Canada shall not have the right to vote on decisions affecting the rights and obligations of Member States, as outlined in particular in Article XI.5 of the Agency's Convention.