

**No. 53631\***

---

**Canada  
and  
European Space Agency**

**Arrangement between the Government of Canada and the European Space Agency concerning the participation by the Government of Canada in the Global Monitoring for Environment and Security Space Component Programme. Paris, 29 November 2012**

**Entry into force:** 29 November 2012 by signature, in accordance with article 8

**Authentic texts:** English and French

**Registration with the Secretariat of the United Nations:** Canada, 1 April 2016

*\*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.*

---

**Canada  
et  
Agence spatiale européenne**

**Arrangement entre le Gouvernement du Canada et l'Agence spatiale européenne concernant la participation du Gouvernement du Canada au Programme de composante spatiale de la surveillance mondiale pour l'environnement et la sécurité. Paris, 29 novembre 2012**

**Entrée en vigueur :** 29 novembre 2012 par signature, conformément à l'article 8

**Textes authentiques :** anglais et français

**Enregistrement auprès du Secrétariat des Nations Unies :** Canada, 1<sup>er</sup> avril 2016

*\*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 ]

**ARRANGEMENT**

**BETWEEN**

**THE GOVERNMENT OF CANADA**

**AND**

**THE EUROPEAN SPACE AGENCY**

**CONCERNING THE PARTICIPATION BY THE GOVERNMENT OF CANADA**

**IN THE GLOBAL MONITORING FOR ENVIRONMENT**

**AND SECURITY SPACE COMPONENT PROGRAMME**

**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”),

**HAVING REGARD** to the *Cooperation Agreement between the Government of Canada and the European Space Agency*, done at Paris on 15 December 2010 (hereinafter referred to as the “Cooperation Agreement”), and, in particular, its Article III;

**WHEREAS** the Agency’s Council adopted a Resolution on 22 June 2005 on the Global Monitoring for Environment and Security (hereinafter referred to as “GMES”) Space Component Programme (ESA/C/CLXXIX/Res.3);

**WHEREAS** certain Member States of the Agency (hereinafter referred to as “the participating States”) adopted on 28 September 2005 the Declaration on the GMES Space Component Programme (ESA/PB-EO/CXI/Dec. 1 (Final));

**WHEREAS** Canada is a participant in several Earth Observation Programmes undertaken by the Agency, such as the Earth Observation Envelope Programme (“EOEP”), the Earth Observation Preparatory Programme (“EOPP”) and European Earthwatch, in particular the GMES Service Element;

**HAVING REGARD** to Canada’s request to participate in the GMES Space Component Programme expressed at the meeting of the Agency’s Council held at ministerial level on 5 and 6 December 2005;

**WHEREAS** the considerations of security relating to the strategic objectives of GMES for the European Union may make it necessary to impose conditions for access to information and deliberations concerning these questions;

**HAVING REGARD** to Article XIV.2 of the Agency's Convention, which relates to cooperation and participation by non-Member States in the Agency's programmes;

**HAVE AGREED** as follows:

## **ARTICLE 1**

This Arrangement defines the terms of Canada's participation in the GMES Space Component Programme pursuant to the Declaration referred to in the preamble.

## **ARTICLE 2**

Canada shall, for the purpose of the execution of the GMES Space Component Programme and in accordance with the terms of this Arrangement, have the rights and obligations of a participating State as set forth in the Declaration on the GMES Space Component Programme referred to in the preamble, in the applicable implementing rules and in any other decisions governing the execution of that Programme. Notwithstanding the provisions of the Cooperation Agreement, when the Council or one of its subordinate bodies examines matters pertaining to the GMES Space Component Programme, relevant decisions shall not be withheld if Canada is the sole dissenting participating State.

## **ARTICLE 3**

Canada shall contribute to cover the expenditure resulting from the execution of the GMES Space Component Programme in accordance with the provisions of the Declaration on the GMES Space Component Programme referred to in the Preamble and of any subsequent revision of that Declaration by the Participating States on the occasion of meetings of the Agency's Council or of the Council's subordinate bodies.

#### **ARTICLE 4**

Canada shall, in accordance with Article V(b) of the Cooperation Agreement, be represented by two designated delegates, who may be accompanied by advisors, at meetings of the participating States held within the framework of the Programme Board on Earth Observation, and have a vote on matters relating to the GMES Space Component Programme.

#### **ARTICLE 5**

The GMES Space Component Programme shall be carried out in accordance with the rules of the Agency and with the terms of the Declaration, as revised from time to time. However, in the placing of contracts which may contain developments covered by security conditions, the Agency shall give preference to industry and organizations of the Member States, in accordance with guidelines of the relevant Agency organs competent for such matters. Such limitations shall be defined in the Invitations to Tender.

#### **ARTICLE 6**

Canada and the Agency may amend this Arrangement by mutual agreement. Amendments shall enter into force thirty days after the last notification by the Parties that the internal conditions for their entry into force have been met.

#### **ARTICLE 7**

Any dispute arising out of the application or interpretation of this Arrangement that cannot be settled amicably by consultations between the Parties shall, at the request of either Party, be submitted to arbitration. The provisions of Article XVII of the Agency's Convention on the conduct of arbitration shall apply unless otherwise agreed by the Parties.