

**No. 53632\***

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**Canada  
and  
European Space Agency**

**Arrangement between the Government of Canada and the European Space Agency concerning participation by the Government of Canada in the development and validation activities of the Galileosat Programme. Paris, 6 October 2003**

**Entry into force:** 6 October 2003 by signature, in accordance with article 10

**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.*

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**Canada  
et  
Agence spatiale européenne**

**Arrangement entre le Gouvernement du Canada et l'Agence spatiale européenne concernant la participation du Gouvernement du Canada aux activités de développement et de validation du Programme Galileosat. Paris, 6 octobre 2003**

**Entrée en vigueur :** 6 octobre 2003 par signature, conformément à l'article 10

**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 PARTICIPATION  
BY THE GOVERNMENT OF CANADA  
IN THE DEVELOPMENT AND VALIDATION ACTIVITIES OF THE  
GALILEOSAT PROGRAMME**

The Government of Canada (hereinafter called "Canada"),

and

the European Space Agency, established by the Convention opened for signature in Paris on 30 May 1975 (hereinafter called "the Agency"),

CONSIDERING the Cooperation Agreement between the Agency and Canada signed in Paris on 21 June 2000 and in particular Article III thereof (hereinafter called "the cooperation Agreement"),

CONSIDERING that the Agency has engaged in a programme of advanced research in telecommunications systems (ARTES) in pursuance of the Resolution adopted by its Council on 25 March 1993 and that the Arrangement between the Agency and Canada concerning the participation of Canada in the ARTES programme, signed in Ottawa on 10 July 1996, has allowed Canada to participate in the satellite navigation programme element ARTES-9,

CONSIDERING that the Agency has engaged in a programme comprising the European activities for the definition, development and validation of the space and related ground segment of Galileo (hereinafter called "GalileoSat") in pursuance of the Resolution adopted by its Council on 9 April 1999 (ESA/C/CXXXIX/Res.1 (Final)),

CONSIDERING that certain Member States of the Agency (hereinafter called the "participating States") established on 12 May 1999 a Declaration covering the GalileoSat Programme (ESA/JCB/CXXXII/Dec.1 (Final), rev.8),

CONSIDERING the request by Canada to participate in the GalileoSat Programme and in particular the definition work and the participating States' acceptance of that request, which lead to the conclusion of the Arrangement between the Government of Canada and the European Space Agency concerning participation by the Government of Canada in the definition activities of the GalileoSat programme, signed in Paris on 21 June 2000,

CONSIDERING the new request by Canada to participate also in the Development and Validation activities of the GalileoSat programme,

RECOGNISING that considerations of security and sovereignty relating to the strategic dimension of Galileo for the European Union may make it necessary to impose conditions for access to information and deliberations concerning these questions in accordance with policy guidelines expressed by the Agency and by the European Union, in particular on the development and procurement of sensitive technologies,

CONSIDERING the Agreement on scientific and technical cooperation between Canada and the European Community which came into force on 27 February 1996, as amended in 1999,

HAVING REGARD to Article XIV.2 of the Agency's Convention,

HEREBY AGREE AS FOLLOWS:

#### **ARTICLE 1**

The purpose of the present Arrangement is to define the arrangements for participation by Canada in GalileoSat development and validation activities.

#### **ARTICLE 2**

For the purposes of execution of the GalileoSat Programme, Canada shall, subject to the terms of the present Arrangement, have the rights and obligations of a participating State as defined in the Declaration concerning the GalileoSat Programme, referred to in the preamble. Notwithstanding the provisions of the Cooperation Agreement, when Council or one of its delegated bodies examines matters pertaining to the GalileoSat Programme Development and Validation activities covered under this Agreement, relevant decisions shall not be withheld in case Canada is the sole dissenting participating state.

#### **ARTICLE 3**

Canada shall contribute to expenditure arising out of execution of GalileoSat Programme activities in accordance with the provisions of the Declaration referred to in the preamble and of any subsequent revisions of that Declaration.

When decisions have to be taken by Participating States with respect to revisions of the Declaration, such decisions shall not be withheld in case Canada is the sole dissenting participating state, provided however that the rights and obligations of Canada under the Declaration will not be subject to modifications without Canada approval.

#### **ARTICLE 4**

In accordance with Article V (b) of the Cooperation Agreement, Canada shall be represented by two delegates, who may be accompanied by advisors, at meetings of the participating States in the framework of the Programme Board on Satellite Navigation.

#### **ARTICLE 5**

In accordance with Article IX.2 of the Cooperation Agreement, Canada will, in international bodies, take careful account of the interests of the Agency concerning deployment of the Galileo system and more particularly the frequencies required for that purpose.

#### **ARTICLE 6**

The Development and Validation of GalileoSat Programme will be carried out in accordance with the rules of the Agency and with the terms of the Declaration. However, in the placing of contracts which may contain developments covered by security conditions, the Agency shall give preference to industry and organisations of the Member States, in accordance with guidelines of the relevant Agency organs competent for such matters. Such limitations will be defined in the Invitations to Tender.

#### **ARTICLE 7**

Canada's participation in the GalileoSat Programme beyond its development and validation activities will be covered by further Arrangements, subject in particular to the conditions to be laid down for participation by non-Member States of the European Union in the European Galileo initiative.

#### **ARTICLE 8**

Canada and the Agency may by mutual agreement amend the provisions of the present Arrangement. Amendments shall come into effect on the thirtieth day following the date on which the parties give notification that the internal conditions required for the amendments to come into effect have been met.

#### **ARTICLE 9**

In accordance with Article XIII of the Cooperation Agreement any dispute arising out of the implementation or interpretation of the present Arrangement that cannot be settled amicably by the parties shall, at the request of either party, be submitted to arbitration. The provisions of the Agency's Convention shall apply unless otherwise agreed by the parties.