

No. 53633*

**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 InfoTerra/TerraSAR Element of the European Earth Watch Programme. Paris, 22 September 2003

Entry into force: *22 September 2003 by signature, in accordance with article 7*

Authentic texts: *English and French*

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

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**Canada
et
Agence spatiale européenne**

Arrangement entre le Gouvernement du Canada et l'Agence spatiale européenne relatif à la participation du Gouvernement du Canada à l'élément InfoTerra/TerraSAR du programme européen de surveillance de la terre. Paris, 22 septembre 2003

Entrée en vigueur : *22 septembre 2003 par signature, conformément à l'article 7*

Textes authentiques : *anglais et français*

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[ENGLISH TEXT – TEXTE ANGLAIS]

ARRANGEMENT

between

THE GOVERNMENT OF CANADA

and

THE EUROPEAN SPACE AGENCY

**CONCERNING PARTICIPATION BY THE GOVERNMENT OF CANADA
in
THE INFOTERRA/TERRASAR ELEMENT OF THE EUROPEAN EARTH
WATCH PROGRAMME**

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

and

the European Space Agency (hereinafter referred to as "the Agency"), established by the Convention which was opened for signature in Paris on 30 May 1975 and entered into force on 30 October 1980 (hereinafter referred to as "the ESA Convention"),

(hereinafter referred to together as "the Parties"),

HAVING REGARD to the Agreement on cooperation between the Agency and Canada signed in Paris on 21 June 2000 and in particular Article III thereof,

WHEREAS the Government of Canada has designated the Canadian Space Agency as its implementing Agency for purposes of this Arrangement,

WHEREAS the Agency has undertaken as an optional programme, the European Earth Watch Initiative on the basis of a Resolution (ESA/C/CL/Res. 2) adopted by its Council on 20 June 2001,

WHEREAS certain Member States of the Agency (hereinafter referred to as "the participating States") adopted on 20 September 2001 the Declaration on the European Earth Watch Programme, ESA/PB-EO/LXXXVII/Dec. 1 (Final), including an Annex 4 on InfoTerra/TerraSAR Element,

WHEREAS Canada is a participant in several Earth Observation Programmes undertaken by the Agency, such as the ERS 1 and 2 Programmes, EOPP, Envisat, the Earth Observation Envelope Programme and the GMES Service Element of the Earth Watch Programme,

HAVING REGARD to the Implementing Rules for the InfoTerra/TerraSAR Element of the European Earth Watch Programme, as approved by Council (ESA/C/CLV/Rules 3 (Final)),

CONSIDERING the request by Canada to participate in the InfoTerra/TerraSAR Element of the European Earth Watch Programme,

NOTING Article XIV.2 of the ESA Convention,

NOTING ALSO Article XIII and Annexes II and III of the ESA Convention,

HAVE AGREED AS FOLLOWS:

ARTICLE 1

The purpose of this Arrangement is to define the modalities of Canada's participation in the InfoTerra/TerraSAR Element of the European Earth Watch Programme.

ARTICLE 2

Canada shall, for the purpose of execution of the InfoTerra/TerraSAR Element and in accordance with the modalities described in this Arrangement, have the rights and obligations of a participating State as laid down in the provisions of the Declaration on the European Earth Watch Programme, referred to in the preamble, that are relevant to the InfoTerra/TerraSar Element, including its Annex IV, in the Implementing Rules applicable to the InfoTerra/TerraSar Element and in any other decisions relevant to the InfoTerra/TerraSar Element governing the execution of that programme.

ARTICLE 3

Canada will contribute to cover the expenditure resulting from execution of the InfoTerra/TerraSAR Element in accordance with the provisions of the Declaration referred to in the preamble and of any subsequent revision of that Declaration.

ARTICLE 4

Canada will, 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 shall have the right to vote on matters pertaining to the InfoTerra/TerraSAR Element.

ARTICLE 5

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

ARTICLE 6

Any dispute arising out of the application or interpretation of this Arrangement that cannot be settled by amicable agreement between the Parties shall, at the request of either Party, be submitted to arbitration. The provisions of the ESA Convention shall apply unless otherwise agreed by the Parties.

ARTICLE 7

1. This Arrangement shall enter into force on the date on which it is signed.
2. It shall remain in force until completion of the InfoTerra/TerraSAR Element of the European Earth Watch programme, the date of which shall be notified to Canada by the Agency.