

No. 53641*

**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 advanced research in telecommunications systems "ARTES" Programme. Paris, 29 November 2012

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

Authentic texts: *English and French*

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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 au Programme de recherche de pointe sur les systèmes de télécommunication «ARTES». 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^{er} avril 2016*

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[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 ADVANCED RESEARCH

IN TELECOMMUNICATIONS SYSTEMS “ARTES” 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 and in particular its Article III;

WHEREAS the Agency has undertaken a Payload and Spacecraft Development and Experimentation Programme (hereinafter referred to as “the PSDE”), which is being carried out in five slices and in which Canada is participating pursuant to the Arrangement signed in Ottawa on 15 May 1987;

WHEREAS the Agency has undertaken an Advanced Research in Telecommunications Systems (hereinafter referred to as “ARTES”) Programme on the basis of a Resolution adopted by its Council on 25 March 1993, section IX of which accepts participation by Canada as a continuation of its participation in the PSDE;

WHEREAS certain Member States of the Agency (hereinafter referred to as “the participating States”) adopted on 30 June 1993 the Declaration on the ARTES Programme (ESA/JCB/C/Dec.1 (Final) rev. 3);

HAVING REGARD to Canada’s request to participate in certain elements of the ARTES Programme and to the participating States’ acceptance of the said request;

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 ARTES Programme.

ARTICLE 2

This Arrangement shall govern Canada's participation in any element of the ARTES Programme in which it wishes to participate.

ARTICLE 3

Canada shall, for the purpose of the execution of the ARTES Programme and in accordance with the terms of this Arrangement, have the rights and obligations of a participating State as laid down in the Declaration on the ARTES Programme referred to in the preamble, in the implementing rules applicable to the ARTES Programme and its various elements, and in any other decisions governing the execution of that programme.

ARTICLE 4

Canada shall contribute to cover the expenditure resulting from the execution of the elements of the ARTES Programme in accordance with the provisions of Annex B and the Appendices to the Declaration referred to in the preamble and of any subsequent revision of the said Declaration by the participating States on the occasion of meetings of the Agency's Council or of the Council's subordinate bodies, to be adopted for subsequent elements of the ARTES Programme.

ARTICLE 5

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 Joint Board on Communication Satellite Programmes, and have a vote on matters pertaining to the ARTES Programme.

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.