

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,