

**AGREEMENT**  
**BETWEEN**  
**THE GOVERNMENT OF THE SLOVAK REPUBLIC**  
**AND**  
**THE EUROPEAN SPACE AGENCY**  
**CONCERNING SPACE COOPERATION FOR PEACEFUL PURPOSES**

The Government of the Slovak Republic

and

The European Space 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 Agency”),

(hereinafter together referred to as “the Parties”),

RECALLING that the purpose of the Agency is to provide for and to promote, for exclusively peaceful purposes, cooperation among European States in space research and technology and their space applications,

NOTING that space has become a factor in technological, economic, scientific and cultural development,

CONSIDERING the wish expressed by the Slovak Republic to cooperate with the Agency,

CONSIDERING that the Slovak Republic is, since 1 May 2004, a Member of the European Union and is thereby associated to the definition of an overall European Space Policy,

HAVING REGARD to Resolution on the European Space Policy adopted by the ESA Council meeting on 22 May 2007 (ESA/C/CXCIV/Res.1 (Final)),

HAVING REGARD to Framework Agreement between the European Community and the European Space Agency signed on 25 November 2003 establishing a “*framework providing a common basis and appropriate operational arrangements for an efficient and mutually efficient cooperation between the Parties with regard to space activities in accordance with their respective tasks and responsibilities and fully respective of their institutional settings and operational frameworks*” and which constitutes the basis for the joint ESA and European Community initiatives,

HAVING REGARD to Resolution on the evolution of the Agency adopted by the ESA Council meeting at Ministerial level on 6 December 2005 (ESA/C-M/CLXXXV/Res.5 (Final)), and in particular its Chapter IV paragraph 17 whereby the Council “*NOTES the growing interest of several new Member States of the European Union in participating progressively in the Agency’s programmes and to foster public interest in space exploration, and RECALLS the joint initiatives between ESA and the European Community such as Galileo and GMES which involve all these new Member States*”,

TAKING INTO CONSIDERATION the provisions of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, done on 27 January 1967, and other multilateral agreements on the exploration and use of outer space to which the Slovak Republic and Member States of the Agency are parties and which the Agency has accepted,

HAVING REGARD to the Convention establishing the Agency and in particular Article XIV.1 thereof, on international cooperation, which states that “*The Agency may, upon*

*decisions of the Council taken by unanimous votes of all Member States, cooperate with other international organisations and institutions and with Governments, organisations and institutions of non-member States, and conclude agreements with them to this effect”*,

DESIRING to establish mechanisms to facilitate and intensify cooperation between the Parties on mutually advantageous activities connected with the peaceful use of outer space,

CONVINCED of the benefits that such cooperation can bring to each Party,

HAVE AGREED AS FOLLOWS:

#### ARTICLE 1

##### Purpose

The purpose of this Agreement is to establish a legal framework for cooperation between the Parties in the field of research and peaceful use of outer space and the conditions for implementing projects of mutual interest.

#### ARTICLE 2

##### Areas of cooperation

1. The Parties shall keep each other informed on all their respective activities and programmes and on their progress and shall consult regularly, according to the procedures set out in Article 3 below, on areas offering potential for cooperation.
2. Among the areas considered by the Parties as offering potential for cooperation under the Agreement the following are specifically mentioned:
  - (a) Space science, in particular space astronomy and astrophysics, solar system exploration and solar-terrestrial physics;
  - (b) Earth observation research and applications, in particular environmental monitoring, meteorology, aeronomy and geoinformatics, disaster management;
  - (c) Telecommunications, including service demonstrations as well as satellite navigation;
  - (d) Microgravity research, in particular space biology and medicine, and materials processing, including the development of advanced alloys and material architectures for aerospace applications;
  - (e) Technology development including software and hardware;
  - (f) Ground segment engineering and utilisation.

Upon signature of this Agreement, the Slovak Republic shall notify the Agency of the areas that are of particular interest to it. Upon identifying a programme of mutual interest, the Parties shall conclude specific implementing arrangements defining their rights and obligations in accordance with the provisions of Article 3.1 below.

3. The Parties agree, with a view to realising cooperative projects in the areas identified pursuant to paragraph 2 above, to facilitate the exchange of scientists and engineers, the exchange of information as well as the contacts between the industries concerned.
4. The cooperation shall also extend to:
  - (a) the award of fellowships to enable the nominees of either Party to undertake training or other scientific or technical activities at institutions proposed by the awarding Party;
  - (b) the exchange of experts to participate in studies;
  - (c) the holding of joint conferences and symposia;
  - (d) joint promotion of the use of products and services developed under the Agency's programmes;
  - (e) the promotion of educational activities in space science and technology;
  - (f) the provision of expert opinions and assistance in space project management;
5. The Parties shall consult as appropriate on matters of common interest on the exploration and use of outer space on the agenda of the meetings of international bodies.
6. The Parties shall encourage international cooperation in the study of legal questions of mutual interest, which may arise in the exploration and use of outer space.

### ARTICLE 3

#### Modalities of Implementation

1. In order to pursue cooperation in programmes of common interest as referred to in Article 2 above, the Parties shall on each occasion negotiate and agree upon specific implementing arrangements.
2. The Slovak Republic designates the Ministry of Education of the Slovak Republic for the implementation of this Agreement.
3. Each Party shall designate a "point of contact" who shall be responsible for monitoring the implementation of this Agreement and for taking measures to assist in the further development of cooperative activities. Such points of contact shall be the ordinary channel for the Parties' communication of proposals for cooperation.
4. Joint working groups may be established to examine in detail proposals in areas assigned to them by the Parties and to make recommendations to the Parties.

5. Special meetings between the points of contact designated under paragraph 3 of this Article shall be held, as often as necessary, to examine the progress in the implementing of this Agreement. Experts may be invited by the points of contacts to attend such meetings as deemed necessary.
6. For the execution of its obligations under this Agreement, each Party shall in principle meet its own costs.
7. The Slovak Republic agrees to provide administrative assistance in the implementation of the present Agreement, in particular as regards facilitating the entry and exit of persons and the importation and exportation of goods and materials relating to projects agreed upon by the Parties within the frame of the present Agreement, including exemption from charges that are normally applicable upon importation and exportation referred to in Article 6 below. The Ministry of Education of the Slovak Republic will issue certification for import and export of goods and materials relating to projects agreed upon by the Parties for customs authorities. This certification guarantees that the imported or exported goods and materials are employed in the course of the projects agreed upon by the Parties.

#### ARTICLE 4

##### Observer status

The Slovak Republic shall be invited to attend meetings of the Agency's Council held at Ministerial level as an observer through one representative who may be accompanied by advisers. The Slovak Republic shall receive the draft agenda and relevant documents available to Member States to enable it to participate in such meetings.

#### ARTICLE 5

##### Information and data

1. The Parties shall exchange scientific and technical information of mutual interest concerning space science, technology and applications through the transmission of technical and scientific reports and notes, consistent with their respective rules on the dissemination of information and data.
2. Scientific and technical information obtained by one Party in the course of joint experiments or projects shall be made available to the other, subject to the observance of such rules as may be mutually agreed concerning the dissemination of information and data.
3. Where goods, data or information are furnished by one Party to the other, the receiving Party shall accord a degree of protection to the intellectual property rights therein at least equivalent to that enjoyed in the legal system applicable to the furnishing Party. Special measures that need, in the view of the furnishing Party, to be taken in order to achieve this level of protection shall be the subject of mutual agreement.

## ARTICLE 6

### Privileges and immunities

1. For any of the activities undertaken in the Slovak Republic within the frame of the present Agreement, the Agency shall have legal personality on the Slovak territory. For that purpose, the Slovak Republic shall grant the Agency the privileges and immunities contained in the Convention on the Privileges and Immunities of the Specialised Agencies adopted by the General Assembly of the United Nations on 21 November 1947 and entered into force for the Slovak Republic on 28 May 1993. It is understood that the tax and fiscal exemptions provided for in the above-mentioned Convention will not be applicable to Agency officials who would also have Slovak nationality or would have permanent residence in the Slovak Republic, at the time of their appointment as Agency official.
2. For each specific programme of common interest, the implementation of such privileges and immunities will be detailed in the implementing arrangements referred to in Article 3.1 above.

## ARTICLE 7

### Exchange of Personnel

Taking into account the provisions of Article 6 above, the Slovak Republic shall facilitate and expedite the movement of persons necessary to implement this Agreement into and out of the Slovak territory subject to applicable national laws and regulations. The Agency will, subject to applicable laws and regulations of its Member States, facilitate and expedite the movement of persons necessary to implement this Agreement into and out of the territories of its Member States.

## ARTICLE 8

### Liability

Subject to any other terms contained in the implementing arrangements referred to in Article 3.1 above, each Party shall be liable for any loss or damage to its persons or property which it sustains in pursuit of the activities provided for under this Agreement, except in the case of wilful damage or gross negligence on the part of the other Party.

## ARTICLE 9

### Settlement of disputes

1. Disputes concerning the interpretation or application of this Agreement shall in principle be settled by mutual consultations between the Parties. If an issue not resolved through consultations still needs to be resolved, that issue shall be submitted, at the request of either Party, to an arbitration tribunal composed of one nominee of each Party and a Chairman appointed by agreement between the Parties. Should the Parties fail to agree on the appointment of a Chairman, either party may invite the President of the International Court of Justice to make the necessary appointment. The tribunal's award shall be final and binding upon both Parties.

2. Implementing arrangements as referred to in Article 3.1 of this Agreement shall contain their own dispute-settlement provisions, which shall include the procedures and modalities for arbitration.

#### ARTICLE 10

##### Entry into force - Amendment

1. The Agreement shall enter into force upon written notification by the Slovak Republic to the Agency that all internal procedures necessary for its entry into force have been completed.
2. This Agreement shall remain in force for a period of five (5) years from the date of its entry into force. One year before the expiry of this Agreement, the Parties shall review the results of its implementation and shall examine ways and means of continuing or further developing such cooperation. The Parties shall in particular examine the possibility of concluding a European Cooperating State Agreement.
3. In the event of the continuation of the present cooperation, the Agreement may be extended and/or amended by mutual agreement in writing.
4. Except during the first two years from signature, the present Agreement may be terminated by either Party by giving six months' notice in writing. If the Agreement ceases to have effect on account of such termination, its provisions shall nevertheless continue to apply for the period and to the extent necessary to secure the implementation of any specific implementing arrangements concluded pursuant to Article 3.1 above and still effective on the date upon which the present Agreement ceases to have effect.

Done at ..... on .....

in two originals, in the English and Slovak languages, both texts being equally authentic. The Agency will provide translations in the French and German languages.

For the Government  
of the Slovak Republic:

For the  
European Space Agency: