

May 20, 2003

**AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF
THE PHILIPPINES AND THE GOVERNMENT OF THE UNITED
STATES OF AMERICA ON COOPERATION IN SCIENCE AND
TECHNOLOGY**

The Government of the Republic of the Philippines and the Government of the United States of America (hereinafter referred to as the Parties");

Desiring to promote further the close and friendly relations existing between them;

Considering their common interest in promoting scientific research and technological development;

Recognizing the benefits to be derived from close cooperation in these fields;

Have agreed as follows:

ARTICLE I

1. The purposes of this Agreement are to strengthen scientific and technological capabilities of the Parties, to broaden and expand relations between the scientific and technological communities in both countries, and to promote scientific and technological cooperation in areas of mutual benefit.

2. The principal objective of this cooperation is to provide opportunities to exchange ideas, information, skills, and techniques and to collaborate on scientific and technological endeavors of mutual interest, including information technology.

ARTICLE II

1. The Parties shall encourage cooperation through appropriate means including: exchange of scientific and technological information; exchange of scientific and technical experts; the convening of joint seminars and meetings; the conduct of joint research projects; and other such forms of scientific and technological cooperation as may be mutually agreed upon.

2. Cooperation under this Agreement shall be based on shared responsibilities and equitable contributions and benefits, commensurate with the Parties' respective scientific and technological strengths and resources.

ARTICLE III

1. The Parties shall encourage and facilitate, where appropriate, the development of direct contacts and cooperation between government agencies, universities, research centers, institutions, private firms and other entities of the two countries.

2. Government agencies and designated entities of the two Parties may conclude under this Agreement implementing arrangements in specific areas of science and technology. These implementing arrangements shall cover, as appropriate, topics of cooperation, procedures for transfer and use of equipment and funds, and other relevant issues. The conclusion of those implementing arrangements shall be in accordance with prevailing laws, regulations and procedures of both Parties.

ARTICLE IV

Cooperative activities under this Agreement shall be conducted in accordance with the applicable laws, regulations, and procedures in both countries and shall be subject to the availability of funds and personnel.

ARTICLE V

Scientists, technical experts, governmental agencies and institutions of third countries or international organizations may, in appropriate cases, be invited by agreement of both Parties to participate, at their own expense unless otherwise agreed, in projects and programs being carried out under this Agreement.

ARTICLE VI

Each Party shall designate an Executive Secretary to conduct administrative affairs and, as appropriate, to provide oversight and coordination of activities under this Agreement.

ARTICLE VII

1. Scientific and technological information of a non-proprietary nature resulting from cooperation under this Agreement (other than information which is not disclosed for commercial or industrial reasons) shall be made available, unless otherwise agreed, to the world scientific community through customary channels and in accordance with normal procedures of the participating agencies and entities.

2. The treatment of intellectual property created or furnished in the course of cooperative activities under this Agreement is provided for in the Annex, which shall form an integral part of this Agreement, and shall apply to all activities conducted under this Agreement, unless agreed otherwise by the Parties or their designees in writing.

ARTICLE VIII

1. Each Party shall facilitate entry into and exit from its territory of appropriate personnel and equipment of the other Party, engaged in or used in projects and programs under this Agreement.

2. Each Party shall facilitate prompt and efficient access of persons of the other Party, participating in cooperative activities under this Agreement, to its relevant geographic areas, institutions, data, materials, and individual scientists, specialists and researchers as needed to carry out those activities.

3. Each Party shall use its best efforts to provide duty free entry for materials and equipment provided pursuant to science and technology cooperation undertaken pursuant to this Agreement.

ARTICLE IX

In the event that differences arise between the Parties with regard to the interpretation or application of the provisions of this Agreement, the Parties shall resolve them by means of negotiations.

ARTICLE X