BILATERAL · AUGUST 8, 2019

MEMORANDUM OF UNDERSTANDING BETWEEN THE PHILIPPINE SPACE AGENCY AND THE POLISH SPACE AGENCY ON COOPERATION IN THE EXPLORATION AND PEACEFUL USES OF OUTER SPACE

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Philippine Space Agency (PhilSA) and Polish Space Agency (POLSA) (hereinafter referred to singularly as "the Participant" and collectively as "the Participants"), signed this Memorandum of Understanding (hereinafter referred to as "Memorandum" or "MOU").

Whereas, PHILIPPINE SPACE AGENCY (PhilSA) OF THE REPUBLIC OF THE PHILIPPINES, established by Republic Act No. 11363 or the Philippine Space Act dated 08 August 2019, which is mandated as the primary policy, planning, coordinating, implementing, and administrative entity of the Executive Branch of the Philippine government that plans, develops, and promotes the national space program in line with the Philippine Space Policy,

Whereas, Polish Space Agency (POLSA) is a national governmental Agency, supporting the Polish space industry by combining the world of business and science. An important aspect of the POLSA's activity is to promote the development of satellite technology that can be used in everyday life, including communication, navigation, environmental monitoring, and weather forecasting,

Whereas, both PARTICIPANTS intend to strengthen the traditional relations of friendship and cooperation taking into consideration the mutual interest in enhancing the peaceful uses of outer space.

Whereas, both PARTICIPANTS intend to establish effective forms of bilateral cooperation in the field of space activities that will promote development in social, economic, and cultural aspects and encourage commercial and industrial cooperation in the field of outer space.

Now, therefore, both PARTICIPANTS have agreed to:

Paragraph 1
PURPOSE

The purpose is to define the framework that will govern the cooperation between the PARTICIPANTS in scientific and technological research, and the exploration and use of outer space for peaceful applications consistent with the principles of equality, mutual benefit, and reciprocity.

Cooperation activities will be implemented by each of the PARTICIPANTS in accordance with international law, as well as the laws and regulations of the State to which it belongs.

Paragraph 2
AREAS OF COOPERATION

The PARTICIPANTS agree that cooperation under this MOU may include the following areas of interest:

- Earth observation and remote sensing;

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- Space science and exploration of outer space;

- Promotion of space industry;

- Promotion of space education through various academic activities for areas focusing on space science technology applications (SSTA);

- Other areas of cooperation mutually identified and decided upon by the PARTICIPANTS, within their respective mandates.

Paragraph 3
DESIGNATED REPRESENTATIVES

In order to facilitate the cooperation under this MOU, the PARTICIPANTS appoint the following personnel as the Points of Contact:

PHILSA:

Name: Atty. Noelle Riza D. Castillo
Role: Director of Space Policy and International Cooperation Bureau
Address for notices: spicb@philsa.gov.ph

POLSA:

Name: Ewa Zysnarska
Role: Senior Specialist, Department of Strategy and International Cooperation
Address for notices: ewa.zysnarska@polsa.gov.pl

Paragraph 4
IMPLEMENTING ARRANGEMENTS

1.

The PARTICIPANTS may hold meetings at appropriate times during the effective period of this MOU in order to review the cooperative activities and discuss possible plans for cooperation.

2.

Pursuant to the provisions of this MOU, the PARTICIPANTS may enter into specific programs to define and implement space cooperative activities, subject to the execution of separate agreements that will provide for the rights and obligations of both PARTICIPANTS.

Paragraph 5
FINANCIAL AND LEGAL CONSIDERATIONS

This MOU does not create any legal or financial obligation for both PARTICIPANTS under national and international law.

The PARTICIPANTS specifically acknowledge that this MOU is not an obligation of funds and will not involve transfer or release of funds from one PARTICIPANT to another, as PARTICIPANTS will only shoulder the necessary or incidental expenses for the realization of their own obligations under the MOU. The MOU also does not create any rights in favor of any third party.

It is understood that collaboration under this MOU will be pursued on a no-exchange-of-funds basis, unless

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specifically agreed upon in writing under an Implementing Arrangement (IA) and will be subject to the availability of funds and resources, and also abiding by the approval processes of each PARTICIPANT, and the national laws and regulations in each country. The no-exchange-of-funds mechanism will be regulated for each specific IA separately.

Paragraph 6
INTERNATIONAL COOPERATION

This MOU will not interfere with cooperative activities of any of the PARTICIPANTS with other parties and/or international organizations, nor with the compliance by any of the PARTICIPANTS with the obligations derived from their agreements with other parties and/or international organizations.

Paragraph 7
RESOLUTION OF DIFFERENCES

Any differences between the PARTICIPANTS arising from the interpretation or implementation of this MOU shall be resolved amicably by consultation or negotiation between the PARTICIPANTS through diplomatic channels.

Paragraph 8
AMENDMENTS

This MOU may not be changed, modified, released, discharged, abandoned, or otherwise amended, in whole or in part, except by an instrument in writing, signed by the PARTICIPANTS through diplomatic channels. Such amendment shall come into effect in accordance with Paragraph 10.

Paragraph 9
EFFECTIVITY AND TERMINATION

1.

This Memorandum shall become effective on the date of the last PARTICIPANT signing this Memorandum and will remain in effect for an initial period of five (5) years, then it will be automatically extended for one-year periods unless one of the PARTICIPANTS expresses its intention to terminate it at any time by prior written notice submitted to the other PARTICIPANT at least two (2) months before intended termination.

2.

If this Memorandum is terminated, its provisions will remain in effect on all incomplete projects at the time of termination and works unless otherwise agreed.

3.

This document is an expression of the PARTICIPANTS' intentions and is not legally binding, and therefore does not give rise to any claims or obligations

4.

This Memorandum is signed in two copies in English language.

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Signed on the date provided below in the English language.

FOR
PHILIPPINE SPACE AGENCY

FOR
POLISH SPACE AGENCY

(Sgd.)

(Sgd.)

JOEL JOSEPH S. MARCIANO, JR., Ph.D.
Director General

MICHAL WIERCINSKI Ph. D.
Vice President

Signed in Pasay City on December 5, 2024, in the English text.

Entry into Force: December 5, 2024

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