



No. 544/EU-C

NOTE VERBALE

The Ministry of Foreign Affairs presents its compliments to the Embassy of Georgia, and has the honour to inform the latter that the Government of Japan has decided to provide the Government of Georgia with 12,200 tablets (for 100 persons) of Favipiravir (Avigan) (hereinafter referred to as "the medication"), provided that the Government of Georgia will adhere to the terms and conditions in use and other actions in respect of the medication as per below:

- The Government of Georgia commits to ensure the proper use of the medication, in accordance with the guidance to be provided directly by the Government of Japan, as well as the applicable WHO guidance and national legal requirements;
- The Government of Georgia shall bear all responsibility and liability of any kind for any consequence, including side effects, accidents and damages, arising from the use or other actions in respect of the medication;
- The United Nations Office for Project Services (UNOPS), an operational arm of the UN system, will be assisting with the logistics arrangements, including

organizing the shipment of the medication to the beneficiary countries based on an Exchange of Letters to be established, under which the Government of Georgia will assume the responsibility to coordinate the customs clearance and in-country distribution of the medication;

- The Government of Japan and the Government of Georgia expressly concur that UNOPS shall not bear any responsibility or liability of any kind for any consequence, including side effects, accidents and damages, arising from the use or other actions in respect to the medication;
- The Government of Georgia shall indemnify, defend, hold and save harmless the Government of Japan and UNOPS, and their officials, agents and employees, and any Japanese national, from and against all suits, proceedings, claims, demands, losses and liability of any kind or nature brought by any third party against the Government of Japan, UNOPS and any Japanese national, including, but not limited to, all litigation costs and expenses, attorney's fees, settlement payments and damages, based on, arising from, or relating to the use or other actions relating to the medication;
- The Government of Georgia will share with the Government of Japan the data including clinical consequences gained from the use of the medication;

- The Government of Georgia shall not seek to obtain any intellectual property rights on the medication, as well as information and data generated through its use;

The Ministry of Foreign Affairs kindly requests the Embassy to respond to this Note Verbale to confirm the acceptance of abovementioned conditions. A template that can be used to this end is enclosed for reference.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Embassy of Georgia the assurances of its highest consideration.



Tokyo, April 10, 2020.

