

## Note Verbale (From Beneficiary Countries to Japan)

No. XX

The Ministry of Mexico presents its compliments to the Embassy of Japan in X and, with reference to the Embassy's Note Verbale no. X dated X 2020, has the honour to express its gratitude for Japan's kind offer to provide 12,200 tablets (for 100 persons) of Favipiravir (Avigan) (hereinafter referred to as "the medication"). In this regard, the Ministry of Mexico kindly informs that it will adhere to the terms and conditions regarding the use and other actions of the medication, as per below:

- The Government of Mexico commits to ensure the proper use of the medication in accordance with the guidance to be provided directly by Japan, as well as the applicable WHO guidance and national legal requirements;
- The Government of Mexico 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 Government of Mexico will finalize an Exchange of Letters with the United Nations Office for Project Services (UNOPS) to arrange for the supply of the medication, under which the Government of Mexico will assume the functions of coordinating the customs clearance and in-country distribution of the medication;
- The Government of Mexico acknowledges and agrees 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 Mexico will 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 Mexico will share with the Government of Japan the data including clinical consequences gained from the use of the medication;
- The Government of Mexico will not seek to obtain any intellectual property rights on the medication, as well as information and data generated through its use;

The Ministry of Mexico avails itself of this opportunity to renew to the Embassy of Japan in Mexico the assurances of its highest consideration.