

Memorandum of Understanding between the Asian Women's Fund
and the Project Implementation Committee in the Netherlands
concerning the "Wartime Comfort Women" Issue

The Asian Women's Fund (hereinafter referred to as the "AWF") and the Project Implementation Committee in the Netherlands (hereinafter referred to as the "PICN"),

RECOGNIZING that during World War II some Dutch women underwent immeasurable and painful experiences and suffered incurable physical and psychological wounds as "wartime comfort women",

ALSO, RECOGNIZING that those Dutch women who suffered physical and psychological wounds during World War II have attained an advanced age,

DESIRING to improve the living conditions of those women,

HAVE AGREED AS FOLLOWS:

Article 1

Purpose of the Project

The AWF shall provide, in order to express Japan's feelings of atonement to the "wartime comfort women" issue, financial resources for the PICN to implement the project which will help to improve the living conditions of those wartime victims who held Dutch nationality and, who suffered physical and psychological wounds during World War II (hereinafter referred to as the "Project").

Article 2

Contents and Beneficiaries of the Project

1. The PICN shall implement, making use of the financial resources provided by the AWF, the Project to offer medical and welfare goods and/or services to beneficiaries, taking fully into account the situation and needs of the beneficiaries in accordance with the provisions set out in the Appendix entitled "Project Implementation Guidelines" (hereinafter referred to as the "Guidelines") which form an integral part of this Memorandum of Understanding.

2. The beneficiaries of the Project shall be the wartime victims mentioned in Article 1 who suffered physical and psychological wounds and whom the PICN deems appropriate to be beneficiaries of the Project in accordance with the purpose set out in Article 1.

Article 3

Provision of Financial Resources

1. The AWF shall, during the implementation period of the Project in accordance with the Guidelines, provide financial resources for the PICN up to 255,000,000 (Two Hundred Fifty-Five Million) yen which are necessary for implementing the Project including administrative expenses.
2. The PICN shall assure appropriate management and use of the financial resources which it receives from the AWF.

Article 4

Consultation and Report

1. The PICN and the AWF shall closely consult with each other regarding the implementation of the terms of this Memorandum of Understanding, and, in the event that information is to be released to a third party, shall notify the other, in advance, of the proposed content of the information and what that third party is.
2. The PICN shall submit an annual Project Report to the AWF on the implementation of the Project. The PICN and the AWF shall hold annual evaluation meetings to assess the implementation of the Project.

Article 5

Protection of Privacy

The PICN and the AWF shall bear responsibility for the strict protection of personal information regarding beneficiaries and applicants obtained in connection with the implementation of the Project.

Article 6

Safe-Guarding Clause

The AWF shall not hold responsible the PICN nor shall put in a claim against the PICN, regarding its activities duly conducted in accordance with the Memorandum of Understanding and any other agreement between the PICN and the AWF.

Article 7

Final Provision

1. This Memorandum of Understanding shall take effect on the date of its signing.
2. This Memorandum of Understanding shall remain in force for a period of 3

(three) years. Either party may terminate this Memorandum of Understanding by giving notice in writing to that effect to the other party 6 (six) months prior to the date fixed for such termination.

3. In the event of any dispute regarding the interpretation and/or implementation of this Memorandum of Understanding, the PICN and the AWF shall endeavor to settle the dispute amicably through consultation.

4. This Memorandum of Understanding shall be construed and take effect as a contract made in accordance with the laws and regulations of Japan and the PICN and the AWF shall submit to the jurisdiction of the Tokyo District Court concerning legal disputes regarding this Memorandum of Understanding.

5. The AWF shall not raise an objection if, in implementing the Project in the Netherlands, the PICN decides to have legal relations with a third party, such as a beneficiary of the Project, in accordance with the laws and regulations of the Netherlands, and to submit to the jurisdiction of the Court in the Netherlands concerning any legal disputes with the third party.

6. This Memorandum of Understanding may be amended, if it is deemed necessary, by mutual consent in writing between the PICN and the AWF.

DONE in duplicate at The Hague, Netherlands, on this 15th day of July in the year one thousand nine hundred and ninety eight in the English language.

FOR THE PROJECT
IMPLEMENTATION COMMITTEE
IN THE NETHERLANDS

(Signature)

Govert L. J. HUYSER
Chairman

FOR THE ASIAN WOMEN'S
FUND

(Signature)

TATSUO YAMAGUCHI
Vice-President