

## Summary of the Memorandum of Cooperation

### Memorandum of Cooperation between the Ministry of Health, Labour and Welfare of Japan and the Department of Foreign Affairs of the Republic of the Philippines on the Collection and Repatriation of the Remains of Japanese Soldiers in the Republic of the Philippines

#### 1. General Matters

- No payment of rewards, except for expenses for wages of local hires, etc.
- Conduct Activities only when accompanied by a scientific liaison representative (Specialist for the forensic examination of remains) of the National Museum, and when applicable, a representative of the National Commission on Indigenous People.
- The Memorandum of Cooperation does not give rise to legally binding rights or obligations under international law.

#### 2. Planning Phase

- The MHLW will submit to the DFA, its proposed annual plan of the Activities for the following year no later than April 1 of each year.
- The DFA will consider whether or not to approve the annual plan and promptly notify the MHLW on its decision.
- Promptly after the approval of the annual plan, a comprehensive planning conference attended by the MHLW and other concerned agencies of the GPH will be organized.
- The MHLW will, in coordination with concerned agencies of the GPH, secure all necessary concerned agencies of the GPH permits from land owners, indigenous cultural communities/indigenous people, and the elders of the indigenous people concerned, before commencing the Activities.
- The MHLW will provide the DFA with a detailed case proposal and schedule of each of the planned Activities 60-90 days before commencing them.

#### 3. Operational Phase

- No remains will be removed from the Republic of the Philippines unless:
  - The MHLW and the National Museum in consultation with other competent authorities of the GPH, will jointly decide that the remains are that of Japanese soldiers based on the totality of forensic evidence available;
  - Appropriate transport permits from the local health authority in the area where the remains are recovered and a transit permit from the local government and a Quarantine Permit from the Bureau of Quarantine are properly secured.
- Forensic anthropological analysis, including fluorescence reflection tests using UV light irradiation, will be conducted for forensic examination of the recovered remains.
- If the remains cannot be confirmed whether they are of Japanese soldiers based on evidence available at the spot, the MHLW may collect a sample of the remains and conduct scientific DNA analysis in Japan.

#### 4. Necessary Payment

- Wages of local hires will not be less than the current prevailing wages for workers in the locality.
- As appropriate, pay affected land owners a fee at mutually determined rates.
- Pay expenses, per diems, and overtime for any GPH official that will accompany the Activities at rates provided by law and civil service regulations of the Republic of the Philippine.