



15 June, 2018

Dear Minister Kaag,

Recalling the Agreement between the European Union and Japan for an Economic Partnership (the Agreement), which includes a provision on the term of protection for copyright and related rights in the Parties, I have the honour to confirm the following understanding of Japan regarding the application of paragraph (c) of Article 15 of the Treaty of Peace with Japan signed at San Francisco on 8 September 1951 (the Treaty) in relation to Article 14.13 (Term of protection) of the Agreement:

- (i) The Government of Japan recognises and invites attention to the fact that the term of protection for copyright and related rights to be provided in Japan, as provided for in the Agreement as of the date of the entry into force of the Agreement, will exceed the term of protection theretofore provided in Japan, including any adjustment portion provided pursuant to paragraph (c) of Article 15 of the Treaty with regard to the works covered by that paragraph.
- (ii) In connection with paragraph (i), and recognising the importance of efficient collection and distribution of royalties between Japan and the Kingdom of the Netherlands as well as administrative burdens that may be associated with the calculation of copyright term pursuant to relevant reciprocal agreements between their counterpart collective management organisations (CMOs), the Government of Japan and the Government of the Kingdom of the Netherlands encourage and

welcome industry-led dialogue to be held between individual CMOs and affected rights holders with a view to addressing and resolving these matters in a manner consistent with their respective governing documents and applicable law.

- (iii) The Government of Japan and the Government of the Kingdom of the Netherlands intend to meet, as appropriate, to review the status of the dialogue referred to in paragraph (ii) and to discuss other appropriate steps in relation to the issues covered by this letter.

Additionally, I have the honour to confirm, on behalf of the Government of Japan, that nothing in this letter is intended to affect the rights and obligations of Japan and the Kingdom of the Netherlands under paragraph (c) of Article 15 of the Treaty.

I would be grateful if you would confirm that this understanding is shared by your Government.

Sincerely,



Taro Kono
Minister for Foreign Affairs of Japan

Her Excellency Ms. Sigrid Kaag
Minister for Foreign Trade and
Development Cooperation
The Kingdom of the Netherlands



MINISTER FOR FOREIGN TRADE AND DEVELOPMENT COOPERATION

His Excellency Mr T. Kono
Minister for Foreign Affairs of Japan
TOKYO

The Hague,
29 June 2018

Your Excellency,

I have the honour to confirm the following understanding of the Kingdom of the Netherlands regarding the application of paragraph (c) of Article 15 of the Treaty of Peace with Japan signed at San Francisco on 8 September 1951 (the Treaty) in relation to Article 14.13 (Term of protection) of the Agreement between the European Union and Japan for an Economic Partnership (the Agreement), as expressed in your letter of 15 June 2018:

- (i) The Government of the Kingdom of the Netherlands recognises and invites attention to the fact that the term of protection for copyright and related rights to be provided in Japan, as provided for in the Agreement as of the date of the entry into force of the Agreement, will exceed the term of protection theretofore provided in Japan, including any adjustment portion provided pursuant to paragraph (c) of Article 15 of the Treaty with regard to the works covered by that paragraph.
- (ii) In connection with paragraph (i), and recognising the importance of efficient collection and distribution of royalties between the Kingdom of the Netherlands and Japan as well as administrative burdens that may be associated with the calculation of copyright term pursuant to relevant reciprocal agreements between their counterpart collective management organisations (CMOs), the Government of the Kingdom of the Netherlands and the Government of Japan encourage and welcome industry-led dialogue to be held between individual CMOs and affected rights holders with a view to addressing and resolving these matters in a manner consistent with their respective governing documents and applicable law.
- (iii) The Government of the Kingdom of the Netherlands and the Government of Japan intend to meet, as appropriate, to review the status of the dialogue referred to in paragraph (ii) and to discuss other appropriate steps in relation to the issues covered by this letter.



MINISTER FOR FOREIGN TRADE AND DEVELOPMENT COOPERATION

Additionally, I have the honour to confirm, on behalf of the Government of the Kingdom of the Netherlands, that nothing in this letter is intended to affect the rights and obligations of the Kingdom of the Netherlands and Japan under paragraph (c) of Article 15 of the Treaty.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Sigrid Kaag', written over a horizontal line.

Sigrid A.M. Kaag
Minister for Foreign Trade and Development Cooperation
of the Kingdom of the Netherlands