

August 22, 2002

Mr. Michio Hashimoto
Energy Charter Secretariat
Boulevard de la Woluwe, 56
B-1200 Brussels
via facsimile 02-775-9842

Dear Mr. Hashimoto:

According to the Article 26 (3)(b)(ii) of the Energy Charter Treaty, I attached the Japanese policies, practices and conditions as one of the registered contracting party to Annex ID..

Thank you and I look forward to the good relation between us.

Sincerely,

三橋 敏宏

Toshihiro Mitsuhashi
First Secretary
Mission of Japan to the EU
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**Policies, Practices and Conditions of Japan
with regard to Article 26(3)(b)(i) of the Energy Charter Treaty**

The "Policies, Practices and Conditions" of Japan referred to in Article 26(3)(b)(i) and ANNEX ID of the Energy Charter Treaty are as follows:

1. With regard to any dispute which has been submitted to a domestic court in Japan in accordance with Article 26(2)(a) of the Energy Charter Treaty and for which the domestic court has already given a final judgement, the Government of Japan does not accept the submission of such dispute to international arbitration or conciliation by investors.
2. With regard to any dispute which corresponds to either of the (1) to (3) below, the Government of Japan does not accept the submission of such dispute to international arbitration or conciliation without prior express consent in writing of the Government of Japan in each case.

As for the disputes referred to in (1) and (2) below, withdrawal of the investor's claim from the domestic court in Japan or from the dispute settlement procedure referred to in Article 26(2)(b) of the Energy Charter Treaty would be required in order to obtain the consent of the Government of Japan.

- (1) any dispute which has been submitted to a domestic court in Japan in accordance with Article 26(2)(a) of the Energy Charter Treaty and for which a final judgement has not yet been given
- (2) any dispute which has been submitted to a dispute settlement procedure referred to in Article 26(2)(b) of the Energy Charter Treaty and for which a final decision has not already been taken by the dispute settlement procedure
- (3) any dispute which has been submitted to a dispute settlement procedure referred to in Article 26(2)(b) of the Energy Charter Treaty and for which a final decision has already been taken by the dispute settlement procedure.

(end)