

**ENERGY CHARTER  
SECRETARIAT**

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Brussels, 30 June 1999

Related documents: CC 138, CC 145, RD 4 (ECC of 30 06 1999)
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**DECISION OF THE ENERGY CHARTER CONFERENCE**

**Subject:      Procedures for Changes to Annex ID of the Energy Charter Treaty**

Following the decisions by the Conference to list Bosnia and Herzegovina (CC 42), the Former Yugoslav Republic of Macedonia (CC 82) and Mongolia (CC 132) in Annex ID of the Treaty, the Conference document CC 138 proposed procedures for effecting these decisions.

Based on consultations with delegations, the Conference Chairman proposed a modification of the Decision contained in CC 138 (RD 4). The modification reflects the wish of the Conference to give approval for Annex ID listings only on a case-by-case basis. The Conference approved this proposal and confirmed, as a technical change, the addition of Bosnia and Herzegovina, the Former Yugoslav Republic of Macedonia and Mongolia to the list of Contracting Parties in Annex ID of the Treaty. The full text of the corresponding Decision is attached as Annex I.

The delegation of Japan requested the Chairman to include in the Summary Record its statement concerning this Decision. This statement is attached as Annex II.

Keywords:      Annex ID, Bosnia & Herzegovina, FYROM, Former Yugoslav Republic of Macedonia, Mongolia, Japan Statement

**DECISION**

**concerning the requests of Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia and Mongolia to be listed in Annex ID of the Energy Charter Treaty**

[as adopted by the Energy Charter Conference  
at its 3<sup>rd</sup> Meeting held on 30 June 1999]

**The Energy Charter Conference**

having regard to the Treaty, in particular Articles 34 and 36,

considering that the Conference has approved in principle the inclusion of Bosnia and Herzegovina in the list of Contracting Parties in Annex ID,

considering that the Conference has approved the inclusion of the former Yugoslav Republic of Macedonia and Mongolia in the list of Contracting Parties in Annex ID,

**CONFIRMED**

as a technical change, the addition of Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia and Mongolia to the list of Contracting Parties in Annex ID of the Treaty;

**ASKED**

- (a) the Secretariat to communicate any technical changes to Annex ID to the Depositary which shall submit them to all Contracting Parties/Signatories,
- (b) Contracting Parties/Signatories to make appropriate arrangements for ensuring transparency of such additional listings according to their respective practice.

**Statement of the delegation of Japan in relation to the Decision  
concerning the requests of Bosnia and Herzegovina, the former Yugoslav  
Republic of Macedonia and Mongolia to be listed in Annex ID  
of the Energy Charter Treaty**

[as adopted by the Energy Charter Conference  
at its 3<sup>rd</sup> Meeting held on 30 June 1999]

Since Japan does not apply the Treaty provisionally, Annex ID is not applicable to Japan. Accordingly, if the decision on procedures for changes to Annex ID is approved by the Conference without referring to a certain period of time for the purpose of notification and domestic procedures prior entry into force of the changes to Annex ID, such a decision may not create problems immediately in the internal procedures of Japan.

However, when the Treaty enters into force for Japan in the future, the period of ninety days for information and domestic procedures is indispensable before entry into force of changes to Annex ID to ensure transparency and appropriate implementation of domestic procedures.

Therefore, when the changes to Annex ID are considered after ratification of the Treaty by Japan, Japan will propose to ensure the period of ninety days for notification and domestic procedures prior entry into force of such changes to Annex ID.