(d) An arbitration decision shall be treated as follows:

(i) An arbitration decision has no precedential value.

(ii) An arbitration decision shall be final, unless that decision is found to be unenforceable by a court of either Contracting State due to a violation of paragraph 5 of Article 25 of the Convention, of this paragraph or of any procedural rule determined in accordance with paragraph 5 of Article 25 of the Convention and subparagraph (a) that may reasonably have affected the decision. If the decision is found to be unenforceable due to the violation, the request for arbitration shall be considered not to have been made and the arbitration proceedings shall be considered not to have taken place (except for the purposes of clauses (iv) and (v) of subparagraph (b)).

(e) Where at any time before the arbitration panel has delivered a decision on a case to the competent authorities of the Contracting States and to the person who made the request for arbitration in respect of the case:

(i) the competent authorities of the Contracting States reach a mutual agreement to resolve the case pursuant to paragraph 2 of Article 25 of the Convention; or

(ii) that person withdraws the request for arbitration; or

(iii) a decision concerning the case is rendered by a court or administrative tribunal of either Contracting State during the arbitration proceedings;

the procedures under Article 25 of the Convention in respect of the case shall terminate.

(f) Where a case in respect of which a request for arbitration has been made is pending in litigation or appeal, the mutual agreement that implements the arbitration decision on the case shall be considered not to be accepted by the person directly affected by the case if any person directly affected by the case who is a party to the litigation or appeal does not withdraw, within 60 days after receiving the arbitration decision, from consideration by the relevant court or administrative tribunal all issues resolved in the arbitration proceedings. In this case, the case shall not be eligible for any further consideration by the competent authorities of the Contracting States.

(g) The provisions of paragraph 5 of Article 25 of the Convention and this paragraph shall not apply to cases falling within paragraph 3 of Article 4 of the Convention.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto by their respective Governments, have signed this Protocol.

DONE in duplicate at Reykjavik this fifteenth day of January, 2018 in the English language.

For Japan:

北川靖彦

For Iceland:

Guðlaugur Þór Þórðarson