

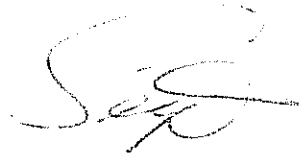
NV C3/141/10

The Embassy of Japan presents its compliments to the Ministry of Foreign Affairs of the Republic of Kenya and, with reference to the latter's Note Verbale no. MFA. HSE.9/14A dated 12th May 2010, has the honour to forward attached herewith the Embassy's response to the above mentioned Note Verbale.

The Embassy of Japan avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Kenya the assurances of its highest consideration.

27th May 2010

Ministry of Foreign Affairs
of the Republic of Kenya
NAIROBI



31 MAY 2010

*Embassy of Japan
Nairobi*

1. Whether the Government of Japan valued the property in question:

The Ministry of Foreign Affairs of Japan has never assessed the properties of the land and buildings of the Embassy of Kenya in Tokyo, which address is 3-24-3 Yagumo, Meguro Ward, Tokyo.

For your reference, the Ministry of Land, Infrastructure, Transport and Tourism of Japan announces the land prices nationwide, including Meguro ward, in every January. However, these official land prices show only the prices of the designated survey locations and do not include building values. This, therefore, has nothing to do with the asset evaluation of the land and the buildings of the Embassy of Kenya in Tokyo.

2. Whether there are other embassies located in Meguro ward, and if so, which ones as well as clarification on public transport accessibility:

As of May 2010, there are 15 embassies in Meguro Ward: Algeria, Azerbaijan, Bangladesh, Djibouti, Egypt, Gabon, Kazakhstan, Kenya, Cyprus, Nepal, Poland, Senegal, Sudan, Uzbekistan, and Papua New Guinea.

The Ministry of Foreign Affairs of Japan authorizes the foreign missions to establish their embassies only in the 23 Wards of Tokyo. They will decide the location, taking into consideration the circumstances, conveniences, etc.

There are 147 embassies in Tokyo: Minato Ward(75), Shibuya Ward(20), Chiyoda Ward(16), Meguro Ward(15), Shinagawa Ward(9), Setagaya Ward(5), Shinjuku Ward(4), Chuo Ward(2), and Taito Ward(1).

The current Embassy of Kenya location is accessible by public transport such as subway and bus.

3. About the rationale for assigning a lifespan to stone buildings in Japan, and whether assigning lifespan to buildings affects the functional value of the buildings:

According to the Japanese tax laws, the lifespan of stone buildings is set at 38 years for living purpose and 41 years for office usage. However, unless consulted by experts, lifespans of individual buildings could not be assessed. There are no relevant laws and rules which define the way of such assessment.

4. Whether a shihoushoshi can undertake such a transaction in Meguro, and whether the Ministry of Foreign Affairs of Japan gave advice to the Embassy of Kenya in Tokyo regarding hiring a shihoushoshi as a cheaper option rather than hiring a law firm:

A shihoushoshi ("a licensed solicitor" or a "judicial scrivener") can carry out the business specified in Article 3 of Judicial Scriveners Act. More specifically, a shihoushoshi can engage in paperwork related to property purchase and sale, property research and report preparation, ownership registration and other related business.

When asked by the Embassy of Kenya in Tokyo for legal advice regarding the procedures of registration, the Ministry of Foreign Affairs of Japan proposed that the Embassy should hire a lawyer or a shihoushoshi since the former is not able to be involved this matter.

The Ministry of Foreign Affairs does not know about what kind of business the Embassy of Kenya in Japan requested to carry out to its designated shihoushoshi.