(b) If, within thirty days of the request for arbitration, either Party has not designated an arbitrator, either Party may request the President of the International Court of Justice (hereinafter referred to as "ICJ") to appoint an arbitrator. If the President of the ICJ is a national of the State of either Party or is prevented from making the appointments for any other reason, the Vice-President of the ICJ or, if the Vice-President is a national of the State of either Party or is similarly prevented from acting, the most senior judge of the ICJ who is not a national of the State of either Party, and is not prevented similarly may be requested to make the appointments;

(c) The same procedure set out in the sub-paragraph (b) above shall apply if, within thirty days of the designation or appointment of the second arbitrator, the third arbitrator has not been elected, provided that the third arbitrator so appointed shall not be a national of the State of either Party;

(d) A majority of the members of the arbitral tribunal shall constitute a quorum, and all decisions shall require the concurrence of a majority of the members of the tribunal;

(e) The arbitral procedure shall be fixed by decisions of the tribunal. The decisions of the tribunal shall be binding on the Parties; and

(f) Each Party shall bear the cost of its own arbitrator and its representation in the arbitral proceedings. The cost of the Chairman of the arbitral tribunal in discharging the duties and the remaining costs of the arbitral tribunal shall be borne equally by the Parties.

ARTICLE 13

1. If the Republic of Turkey or Japan at any time following entry into force of this Agreement:

(a) acts in violation of the provisions of Article 3, 4, 5, 6, 7, or 8 of this Agreement, or the decisions of the arbitral tribunal referred to in Article 12 of this Agreement; or

(b) terminates or materially violates its Safeguards Agreement with the Agency referred to in Article 4 of this Agreement,

the Government of Japan or the Government of the Republic of Turkey respectively shall have the right to cease co-operation under this Agreement in whole or in part, or to terminate this Agreement and to require the return of any nuclear material, material and equipment transferred pursuant to this Agreement.

2. If the Republic of Turkey or Japan detonates a nuclear explosive device, the Government of Japan or the Government of the Republic of Turkey respectively shall have the right specified in paragraph 1 of this Article.

3. Before either Party takes steps to cease co-operation under this Agreement in whole or in part or to terminate this Agreement, the Parties shall consult for the purpose of taking corrective measures and shall, where appropriate, carefully consider the following, taking into account the need to make such other appropriate arrangements as may be required:

(a) the effects of taking such steps; and

(b) whether the facts which gave rise to considering such steps were caused deliberately.

4. The right under this Article to require the return of any nuclear material, material, or equipment transferred pursuant to this Agreement shall be exercised in accordance with terms, conditions and procedures mutually acceptable to the Parties.

5. Following the consultations referred to in paragraph 3 of this Article, the right under this Article shall be exercised by either Party:

(a) In the case referred to in paragraph 1 of this Article, only if the other Party fails to take corrective measures within an appropriate period of time; and

(b) In the case referred to in paragraph 2 of this Article, if it determines that no corrective measures can be found.

ARTICLE 14

1. The Parties shall, at the request of either Party, consult each other on amendments to this Agreement. This Agreement may be amended by a written agreement between the Parties. Amendments to this Agreement shall enter into force in accordance with the same procedure as set out in paragraph 1 of Article 15.