Article 12
Notification of Appointments of Staff Members

1. When a person has been appointed as one of the staff members, the Commission shall in each case and without delay notify the Government of the name of the person, and his/her level and post in the Commission and the names of his/her dependants, together with other relevant information. The Commission shall likewise notify the Government, when a person so appointed ceases to be one of the staff members, of the date of the cessation.

2. The Government shall not be obliged to extend to any person the privileges and immunities provided by this Agreement until the Government has received the notification under paragraph 1 of this Article with regard to the person concerned.

3. The Government shall, on receipt of such notification, furnish staff members with an identification card bearing the photograph of the holder. This card shall serve to identify the holder in relation to all Japanese authorities.

Article 13
Object and Prevention
of Abuse of Privileges and Immunities

1. The privileges and immunities accorded under this Agreement to staff members are provided solely to ensure in all circumstances the unimpeded functioning of the Commission and the complete independence of the persons to whom they are accorded.

2. The Executive Secretary shall take every precaution to prevent any abuse of these privileges and immunities, in accordance with the rules and regulations of the Commission.

3. Should the Government consider that an abuse of any of these privileges or immunities has occurred, the Executive Secretary shall, upon request, consult with the Government to determine whether any such abuse has occurred. If such consultation fails to achieve a result satisfactory to the Executive Secretary and to the Government, the matter shall be determined in accordance with the procedure set out in Article 15.

Article 14
Waiver of Immunities

1. The Executive Secretary has the right and the duty to waive any immunity accorded to staff members other than himself/herself under this Agreement when he/she considers that such immunity is impeding the course of justice and when it is possible to dispense with it without prejudice to the interests of the Commission.

2. The Commission may waive the immunities accorded to the Executive Secretary under this Agreement.

Article 15
Settlement of Disputes

1. Where the Commission enters into contracts in Japan with natural or juridical persons (other than contracts concluded in accordance with staff regulations), these contracts shall, at the request of the other party or parties thereto, include an arbitration clause whereby any disputes arising out of the interpretation or execution of the contracts may at the request of either party be submitted to private arbitration.

2. The Commission shall make provision for appropriate modes of settlement of:

(a) disputes of a private law character other than those arising from contracts specified in paragraph 1 of this Article;

(b) disputes involving staff members who by reason of his/her official position enjoys immunity, if such immunity has not been waived in accordance with Article 14.