CHAPTER X

LIABILITY AND CLAIMS

ARTICLE 54

The international liability arising from the activities of the GIGO, including those resulting from any act or omission by the Agency Personnel and members of the SC and any subordinate committees in the performance of their duties, shall fall entirely on the GIGO itself and shall not be borne by any Party.

ARTICLE 55

The GIGO shall indemnify the Parties against:

(a) any loss or damage to any property in the ownership, possession or custody of the Party, which is caused by wilful misconduct or negligence in the performance of the duties, or in connection therewith, by the Agency Personnel and members of the SC and any subordinate committees;

(b) any loss incurred by the Party through having to compensate a third party for loss of or damage to the latter's property or for personal injury, arising from wilful misconduct or negligence in the performance of the duties, or in connection therewith, by the Agency Personnel and members of the SC and any subordinate committees; and

(c) any loss incurred in case of any international liability referred to in Article 54.

ARTICLE 56

In the cases referred to in Article 55, the GIGO and the affected Party or Parties shall engage in good faith discussions to reach a mutually acceptable resolution to make good such loss or damage.

CHAPTER XI

SETTLEMENT OF DISPUTES

ARTICLE 57

Any dispute between the Parties or between the GIGO and the Parties, concerning the interpretation or application of this Convention, shall be settled by consultation.

ARTICLE 58

(1) Any dispute arising from contracts concluded by the GIGO for the implementation of the GCAP, which cannot be settled through the dispute settlement clauses specified in each contract, shall be submitted to a conciliation subordinate committee established by the SC. The appropriate procedures and structure of the conciliation subordinate committee shall be defined in a further arrangement between the relevant authorities of the Parties.

(2) Each contract to be concluded by the GIGO with Industry shall, whenever possible, provide for conciliation in accordance with paragraph (1) and include an arbitration clause.

ARTICLE 59

Any dispute between the Agency and its personnel concerning an employment contract or working conditions shall be settled in accordance with the Agency staff rules and internal regulations as set out by the Agency. In this regard, the employment contract shall ensure the protection of workers' rights which reflect best practice of the Parties.

ARTICLE 60

If a third party claims that damage or injury has been caused by the GIGO, the Agency Personnel, members of the SC or any subordinate committees, and the immunities are not waived, the SC shall take all appropriate steps to deal with the claim and, if the claim is justified, to settle it.