

have such other rights as are guaranteed under the laws of Japan to all persons on trial in Japanese courts. Such additional rights include the following which are guaranteed under the Constitution of Japan:

- (i) He shall not be arrested or detained without being at once informed of the charge against him or without the immediate privilege of counsel; nor shall he be detained without adequate cause; and upon demand of any person such cause must be immediately shown in open court in his presence and the presence of his counsel;
- (ii) He shall enjoy the right to a public trial by an impartial tribunal;
- (iii) He shall not be compelled to testify against himself;
- (iv) He shall be permitted full opportunity to examine all witnesses;
- (v) No cruel punishment shall be imposed upon him.

(b) The authorities of the sending State shall have the right upon request to have access at any time to members of the force of that State or of the civilian component, or their dependents who are confined or detained under Japanese authority.

(c) Nothing in the provisions of paragraph 9 (g) concerning the presence of a representative of the Government of the sending State at the trial of a member of the force of that State or of the civilian component, or a dependent prosecuted under the jurisdiction of Japan, shall be so construed as to prejudice the provisions of the Constitution of Japan with respect to public trials.

8. Re paragraphs 10 (a) and 10 (b):

(a) The military authorities of the United Nations forces will normally make all arrests within facilities in use by and guarded under the authority of the United Nations forces. This shall not preclude the Japanese authorities from making arrests within facilities in cases where the competent authorities of the United Nations forces have given consent, or in cases of pursuit of a flagrant offender who has committed a serious crime.

Where persons whose arrest is desired by the Japanese authorities and who are not subject to the jurisdiction of the United Nations forces are within facilities in use by the United Nations forces, the military authorities of the United Nations forces will undertake, upon request, to arrest such persons. All persons arrested by the military authorities of the United Nations forces, who are not subject to the jurisdiction of the United Nations forces, shall immediately be turned over to the Japanese authorities.

The military authorities of the United Nations forces may, under due process of law, arrest in the vicinity of a facility any person in the commission or attempted commission of an offence against the security of that facility. Any such person not subject to the jurisdiction of the United Nations forces shall immediately be turned over to the Japanese authorities.

(b) The Japanese authorities will normally not exercise the right of search, seizure, or inspection with respect to any persons or property within facilities in use by and guarded under the authority of the United Nations forces or with respect to property of the United Nations forces