(c) shall set out in its award, its findings of law and fact, together with the reasons therefor; and

(d) may, apart from giving its findings, include in its award suggested implementation options for the Parties to consider in conjunction with Article 140.

2. The arbitral tribunal may seek, from the Parties, such relevant information as it considers necessary and appropriate. The Parties shall respond promptly and fully to any request by the arbitral tribunal for such information as the arbitral tribunal considers necessary and appropriate.

3. With respect to factual issues concerning a scientific or other technical matter raised by a Party, the arbitral tribunal may request information or advisory reports in writing from experts. The arbitral tribunal may, at the request of a Party or on its own initiative, select, in consultation with the Parties, no fewer than two scientific or technical experts who shall assist the arbitral tribunal throughout its proceedings and provide information or advice upon request by the arbitral tribunal, but who shall not have the right to vote in respect of any decision to be made by the arbitral tribunal, including its award.

4. Any information or advice obtained by the arbitral tribunal pursuant to paragraph 3 shall be made available to the Parties. Each Party may make written submissions on the handling of such information or advice by the arbitral tribunal.

Article 138
Proceedings of Arbitral Tribunals

1. The arbitral tribunal shall meet in closed session.

2. The deliberations of the arbitral tribunal and the documents submitted to it shall be kept confidential.

3. Notwithstanding paragraph 2, either Party may make public statements as to its views regarding the dispute, but shall treat as confidential, information and written submissions submitted by the other Party to the arbitral tribunal which that other Party has designated as confidential. Where a Party has provided information or written submissions designated as confidential, that Party shall, upon request of the other Party, provide a non-confidential summary of the information or written submissions which may be disclosed publicly.

4. The Parties shall be given the opportunity to attend any of the presentations, statements or rebuttals in the proceedings. Any information or written submissions submitted by a Party to the arbitral tribunal, including any comments on the descriptive part of the draft award and responses to questions put by the arbitral tribunal, shall be made available to the other Party.

5. The award of the arbitral tribunal shall be drafted without the presence of the Parties, and in the light of the information provided and the statements made.

6. The arbitral tribunal shall, within 120 days, or within 60 days in cases of urgency including those concerning perishable goods, after the date of its establishment, submit to the Parties its draft award, including both the descriptive part and its findings and conclusions, for the purposes of enabling the Parties to review precise aspects of the draft award. When the arbitral tribunal considers that it cannot submit its draft award within the aforementioned 120 days or 60 days period, it may extend that period with the consent of the Parties. A Party may submit comments in writing to the arbitral tribunal on the draft award within 15 days after the date of submission of the draft award.

7. The arbitral tribunal shall issue its award, within 30 days after the date of submission of the draft award.

8. The arbitral tribunal shall attempt to make its decisions, including its award, by consensus. Failing such consensus, it may make its decisions, including its award, by majority vote. In case of majority vote, opinions expressed by individual arbitrators shall be anonymous.