5. 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.

6. The award of the arbitral tribunal shall be drafted without the presence of the Parties.

7. The arbitral tribunal shall, within 120 days, or within 60 days in cases of urgency including those which concern 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 it. 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. However, in no case should the period from the establishment of the arbitral tribunal to the submission of the draft award to the Parties exceed 150 days. Either Party may submit comments in writing to the arbitral tribunal on the draft award within 30 days after the date of submission of the draft award.

8. The arbitral tribunal shall present its award to the Parties within 45 days after the date of submission of the draft award.

9. The arbitral tribunal shall attempt to make its decisions, including its award, by consensus, but may also make its decisions, including its award, by majority vote.

10. The award of the arbitral tribunal shall be final and binding on the Parties.

Article 16.10
Termination of the Proceedings

The Parties may agree to terminate the proceedings of the arbitral tribunal by jointly so notifying the chair of the arbitral tribunal at any time before the issuance of the award to the Parties, in which case the chair shall terminate the proceedings of the arbitral tribunal without delay.

Article 16.11
Implementation of Award

1. Unless the Parties otherwise agree, the Party complained against shall promptly comply with the award of the arbitral tribunal issued in accordance with Articles 16.8 and 16.9. If this is not practicable, the Party complained against shall comply with the award within a reasonable period of time.

2. The reasonable period of time referred to in paragraph 1 shall be mutually determined by the Parties, taking into account, where appropriate, the suggested period of time attached to the award by the arbitral tribunal. Where the Parties fail to agree on the reasonable period of time within 45 days after the date of issuance of the award of the arbitral tribunal, either Party may refer the matter to an arbitral tribunal, which shall determine the reasonable period of time.

3. (a) If the Party complained against considers it impracticable to comply with the award within the reasonable period of time, the Party complained against shall, no later than the expiry of that period, enter into consultations with the complaining Party, with a view to developing mutually satisfactory compensation or any alternative arrangement.