

and law. However, oral arguments and testimony may be given if the tribunal considers it appropriate.

(e) The tribunal may hear and determine counter-claims arising directly out of the subject matter of the dispute provided the counter-claims are within its jurisdiction as defined in Article 2 of this Supplementary Agreement.

(f) At any time during the proceedings, the tribunal may terminate the proceedings if it decides the dispute is beyond its jurisdiction as defined in Article 2 of this Supplementary Agreement.

(g) The tribunal's deliberations shall be secret and its rulings and decisions must be supported by at least two members.

(h) The tribunal shall support its decision by a written opinion. A member dissenting from the decision may submit a separate written opinion.

(i) The tribunal may adopt additional rules of procedure consistent with those established by this Supplementary Agreement which are necessary for the proceedings.

#### ARTICLE 6

(a) If one side fails to present its case, the other side may call upon the tribunal to accept its case and to give a decision in its favor. Before doing so, the tribunal shall satisfy itself that it has jurisdiction and that the case is well-founded in fact and in law.

(b) Before giving the decision, the tribunal shall grant a period of grace to the side which has failed to present its case, unless it is satisfied that the party in default does not intend to present its case.

#### ARTICLE 7

Any signatory, group of signatories, or the Committee, which considers that it has a substantial interest in the decision of the case may petition the tribunal for permission to become a party to the case. If the tribunal determines that the petitioner has a substantial interest in the decision of the case, it shall grant the petition.

#### ARTICLE 8

Either at the request of a party, or upon its own initiative, the tribunal may appoint such experts as it deems necessary to assist it.

#### ARTICLE 9

Each of the signatories and the Committee shall provide all information determined by the tribunal, either at the request of a party to the case or upon its own initiative, to be required for the proper handling and determination of the dispute.

#### ARTICLE 10

During the course of its consideration of the case, the tribunal shall have power, pending the final decision, to make recommendations to the parties with a view to the protection of their respective rights.

#### ARTICLE 11

(a) The decision of the tribunal shall be based on interpretation of the Agreement, the Special Agreement and this Supplementary Agreement in accordance with generally accepted principles of law.