

extension of the maritime boundary to the Court constituted in accordance with this Agreement, provided that at least three of the five judges of the Court are able to serve. In the event that any judge of the Court is unable to serve, any vacancy shall be filled in the manner provided for in Article XI.

4. If agreement pursuant to paragraph 1 or paragraph 2 is not reached, and the matter cannot be submitted to the Court in accordance with paragraph 3, either Party may call upon the President of the International Court of Justice to select, after consultation with the Parties, five persons, none of whom shall be a national of Canada or the United States of America, to constitute a Court of Arbitration.

5. The provisions of this Agreement shall be applied, mutatis mutandis, to the proceedings under this Article, and the decision of the Court of Arbitration shall be final and binding upon the Parties.

ARTICLE XIV

This Agreement shall enter into force in accordance with Articles II or III of the Treaty between the Government of Canada and the Government of the United States of America to Submit to Binding Dispute Settlement the Delimitation of the Maritime Boundary in the Gulf of Maine Area signed this day, and it shall remain in force until the said Treaty is terminated.