

- (e) in case of a dispute between more than two Contracting Parties, Contracting Parties to the dispute which are of the same interest shall select one panellist jointly. If the Parties to the dispute can not agree on the nomination of the third panellist, the President of the International Tribunal of the Law of the Sea shall make the appointment, unless the Contracting Parties to the dispute agree that the appointment be made by another person or a third state.

The Executive Secretary shall promptly transmit a copy of the notification to all Contracting Parties.

5. Any Contracting Party, which is not a Party to the dispute, may attend all hearings of the *ad hoc* panel, make written and oral submissions to the *ad hoc* panel and receive the submissions of each Party to the dispute.

6. At the request of a Contracting Party to the dispute, or on its own initiative, the *ad hoc* panel may seek information and technical advice from any person or body that it deems appropriate, provided that the Parties to the dispute so agree.

7. Unless the Contracting Parties to the dispute otherwise agree, the *ad hoc* panel shall, within 90 days from the constitution of the *ad hoc* panel, make its report and recommendations referred to in Article XV paragraph 4 of the Convention. The report and recommendations shall be confined to the subject matter of the dispute and state the reasons on which they are based. The report and recommendations shall be communicated promptly, through the Executive Secretary, to all Contracting Parties.

8. The *ad hoc* panel shall aim at reaching a consensus in its conclusions. If this is not possible the *ad hoc* panel shall reach its conclusions by a majority of its members, who may not abstain from voting.

9. The *ad hoc* panel may adopt any rules of procedure, which it deems necessary to accelerate the proceedings.

10. Costs of the *ad hoc* panel shall be borne by the Contracting Parties to the dispute in equal parts.

11. In relation to the *ad hoc* panel established pursuant to Article XIV paragraphs 7 and 8, the Parties shall be deemed to be the Commission and the objecting Contracting Party and the provisions of this Annex shall apply, with the exceptions of paragraphs 3 and 4 (e)."