

- (d) shall hold proceedings that are open to the public, except to the extent necessary to protect information in accordance with Article 17 and the Model Rules of Procedure.

#### **ARTICLE 14: Review Panel Reports and Determinations**

1. The panel shall present to the Parties a report that:
  - (a) makes findings of fact;
  - (b) addresses the submissions and arguments of the Parties and any relevant information before it pursuant to subparagraph (3)(c) of Article 13;
  - (c) determines whether the Party that is the object of the review has engaged in non-compliance through failure to comply with its obligations under Articles 1 and 2 to the extent that they refer to the ILO 1998 Declaration or a persistent pattern of failure to effectively enforce its labour law through appropriate government action, private rights of action, procedural guarantees, public information and awareness, or makes any other determination requested in the terms of reference; and
  - (d) makes recommendations for resolution of any non-compliance determined under subparagraph (c), which normally shall be that the Party that is the object of the review adopt and implement an action plan sufficient to remedy the non-compliance.
2. The panel shall present its initial report to the Parties within 120 days after the last panellist is selected unless the panel extends the time period by up to a further 60 days or the Model Rules of Procedure otherwise provide. If the panel extends the time period, it shall first give written notice to both Parties setting out the reasons for the extension of time.