

- (ii) failure to comply with its obligations under Articles 1 and 2 to the extent that they refer to the ILO Declaration.

Article 14: Panelists

1. A review panel comprised of three panelists shall be appointed in accordance with the procedures set out in Annex 3.
2. Panelists shall:
 - (a) be chosen on the basis of expertise in labour matters or other appropriate disciplines, objectivity, reliability and sound judgment;
 - (b) be independent of, and not be affiliated with or take instructions from, either Party; and,
 - (c) comply with a code of conduct to be established by the Parties.
3. If either Party believes that a panelist is in violation of the code of conduct, the Parties shall consult. If they agree, the panelist shall be removed and a new panelist shall be selected in accordance with the procedures set out in Annex 3 that were used to select the panelist who was removed. The time limits shall run from the date of their agreement to remove the panelist. The Model Rules of Procedure may provide procedures for resolving the situation if the Parties do not agree.
4. Individuals may not serve as panelists with respect to a review in which they have, or a person or organization with which they are affiliated has, an interest.
5. The chairperson shall not be a national of either Party.

Article 15: Conduct of Review

1. Unless otherwise agreed by the Parties, the review panel shall:
 - (a) be established and perform its functions in a manner consistent with the provisions of this Part, including the procedures set out in Annex 3; and