

Article 19: Implementation of Final Report

If, in its final report, a review panel determines that there has been non-compliance within the meaning of Article 17.2(b) by the Party that was the object of the review, the Parties may agree on a mutually satisfactory action plan to implement the panel's recommendations.

Article 20: Review of Implementation

1. If, in its final report, a review panel determines that there has been non-compliance within the meaning of subparagraph 2 (b) of Article 17 by the Party that was the object of the review and the Parties:

- (a) are unable to reach agreement on an action plan pursuant to Article 19 within 60 days of receiving the final report; or
- (b) have agreed on an action plan pursuant to Article 19 and the requesting Party considers that the other Party has failed to observe the terms of the action plan,

the requesting Party may at any time thereafter request in writing that the review panel be reconvened to impose an annual monetary assessment on the other Party. The panel shall reconvene as soon as possible after delivery of the request.

2. Where a panel has been reconvened under paragraph 1, it shall determine:

- (a) whether the action plan has been implemented or the non-compliance within the meaning of subparagraph 2 (b) of Article 17 has been otherwise remedied;
- (b) in the event that the panel makes a negative determination under subparagraph (a) above, the panel shall determine the amount of the monetary assessment in U.S. dollars, or its equivalent in the currency of the Party that was the object of the review, in accordance with Annex 4 and within 90 days after it reconvenes under paragraph 1.

3. The provisions of Article 18 regarding the release of the final report and separate opinions apply to determinations under paragraph 2, which shall be issued in Spanish and either English or French.