

3. Each Party shall treat any confidential or proprietary information exchanged in the course of consultations on the same basis as the Party providing the information.

Article 1805: Initiation of Procedures

1. If the Parties fail to resolve a matter through consultations within 30 days of a request for consultations under Article 1804, either Party may request in writing a meeting of the Commission. The request shall state the matter complained of, and shall indicate what provisions of this Agreement are considered relevant. Unless otherwise agreed, the Commission shall convene within 10 days and shall endeavour to resolve the dispute promptly.

2. The Commission may call on such technical advisors as it deems necessary, or on the assistance of a mediator acceptable to both Parties, in an effort to reach a mutually satisfactory resolution of the dispute.

Article 1806: Arbitration

1. If a dispute has been referred to the Commission under Article 1805 and has not been resolved within a period of 30 days after such referral, the Commission:

a) shall refer a dispute regarding actions taken pursuant to Chapter Eleven (Emergency Action), and

b) may refer any other dispute,

to binding arbitration on such terms as the Commission may adopt.

2. Unless the Commission directs otherwise, an arbitration panel shall be established and perform its functions in a manner consistent with the provisions of paragraphs 1, 3 and 4 of Article 1807.

3. If a Party fails to implement in a timely fashion the findings of a binding arbitration panel and the Parties are unable to agree on appropriate compensation or remedial action, then the other Party shall have the right to suspend the application of equivalent benefits of this Agreement to the non-complying Party.