

members shall be appointed by mutual agreement for terms of three years, and may be reappointed.

2. Roster members shall:

- (a) have expertise or experience in environmental law or its enforcement, or in the resolution of disputes arising under international agreements, or other relevant scientific, technical or professional expertise or experience;
- (b) be chosen strictly on the basis of objectivity, reliability and sound judgment;
- (c) be independent of, and not be affiliated with or take instructions from, either Party or the Joint Public Advisory Committee; and
- (d) comply with a code of conduct to be established by the Council.

Article 26: Qualifications of Panelists

- 1. All panelists shall meet the qualifications set out in Article 25(2).
- 2. Individuals may not serve as panelists for a dispute in which:
 - (a) they have participated pursuant to Article 23(4); or
 - (b) they have, or a person or organization with which they are affiliated has, an interest, as set out in the code of conduct established under Article 25(2)(d).

Article 27: Panel Selection

- 1. For purposes of selecting a panel, the following procedures shall apply:
 - (a) The panel shall comprise five members.
 - (b) The Parties shall endeavour to agree on the chair of the panel within 15 days after the Council decides to convene the panel. If the Parties are unable to agree on the chair within this period, the Party chosen by lot shall select within five days a chair who is not a citizen of that Party.
 - (c) Within 15 days of selection of the chair, each Party shall select two panelists who are citizens of the other Party.
 - (d) If either Party fails to select its panelists within such period, such panelists shall be selected by lot from among the roster members who are citizens of the other Party.