

Article 10 Proceedings of Arbitral Panels

1. The rules and procedures pertaining to the proceedings before an arbitral panel as set out in the Annex on the Rules and Procedures for the Arbitral Panel Proceedings shall apply unless the parties to the dispute agree otherwise. The arbitral panel may, after consulting the parties to the dispute, adopt additional rules and procedures not inconsistent with the Annex on the Rules and Procedures for the Arbitral Panel Proceedings.

2. In any event the proceedings of the arbitral panel shall be in accordance with the following principles:

- (a) a right to at least one hearing before the arbitral panel;
- (b) an opportunity for each party to the dispute to provide initial and rebuttal submissions;
- (c) a reasonable opportunity for each party to the dispute to submit comments on the interim report presented pursuant to Article 11; and
- (d) the protection of confidential information.

3. An arbitral panel shall meet in closed session. The parties to the dispute shall be present at the meetings only when invited by the arbitral panel to appear before it.