

ARTICLE XILAW APPLICABLE TO CONTRACTS AND
SETTLEMENT OF COMMERCIAL DISPUTES

1. Neither Party shall interfere with the freedom of persons subject to its jurisdiction to agree with persons of the other Party on the choice of law to govern the conclusion and performance of contracts between them.
2. Persons of the Republic of Estonia, on the one hand, and persons of Canada, on the other hand, may agree to settle disputes arising out of commercial transactions by arbitration.
3. Such persons, involved in disputes arising out of individual commercial transactions may agree to arbitration in accordance with the Arbitration Rules of the United Nations Commission on International Trade Law (UNCITRAL), adopted in 1976.
4. Without prejudice to their ability to decide otherwise, the persons party to commercial transactions may agree on a place for conducting the arbitration in a country, other than the Republic of Estonia or Canada, that is a party to the UN Convention on the Recognition and Implementation of Foreign Arbitral Decisions, done in New York on June 10 1958.
5. Nothing in the present Agreement shall be interpreted in such a way as to hamper, nor shall either Party prevent, the parties to commercial transactions from agreeing on any other form of arbitration for the settling of commercial disputes, which they mutually prefer and which, in their opinion, best answers their commercial needs.
6. The persons of one Party shall enjoy access to the courts of the other Party on the same basis as persons of any third country.

ARTICLE XIINATIONAL SECURITY

Nothing in this Agreement shall be construed:

- (a) to require either Party to furnish any information the disclosure of which it considers contrary to its essential security interests; or