

6. Where a Tribunal has been constituted under this Article, an investor that has submitted a claim to arbitration under Article 23 (Submission of a Claim to Arbitration) and that has not been named in a request made under paragraph 1 may make a written request to the Tribunal that it be included in an order made under paragraph 5, and shall specify in the request:

- (a) the name and address of the investor;
- (b) the nature of the order sought; and
- (c) the grounds for the order is sought.

7. An investor referred to in paragraph 6 shall deliver a copy of its request to the disputing parties named in a request under paragraph 1.

8. A Tribunal constituted under Article 23 (Submission of a Claim to Arbitration) does not have jurisdiction to decide a claim, or a part of a claim, over which a Tribunal constituted under this Article has assumed jurisdiction.

9. On application of a disputing party, a Tribunal constituted under this Article, pending its decision under paragraph 5, may order that the proceedings of a Tribunal constituted under Article 23 (Submission of a Claim to Arbitration) be stayed unless the latter Tribunal has already adjourned its proceedings.

ARTICLE 27

Documents to, and Participation of, the Non-Respondent Party

1. The UNCITRAL Transparency Rules shall apply with respect to the participation of the non-respondent Party in arbitration proceedings under this Section except as modified by this Agreement.

2. The respondent Party shall deliver to the non-respondent Party a copy of the notice of intent to submit a claim to arbitration and other documents submitted along with such notice within 30 days of the date those documents have been delivered to the respondent Party. The non-respondent Party is entitled, upon request and at its cost, to receive from the respondent Party a copy of the evidence that has been tendered to the Tribunal, copies of pleadings filed in the arbitration, and the written argument of the disputing parties. The non-respondent Party receiving such information shall treat the information as if it were the respondent Party.

3. The non-respondent Party may make oral and written submissions to a Tribunal only on questions of interpretation of this Agreement and has the right to attend hearings held under this Section.