

## ARTICLE 23

### Submission of a Claim to Arbitration

1. A disputing investor who meets the conditions precedent in Article 21 (Conditions Precedent to Submission of a Claim to Arbitration) may submit the claim to arbitration under:
  - (a) the ICSID Convention, provided that both the disputing Party and the Party of the disputing investor are parties to the ICSID Convention;
  - (b) the Additional Facility Rules of ICSID, provided that either the disputing Party or the Party of the disputing investor, but not both, is a party to the ICSID Convention; or
  - (c) the UNCITRAL Arbitration Rules.
2. The arbitration rules applicable under paragraph 1, and in effect on the date the claim or claims were submitted to arbitration under this Section, shall govern the arbitration except to the extent modified by this Agreement and supplemented by any rules adopted by the Parties.
3. A claim is submitted to arbitration under this Section when:
  - (a) the request for arbitration under paragraph 1 of Article 36 of the ICSID Convention is received by the Secretary-General;
  - (b) the request for arbitration under Article 2 of Schedule C of the ICSID Additional Facility Rules is received by the Secretary-General; or
  - (c) the notice of arbitration under Article 3 of the UNCITRAL Arbitration Rules is received by the disputing Party.
4. Delivery of notice and other documents on a Party shall be made to:

For Canada:

Office of the Deputy Attorney General of Canada  
Justice Building  
239 Wellington Street  
Ottawa, Ontario  
K1A 0H8

For Mongolia:

The Cabinet Secretariat of the Government of Mongolia  
State Palace  
Sukhbaatar Square  
Ulaanbaatar 12  
Mongolia