

2. But to the extent that the laws of the Republic of Bolivia partially or wholly invalidate the acquisition of any interest in any property within its national territory by the Insuring Agency, the Government of the Republic of Bolivia shall permit the investor and the Insuring Agency to make appropriate arrangement pursuant to which such interests are transferred to an entity permitted to own such interests under the law of the Republic of Bolivia.

3. The Insuring Agency shall assert no greater rights than those of the transferring investor under the laws of the Republic of Bolivia with respect to any interest transferred or succeeded to as contemplated in paragraph 1.

4. Should the said Insuring Agency acquire, under investment insurance contracts, amounts and credits of the lawful currency of the Government of the Republic of Bolivia, the same Government will accord to those funds treatment no different than that which it would accord if such funds were to remain with the investor, and such funds shall be freely available to the Government of Canada to meet its expenditures in the national territory of the Republic of Bolivia.

5. This Agreement shall apply with respect to insured investments in projects or activities which are permitted by the Government of the Republic of Bolivia.

6. (a) Differences between the two Governments concerning the interpretation and application of provisions of this Agreement or any claim in connection with the insurance of any investments insured in accordance with this Agreement, against either of the two Governments which, in the opinion of the other, present a question of public international law, shall be settled, insofar as possible, through negotiations between the two Governments. If such differences cannot be resolved within a period of three months following the request of such negotiations, they shall be submitted, at the request of either Government, to an ad hoc tribunal for settlement in accordance with the rules agreed upon the parties and applicable principles and rules of public international law.

(b) The arbitral tribunal shall consist of three members and shall be established as follows: each Government shall appoint one arbitrator; a third member, who shall act as Chairman, shall be appointed by the other two members. The Chairman shall not be a national of either country. The arbitrators shall be appointed within two months and the Chairman within three months of the date of receipt of either Government's request for arbitration.

(c) If the foregoing time limits are not met, either Government may, in the absence of any other agreement, request the Secretary General of the United Nations to make any necessary appointments. If the Secretary General is a national of either Contracting Party or if he is otherwise prevented from discharging the said function, the President of the International Court of Justice shall be invited to make the necessary appointments.

(d) If the President of the International Court of Justice is prevented from carrying out the said function or if he is a national of either country, the