

Section C – Settlement of Disputes Between an Investor and the Host Party

ARTICLE 19

Purpose

Without prejudice to the rights and obligations of the Parties under Section D, this Section establishes a mechanism for the settlement of investment disputes.

ARTICLE 20

**Claim by an Investor of a Party on Its Own Behalf
or on Behalf of an Enterprise**

1. A disputing investor may submit to arbitration under this Section a claim that:
 - (a) the disputing Contracting Party has breached an obligation under Section B, other than an obligation under paragraph 3 of Article 8 (Senior Management, Boards of Directors and Entry of Personnel), or Articles 12 (Transparency) or 15 (Health, Safety and Environmental Measures); and
 - (b) the disputing investor has incurred loss or damage by reason of, or arising out of, that breach.

2. A disputing investor, on behalf of an enterprise of the disputing Contracting Party that is a juridical person that the disputing investor owns or controls directly or indirectly, may submit to arbitration under this Section a claim that:
 - (a) the disputing Contracting Party has breached an obligation under Section B, other than an obligation under paragraph 3 of Article 8 (Senior Management, Boards of Directors and Entry of Personnel), or Articles 12 (Transparency) or 15 (Health, Safety and Environmental Measures); and
 - (b) the enterprise has incurred loss or damage by reason of, or arising out of, that breach.