

- (l) any other claim to money,

that does not involve the kinds of assets set out in subparagraphs (a) to (j);

“**investor of a Party**” means a Party, or a national or an enterprise of a Party, that seeks to make,¹ is making or has made an investment, but excludes an enterprise of a Party if investors of a non-Party or of the other Party own or control that enterprise and the enterprise does not have substantial business activity in the territory of the Party under whose domestic law it is constituted or organized at the time of the events giving rise to the claim;

“**measure**” includes a law, regulation, procedure, requirement or practice;

“**national**” means:

- (a) for Burkina Faso, a physical person who is recognized as a national of Burkina Faso under the law in force; and
- (b) for Canada, a natural person who is a citizen or permanent resident of Canada;

except that:

- (c) a natural person who is a dual citizen of Canada and of Burkina Faso shall be deemed to be exclusively a national of the Party of his or her dominant and effective nationality; and
- (d) a natural person who is a citizen of one Party and a permanent resident of the other Party shall be deemed to be exclusively a national of the Party of his or her citizenship;

“**national government**” means:

- (a) for Burkina Faso, the central government; and
- (b) for Canada, the federal government;

“**negotiated restructuring**” means the restructuring or rescheduling of a debt instrument that has been effected through:

- (a) a modification or amendment of that debt instrument, in accordance with its terms; or
- (b) a comprehensive debt exchange or other similar process in which the holders of no less than 75 percent of the aggregate principal amount of the outstanding debt under that debt instrument have consented to that debt exchange or other process;

“**New York Convention**” means the United Nations *Convention on the Recognition and Enforcement of Foreign Arbitral Awards*, done at New York on 10 June 1958;

“**person**” means a natural person or an enterprise;

“**respondent Party**” means a Party against which a claim is made under Section C (Settlement of Disputes between an Investor and the Host Party);

¹ It is understood that an investor “seeks to make” an investment only when the investor takes concrete measures to make this investment.