

2. The concepts of “fair and equitable treatment” and “full protection and security” in paragraph 1 do not require treatment in addition to or beyond that which is required by the customary international law minimum standard of treatment of aliens.

3. A breach of another provision of this Agreement, or of a separate international agreement, does not establish that there has been a breach of this Article.

## **ARTICLE 7**

### **Compensation for Losses**

Notwithstanding paragraph 6 of Article 16 (Reservations and Exceptions), each Party shall accord to investors of the other Party, and to covered investments, non-discriminatory treatment with respect to measures it adopts or maintains relating to compensation for losses suffered by investments in its territory owing to armed conflict, civil strife or a natural disaster.

## **ARTICLE 8**

### **Senior Management, Boards of Directors and Entry of Personnel**

1. A Party may not require that enterprises of that Party that are covered investments appoint to senior management positions individuals of any particular nationality.

2. A Party may require that a majority of the board of directors, or any committee thereof, of enterprises that are covered investments be of a particular nationality or resident in the territory of the Party, provided that the requirement does not materially impair the ability of the investor to exercise control over its investment.

3. Subject to its laws, regulations and policies relating to the entry of aliens, each Party shall grant temporary entry to nationals employed by an investor of the other Party who seek to render managerial or executive services, or services that require specialized knowledge, to an investment of that investor in the territory of the Party.

## **ARTICLE 9**

### **Performance Requirements**

1. The Parties reaffirm their obligations under the WTO Agreement on Trade-Related Investment Measures (TRIMs), the provisions of which, as they may be amended from time to time, are incorporated into and made part of this Agreement.