

- (b) the provisions of this Agreement alleged to have been breached and any other relevant provisions;
- (c) the issues and the factual basis for the claim; and
- (d) the relief sought and the approximate amount of damages claimed.

5. In the event that the investor has not submitted a claim pursuant to Article G-21 within one year of submitting the request for consultations, the investor is deemed to have withdrawn its request for consultations and shall not submit a claim under this Section with respect to the same measures. This period may be extended by mutual agreement.

6. For greater certainty, the initiation of consultations pursuant to this Article shall not be construed as recognition of the jurisdiction of any future Tribunal under this Section.

Article G-20: Mediation

1. The disputing parties may at any time agree to have recourse to mediation.
2. Recourse to mediation is without prejudice to the legal position or rights of either disputing party under this Chapter and is governed by the rules agreed to by the disputing parties including, if available, the rules for mediation adopted by the Parties.
3. The mediator is appointed by agreement of the disputing parties. The disputing parties may also request that the Secretary-General of ICSID appoint the mediator.
4. The disputing parties shall endeavour to reach a resolution of the dispute within 90 days from the appointment of the mediator.
5. If the disputing parties agree to have recourse to mediation the timelines pursuant to Articles G-19(2) and G-19(5) shall be suspended from the date on which the disputing parties agreed to have recourse to mediation and shall resume on the date on which either disputing party decides to terminate the mediation. A decision by a disputing party to terminate the mediation shall be transmitted by way of a letter to the mediator and the other disputing party.

Article G-21: Submission of a Claim to Arbitration

1. Except as provided in Annex G-21.1, and provided that 180 days have elapsed since the receipt by the disputing Party of a written request for consultations pursuant to Article G-19(2), a disputing investor may submit a claim to arbitration under:

- (a) the ICSID Convention, provided that both the disputing Party and the Party of the investor are parties to the Convention;