

3. Without prejudice to their ability to decide otherwise, the persons party to commercial transactions may agree on a place for conducting the arbitration in a country, other than Ukraine or Canada, that is a party to the UN Convention on the Recognition and Implementation of Foreign Arbitral Decisions, done in New York on June 10, 1958.
4. Nothing in the present Agreement shall be interpreted in such a way as to hamper, nor shall either Party prevent, the parties to commercial transactions from agreeing on any other form of arbitration for the settling of commercial disputes, which they mutually prefer and which, in their opinion, best answers their commercial needs.
5. The persons of Canada and of Ukraine shall enjoy access to the courts of the other Party on the same basis as persons of any third country.

#### ARTICLE XIII

##### NATIONAL SECURITY

The provisions of this Agreement shall not limit the right of either Party to take any action for the protection of its national security interests.

#### ARTICLE XIV

##### OTHER EXCEPTIONS

Subject to the requirement that such measures are not applied in a manner which would constitute a means of arbitrary or unjustifiable discrimination between countries where the same conditions prevail, or a disguised restriction on international trade, nothing in this Agreement shall be construed to prohibit the adoption or enforcement by either Party of:

- (a) measures necessary to secure compliance with laws or regulations which are not inconsistent with the provisions of this Agreement, or
- (b) any other measure referred to in Article XX of the GATT.