

ARTICLE 28

Place of Arbitration

The disputing parties may agree on the place of arbitration under the arbitration rules applicable under Article 23(1) (Submission of a Claim to Arbitration) or 26(4) (Consolidation). If the disputing parties fail to agree, the Tribunal shall determine the place in accordance with the applicable arbitration rules, provided that the place shall be in the area of a Party or in the area of a non-Party that is a party to the New York Convention.

ARTICLE 29

Transparency of Proceedings

1. The UNCITRAL Transparency Rules shall apply in connection with proceedings under this Section except as modified by this Agreement.
2. Subject to Article 7 of the UNCITRAL Transparency Rules:
 - (a) the notice of intent and the decision on arbitrator challenge shall be included in the list of documents referred to in Article 3(1) of the UNCITRAL Transparency Rules; and
 - (b) exhibits shall be included in the list of documents referred to in Article 3(2) of the UNCITRAL Transparency Rules.
3. Notwithstanding Article 2 of the UNCITRAL Transparency Rules, prior to the constitution of the Tribunal, the respondent Party shall make publicly available in a timely manner relevant documents pursuant to paragraph 2, subject to the redaction of confidential information. Such documentation may be made publicly available by communication to the repository referred to in Article 8 of the UNCITRAL Transparency Rules.
4. A disputing party may disclose to other persons in connection with the arbitral proceedings, including witnesses and experts, such unredacted documents as it considers necessary in the course of proceedings under this Section. However, the disputing party shall ensure that those persons protect the confidential information in those documents as directed by the Tribunal.
5. A Party may share with government officials and sub-national government officials, if applicable, such unredacted documents as it considers necessary in the course of proceedings under this Section. However, such Party shall ensure that those persons protect the confidential information in those documents as directed by the Tribunal.