



Council of the  
European Union

Brussels, 28 September 2023  
(OR. en)

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Interinstitutional File:  
2023/0180 (NLE)

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ACP 65  
WTO 93  
RELEX 763  
COAFR 211  
FDI 13

#### **LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject: Sustainable Investment Facilitation Agreement between the European Union  
and the Republic of Angola

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Page EU/AO/en 40 shall be replaced by the attached page.

## ARTICLE 38

### Arbitration

1. The Parties shall endeavour to agree on the composition of the arbitration panel. If no such agreement has been reached within 30 days of the acceptance of the request for arbitration pursuant to Article 37(4), each Party shall appoint an arbitrator within a further 30 days.

The arbitrators appointed by the Parties shall jointly appoint the chairperson of the panel, who shall not have the nationality of either Party.

2. The arbitration panel shall make an objective assessment of the matter before it. Unless the Parties agree otherwise, the arbitration panel shall determine the applicable rules of procedure.

3. If the arbitration panel concludes that the measure at issue is not in conformity with the provisions of this Agreement, the Party complained against shall take any measure necessary to promptly bring itself into compliance.

4. In case the request for arbitration was rejected by the Party to which the request for arbitration was made, or in case of non-compliance with the panel report, the Party that requested arbitration may adopt measures within the scope of this Agreement that are proportionate to the failure to fulfil the specific obligations.