

**ANNEX D: PROCEDURE FOR PROJECT PARTICIPANTS TO RESOLVE
DISPUTES WITH MONGOLIA RELATING TO THE APPLICATION OF
CORRESPONDING ADJUSTMENTS**

1. This Annex sets out the procedure by which a project participant may seek to resolve a dispute with Mongolia relating to the application of corresponding adjustments.
2. Where a project participant is of the view that Mongolia has not applied corresponding adjustments in accordance with Article 9 (Corresponding Adjustments), the project participant may deliver to Mongolia a written request for consultations setting out a brief description of the relevant facts. The project participant and Mongolia should initially seek to resolve the dispute through consultations and negotiations, which may include the use of non-binding, third party procedures, such as good offices, conciliation or mediation.
3. Within five (5) working days of the receipt by Mongolia of the written request for consultations, Mongolia shall inform the Joint Committee, in writing, about the matter being raised and the particulars of the matter.
4. If the dispute has not been resolved within six (6) months of the receipt by Mongolia of the written request for consultations, the project participant may submit the dispute to arbitration under the Permanent Court of Arbitration's Arbitration Rules 2012, or if the project participant and Mongolia agree, any other arbitral institution or any other arbitration rules. Mongolia consents to the submission of any dispute to arbitration in accordance with this Annex.
5. When the dispute is resolved, Mongolia shall inform the Joint Committee about the outcome of the dispute.
6. For the avoidance of doubt, the procedure set out in this Annex is in addition to any other remedies that may be available under this Agreement or under international law or under the national laws of Mongolia.