6. Where a Tribunal established under this Article is satisfied that two or more claims that have been submitted to arbitration under paragraph 2 of Article 27 have a question of law or fact in common, and arise out of the same events or circumstances, the Tribunal may, in the interest of fair and efficient resolution of the claims, and after hearing the disputing parties, by order:

(a) assume jurisdiction over, and hear and determine together, all or part of the claims;

(b) assume jurisdiction over, and hear and determine one or more claims, the determination of which it considers would assist in the resolution of the other claims; or

(c) instruct one of the Tribunals previously established under Article 30 to assume jurisdiction over and to hear and determine together, all or part of the claims, provided that;

(i) that Tribunal, at the request of any disputing investor not previously a disputing party before that Tribunal, shall be reconstituted with its original members except for the arbitrator for the disputing investors who shall be appointed pursuant to subparagraph 4(a) and paragraph 5; and

(ii) that Tribunal shall decide whether any prior hearing shall be repeated.

7. Where a Tribunal has been established under this Article, a disputing investor that has submitted a claim to arbitration under paragraph 2 of Article 27 but that has not been named in a request made under paragraph 2, may make a written request to the Tribunal established under this Article that it be included in any order made under paragraph 6 and shall specify in the request:

(a) the name and address of the disputing investor;

(b) the nature of the order sought; and

(c) the grounds on which the order is sought.

8. A Tribunal established under this Article shall conduct its proceedings in accordance with the UNCITRAL Arbitration Rules, except as modified by this Chapter.

9. As regards the claims over which a Tribunal established under this Article has assumed jurisdiction pursuant to the order referred to in subparagraphs 6(a) and (b), Tribunals established under Article 30 shall not have jurisdiction. As regards the claims over which a Tribunal established under Article 30 has assumed jurisdiction pursuant to the order of the Tribunal established under this Article under subparagraph 6(c), the other Tribunals established under Article 30 shall not have jurisdiction.

10. On application of a disputing party, a Tribunal established under this Article, pending its decision under paragraph 6, may order that the proceedings of a Tribunal established under Article 30 be stayed, unless the latter Tribunal has already suspended its proceedings.

Article 38
Draft Awards

In any investment dispute submitted to arbitration under this Chapter, at the request of a disputing party, a Tribunal shall, before rendering a decision or award, submit to the disputing parties a proposed decision or award. Within sixty (60) days after the date of submission of the proposed decision or award, the disputing parties may submit written comments to the Tribunal concerning any aspect of the draft decision or award. The Tribunal shall consider any such comments and render its decision or award within one hundred and five (105) days of the date of submission of the proposed decision or award.

Article 39
Awards

1. The award rendered by the Tribunal shall include:

(a) a judgment whether or not there has been a breach by the disputing Party of any obligation under this Agreement with respect to the disputing investor and its investments; and

(b) one or both of the following remedies, only, if there has been such breach:

(i) monetary damages and applicable interest; and

(ii) restitution of property, in which case the award shall provide that the disputing Party may pay monetary damages and any applicable interest, in lieu of restitution.