2. Paragraph 1 shall not be construed to prevent a Party from adopting or maintaining a measure that prescribes special formalities in connection with investment activities of investors of the other Party in its Area, provided that such special formalities do not impair the substance of the rights of such investors under this Chapter.

Article 10.4
Most-Favored-Nation Treatment

Each Party shall in its Area accord to investors of the other Party and to their investments treatment no less favorable than the treatment it accords in like circumstances to investors of a non-Party and to their investments with respect to investment activities.

Article 10.5
General Treatment

1. Each Party shall in its Area accord to investments of investors of the other Party treatment in accordance with international law, including fair and equitable treatment and full protection and security.

Note 1: This paragraph prescribes the customary international law minimum standard of treatment of aliens as the minimum standard of treatment to be afforded to investments of investors of the other Party. The concepts of "fair and equitable treatment" and "full protection and security" do not require treatment in addition to or beyond that which is required by the customary international law minimum standard of treatment of aliens. A determination that there has been a breach of another provision of this Agreement, or of a separate international agreement, does not establish that there has been a breach of this paragraph.

Note 2: "Fair and equitable treatment" includes the obligation of the Party not to deny justice in criminal, civil or administrative adjudicatory proceedings in accordance with the principle of due process of law.

2. Each Party shall observe any written obligation it may have entered into with respect to a specific investment by an investor of the other Party, which the investor could have relied on at the time of establishment, acquisition or expansion of such investment.

3. This Article shall apply to taxation measures.

Article 10.6
Access to the Courts

1. Each Party shall in its Area accord to investors of the other Party treatment no less favorable than the treatment it accords in like circumstances to its own investors or to investors of a non-Party with respect to access to the courts and administrative agencies in all degrees of jurisdiction, both in pursuit and in defense of such investors' rights.

2. This Article shall apply to taxation measures.

Article 10.7
Prohibition of Performance Requirements

1. Neither Party shall impose or enforce any of the following requirements, or enforce any commitment or undertaking, in connection with investment activities of an investor of a Party or of a non-Party in its Area to:

(a) export a given level or percentage of goods or services;

(b) achieve a given level or percentage of domestic content;

(c) purchase, use or accord a preference to goods produced or services provided in its Area, or to purchase goods or services from persons in its Area;