

No. 9997

**UNITED STATES OF AMERICA
and
BOTSWANA**

Investment Guarantee Agreement. Signed at Gaberones on 12 January 1968

Authentic text: English.

Registered by the United States of America on 1 November 1969.

**ÉTATS-UNIS D'AMÉRIQUE
et
BOTSWANA**

Accord relatif à la garantie des investissements. Signé à Gaberones le 12 janvier 1968

Texte authentique: anglais.

Enregistré par les États-Unis d'Amérique le 1^{er} novembre 1969.

INVESTMENT GUARANTEE AGREEMENT ¹

The Government of the United States of America (the “Guaranteeing Government”) and the Government of the Republic of Botswana (the “Host Government”);

Seeking to encourage private investments in projects which will contribute to the development of Botswana’s economic resources and productive capacities through investment guarantees issued by the Guaranteeing Government;

Have agreed as follows:

1. When nationals of the Guaranteeing Government propose to invest with the assistance of guarantees issued pursuant to this Agreement in a project or activity within the territorial jurisdiction of the Host Government, the two Governments shall, upon the request of either, consult respecting the nature of the project or activity and its contribution to economic and social development in Botswana.

2. The procedures set forth in this Agreement shall apply only with respect to guaranteed investments in projects or activities approved by the Host Government.

3. If the Guaranteeing Government makes payment to any investor under a guarantee issued pursuant to the present Agreement, the Host Government shall, subject to the provisions of the following paragraph, recognise the transfer to the Guaranteeing Government of any currency, credits, assets, or investment on account of which payment under such guarantee is made as well as the succession of the Guaranteeing Government to any right, title, claim, privilege, or cause of action existing, or which may arise, in connection therewith.

4. To the extent that the laws of the Host Government partially or wholly invalidate the acquisition of any interests in any property within its national territory by the Guaranteeing Government, the Host Government shall permit such investor and the Guaranteeing Government to make appropriate arrange-

¹ Came into force on 12 January 1968 by signature, in accordance with paragraph 8.