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The Promotion and Reciprocal Protection of Investments

Apr. 2010

The objectives of this Agreement:

- Creating the appropriate conditions for the flow of capital between the two States.
- Providing incentives.
- Providing all the advantages to Encourage investments in the Host State.
- National treatment and Most Favored Nation.
- Insuring fair and equitable treatment and full protection and security of investments.
- Compensation for damages or losses of any of the investments.
- Nationalization or Expropriation.
- Settlement of disputes that may arise between an Investor and state or between both States.

This Agreement contains Articles that guarantee for the investor the full protection of his investments, which are:

Article (1) Definitions

Article (2) Promotion and Protection on Investments.

Article (3) Treatment of Investments.

Article (4) Compensation for Losses.

Article (5) Expropriation.

Article (6) Transfer of payments related to investments.

Article (7) Subrogation.

Article (8) Settlements of disputes between a Contracting State and an Investor.

Article (9) Settlements of disputes between the Contracting States.

Article (10) Relations between the Contracting states.

Article (11) Application of other rules.

Article (12) Scope of the Agreement.

Article (13) Entry into force.

Article (14) Duration and Termination.

Article (1) Definitions

This Article aims at the definition of some terms which are mentioned throughout the Agreement:

Investment

Every kind of Asset or right that is owned by an Investor directly or indirectly and taking the form of stocks, bonds, shares, debentures, loans and securities. Intellectual property rights, contracts and licenses in accordance with the law, including the rights to prospect, explore, extract or utilize natural resources. And also movable and immovable properties such as leases, mortgages, liens and pledges.

Article (1) Definitions

Investor

Shall mean the Government and any Legal or Natural person.

Article (1) definitions

Returns

Amounts yielded by an investment, including profits, interest, capital gains, dividends, royalties and management fees, technical assistance or other payments or fees, and payments in kind.

Article (1) Definitions

Without Delay

Shall mean such a period as is normally required for the completion of necessary formalities for the transfer of payments and may on no account exceed one month.

Promotion and Protection of Investments

This Article focuses on the need for the Host Country to create most favorable conditions for the investments by investors of the other State in its territory through:

- Fair and equitable treatment in accordance with the laws and provisions of this agreement.

- Not being subjected to additional performance requirements in the future which may restrict their use, management, disposal, operation, expansion or sale.

Article (3) Treatment of investments

This Article imposes upon the State in which the investment is made to treat foreign investments in its territory the same treatment as its investors investments. These investments have the right to all privileges as the local investor or any investor of a third State in a non discriminatory manner.

Article (4) Compensation for losses

This Article imposes upon the State to compensate the investor for all the non commercial losses which its investments suffer from, due to disagreements, disputes or wars in which the investor is neither the cause or a party of.

Article (5) Expropriation

This Article demonstrates that the investment shall not be nationalized, expropriated, dispossessed or subjected to similar measures except for a public purpose in accordance to the law related to the national needs, adequate and effective compensation and on condition that such measures were taken on a non discriminatory basis and in accordance with due process of law of general application.

Article (6) Transfer of payments related to investments

This Article allows the investors the free transfer of investments and returns without delay or restrictions.

Article (8) Settlement of disputes between a Contracting State and an Investor

This Article explains the procedures and measures used to settle the dispute that may arise between a State and an Investor such as the right to turn to national and international courts.

Article (9) Settlement of disputes between the contracting states

This article explains the procedures and measures used to settle the disputes that may arise between two Countries.

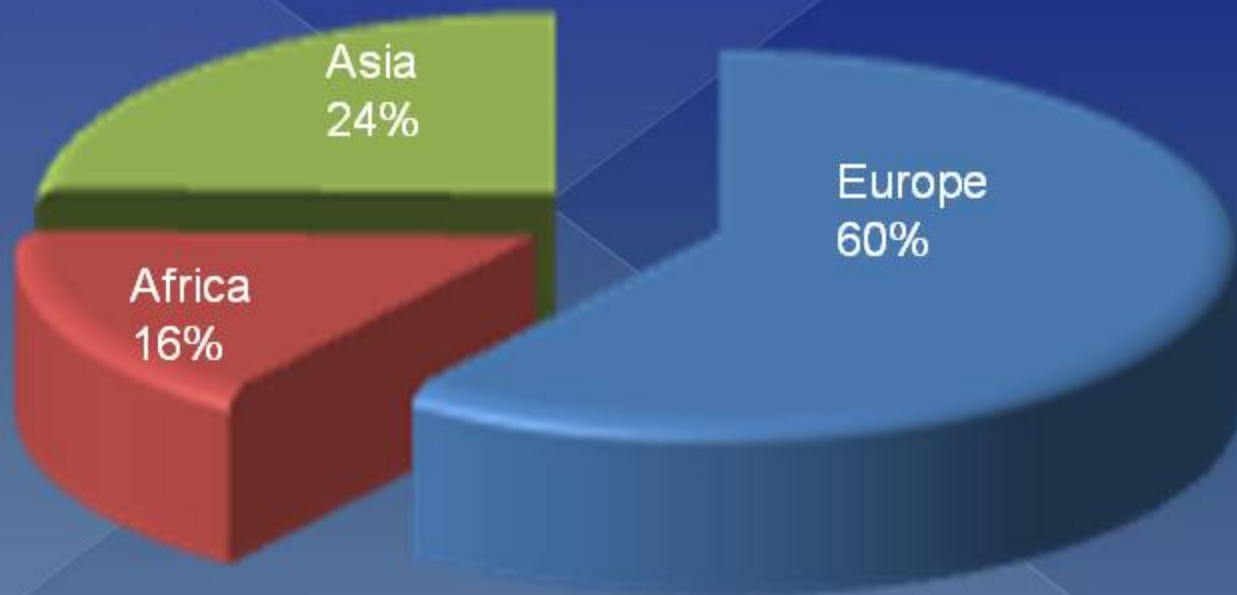
Article (14) Duration and Termination

It is Agreed upon in this Article between both States on the duration of which the provisions of this Agreement remain in force and is usually long-term ranging between 10 – 30 years.

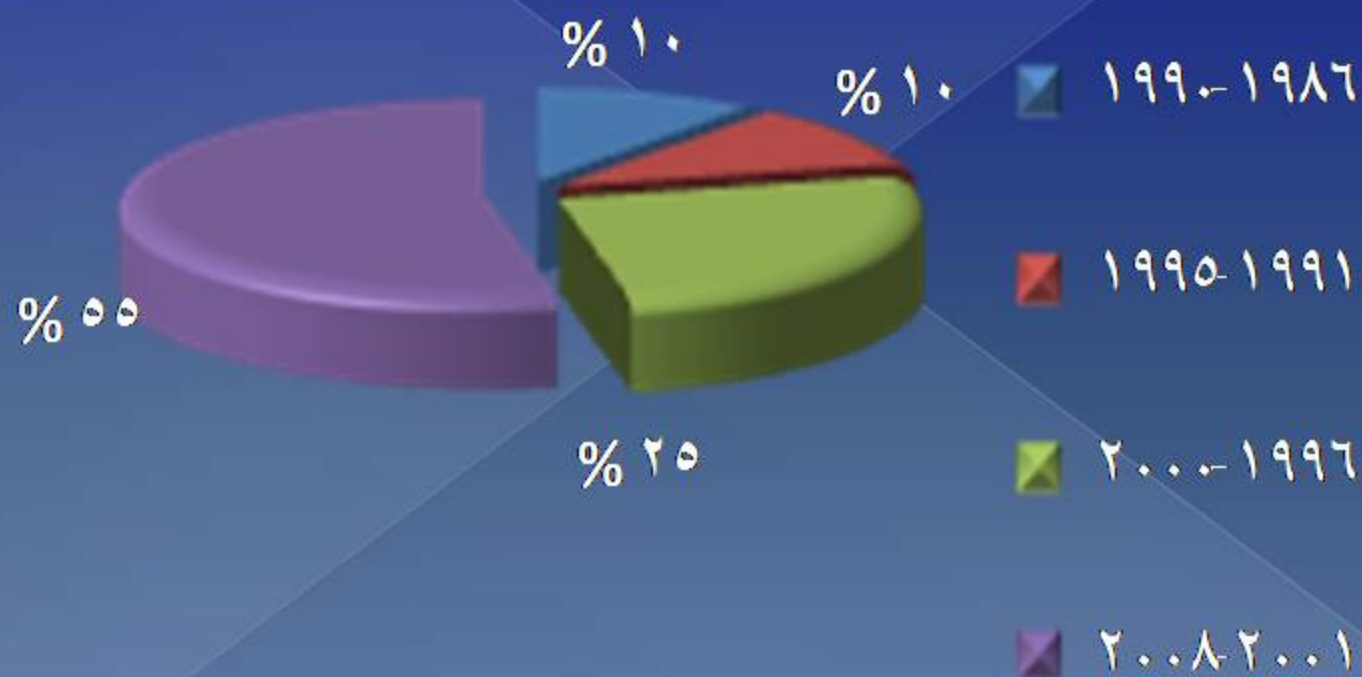
Promotion and protection of Investments



The Certified Investment Agreement



The certified Agreements from the previous years



The certified Agreements between Kuwait and other Countries

Finland	Switzerland	Austria	Germany	France	Italy	China
Belgium	Ukraine	Serbia	Netherlands	Sweden	Russia	Denmark
Turkey	Malaysia	Hungary	Romania	Slovenia	Tunisia	Lebanon
Egypt	Uzbekistan	Bosnia	Czech	Algeria	Kazakhstan	Tajikistan
Belarus	Phillippines	Jordan	Syria	Morocco	Bulgaria	Croatia
Sudan	Ethiopia	South Korea	Moldova	Malta	Latvia	India
		Spain	Poland	Mongolia		

The Investment Agreements with final signature between Kuwait and other Countries

Benin

Albania

South
Africa

Zimbabwe

Bulgaria
Protocol
Amendment

Sri Lanka

Vietnam

Iran

Yemen

Mauritania

Laos

Cambodia

Djibouti

Macedonia

Portugal

Myanmar

Brunei

Azerbaijan

Slovakia

Senegal

Swaziland

Britain

Georgia

Singapore

Malaysia

Investment Agreements with Initial signature between Kuwait and other Countries

Romania
(Amendment)

Hong Kong

Zambia

Thailand

Guiana

Cuba

Canada

North Korea

Jamaica

Kenya

Jamaica

Kenya