

No. 13381

—

**FRANCE
and
HAITI**

**Convention on the protection of investments. Signed at
Port-au-Prince on 2 July 1973**

Authentic text: French.

Registered by France on 31 May 1974.

—————

**FRANCE
et
HAÏTI**

**- Convention sur la protection des investissements. Signée à
Port-au-Prince le 2 juillet 1973**

Texte authentique : français.

Enregistrée par la France le 31 mai 1974.

[TRANSLATION — TRADUCTION]

CONVENTION¹ BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF THE REPUBLIC OF HAITI ON THE PROTECTION OF INVESTMENTS

The Government of the French Republic and the Government of the Republic of Haiti, desiring to promote the development of French investments in Haiti, have agreed as follows:

Article 1. The French Government may, after examining each case and in accordance with its regulations, issue its guarantee to investments made in the territory of the Republic of Haiti by French nationals, whether individuals or bodies corporate.

Article 2. Such investments shall have been approved by the Haitian Government, which shall enter into specific undertakings in respect of them with the said nationals, whether individuals or bodies corporate.

Article 3. The investments envisaged in articles 1 and 2 above shall be governed by the terms of the said specific undertakings and by the provisions of this Convention.

Article 4. If the French State, by virtue of a guarantee issued in respect of an investment in the territory of the Republic of Haiti, makes payments to its own nationals, whether individuals or bodies corporate, it shall thereby automatically succeed to the rights of such nationals with respect to the Haitian Government.

Article 5. Any dispute arising out of the interpretation or implementation of this Convention which has not been settled within six months through the diplomatic channel may, at the request of either Party, be submitted to an arbitral tribunal which shall be constituted as follows:

Each Contracting Party shall appoint an arbitrator within six months from the date on which the request for arbitration was received. The two arbitrators thus appointed shall, within six months following notification by the Party which was the last to appoint its arbitrator, select a third arbitrator, who shall be a national of a third State.

In the event that one of the Parties has not appointed an arbitrator within the allotted time, the other Party may request the President of the International Court of Justice to make the appointment. That may also be done at the request of either Party should the two arbitrators fail to agree on the choice of the third arbitrator.

The decision of the arbitral tribunal shall be final and automatically enforceable. The arbitral tribunal shall establish its own rules of procedure.

Article 6. This Convention is concluded for an initial period of ten years. It shall remain in force upon the expiry of that period unless it is terminated by one of the two Governments, which shall give one year's notice in writing.

¹ Came into force on 2 July 1973 by signature, in accordance with article 7.

In the event of termination, the provisions of this Convention shall continue to be applicable to the investments covered by its provisions and made during the period of its validity.

Article 7. This Convention shall enter into force on the date of its signature.

DONE at Port-au-Prince on 2 July 1973, in duplicate.

For the Government
of the French Republic:

[*Signed*]

O. GUICHARD

For the Government
of the Republic of Haiti:

[*Signed*]

AD. RAYMOND