

No. 9853

UNITED STATES OF AMERICA
and
LESOTHO

**Investment Guaranty Agreement. Signed at Maseru on 24 February
1967**

Authentic text: English.

Registered by the United States of America on 2 September 1969.

ÉTATS-UNIS D'AMÉRIQUE
et
LESOTHO

**Accord relatif aux garanties d'investissement. Signé à Maseru le
24 février 1967**

Texte authentique: anglais.

Enregistré par les États-Unis d'Amérique le 2 septembre 1969.

INVESTMENT GUARANTY AGREEMENT ¹

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

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

Have agreed as follows:

1. When nationals of the Guaranteeing Government propose to invest with the assistance of guaranties 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 Lesotho.

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 guaranty issued pursuant to the present Agreement, the Host Government shall, subject to the provisions of the following paragraph, recognize the transfer to the Guaranteeing Government of any currency, credits, assets, or investment on account of which payment under such guaranty 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 arrangements pursuant to which such interests are transferred to an

¹ Came into force on 7 March 1967, the date on which the Government of Lesotho communicated to the Government of the United States of America that the Agreement had been approved in conformity with its constitutional procedures, in accordance with paragraph 8.