

No. 58456*

**Estonia
and
Norway**

Exchange of notes constituting an agreement between the Government of the Republic of Estonia and the Government of the Kingdom of Norway on the termination of the Agreement between the Government of the Republic of Estonia and the Government of the Kingdom of Norway on the mutual promotion and protection of investments. Tallinn, 6 April 2022 and 7 June 2022

Entry into force: *11 January 2023 by notification, in accordance with the provisions of the said notes*

Authentic text: *English*

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**Estonie
et
Norvège**

Échange de notes constituant un accord entre le Gouvernement de la République d'Estonie et le Gouvernement du Royaume de Norvège visant à abroger l'Accord entre le Gouvernement de la République d'Estonie et le Gouvernement du Royaume de Norvège relatif à la promotion et à la protection réciproques des investissements. Tallinn, 6 avril 2022 et 7 juin 2022

Entrée en vigueur : *11 janvier 2023 par notification, conformément aux dispositions desdites notes*

Texte authentique : *anglais*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Estonie, 23 octobre 2024*

**Aucun numéro de volume n'a encore été attribué à ce dossier. Les textes disponibles qui sont reproduits ci-dessous sont les textes originaux de l'accord ou de l'action tels que soumis pour enregistrement. Par souci de clarté, leurs pages*

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[TEXT IN ENGLISH – TEXTE EN ANGLAIS]

I


ROYAL NORWEGIAN EMBASSY

No. *F122*

The Royal Norwegian Embassy presents its compliments to the Ministry of the Foreign Affairs of the Republic of Estonia and has the honor to refer to discussions which have taken place between our two Governments (together „the Parties“) concerning the Agreement between the Government of the Kingdom of Norway and the Government of the Republic of Estonia on the Mutual Promotion and Protection of Investments, signed in Tallin on 15 June 1992 (hereinafter “the Bilateral Investment Treaty”), and has the honour to suggest the following:

1. The Bilateral Investment Treaty is terminated according to the terms set out herein.
2. Article XIII of the Bilateral Investment Treaty, which extends the protection of investments made prior to the date of termination, shall be terminated and shall not produce legal effects after the termination of the Bilateral Investment Treaty.
3. The Contracting Parties share the understanding that the following applies to all State-State and Investor-State Arbitration proceedings based on the Bilateral Investment Treaty under any arbitration convention or set of rules:
 - (i) The Bilateral Investment Treaty shall not serve as legal basis for initiating any new arbitration proceedings after the termination of the Bilateral Investment Treaty. “New arbitration proceedings” include any potential proceeding in which a Tribunal has not yet been established.
 - (ii) For pending arbitration proceedings based on the Bilateral Investment Treaty, the Contracting Parties shall inform the Tribunal on the termination of the Treaty.

If the foregoing proposals are acceptable to the Government of the Republic of Estonia, the Embassy suggests that this note, together with the Note of the Republic of Estonia in reply to that effect, shall constitute the Agreement for the Termination of the Agreement between the Government of the Kingdom of Norway and the Republic of Estonia on the Mutual Promotion and Protection of Investments (hereinafter “the Termination Agreement”), which shall enter into force on the date of the last written notification by the Parties through diplomatic channels confirming that the national legal procedures necessary for the entry into force of the Termination Agreement have been fulfilled.

The Royal Norwegian Embassy avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Estonia the assurance of its highest consideration. 

Tallinn, 6 April 2022



II

*Ministry of Foreign Affairs
Republic of Estonia*

No. 15.2-2/5684-3

NOTE VERBALE

The Ministry of Foreign Affairs of the Republic of Estonia presents its compliments to the Royal Norwegian Embassy and has the honour to acknowledge the receipt of the Embassy's Note No. 7/22 of 6 April 2022 which reads as follows:

[See note I]

In reply, the Ministry of Foreign Affairs of the Republic of Estonia has the honour to inform the Embassy that the foregoing proposals are acceptable to the Government of the Republic of Estonia and that the Note No. 7/22 of the Royal Norwegian Embassy of 6 April 2022 and this Note in reply shall constitute the Agreement for the Termination of the Agreement between the Government of the Kingdom of Norway and the Republic of Estonia on the Mutual Promotion and Protection of Investments, which shall enter into force on the date of the last written notification by the Parties through diplomatic channels confirming that the national legal procedures necessary for the entry into force of the Termination Agreement have been fulfilled.

The Ministry of Foreign Affairs of the Republic of Estonia avails itself of this opportunity to renew to the Royal Norwegian Embassy the assurances of its highest consideration.

Tallinn, 7 June 2022

