

**EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT BETWEEN
THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF
HAITI RELATING TO CANADIAN INVESTMENTS IN HAITI INSURED
BY THE GOVERNMENT OF CANADA THROUGH ITS AGENT, THE
EXPORT DEVELOPMENT CORPORATION**

Canadian Embassy

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No. 83

**FOREIGN INVESTMENT INSURANCE AGREEMENT BETWEEN
CANADA AND THE REPUBLIC OF HAITI**

Excellency:

I have the honour to refer to discussions which have recently taken place between representatives of our two Governments relating to investments in the Republic of Haiti which would further the development of economic relations between the Republic of Haiti and Canada, and to insurance of such investments by the Government of Canada, through its agent the Export Development Corporation. I also have the honour to confirm the following understandings reached as a result of those discussions:

1. In the event of a payment by the Export Development Corporation under a contract of insurance for any loss by reason of:

- (a) war, riot, insurrection, revolution or rebellion in the Republic of Haiti;
- (b) the arbitrary seizure, expropriation, confiscation or deprivation of use of any property by a Government, or an agency thereof, in the Republic of Haiti;
- (c) any action by a Government, or an agency thereof, in the Republic of Haiti other than action of the kind described in sub-paragraph b) that deprives the investor of any rights in, or in connection with, an investment; and
- (d) any action by a Government, or an agency thereof, in the Republic of Haiti that prohibits or restricts the transfer of any money or the removal of any property from that country;

the said Corporation, hereinafter called the "Insuring Agency" shall be authorized by the Government of the Republic of Haiti to exercise the rights having devolved on it by law or having been assigned to it by the predecessor in title.

2. But to the extent that the laws of the Republic of Haiti partially or wholly invalidate the acquisition of any interests in any property within its national territory by the Insuring Agency, the Republic of Haiti shall permit the investor and the Insuring Agency to make appropriate arrangements pursuant to which such interests are transferred to an entity permitted to own such interests under the laws of the Republic of Haiti.