

Opening Note of the Republic of Austria

The Federal Ministry for European and International Affairs of the Republic of Austria presents its compliments to the Embassy of the Republic of Slovenia in Vienna and, with reference to the judgment of the Court of Justice of the European Union of 6 March 2018 in Case C-284/16, *Achmea*, has the honour to propose the conclusion of the following

“Agreement between the Republic of Austria and the Republic of Slovenia on the Termination of the Agreement between the Republic of Austria and the Republic of Slovenia on the mutual promotion and protection of investments (hereinafter referred to as the “Termination Agreement”)

1. The Agreement between the Republic of Austria and the Republic of Slovenia on the mutual promotion and protection of investments, signed in Vienna on 7 March 2001, (hereinafter referred to as the “Investment Agreement”) shall be terminated in accordance with the provisions set out in this Termination Agreement.
2. For greater certainty, the Parties expressly agree that Article 16 Paragraph 3 of the Investment Agreement, which extends the protection of investment made prior to the date of termination, shall be terminated and shall thus not produce any legal effects after the entry into force of this Termination Agreement.”

The Federal Ministry for European and International Affairs of the Republic of Austria proposes that in case the Republic of Slovenia accepts the abovementioned proposal, this note verbale together with the note verbale received in reply from the Republic of Slovenia shall constitute the Termination Agreement, which is authentic in the English language only.

The Termination Agreement shall enter into force on the first day of the first month following the date of the receipt of the latter of the notifications by the Parties that the respective internal procedures for the entry into force of the Termination Agreement have been fulfilled.

The Federal Ministry for European and International Affairs of the Republic of Austria avails itself of this opportunity to renew to the Embassy of the Republic of Slovenia in Vienna the assurances of its highest consideration.

Vienna, XX 2021

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Reply Note of the Republic of Slovenia

The Embassy of the Republic of Slovenia in Vienna presents its compliments to the Federal Ministry for European and International Affairs of the Republic of Austria and with reference to the note verbale **No. X of X 2021** of the Federal Ministry for European and International Affairs of the Republic of Austria, has the honour to inform that the Republic of Slovenia agrees to conclude the following

“Agreement between the Republic of Slovenia and the Republic of Austria on the Termination of the Agreement between the Republic of Slovenia and the Republic of Austria on the mutual promotion and protection of investments (hereinafter referred to as the “Termination Agreement”)

1. The Agreement between the Republic of Slovenia and the Republic of Austria on the mutual promotion and protection of investments, signed in Vienna on 7 March 2001, (hereinafter referred to as the “Investment Agreement”) shall be terminated in accordance with the provisions set out in this Termination Agreement.
2. For greater certainty, the Parties expressly agree that Article 16 Paragraph 3 of the Investment Agreement, which extends the protection of investment made prior to the date of termination, shall be terminated and shall thus not produce any legal effects after the entry into force of this Termination Agreement.”

The Republic of Slovenia accepts that the note verbale **No. X of X 2021** of the Federal Ministry for European and International Affairs of the Republic of Austria and this note verbale shall constitute the Termination Agreement, which is authentic in the English language only.

The Termination Agreement shall enter into force on the first day of the first month following the date of the receipt of the latter of the notifications by the Parties that the respective internal procedures for the entry into force of the Agreement have been fulfilled.

The Embassy of the Republic of Slovenia in Vienna avails itself of this opportunity to renew to Federal Ministry for European and International Affairs of the Republic of Austria the assurances of its highest consideration.

Vienna, XX 2021