AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

[Filed with the Office of the Federal Register, 8:45 a.m., November 21, 2008]

NOTE: This proclamation was published in the *Federal Register* on November 24.

Message to the Senate Transmitting the Rwanda-United States Treaty Concerning the Encouragement and Reciprocal Protection of Investment

November 20, 2008

To the Senate of the United States:

I transmit herewith, with a view to receiving the advice and consent of the Senate to ratification, the Treaty between the Government of the United States of America and the Government of the Republic of Rwanda Concerning the Encouragement and Reciprocal Protection of Investment, signed at Kigali on February 19, 2008. I transmit also, for the information of the Senate, the report prepared by the Department of State with respect to the Treaty.

This is the first bilateral investment treaty (BIT) concluded between the United States and a sub-Saharan African country since 1998. The Treaty will help to promote cross-border investment by providing legal protections for investors of each country for their investments in the other country. The Treaty underscores the shared commitment of both countries to open investment and trade policies.

Rwanda has opened its economy, improved its business climate, and embraced trade and investment as a means to boost economic development and help alleviate poverty. The U.S.-Rwanda BIT will reinforce these efforts.

The Treaty is fully consistent with U.S. policy to secure protections for U.S. investment abroad and to welcome foreign investment in the United States. Under this Treaty, the Parties agree to accord national treatment and most-favored-nation treatment to investments. They also agree to customary international law standards for expropriation and for the minimum standard of treatment. The Treaty includes detailed provisions regarding the payment of prompt, adequate, and effective compensation in the event of expropriation; free transfer of funds related to investment; freedom of investment from specified performance requirements; prohibitions on nationality based restrictions for the hiring of senior managers; and the opportunity for investors to resolve disputes with a host government through international arbitration. The Treaty also includes extensive transparency obligations with respect to national laws and regulations and commitments to transparency in dispute settlement. The Parties also recognize that it is inappropriate to encourage investment by weakening or reducing the protections afforded in domestic environmental and labor laws.

I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

George W. Bush

The White House,
November 20, 2008.

Memorandum on the Proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the United Arab Emirates Concerning Peaceful Uses of Nuclear Energy

November 14, 2008

Presidential Determination No. 2009–7

Memorandum for the Secretary of State and the Secretary of Energy

Subject: Proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the United Arab Emirates Concerning Peaceful Uses of Nuclear Energy

I have considered the proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the United Arab Emirates Concerning Peaceful Uses of Nuclear Energy, along with the views, recommendations, and statements of the interested agencies.

I have determined that the performance of the Agreement will promote, and will not