



REPUBLIC OF CROATIA
MINISTRY OF FOREIGN
AND EUROPEAN AFFAIRS

Note No. 1479/2021

The Ministry of Foreign and European Affairs of the Republic of Croatia presents its compliments to the Embassy of the Republic of Austria in Zagreb and has the honor to convey to the esteemed Embassy the following:

Recalling the Judgment of the Court of Justice of the European Union in Case C-284/16, *Slovak Republic v. Achmea BV*, of 6 March 2018,

Confirming the positions expressed in the Declaration of the Representatives of the Governments of the Member States of 15 January 2019 on the Legal Consequences of the Judgment of the Court of Justice in *Achmea* and on Investment Protection in the European Union, and

Considering the obligation to draw the necessary consequences from European Union law as interpreted in this judgment, the Ministry of Foreign and European Affairs of the Republic of Croatia has the honour to propose the conclusion of the following agreement: “Agreement between the Republic of Croatia and the Republic of Austria on the termination of the Agreement between the Republic of Croatia and the Republic of Austria for the promotion and protection of investments” (hereinafter referred to as the “Termination Agreement”).

1. The Agreement between the Republic of Croatia and the Republic of Austria for the promotion and protection of investments, done in Vienna, on 19 February 1997 (hereinafter referred to as the “Investment Protection Agreement”) is hereby terminated in accordance with the provisions set out in this Termination Agreement.

2. The Contracting Parties agree that Article 12(3) of the Investment Protection Agreement shall not produce any legal effects after the entry into force of the Termination Agreement, such that the provisions of Article 1 to 11 of the Investment Protection Agreement shall not continue to be effective for any period of time after the termination of the Investment Protection Agreement.

The Ministry of Foreign and European Affairs of the Republic of Croatia has further the honour to propose that in case that the Republic of Austria accepts the above mentioned proposal, this note together with the reply note from the Embassy of the Republic of Austria in the Republic of Croatia shall constitute the Termination Agreement, which is authentic in the English

**EMBASSY OF THE REPUBLIC OF AUSTRIA
IN ZAGREB**

