（右条約の英文）

AGREEMENT BETWEEN JAPAN AND THE STATE OF KUWAIT FOR THE PROMOTION AND PROTECTION OF INVESTMENT

The Government of Japan and the Government of the State of Kuwait,

Desiring to further promote investment in order to strengthen the economic relationship between Japan and the State of Kuwait (hereinafter referred to as "the Contracting Parties");

Intending to create stable, equitable, favourable and transparent conditions for greater investment by investors of a Contracting Party in the Area of the other Contracting Party;

Recognising the growing importance of the progressive liberalisation of investment for stimulating initiative of investors and for promoting prosperity in the Contracting Parties;

Recognising that these objectives can be achieved without relaxing health, safety and environmental measures of general application;

Recognising the importance of the cooperative relationship between labour and management in promoting investment between the Contracting Parties;

Wishing that this Agreement will contribute to the strengthening of international cooperation with respect to the development of international rules on foreign investment; and

Believing that this Agreement marks the beginning of new economic partnership between the Contracting Parties;

Have agreed as follows:

Article 1
Definitions

For the purposes of this Agreement,

(a) The term "investment" means every kind of asset owned or controlled, directly or indirectly, by an investor, including:

(1) an enterprise and a branch of an enterprise;

(2) shares, stocks or other forms of equity participation in an enterprise, including rights derived therefrom;

(3) bonds, debentures, loans and other forms of debt, including rights derived therefrom;

(4) rights under contracts, including turnkey, construction, management, production or revenue-sharing contracts;

(5) claims to money and to any performance under contract having a financial value;

(6) intangible assets such as intellectual property rights, including copyrights and related rights, patent rights and rights relating to utility models, trademarks, industrial designs, layout-designs of integrated circuits, new varieties of plants, trade names, indications of source or geographical indications and know-how or other undisclosed information, as well as goodwill;

(7) rights conferred pursuant to laws and regulations or contracts such as concessions, licences, authorisations and permits, including those for the exploration, prospect, exploitation and extraction of natural resources; and

(8) any other tangible and intangible, movable and immovable property, and any related property rights, such as leases, mortgages, liens and pledges;

An investment includes the amounts yielded by an investment, in particular, profit, interest, capital gains, dividends, royalties and fees. A change in the form in which assets are invested does not affect their character as an investment.

(b) The term "investor of a Contracting Party" means:

(1) the Government of that Contracting Party;

(2) a natural person having the nationality of that Contracting Party in accordance with its applicable laws and regulations; or