

OFFICE OF THE PRESIDENT,
GABERONES,

Ref: PM 8/7 I

BOTSWANA.

6th October, 1966

Your Excellency,

The Government of Botswana is mindful of the desirability of maintenance, to the fullest extent compatible with the emergence into full independence of the Republic of Botswana, legal continuity between Botswana and the several States with which, through the action of the Government of the United Kingdom the former Bechuanaland Protectorate enjoyed treaty relations. Accordingly, the Government of Botswana takes the present opportunity of making the following declaration:

2. As regards bilateral treaties validly concluded by the Government of the United Kingdom on behalf of the former Bechuanaland Protectorate, or validly applied or extended by the said Government to the territory of the former Bechuanaland Protectorate, the Government of Botswana is willing to continue to apply within its territory, on a basis of reciprocity, the terms of all such treaties for a period of twentyfour months from the date of independence (i.e., until October 1, 1968) unless abrogated or modified earlier by mutual consent. At the expiry of that period, the Government of Botswana will regard such of these treaties which could not by the application of the rules of customary international law be regarded as otherwise surviving, as having terminated.

3. It is the earnest hope of the Government of Botswana that during the aforementioned period of twenty-four months, the normal processes of diplomatic negotiations will enable it to reach satisfactory accord with the States concerned upon the possibility of the continuance or modification of such treaties.

4. / ...

4. The Government of Botswana is conscious that the above declaration applicable to bilateral treaties cannot with equal facility be applied to multilateral treaties. As regards these, therefore, the Government of Botswana proposes to review each of them individually and to indicate to the depositary in each case what steps it wishes to take in relation to each such instrument - whether by way of confirmation of termination, confirmation of succession or accession. During such interim period of review, any party to a multilateral treaty which has, prior to independence, been applied or extended to the former Bechuanaland Protectorate, may, on a basis of reciprocity, rely as against Botswana on the terms of such treaty.

5. It would be appreciated if Your Excellency would arrange for the text of this declaration to be circulated to all Members of the United Nations.

Please accept, Sir,
the assurance of my highest consideration.

S.M. Khama
President

His Excellency,
The Secretary General,
United Nations,
New York.