

INDEX

- administrative procedures, 94–96,
104–105, 204, 231–235, 255
- African, Caribbean and Pacific Group
of States (ACP), *See*
Organisation of African,
Caribbean and Pacific States
- African Continental Free Trade Area
(AfCFTA), 22
- Agreement on Subsidies and
Countervailing Measures
(SCM), 90–93
- Agreement on Technical Barriers to
Trade (TBT), 86–90
- Agreement on Trade in Civil Aircraft, 2
- Agreement on Trade-Related Aspects
of Intellectual Property Rights
(TRIPS), 95–96, 99, 188–192,
273
- Agreement on Trade-Related
Investment Measures (TRIMs),
3–4, 93, 185–188, 277–278
- Agreements on Cooperation and
Facilitation of Investments
(ACFIs) (Brazil)
historical context, 294–297
institutional governance structure,
110–111, 307–320
interaction with private sector, 67
promotion of financial agents, 65–66
ratification procedure, 300–301
risk mitigation provisions, 304–306
thematic agenda, 306–307
treaty practice, 169–172, 298–300
visa proceedings, 61–62
- Angola, 6–7, 298
- anti-corruption measures, 27–28,
42–43, 205–208
- Anti-Dumping Agreement, 104
- APEC Investment Facilitation Action
Plan, 23–24
- application processes, 25–26, 28–30,
38–40
- Araújo, Ernesto, 172
- Argentina, 126–127, 132, 137, 139, 143,
302–303, 328
- Armington model (ARM), 129,
143–145
- Asia-Pacific Economic Cooperation
(APEC), 153, 245
- Association of Southeast Asian Nations
(ASEAN), 23–24,
- Australia
economic impact of IFD Agreement,
126–127, 132, 137, 139, 143
FTA with China, 356–357
IFI scores, 23, 126–127
support for IFD discussions,
154
tobacco plain packaging, 87–89, 99,
116–118
- Austria, 40, 126–127, 207, 330
- authorization procedures, 102,
220–223, 232–235
- Balistreri, E. J., 126, 129, 140, 142,
333
- Battat, Joseph, 198
- Belgium, 126–127, 207
- Belt and Road Initiative (BRI), 158, 160,
352–353
- Benin*, 126–127
- bilateral investment treaties,
See international investment
agreements

- bilateral representative firms (BRF)
 model, 129–131, 143–145, 144
 Böhringer, C., 129
 Bolivia, 154, 186
 Bolsonaro, Jair, 172
 Brazil
 Agreements on Cooperation and
 Facilitation of Investments
 (ACFIs)
 historical context, 294–297
 institutional governance structure,
 110–111, 307–320
 interaction with private sector, 7
 promotion of financial agents,
 65–66
 ratification procedure, 300–301
 risk mitigation provisions,
 304–306
 thematic agenda, 306–307
 treaty practice, 169–172, 298–300
 visa proceedings, 62
 economic impact of IFD Agreement,
 126–127, 132, 137, 139, 143
 IFI scores, 23, 126–127, 319–320
 non-ratification of BITs, 168–169,
 291, 295–296
 opposition to Doha Declaration, 6
 opposition to TRIMS, 277
 promotion of facilitation agenda,
 152, 168–173, 301–303
 draft IFD proposal, 6, 165, 172,
 302–303
 bribery, *See* anti-corruption
 BRICS, Outlines for Investment
 Facilitation, 301, 361
 Brown, K., 159
 Brunei, 21, 42
 bureaucratic impediments, 94–96,
 104–105
 Burkino Faso, 243–244
 business persons, movement of, 61–62, 74

 Calvo Doctrine, 169
 Cambodia, 126–127, 182, 243
 Canada
 economic impact of IFD Agreement,
 126–127, 132, 137, 139, 143
 export of AIDS medicines, 191
 IFI scores, 24, 126–127
 international investment agreements,
 113, 131, 281–285, 358
 involvement in IFD negotiations, 6, 328
 telecommunications market, 268
 capacity building, 225–226, 236, *See*
 also technical assistance
 Cavalcante, P., 171
 Central African Republic, 19, 21, 31, 33,
 38
 Chad, 21, 35
 Chandy, S. T., 164
 Chatterjee, E., 163
 Cheng, L. K., 159
 child labour, 42, 42–43
 Chile, 186, 298–299
 China
 economic impact of IFD Agreement,
 126–127, 132, 137, 139, 143
 forced technology transfer, 272–273
 foreign investment complaint
 mechanism (FICM), 109
 geopolitical tensions, 268–270,
 272–273, 336–337, 341–342
 IFI scores, 126–127, 348–353
 international investment agreements,
 161–162, 281, 356–359, 361
 investment facilitation approach,
 357–363
 investment screening by and against,
 268–270, 336–337
 opposition to Doha Declaration, 6
 participation in facilitation agenda, 6,
 154–163, 327, 354–355
 role in world economy, 334
 special economic zones, 242–244,
 253, 353
 Chinese Taipei, 33, 42, 328
 closed-door investment regimes, 268
 Coleman, J., 155
 Colombia, 298–299
 Committee on Investment Facilitation,
 77
 competitive neutrality, 360–361
 Comprehensive and Economic Trade
 Agreement between Canada
 and the European Union
 (CETA), 113, 131, 282, 339, 345

- Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), 131–132, 281, 283–284
- Computable General Equilibrium (CGE) model, 125–131, 126–127
- Congo, Democratic Republic of, 205
- cooperation, *See* cross-border cooperation
- Cooperation and Facilitation of Investments Agreements, *See* Agreements on Cooperation and Facilitation of Investments
- corporate social responsibility (CSR), 172, 305–306
- corruption, *See* anti-corruption
- Cotonou Agreement, 331, 344
- COVID-19 pandemic, 255–257, 285, 335–336, 341, 347
- cross-border cooperation, 25–30, 40–42, *See also* focal points; investment promotion agencies
- Cuba, 167, 186
- Cyprus, 126–127, 186
- Czech Republic, 113, 126–127
- data localization requirements, 270–271
- Denmark, 40, 126–127
- digital economy firms, 262–273
- digital information portals, 255, 257
- discrimination, 264–265
- dispute prevention, 35–38, 109–110, 306–309
- dispute settlement
- ACFIs, 307–309
 - free trade agreements, 282
 - IFD dispute settlement clause, 114–115, 118
 - investor-state arbitration (ISA), 111–114
 - parallel jurisdiction, 115–119
 - WTO dispute settlement mechanism (DSM), 1, 114–115, 155, 186–190
- Djibouti, 21, 40
- Doha Declaration, 5–6, 190
- Doha Development Round, 5, 166–168, 190–191, 208, 210–211, 326–327
- domestic investment facilitation frameworks
- incidences of and variations among countries, 18–25, 197–199, 247–248
- policy areas
- application process, 25–26, 28–30, 38–40
 - cooperation, 25–30, 40–42
 - electronic governance, 25–30, 33–35
 - focal point and review, 25–30, 35–38
 - regulatory transparency and predictability, 25–33
 - responsible business conduct and anti-corruption, 25–30, 42–43
- domestic regulatory coherence, 204
- domestic supplier databases, 73
- Easter Text, 49
- Economic Community of West African States (ECOWAS), 67, 71
- electronic administration and governance, 25–30, 33–35, 255, 257
- Electronic Database of Investment Treaties (EDIT), 328
- environmental impacts, 244
- Ethiopia, 299
- European Investment Bank (EIB), 65–66
- European Union (EU)
- competence over FDI policy, 338–340
 - economic impact of IFD Agreement, 132, 137, 139, 143
 - forced technology transfer challenge, 273
 - international investment agreements, 113, 281–282, 328–331, 344, 361
 - investment screening procedures, 269–270
 - involvement in IFD negotiations, 6
 - response to Chinese investment, 336–337
 - role in world economy, 334–336
 - screening mechanism for inbound FDI, 323

- European Union (EU) (cont.)
 statement on subsidies notifications, 92
 support of facilitation agenda, 322–324, 328–347
 export processing zones (EPZs), *See* special economic zones
- fair and equitable treatment (FET)
 clauses, 112–114, 118
- Feenstra, R. C., 144
- Finance Reference Paper, 2
- Finland, 33, 126–127, 207
- focal points, 25–30, 35–38, 109–110,
 See also ombudspersons
- forced data localization, 270–271
- forced technology transfer, 272–273
- foreign direct investment (FDI)
 concept of, 176–177
 links with trade in goods, 185–188
 links with trade in services, 182–185
 links with trade-related intellectual property rights, 188–192
 low levels of finance flows, 15–16
 promotion through domestic legislation, 197–199
 promotion through IIAs, 193–197
 relationship with RtD, 179–182
 relationship with sustainable development, 177–179, 181–182
 relative roles of host and home countries, 200–203
- foreign investment complaint
 mechanisms (FICM), 108–109
- France, 126–127, 243, 330
- free trade agreement (FTA) investment
 provisions, 131, 265, 280–285, 356–357, *See also* international investment agreements
- Free Trade Area of the Americas (FTAA), 148, 151
- free trade zones, *See* special economic zones
- Friends of Investment Facilitation for Development (FIFD), 6, 150, 154, 302
- Fukui, T., 126
- G20 (Group of Twenty), 245, 274–275, 355–356, 361
- Gabor, E., 152
- General Agreement on Tariffs and Trade (GATT), 2, 93–95, 99–100, 103–105
- General Agreement on Trade in Services (GATS), 3, 84–85, 99–100, 103–104, 183, 217–227, 263, 278
- geopolitical tensions, 268–270, 272–273, 336–337, 341–342
- Germany, 24, 126–127, 207–208, 243
- global technology sector, 262–273
- Government Procurement Agreement, 2
- greenfield investment, 15–16
- Guinea, 126–127
- Guyana, 23, 38, 298–299
- Guzman, A., 150–151
- Haiti, 23, 243
- Honduras, 126–127, 186
- Hong Kong SAR, 116, 118, 126–127
- Hopewell, K., 166
- Human Rights Council, 180–181
- human rights principles, 42–43, 76
- Hungary, 126–127, 343
- impact assessments, 73, 332, 373–374
- India
 data localization requirements, 270
 economic impact of IFD Agreement, 126–127, 132, 137, 139, 143
 IFI scores, 23, 33, 126–127
 international investment agreements, 281, 299–300, 307
 objection to facilitation agenda, 154, 163–168, 238, 327
 opposition to TRIMS, 277
 position on Doha Development Agenda, 6, 166–168
 special economic zones, 242
 withdrawal from RCEP, 167
- indigenous rights, 76
- indirect expropriation (IE) clauses, 112–114, 118
- Indonesia, 154, 271–272, 281

- industry-specialized zones, *See* special economic zones
- Information Technology Agreement, 2
- institutional arrangements, 71, 77
- insurance programmes, 66–67
- intellectual property rights, 95–96, 99, 266, 272–273
- International Centre for Settlement of Investment Disputes (ICSID), 111, 169
- international investment agreements (IIAs), *See also* Agreements on Cooperation and Facilitation of Investments
 - dispute prevention clauses, 110–111
 - dispute settlement provisions, 111–118
 - investment facilitation provisions
 - capacity building, 64–65
 - entry and sojourn of personnel, 61–62
 - facilitating investment permits, 60–61, 78
 - improving investment climate, 77–79
 - in free trade agreements, 131, 265, 280–285, 356–357
 - institutional arrangements, 71, 77
 - insurance programs, 66–67
 - investment financing, 65–66, 79
 - investor aftercare and dispute resolution, 68–69
 - nature and extent of inclusion, 79–80
 - pre-establishment investor services, 67–68
 - relations with private sector, 69–70
 - simplifying administrative procedures, 59–60, 75
 - transparency of investment measures, 113
- most-favoured-nation (MFN) clauses, 117
- promotion of FDI, 193–197
- umbrella clauses, 116–117
- International Trade Organization (ITO), 280
- Intra-MERCOSUR Cooperation and Facilitation Investment Protocol, 6, 171–172, 299, 301–302
- investment climate, 57–59, 77–79
- investment facilitation
 - investment promotion distinguished, 246–247
 - nexus with special economic zones, 248–255, 258–259
 - trade facilitation distinguished, 4–5, 247
 - use and meaning of term, 123–124, 151–152, 239–246
- Investment Facilitation for Development (IFD) Agreement
 - contribution to sustainable development, 203–208
 - distinct features, 3–7
 - exclusion of intellectual property rights, 96
 - general scope of Agreement, 4–5, 98–101, 229–231, 286–287
 - importance of local investment regimes, 16–17
 - negotiations
 - background and progress to date, 5–8, 83–84, 149–155, 278–280, 302–303, 324–328, 354–355
 - nature of negotiations, 210–214, 228, 287
 - objective, 214–216, 228–229, 286
 - prospects of success, 174, 209
 - opposition and skepticism towards, 84, 105–106, 154–155, 163–168
 - parallel jurisdiction over disputes, 114–119
 - potential economic impacts, 123–147
 - preamble, 165
 - proposed provisions
 - capacity building, 76–77
 - cross-border cooperation, 76
 - dispute settlement clause, 114–115, 118
 - exclusion of market access issues, 165
 - focal points, 109–110
 - home state obligations, 204–205

- Investment Facilitation for Development (IFD) Agreement (cont.)
 - institutional arrangements, 71–72
 - movement of business persons, 61–62
 - novel provisions, 79–80
 - responsible business conduct and anti-corruption, 205
 - simplifying administrative procedures, 94–96, 104–105, 204, 231–235
 - special and differential treatment (SDT), 235–236
 - technical assistance, 236, 287
 - transparency of investment measures, 86–96, 101–104, 204
 - provisions not included, 101
- Investment Facilitation Index (IFI), 18–45, 124, 126–127, 250, 332–333
- investment facilitators, 109–110
- investment financing, 65–66, 79
- investment permits, 60–61, 78
- investment promotion, 193–203, 246–247
- investment promotion agencies (IPAs), 247, 257–258
- investment protection, 101, 151–152, 161–162, 170–171
- investment screening, 263–264, 268–270, 323, 336–337
- investor-state dispute settlement (ISDS), 111–119, 151, 169, 322–323
- Israel, 23, 33, 281
- Italy, 126–127, 330
- Jafari, Y., 141–142
- Japan
 - economic impact of IFD Agreement, 132, 137, 139, 143
 - IFI scores, 21, 126–127
 - international investment agreements, 55
 - involvement in IFD negotiations, 6, 328
 - special economic zones, 243
 - statement on subsidies notifications, 92
- Jensen, J., 142
- Joint Ministerial Statements on Investment Facilitation for Development, 7–8
- Joint Statement Initiatives (JSIs), 1–3, 210–214, *See also* Investment Facilitation for Development (IFD) Agreement; services domestic regulation
- Juncker, Jean-Claude, 270
- Kazakhstan, 126–127, 132, 137, 139, 143
- Korea, Republic of
 - economic impact of IFD Agreement, 126–127, 132, 137, 139, 143
 - Foreign Exchange Ombudsman, 308, 311–312
 - FTA with China, 356–357
 - IFI scores, 19, 31, 35, 38
 - involvement in IFD negotiations, 154, 328
- Krugman model, 130–131
- Kurtz, J, 148–174
- Kyrgyz Republic, 24, 126–127
- labour conditions, 244
- labour markets, 267
- Lakatos, C., 126
- Lanz, B., 126
- Lao PDR (Laos), 23, 126–127, 182, 243
- Levine, M., 162
- Liberia, 19–21
- local content requirements, 271–272
- Luxembourg, 33, 126–127
- Ma, Z., 159
- Madagascar, 381, 383
- Maggetti, M., 171
- Malawi, 294, 298
- Malaysia, 126–127
- market access, 165
- market openness, 262–264
- Markusen, J., 140–141
- Mauritius, 33, 186, 356–357
- medicines, access to, 190–191
- Melitz model, 130–131
- MERCOSUR, 6, 171–172, 299, 301–302
- Meunier, S., 339

- Mexico
 economic impact of IFD Agreement,
 126–127, 132, 137, 139, 143
 IFI scores, 23, 33, 40, 126–127
 international investment agreements,
 131, 281–285, 298–299
 support for IFD discussions, 154
- Moraes, H. C., 171
- Morocco, 23, 299
- most-favoured-nation (MFN) clauses,
 117, 164, 227
- Mozambique, 294, 298
- Myanmar, 40, 243
- national laws, *See* domestic investment
 facilitation frameworks
- national security considerations, 264,
 268, 336–337
- Nedumpara, J. J., 164
- Netherlands, 21, 113, 126–127, 330
- New Zealand, 23, 126–127
- Nigeria, 250
- non-discrimination, 264–265, 305
- North American Free Trade Agreement
 (NAFTA), 280–282
- Oleksevk, Z., 142
- ombudspersons, 301, 306–318, *See also*
 focal points
- Organisation for Economic
 Co-operation and Development
 (OECD)
 Convention on Combating Bribery,
 206–208
 Declaration on International
 Investment and Multinational
 Enterprises, 360–361
 Global Outlook on Financing
 for Sustainable Development,
 15
 Guidelines for Multinational
 Enterprises, 205
 Multilateral Agreement on
 Investment (MAI), 148, 151,
 325–326
 policy advocacy, 35, 59
 Policy Framework for Investment,
 274–276
 promotion and facilitation
 distinction, 52–54
- Organisation of African, Caribbean and
 Pacific States (OACPS)
 (formerly ACP), 331, 344
- Pakistan, 23, 126–127
- Pan-African Investment Codes, 385
- Paraguay, 126–127, 301–302
- Peru, 299
- Pharma Agreement, 2
- Philippines, 242, 250
- plurilateral negotiations, tradition of,
 1–3
- Poland, 126–127, 186, 343
- portfolio investment, 176–177
- predictability of investment measures,
 See transparency
- professional qualifications, 221
- Putnam, R., 155
- Reference Paper on
 Telecommunications Services, 2
- Regional Cooperation and Economic
 Partnership (RCEP), 112,
 161–162, 167
- regional development zones, *See* special
 economic zones
- regulatory governance, importance of,
 265–266
- regulatory transparency,
 See transparency
- responsible business conduct (RBC),
 25–30, 42–43, 205
- right to development (RtD), 179–182,
 361–362
- right to regulate, 223, 305
- risk mitigation (ACFIs), 304–306
- Russian Federation, 126–127, 132, 137,
 139, 143, 154
- Rutherford, T. F., 126, 129, 140–141
- Rwanda, 21, 191
- Sauvant, K. P., 154
- services domestic regulation (SDR)
 facilitation objective, 214–216
 initiative and negotiations, 3,
 210–214, 219–220

- services domestic regulation (SDR) (cont.)
 - outlook for Reference Paper, 226–227
 - regulatory principles and requirements, 217–224
 - special and differential treatment, 224–226
- Sierra Leone, 40
- Singapore, 266
- Singapore Issues, 325
- Singh, K., 164–165
- single electronic windows (SEWs), 33–35, 37, 152, 160, 165, 172
- Slovenia, 126–127, 186, 330
- South Africa
 - adoption of investment facilitation principles, 371
 - Corruption, 206
 - equitable representation rules, 372
 - foreign submissions on domestic measures, 374–375
 - investment in development, 379–380
 - rejection of IFD, 154, 238, 327
 - consequences of staying outside, 383–384
 - special economic zones, 243
- South Korea, *See* Korea, Republic of
- special and differential treatment (SDT), 155, 224–226, 235–236, 354
- special economic zones (SEZs)
 - future prospects, 255–259
 - geographical spread, 242
 - historical development, 241–242
 - international and regional cooperation, 243–244
 - meaning of term, 239
 - nexus with investment facilitation, 248–255, 258–259
 - percentage of national policy measures, 249
 - set up by China, 242–244, 253, 353
 - successes and failures, 244
- Sri Lanka, 23, 33
- subsidies, 90–93, 337
- Suriname, 298–299
- sustainable development, 177–179, 181–182, 361–363
- Sustainable Development Goals (SDGs), 15, 178–179, 181–182
- Switzerland, 126–127, 186
- Tanzania, 42, 113, 359
- Tarr, D. G., 126, 140–142
- technical assistance, 41, 225–226, 236, 287
- technology investment, 262–273
- Thailand, 33, 243
- thematic agendas (ACFIs), 306–307
- Togo, 126–127
- trade facilitation, 4–5, 247
- Trade Facilitation Agreement (TFA), 4–5, 103–105, 153, 171, 326–327, 332
- transparency
 - ACFI provisions, 304–305
 - domestic investment facilitation frameworks, 25–33
 - IFD Agreement provisions, 86–96, 101–104, 204
 - provisions in IIAs, 113
 - services domestic regulation (SDR), 222
 - WTO rules on trade and intellectual property rights, 86–96
- TRIMS (Agreement on Trade-Related Investment Measures), 3–4, 93, 185–188, 277–278
- TRIPS (Agreement on Trade-Related Aspects of Intellectual Property Rights), 95–96, 99, 188–192, 273
- Trump, Donald, 269, 272–273, 322, 337–338
- Turkey, 154, 242, 328
- Uganda, 21, 154, 186
- umbrella clauses, 116–117
- United Arab Emirates (UAE), 23, 299
- United Kingdom (UK), 6, 19, 40
- United Nations Commission on International Trade Law (UNCITRAL), 208

- United Nations Conference on Trade and Development (UNCTAD)
 - business facilitation program, 255
 - definitions and terminology, 239–245
 - Global Action Menu for Investment Facilitation, 254
 - Investment Policy Framework for Sustainable Development, 178, 181–182, 203, 208–209, 274, 276–277
 - investment policy review program, 198–199
 - monitoring of investment promotion regimes, 200–203
 - on policy certainty, 386
- United Nations Convention against Corruption, 43, 206
- United Nations General Assembly, 178–180, 206
- United States (US/USA)
 - ambitions during Uruguay Round, 277
 - blocking of new Appellate Body judges, 1
 - bribery of foreign public officials cases, 207–208
 - disengagement from multilateral governance, 322, 328, 337–338
 - economic impact of IFD Agreement, 126–127, 132, 137, 139, 143
 - forced technology transfer investigation, 272–273
 - IFI scores, 19–21, 31, 33, 126–127
 - international investment agreements, 112, 131, 280–285, 361
 - investment screening procedures, 269
 - role in world economy, 334
 - special economic zones, 242–243
 - statement on subsidies notifications, 92
- United States-Mexico-Canada Agreement (USMCA), 131, 281–285
- Uruguay, 126–127, 301–302
- Viet Nam, 243, 255
- World Association of Investment Promotion Agencies (WAIPA), 278
- World Bank, 197–198
- Yang, G., 160
- Yonezawa, H., 126, 140
- Zambia, 186
- Zhan, James, 246
- Zhang Xiangchen, 161
- Zimbabwe, 243

