

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
- Burkina 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
- Oleksevvuk, 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

