

Harnessing Foreign Investment to Promote Environmental Protection

Incentives and Safeguards

Edited by Pierre-Marie Dupuy and Jorge E. Viñuales



CAMBRIDGE

Nice Harnessing Foreign Investment Environmental Protection

Ian Pickup



Nice Harnessing Foreign Investment Environmental Protection:

Harnessing Foreign Investment to Promote Environmental Protection Pierre-Marie Dupuy, Jorge E. Viñuales, 2013-03-14 This volume provides cutting edge interdisciplinary analysis of the synergies between foreign investment and environmental protection by leading scholars and practitioners [Harnessing Foreign Investment to Promote Environmental Protection](#) Vinauales Jorge Dupuy Pierre-Marie, 2013 This volume provides cutting edge interdisciplinary analysis of the synergies between foreign investment and environmental protection by leading scholars and practitioners *Environmental Interests in Investment Arbitration* Flavia Marisi, 2020-01-24 Environmental Interests in Investment Arbitration Challenges and Directions Flavia Marisi Economic growth social inclusion and environmental protection stand at the core of sustainable development which aims to deliver long term growth for current and future generations Foreign Direct Investment FDI can play a key role in sustainable development Host states benefits descending from FDI inflows include tax revenues technology transfer specialised training of local human resources network with satellite activities better availability of quality products and customer centric services These downstream effects jointly stimulate economic growth and social inclusion This thoroughly researched book explores the relationship between environmental protection the third component of sustainable development and FDI In practice the intersection between environmental protection and foreign investment not only has generated remarkable success stories such as cross sectoral green investment but has also in some instances led to severe cases of environmental degradation Certain foreign investments resulted in open pit mines leaking harmful substances into the soil excessive deforestation improper treatment of water pollution of groundwater and contamination of mud pits following oil exploitation leaving the host state with significant environmental damage Some other cases have witnessed the host state withdrawing or infringing its own environmental policies which could in principle lead to a decrease in the value of the foreign investment as a result of natural resources deterioration In recent years an increasing number of investment arbitration cases have seen a clash between the states commitments towards their citizens which include the duty to protect the environment their health and well being and the commitment towards foreign investors to protect their investments In this book the author focuses on investor state cases in which environmental protection measures have been contested and discusses substantive mechanisms in treaty drafting rules of Customary International Law and interpretation doctrines which are aimed at taking environmental concerns into consideration The topics covered include the following statistical analysis of investor state cases where environmental protection measures have been contested the role of environmental principles in investor state arbitration treaty mechanisms addressing environmental concerns legal tools available under Customary International Law to address environmental interests the application of the doctrines of proportionality police powers and margin of appreciation and environmental counterclaims as an instrument to claim compensation for environmental damage The author provides a detailed framework

on the normative architecture offers an extensive analysis of the relevant case law and proposes concrete solutions to the identified clashes aimed at refining the balance between environmental and investment protection With its in depth analysis and careful documentation this book aptly captures the inherent fragmentation of international law and undoubtedly represents an invaluable resource for both international law practitioners and scholars The solution oriented approach adopted in the book will be welcomed by legal counsel law firms investment treaty negotiators and decision makers at the different stages of investment lawmaking and practice as well as by international institutions and academics

The International Law on Foreign Investment M. Sornarajah,2021-07-01 The climate surrounding foreign investment law is one of controversy and change and with implications for human rights and environmental protection foreign investment law has gained widespread public attention and visibility This fully updated edition of Sornarajah s classic text offers thought provoking analysis of the law in historical political and economic contexts capturing leading trends and charting the possible course of future developments It takes into account the newer types of treaties that establish a regulatory space for states and moves away from inflexible investment protection exploring the newly created defences relating to environment human rights indigenous rights and other areas ending the fragmentation of the law It looks at the current debates on legitimacy of the system and current efforts at reform Suitable for postgraduate and undergraduate students The International Law on Foreign Investment is essential reading for anyone specialising in the law of foreign investments

Foreign Investment and the Environment in International Law Jorge E. Viñuales,2012-09-13 Provides academics and practitioners with a detailed analysis of the interface between foreign investment and environmental law

Resistance and Change in the International Law on Foreign Investment M. Sornarajah,2015-04-16 Explores the political context of the rapid changes in the international law on foreign investment made through investment arbitration

Capacity Building for Environmental Law in the Asian and Pacific Region Donna G. Craig,Nicholas A. Robinson,Kheng Lian Koh,2003 National sectoral and international approaches to environmental law education are integrated in this comprehensive resource on environmental law in Asian and Pacific countries A broader definition of sustainable development that incorporates social cultural and economic dimensions facilitates consideration of social justice and equity in environmental law The jurisprudence of environmental law is outlined with attention to impact assessment implementation and dispute resolution in this first volume

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Private Capital Flows and the Environment Bradford S. Gentry,1998 This work offers an assessment of private capital

flows to emerging market countries and their impacts on the environment t emphasises the critical role that private capital plays in the financial transfers from post industrial to developing nations far e ceeding foreign aid *Summary of World Broadcasts* ,2000 Science, Technology, and American Diplomacy ,1992 Issue for 1980 also includes Science technology and American diplomacy a supplementary report by the Dept of State **Canada and Latin America** M. O. Dickerson,Stephen J. Randall,1991 **Foreign Investment, Law and Sustainable Development** Lorenzo Cotula,2014 Foreign investment in agriculture and extractive industries is increasing pressures on land and natural resources This handbook is about how to use law to make foreign investment work for sustainable development It aims to provide a rigorous yet accessible analysis of the law regulating foreign investment in low and middle income countries what this law is how it works and how to use it most effectively Because several legal arenas are relevant to any given investment project the handbook takes an integrated approach that cuts across areas of law typically treated in separate literatures including investment treaties extractive industry legislation land tenure human rights environmental legislation and tax law For both government and civil society the strategic use of a variety of legal tools is critical in harnessing the full potential of law This book aims to support government officials in low and middle income countries in their management of foreign investment for sustainable development and to support civil society efforts to influence decisions and hold government and investors to account **China's Foreign Trade** ,2000

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In a global defined by information and interconnectivity, the enchanting power of words has acquired unparalleled significance. Their ability to kindle emotions, provoke contemplation, and ignite transformative change is actually awe-inspiring. Enter the realm of "**Nice Harnessing Foreign Investment Environmental Protection**," a mesmerizing literary masterpiece penned by a distinguished author, guiding readers on a profound journey to unravel the secrets and potential hidden within every word. In this critique, we shall delve in to the book is central themes, examine its distinctive writing style, and assess its profound impact on the souls of its readers.

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Table of Contents Nice Harnessing Foreign Investment Environmental Protection

1. Understanding the eBook Nice Harnessing Foreign Investment Environmental Protection
 - The Rise of Digital Reading Nice Harnessing Foreign Investment Environmental Protection
 - Advantages of eBooks Over Traditional Books
2. Identifying Nice Harnessing Foreign Investment Environmental Protection
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Nice Harnessing Foreign Investment Environmental Protection
 - User-Friendly Interface
4. Exploring eBook Recommendations from Nice Harnessing Foreign Investment Environmental Protection
 - Personalized Recommendations
 - Nice Harnessing Foreign Investment Environmental Protection User Reviews and Ratings
 - Nice Harnessing Foreign Investment Environmental Protection and Bestseller Lists

5. Accessing Nice Harnessing Foreign Investment Environmental Protection Free and Paid eBooks
 - Nice Harnessing Foreign Investment Environmental Protection Public Domain eBooks
 - Nice Harnessing Foreign Investment Environmental Protection eBook Subscription Services
 - Nice Harnessing Foreign Investment Environmental Protection Budget-Friendly Options
6. Navigating Nice Harnessing Foreign Investment Environmental Protection eBook Formats
 - ePub, PDF, MOBI, and More
 - Nice Harnessing Foreign Investment Environmental Protection Compatibility with Devices
 - Nice Harnessing Foreign Investment Environmental Protection Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Nice Harnessing Foreign Investment Environmental Protection
 - Highlighting and Note-Taking Nice Harnessing Foreign Investment Environmental Protection
 - Interactive Elements Nice Harnessing Foreign Investment Environmental Protection
8. Staying Engaged with Nice Harnessing Foreign Investment Environmental Protection
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Nice Harnessing Foreign Investment Environmental Protection
9. Balancing eBooks and Physical Books Nice Harnessing Foreign Investment Environmental Protection
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Nice Harnessing Foreign Investment Environmental Protection
10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
11. Cultivating a Reading Routine Nice Harnessing Foreign Investment Environmental Protection
 - Setting Reading Goals Nice Harnessing Foreign Investment Environmental Protection
 - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Nice Harnessing Foreign Investment Environmental Protection
 - Fact-Checking eBook Content of Nice Harnessing Foreign Investment Environmental Protection
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning

- Utilizing eBooks for Skill Development
- Exploring Educational eBooks

14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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