

WORLD INVESTMENT REPORT 2012: Towards A

New Generation of Investment Policies

with update from GLOBAL INVESTMENT TRENDS MONITOR, NO 10 (23 October 2012)

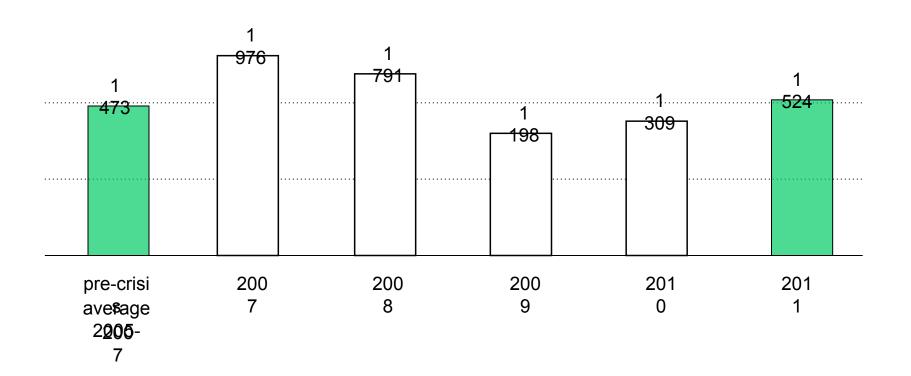
Astrit Sulstarova,
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UNCTAD





Global foreign direct investment (FDI) flows surpassed the pre-crisis average in 2011

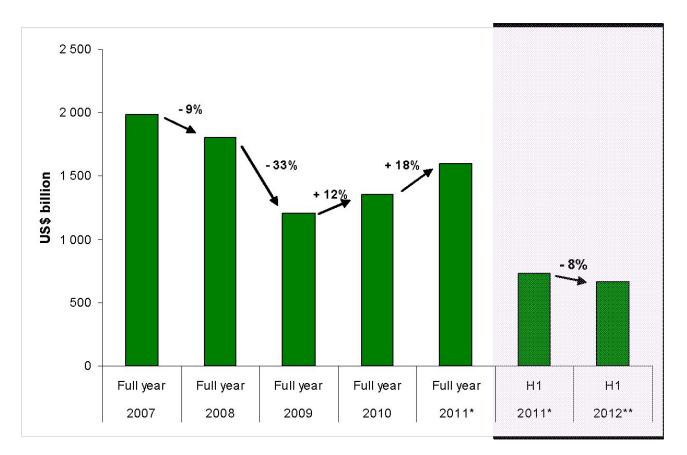
FDI inflows





...but flows retreated in the first half of 2012

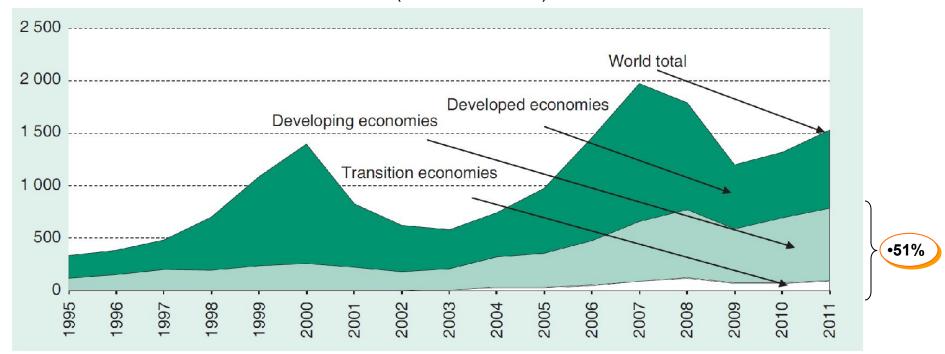
Global FDI inflows and growth rates, 2007–2011 and 2011:H1–2012:H1 (per cent)





FDI inflows rose in 2011... Up across all major economic groupings

FDI inflows by group of economies, 1990–2011



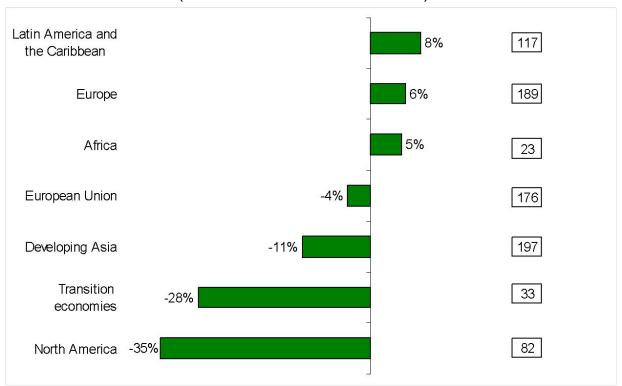


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...with an uneven pattern among regions

The growth rate and the amount of FDI inflows, by group of economies 2011:H1-2012:H1

(Per cent and billions of US dollars)



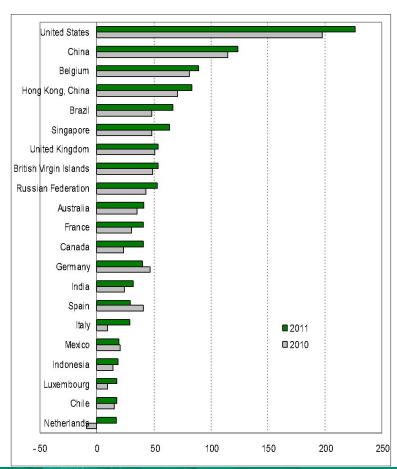


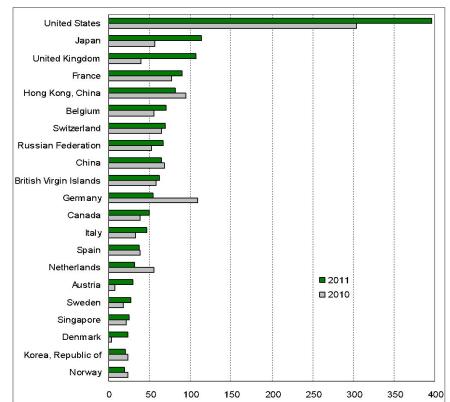
FDI inflows in 2011

FDI outflows in 2011

Top 20 host economies, 2010–2011 (Billions of dollars)

Top 20 home economies, 2010–2011 (Billions of dollars)

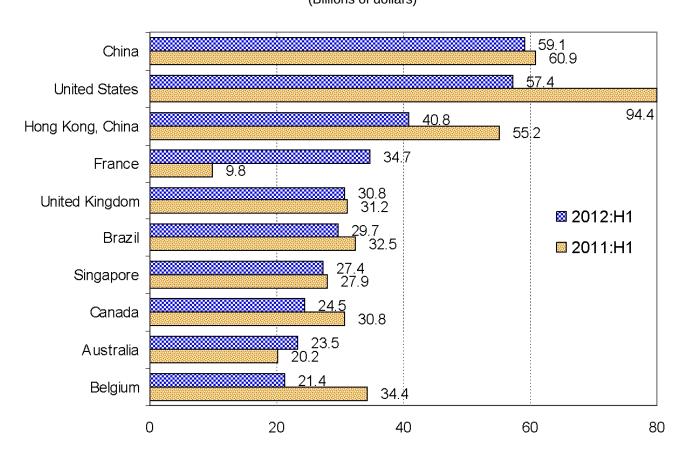






In the first half of 2012, China became the world's largest FDI recipient

Top 10 host economies, 2011:H1–2012 (Billions of dollars)





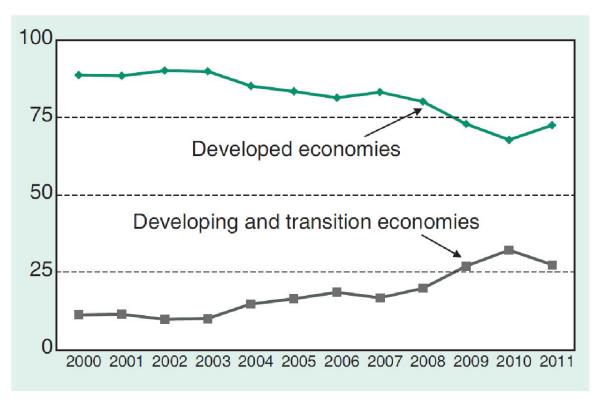
Prospects FDI flows, at best to reach US\$1.6 trillion in 2012, forecast for 2013 and 2014 show moderate growth

- In 2012 FDI flows, at best, might reach \$1.6 trillion:
 The slow and bumpy recovery of the global economy, global weak demand and elevated risks related to regulatory policy changes, continue to reinforce the wait-and-see attitude of many transnational companies.
- UNCTAD's long-term projections show a moderate rise, with global FDI reaching US\$1.8 trillion in 2013 and US\$1.9 trillion in 2014, barring any macroeconomic shocks.



FDI outflows from emerging markets fell slightly in 2012, but remained high

Shares in global FDI outflows, by group of





International production by transnational corporations (TNCs) advanced...

- •In 2011, foreign affiliates of TNCs...
 - •... employed an estimated 69 million workers ...
 - •... generated \$28 trillion •in sales ...
 - •... produced \$7 trillion in value added (~10% of global GDP) ...
 - •... and managed assets of \$82 trillion







Primary and services sector: FDI turns around after 2 years of declines

Sectoral distribution of FDI projects, 2005 – 2011

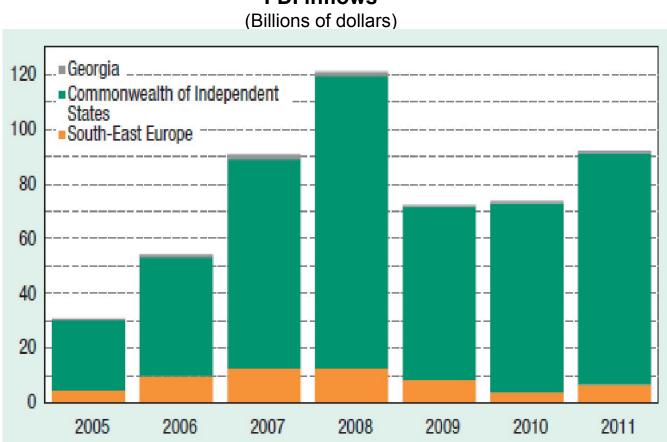
(Billions of dollars and per cent)

Year	Value			Share		
	Primary	Manufacturing	Services	Primary	Manufacturing	Services
Average 2005–2007	130	670	820	8	41	50
2008	230	980	1 130	10	42	48
2009	170	510	630	13	39	48
2010	140	620	490	11	50	39
2011	200	660	570	14	46	40



FDI flows to transition economies recovered strongly in 2011...but they retreated in the first half of 2012

FDI inflows

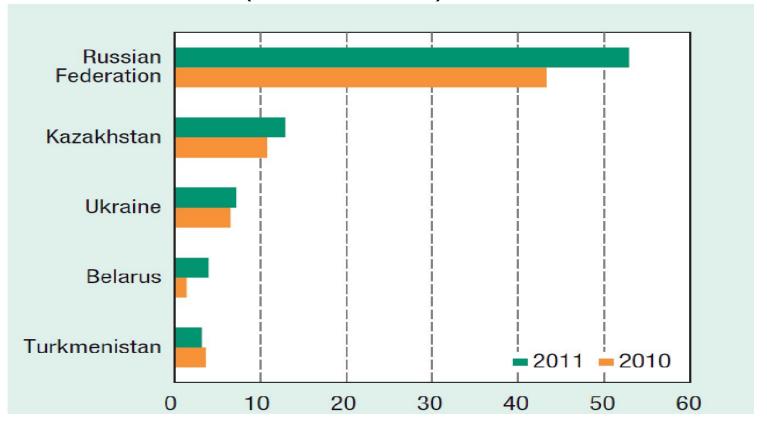






Large countries continued to account for the lion's share of inward FDI

FDI inflows

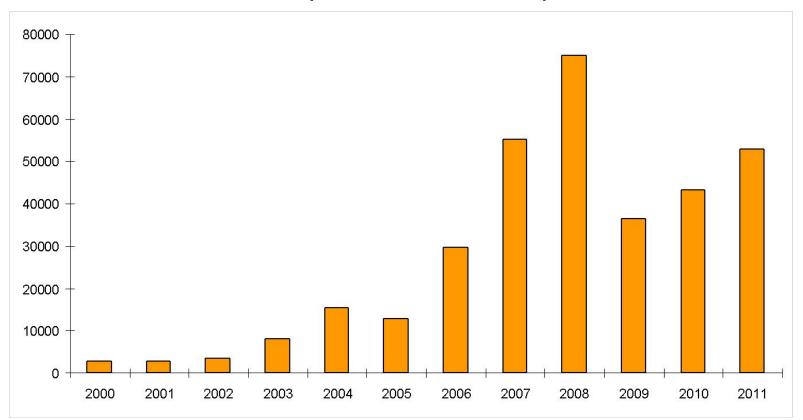








FDI flows to the Russian Federation increased in 2011



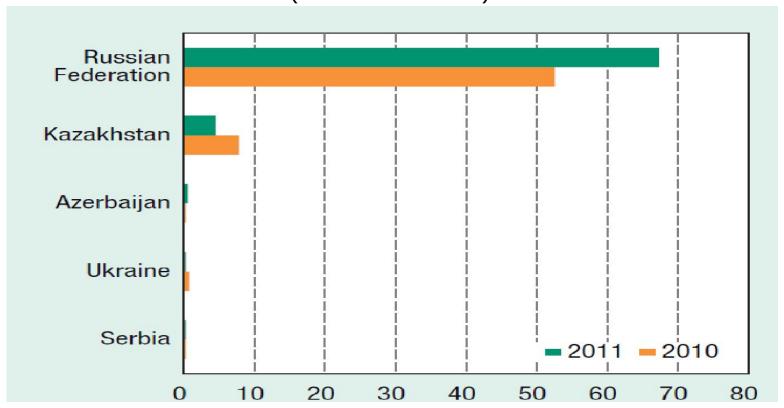






Record-high FDI outflows, and not only by natural-resource-based TNCs

FDI outflows









FDI flows to transition economies are expected to continue to grow in the medium term due to:

- ☐ A more investor-friendly environment;
- WTO accession by the Russian Federation;
- new privatization programmes;
- The rise of investments from other developing countries

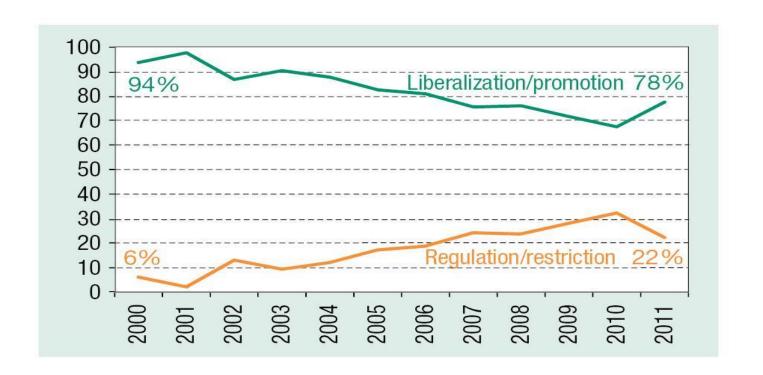






National investment policies continued to be favourable to foreign investors

National investment policy changes, 2000 – 2011 (Per cent of measures)



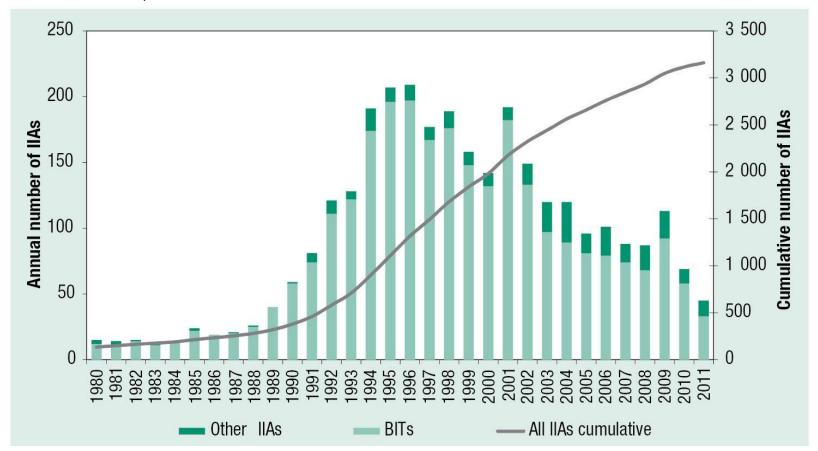






International investment policies see a shift from the bilateral to the regional level

Trends of BITs and "other IIAs", 1980 – 2011 (Number of treaties)









UNCTAD's Investment Policy Framework for Sustainable Development helps policymakers address these challenges

Structure and components of the IPFSD

Core Principles

"Design criteria" for investment policies and for the other IPFSD components

National investment policy guidelines

Concrete guidance for policymakers on how to formulate investment policies and regulations and on how to ensure their effectiveness

IIA elements: policy options

Clause-by-clause options for negotiators to strengthen the sustainable development dimension of IIAs







Core principles for investment policymaking

Investment for sustainable development	·overarching objective of investment policymaking
2 Policy coherence	·grounded in a country's overall development strategy coherent and synergetic
Public governance and institutions	•involving all stakeholders standards of public governance predictable, efficient and transparent procedures for investors
4 Dynamic policymaking	·regular reviews for effectiveness and relevance
Balanced rights and obligations	·setting out rights and obligations of States and investors in the interest of development
6 Right to regulate	·in the interest of the public good and to minimize potential negative effects
7 Openness to investment	·in line with development strategy open, stable and predictable entry conditions
Investment protection and treatment	·adequate protection to established investors non-discriminatory
9 Investment promotion and facilitation	·aligned with sustainable development goals minimize risk of harmful competition for investment
Corporate governance and responsibility	·promote adoption of and compliance with best international practices of CSR
11 International cooperation	•address shared investment-for-development challenges avoid investment protectionism







National investment policy guidelines: how it works

Sections

Sub-sections

Policy Guideliness

- Investment and sustainable development strategy
- 2. Investment regulation and promotion
- Investment-relate d policies
- Investment policy effectiveness

1.1

Strategic investment policy priorities

1.2 Investment policy coherence for productive capacity building

- Human resource development
- -Technology and know-how
- Infrastructure
- Enterprise development

1.1.1

Investment policy should be geared towards the realization of national sustainable development goals and grounded in a country's development strategy. It should set out strategic priorities, including: ...

1.1.2

Strategic investment policy priorities may be effectively formalized in a published document (e.g. investment strategy), making explicit the intended role of private and foreign investment in the country's sustainable development strategy and development priorities, and

...







Sustainable development features of the IPFSD's national investment policy guidelines

1 Integrating investment policy in development strategy

2 Incorporating sustainable development objectives in investment policy

3 Ensuring investment policy relevance and effectiveness

- Section on strategic investment priorities and investment policy coherence for productive capacity building, including sub-sections on investment and: Human resource development, Infrastructure (including section on PPPs), Technology, Enterprise development
- Attention to investment policy options for the protection of sensitive industries
- Sections on other policy areas geared towards overall sustainable development objectives to ensure *coherence* with investment policy
- Specific guidelines for the design of investment-specific policies and regulations, including not only establishment and operations, treatment and protection of investments, and investment promotion and facilitation, but also *investor responsibilities*
- Guidance on the encouragement of responsible investment and on guaranteeing compliance with *international core standards*
- Guidance on investment promotion and use of incentives in the interest of inclusive and sustainable development
- Specific guidelines aimed at minimizing potential negative effects of investment, such as tax avoidance, anti-competitive behaviour, core labour standards, environmental impact
- A sub-section on access to land, incorporating the *Principles for Responsible Agricultural Investment* (PRAI)
- Section on investment policy effectiveness, including guidance on public governance and institutional capacity-building
- Guidance on the measurement of policy effectiveness, with reference to quantitative investment impact indicators and UNCTAD tools (FDI Attraction and Contribution Indices)







The IIA elements table: how it works

Part A: 1. Preamble Post-Establishment 2. Treaty scope 3. Admission Part B: 4. Standards of treatment Pre-Establishment & protection 5. Public Policy Part C: exceptions Special & 6. Dispute Settlement Differential 5.1.1. Include excep-7. Invostor obligations Treatment tions for national 8. Relationship to other security measures agreements 5.1.2. Broaden excep-9. Not lowering of tion to encompass ecostandards clause nomic security 10. Investment promotion 5.1.3. Limit exception to 11. Institutional set-up certain types of measures 12. Final provisions 5.1.4 Include exceptions for legitimate public policy objectives







IPFSD: a reference point, common language, and platform for discussion with investment stakeholders









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