

UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT

ENVIRONMENT

UNCTAD Series
on issues in international investment agreements



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NOTE

UNCTAD serves as the focal point within the United Nations Secretariat for all matters related to foreign direct investment and transnational corporations. In the past, the Programme on Transnational Corporations was carried out by the United Nations Centre on Transnational Corporations (1975?1992) and the Transnational Corporations and Management Division of the United Nations Department of Economic and Social Development (1992?1993). In 1993, the Programme was transferred to the United Nations Conference on Trade and Development. UNCTAD seeks to further the understanding of the nature of transnational corporations and their contribution to development and to create an enabling environment for international investment and enterprise development. UNCTAD's work is carried out through intergovernmental deliberations, research and analysis, technical assistance activities, seminars, workshops and conferences.

The term "country" as used in this study also refers, as appropriate, to territories or areas; the designations employed and the presentation of the material do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries. In addition, the designations of country groups are intended solely for statistical or analytical convenience and do not necessarily express a judgement about the stage of development reached by a particular country or area in the development process.

The following symbols have been used in the tables:

Two dots (..) indicate that data are not available or are not separately reported. Rows in tables have been omitted in those cases where no data are available for any of the elements in the row;

A dash (?) indicates that the item is equal to zero or its value is negligible;

A blank in a table indicates that the item is not applicable;

A slash (/) between dates representing years, e.g. 1994/95, indicates a financial year;

Use of a hyphen (?) between dates representing years, e.g. 1994?1995, signifies the full period involved, including the beginning and end years.

Reference to "dollars" (\$) means United States dollars, unless otherwise indicated.

Annual rates of growth or change, unless otherwise stated, refer to annual compound rates.

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The material contained in this study may be freely quoted with appropriate acknowledgement.

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IIA Issues Paper Series

The main purpose of the UNCTAD Series on issues in international investment agreements is to address concepts and issues relevant to international investment agreements and to present them in a manner that is easily accessible to end-users. The series covers the following topics:

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Preface

The secretariat of the United Nations Conference on Trade and Development (UNCTAD) is implementing a work programme on international investment agreements. It seeks to help developing countries to participate as effectively as possible in international investment rule-making at the bilateral, regional, plurilateral and multilateral levels. The programme embraces capacity-building seminars, regional symposia, training courses, dialogues between negotiators and groups of civil society and the preparation of a Series of issues papers.

This paper is part of that Series. It is addressed to Government officials, corporate executives, representatives of non-governmental organizations, officials of international agencies and researchers. The Series seeks to provide balanced analyses of issues that may arise in discussions about international investment agreements. Each study may be read by itself, independently of the others. Since, however, the issues treated closely interact with one another, the studies pay particular attention to such interactions.

The Series is produced by a team led by Karl P. Sauvant and Pedro Roffe. The principal officer responsible for its production is Anna Joubin-Bret who oversees the development of the papers at various stages. The members of the team include S. M. Bushehri, Patricia Mira Pontón, Aimé Murigande, and Jörg Weber. The Series' principal advisors are Arghyrios A. Fatouros, Sanjaya Lall, Peter T. Muchlinski, and Patrick Robinson. The present paper is based on a manuscript prepared by S.M. Bushehri and Cynthia Wallace. Substantive contributions were made by Jake Werksman. The final version reflects comments received from Victoria Aranda, Charles Arden-Clarke, Werner Corrales, William Dymond, Harry Gleckman, Felipe Jaramillo, Joachim Karl, Grace King, Mark Koulen, Barton Legum, Mansur Raza, Maximo Romero Jimenez, Homai Saha, Rupert Schlegelmilch, Chak Mun See, Sabrina Shaw, Marinus Sikkel, A.J.W. Van der Linde and Andreas R. Ziegler. The paper was desktop-published by Teresita Sabico.



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Secretary-General of UNCTAD

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UNCTAD has carried out a number of activities related to the work programme in co-operation with other intergovernmental organizations, including the Secretariat of the Andean Community, l'Agence pour la Francophonie, the Inter-Arab Investment Guarantee Corporation, the League of Arab States, the Organization of American States, la Secretaria de Integraci n Econ mica Centroamericana and the World Trade Organization. UNCTAD has also cooperated with non-governmental organizations, including the German Foundation for International Development, the Centro de Estudios Interdisciplinarios de Derecho Industrial y Econ mico Universidad de Buenos Aires, the Consumer Unity and Trust Society — India, the Economic Research Forum — Cairo, the European Roundtable of Industrialists, the Friedrich Ebert Foundation, the International Confederation of Free Trade Unions, Oxfam, SOMO — Centre for Research on Multinational Corporations, the Third World Network, la Universidad del Pacifico, the University of the West Indies and World Wildlife Fund International.

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Table of contents

	Page
Preface	iv
Acknowledgements	v
Executive summary	1
INTRODUCTION	5
I. EXPLANATION OF THE ISSUE	7
II. STOCKTAKING AND ANALYSIS	13
A. General protection of the environment	14
1. General references to the environment	14
a. Provisions relating to the responsibility of Governments	15
b. Provisions relating to the responsibility of TNCs	18
2. Preserving national regulatory space for environmental protection	22
3. Attracting FDI through a lowering of environmental standards	36
B. Transfer of environmentally sound technology	41
C. Transfer of environmentally sound management practices	50

	Page
III. INTERACTION WITH OTHER ISSUES AND CONCEPTS	67
CONCLUSION: ECONOMIC AND DEVELOPMENT IMPLICATIONS AND POLICY OPTIONS.....	71
References	83
Selected UNCTAD publications on transnational corporations and foreign direct investment.....	91
Questionnaire	103

Boxes

1. Protection of the environment at the national level.....	13
2. The draft United Nations Code of Conduct on the issue of environment	19
3. The draft NGO Charter on Transnational Corporations	21
4. Multilateral environmental agreements	26
5. General exceptions and environmental measures in international trade disputes	27
6. Challenging environmental measures under NAFTA	33
7. The “pollution haven” hypothesis	37
8. Agenda 21: selected TNC-related provisions on the transfer of environmentally sound technologies	42

	Page
9. Agenda 21: selected references to TNC responsibilities with respect to environmentally sound management practices	51
10. The environmental chapter of the 2000 OECD Guidelines	54
11. ISO 14001 standards for environmental management systems	57
12. MIGA: investment guarantees and environmental assessment	61

Table

1. Interaction across issues and concepts	67
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