



Fundamental Considerations In Crossborder Investment The European View

Jay Lawrence Westbrook



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Institutional Investors in the New Financial Landscape H. J. Blommestein, Norbert Funke, Organisation for Economic Co-operation and Development, 1998 On title page OECD proceedings Country Risk in Global Financial Management Claude B. Erb, Campbell R. Harvey, Tadas E. Viskanta, 1997 **Documents** , 1997 **International Tax Aspects of Sovereign Wealth Investors** Richard Snoeij, 2018-04-18 An increasing number of States have entered the market looking to invest resources in foreign assets This emergence of States acting as investors managing the wealth of a nation and competing in the marketplace with private investors has attracted growing and wide attention This book is the first in depth analysis of the international tax aspects of sovereign wealth investors and serves as a comprehensive guide to designing tax policy from a source State perspective toward inbound sovereign wealth investment Drawing on a wide range of relevant sources including international instruments domestic tax legislation administrative practice international case law and the writings of highly qualified publicists the author fully addresses the following aspects of the subject the definition functions legal form governance home State tax status etc of sovereign wealth investors tax policy considerations and objectives i e neutrality equity and international attractiveness from a source State perspective vis vis foreign sovereign wealth investors and the potential impact of the sovereign immunity principle bilateral tax treaties and European Union law on source States ability to achieve these tax policy objectives in relation to foreign sovereign wealth investors The conceptual framework developed by the author will greatly assist source States in introducing new tax policy or in evaluating or reconsidering their existing tax policy vis vis foreign sovereign wealth investors In addition practitioners academics and home States of sovereign wealth investors will welcome this first authoritative analysis of an important but insufficiently understood subject in international tax *International Investment Agreements and EU Law* Tomas Fecak, 2016-09-25 The rapidly growing number of investors disputes with states and the approach of arbitral tribunals perceived by some whether rightly or not as being too investor friendly underlie a contentious debate about the need to strike a more effective balance between investors rights under international investment agreements IIAs and the right of states to pursue legitimate regulation in the public interest In this regard the European Union with the exclusive external competence in foreign direct investment vested in it under the Lisbon Treaty is emerging as the leader and driving force in the future development of international investment law This book examines the competence of the EU to conclude investment treaties in the light of the investment protection rules of IIAs explores how far the EU regime for cross border investment and investors rights under IIAs can be considered comparable and brings about an extensive analysis of existing agreements of Member States and their compatibility with EU law with detailed investigation of how the potentially conflicting obligations of Member States under the two regimes can be reconciled The book covers such elements of the debate as the following standards of treatment under IIAs investment related provisions of EU law dispute settlement mechanisms and the conduct of investment disputes how recent controversies over bilateral investment treaties BITs shape emerging EU international investment policy effect of political

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Public Opinion and the Making of Foreign Policy in the 'New Europe' Nathaniel Copsey, 2016-04-15 By drawing a new boundary between the EU and its eastern neighbours the European Union has since 1989 created a frontier that has been popularly described in the frontier states as the new Berlin Wall This book is the first comparative study of the impact of public opinion on the making of foreign policy in two Eastern European states on either side of the divide Poland and Ukraine Focusing on the vocal informed segment of public opinion and drawing on results of both opinion polls and a series of innovative focus groups gathered since the Orange Revolution Nathaniel Copsey unravels the mystery of how this crucial segment of the public impacts on foreign policy makers in both states He also takes a closer look at the business community and the importance of economic factors in forming public opinion The book presents a fresh approach to our understanding of how the public's view of the past influences contemporary politics

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The Deconstruction of Equity Wolf-Georg Ringe, 2016-05-27 New investment techniques and new types of shareholder activists are shaking up the traditional ways of equity investment that informs much of our present day corporate law and governance Savvy investors such as hedge funds are using financial derivatives securities lending transactions and related concepts to decouple the financial risk from shares This leads to a distortion of incentives and has potentially severe consequences for the functioning of corporate governance and of capital markets overall Taking stock of the different decoupling strategies that have become known over the past several years this book then provides an evaluation

of each from a legal and an economic perspective Based on several analytical frameworks the author identifies the elements of equity deconstruction and demonstrates the consequences for shareholders outside investors and capital markets On this basis the book makes the case for regulatory intervention based on three different pillars and comprising disclosure voting right suspension and ex post litigation The book concludes by developing a concrete comprehensive proposal on how to address the regulatory problem Overall this book contributes to the debate about activist investment and the role of shareholders in corporate governance At the same time it raises a number of important considerations about the role of equity investment more generally

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