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Second Edition

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Muchlinski, 2021-02-18 *Multinational Enterprises and the Law* is the only comprehensive contemporary and interdisciplinary account of the techniques used to regulate multinational enterprises MNEs at the national regional and multilateral levels In addition it considers the effects of corporate self regulation and the impact of civil society and community groups upon the development of the legal order in this area The book has been thoroughly revised and updated for this third edition making it a definitive reference work for students researchers and practitioners of international economic law business corporate and commercial law development studies and international politics Split into four parts the book first deals with the conceptual basis for MNE regulation It explains the growth of MNEs their business and legal forms and the relationship between them and the effects of a globalized economy and society now increasingly challenged by recently revived nationalist economic policies upon the evolution of regulatory agendas in the field In addition the limits of national and regional jurisdiction over MNE activities are considered a question that arises throughout the specialized areas of regulation covered in the remainder of the book Part II covers the main areas of economic regulation including controls over and the liberalization of entry and establishment tax company and competition law and the impact of intellectual property rights on technology diffusion and transfer A specialized chapter on the regulation of multinational banks in the wake of the global financial crisis is new to this edition Part III introduces the social dimension of MNE regulation covering labour rights human rights and environmental issues Finally Part IV deals with the contribution of international investment law to MNE regulation and to the control of investment risks covering the main provisions found in international investment agreements their interpretation by international tribunals the process of investor state arbitration and how concerns over these developments are leading to reform proposals

Multinational Enterprises and the Law Peter T. Muchlinski, 2007-07-12 *Multinational Enterprises and the Law* presents the only comprehensive contemporary and interdisciplinary account of the various techniques used to regulate multinational enterprises MNEs at the national regional and multilateral levels In addition it considers the effects of corporate self regulation upon the development of the legal order in this area Split into four parts the book firstly deals with the conceptual basis for MNE regulation explaining the growth of MNEs their business and legal forms the relationship between them and the effects of a globalising economy and society upon the evolution of regulatory agendas in the field Part II covers the main areas of economic regulation including the limits of national and regional jurisdiction over MNE activities controls and liberalization of entry and establishment tax and company and competition law Part III introduces the social dimension of MNE regulation covering labour rights human rights and environmental issues and Part IV deals with the contribution of international law and organizations to MNE regulation and to the control of investment risks covering the main provisions found in international investment agreements and their recent interpretation by international tribunals

Multinational Enterprises and the Law Peter Muchlinski, 2007 *Multinational Enterprises and the Law* presents the only comprehensive contemporary and interdisciplinary account of the various techniques used to regulate multinational enterprises MNEs at the national regional and multilateral levels In addition it considers the effects of corporate self regulation upon the development of the legal order in this area Split into four parts the book firstly deals with the conceptual basis for MNE regulation explaining the growth of MNEs their business and legal forms the relationship between them and the effects of a globalising economy and society upon the evolution of regulatory agendas in the field Part II covers the main areas of economic regulation including the limits of national and regional jurisdiction over MNE activities controls and liberalization of entry and establishment tax and company and competition law Part III introduces the social dimension of MNE regulation covering labour rights human rights and environmental issues and Part IV deals with the contribution of international law and organizations to MNE regulation and to the control of investment risks covering the main provisions found in international investment agreements and their recent interpretation by international tribunals

Energy Law and the Sustainable Company Patricia Park, Duncan Magnus Park, 2016-04-28 What kind of decision making should multinationals engage in to create a sustainable company There is substantial debate over why CEOs senior management and Boards of Directors make the wrong decisions by not asking the right questions with the result that not only is the company itself damaged but all of the stakeholders find themselves at a detriment Focusing on innovation technology transfer and the use of intangible assets *Energy Law and the Sustainable Company* features case studies from the oil and gas sector to illustrate how to develop a sustainable business Considering corporate social responsibility from the perspective of international and national law the book demonstrates how companies can be both profitable and ethical using the influences of psychology to encourage senior decision makers to make the right decisions It was revealed that reputation was the main principle influencing decision making The book also discusses how companies have reported on their sustainability strategy and considers how technology transfer and intangible assets may play a part in addressing global sustainability This book should be invaluable reading to students and scholars of Sustainable Business Business Law Corporate Social Responsibility Environmental and Energy Law as well as Environmental and Energy Management

Legal treatment standards for international investments. Heuristic aspects Cristina-Elena Popa Tache, 2021-06-18 Discussing the standards of legal treatment for international investment means subjecting the law branch in its entirety to research Representing the most comprehensive part of particular importance for international investment law treatment standards continue to generate a series of differentiations whose understanding and approach often require the analysis of the starting points that led to the emergence by division of this branch of law International investment treatment standards represent or should represent the direct effect of the principles of international investment law thus being their expression with a pronounced logical affinity between them Specifically they are not confused with the principles but they are the practical reflection at the level of rights

and obligations applicable to the performers in this field in the highlight of the theoretical practical aspect having a customary origin as well as the principles underlying their development Following this logic and analyzing the situation of the latest investment treaties it turns out that there is an insufficiency in the preponderance of treatment standards compared to the principles much more numerous and constantly expanding of this field of law The specificity of this branch of law consists in the emphasis on its fundamental concepts essentializing what determines the whole being considered as a science of essentialization and ultimately the role of any method of scientific research is to analyze discover and highlight what this branch of law represents as a whole what determines it the connections of this ensemble with other sciences the composition and structuring of the system and the substantiation of the connections between its components The standards of legal treatment of international investments settled with the individualization of international investment law Their appearance took place gradually depending on the path marked by the stages of emergence and evolution of the legal regime of foreign investment from the legal phenomenon to the branch of law from trade in general to foreign investment in particular In all of this legal scientific research plays a key role because any codification activity must be scientifically substantiated Any codification policy must ensure a balance between the diachrony and the synchrony of international investment law between the dynamics and the statics of this law A complete analysis of the treatment standards of international investments can be performed only by a close correlation because the singular existence of a standard specific to this field is excluded from the start The importance of establishing and existence of eloquent and integrated treatment standards is a condition for survival under international economic crises The main feature of this monograph is to present the subject in a way that is as easy to understand as possible to study and apply such rules being a very useful and valuable material for students masters doctoral students theoreticians and practitioners

Gender, Law and Justice in a Global Market Ann Stewart, 2011-08-25 Theories of gender justice in the twenty first century must engage with global economic and social processes Using concepts from economic analysis associated with global commodity chains and feminist ethics of care Ann Stewart considers the way in which gender contracts relating to work and care contribute to gender inequalities worldwide She explores how economies in the global north stimulate desires and create deficits in care and belonging which are met through transnational movements and traces the way in which transnational economic processes discourses of rights and care create relationships between global south and north African women produce fruit and flowers for European consumption body workers migrate to meet deficits in affect through provision of care and sex British Asian families seek belonging through transnational marriages

Law in the Pursuit of Development Amanda Perry Kessaris, 2009-12-16 Law in the Pursuit of Development critically explores the relationships between contemporary principles and practice in law and development Including papers by internationally renowned as well as emerging scholars and practitioners the book is organized around the three liberal principles which underlie current efforts to direct law towards the pursuit of development

First that the private sector has an important role to play in promoting the public interest second that widespread participation and accountability are essential to any large scale enterprise and third that the rule of law is a fundamental building block of development This insightful and provocative collection in which contributors critique both the principles and efforts to implement them in practice will be of considerable interest to students academics and practitioners with an interest in the fields of law and development international economic law and law and globalization Foreign Investment in the Sultanate of Oman Moosa Salim Jabir Al Azri,2021-10-11 No detailed description available for Foreign Investment in the Sultanate of Oman **The Routledge Handbook of Environmental Justice** Ryan Holifield,Jayajit Chakraborty,Gordon Walker,2017-09-14 The Routledge Handbook of Environmental Justice presents an extensive and cutting edge introduction to the diverse rapidly growing body of research on pressing issues of environmental justice and injustice With wide ranging discussion of current debates controversies and questions in the history theory and methods of environmental justice research contributed by over 90 leading social scientists natural scientists humanists and scholars from professional disciplines from six continents it is an essential resource both for newcomers to this research and for experienced scholars and practitioners The chapters of this volume examine the roots of environmental justice activism lay out and assess key theories and approaches and consider the many different substantive issues that have been the subject of activism empirical research and policy development throughout the world The Handbook features critical reviews of quantitative qualitative and mixed methodological approaches and explicitly addresses interdisciplinarity transdisciplinarity and engaged research Instead of adopting a narrow regional focus it tackles substantive issues and presents perspectives from political and cultural systems across the world as well as addressing activism for environmental justice at the global scale Its chapters do not simply review the state of the art but also propose new conceptual frameworks and directions for research policy and practice Providing detailed but accessible overviews of the complex varied dimensions of environmental justice and injustice the Handbook is an essential guide and reference not only for researchers engaged with environmental justice but also for undergraduate and graduate teaching and for policymakers and activists Sustainable Ocean Resource Governance Markus Kotzur,Nele Matz-Lück,Alexander Proelss,Roda Verheyen,Joachim Sanden,2018-01-03 In Sustainable Ocean Resource Governance an international group of eminent authors offer perspectives on the legal interface between sustainable economic growth effective marine resource management and urgent environmental protection of the sea by addressing three key issues deep sea mining marine energy generation and seabed pipeline and cable systems In light of the sectoral nature of current ocean governance and the existing patchwork of management arrangements for the oceans this book gives insights in search for a coherent and consistent sustainability approach **International Legal Materials** ,2007-05 **Hukum investasi** Dr. Mas Rahmah, S.H., M.H., LL.M.,2020-02-01 Investasi sebagai salah satu bagian penting dalam aktivitas perekonomian modern belakangan ini telah berkembang pesat seiring dengan meningkatnya perkembangan

teknologi dan ilmu pengetahuan Untuk itu dari segi hukum para pelaku investasi atau pihak yang tertarik untuk terjun dalam kegiatan investasi harus memahaminya dengan benar agar investasi yang dilakukannya tidak melanggar hukum sehingga merugikan diri sendiri dan pihak lain Buku ini yang dibagi menjadi 10 bab memberi gambaran mengenai regulasi investasi secara lengkap dan komprehensif dan berbagai aspek investasi yang dinamis mulai dari pengenalan dasar hukum investasi teori teori investasi prinsip investasi internasional dan prinsip investasi dalam negeri kebijakan dalam bidang investasi yang meliputi kebijakan investasi secara umum dan kebijakan investasi di Indonesia bentuk usaha dan kerja sama investasi bidang usaha untuk kegiatan investasi analisis fasilitas insentif dan jaminan dalam kegiatan investasi hak dan kewajiban investor berikut sanksi persoalan perizinan investasi dan penyelesaian sengketa investasi Buku ini diharapkan tidak hanya bermanfaat sebagai buku pegangan dasar mahasiswa yang menempuh matakuliah Hukum Investasi melainkan juga menjadi referensi yang dapat dimanfaatkan oleh masyarakat luas yang tertarik mendalami Hukum Investasi Buku persembahkan

penerbit PrenadaMediaGroup *International Arbitration and International Commercial Law* Stefan Kröll, 2011-04-26 Over the last half century as UNCITRAL official professor arbitrator and father of the Willem C Vis Arbitration Moot Eric Bergsten has been at the forefront of progress in international commercial arbitration Now on the occasion of his eightieth birthday the international arbitration and sales law community has gathered to honour him with this substantial collection of new essays on the many facets of the field to which he continues to bring his intellect integrity inquisitive nature eye for detail precision and commitment to public service Celebrating the long standing and sustained contribution Eric Bergsten has made in international commercial law international arbitration and legal education more than fifty colleagues among them quite a few of the best known arbitrators and arbitration academics in the world present 45 pieces that individually both engaging and incisive collectively present a thorough and far reaching account of the state of the field today with contributions covering international sales law commercial law commercial arbitration and investment arbitration In addition nine essays on issues in legal education mirror the great importance of the renowned Willem C Vis International Commercial Arbitration Moot Eric s Vienna project which has offered a life changing experience for so many young lawyers from all over the world The Routledge Companion to Tax Avoidance Research Nigar Hashimzade, Yuliya Epifantseva, 2017-10-02 An inherently interdisciplinary subject tax avoidance has attracted growing interest of scholars in many fields No longer limited to law and accounting research increasingly has been conducted from other perspectives such as anthropology business ethics corporate social responsibility and economic psychology This was recently stimulated by politicians mass media and the public focussing on tax avoidance after the global financial and economic crisis put a squeeze on private and public finances New challenges were posed by changing definitions and controversies in the interpretation of tax avoidance concept as well as a host of new rules and policies that need to be fully understood This collection provides a comprehensive guide to students and academics on the subjects of tax avoidance from an interdisciplinary perspective exploring the areas of

accounting law economics psychology and sociology It covers global as well as regional issues presents a discussion of the definition legality morality and psychology of tax avoidance and provides guidance on measurement of economic effect of tax avoidance activities With a truly international selection of authors from the UK North America Africa Asia Australasia Middle East and continental Europe with well known experts and rising stars of the field the contributors cover the entire terrain of this important topic The Routledge Companion to Tax Avoidance Research is a ground breaking attempt to bring together scholarly research in tax avoidance offering rigorous academic analysis of an important and hotly debated issue in a structured and balanced way *Routledge Library Editions: Multinationals* Various Authors,2022-07-30 The volumes in this set originally published between 1955 and 1993 draw together research by leading academics in the area of multinationals and provides a rigorous examination of related key issues The volumes examine foreign investment and currency translation environmental control issues and the impact of multinationals on the British economy This set will be of particular interest to students of business studies *The Impact of Tax Treaties and EU Law on Group Taxation Regimes* Bruno da Silva,2016-07-11 Should the income of a corporate group be taxed differently solely because the traditional structure of the income tax system considers each company individually Taxation affects business decisions including location the form in which business is carried out and the efficient allocation of company resources Disparities differences arising from the interaction of different tax systems and obstacles distortions created by domestic legislation arising from differences between domestic and cross border situations both become more acute when a business chooses to set up or acquire other companies thus forming a group usually operating in multiple jurisdictions Responding to such ever more common developments this book is the first in depth analysis of how tax treaties and EU law influence group taxation regimes Among the issues and topics covered are the following analysis of the different tax group regimes adopted by different countries advantages and disadvantages of a variety of models application of the non discrimination provision of Article 24 of the OECD Model Tax Convention to group taxation regimes application of the fundamental freedoms of the TFEU to group taxation regimes following the three step approach adopted by the EU Court of Justice uncertainty raised by the landmark Marks interrelations between tax treaties and EU Law in the context of tax groups and per element approach The analysis considers concrete examples as well as relevant case law With its analysis of the standards required by the two sets of norms tax treaties and EU law and their interaction particularly in terms of non discrimination this book sheds clear light on ways to overcome the disparities and obstacles inherent in group taxation regimes As a thorough survey of the extent to which the interpretation of tax treaties and EU law affect group taxation regimes this book has no peers All taxation professionals whether working in EU Member States or in EU trading partners will appreciate its invaluable insights and guidance *Transnationale Unternehmen als Friedensstifter: Eine Analyse zur Corporate Security Responsibility* Alen Bosankic,2014-10-01 Können Privatunternehmen einen Beitrag zu Frieden und Sicherheit in Konfliktregionen leisten Falls ja

gibt es bestimmte Voraussetzungen dafür Besteht ein Zusammenhang zwischen diesen und dem privatwirtschaftlichen Beitrag Ziel von Alen Bosankic ist es Wege für unternehmerische Beiträge zu Frieden und Sicherheit in Konfliktgebieten aufzuzeigen die auf Selbstgovernance gründen Basierend auf einem Sample von 39 Unternehmen und unter Zuhilfenahme der Multi Value Qualitative Comparative Analysis werden unterschiedliche Unternehmensbeiträge untersucht Die theoretischen Annahmen basieren auf dem Modell der Corporate Security Responsibility einem neuartigen sicherheitsfokussierten Ansatz der Corporate Social Responsibility Bosankic beleuchtet systematisch die Wechselwirkung zwischen öffentlichem und privatem Sektor im Kontext der Global Governance und schlägt eine Brücke zwischen der Global Governance Forschung einerseits und der Konfliktforschung andererseits Die Studie zeigt dass Unternehmen unter bestimmten Rahmenbedingungen einen wichtigen Beitrag für Frieden und Sicherheit in Konfliktregionen leisten können *Transnational Corporations* Arghyrios A. Fatouros,1994 **Corporate Liability for Transboundary Environmental Harm** Peter Gailhofer,David Krebs,Alexander Proelss,Kirsten Schmalenbach,Roda Verheyen,2022-11-14 This open access book aims to elaborate on the legal prerequisites to establish the liability of corporations for transboundary environmental harm not only by identifying existing liability rules principles and standards but also by analysing their potential for further legal development The authors consider international and transboundary liability law to currently be an underutilised tool for international environmental protection The book seeks to address this by exploring what is needed in terms of legislative action and identifying options for judicial liability thereby providing an important legal contribution in furthering the development of an effective international and transnational environmental liability law regime

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