

ASEAN INVESTMENT TREATIES, RCEP, AND CPTPP: REGIONAL STRATEGIES, NORMS, INSTITUTIONS, AND POLITICS

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Abstract: Southeast Asia attracts foreign investment more rapidly than elsewhere in the world, including China. Southeast Asia's evolving regional strategies, norms, institutions, and politics for investment governance should be of considerable interest to global decision-makers. This Article compares evolving investment treaty strategies and norms between the regional investment treaties of: (1) the Association of Southeast Asian Nations ("ASEAN"); (2) the latest draft investment chapter of the China-led sixteen-member Regional Comprehensive Economic Partnership ("RCEP"), to which all ten ASEAN Member States are also negotiating parties; and (3) some features of the current draft investment chapter for the Trans-Pacific Partnership (now renamed the Comprehensive and Progressive Agreement for Trans-Pacific Partnership ("CPTPP")).

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东盟投资条约，区域全面经济伙伴关系和全面与进步跨太平洋伙伴关系协定：地区性战略、规范、机构和地区政治

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摘要：包括中国在内，东南亚吸引外资的速度超过世界其他地区。东南亚不断演变的投资治理地区战略，规范，制度和政治应该对全球决策者有相当大作用与意义。本文比较了以下不同地区投资条约间的投资条约战略和规范：（1）东盟(“ASEAN”)；（2）中国领导的十六个成员区域全面经济伙伴关系(“RCEP”)的最新投资章节，其中所有十个东盟成员国也是谈判缔约方；（3）跨太平洋伙伴关系(现在更名为“跨太平洋伙伴关系综合进步协议”(“CPTPP”))目前投资章节的一些特征。

TRATADOS DE INVERSIÓN DE LA ASEAN, PECR Y CPTPP: ESTRATEGIAS REGIONALES, NORMAS, INSTITUCIONES Y POLÍTICA

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Abstracto: El sudeste asiático atrae más rápido la inversión extranjera que en otras partes del mundo, incluyendo a China. La evolución de las estrategias regionales, las normas, las instituciones y las políticas para la gobernanza de las inversiones deberían ser de gran interés para los responsables mundiales de la toma de decisiones. Este artículo compara la evolución de las estrategias de tratados de inversión y las normas entre los tratados de inversión regional: (1) la Asociación de Naciones del Sudeste Asiático ("ASEAN"); (2) el último proyecto del capítulo de inversión del Partenariado Económico Comprehensivo Regional de dieciséis miembros ("PECR"), en la cual los diez Estados miembros de la ASEAN también están negociando; y (3) algunas características del proyecto actual del capítulo de inversiones para la Asociación Trans-Pacífica (ahora renombrado como el Acuerdo Integral, Comprehensivo y Progresivo de la Alianza Transpacífica ("CPTPP")).

ASEAN 투자 조약, RCEP 및 CPTPP: 지역 전략, 규범, 기관 및 정치

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초록: 동남아시아는 중국을 포함해서 세계 어느 곳보다 더 빠르게 외국인 투자를 유치한다. 동남아시아의 발달하고 있는 투자 관리를 위한 지역 전략, 규범, 기관 및 정치는 전 세계 결정자들이 주목해야 할 부분이다. 이 글은 발달하고 있는 투자 조약 전략 및 규범을 다음의 지역 투자 조약들과 비교한다: (1) 동남아 국가 연합 ("ASEAN"); (2) ASEAN의 모든 10개 회원국이 협상 중인 중국이 주도하는 역내포괄적경제동반자협정("RCEP")의 최근 투자 조항 초안; (3) 환태평양경제동반자협정 (이제는 포괄적 점진적 환태평양경제동반자협정 ("CPTPP"))의 현재 투자 조항 초안의 몇 가지 특징.