Organizing for Alternatives: Redesigning Investment Governance

October 12, 2021

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Date: Thursday, October 14, 2021

Time: 8.00am - 10.30am

The scramble for foreign direct investment (FDI) is often driven by promises that investment liberalization will lead to increased investment, and increased investment will in turn lead to economic growth, job creation, technology transfer, and a range of other purported benefits. Yet empirical studies demonstrate that conclusion of IITs does not cause increased FDI inflows. Moreover, existing investments have had far-reaching negative impacts — including environmental and human rights impacts — on host states and their populations. Current approaches to investment governance have also exacerbated and entrenched inequality, providing outsized benefits to investors along with privileged routes to remedy through investor-state dispute settlement (ISDS) for alleged breaches of those protections.

Given this reality, many stakeholders — including civil society organizations (CSOs), policymakers, and academics — have advanced alternatives to current approaches to international investment governance. Which alternatives are most suitable to specific national and regional contexts, considering specific political, legal and other barriers? Which strategies should be pursued to advance a redesign of investment governance to align it with Agendas 2030, 2063, and with climate and human rights obligations and objectives? How do we transform alternatives from ideas on paper to realities in practice? How can we establish or strengthen cross-regional coalitions to advance the redesign of international investment governance?

To explore these and related questions, the Columbia Center on Sustainable Investment (CCSI), the Open Society Initiative for West Africa (OSIWA), Southern and Eastern Africa Trade Information and Negotiations Institute (SEATINI) -Uganda and AfronomicsLaw.org are organizing a virtual discussion and strategy meeting. Meeting objectives include:

1. To provide a platform for CSOs in Africa working on investment-related matters to discuss the changing international investment governance landscape and to explore connections between redesign of the international investment regime and their work;
2. To identify policy options for the redesign of current approaches to investment governance to advance sustainable development, human rights and climate objectives; and
3. To share experiences regarding effective strategies for pursuing alternatives to existing approaches to investment governance at national, regional, and international levels (considering political, legal, and other barriers).

Introduction:

- **Mohamed Sultan** , Program Manager, Open Society Initiative for West Africa (OSIWA)
- **Africa Kiiza**, Consulting Research Fellow, Columbia Center on Sustainable Investment (CCSI)

Facilitator:

- **Africa Kiiza**, Consulting Research Fellow, Columbia Center on Sustainable Investment (CCSI)

Panelists:

- **Brenda Akankunda**, Program Officer, Investment for Sustainable Development, SEATNI-Uganda
- **Chenai Makumba**, Policy Research and Advocacy Manager, Tax Justice Network Africa
- **Jane Nalunga**, Executive Director, SEATINI-Uganda
- **James Thuo Gathii**, Professor of Law and the Wing-Tat Lee Chair in International Law, Loyola University Chicago Law School
- **Leila Kituyi**, Manager, Legal & Corporate Governance, African Tax Administration Forum (ATAF)
- **Martin Dietrich Brauch**, Senior Legal and Economics Researcher, Columbia Center on Sustainable Investment (CCSI)
- **Olabisi D. Akinkugbe**, Assistant Professor and the Viscount Bennett Professor of Law, Schulich School of Law, Dalhousie University

Co-organized by:

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Provided by Afronomicslaw