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CENTRE FOR INTERNATIONAL LAW
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INVESTMENT TREATIES AND NATIONAL GOVERNANCE

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- Background
- Research Question
- Methodology
- Theoretical Framework
- Country Case Studies

BACKGROUND

- Literature on Investment Treaties:
 - Increase Foreign Investments
 - Improve Rule of Law and Governance
- General International Law Literature:

“Almost all nations observe almost all principles of international law and almost all of their obligations almost all the time” (Louis Henkin, *How Nations Behave* (1979))

Is that so?

GOOD REASONS TO BE SKEPTICAL

1. Lack of empirical studies
2. Wide range of actors and sectors within the state whose actions can cause violations
3. Low resources and capacity in host countries

RESEARCH QUESTIONS

1. **Internalization:** How do states internalize their international treaty obligations? What factors (for better or worse) affect internalization?
2. **Spill Over:** What effect do international treaties have on the rule of law and governance?

THE CONCEPT OF INTERNALIZATION

- Processes and measures by which the state's international legal obligations are taken in/considered by the three branches of government (**executive**, legislative and courts) when making policies, regulations etc.
- Internalization is about what the state does after treaty ratification within the “black box” to ensure compliance with and prevent violations of its international obligations.

THE CONCEPT OF SPILL OVER

- **Positive Spill Over:** Stimulating Good Governance
- **Negative Spill Over:** Hindering Good Governance through Regulatory Chill

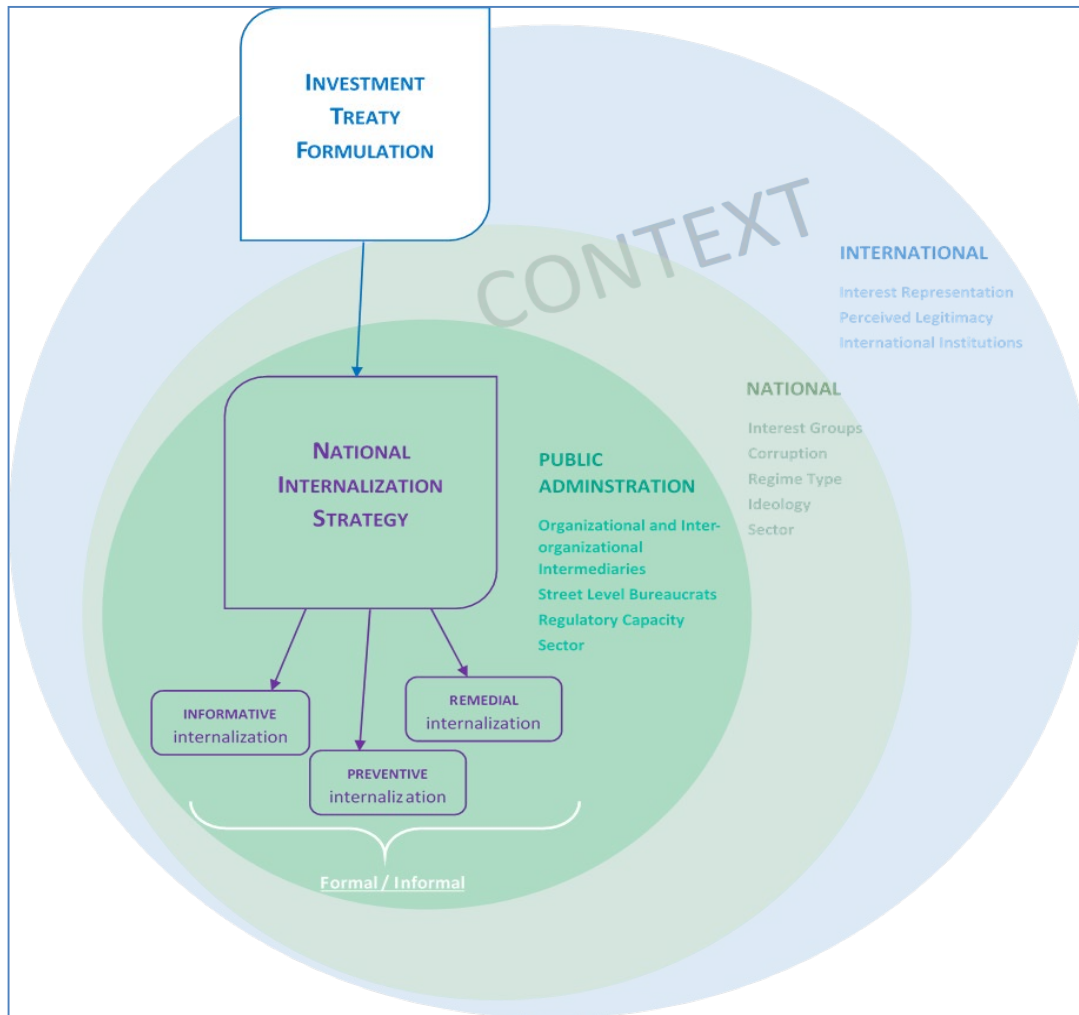
METHODOLOGY



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- Country Case Studies
 - India
 - Indonesia
 - Myanmar
 - Singapore
 - South Korea
 - Sri Lanka
 - Thailand
 - Vietnam

THE INTERNALIZATION MODEL



CASE STUDIES – MAIN FINDINGS SO FAR



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THANK YOU