

Investment Policy of the European Union - protection of foreign direct investment

Abstract

One of the changes brought about by the Lisbon Treaty is the explicit inclusion of foreign direct investment and its protection in the common commercial policy of the European Union. This is one of the areas of exclusive competence of the EU. The European Union has subsequently stated negotiating bilateral agreements governing, inter alia, investment issues. However, it has not been spared from controversy and negative publicity that has been accompanying especially the TTIP and the CETA. This work aims to analyse the investment policy of the EU and mutual interaction of its institutions with the Member States and third parties. After general introduction to the topic of international investment law and EU law (chapters II. and III.), it is devoted to the issue of protection of foreign investment in the internal market. Its regime is then compared with the BIT regime (chapter IV.). Attention is then focussed towards the EU's external relations in the field of investment protection. Its competence is subjected to further analysis (chapter V.) and current results of efforts of the Commission and the EU as such are also discussed (chapter VI.). It is so in the light of possible impacts of foreign investment in terms of protection of human rights and environment in the host State.