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(licensing)<sup>1</sup> (franchising)<sup>2</sup>

19 (2010).

2002). (Moosa 1980

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<sup>1</sup> (licensing) (the licensor) (leceñee), (2003).

<sup>2</sup> (franchising)

(Guidelines for Multinational Enterprises 2011).

( 2010).

Coca-Cola, Nestle, Toyota, Bayer . . .

(Moosa 2002).

(Guidelines for Multinational Enterprises 2011).



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(Moosa 2002).

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(Benchmark Definition of Foreign Direct Investment 4th ed, OECD 2008).

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(Balance of Payments and International Investment Position Manual, 6th ed. 2009).

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<sup>3</sup> : μ μ (OECD : Organization for Economic Cooperation and Development).

<sup>4</sup> : μ μ μ (IMF : International Monetary Fund).



(franchise).  
 10%  
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 5th ed, IMF 1993).

(Benchmark Definition of Foreign  
 Direct Investment 4th ed, OECD 2008).

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<sup>6</sup>  
 (OECD glossary part of OECD Benchmark 2008).















in Developing Countries: Determinants and Impact 2001),

(Foreign Direct Investment in Developing Countries: Determinants and Impact 2001).

(Dunning and Lundan 2008).

(Growth, Technology Transfer and FDI 2001)





(Growth, Technology Transfer and FDI 2001).

(Foreign Direct Investment in Developing Countries: Determinants and Impact 2001).

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(Lall and Streeten 1977).

(Moosa 2002).

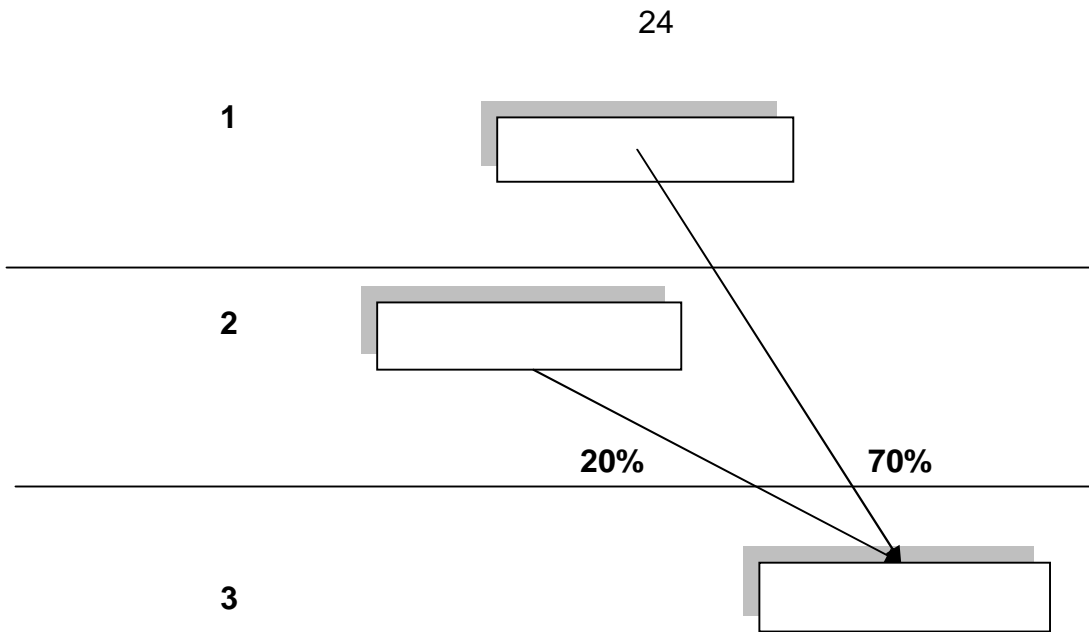
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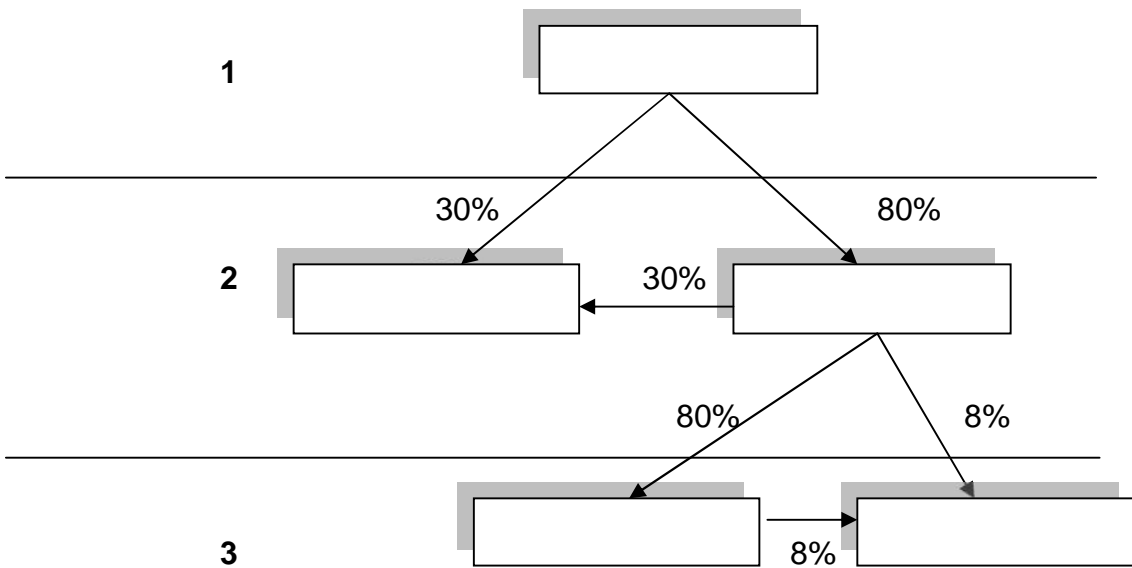




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(Benchmark Definition of Foreign Direct Investment 4th ed, OECD 2008).

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(Benchmark Definition of Foreign Direct Investment 4th ed, OECD 2008).















The figure illustrates the impact of trade policy measures on trade flows, particularly focusing on the years 2009 and 2016. The chart shows the relative importance of different trade barriers over time. The measures include Tariff changes, Trade defense, and Non-tariff barriers. The data points for 2009 and 2016 are highlighted, showing a general trend where Non-tariff barriers have become more significant, while Trade defense has decreased.

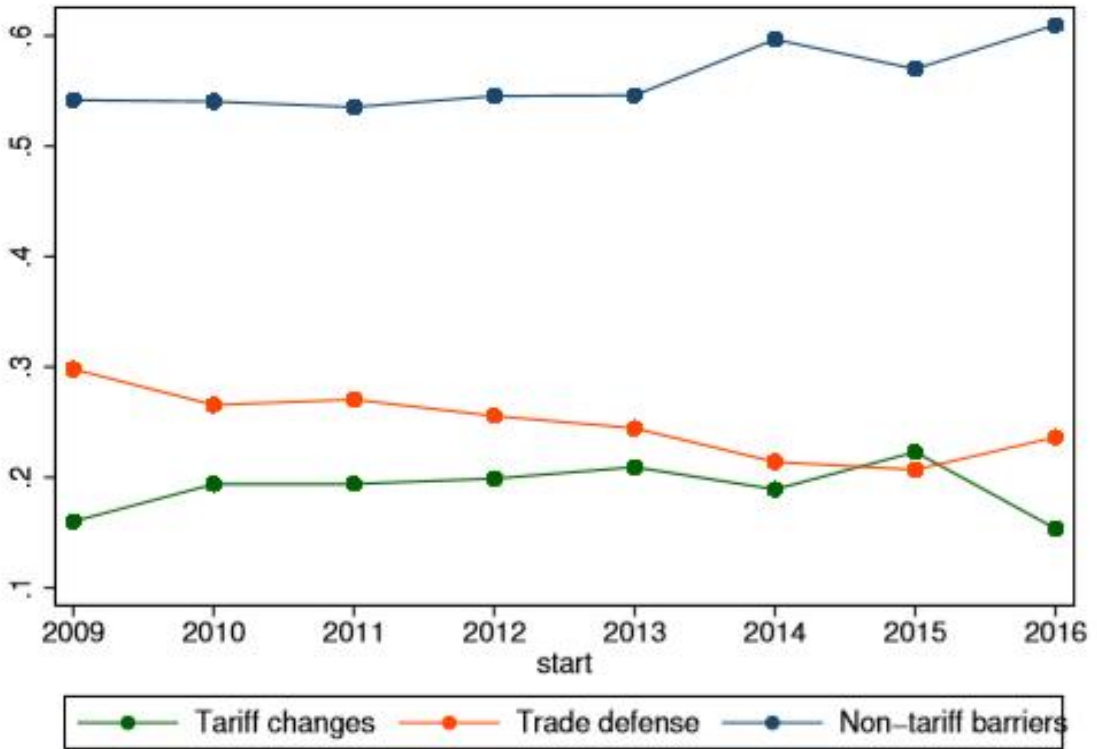


Figure 5: The impact of trade policy measures on trade flows (Yalcin, Felbermayr & Kinzious 2017).

Tariff changes	
<b>Tariff changes</b>	
Trade defense measures	
<b>Trade defense measures</b>	
Anti-circumvention	
Anti-dumping	
Anti-subsidy	
Safeguard	
Non-tariff barriers	
<b>Import controls</b>	<b>Localisation policy</b>
Import ban	Local operations
Import incentive	Local sourcing
Import licensing requirement	Localisation incentive
Import monitoring	
Import quota	<b>Capital controls and exchange rate policy</b>
Import tariff quota	Competitive depreciation
Import-related non-tariff measure, nes	Price stabilisation
Internal taxation of imports	
Trade balancing measure	<b>Other instruments</b>
Trade payment measure	Instrument unclear
	Sanitary and phytosanitary measure
	Technical barrier to trade
<b>State aid and subsidies</b>	<b>Export controls</b>
Bailout (capital injection or equity participation)	(not included in estimation sample, only descriptives)
Financial assistance in foreign market	Export subsidy
Financial grant	Other export incentive
In-kind grant	Tax-based export incentive
Interest payment subsidy	Trade finance
Loan guarantee	Export ban
Production subsidy	Export licensing requirement
State aid, nes	Export quota
State loan	Export tax
Tax or social insurance relief	Export-related non-tariff measure, nes
<b>Public procurement policy</b>	
Public procurement access	
Public procurement localisation	
Public procurement preference margin	

1 :

$\mu$  (Yalcin, Felbermayr and Kinzius 2017)

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Market Access S/L/92 (Article XVI of GATS Agreement) 2001), (UNCTAD, World Investment Report 2019)

GATS (Limitations on















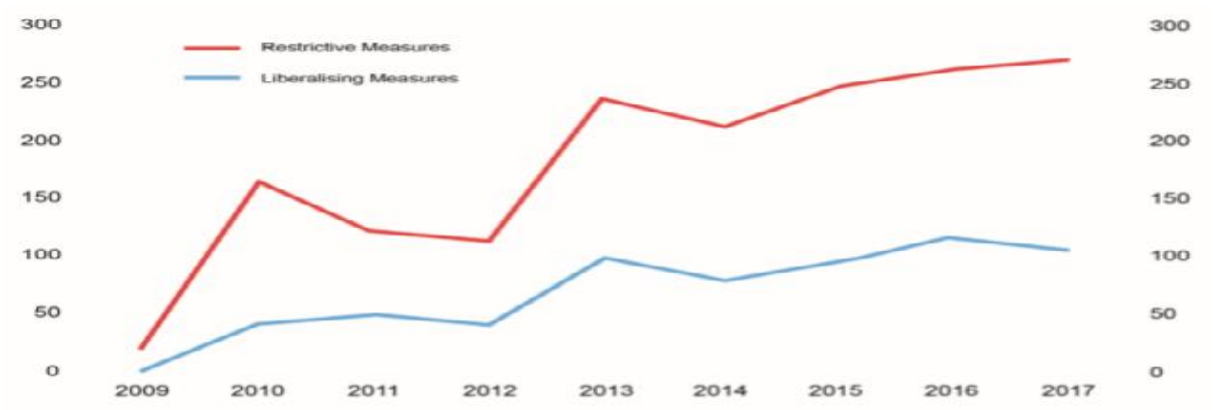


Figure 7: Trade Alerts by Type, 2009-2017. (Global Trade Alert 2019)

Trade Alerts are defined as any measure that is likely to have a significant impact on international trade. They are classified into three categories: Tariff changes, Trade defense, and Non-tariff barriers.

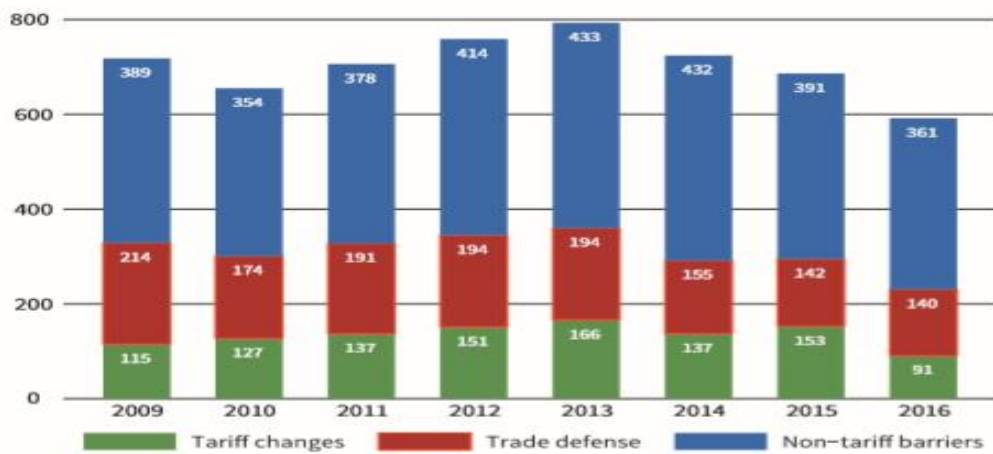


Figure 8: Trade Alerts by Type, 2009-2016. (Global Trade Alert 2019)<sup>22</sup>

Trade Alerts are defined as any measure that is likely to have a significant impact on international trade. They are classified into three categories: Tariff changes, Trade defense, and Non-tariff barriers. (Wajda-Lichy 2014).

<sup>22</sup> Global Trade Alert (WTA) 2008,

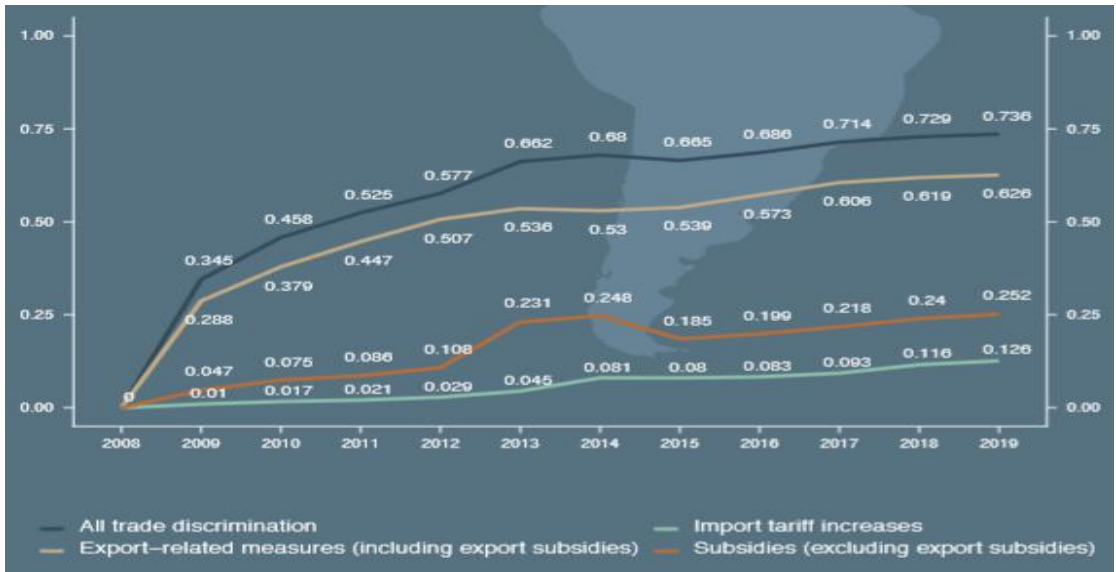


Figure 9: Trade measures from 2008 to 2019 (Evenett and Fritz 2019). The chart shows a general upward trend in trade measures, with 'All trade discrimination' reaching the highest level of 0.736 by 2019. 'Export-related measures' and 'Subsidies' also show significant growth, while 'Import tariff increases' remain the lowest category throughout the period.

(Yalcin, Felbermayr and Kinzius 2017), Figure 10: Trade alerts from 2009 to 2016. The bar chart shows a steady increase in trade alerts, starting at 389 in 2009 and rising to 2421 in 2016. This indicates a growing number of trade-related disputes or concerns over the period.

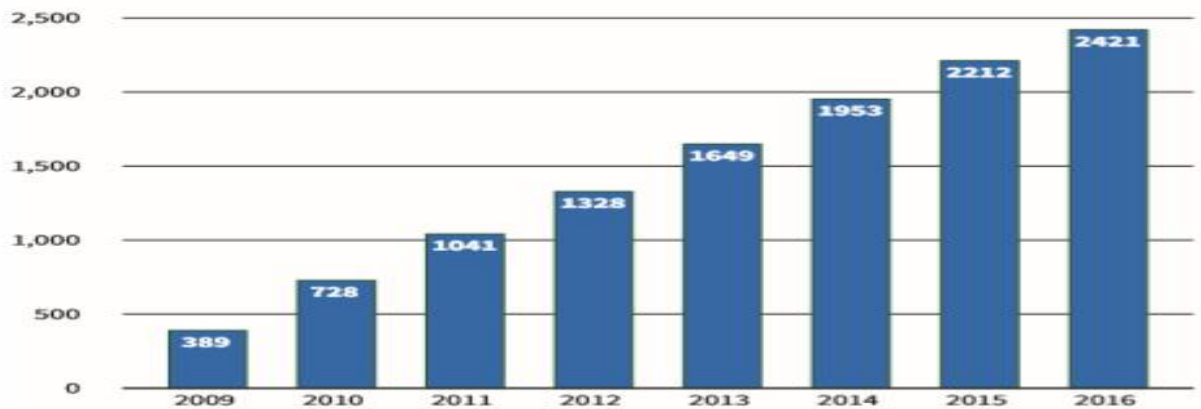


Figure 10: Trade alerts from 2009 to 2016. (Global Trade Alert 2019). The chart shows a consistent year-over-year increase in trade alerts, with a particularly sharp rise in 2016. This suggests a growing reliance on trade alert mechanisms to address trade-related issues.



	WTO	Global Trade Alert	World Bank Overall Trade Restrictiveness Index	World Bank Services Trade Restrictiveness Index	OECD Services Trade Restrictiveness Index	OECD/ UNCTAD joint investment reports	OECD FDI restrictiveness index	The European Commission	USTR
<b>Geographic coverage</b>	G20 plus another wider selection of 87 WTO members	Global (233 economies). Reports focus on G20.	78 countries	109 countries	40 countries	G20	58 countries (34 OECD member states and 24 non-member states)	31 EU trade partners	62 economies (with the EU treated as one)
<b>Unit of measure</b>	Number of "trade restrictive measures"	Number of discriminatory measures	Hypothetical unitary tariff level	Index (0 to 100)	Index (0 to 1)	Number of measures that discriminate against foreign investors or restrict capital movement	Index (0 to 1)	Number of "potentially trade-restrictive measures"	None, only treats countries individually
<b>Time span</b>	Since 2008	Since 2008	2008, 2009	Collected 2008-2010	2014 and 2015	Since 2008	Since 2000	Since 2008	Since 1985
<b>Type of cross-border economic flows covered</b>	Goods	Goods, services, FDI, migration	Goods	Services, FDI and movement of persons	Services, FDI and movement of persons	FDI, capital movement not related to FDI	FDI, movement of capital, movement of persons	Goods, services and investment	Goods, services, investment, electronic commerce
<b>Types of measures covered</b>	Tariffs and NTBs affecting trade in goods	All government measures discriminating against foreign commercial interests	Tariffs and 30 types of NTBs	Restrictions on services, FDI for and movement of persons for high-skilled personnel.	Restrictions on services and the movement of persons, barriers to competition. Regulatory transparency	Measures that discriminate between foreign and domestic investors, restrictions on capital movement.	Foreign equity restrictions, screening and approval, restrictions on foreign key personnel, other operational restrictions	Tariffs, NTBs, subsidies, services and investment barriers	Tariffs, NTBs, subsidies, barriers to services and investment, lack of IPR, anti-competitive practices, bribery and corruption
<b>Approach to protectionism according to 1-6 in section 2.2</b>	Set of policy instruments (1)	Discrimination (5)	Trade restrictive-ness (4)	Trade restrictive-ness + discrimination (4,5)	Trade restrictive-ness, discrimina-tion, market distortion (4,5 and 6)	Restrictiveness and discrimina-tion (4,5)	Discrimination (5)	Trade restrictive-ness discrimina-tion, market distortion (4,5,6)	Trade restrictive-ness, discrimina-tion, market distortion, absence of good govern-ance, absence of IPR. (4,5,6,+).
<b>Focus on both deep (behind-the-border) and shallow (MA) measures</b>	No	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes

### 3 : (Protectionism in the 21st Century 2016)

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(Abboushi 2010).

<sup>24</sup>  
(Abboushi 2010)

(Coughlin, Chrystal and Wood 1988),

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(Costs and Benefits of Protection, OECD 1985) :

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(Abboushi 2010).

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and Mistura 2017).

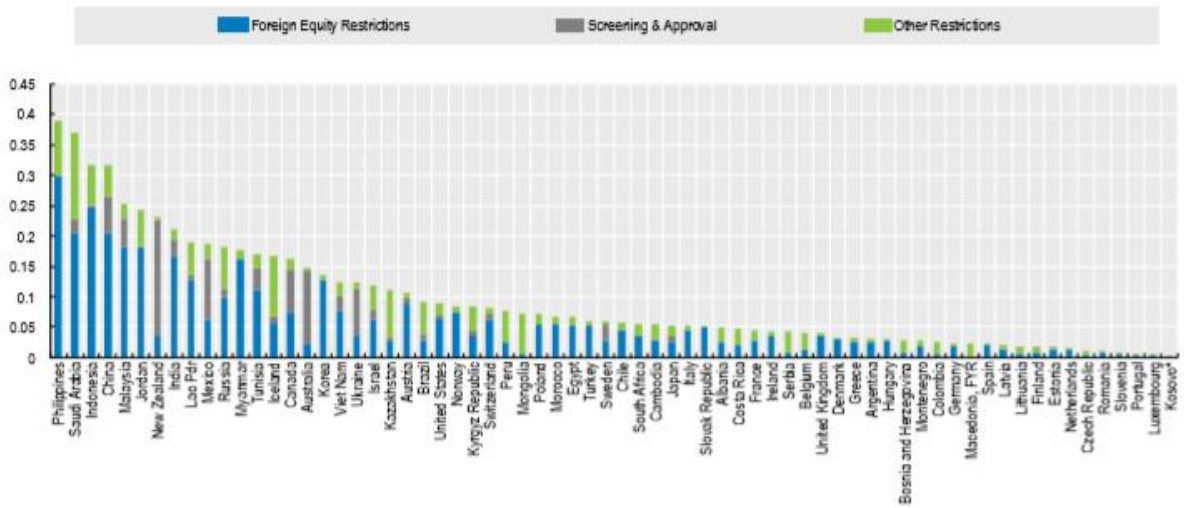
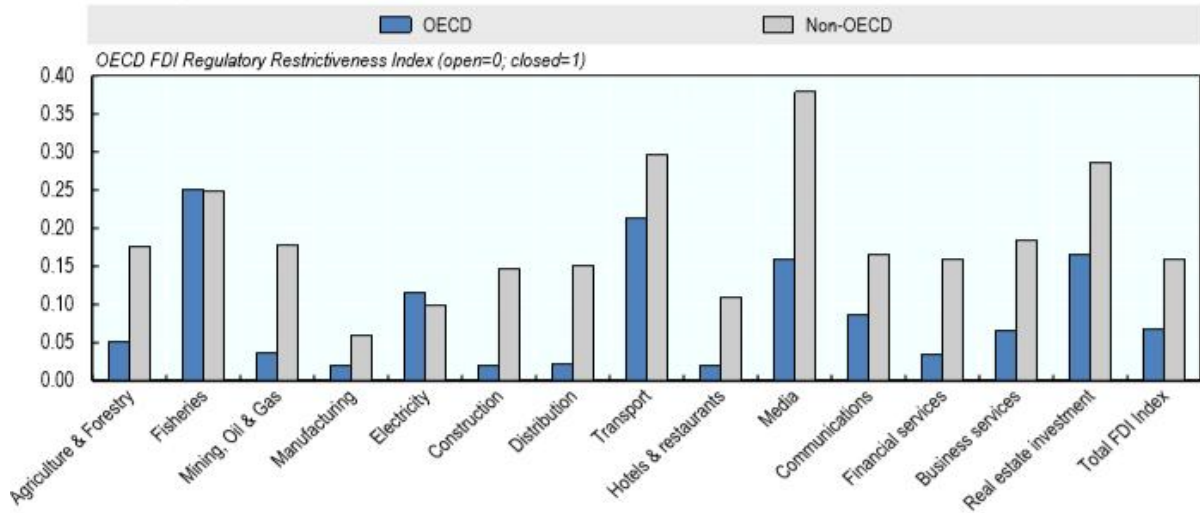


Figure 11: OECD FDI Regulatory Restrictiveness Index (OECD FDI Regulatory Restrictiveness Index database 2019)

OECD FDI Regulatory Restrictiveness Index (open=0; closed=1)

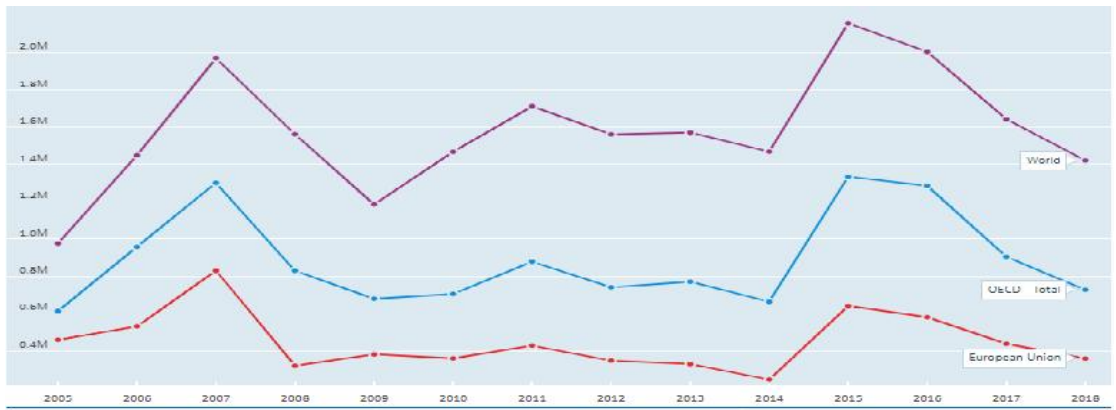


OECD FDI Regulatory Restrictiveness Index database 2019

(Mistura and Roulet 2019),



**4 :**  
 (S. Golub 2003).



**13 :** 2005-2018  
 (OECD 2019).

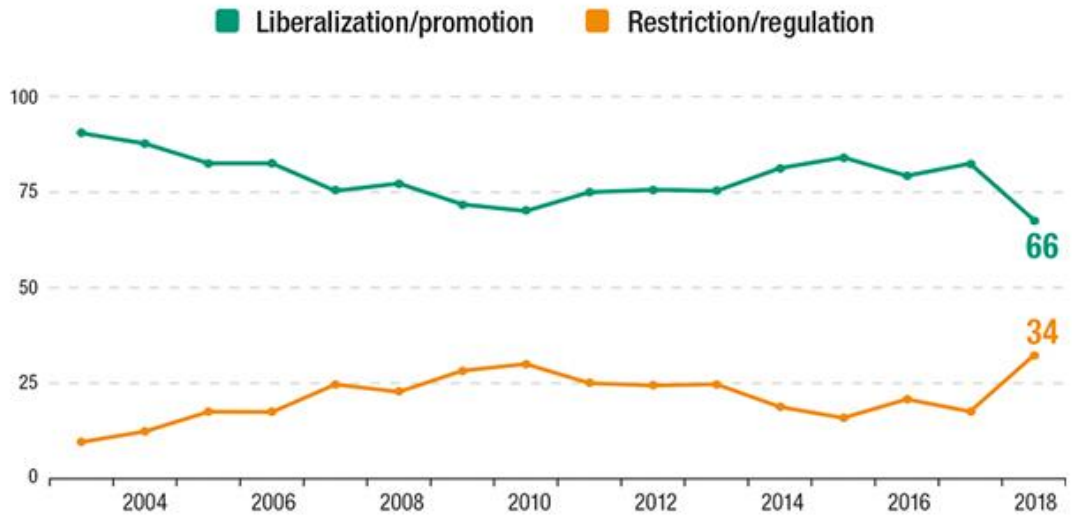


Figure 14: 2003-2018 (UNCTAD, World Investment Report 2019)

Figure 14 shows the percentage of liberalization/promotion (green line) and restriction/regulation (orange line) from 2003 to 2018. The liberalization/promotion line starts at approximately 90% in 2003 and ends at 66% in 2018. The restriction/regulation line starts at approximately 10% in 2003 and ends at 34% in 2018.

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2018

2017, 50

22

56%

24

(UNCTAD, World Investment Report 2019).

2011

11

2019

41<sup>26</sup>

26



(UNCTAD, World Investment Report 2019).

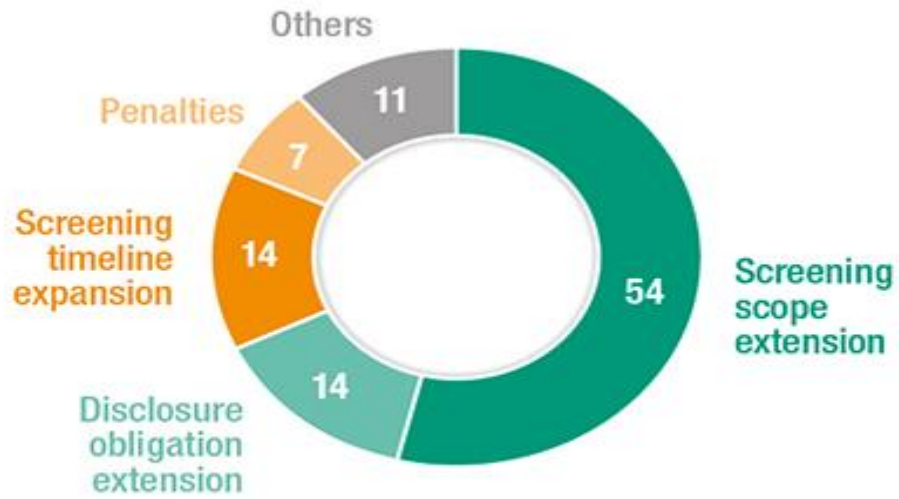


Figure 15: Changes in screening measures, 2011-2019 (UNCTAD, World Investment Report 2019)

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Figure 15: Changes in screening measures, 2011-2019 (UNCTAD, World Investment Report 2019)

Figure 15: Changes in screening measures, 2011-2019 (UNCTAD, World Investment Report 2019)



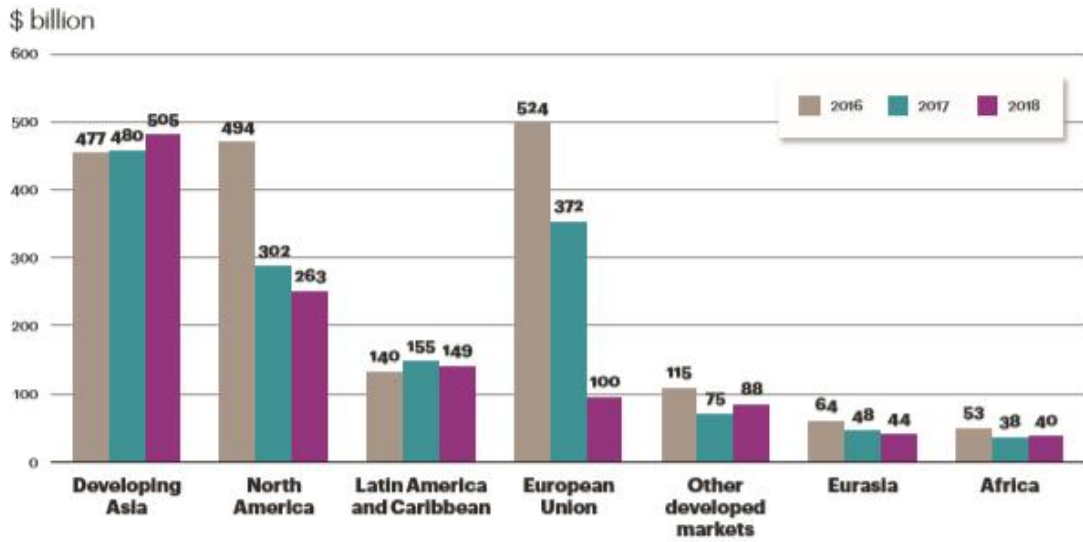


Figure 17 : Investment flows, 2016-2017-2018 (Facing a Growing Paradox 2019)

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UNCTAD, World Investment Report 2019.

(UNCTAD, World Investment Report 2019).

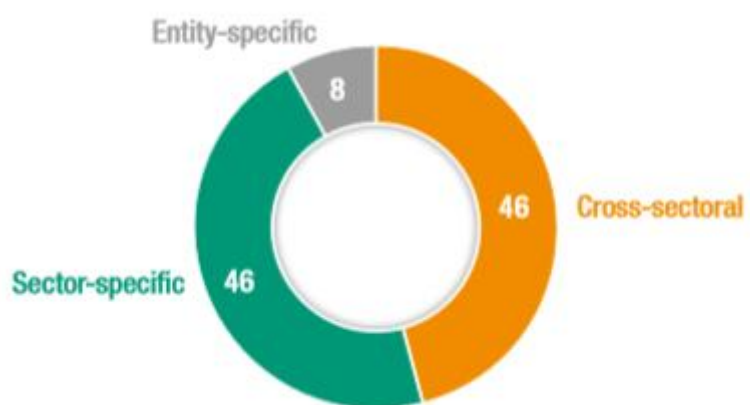
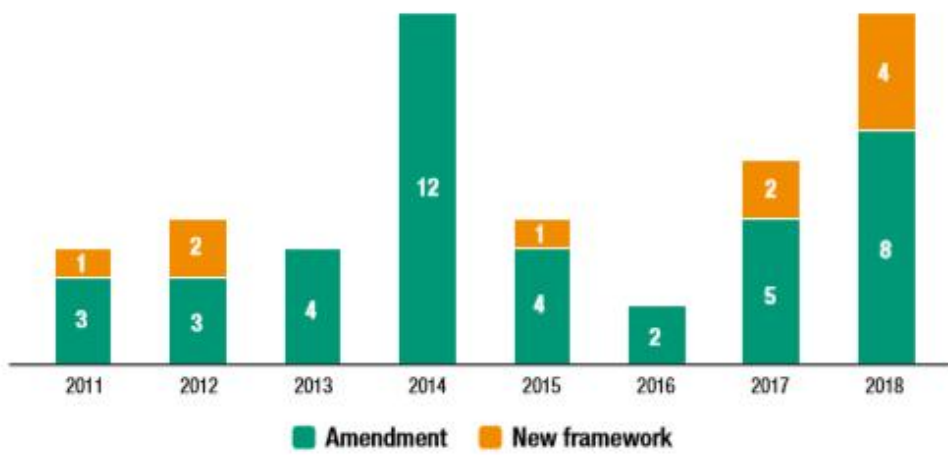


Figure 18: Distribution of investment types (UNCTAD, World Investment Report 2019)

(sector-specific),  
sectoral).  
(entity-specific),  
(UNCTAD, World Investment Report 2019).

2011  
Report 2019),  
2019 (UNCTAD, World Investment  
Report 2019),  
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19 :  
2011-2018 (UNCTAD, World Investment Report  
2019).

80%  
2011 2016

Figure 20: Liberalization and Restriction of Investment Measures (2011-2018)

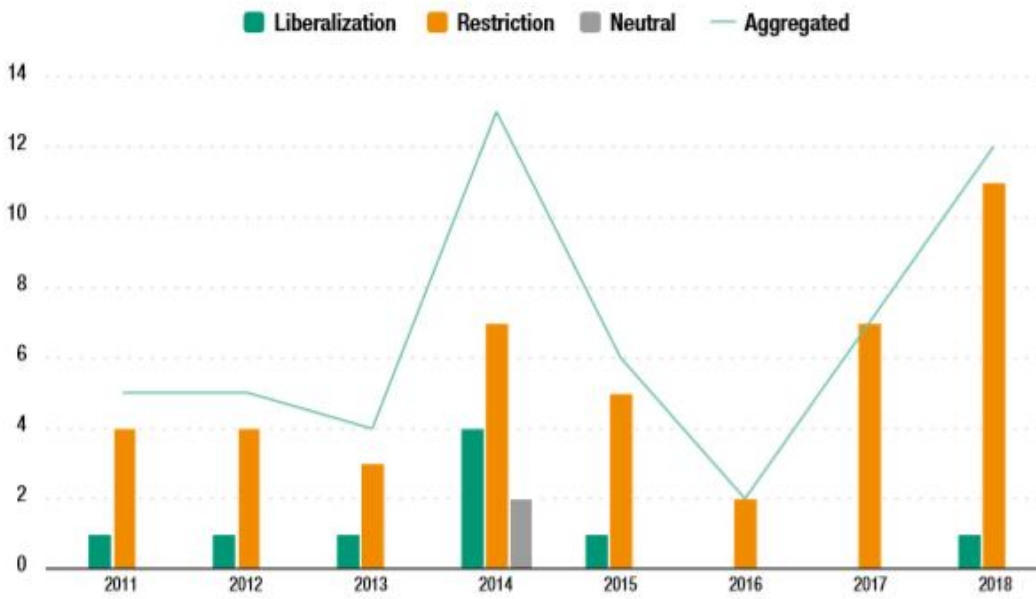
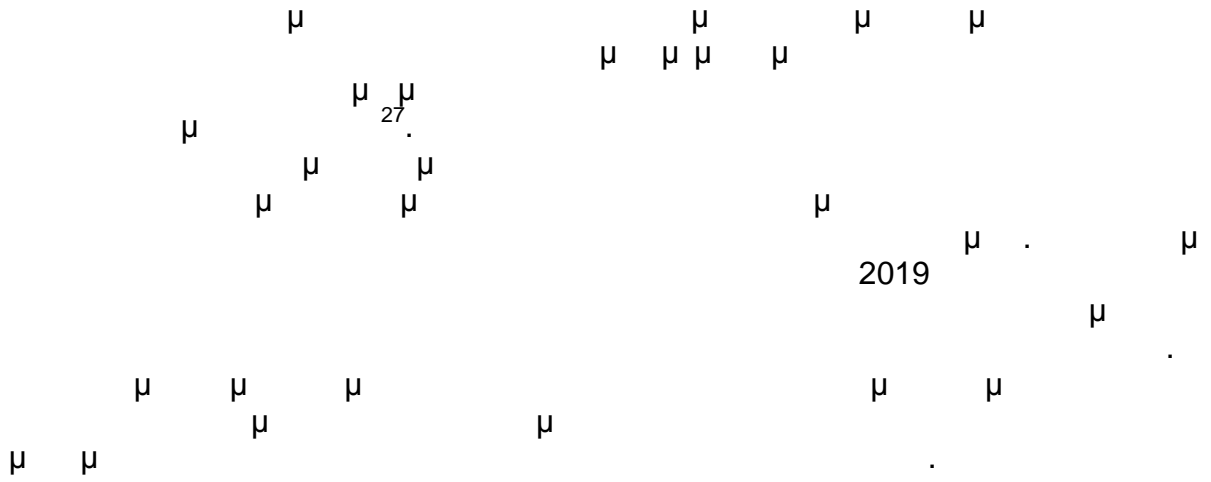


Figure 20: Liberalization and Restriction of Investment Measures (2011-2018) (UNCTAD, World Investment Report 2019).

Figure 21: Screening Measures (2011-2018)



Figure 21: Screening Measures (2011-2018) (UNCTAD, World Investment Report 2019)




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... 2018 μ  
 Fosun Pharmaceutical Group, μ  
 Hyderabad-based Gland Pharma 74%  
 50 Hertz, μ  
 20% μ  
 50 μμ , μ  
 , Shanghai μ

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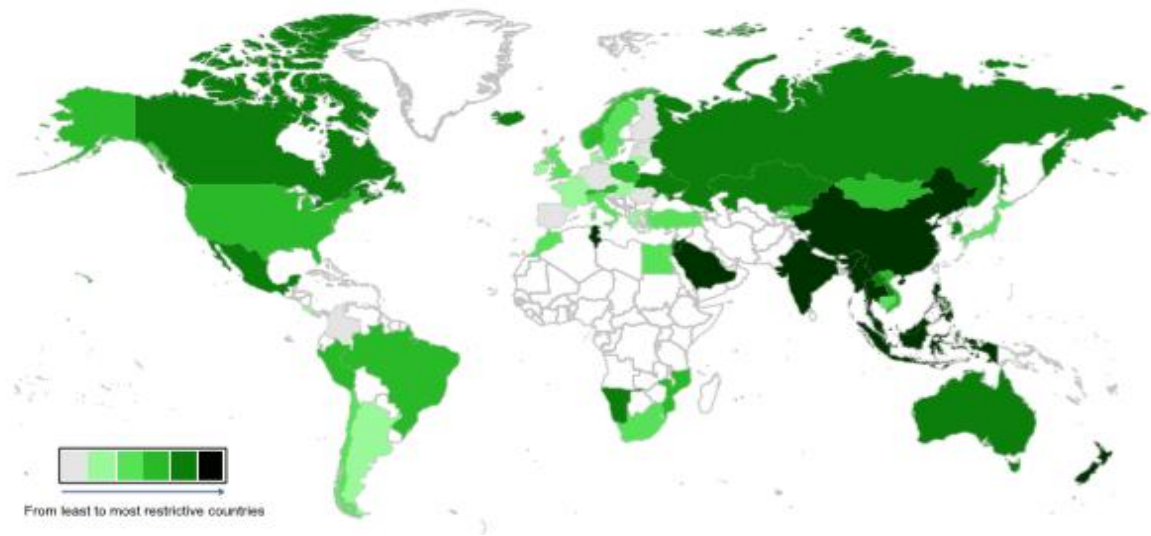
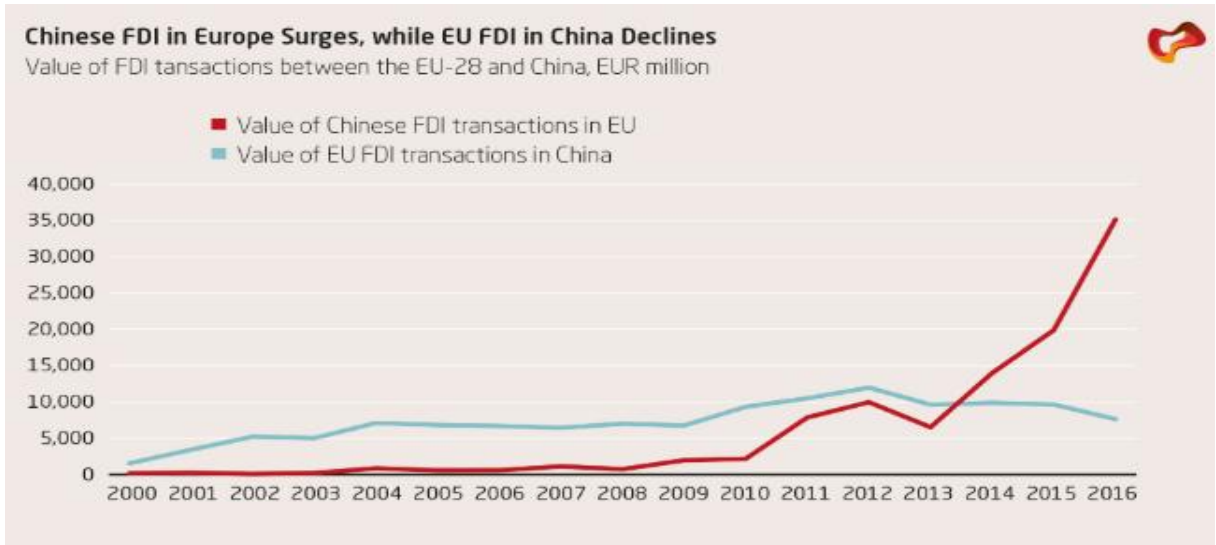


Figure 22: OECD FDI Regulatory Restrictiveness Index (OECD FDI Regulatory Restrictiveness Index database 2019),

From least to most restrictive countries. The index ranges from 1 (least restrictive) to 22 (most restrictive). In 2008, the index was 1.5 for the United States and 1.5 for the European Union. In 2019, the index was 1.5 for the United States and 1.5 for the European Union. The index was 1.5 for the United States and 1.5 for the European Union in 2008. The index was 1.5 for the United States and 1.5 for the European Union in 2019.





**Figure 23 :**  
**2000-2016 (Mercator Institute for China Studies 2017)**

The chart illustrates a significant shift in the direction of FDI flows between the EU and China. While EU FDI in China has generally declined or remained flat, Chinese FDI in the EU has experienced a dramatic surge, particularly after 2010. This trend is reflected in the data points for each year, showing a clear upward trajectory for Chinese investments and a downward or stable trajectory for EU investments.

<sup>28</sup> . . . μ μ KUKA AG, μ μ Midea (Deutsche Welle, Berlin approves Kuka sale to Midea 2016)  
<sup>29</sup> (Deutsche Welle, Germany tightens takeover rules to shield 'critical' businesses 2017)  
<sup>30</sup> . . . μ μ 2018, μ μ 20%  
 50Hertz, μ μ State Grid of China Corporation (SGCC), μ μ  
 KfW, μ μ (Deutsche Welle, Berlin beats Chinese firm to buy stake in 50Hertz power company 2018)

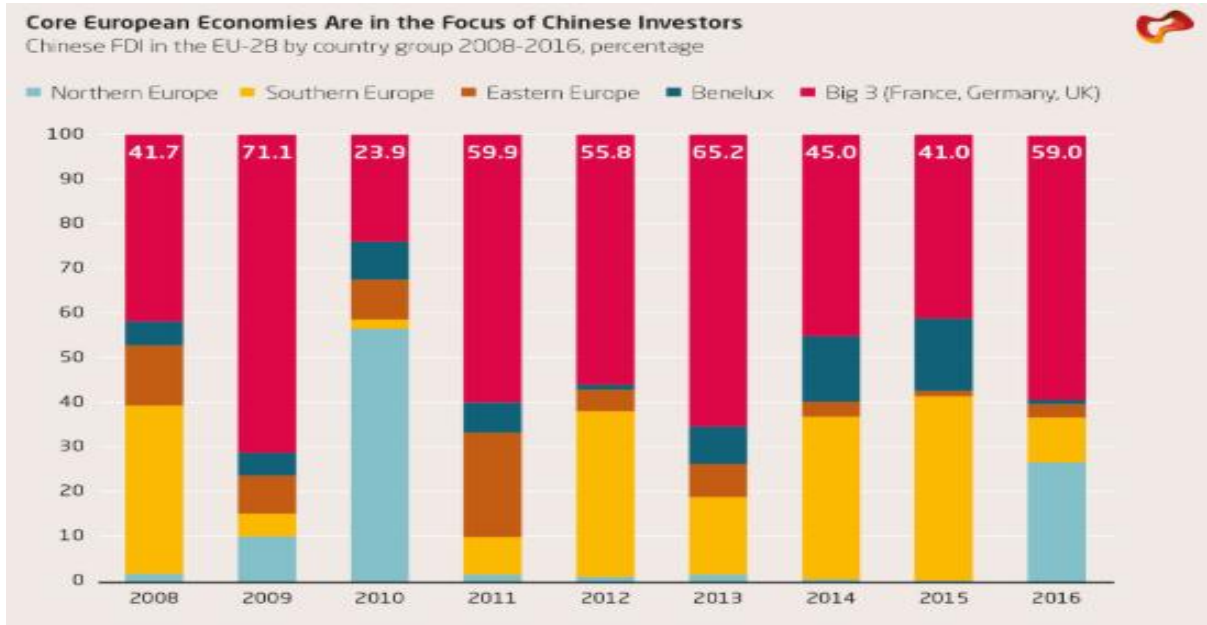


Figure 24: Chinese FDI in the EU-28 by country group 2008-2016, percentage. (Mercator Institute for China Studies 2017)

China's investment in Europe has been growing rapidly, particularly in the core European economies. This is reflected in the increasing share of Chinese FDI in the EU-28, which has risen from 41.7% in 2008 to 59.0% in 2016. The 'Big 3' (France, Germany, UK) has become the primary focus of Chinese investment, accounting for 41.0% of FDI in 2015 and 59.0% in 2016. Other regions like Northern and Southern Europe show more fluctuation, with Northern Europe peaking at 55.0% in 2010 and Southern Europe peaking at 38.0% in 2008 and 2012.

(Welcoming Foreign Direct Investment while Protecting Essential Interests 2019).

Company	Value
Supercell	6.7
Tencent's	4.4
Midea's	2.3
HNA	1.4
Beijing Enterprises	1.4
Skyscanner	1.6
Ctrip	1.6
Shandong Ruyi Technology	1.3
Wanda AMC	1.1
U.K Odeon & UCI cinema group	1.1
Avolon	1.1
EEW Energy	1.1
SMCP	1.1





















(Raki and Dessimirova 2019),<sup>72</sup> (Kraatz 2019) (Maciejewski and Ratcliff, European Parliament : Free Movement of Goods 2019) (Maciejewski and Ratcliff, European Parliament : Freedom of Establishment and Freedom to Provide Services 2019),

<sup>73</sup>

<sup>74</sup>, <sup>75</sup>. <sup>76</sup>

(Case Law Guide of the European Court of Justice on articles 63 et seq. TFEU, pg 41 2016), 65 1 ( )

<sup>72</sup> 3(2), 4(2)(α), 20, 26 και 45-48, περί αγαθών στα άρθρα 26 και 28-37, περί υπηρεσιών στα άρθρα 26 (internal market), 49-55 (establishment) και 56-62 (services) και τέλος περί κεφαλαίων στα άρθρα 63-66 της ΣΛΑΕΕ.  
<sup>73</sup> 346(1)( ) (2012)  
<sup>74</sup> 63 (1): «  
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 2011 μ 2019  
 μ 16 : 2018  
 μ 17 : μ  
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 μ μ 19 : μ μ μ  
 2011-2018  
 μ 20 : μ μ μ  
 2011-2018  
 μ 21 : μ μ .

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*OECD FDI Regulatory Restrictiveness Index database.* 2019. [www.oecd.org/investment/fdiindex.htm](http://www.oecd.org/investment/fdiindex.htm) ( November 24, 2019).

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*Case Law Guide of the European Court of Justice on articles 63 et seq. TFEU,* pg 41. European Commission, 2016.

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