

UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT

WORLD INVESTMENT DIRECTORY

Volume X
Africa

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World Investment Directory

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Note

UNCTAD's Division on Investment, Technology and Enterprise Development serves as the United Nations focal point for all matters of foreign direct investment (FDI) and transnational corporations (TNCs). The division seeks to further the understanding of TNCs and their contribution to development, and to create an enabling environment for international investment and enterprise development. The work of the division is carried out through intergovernmental deliberations, policy analysis and research, technical assistance activities, seminars, workshops and conferences.

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Two dots (..) imply that data are either not available or not separately available, unless otherwise specified in the table notes.

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In all tables, the unavailability of data for an entire line results in the suppression of that line. As a result, the size of the tables varies between countries.

A slash (/) between dates indicates a financial year, for example, 2004/2005.

The use of a dash (-) between dates indicates the full period involved, including the beginning and end years.

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Preface

Foreign direct investment (FDI) continues to gain in importance as a form of international economic transactions and as an instrument of international economic integration. World FDI inflows exceeded \$1.3 trillion in 2006. The rate of growth of worldwide FDI inflows in the past two decades has substantially exceeded that of worldwide gross domestic product (GDP), exports and domestic investment. The number of transnational corporations (TNCs) increased significantly, to some 78,000 parent companies (with 780,000 foreign affiliates) in 2006. The sales of these affiliates amounted to about \$25 trillion in 2006. As a result, TNCs account for an increasing share and, in some cases, a substantial part of the assets, employment, domestic capital formation, research and development, sales and trade of many countries. Through the continued development of their increasingly integrated international productions systems, TNCs have become one of the driving forces of integration in the world economy.

Despite the increasing importance of FDI in the world economy, published sources or readily accessible databases that provide comparable and accurate data on the investments and other activities of TNCs are scarce. *The World Investment Directory* series of UNCTAD is an attempt to centralize in the United Nations data-gathering efforts to measure systematically FDI, the activities of TNCs and related variables in the world economy. Accordingly, the purpose of the *World Investment Directory* and its database is to assemble comprehensive data and information on FDI, operations of TNCs, basic financial data on the largest TNCs, the legal framework in which such investment takes place and selected bibliographic information about FDI and TNCs in individual countries.

The present *World Investment Directory* publication series consists of the following volumes:

- Volume I. Asia and the Pacific* (United Nations publication, Sales No. E.92.II.A.11)
- Volume II. Central and Eastern Europe* (United Nations publication, Sales No. E.93.II.A.1)
- Volume III. Developed Countries* (United Nations publication, Sales No. E.93.II.A.9)
- Volume IV. Latin America and the Caribbean* (United Nations publication, Sales No. E.94.II.A.10)
- Volume V. Africa* (United Nations publication, Sales No. E.97.II.A.1)
- Volume VI. West Asia* (United Nations publication, Sales No. E.97.II.A.2)
- Volume VII. Asia and the Pacific, Part I and Part II* (United Nations publication, Sales No. E.00.II.D.1)
- Volume VIII. Central and Eastern Europe 2003* (United Nations publication, Sales No. E.03.II.D.24)
- Volume IX. Latin America and the Caribbean 2004* (United Nations publication, Sales No. E.04.II.D.32)

The present publication covers 53 economies of the African region: Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Congo, Côte d'Ivoire, the Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Niger,

Nigeria, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, Sudan, Swaziland, Togo, Tunisia, Uganda, United Republic of Tanzania, Zambia and Zimbabwe. Profiles on all these countries are contained in this volume, based on data available to the secretariat.

Data are presented on both inward and outward flows and stocks of FDI and operations of TNCs. Basic information is provided on the largest TNCs in and from the countries and on the regulatory framework affecting FDI, organized by country. These are based on information available as of December 2007. It is the intention of UNCTAD to update the *World Investment Directory* series regularly, and country profiles contained in each volume of this series are regularly updated and placed on the UNCTAD's FDI statistics website (www.unctad.org/fdistatistics). It is hoped that, as work progresses in this area, Governments will make it possible to enhance the frequency and scope of collection and quality of the data and information provided.

It is a widely recognized problem in research on FDI and TNCs that the statistics on them suffer from lack of comparability across sources and countries. The user is thus advised to read the technical introduction to this volume, definitions and sources in each country profile, and the explanatory notes at the end of each table. In presenting the national data on FDI, it is hoped that the need to harmonize these statistics in accordance with internationally accepted definitions will become more evident and inspire efforts at the national, regional and international levels to meet this difficult but necessary objective. UNCTAD provides technical assistance to efforts towards achieving this objective.

The *World Investment Directory* aims at becoming a standard reference series for policymakers, especially in developing countries, and for researchers and others in academia, governmental, intergovernmental and non-governmental organizations and the private sector who need to gain an understanding of the character, trends and patterns of FDI and TNC activities, and require reliable information as the basis for the formulation and monitoring of policies on FDI and TNCs.

This series has been prepared by a project team led by Masataka Fujita under the supervision of Anne Miroux. The principal officer responsible for the production of this volume was Hilary Nwokeabia, who oversaw the development of the volume at various stages. The other members of the team were Mohamed Chiraz Baly, Bradley Boicourt, John Bolmer, Jovan Licina and Lizanne Martinez. Hamed El-Kady, Justin Fisher, Torbjorn Fredriksson, Joachim Karl, Hafiz Mirza, Jean-François Outreville, Thomas Pollan, Astrit Sulstarova and Aimable Uwizeye-Mapendano commented on the final draft. Production assistance was provided by Séverine Excoffier and Katia Vieu. Abraham Negash and Eric Kehinde Ogunleye contributed to the sections on regulatory frameworks for investment. Teresita Sabico did the desktop publishing for the volume. Many officials in central banks, statistical offices, investment promotion agencies and other government offices in Africa contributed to the volume through the provision of data.

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I. Overview

Africa has attracted increasing amounts of inward FDI in the past two decades, with FDI inflows rising from \$2.4 billion in 1985 to \$36 billion in 2006 (figure 1) and expected to remain at almost the latter level in 2007. Inward FDI stock in the region rose from \$40 billion in 1980 to \$315 billion in 2006 (UNCTAD 2007a). The ratio of FDI inflows to the region's gross fixed capital formation reached its highest level of 21 per cent in 2001, declining to 13 per cent in 2002–2004 and recovering to 20 per cent in 2006. In many countries, inflows rose mainly in the primary and services sectors, partly through the existence of vast natural resources and a wide range of national privatization schemes. The profile of the foreign direct investors and their destinations in the region has varied over the years. TNCs from developed countries and, more recently, developing countries have invested in a wide range of industries including, among others, oil exploration, in which there have been many new exploration activities while at the same time existing TNCs have raised their stakes in previously operational mines. Nevertheless, the region's share in global FDI has declined, partly because of lower inflows to the manufacturing sector in the 1990s, before a slow recovery from 2000 to 2006.

In terms of prospects, high commodity prices and continued liberalization of the national markets are likely to attract more FDI to the primary and services sectors of African economies. Furthermore, the region's market size, measured by total population and purchasing power, has been growing. Many countries have reformed their investment laws, while at the same time liberalizing trade and price regulation, reducing red tape for business start-ups, improving the financial system, privatizing State firms and offering concessions on infrastructure projects. The prospects for increased FDI flows to the manufacturing sector will depend on improvements in Africa's industrial profile and the rate at which it shifts from a low value added to semi-industrial production basis, given the available local markets, market access initiatives as well as improvements in business climate.

A. FDI trends in Africa

I. Inward FDI

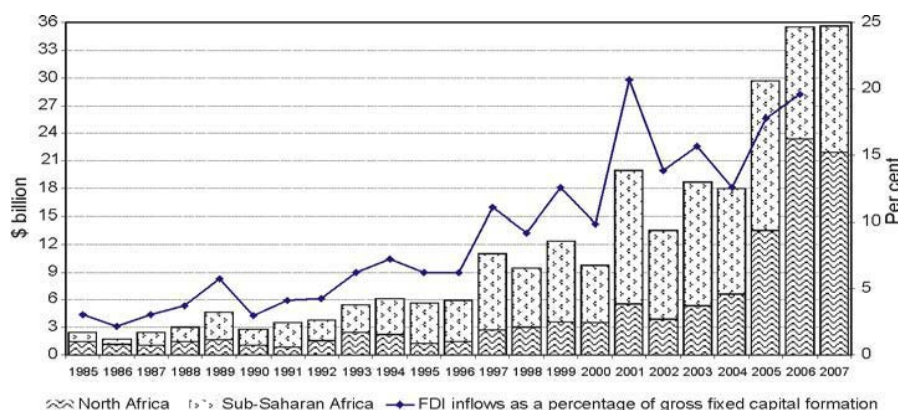
a. Recent trends and developments

The recent surge of FDI inflows to the African region, particularly over the period 2001–2007 (figure 1), followed from the twin forces of an upward spiral in commodity prices¹ and a more positive climate for investments in the region backed by reform of policy frameworks for FDI, including, among others, for natural resource exploitation. A number of African countries have also received more commitments by the international community to scale up aid, support regional development initiatives and infrastructure development, and have been provided more market access initiatives, all of which contribute to shoring up FDI inflows. FDI is now subject to less restrictive compliance criteria and less cumbersome approval procedures. Political instability, internal conflict and poor governance still pose significant problems to too many countries in the region. However, in parts of the region, political conflicts and related sanctions on their economies have waned and efforts have been undertaken to strengthen governance and economic performance improved at a time when commodity prices have been rising rapidly. As a consequence, the region's largest natural resource producers – such as Angola, Algeria, Libyan Arab Jamahiriya, Mozambique, Nigeria and South Africa (table 1) – which account for roughly

¹ Prices of commodities such as aluminium, copper, diamond, gold, nickel, oil and gem stones surged more than 400 per cent between 2000 and 2007. *Source:* Bloomberg.com - Commodity futures (<http://www.bloomberg.com/markets/commodities/cfutures.html>).

three quarters of the region's commodities exports, also accounted for more than three quarters of the region's FDI inflows. Moreover, countries not traditionally known for large reserves of natural resources – such as Ethiopia, Ghana, Kenya, Mauritania, Somalia and Uganda (table 1) – also became exploration hot spots, with TNCs investing billions of dollars in many of their projects.

Figure 1. FDI inflows and their share in gross fixed capital formation in Africa, 1985–2007^a



Source: UNCTAD, FDI/TNC database (www.unctad.org/fdistatistics).

^a Preliminary estimates.

Note: North Africa includes Algeria, Egypt, Libyan Arab Jamahiriya, Morocco, Sudan and Tunisia; sub-Saharan Africa includes the rest of the countries in Africa.

Additionally, the demand for Africa's natural resources, particularly oil, is rising. The United States for instance, has been reducing its dependence on Middle East oil with the goal of a 75 per cent reduction, and increasing its interest in supplies from Africa.² Petroleum from Libyan Arab Jamahiriya (light with low sulphur content and cheap to produce) has become attractive to Europe after sanctions that had been imposed earlier were lifted. TNCs from China, India and Malaysia have also joined the search for oil (and other primary resources) to sustain their rapidly growing economies. In return, nearly every subregion in Africa has attracted new FDI flows into petroleum projects, thus increasing the spread and volume of FDI to many countries. The current commodity price boom has brought opportunities as well as challenges to Africa. Efficient management of a mineral-based economy requires well-developed capacities for governance and a commitment to the objective of sustainable development on the part of a country's leaders and policymakers (UNCTAD 2007a).

In a marked shift in distribution pattern, more African countries have received larger FDI inflows, particularly after 2000. Only one African country received FDI inflows of more than \$1 billion in the early 1990s, but in 2006, that number had increased to eight, contributing to the volume of FDI inflows to the region, which doubled in just the two years 2004–2006 (table 1). The region received total FDI inflows of \$145 billion from 2000 to 2006, compared with only \$54 billion during the preceding seven years. Prior to the surge, a larger number of African countries received smaller FDI inflows, mainly into the services sector and linked to privatization programmes.

² "Africa oil and gas: Africa's oilfields have become an important battleground of influence", *Financial Times*, 1 March 2006.

Table 1. FDI inflows to Africa 1970–2006
(Millions of dollars)

Host region/economy	1970-1979	1980-1989	1990-1999	2000	2001	2002	2003	2004	2005	2006
	(Average)									
Africa	1 124	2 202	6 625	9 685	19 979	13 571	18 677	18 018	29 648	35 544
North Africa	184	895	2 040	3 456	5 528	3 925	5 376	6 616	13 528	23 324
Algeria	118	34	154	438	1 196	1 065	634	882	1 081	1 795
Egypt	171	860	805	1 235	510	647	237	2 157	5 376	10 043
Libyan Arab Jamahiriya	- 173	- 250	- 21	141	- 113	145	143	357	1 038	1 734
Morocco	11	65	591	471	2 875	534	2 429	1 070	2 946	2 898
Sudan	2	7	92	392	574	713	1 349	1 511	2 305	3 541
Tunisia	55	179	420	779	486	821	584	639	782	3 312
Other Africa	940	1 307	4 585	6 229	14 451	9 645	13 301	11 402	16 120	12 221
West Africa	520	705	2 086	2 172	2 079	2 884	3 377	3 743	4 997	6 841
Benin	3	7	38	60	44	14	45	64	53	63
Burkina Faso	2	2	7	23	6	15	29	14	34	26
Cape Verde	..	1	14	33	17	10	16	20	76	122
Côte d' Ivoire	44	49	203	235	273	213	165	283	312	253
Gambia	2	2	18	44	35	43	15	49	45	70
Ghana	22	9	102	166	89	59	137	139	145	435
Guinea	0	5	20	10	2	30	83	98	102	108
Guinea-Bissau	0	1	3	1	0	4	4	2	9	42
Liberia	80	171	72	21	8	3	372	237	- 479	- 82
Mali	2	2	24	82	122	244	132	101	224	185
Mauritania	- 3	8	5	40	77	67	102	392	864	- 3
Niger	14	10	10	8	23	2	11	20	30	20
Nigeria	320	434	1 494	1 310	1 277	2 040	2 171	2 127	3 403	5 445
Saint Helena	..	0	..	- 4	0	..	..	- 1	0	0
Senegal	14	7	57	63	32	78	52	77	45	58
Sierra Leone	10	- 13	3	39	10	10	9	61	59	43
Togo	13	11	14	41	64	53	34	59	77	57
Central Africa	176	223	146	552	1 551	2 146	3 307	2 712	3 716	3 786
Burundi	0	3	1	12	0	0	0	0	1	290
Cameroon	20	96	28	159	73	602	383	319	225	309
Central African Republic	4	5	1	1	5	4	19	25	29	24
Chad	12	12	22	115	460	924	713	495	613	700
Congo	27	28	117	162	71	131	321	- 13	724	344
Congo, Democratic Republic of	60	- 4	3	23	82	117	158	10	- 79	180
Equatorial Guinea	0	2	101	111	941	323	1 444	1 651	1 873	1 656
Gabon	48	65	- 132	- 43	- 89	39	263	219	321	268
Rwanda	4	17	4	8	4	3	5	8	11	15
São Tomé and Príncipe	..	0	1	4	3	3	1	- 2	- 1	0
East Africa	61	62	400	1 047	1 042	1 020	1 310	1 318	1 205	1 789
Comoros	2	4	0	0	1	0	1	1	1	1
Djibouti	0	0	2	3	3	4	14	39	22	108
Eritrea	..	..	77	28	12	20	22	- 8	- 3	4
Ethiopia	11	0	69	135	349	255	465	545	221	364
Kenya	31	30	21	111	5	28	82	46	21	51
Madagascar	4	4	19	83	93	61	95	95	86	230
Mauritius	2	10	28	266	- 28	32	63	14	42	105
Mayotte	..	..	..	0	..	..	..	..	..	..
Reunion	..	..	7	..	0	0	..	..	..	..
Seychelles	4	14	31	24	65	48	58	38	86	146
Somalia	3	- 4	1	0	0	0	- 1	- 5	24	96
Uganda	1	1	72	181	151	185	202	222	257	307
United Republic of Tanzania	4	5	121	216	389	388	308	331	448	377
Southern Africa	183	316	1 953	2 458	9 779	3 595	5 307	3 629	6 202	- 195
Angola	3	134	574	879	2 146	1 672	3 505	1 449	- 1 303	- 1 140
Botswana	26	63	16	57	31	405	419	392	281	274
Lesotho	0	7	23	32	28	27	42	53	57	57
Malawi	10	7	13	40	60	6	7	22	27	30
Mozambique	1	2	92	139	255	347	337	245	108	154
Namibia	..	5	88	188	365	182	149	226	348	327
South Africa	92	14	850	888	6 789	757	734	799	6 251	- 323
Swaziland	15	28	59	91	29	92	- 61	71	- 50	36
Zambia	30	52	142	122	72	82	172	364	380	350
Zimbabwe	18	8	95	23	4	26	4	9	103	40
Memorandum										
Developing economies	5 922	20 580	118 185	256 088	212 017	166 318	178 699	283 030	314 316	379 070
World	24 365	93 878	403 802	1 411 366	832 567	621 995	564 078	742 143	945 795	1 305 852
Least developed countries: Africa ^a	286	463	1 670	2 988	6 069	5 707	9 762	8 245	6 212	8 052
Least developed countries (LDCs)	306	507	2 546	4 026	7 072	6 563	10 594	9 320	7 326	9 375
Major petroleum exporters: Africa ^b	342	445	2 186	2 887	4 488	5 092	7 038	5 021	5 265	8 447
Major petroleum exporters	1 071	3 562	8 527	4 952	8 872	10 964	19 853	25 037	44 917	48 558

Source: UNCTAD, based on table 3, country profiles and FDI/TNC database (www.unctad.org/fdistatistics).

^a Least developed countries (LDCs) in Africa include Angola, Benin, Burkina Faso, Burundi, Cape Verde, Central African Republic, Chad, Comoros, Democratic Republic of the Congo, Djibouti, Equatorial Guinea, Eritrea, Ethiopia, Gambia, Guinea, Guinea-Bissau, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritania, Mozambique, Niger, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sudan, Togo, Uganda, United Republic of Tanzania and Zambia.

^b Major petroleum exporters in Africa include Algeria, Angola, Congo, Gabon, Libyan Arab Jamahiriya and Nigeria.

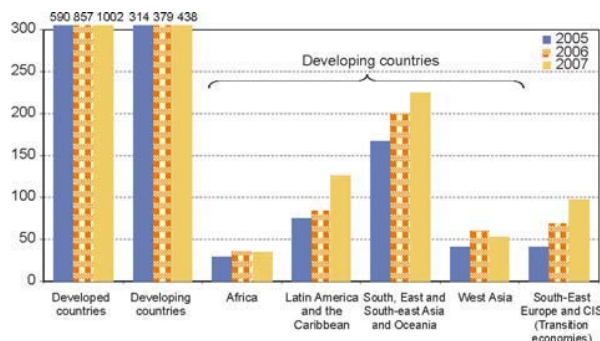
The rising amounts of FDI inflows over the recent past have, however, not led to an increase in Africa's share of global FDI, as flows to other regions have grown faster (figure 2). Starting from the early 1980s, the share of Africa's FDI inflows in global FDI converged to the levels of the region's shares in global GDP and trade (figure 3). Africa's share of global FDI inflows stagnated at about 3 per cent between 2000 and 2006 (2.7 per cent in 2006), a major decline from its share of about 9.5 per cent in 1970. This decline in the region's share can be attributed to structural obstacles to

FDI inflows, especially in the manufacturing sector. The slowdown in manufacturing flows to the region is also reflected in a decline in the share of manufacturing in FDI in the region. In the top two FDI recipient countries in the region – South Africa and Nigeria, which together accounted for 37 per cent of FDI stock in Africa in 2006 – the share of the primary sector in inward FDI stock increased to 41 per cent in 2006, from 5 per cent in 1996 in the former, at the same time that the share of the manufacturing sector

almost halved to 27 per cent from 40 per cent. Meanwhile in Nigeria, the share of the primary sector in inward FDI stock rose to 75 per cent in 2005 from 43 per cent in 1990. Similar changes took place in several other African countries (table 2). Only in a few relatively small FDI recipient countries – such as Madagascar, Namibia and the United Republic of Tanzania – did the share of manufacturing FDI inflows increase in the 1990s, although in Madagascar the share of the primary sector rose much more than that of manufacturing.

In some of the natural resource producing countries – such as Angola, Botswana, Chad, Namibia, Nigeria and South Africa – and in others aspiring to attract more FDI to add value to their products, high cost of production was a major obstacle to investments in greater processing of diamond, gold, silver and textile products, for which the region has large preferential market access quotas. In Botswana, Namibia and South Africa, for instance, high cost of production is still a major obstacle to the drive by the Governments for greater beneficiation of the diamond production. Diamond polishing and cutting in South Africa costs up to \$40 per rough carat

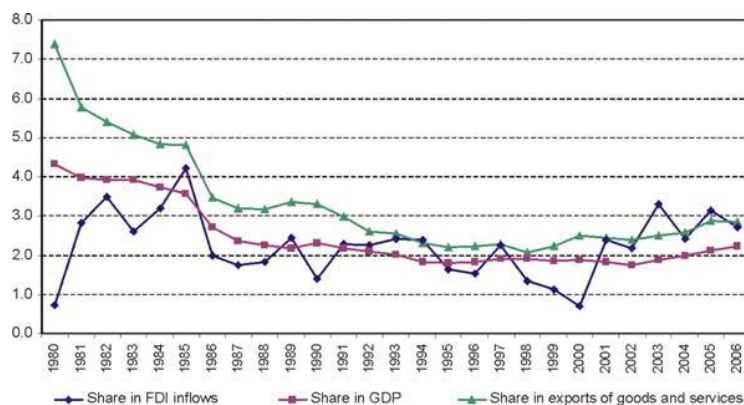
Figure 2. FDI inflows by region, 2005, 2006 and 2007^a
(Billions of dollars)



Source: UNCTAD, FDI/TNC database (www.unctad.org/fdistatistics).

^a Preliminary estimates.

Figure 3. Africa: shares in world FDI inflows, world GDP and world exports, 1980–2006
(Percentage)



Source: UNCTAD, FDI/TNC database (www.unctad.org/fdistatistics).

Table 2. Industrial distribution of inward FDI stock in selected African countries, selected years
(Percentage share in total)

Sector/industry	Botswana		Cape Verde		Egypt		Madagascar		Malawi		Morocco		Namibia		Nigeria		South Africa		Swaziland		Uganda		United Republic of Tanzania		Zambia			
	1997	2003	1990	1995	1995	2002	2006	2001	2004	1990	1994	1995	2005	1994	2005	1993	2005	2000	2003	1998	2001	1998	2001	2000	2003	2001	2001	
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	
Primary	74.7	68.3	100.0	25.5	4.0	6.9	44.1	13.1	5.5	79.4	76.6	42.9	74.8	6.3	34.5	12.6	11.5	4.9	0.7	39.8	34.7	33.9	33.9	33.9	33.9	33.9	33.9	
Agriculture, hunting, forestry and fishing	-	-	-	-	4.0	4.5	5.8	13.1	0.8	-	-	-	-	0.9	0.2	11.4	10.1	4.5	0.7	6.2	6.7	11.7	11.7	11.7	11.7	11.7	11.7	
Mining, quarrying and petroleum	74.7	68.3	100.0	25.5	-	2.3	38.2	-	4.7	-	-	42.9	74.8	5.4	34.4	1.2	1.5	0.4	-	33.6	28.0	22.2	22.2	22.2	22.2	22.2	22.2	
Secondary	6.0	3.9	0.0	24.1	47.4	13.2	11.8	41.8	33.4	2.9	5.3	-	-	41.3	27.8	60.3	72.3	36.0	26.6	24.0	33.5	13.2	13.2	13.2	13.2	13.2	13.2	
Food, beverages and tobacco	-	-	0.0	4.9	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Textiles, clothing and leather	-	-	-	13.5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Coke, petroleum products and nuclear fuel	-	-	-	-	-	-	-	-	2.5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Chemicals and chemical products	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Non-metallic mineral products	-	-	-	0.6	-	-	-	-	5.1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Machinery and equipment	-	-	-	1.0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Motor vehicles and other transport equipment	-	-	-	3.2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other manufacturing	-	-	-	0.9	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Unspecified secondary	6.0	3.9	-	-	47.4	13.2	11.8	41.8	25.7	2.9	5.3	-	-	41.3	27.8	60.3	72.3	36.0	26.6	24.0	33.5	13.2	13.2	13.2	13.2	13.2	13.2	
Tertiary	18.7	28.0	0.0	50.4	48.5	79.2	43.4	44.7	52.9	17.7	18.1	-	-	52.4	37.7	27.0	13.5	56.5	64.6	33.2	31.8	31.8	31.8	31.8	31.8	31.8	31.8	31.8
Electricity, gas and water	0.1	0.4	-	-	-	6.9	1.1	-	-	-	-	-	-	-	0.0	-	-	1.7	-	-	2.1	3.4	10.0	10.0	10.0	10.0	10.0	
Construction	0.7	0.1	-	0.3	4.2	14.2	4.2	0.1	1.5	-	-	-	-	1.6	0.4	-	-	2.3	2.1	5.5	2.7	0.2	0.2	0.2	0.2	0.2	0.2	
Trade	9.4	10.8	-	-	-	22.3	10.9	24.9	2.8	-	-	-	-	18.6	3.0	-	-	16.6	21.1	14.9	2.5	10.1	10.1	10.1	10.1	10.1	10.1	
Hotels and restaurants	0.9	2.0	-	-	-	0.2	0.1	0.2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Transport, storage and communications	0.7	2.0	0.0	49.9	12.6	15.0	8.5	7.5	28.8	-	-	-	-	1.3	1.9	-	-	17.4	13.7	2.8	7.5	1.4	1.4	1.4	1.4	1.4	1.4	
Finance	5.5	11.4	-	-	26.0	14.4	15.7	11.0	6.5	-	-	-	-	30.8	32.2	2.7	6.6	17.7	27.6	3.9	4.8	25.8	25.8	25.8	25.8	25.8	25.8	
Business activities	1.3	1.2	-	-	-	6.3	2.9	0.3	10.3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Education	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Health and social services	0.1	-	-	-	-	-	-	0.1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Community, social and personal service activities	-	-	-	-	-	-	-	0.4	-	-	-	-	-	0.1	0.1	-	-	0.7	0.2	0.1	0.2	-	-	-	-	-		
Other services	-	-	-	0.2	5.7	-	-	-	3.0	-	-	-	-	-	-	24.4	-	-	-	-	-	-	-	-	-	-	-	
Unspecified tertiary	-	-	-	-	-	-	-	-	-	17.7	18.1	-	-	-	-	-	-	-	-	6.9	-	-	-	-	-	-	-	
Unspecified	0.6	-0.2	0.0	-	-	0.7	0.7	0.4	8.2	-	-	57.1	25.2	-	-	-	-	2.7	2.7	8.0	3.0	0.0	1.3	1.3	1.3	1.3	1.3	
Memorandum	1 280	1 720	0.0	0.1	13 355	166	503	491	19 883	2 047	1 712	8 720	27 270	10 166	77 362	456	813	540	724	3 386	3 777	1 085	1 085	1 085	1 085	1 085	1 085	

Source: UNCTAD, based on table I1 in country profiles and FDI/TNC database (www.unctad.org/fdistatistics).
^a Data for mining, quarrying and petroleum refer to the oil industry and those for unspecified refer to industries other than oil.

compared with \$10 to \$14 in India.³ In the apparel and textile industry, South Africa pays its workers \$1.38 an hour, as against the Chinese figure of \$0.88.⁴ In the latter industry, FDI inflows to Africa also suffered a major setback in 2005 with the end of the Multi-Fibre Arrangement (MFA) and the consequent increase in competition from other developing countries, particularly China. Enhancing the competitiveness of human resources and maintaining necessary skills to compete in globalized markets require national policies focused on worker productivity and training. It also means adapting labour laws and the education systems to fit the needs of producers and the market economy, thereby addressing the problem of deficit in skills at all levels. In order to benefit from the commodity market boom, a number of economic, environmental and social challenges need to be addressed. The transparent, fair and equitable use of the resource revenues is one key issue. The resource rent can be used to sustain growing FDI inflows and to diversify economically; the development of human capital will consequently be important. One of the challenges for Africa is thus how revenues obtained from commodity exports could be channeled towards education, human resource development and infrastructure development, which are essential for productivity improvements and for industrialization in general, as well as for attracting FDI into the manufacturing sector.

Regional integration schemes that began soon after a majority of African countries attained independence could have created markets to attract more FDI inflows to large-scale production in the manufacturing sector, at least for local markets, but they have not progressed rapidly. It was not until the 1990s that the region resumed harmonization and revitalization of integration efforts, culminating in the establishment of the African Economic Community, the African Union and the New Partnership for Africa's Development, but these are yet to have significant impact on FDI inflows.

b. Geographical and industrial distribution of inward FDI

The profile of FDI in Africa varies according to its geographical and sectoral destinations. The region's total inward FDI stock of \$315 billion in 2006 was distributed among the subregions as follows: North Africa (37 per cent), West Africa (20 per cent), Central Africa (7 per cent), East Africa (5 per cent) and Southern Africa (33 per cent) (UNCTAD 2007a), with South Africa being the largest recipient country, followed by Nigeria and Egypt (figure 4). The two principal subregional destinations for FDI inflows to Africa – North and Southern Africa – together account for a large part of the inflows (table 1). In 2006, FDI inflows to North Africa surged to a record level of \$23 billion, accounting for 66 per cent of inflows to Africa. West Africa received \$7 billion in FDI in 2006, amounting to 19 per cent of the inflows to the region. Nigeria was the main destination with about 80 per cent of the inflows. Central Africa attracted nearly \$4 billion in FDI in 2006 – about 11 per cent of Africa's total inflows – mostly in the primary and services sectors. In East Africa, FDI inflows rose to nearly \$2 billion in 2006, accounting for about 5 per cent of the region's inflows. Southern Africa remained a principal destination for a large part of the FDI inflows to the region. In 2005, South Africa alone had received \$6.2 billion, about 20 per cent of the inflows to Africa. (Negative inflows to Southern Africa in 2006 were due to sell-offs of some foreign oil assets to the Government of Angola and large repayments of debt by foreign affiliates in South Africa to their parent firms.)

³ "Beneficiation: in search of carrot that may persuade miners to process locally", *Financial Times*, 28 June 2005.

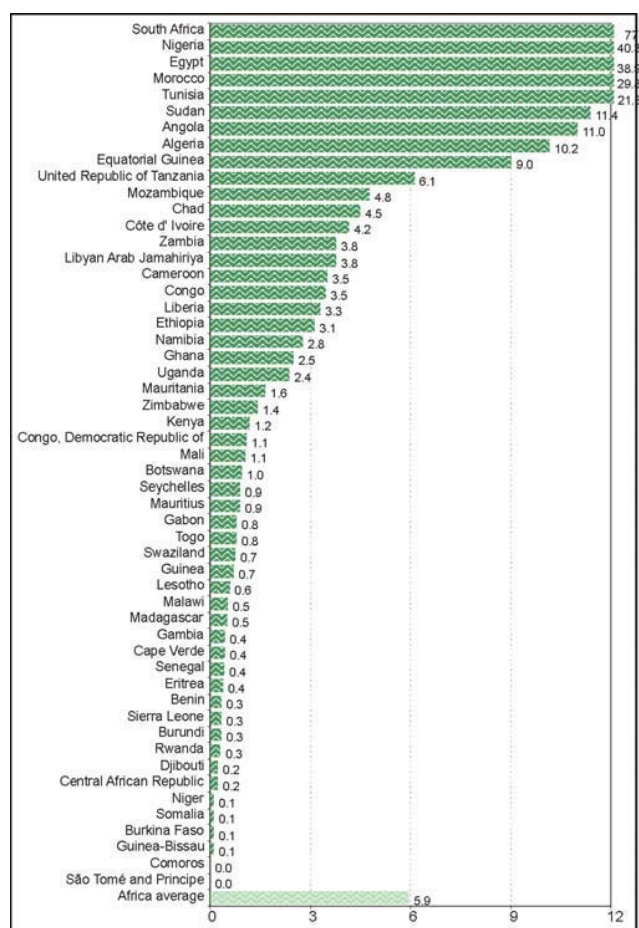
⁴ In comparing the wage rate, productivity of labour should be also taken into account. "Africa economy: China syndrome", Economist Intelligence Unit (www.viewswire.com), 27 July 2005.

FDI in the region also is still concentrated in a limited number of countries. In 2006, five countries (South Africa (24 per cent), Nigeria (13 per cent), Egypt (12 per cent), Morocco (10 per cent) and Tunisia (7 per cent)) accounted for the bulk of FDI stock in the region (UNCTAD 2007a). The top 10 countries by FDI inflows attracted \$32 billion (or nearly 90 per cent) of the region's inflows in 2006, up from \$20 billion in 2005. Eight of them attracted FDI flows in excess of \$1 billion, the same as the previous year; and in four (Egypt, Nigeria, Sudan and Tunisia), inflows were higher than \$3 billion (table 1). Cross-border mergers and acquisitions (M&As) as well as greenfield FDI related to expansion of activities played a part in the inflows to several of the top host countries, particularly Egypt, Nigeria, Sudan, Tunisia and Morocco.⁵ While most of the FDI to the region as a whole went to extractive industries, in Egypt – the top FDI recipient in 2006 – 80 per cent of the inflows of \$10 billion were in non-oil activities such as agriculture, manufacturing, banking and tourism.

The industrial distribution of inward FDI stock and flows clearly shows that resource-seeking

FDI has traditionally played an important role in some African countries. In Botswana, the primary sector accounted for more than 60 per cent of the FDI stock in 2005 (table 2). In South Africa and Nigeria – the largest and second largest FDI recipients in terms of stock – the share of the primary sector has risen almost two-fold and eight-fold respectively since the mid-1990s, reflecting rising corporate profit and high commodity prices (table 2). According to FDI flow data (table 3), the primary sector accounted for the largest share in Nigeria (79 per cent) in 2005 and Madagascar (71 per cent) in 2006, while in Tunisia the share of flows in the sector declined from 80 per cent in 1995 to 22 per cent in 2006.

Figure 4. Inward FDI stock in African economies, 2006
(Billions of dollars)



Source: UNCTAD, based on table 3 of country profiles and FDI/TNC database (www.unctad.org/fdistatistics).

⁵ For example, France's Crédit Agricole acquired Egyptian American Bank (later renamed the new bank Crédit Agricole – Egypt). In Nigeria, CNOOC (China) acquired NNPC OML-130 for \$3 billion, and in Sudan, inflows surged partly as a result of the sale of MobiTel to MTC Kuwait for \$1.33 billion.

In some other countries, services and manufacturing are key sectors for FDI. For example, almost the same share (two fifths) of the FDI inflows in 2006 into Egypt (38 per cent) went into services and the primary sector, with 8 per cent going to the manufacturing sector (and 16 per cent unspecified) (table 3). Morocco is another example of an African country that has a large amount of FDI stock in services (60 per cent) and manufacturing industries such as textiles and electronic equipment (31 per cent), and only 3 per cent in mining, quarrying and petroleum. This is confirmed as well by FDI flow data in Morocco (table 3), where there is an increase of the share of services in total flows from 39 per cent in 1996 to 65 per cent in 2006, due to large investments in transport, storage and communications. Financial services accounted for a large share of inward FDI stock in Egypt, South Africa and Zambia, while in Uganda the share increased from 18 per cent in 2000 to 28 per cent in 2003 (table 2); and in Mauritius, as much as half of FDI inflows went to the financial services industry (table 3).

A wider range of small and resource-poor countries has attracted slightly increased FDI inflows into the services sector, mainly from developed countries and South Africa, through privatization programmes. Nevertheless, several countries, particularly LDCs, mostly without large reserves of natural resources, still lagged behind in their FDI inflows (table 1). Some of them were also troubled by civil wars and political instabilities, making it risky for TNCs to make long-term investment in these economies. Six LDCs – Chad, Liberia, Rwanda, Sierra Leone, Somalia and Sudan – were mired in conflicts or their after-effects. However, the situation was moderated with respect to FDI inflows to Chad and Sudan, where oil reserves have been turned into major recipients of FDI, starting from 2003 (table 1).

In terms of cross-border M&A sales, the key industries that attracted most of the investments have been services and mining, quarrying and petroleum (table 4). The value of transactions in the services sector rose manifold to nearly \$11 billion in 2006 from \$0.4 billion in 1995, with trade, transport, storage and communication, finance, and business services being the most important. Although lower in value and share, cross-border M&A sales in the manufacturing sector have risen noticeably since 2000.

Developed countries have accounted for the lion's share of inward FDI stock and of flows to many African countries over various periods, and in some of the region's major recipient countries – such as Algeria, Nigeria, South Africa and Morocco – their share is above 90 per cent (table 5, annex tables 1 and 2). However, in some countries, although developed economies remained the main sources of FDI, their share declined over the years. For example, the developed countries' share in FDI inflows declined in Algeria (from 93 per cent in 1999 to 66 per cent in 2001), in Egypt (from 83 per cent in 1999–2001 to 67 per cent in 2006) and Tunisia (from 92 per cent in 1990–1992 to 77 per cent in 2005). In some others – such as Ethiopia, Madagascar and Mauritius – developed countries are lately becoming the largest source of FDI flows. Not surprisingly, most of the FDI stock in Africa originates in a few European Union countries – namely the United Kingdom, France, Portugal and Italy – and North America, mainly the United States (annex table 1). Leading developed country sources of FDI in some top host countries of the region include (a) the United Kingdom for FDI in South Africa, Madagascar and Zambia; (b) France for FDI in Morocco; (c) the United States for FDI in Egypt; and (d) Italy for FDI in Tunisia. Over the past five years or so, developed countries such as Canada and Luxembourg have emerged as important new sources of FDI for some countries in Africa (annex table 1). TNCs from Germany and France are engaged in the automotive industries, in addition to natural resource exploitation activities in Nigeria and South Africa. Among developed countries, Japan's share in the inward FDI stock in Africa is small, and is concentrated in Egypt, Swaziland and the United Republic of Tanzania, accounting for 5 per cent, 6 per cent and 5 per cent, respectively, of those countries' total inward FDI stock. Japanese TNCs are involved in high-tech activities, with Toyota, for example, running major plants in Egypt and South Africa.

Table 3. Industrial distribution of FDI inflows in selected African countries, selected years
(Percentage share in total)

Sector/industry	Egypt ^a		Ethiopia		Madagascar		Mauritania		Mauritius		Morocco		Mozambique		Nigeria ^b		Tunisia		United Republic of Tanzania		Zambia		Zimbabwe ^c		
	2006	1995	2000	1999	2006	1995	2006	1999	2006	1995	2006	1996	2006	2001	2006	1995	2005	1995	2006	1999	2001	1995	1995	1995	
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	
Primary	37.7	0.8	30.1	71.4	1.0	-	-	-	-	-	-	8.3	0.5	2.4	62.2	37.4	78.6	80.4	21.7	59.1	19.1	27.1	32.1	10.9	
Agriculture, hunting, forestry and fishing	0.2	0.8	10.8	1.2	-	-	-	-	-	-	-	0.3	0.1	2.4	-6.0	-	-	-	0.3	4.3	10.2	26.4	10.9	21.2	
Mining, quarrying and petroleum	37.5	-	19.3	70.1	1.0	-	-	-	-	-	-	8.0	0.4	-	68.2	37.4	78.6	80.4	21.4	54.8	8.9	0.7	21.2	34.0	
Secondary	8.1	99.2	62.2	6.3	-	-	-	-	-	-	-	48.3	34.4	76.0	30.9	-	-	7.9	7.9	17.5	12.3	51.3	34.0	-	
Food, beverages and tobacco	-	-	28.0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.4	11.0	7.2	-	-	-	
Textiles, clothing and leather	-	-	6.4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2.7	-	-	-	-	-	
Wood and wood products	-	-	39.3	0.3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Chemicals and chemical products	-	-	31.6	13.7	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.8	2.6	3.4	-	-	-	
Rubber and plastic products	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Non-metallic mineral products	-	-	1.3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1.1	-	-	-	-	-	
Metal and metal products	-	-	0.1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Machinery and equipment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.4	0.1	-	-	-	
Electrical and electronic equipment	-	-	20.0	3.2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2.1	-	-	-	-	
Other manufacturing	-	-	8.2	9.2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Unspecified secondary	8.1	-	-	6.3	-	-	-	-	-	-	-	48.3	34.4	76.0	30.9	-	-	7.9	-	3.5	1.6	-	-	34.0	
Tertiary	38.4	-	7.7	22.3	-	-	-	-	-	-	-	39.4	64.7	21.7	6.9	-	-	9.2	70.4	23.4	68.6	51.3	33.9	-	
Electricity, gas and water	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Construction	0.5	-	2.7	0.2	-	-	-	-	-	-	-	2.8	0.1	4.1	-1.8	-	-	-	-	5.2	1.9	2.3	-	0.1	
Trade	-	-	-	5.5	-	-	-	-	-	-	-	4.9	4.0	-	6.2	-	-	-	-	8.2	7.1	-	-	25.2	
Hotels and restaurants	-	-	4.7	-	-	-	-	-	-	-	-	-	-	1.1	2.9	-	-	9.2	0.4	3.9	5.6	-	-	-	
Transport, storage and communications	18.0	-	-	3.9	-	-	-	-	-	-	-	1.8	30.3	-	4.4	-	-	-	67.5	2.9	33.9	6.4	-	8.6	
Finance	17.7	-	-	12.2	-	-	-	-	-	-	-	48.6	15.3	11.8	-	-	-	-	-	1.3	1.5	-	-	-	
Business activities	0.3	-	0.2	0.6	-	-	-	-	-	-	-	13.8	15.8	8.3	-0.3	-	-	-	-	1.5	0.4	-	-	-	
Health and social services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.1	0.2	-	-	-	
Community, social and personal service activities	-	-	-	-	-	-	-	-	-	-	-	-	-	7.7	-	-	-	-	-	0.3	0.3	-	-	-	
Other services	-	-	-	-	-	-	-	-	-	-	-	0.9	2.6	-	-	-	-	-	-	-	-	-	-	-	
Unspecified tertiary	2.0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Unspecified	15.8	-	-	-	61.6	99.0	3.1	13.4	4.0	0.4	-	-	-	-	-	-	-	62.6	21.4	-	-	-	-	-	
Memorandum	13 084	14	135	294	15	155	19	228	327	2 964	255	154	1 271	3 403	323	3 308	542	467	194	235	-	-	-	-	
Total (\$ million)																									

Source: UNCTAD based on table 5 in country profiles and the FDI/TNC database (www.unctad.org/fdistatistics).

^a Fiscal year ending March.

^b Approval data.

^c Data for mining, quarrying and petroleum refer to the oil industry and those for unspecified refer to industries other than oil.

Table 4. Africa: distribution of cross-border M&A sales, by sector and industry, 1995, 2000 and 2006
(Millions of dollars and percentage)

Sector/industry	1995		2000		2006	
	Value	%	Value	%	Value	%
Primary	180	21.4	856	26.8	4 788	27.3
Agriculture, hunting, forestry and fishing	3	0.3	-	-	-	-
Mining, quarrying and petroleum	177	21.0	856	26.8	4 788	27.3
Manufacturing	263	31.3	1 011	31.6	2 017	11.5
Food, beverages and tobacco	63	7.5	106	3.3	1 136	6.5
Wood and wood products	56	6.7	-	-	-	-
Publishing and printing	43	5.1	3	0.1	-	-
Coke, petroleum and nuclear fuel	4	0.5	-	-	-	-
Chemicals and chemical products	3	0.4	351	11.0	3	-
Rubber and plastic products	21	2.5	46	1.4	75	0.4
Non-metallic mineral products	-	-	462	14.4	-	-
Metals and metal products	31	3.6	9	0.3	783	4.5
Machinery and equipment	10	1.1	10	0.3	-	-
Electrical and electronic equipment	12	1.4	24	0.8	8	-
Motor vehicles and other transport equipment	21	2.4	-	-	13	0.1
Services	397	47.3	1 332	41.6	10 763	61.3
Electricity, gas and water	-	-	21	0.7	307	1.7
Construction	-	-	5	0.2	-	-
Trade	103	12.3	20	0.6	1 001	5.7
Hotels and restaurants	-	-	-	-	10	0.1
Transport, storage and communications	91	10.8	449	14.0	8 321	47.4
Finance	183	21.7	102	3.2	1 086	6.2
Business services	21	2.5	694	21.7	38	0.2
Community, social and personal service activities	-	-	41	1.3	-	-
Other services	-	-	-	-	-	-
All industries	840	100.0	3 199	100.0	17 569	100.0

Source: UNCTAD cross-border M&A database (www.unctad.org/fdistatistics).

FDI inflows to the region from developing countries have grown, though they remain relatively small. In particular, TNCs from Asia and from within the African region are emerging as dynamic investors in Africa. In 1995, more than 77 per cent of inward FDI stock in Ethiopia originated in developing countries, while 65 per cent of FDI flows to Namibia came from within Africa. India and Malaysia are the leading Asian sources of FDI in Africa, followed by the Republic of Korea, China and Taiwan Province of China. Pakistan is another source of FDI in the region, although its investment is relatively small. About 29 per cent of FDI inflows to Kenya originated in China and almost half of FDI in Mauritius originated in India (annex table 2) in 1999. Among African host economies, South Africa is a large recipient of Asian FDI overall, but Mauritius receives the most FDI from India and Malaysia. However, Asian investments in Africa remain dwarfed by those from more traditional sources such as the United Kingdom (with a total FDI stock of \$30 billion in 2003), the United States (\$19.0 billion), Germany (\$5.5 billion) and France (\$4.4 billion) (UNCTAD 2007b). The South African TNCs that are now widely distributed across the region are actively engaged in the services sector, particularly in telecommunications, concentrating largely in the Southern African Development Community (SADC) region. South Africa is one of the top investors in Botswana, Malawi and the United Republic of Tanzania, while Mauritius has 21 per cent share of FDI stock in Madagascar (annex table 1). Within SADC, South African companies span a wide range of activities and are slightly more diversified, including investments, for example, in the auto industry.

Table 5. Inward FDI of selected countries in Africa from the world and major regions, 1990–2006
(Millions of dollars and percentage)

Recipient	Type	Year	Value in millions of dollars					Share in total world FDI in the country (%)			
			Total world	Developed countries	Developing economies	South-East Europe and CIS	Unspecified	Developed countries	Developing economies	South-East Europe and CIS	Unspecified
Algeria	Flows	Ave. 1998-1999	445.1	418.2	16.1	4.8	6.0	93.9	3.6	1.1	1.4
		Ave. 2000-2001	831.8	606.4	209.6	1.2	14.6	72.9	25.2	0.1	1.8
		1999	291.4	271.0	6.5	8.5	5.4	93.0	2.2	2.9	1.9
		2000	467.0	418.5	38.0	1.2	9.3	89.6	8.1	0.2	2.0
		2001	1 196.6	794.3	381.3	1.2	19.9	66.4	31.9	0.1	1.7
Botswana	Stock	1997	1 280.2	496.7	777.5	6.0	-	38.8	60.7	0.5	-
		2000	1 832.5	672.1	1 136.2	-	24.2	36.7	62.0	-	1.3
		2005	806.3	582.8	221.7	-	1.8	72.3	27.5	-	0.2
Egypt ^f	Flows	Ave. 1999-2001	911.1	752.5	152.1	-	6.5	82.6	16.7	-	0.7
		Ave. 2002-2004	1 820.5	1 374.7	138.9	-	306.8	75.5	7.6	-	16.9
		Ave. 2005-2006	11 091.1	8 197.9	1 965.8	5.3	922.1	73.9	17.7	-	8.3
		2004	4 134.5	2 976.6	249.1	-	908.8	72.0	6.0	-	22.0
		2005	9 097.9	7 589.3	558.8	10.5	939.3	83.4	6.1	0.1	10.3
2006	13 084.3	8 806.5	3 372.7	0.1	905.0	67.3	25.8	-	6.9		
Egypt ^f	Stock	1995	15 780.2	11 355.2	1 432.7	159.9	2 832.4	72.0	9.1	1.0	17.9
Ethiopia	Flows	Ave. 1992-1994	7.0	-	6.9	-	-	0.3	99.7	-	-
		Ave. 1995-1999	131.0	26.6	97.1	-	7.4	20.3	74.1	-	5.6
		Ave. 2000-2004	349.8	129.0	198.2	-	22.7	36.9	56.6	-	6.5
		2002	255.0	48.8	194.4	-	11.8	19.1	76.2	-	4.6
		2003	465.0	209.2	233.1	-	22.7	45.0	50.1	-	4.9
2004	545.1	264.5	218.4	-	62.2	48.5	40.1	-	11.4		
Ethiopia	Stock	1995	157.1	35.8	121.3	-	-	22.8	77.2	-	-
Kenya ^d	Flows	Ave. 1990-1994	78.1	34.9	6.5	-	36.7	44.7	8.3	-	47.0
		Ave. 1995-1999	70.3	29.0	12.3	-	29.0	41.3	17.6	-	41.2
		1997	80.1	17.4	1.6	-	61.1	21.8	2.0	-	76.3
		1998	43.3	13.7	16.7	-	12.9	31.6	38.7	-	29.7
		1999	130.6	41.4	37.6	-	51.5	31.7	28.8	-	39.5
Madagascar	Flows	Ave. 2002-2004	83.9	45.6	30.0	-	8.3	54.4	35.8	-	9.8
		Ave. 2005-2006	190.1	147.0	35.0	-	8.2	77.3	18.4	-	4.3
		2004	95.1	30.2	44.0	-	20.8	31.8	46.3	-	21.9
		2005	86.0	49.2	20.4	-	16.5	57.2	23.7	-	19.2
		2006	294.3	244.7	49.7	-	0.1	83.2	16.9	-	-
Madagascar	Stock	2004	256.6	144.3	112.3	-	-	56.2	43.8	-	-
		2005	250.3	170.7	79.6	-	-	68.2	31.8	-	-
		2006	932.4	586.5	341.9	-	4.1	62.9	36.7	-	0.4
Malawi	Stock	2000	357.7	201.8	103.6	-	52.3	56.4	29.0	-	14.6
		2004	562.3	366.2	183.8	-	12.3	65.1	32.7	-	2.2
Mauritius	Flows	Ave. 1990-1994	22.0	6.7	11.5	-	3.8	30.3	52.3	-	17.4
		Ave. 1995-1999	34.4	7.7	26.2	-	0.5	22.5	76.1	-	1.4
		Ave. 2000-2004	95.5	72.1	19.3	-	4.0	75.6	20.2	-	4.2
		Ave. 2005-2006	161.5	111.5	24.3	-	25.7	69.0	15.0	-	15.9
		2004	65.3	48.0	7.3	-	10.0	73.4	11.2	-	15.4
		2005	95.2	55.7	31.7	-	7.8	58.5	33.3	-	8.2
2006	227.8	167.2	16.9	-	43.6	73.4	7.4	-	19.1		
Morocco	Stock	Ave. 1996-1999	908.3	829.3	63.8	-	15.3	91.3	7.0	-	1.7
		Ave. 2000-2004	1 475.2	1 401.0	69.8	-	4.4	95.0	4.7	-	0.3
		Ave. 2005-2006	2 988.4	2 711.3	270.8	-	6.2	90.7	9.1	-	0.2
		2004	1 069.5	924.5	134.9	-	10.1	86.4	12.6	-	0.9
		2005	3 012.7	2 790.8	218.0	-	4.0	92.6	7.2	-	0.1
2006	2 964.0	2 631.9	323.7	-	8.4	88.8	10.9	-	0.3		
Morocco	Stock	2004	19 883.1	17 470.1	1 614.0	-	799.1	87.9	8.1	-	4.0
		2005	20 751.5	18 380.4	1 684.7	-	686.5	88.6	8.1	-	3.3
		2006	29 938.7	26 719.9	2 206.8	-	1 012.0	89.2	7.4	-	3.4
Mozambique	Flows	Ave. 2004-2006	168.8	26.8	137.8	-	4.1	15.9	81.7	-	2.4
		2004	244.7	24.8	209.7	-	10.1	10.2	85.7	-	4.1
		2005	107.9	53.2	44.9	-	9.8	49.3	41.6	-	9.1
		2006	153.7	2.5	158.9	-	- 7.6	1.6	103.3	-	- 5.0
Namibia	Flows	Ave. 1991-1995	80.7	28.2	52.5	-	-	34.9	65.1	-	-
		1993	57.8	20.2	37.6	-	-	34.9	65.1	-	-
		1994	54.9	19.2	35.8	-	-	34.9	65.1	-	-
		1995	55.4	19.3	36.1	-	-	34.8	65.2	-	-
Nigeria	Flows	Ave. 1990-1992	1 052.2	763.0	-	-	289.2	72.5	-	-	27.5
		Ave. 1994-1998	1 022.3	860.4	40.2	-	121.8	84.2	3.9	-	11.9
		1996	259.2	214.6	29.6	-	15.1	82.8	11.4	-	5.8
		1997	457.1	435.8	12.4	-	9.0	95.3	2.7	-	2.0
		1998	1 482.0	965.3	17.8	-	498.8	65.1	1.2	-	33.7
Nigeria	Stock	1992	1 044.1	885.9	158.1	-	-	84.9	15.1	-	-

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Table 5. Inward FDI of selected countries in Africa from the world and major regions, 1990–2006
(concluded)
(Millions of dollars and percentage)

Recipient	Type	Year	Value in millions of dollars					Share in total world FDI in the country (%)				
			Total world	Developed countries	Developing economies	South-East Europe and CIS	Unspecified	Developed countries	Developing economies	South-East Europe and CIS	Unspecified	
South Africa	Flows	Ave. 1990-1994	991.9	934.6	57.6	-	- 0.2	94.2	5.8	-	-	
		1992	618.5	628.7	- 10.2	-	-	101.6	- 1.6	-	-	
		1993	745.5	603.8	141.7	-	-	81.0	19.0	-	-	
		1994	1 932.5	1 887.5	46.2	-	- 1.1	97.7	2.4	-	- 0.1	
South Africa	Stock	1990	9 210.4	8 915.0	295.4	-	-	96.8	3.2	-	-	
		1995	15 014.1	14 431.3	531.6	-	51.3	96.1	3.5	-	0.3	
		2000	43 451.0	41 956.1	1 442.8	-	52.1	96.6	3.3	-	0.1	
		2004	63 070.7	60 823.4	2 247.2	-	-	96.4	3.6	-	-	
		2005	77 362.4	75 901.0	1 461.2	-	0.2	98.1	1.9	-	-	
Swaziland	Stock	1993	63.0	63.0	-	-	-	100.0	-	-	-	
Tunisia	Flows	Ave. 1990-1992	261.7	239.4	18.1	2.8	1.3	91.5	6.9	1.1	0.5	
		Ave. 1995-1999	400.7	358.6	41.1	0.2	0.8	89.5	10.3	-	0.2	
		Ave. 2000-2004	661.8	560.9	88.8	0.6	11.5	84.8	13.4	0.1	1.7	
		Ave. 2005-2006	2 045.4	751.2	1 280.7	-	13.5	36.7	62.6	-	0.7	
		2004	639.0	549.4	88.6	-	1.0	86.0	13.9	-	0.2	
		2005	782.9	606.1	155.7	-	21.0	77.4	19.9	-	2.7	
Tunisia	Stock	1994	151.3	114.9	33.3	3.1	-	75.9	22.0	2.1	-	
		2006	3 307.9	896.3	2 405.7	-	5.9	27.1	72.7	-	0.2	
Uganda	Stock	2000	807.1	489.6	233.5	-	84.0	60.7	28.9	-	10.4	
		2003	1 358.8	785.9	281.7	-	291.2	57.8	20.7	-	21.4	
United Rep. of Tanzania	Flows	Ave. 2000-2001	374.5	186.8	181.3	-	6.5	49.9	48.4	-	1.7	
		1999	1 058.3	441.6	324.6	-	292.1	41.7	30.7	-	27.6	
		2000	282.0	128.1	151.1	-	2.8	45.4	53.6	-	1.0	
		2001	467.0	245.4	211.5	-	10.1	52.5	45.3	-	2.2	
United Rep. of Tanzania	Stock	1998	3 352.5	2 134.5	1 139.2	1.5	77.3	63.7	34.0	-	2.3	
		2000	3 038.3	1 847.4	1 113.1	16.7	61.1	60.8	36.6	0.5	2.0	
		2001	3 776.8	2 161.9	1 514.1	14.3	86.5	57.2	40.1	0.4	2.3	
Zambia	Stock	2000	850.7	664.4	179.5	-	6.8	78.1	21.1	-	0.8	
		2001	1 084.8	856.6	219.8	-	8.4	79.0	20.3	-	0.8	
Zimbabwe	Flows	Ave. 1993-1994	302.4	221.8	76.0	4.6	-	73.3	25.1	1.5	-	
		1993	204.2	114.2	83.2	6.9	-	55.9	40.7	3.4	-	
		1994	400.6	329.4	68.8	2.3	-	82.2	17.2	0.6	-	
		1995	235.1	145.9	56.7	32.4	-	62.1	24.1	13.8	-	

Source: UNCTAD, based on tables 6 and 12 of country profiles and the FDI/TNC database (www.unctad.org/fdistatistics).

^a Data are on a fiscal year basis, year ending 30 June.

^b Data are on an approval basis.

In terms of corporate activities, at the end of 2006, Africa was host to about 6,400 foreign affiliates of TNCs (UNCTAD 2007a), mainly from Europe and the United States, though the number of foreign affiliates from the United States in the region was declining. At the end of 2004, there were only 630 foreign affiliates of United States TNCs in the region, compared to 689 affiliates in 1989. Some TNCs from the European countries and the United States had withdrawn their operations from the region in the 1990s but started to make a gradual return, particularly to the Southern Africa subregion. The acquisition of the Amalgamated Bank of South Africa (ABSA) by Barclays Bank of the United Kingdom for \$5.5 billion in 2005 is a good example of such return. South Africa, with more than 640 foreign affiliates, is host to the highest number of foreign TNCs in Africa; Morocco and the United Republic of Tanzania are the next main destinations for foreign affiliates.

The rising inflows and rapidly growing presence of TNCs in the primary and services sectors have had an overall positive but variable impact on the economies of the region. Natural resource exploitation has contributed to accelerated export growth of the resource-rich economies. In 2006, foreign exchange reserves in the region as a whole grew by some 30 per cent and by even more in some major oil-exporting countries such as Nigeria and the Libyan Arab

Jamahiriya.⁶ Income on inward FDI as reported in the balance of payments in 2006 grew by 14 per cent, which was more than in Asia and Oceania (9 per cent), but much less than in Latin America and the Caribbean (36 per cent).⁷ TNCs engaged in the services sector have also helped to boost the level of infrastructure development and economic growth leading local African companies also to expand outside their national territories, particularly in the telecommunications and electricity and gas industries.

As far as distribution of foreign affiliates by industry is concerned, they operate in various industries from small agricultural, agro-processing and manufacturing companies operating in niche markets, to worldwide petroleum, energy and communication companies employing thousands of people. However, large foreign affiliates are engaged mainly in oil exploration and mining and quarrying in the primary sector, and telecommunications in the services sector (table 6).

2. Outward FDI

In some African countries, local companies have successfully transformed themselves into major global players. Several Africa-based TNCs are spreading into the global market and engaging in investment activities outside Africa, including in the United Kingdom and the United States (table 7). In 2006, FDI outflows from Africa stood at over \$8 billion (figure 5), and outward FDI stock from the region reached \$60 billion, as compared with \$7 billion in 1980. The distribution of the region's outward FDI stock was, however, skewed towards a few home countries, as reflected in the following shares: South Africa (73 per cent), Nigeria (10 per cent), Liberia (5.4 per cent) and Libyan Arab Jamahiriya (2 per cent) (figure 6). North Africa accounted for about 8 per cent of the region's outward stock, with Libyan Arab Jamahiriya, Morocco, Egypt and Algeria being the principal home countries.

While the spread of outward FDI from Africa is certainly less spectacular than that of FDI from the emerging economies of Asia and Latin America, the amount has become significant, particularly from the mid-1990s. Its rise has been driven by the need to engage in the globalization process, such as with mobile phone services, as well as gains from growth in profits in many production sectors. Recent trends show that total FDI outflows from the region had fluctuated from \$2.5 billion in 1995 to -\$2.6 billion in 2001, and in 2006, they registered a significant recovery, to \$8.2 billion (figure 5). Most of these outflows originated in South Africa.

Since the end of apartheid in the early 1990s, South Africa has emerged as a global powerhouse for outward FDI, with a strong focus on the services sector: communications, finance, electricity, trade, transport and storage. Some South African TNCs are also engaged in the primary and secondary sectors. South Africa's FDI outflows to the rest of Africa have been a vital part of the region's FDI, accounting, for example, for up to 40 per cent of the inward FDI stock in Botswana in 2003 (annex table 1). In 2004, the Government of South Africa abolished limits and eased foreign-exchange restrictions on its TNCs investing abroad. As a consequence, TNCs from the country in search of markets and assets have a strong presence abroad in virtually all sectors within Africa and abroad. The expansion is also attributable to South Africa's robust economy, characterized by a high degree of industrial development and technological capability at the corporate level, compared with other countries in the region. The country's strategy of encouraging its TNCs' outward FDI activities has become important for the overall development of other countries in Africa through increased investment in their economies.

⁶ Data on international reserves from the IMF's *International Financial Statistics*.

⁷ Based on 29 African countries; source: IMF, *Balance of Payments Statistics*.

Table 6. The largest affiliates of foreign TNCs in Africa, 2006
(Millions of dollars and number)

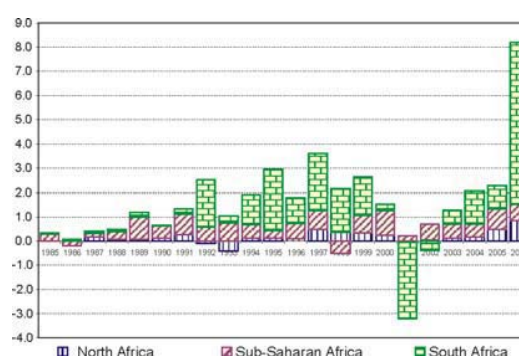
Company	Host economy	Home economy	Industry	Sales/Assets	Employees
A. Industrial				Sales	
Air Liquide Maroc Sa	Morocco	France	Chemicals and chemical products	9 438	240
Billiton Aluminium Sa Ltd	South Africa	Australia	Metal and metal products	6 084	1 017
Kwaba Sociedade Industrial e Comercial	Angola	United States	Food products, beverages and tobacco	2 684	..
Carson Midrand Manufacturing Pty Ltd	South Africa	France	Chemicals and chemical products	2 069	..
Trw Occupant Restraints South Africa Inc	South Africa	United States	Other manufacturing	1 722	422
Highveld Steel And Vanadium Corporation Ltd	South Africa	United Kingdom	Metal and metal products	1 067	3 842
Arvinmeritor Investments Sa (Pty) Ltd	South Africa	United States	Motor vehicles and trailers	1 048	420
Distell Ltd	South Africa	United Kingdom	Food products, beverages and tobacco	1 045	4 400
Société Africaine De Cacao Sa	Cote d'Ivoire	Switzerland	Food products, beverages and tobacco	963	400
Nestle Côte d'Ivoire Sa	Cote d'Ivoire	Switzerland	Food products, beverages and tobacco	951	836
Heraeus Chemicals Sa (Pty) Ltd	South Africa	Germany	Chemicals and chemical products	944	45
Afrox Ltd	South Africa	United Kingdom	Chemicals and chemical products	896	..
Johnson Matthey (Pty) Ltd	South Africa	United Kingdom	Metal and metal products	786	800
Clover Botswana Pty Ltd	Botswana	South Africa	Food products, beverages and tobacco	661	200
Metso Minerals (Johannesburg) (Pty) Ltd	South Africa	Finland	Machinery and equipment	658	1 200
Metso Minerals Sa (Pty) Ltd	South Africa	Finland	Machinery and equipment	649	1 200
Siemens Telecommunications (Pty) Ltd	South Africa	Germany	Electrical and electronic equipments	612	..
Ppc Botswana Pty Ltd	Botswana	South Africa	Non-metallic mineral products	608	80
B. Tertiary				Sales	
Imperial Cargo (Pty) Ltd	South Africa	Lesotho	Land transport	6 773	..
Carrier South Africa (Pty) Ltd	South Africa	United States	Wholesale trade	4 569	..
Anglo American Corporation of South Africa Ltd	South Africa	United Kingdom	Holding	4 389	..
Mondi Limited Ltd	South Africa	United Kingdom	Personal services	4 389	..
Mondi Packaging South Africa (Pty) Ltd	South Africa	United Kingdom	Personal services	4 332	..
Honeywell Southern Africa (Pty) Ltd	South Africa	United States	Wholesale trade	4 123	365
Alfa Laval (Pty) Ltd	South Africa	Sweden	Wholesale trade	2 435	38
Kimberly Clark of South Africa (Pty) Ltd	South Africa	United States	Wholesale trade	2 371	..
Sabsa Holdings (Pty) Ltd	South Africa	United Kingdom	Personal services	2 331	..
Anglogold Ashanti Health (Pty) Ltd	South Africa	Malta	Health services	2 296	..
Expo Liquor Ltd	South Africa	United Kingdom	Wholesale trade	1 910	..
Kellogg Company of South Africa (Pty) Ltd	South Africa	United States	Wholesale trade	1 517	..
Grinaker-Lta Botswana Ltd	Botswana	South Africa	Personal services	1 363	..
Distell Group Ltd	South Africa	United Kingdom	Wholesale trade	855	..
Liebherr-Africa (Pty) Ltd	South Africa	Switzerland	Construction	848	250
Ciba Specialty Chemicals (Pty) Ltd	South Africa	Switzerland	Wholesale trade	832	23
Everite Building Products (Pty) Ltd	South Africa	United States	Distributive trade	786	850
C. Finance and Insurance				Assets	
Hsbc Bank Plc (Incorporated In The United Kingdom)	South Africa	United Kingdom	Finance	5 138	200
Hsbc Bank Egypt Sae	Egypt	United Kingdom	Finance	986	995
S A Eagle Risk Financing Ltd	South Africa	Switzerland	Insurance	273	100
Societe Generale Marocaine Des Banques Sa	Morocco	France	Finance	185	2 000
Banque Marocaine Pour Le Commerce Et L'Industrie Sa	Morocco	France	Finance	182	1 300
Pinnacle Micro (Pty) Ltd	South Africa	Germany	Finance	104	350
Pharaonic American Life Insurance	Egypt	United States	Insurance	100	..
Standard Chartered Bank Côte d'Ivoire Sa	Cote d'Ivoire	United Kingdom	Finance	97	90
Barclays Bank of Botswana	Botswana	United Kingdom	Finance	58	1 200
Union Internationale De Banques Sa	Tunisia	France	Finance	54	1 461
Arab Tunisian Bank Sa	Tunisia	Jordan	Finance	52	986
Bnp Paribas Le Caire	Egypt	France	Holding	47	270

Source: UNCTAD, based on table 88 of country profiles.

Note: Includes only foreign affiliates for which data on sales/assets are available.

Although developed countries, mainly European Union members, have been the main hosts for investments by African TNCs, their share has fallen in the past decade. While in 1995 some 95 per cent of South African FDI stock was held in developed countries, in 2006 it fell to 76 per cent. The share has also fallen in the case of FDI outflows from Nigeria and Mauritius (table 7). Among developed countries, Luxembourg and the United Kingdom accounted for the highest shares of South African FDI stock in 2006, followed by the United States. TNCs from South Africa are also important investors not only in Africa (for example, in Mauritius) but also in developing Asia. Other African FDI source countries such as Mauritius, Morocco and Namibia have a large share of their outward FDI in other developing economies, especially in Africa.

Figure 5. FDI outflows from Africa, 1985–2006



Source: UNCTAD, FDI/TNC database (www.unctad.org/fdistatistics).

Note: North Africa includes Algeria, Egypt, Libyan Arab Jamahiriya, Morocco, Sudan and Tunisia; Sub-Saharan Africa includes the rest of the countries in Africa.

As for its sectoral distribution, outward FDI from some African countries is concentrated largely in the primary sector, mainly mining, quarrying and petroleum. For example, 52 per cent of outward stock and 99 per cent of outflows from Nigeria were in that sector (table 8). TNCs from other countries are involved in other sectors. As noted, South African TNCs focus strongly on the services sector. Over four fifths of outward FDI stock of Morocco is also in the tertiary sector, while nearly a third of outward FDI flows from Mauritius in 2006 were in the manufacturing sector.

The 15 largest African TNCs in the industrial sector (primary and manufacturing), in terms of total annual sales, originated from three countries (in descending order): South Africa, Angola and Morocco (table 9). The large foreign affiliates established by South African firms in developed countries, in particular the United Kingdom, are engaged in trade (table 10), while those in the rest of Africa were disproportionately concentrated in other tertiary-sector industries such as telecommunications and finance. Large-scale privatization that has taken place in the telecommunications industry in some African countries has driven South African TNCs such as MTN and Vodacom to invest in other countries within the region. ESKOM, the electricity parastatal of South Africa, has expanded its activities across many countries of the region with large projects in the Democratic Republic of the Congo, Nigeria, Zambia and Zimbabwe (table 11).

Table 7. Geographical distribution of outward FDI from selected African countries, selected years
(Percentage share in total)

Region/economy	Flows					Stock		
	Mauritius		Namibia	Nigeria		Morocco	South Africa	
	1995	2006	1995	1995	1998	2004	1995	2006
Total world	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Developed countries	6.3	0.2	23.5	98.3	68.2	56.3	95.1	75.7
Europe	6.3	0.2	23.5	71.7	48.9	44.6	89.0	67.4
European Union	6.3	0.2	-	27.2	46.7	44.6	-	66.1
Austria	-	-	-	-	-	-	-	6.3
Belgium	-	-	-	-	-	6.0	-	3.7
France	6.3	0.2	-	-	-	34.8	-	0.2
Germany	-	-	-	-	-	0.1	-	1.4
Ireland	-	-	-	-	-	-	-	0.1
Italy	-	-	-	-	-	0.1	-	-
Luxembourg	-	-	-	-	-	-	-	30.0
Netherlands	-	-	-	-	-	-	-	1.8
Spain	-	-	-	-	-	3.6	-	-
United Kingdom	-	-	-	27.2	46.7	-	-	22.5
Other developed Europe	-	-	-	-	-	-	-	0.7
Switzerland	-	-	-	-	-	-	-	0.7
North America	-	-	-	26.6	19.3	11.7	6.1	6.2
Canada	-	-	-	-	-	7.4	-	0.0
United States	-	-	-	26.6	19.3	4.3	-	6.1
Other developed countries	-	-	-	-	-	-	0.1	2.1
Australia	-	-	-	-	-	-	-	1.9
Japan	-	-	-	-	-	-	-	0.2
Developing economies	93.7	77.2	76.5	1.6	0.1	42.5	4.9	24.3
Africa	88.9	67.6	76.5	-	-	36.0	4.5	16.7
North Africa	-	-	-	-	-	22.4	-	-
Algeria	-	-	-	-	-	0.2	-	-
Morocco	-	-	-	-	-	22.1 ^a	-	-
Tunisia	-	-	-	-	-	0.1	-	-
Other Africa	88.9	67.6	76.5	-	-	13.6	-	12.3
Botswana	-	-	-	-	-	-	-	0.2
Central African Republic	-	-	-	-	-	0.4	-	-
Comoros	77.8	-	-	-	-	-	-	-
Côte d' Ivoire	-	-	-	-	-	0.1	-	-
Gabon	-	-	-	-	-	0.5	-	-
Guinea	-	-	-	-	-	1.6	-	-
Lesotho	-	-	-	-	-	-	-	0.1
Madagascar	7.9	25.7	-	-	-	-	-	-
Mali	-	-	-	-	-	1.3	-	-
Mauritania	-	-	-	-	-	7.3	-	-
Mauritius	-	-	-	-	-	-	-	9.6
Mozambique	-	23.8	-	-	-	-	-	1.5
Namibia	-	-	-	-	-	-	-	0.2
Reunion	-	0.4	-	-	-	-	-	-
Senegal	-	-	-	-	-	2.4	-	-
Seychelles	-	16.5	-	-	-	-	-	-
South Africa	3.2	1.2	76.5	-	-	-	-	-
Swaziland	-	-	-	-	-	-	-	0.2
Zambia	-	-	-	-	-	-	-	0.1
Zimbabwe	-	-	-	-	-	-	-	0.4
Latin America and the Caribbean	-	-	-	-	-	0.1	-	0.5
South America	-	-	-	-	-	0.1	-	-
Brazil	-	-	-	-	-	0.1	-	-
Asia	4.8	9.6	-	1.6	0.1	6.4	0.4	7.1
West Asia	-	-	-	-	-	0.2	-	-
United Arab Emirates	-	-	-	-	-	0.2	-	-
South, East and South-East Asia	4.8	9.6	-	-	-	6.2	-	0.3
Hong Kong, China	-	-	-	-	-	-	-	0.2
India	4.8	0.2	-	-	-	6.2	-	-
Maldives	-	9.4	-	-	-	-	-	-
Unspecified	-	22.6	-	0.1	31.7	1.2	-	-
Memorandum								
Total (\$ million)	4	36	5	334	382	676	23 301	50 826

Source: UNCTAD based on tables 9 and 15 in country profiles and FDI/TNC database (www.unctad.org/fdistatistics).

^a Represents Morocco's investment stock in the offshore centre of Tangier, Morocco.

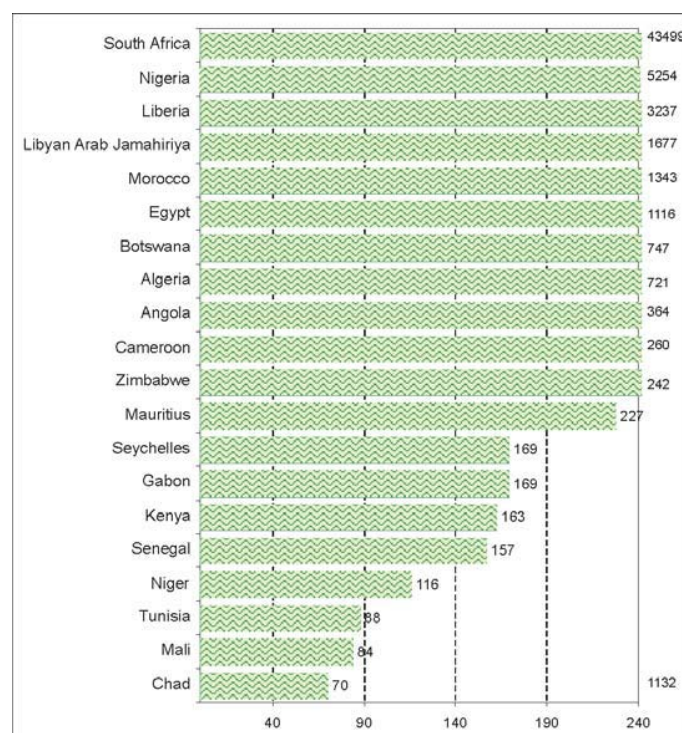
Table 8. Industrial distribution of outward FDI from selected African countries, selected years
(Percentage share in total)

Sector/industry	Flows				Stock		
	Mauritius		Nigeria ^a		Morocco	Nigeria ^a	
	1995	2006	1995	2005	2004	1995	2005
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Primary	-	-	45.6	99.4	17.4	22.3	51.8
Agriculture, hunting, forestry and fishing	-	-	-	-	0.7	-	-
Mining, quarrying and petroleum	-	-	45.6	99.4	16.7	22.3	51.8
Secondary	22.2	29.5	-	-	1.5	-	-
Textiles, clothing and leather	-	-	-	-	0.7	-	-
Unspecified secondary	22.2	29.5	-	-	0.8	-	-
Tertiary	-	34.5	-	-	80.9	-	-
Trade	-	-	-	-	0.2	-	-
Hotels and restaurants	-	34.5	-	-	-	-	-
Transport, storage and communications	-	-	-	-	10.6	-	-
Finance	-	-	-	-	53.7	-	-
Business activities	-	-	-	-	15.4	-	-
Other services	-	-	-	-	1.0	-	-
Unspecified	77.8	36.0	54.4	0.6	0.2	77.7	48.2
Memorandum							
Total (\$ million)	4	36	192	199	676	2 139	4 233

Source: UNCTAD based on tables 8 and 11 in country profiles and FDI/TNC database (www.unctad.org/fdistatistics).

^a Data for mining, quarrying and petroleum refer to the oil industry and those for unspecified refer to industries other than oil.

Figure 6. Outward FDI stock from the top 20 African outward-investor economies, 2006
(Millions of dollars)



Source: UNCTAD, based on table 4 of country profiles and FDI/TNC database (www.unctad.org/fdistatistics).

Note: Includes only foreign affiliates for which data on sales/assets are available.

Table 9. The largest home-based TNCs located in Africa, 2007
(Billions of dollars)

Company	Home economy	Industry	Sales/Assets
A. Industrial			Sales
Sonatrach	Algeria	Petroleum expl./ref./distr.	41.8
SASOL	South Africa	Chemicals and chemical products	10.9
Imperial Holdings	South Africa	Automobile	6.7
De Beers Consolidated Mines	South Africa	Mining	6.5
ESKOM	South Africa	Electricity/gas/water	5.8
SAPPI	South Africa	Paper and paper products	5.0
Mittal Steel South Africa	South Africa	Metal and metal products	3.8
SAB Miller South Africa	South Africa	Food products, beverages and tobacco	3.8
Anglo Platinum Corporation	South Africa	Mining	3.7
Sté Anonyme Marocaine de l'Industrie du Raffinage	Morocco	Petroleum expl./ref./distr.	2.8
Debswana Diamond Company	Botswana	Mining	2.7
Ashanti Goldfields Co.	South Africa	Mining	2.7
Tiger Brands	South Africa	Agro-industry	2.4
Office Chérifien des Phosphates	Morocco	Mining	2.4
Impala Platinum Holdings	South Africa	Mining	2.0
Super Group	South Africa	Automobile	1.9
Société Ivoirienne de Raffinage(SIR)	Côte d'Ivoire	Chemical and chemical products	1.9
Gold Fields	South Africa	Mining	1.9
B. Tertiary			Sales
The Bidvest group	South Africa	Retail trade	9.9
Metro Cash and Carry	South Africa	Retail trade	9.1
TELKOM	South Africa	Telecommunications	7.6
Barloworld	South Africa	Diversified group	6.2
Pick 'N' Pay Stores Holdings	South Africa	Retail trade	5.8
Vodacom	South Africa	Telecommunications	5.4
Shoprite Holdings	South Africa	Retail trade	4.8
MTN Group	South Africa	Telecommunications	4.3
Massmart Holdings	South Africa	Retail trade	4.2
Transnet	South Africa	Transportation	4.2
Orascom Telecom Holding	Egypt	Telecommunications	3.2
South African Airways	South Africa	Air transport	3.1
Steinhoff International Holdings	South Africa	Furnishing	3.0
Datatec	South Africa	Computer and related activities	3.0
Groupe Ona	Morocco	Diversified group	2.8
Edgars Consolidated Stores	South Africa	Retail trade	2.6
Naspers	South Africa	Media	2.5
Nampak	South Africa	Paper and packaging	2.5
C. Finance and Insurance			Assets
Old Mutual	South Africa	Insurance	12.7
SANLAM	South Africa	Insurance	10.0
Liberty Group	South Africa	Insurance	3.6
Kumba Resources	South Africa	Financial services	1.9
Santam	South Africa	Insurance	1.8
Mutual and Federal Insurance	South Africa	Insurance	1.3
Momentum Life Assurers	South Africa	Insurance	1.2
Alexander Forbes	South Africa	Financial services	0.8
Metropolitan Life	South Africa	Insurance	0.8
Discovery Health	South Africa	Insurance	0.6
SA Eagle Insurance Company	South Africa	Insurance	0.6
African Life Assurance Company	South Africa	Insurance	0.4
Misr Insurance Co.	Egypt	Insurance	0.3

Source: UNCTAD, based on table 86 of country profiles.

Note: Includes only foreign affiliates for which data on sales/assets are available.

Table 10. The largest foreign affiliates of TNCs from Africa, 2007
(Millions of dollars)

Company	Host economy	Home economy	Industry	Sales/Assets	Employees
A. Industrial				Sales	
Societe Ashanti Goldfields De Guinee Sa	Guinea	Ghana	Mining and quarrying	108.0	1 978
Coficab Portugal - Companhia De Fios E Cabos, Lda	Portugal	Tunisia	Electrical and electronic equipments	56.6	209
Elf Oil Mauritanie	France	Mauritania	Petroleum	43.0	..
Cambridge Weavers Ltd	England	Egypt	Textiles and clothing	3.9	7
Gepa Elektronische Bauelemente Vertriebsges. Mbh	Germany	Tunisia	Electrical and electronic equipments	2.4	3
Tri Clover Industries (T) Limited	Tanzania	Kenya	Chemicals and chemical products	..	500
Kibo Breweries Ltd	Tanzania	Kenya	Food products, beverages and tobacco	..	250
Uganda Grain Milling Co Ltd	Uganda	Kenya	Food products, beverages and tobacco	..	125
Treadsetters Tyres (T) Ltd	Tanzania	Kenya	Rubber and plastic products	..	65
B. Tertiary				Sales	
Orascom Telecom Algerie Spa	Algeria	Egypt	Telecommunications	405.3	1 200
Orascom Telecom Tunisia	Tunisia	Egypt	Telecommunications	81.5	100
Dynatrade Sa	Switzerland	Egypt	Wholesale trade	50.0	10
Societe Mauritanienne Des Telecommunications	France	Mauritania	Other services	35.5	580
T & H Gulf Distribution Fzco	United Arab Emirates	Egypt	Wholesale trade	25.0	6
Lecico Plc	England	Egypt	Wholesale trade	19.1	10
Sait Telecom S P R L	Congo Dem. Rep. of	Egypt	Telecommunications	16.8	120
Prima Pasta And Biscuits (Pty) Ltd	South Africa	Botswana	Wholesale trade	15.9	35
Botswana Meat Commission (U.K.) Holdings Ltd	England	Botswana	Wholesale trade	13.8	83
Oriental Weavers Uk Ltd	England	Egypt	Wholesale trade	8.5	15
Sonangol USA 6866	United States	Angola	Wholesale trade	4.4	14
Billedge Ltd	England	Egypt	Holding (administration)	3.9	7
Transglobe Produce Exports Ltd	Malawi	Maly	Wholesale trade	3.0	1 800
Magnol Electrical (Pty) Ltd	South Africa	Botswana	Public utility	2.9	12
Regional Air Services	Tanzania	Kenya	Air transport	2.2	31
Allied Meat Importers (Nederland) B.V.	Netherlands	Botswana	Wholesale trade	0.9	3
Allied Meat Importers (Uk) Ltd	England	Botswana	Wholesale trade	0.2	2
C. Finance and Insurance				Assets	
Laiki Factors Limited	Cyprus	Kenya	Finance	12.857	31
Hsbc Bank Egypt Sae	United Kingdom	Egypt	Finance	986	995
Pharaonic American Life Insurance	United States	Egypt	Insurance	100	..
Bnp Paribas Le Caire	France	Egypt	Holding (financial)	47	270
Medicapital Bank Plc	United Kingdom	Morocco	Finance	..	24

Source: UNCTAD, based on table 87 of country profiles.

Note: Includes only foreign affiliates for which data on sales/employees/assets are available.

Table 11. Africa: selected major outward investor enterprises by country and sector/industry, 2006

Economy	Sector/industry	Corporations and host countries	
South Africa	Aviation and airport services	Airports Company of South Africa (9 countries)	
	Airlines	South African Airways, stakes in Air Tanzania and Eagle Airline	
	Banking and financial services	Private enterprises	Stanbic (Uganda, Tanzania, Malawi; Abroad – United Kingdom, Luxembourg, United States and Amalgamated Bank of South Africa (Mozambique, Namibia, Tanzania, Angola, Zimbabwe); Stanlib (Standard Bank/Liberty Bank Joint Venture) (First Rand plus subsidiary Rand Merchant Nedbank (United Kingdom) Investec Ltd (United Kingdom, Hong Kong (China) and Ireland)
		State-owned enterprises	Development Bank of South Africa (DBSA) (7 countries) Industrial Development Corporation (20 countries)
	Construction	Murray & Roberts (United Kingdom and United Arab Emirates) Group 5 (United Kingdom)	
	Electricity and gas	Sasol (United Kingdom, France, Germany, Italy, Slovakia, China, Japan and United States)	
	Manufacturing	Nampak (Ethiopia, Kenya, Malawi, Mozambique, Namibia, Nigeria, Swaziland, Tanzania, Zambia, Sappi (United Kingdom, United States, Belgium, Australia, Turkey, Hong Kong (China), Singapore, SABMiller (Botswana, Ghana, Tanzania, Uganda and Zimbabwe) Ilovo Sugar (Malawi and Mozambique) Tongaat Hullet Barlorld (Zambia and Zimbabwe; Abroad – United States, United Kingdom, Belgium, AECI subsidiaries AEL and DULUX (United Kingdom)	
	Media and broadcasting	Multichoice (services in 21 countries)	
	Mining	De Beers (Portugal, Switzerland and Canada) AngloGold (Argentina, Australia, Brazil, Colombia, Ghana, Guinea, Mali, Namibia, Tanzania and Goldfields (Ghana, and Peru)	
	Retail	Shoprite Massmart (makro, Game, Dion, Cash & Carry, Builders Warehouse), 300 outlets in Metcash (Angola) Wooltru / Woolworths (19 countries) Pepkor Holdings (Pep Stores, Ackermans) (6 countries) Ellerine Holdings Limited (Ellerines, Town Talk Furnishers, Furn City, Rainbow Loans, CPI Foreign, JD Group (Abra, Barnetts, BoConcept, Bradlows, Electric Express, Hi-Fi Corporation, Joshua Doore, Morkels, Price and Pride, Russels) (Poland and United Kingdom)	
	Research and development	V&A Waterfront (Gabon, Greece, Mauritius, Nigeria, Oman, United Kingdom and Russian)	
	Telecommunications	MTN/M-Cell (Afghanistan, Benin, Botswana, Cameroon, Cyprus, Ghana, Guinea, Guinea Bissau, Vodacom (Democratic Republic of the Congo, Lesotho, Mozambique), Transtel (Almost all the countries of Africa) Eskom Enterprises Telecommunications (Zambia)	
	Transport	Transet (9 divisions with African involvement including Spoornet Joint Ventures and its subsidiary Comazar, Transwerk and Transtel)	
	Tourism and leisure	Protea Hotels (United Kingdom) Imperial Car Rental (Belgium, Germany, Belgium, Poland, France and Netherlands)	
	Utilities (Power)	Eskom Enterprises (the Democratic Republic of Congo, Zambia, Botswana, Tanzania, Gambia,	
Kenya	East African Breweries (Tanzania and Uganda) NOTCO Kenya Limited (France, Luxembourg and Malaysia) Car and General Kenya Limited (Uganda and Tanzania) Bidco Oil Refineries (Uganda and Tanzania) Laxmanbhai Construction Ltd (Seychelles) Dynamic Communications (Bulgaria)		
Nigeria	Oriental Resources (Angola and Chad) Oando (Angola and South Africa) Summit Oil International Ltd (Bahamas)		
Mauritius	STT Crossing Ltd (United States, United Kingdom, Canada, Panama and Bermuda) The Mauritius Chemical & Fertilizer Ltd (Madagascar) International Global Systems Ltd (United Kingdom and Singapore) Plastinax Australia Ltd (France)		
Egypt	Orascom (Congo, Italy, Tunisia and Mauritius, Bangladesh and United Kingdom) Oriental Weavers for Carpets (United Kingdom) Banque National D'Egypte (France) Amr Helmy Designs (United Arab Emirates) HCH Supply Limited (United States)		
Botswana	Botswana Meat Commission (United Kingdom, Germany and Netherlands) BCL Ltd (South Africa)		
Morocco	AttijariWafabank SA (France and United Kingdom) Banque Marocaine Du Commerce Exterieur SA (France and United Kingdom) M2M Group SA (France)		

Source: UNCTAD, based on Buhlungu et al. 2006 and various companies' websites.

B. Policy developments with respect to inward FDI

In the effort to realize their FDI potential, many African countries have adopted new FDI policy measures and modified existing ones at the national level, and entered into bilateral and other international investment arrangements. They have also engaged in market access initiatives and regional integration schemes: regional market size defined in terms of the consumer population and purchasing power has been growing, but as many individual economies in the region are small, market expansion through regional integration has been an option explored by many African countries right from the early years of independence.

Reforms of investment laws have mainly aimed at liberalizing TNC entry and operations and strengthening the protection of foreign investment. The number of national policy changes related to FDI observed by UNCTAD has risen annually in the region since the early 1990s. In 2006, for example, 57 changes were noted by UNCTAD, 49 of which made the investment environments more favourable to inward FDI.

Previously, common criteria for granting authorization under several investment codes – such as a minimum size of capital investment, assessment of the potential for value added, and job creation – have largely been removed. To establish new businesses, foreign investors typically have to go through the same administrative process as domestic investors. Many African countries have set up investment promotion agencies (IPAs) to promote inward investment, often with the purpose of providing a one-stop shop for companies to go through when investing in a country. At the same time, other policy changes and measures have been pursued with the aim of liberalizing international trade and domestic markets, reducing red tape for businesses, updating the financial systems, privatizing State-owned firms, and offering concessions to investors in extractive industries and various infrastructure industries. They have also strengthened their fiscal position by cutting the public wage bill, trimming subsidies, and widening and deepening the tax net.

However, despite widespread efforts at opening up to inward FDI, inflows have remained concentrated in a small number of countries. In some cases, large FDI inflows have been related to the privatization of formerly State-owned enterprises. Common remaining policy challenges to create an enabling environment for FDI, especially in sub-Saharan African countries, include the development of physical infrastructure, the strengthening of the institutional and policy framework, and the harnessing of human resources. Thus, at the end of 2006, the countries that received the bulk of Africa's FDI were not countries with the most liberal policies but rather those with large natural resources, notably oil.

A large number of African countries have also sought to standardize entry and operating conditions for FDI with those of other countries and to reduce the risk of investing in their countries. In this context, many of them are now parties to international investment agreements and conventions, and associating with multilateral investment institutions. A common feature of such efforts has been the signing of bilateral investment treaties (BITs) and to a lesser extent, double taxation treaties (DTTs). The network of such agreements between African countries and other countries, both within and outside the region, has increased significantly in recent years. For example, at the end of 2007, all 53 African countries had signed at least one BIT. Moreover, as of the end of 2007, at least 50 African countries were members and one (Niger) fulfilled membership requirements of the Multilateral Investment Guarantee Agency (MIGA) of the World Bank Group (table 12).

1. Developments at the national level

Key changes in the national regulatory frameworks for FDI in the region have influenced a number of areas, including, the following.

Limitations on foreign ownership of companies. With the shift towards a more welcoming policy for FDI, many African countries have abolished the approval process and significantly scaled back the requirement of local participation, sometimes on a sector-by-sector basis. In several African countries, privatization programmes have created opportunities for domestic and foreign private firms to acquire State-owned entities through open bidding processes. Furthermore, foreign investors have generally been given improved rights to repatriate their profits.

Expropriation and compensation. Expropriation of private property for public purposes is largely viewed as a thing of the past in many African countries. However, in the extractive industries, some Governments are considering ways to secure a greater share of the revenues generated. To the extent expropriation occurs, African countries now do so according to established principles in international law in a process that is public and more transparent, and in many cases compensation is awarded by court decision.

Dispute settlement. Disputes occasionally arise between Governments and foreign companies. Some cases involve wrongdoing on the part of companies, and some involve problems with government officials and institutions. In many countries, investment codes allow a foreign company that has signed an agreement to refer to international arbitration any case that the local courts are unable to resolve.

Foreign exchange controls on investment-related capital and income flows. Restrictions on foreign exchange have not completely disappeared in many Africa countries as some have been taking a gradualist approach in abolishing the process, depending on the impact on their economies. Many have removed all controls on profit repatriation. Transactions are even more liberalized within the various subregional groupings – such as the Arab Maghreb Union, Common Market for the Eastern and Southern Africa, Economic Community for West African States, Southern Africa Development Community, Communauté Économique et Monétaire de L’Afrique Centrale and Union Economique et Monétaire Ouest Africaine – with the last two of these groupings each using a common central bank. Six countries – Cameroon, Central African Republic, Congo, Gabon, Equatorial Guinea and Chad – belong to the Banque des Etats de l’Afrique Centrale. The Banque Centrale des Etats de l’Afrique de l’Ouest serves as the Central Bank for Benin, Burkina Faso, Cote d’Ivoire, Guinea-Bissau, Mali, Niger, Senegal and Togo. There has also been progress in economic and monetary union in West Africa and Southern Africa, which makes it easy to carry out foreign exchange-related transactions within those groups.

Incentives. As part of their foreign investment promotion efforts, many African countries provide various incentives. Applicable incentives include, among others, exemption from customs duties for imported goods associated directly with the investment. Algeria, Angola, Botswana, Burkina Faso, Cote d’Ivoire, Kenya, Malawi, the United Republic of Tanzania, Sudan, Swaziland and Uganda are among the countries that offer TNCs some form of exemption from custom duties and taxes. Additional benefits are provided in many of the free zones. Some countries provide capital grants and tax credits. The trend towards reducing the tax burden on investors continued in 2006. For example, Egypt reduced its corporate tax to a standard rate of 20

per cent (from a basic rate of 40 per cent and 32 per cent for industrial and export activities). Similar steps were taken by Ghana, which reduced its corporate income tax from 28 per cent to 25 per cent.

Transparency. Several African Governments (18 countries⁸ as of 2007) had adopted transparent regulatory policies and effective laws to foster competition (UNCTAD 2007c) These codes are designed to meet the requirements of fair competition, ease bureaucratic procedures and facilitate the hiring and firing of employees. New investment codes shorten the application process to establish a business and favour investments that promote handicrafts, exports and labour-intensive businesses. Transparency plays a key role in successful management of revenues from natural resources activities. A number of African countries have strengthened their efforts to further revenue transparency. Consequently, of the 22 candidate countries that wish to support the Extractive Industries Transparency Initiative, 13 are African. Nigeria became the first country to adopt a law making revenue disclosure mandatory (UNCTAD 2007a).

Protection of property rights. Property rights are protected in the region. Many African countries have put in place a system of protection of property rights, as required by international treaties, including the World Trade Organization (WTO's) Trade Related Intellectual Property Rights agreement. By the end of 2007, a total of 46 and 49 African countries were also parties to the Paris Convention for the Protection of Industrial Property and the World Intellectual Property Organization, respectively (table 12).

In 2006 alone, 40 African countries introduced 57 new measures affecting FDI, of which 49 encouraged inward FDI. A number of these changes were related to sectoral liberalization. The extent to which foreign companies are allowed to invest in an industry has a major influence on the potential for inward FDI. The level of restrictions on FDI varies considerably by country, especially in the services sector. While Uganda has among the fewest restrictions on FDI in services, Ethiopia is among countries at the other end of the spectrum (UNCTAD 2006). Nevertheless, the general trend is towards greater openness. In 2006, for example (UNCTAD 2007a):

- Botswana, Burkina Faso, Burundi, Cape Verde, Ghana, Kenya and Namibia allowed FDI wholly or partially into their telecommunication industries;
- Congo, Egypt and Nigeria wholly or partially opened up their banking industries;
- Ethiopia approved foreign concessions to its railway company;
- Mauritius opened its legal professional services industry to FDI; and
- Swaziland opened up to FDI in insurance.

In some countries, however, Governments recently adopted policies that were less favourable to foreign investment. For example, in Algeria, Egypt, Equatorial Guinea and Zambia, the Governments raised various taxes or royalties that may affect foreign investment. Lesotho extended State monopoly over its fixed-line telephone services for a further 12 months. Swaziland closed its retail sector to foreign investors, and Zimbabwe prohibited money transfer operations by foreign or domestic agencies and main banking institutions. In the Libyan Arab Jamahiriya, new measures were adopted requiring foreign investors to give priority in employment to Libyan nationals in the manufacturing and agricultural sectors and to construction, electricity, transport and communications in the services sector, as well as to provide training to locals, and ensure equal payments between Libyan and foreign staff (UNCTAD 2007a: 38–39).

Higher commodity prices have made many African Governments anxious to reap a fair share of the increased mineral revenues created from the commodity boom. In response, some of

⁸ Algeria, Benin, Burkina Faso, Cameroon, Central African Republic, Egypt, Cote d'Ivoire, Gabon, Kenya, Malawi, Mali, Morocco, Namibia, Senegal, South Africa, Tunisia, Zambia and Zimbabwe.

them have recently made their regulatory frameworks governing TNC participation more stringent. For example (UNCTAD 2007a):

- *Algeria* ended majority foreign ownership in its oil and gas industries and promulgated regulations imposing a windfall tax on production values at prices exceeding \$30/barrel of oil in December 2006.
- *The Democratic Republic of the Congo* is reviewing 60 mining contracts that were signed over the past decade and that may result in contract renegotiations.
- *South Africa* was revising its mining legislation in June 2007, with a view to increasing its revenues and development benefits from mining.
- In *Zambia*, the annual budget announced in February 2007 increased mining royalties and tax rates, and curtailed the provision of tax holidays.

In general, however, the policy environment for FDI in Africa has been shifting steadily towards one that encourages and facilitates inward investment and TNC operations. In addition to efforts at the national level, African countries have enlisted bilateral, regional and other international measures to improve their investment environment. There is growing recognition in the region of the importance of clear and transparent rules and regulations for FDI entry and operations, and of the just treatment of the assets and business dealings of foreign investors in the context of national efforts to mobilize FDI towards their respective development goals. At the same time, there is still a need for further domestic reform, stronger governance and improvements in infrastructure to create a more enabling environment for inward FDI.

2. Developments at the international level

A major element in the efforts of African countries to improve the investment climate, promote openness and attract FDI is the initiation and signing of BITs and DTTs. Generally, BITs promote foreign investment by protecting foreign investors against certain political risks in the host country. For this purpose, foreign investors are granted specific rights, including, for instance, non-discriminatory treatment, compensation in case of expropriation, a capital transfer guarantee and access to international arbitration in case of an investment dispute. All of the 53 African countries have concluded these treaties, though with more concentration on BITs than DTTs (figure 7).

By December 2006, over 1,120 such treaties had been signed by African countries: 687 BITs and 438 DTTs. There are, however, large disparities across African countries on the number of treaties concluded. Egypt, for instance, signed 100 BITs and about 50 DTTs. Other countries at the top of the list in this respect include Algeria, Mauritius, Morocco, South Africa and Tunisia. Conversely, some countries (Angola, Burundi, Djibouti, Equatorial Guinea, Guinea-Bissau, Sao Tome and Principe and Somalia) have signed no DTTs and very few BITs. As to other regions, the correlation between signing BITs and DTTs and attracting FDI inflows is not obvious, and the legal security, stability, predictability and transparency that the signing of these treaties entails is but one of the many determinants of FDI flows. Some African countries that have signed a relatively high number of such treaties are also major FDI recipients in the region (e.g. Egypt, Morocco, Tunisia and South Africa). Other African countries that have not been active in signing BITs and DTTs have nonetheless attracted larger FDI inflows than those that have signed multiple treaties. Over 70 per cent of BITs and DTTs concluded by African countries were signed with developed countries, with European countries – mainly the United Kingdom, France, Germany and Italy – having the greatest share. However, hitherto uncommon interregional BITs and DTTs with other developing countries outside the region appear to be gaining prominence in the region.

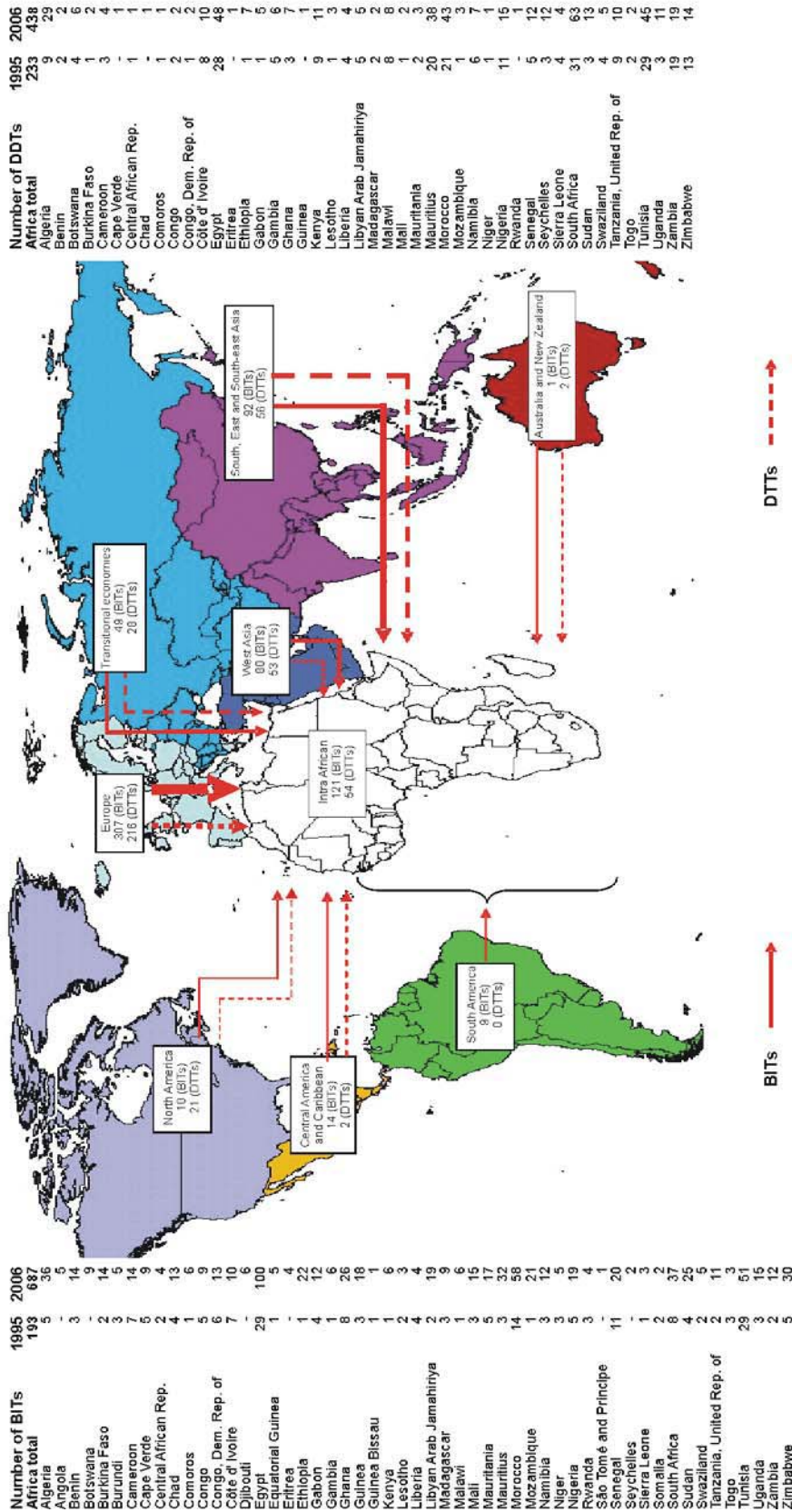
Table 12. African countries' participation in selected international investment-related instruments as of the end of 2007^a

Countries	Multilateral organizations			Market-access initiatives		
	ICSID	MIGA	WTO	AGOA	EBA (GSP)	ACP-EU Cotonou Agreement
Algeria	√	√				
Angola			√	√	√	√
Benin	√	√	√	√	√	√
Botswana	√	√	√	√		√
Burkina Faso	√	√	√	√	√	√
Burundi	√	√	√	√	√	√
Cameroon	√	√	√	√		√
Cape Verde		√		√	√	√
Central Africa Republic	√	√	√		√	√
Chad	√	√	√	√	√	√
Comoros	√				√	√
Congo Republic	√	√	√	√		√
Congo, Democratic Republic of	√	√	√	√	√	√
Côte d'Ivoire	√	√	√	√		√
Djibouti		√	√	√	√	√
Egypt	√					
Equatorial Guinea		√			√	√
Eritrea		√			√	√
Ethiopia	√	√		√	√	√
Gabon	√	√	√	√		√
Gambia, The	√	√	√	√	√	√
Ghana	√	√	√	√		√
Guinea	√	√	√	√	√	√
Guinea-Bissau	√	√	√	√	√	√
Kenya	√	√	√	√		√
Lesotho	√	√	√	√	√	√
Liberia	√	√			√	
Libyan Arab Jamahiriya		√				
Madagascar	√	√	√	√	√	√
Malawi	√	√	√	√	√	√
Mali	√	√	√	√	√	√
Mauritania	√	√	√	√	√	√
Mauritius	√	√	√	√		√
Morocco	√	√	√	√		
Mozambique	√	√	√	√	√	√
Namibia	√	√	√	√		√
Niger	√		√	√	√	√
Nigeria	√	√	√	√		√
Rwanda	√	√	√	√	√	√
Sao Tome and Principe	√			√	√	√
Senegal	√	√	√	√		√
Seychelles	√	√		√		√
Sierra Leone	√	√	√	√	√	√
Somalia	√				√	√
South Africa		√	√	√		√
Sudan	√	√			√	√
Swaziland	√	√	√	√		√
Tanzania	√	√	√	√	√	√
Togo	√	√	√		√	√
Tunisia	√	√	√			
Uganda	√	√	√	√	√	√
Zambia	√	√	√	√	√	√
Zimbabwe	√	√	√			√

Source: UNCTAD, based on information from website of the respective international organization.

^a Ethiopia, Guinea-Bissau, Namibia and Sao Tome and Principe have only signed the Convention on the Settlement of Investment Disputes Between States and Nationals of Other States.

Figure 7. Africa: BITs and DTTs by region, cumulative 2006



Source: UNCTAD.

In addition to their bilateral treaty programmes, African countries are members in multilateral instruments and related organizations that have provisions for the treatment of foreign investors. The most important of those and the number of African countries that are members in them are: International Centre for Settlement of Investment Disputes (ICSID, 46); Multilateral Investment Guarantee Agency (MIGA, 50), and the World Trade Organization (WTO, 44) (table 12). ICSID provides facilities for conciliation and arbitration of international investment disputes, while MIGA provides political risk insurance, technical assistance and dispute mediation facilities in developing countries. WTO includes a number of agreements that are directly relevant to FDI, namely the General Agreement on Trade in Services (GATS) that covers, among others, the international delivery of services through the cross-border establishment of production facilities (mode three), the Agreement on Trade-Related Investment Measures (TRIMS) that prohibits a number of trade-in-goods-related performance requirements, and the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) that deals with intellectual property as one potential form of an investment.

Two other important multilateral conventions that have received reasonably wide acceptance in the region are the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards and the Paris Convention for the Protection of Industrial Property. Adoption of these conventions has further improved the FDI climate in Africa by setting the rules for the treatment of foreign investment and protecting patents and other intellectual property rights in the region. As of February 2008, 49 and 30 African countries have ratified the Paris and New York Conventions, respectively.

At the regional level, there are a number of economic integration schemes among African countries to enhance economic cooperation and increase market size. They include the Economic Community of West African States (ECOWAS), the Common Market for Eastern and Southern Africa (COMESA), the Southern African Development Community (SADC), the East African Community (EAC), the Arab Maghreb Union (AMU), the Community of Sahel-Saharan States (CEN-SAD), and the Economic Community of Central African States (ECCAS), among others, to which different African countries belong. Starting from the 1980s, countries began to harmonize such integration arrangements into unified organizational arrangements such as the African Economic Community (AEC), New Partnership for Africa's development (NEPAD), and the African Union. Some of the schemes, such as ECCAS and AEC, contain investment-related provisions (UNCTAD 1996 and 2000), and all of them have implications for inward FDI because of their potential impact on market size for the region's economies.

A number of countries in the region are also participants in key market access initiatives by developed countries, especially the European Union and the United States, for developing countries in general or specifically for Africa, with implications for the latter's inward FDI. At the end of 2007, 48 African countries were members of the African, Caribbean and Pacific Cotonou Partnership Agreement with the EU (ACP-EU Cotonou),⁹ 39 African countries were eligible for the generalized system of preferences (GSP) under the United States' African Growth and Opportunities Act and 33 countries eligible for the GSP under the European Union's "Everything but Arms (EBA)" initiative. Participation in these schemes has widely increased the items that can be exported duty-free and quota-free by domestic as well as foreign enterprises in the eligible African countries, creating a potential for increased FDI in those industries. However, the utilization of the GSP schemes, particularly African Growth and Opportunity Act (AGOA) and EBA, has been very low in African countries thus far, due to lack of productive capacity. In recent years, foreign affiliates in African countries such as Kenya, Lesotho, Mauritius and

⁹ Cotonou Agreements will be mandatorily replaced with Economic Partnership Agreements.

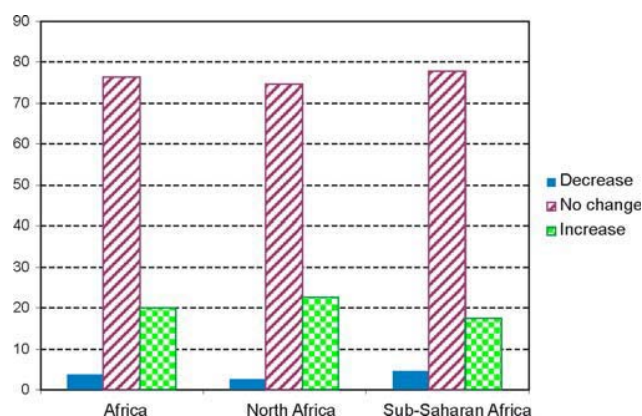
Uganda that had attracted FDI to their textile and apparel industry, in part under AGOA, have been relocated elsewhere because of high-cost and low-productivity problems that were not sufficiently offset by the duty-free, quota-free provisions of the schemes.

C. Prospects for inward FDI

The anticipated slowdown of the global economy in 2008, and financial and credit risk problems that started in the latter half of 2007 in certain developed countries, have not dampened much the prospects for FDI inflows to Africa. TNCs' interest remains high in certain sectors for increased flows to African destinations, and is also strong among existing affiliates in the region of TNCs from continental Europe, the United States, developing Asia and South Africa. Most FDI will still concentrate on the primary sector, especially because of the high prices of the major commodities that African countries produce. A comparison of UNCTAD's index of inward FDI performance to that of inward FDI potential (UNCTAD 2007a) shows that many African countries' FDI inflows are still far below their potential. Regional integration schemes and other initiatives have also been strengthening, and Africa has potential to make a successful transition from low value added to intermediate/high value added products, given adequate policies and commitments in place. This process has already been observed in Egypt, Morocco and South Africa, where FDI in higher value added activities in manufacturing have been expanding. With progress towards such a transition and an improved policy environment, increased efforts by investment promotion agencies (IPAs) and several market access initiatives targeted at FDI, many African countries are expected to receive more FDI.

However, UNCTAD's *World Investment Prospects Survey* (UNCTAD 2007d) shows that the majority of investing companies interviewed planned to maintain or increase investment in Africa between 2007 and 2009, with no significant differences by subregion (figure 8). At the same time, however, returns on capital invested in the region are expected to remain strong.

Figure 8. Prospects for FDI in Africa, 2007–2009: responses to UNCTAD survey
(Percentage of respondents)



Source: UNCTAD 2007d.

The long-term outlook is promising for investments in raw-material value-chain activities. Particularly important for the region are the recent changes in AGOA, which is expected to further increase the diversification into textile processing. FDI in oil and gas and other minerals is likely to remain robust in the medium term. But in the long term, FDI into the manufacturing sector should revive as new initiatives, such as the African Investment Incentive Act (AIIA) by

the United States Government under the AGOA initiative, are implemented,¹⁰ contributing to the region's attractiveness to FDI. The NEPAD initiative in infrastructure is expected to lead to large foreign investment in infrastructure under the regional integration scheme. Africa could also increase its share of global FDI through promoting investments for manufacturing of basic and intermediate goods and industrial inputs for the regional markets, which suffered a decline over the past decades, but which could be revived with better targeted policies. The wide-ranging changes in FDI-related regulatory frameworks in the region could also contribute to the rise in inflows in the future.

¹⁰ Under AGOA, Africa-based clothing exporters were able to import fabric from the cheapest available suppliers while still enjoying duty-free access to the United States market. This concession expired in 2007, and some of the foreign-owned clothing firms in eligible African countries might well have decided to relocate elsewhere with that expiry. However, in December 2006, the United States Congress passed AIIA under the AGOA to help avert the diversion of FDI and the loss of thousands of jobs in the region. The new act supplements and extends the provisions of AGOA to help producers in sub-Saharan Africa compete in the United States market and better withstand greater competitive pressures from China following the expiry of MFA in 2005.

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Annex table 1. Geographical distribution of inward FDI stock in selected African countries, selected years
(Percentage distribution in world total)

Region/economy	Botswana		Madagascar		Malawi		Morocco		South Africa		Uganda		United Republic of Tanzania		Zambia
	1997	2005	2002	2006	2000	2004	2006	1995	1999	2003	1998	2001	2001	2001	2001
Total world	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Developed countries	38.8	72.3	69.9	62.9	56.4	65.1	89.2	96.1	96.8	57.8	63.7	57.2	57.2	57.2	79.0
Europe	31.1	72.0	67.3	51.2	32.0	35.0	84.4	79.9	84.3	29.1	41.6	34.5	34.5	34.5	67.6
European Union	28.5	65.8	62.8	51.2	27.1	34.0	80.8	-	84.3	29.8	37.5	30.8	30.8	30.8	65.5
Austria	-	-	-	-	-	-	0.1	-	-	-	-	-	-	-	-
Belgium / Luxembourg	26.4	55.0	10.4	1.7	-	-	1.6	-	0.5	1.5	0.5	2.1	2.1	4.1	-
Cyprus	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Denmark	-	-	0.1	-	-	2.6	-	-	-	-	1.5	0.9	0.9	-	-
Finland	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
France	-	-	51.9	9.6	-	0.7	49.4	-	1.5	1.5	1.8	0.9	0.9	-	2.6
Germany	-	-	-	-	-	1.0	1.8	-	5.6	-	2.1	1.4	1.4	-	-
Greece	-	-	-	-	-	-	-	-	0.2	-	0.1	-	-	-	-
Hungary	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ireland	-	-	-	-	-	5.4	-	-	0.2	-	0.1	-	-	-	-
Italy	-	-	-	-	-	-	0.8	-	0.5	-	4.2	1.7	1.7	-	-
Netherlands	-	1.2	0.4	-	-	4.3	2.1	-	3.6	2.7	6.5	2.8	2.8	21.3	-
Poland	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Portugal	-	-	-	-	-	-	2.9	-	-	-	-	-	-	-	-
Spain	-	-	-	-	-	-	17.5	-	-	-	-	-	-	-	-
Sweden	-	-	-	-	-	-	2.7	-	0.2	1.5	1.5	0.8	0.8	-	-
United Kingdom	2.2	9.6	-	40.0	27.1	20.0	1.9	-	72.0	19.0	19.2	16.3	16.3	37.5	-
Other developed Europe	2.6	-	4.5	-	4.9	1.0	3.6	-	2.1	-	4.1	3.8	3.8	2.2	-
Channel Islands	-	-	-	-	-	0.7	-	-	-	-	0.1	-	-	-	-
Isle of Man	-	-	-	-	-	-	-	-	-	-	0.4	-	-	-	-
Liechtenstein	-	-	-	-	-	-	-	-	0.1	-	-	-	-	-	-
Norway	-	-	-	-	4.9	-	-	-	-	-	1.9	0.7	0.7	-	-
Switzerland	-	-	4.5	-	-	0.3	3.6	-	2.0	-	1.7	3.1	3.1	2.2	-
North America	7.6	0.3	0.8	11.2	24.4	28.9	4.5	15.3	6.1	13.6	13.4	16.0	16.0	7.3	-
Canada	-	-	-	2.1	-	-	-	-	0.0	4.5	5.9	11.4	11.4	4.9	-
United States	7.3	0.2	0.8	9.0	24.4	28.9	4.5	-	6.1	9.0	7.5	4.6	4.6	2.4	-
Other developed countries	-	-	1.8	0.5	-	1.2	0.4	0.9	3.1	15.2	8.7	5.9	5.9	1.9	-
Australia	-	-	-	-	-	-	-	-	0.2	-	6.5	1.3	1.3	1.9	-
Bermuda	-	-	1.8	-	-	-	-	-	0.6	15.2	1.8	-	-	-	-
Japan	-	-	-	0.5	-	1.2	0.4	-	2.4	-	0.4	4.6	4.6	-	-
Developing economies	60.7	27.5	27.4	36.7	29.0	32.7	7.4	3.5	3.2	20.7	34.0	40.1	40.1	20.3	-
Africa	60.1	22.8	26.0	35.0	29.0	26.9	0.8	1.0	0.7	18.4	27.6	36.7	36.7	13.2	-
North Africa	-	-	-	-	-	-	0.8	-	-	-	0.2	-	-	-	-
Egypt	-	-	-	-	-	-	-	-	-	-	0.1	-	-	-	-
Libyan Arab Jamahiriya	-	-	-	-	-	-	0.6	-	-	-	0.1	-	-	-	-
Tunisia	-	-	-	-	-	-	0.2	-	-	-	-	-	-	-	-
Other Africa	59.8	21.1	26.0	35.0	29.0	26.2	-	-	0.6	18.4	26.4	36.3	36.3	13.2	-
Botswana	-	-	-	-	0.1	0.1	-	-	-	-	-	-	-	-	-
Ghana	-	-	-	-	-	-	-	-	-	-	16.2	4.6	4.6	-	-
Kenya	-	-	-	-	0.3	1.3	-	-	-	10.1	3.3	7.3	7.3	-	-
Malawi	-	-	-	-	-	-	-	-	-	-	0.3	-	-	-	-
Mauritius	-	-	21.7	33.4	4.2	4.1	-	-	0.2	2.8	4.3	4.5	4.5	0.4	-

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Annex table 1. Geographical distribution of inward FDI stock in selected African countries, selected years
(Percentage distribution in world total) (concluded)

Region/economy	Botswana		Madagascar		Malawi		Morocco		South Africa		Uganda		United Republic of Tanzania		Zambia	
	1997	2005	2002	2006	2000	2004	2006	2006	1995	2006	1999	2003	1998	2001	2001	2001
Mozambique	-	-	-	-	1.1	1.0	-	-	-	-	-	-	-	-	-	-
Reunion	-	-	3.8	1.4	-	-	-	-	-	-	-	-	-	-	-	-
Senegal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Seychelles	-	-	-	-	-	-	-	-	-	-	-	-	0.1	-	-	-
South Africa	59.8	21.1	0.6	0.3	21.2	18.0	-	-	-	-	11.0	9.0	2.0	19.8	10.2	-
Uganda	-	-	-	-	0.2	0.2	-	-	-	-	-	-	-	-	-	-
United Republic of Tanzania	-	-	-	-	0.2	0.1	-	-	-	-	-	-	0.3	-	-	-
Zambia	-	-	-	-	0.2	0.2	-	-	-	-	-	-	-	-	-	-
Zimbabwe	-	-	-	-	1.9	1.3	-	-	-	0.3	-	-	0.1	-	2.6	-
Latin America and the Caribbean	-	-	-	-	-	-	-	-	-	1.7	-	-	0.1	-	2.3	-
Bahamas	-	-	-	-	-	-	-	-	-	-	-	-	0.1	-	-	-
Panama	-	-	-	-	-	-	-	-	-	-	-	-	0.1	-	1.9	-
Turks and Caicos Islands	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.5	-
US Virgin Islands	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.5	-
Asia	0.6	4.7	1.4	1.6	-	5.7	6.6	2.5	2.4	3.5	2.4	3.8	0.1	3.4	4.7	-
West Asia	1.3	-	-	-	-	0.4	5.9	-	0.2	-	-	0.4	0.4	0.5	-	-
Iran, Islamic Republic of	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Iraq	-	-	-	-	-	-	0.2	-	-	-	-	-	-	-	-	-
Kuwait	-	-	-	-	-	-	1.2	-	-	-	-	-	0.1	-	-	-
Saudi Arabia	-	-	-	-	-	-	2.5	-	-	-	-	-	0.1	-	-	-
Syrian Arab Republic	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Turkey	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
United Arab Emirates	-	-	-	-	-	0.4	2.1	-	-	-	-	-	0.1	0.5	-	-
Yemen	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
South, East and South-East Asia	-	-	1.4	1.6	-	5.3	0.7	-	-	3.5	2.4	3.5	2.9	4.7	4.7	-
China	-	-	0.6	0.3	-	0.1	0.1	-	-	0.6	2.4	0.6	0.6	0.6	4.4	-
Hong Kong, China	-	-	0.3	-	-	-	-	-	-	-	-	-	-	-	-	-
India	-	-	-	0.8	-	-	0.2	-	-	-	1.8	1.3	0.3	0.4	0.3	-
Korea, Republic of	-	-	-	0.5	-	-	0.3	-	-	-	-	-	-	-	-	-
Malaysia	-	-	-	-	-	3.7	0.4	-	-	0.4	-	-	2.5	1.9	-	-
Pakistan	-	-	-	-	-	-	0.2	-	-	-	-	-	-	-	-	-
Singapore	-	-	-	-	-	-	-	-	-	0.1	1.7	1.0	-	-	-	-
Sri Lanka	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Taiwan Province of China	-	-	0.6	-	-	1.4	0.1	-	-	0.1	-	-	-	-	-	-
South-East Europe and CIS	0.5	-	-	-	-	-	-	-	-	-	-	-	-	0.4	-	-
South-East Europe	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Romania	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
CIS	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Russian Federation	-	-	-	-	-	-	-	-	-	-	-	-	-	0.4	-	-
Ukraine	-	-	-	-	-	-	-	-	-	-	-	-	-	0.4	-	-
Unspecified	-	0.2	2.7	0.4	14.6	2.2	3.4	0.3	21.4	14.0	21.4	2.3	2.3	2.3	0.8	-
Memorandum	1 280	806	166	932	358	562	29 939	15 014	87 765	667	1 359	3 353	3 777	3 777	1 085	-
Total (\$ million)																

Source: UNCTAD, based on table 12 of country profiles and FDI/TNC database (www.unctad.org/fdistatistics).

Annex table 2. Geographical distribution of FDI inflows in selected African countries, selected years
(Percentage share in world total)

Region/economy	Algeria		Egypt ^a		Ethiopia		Madagascar		Mauritius		Morocco		Mozambique		Tunisia		United Republic of Tanzania	
	1998	2001	1999	2006	1995	2004	2002	2006	1995	2006	1996	2006	2006	2006	1995	2006	1999	2001
Total world	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Developed countries	94.4	66.4	73.5	67.3	0.2	48.5	61.3	83.2	42.5	73.4	82.0	88.8	1.6	91.7	27.1	41.7	52.5	52.5
Europe	47.8	35.9	46.1	31.4	0.2	22.7	61.3	13.7	42.5	71.2	78.9	85.3	1.1	71.2	23.9	8.6	40.1	40.1
European Union	47.7	35.1	44.8	31.0	0.2	22.7	61.3	13.0	38.8	63.1	77.7	81.7	1.2	70.2	23.5	7.2	33.6	33.6
Austria	0.2	0.4	-	-	-	-	-	-	-	-	-	-	-	-	2.2	-	-	-
Belgium / Luxembourg	2.4	1.0	-	0.1	-	-	-	1.4	-	0.5	2.4	10.0	-	0.5	0.5	0.1	1.2	1.2
Czech Republic	-	0.1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Denmark	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Finland	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
France	12.8	6.7	3.7	0.3	-	-	61.3	8.4	5.2	7.2	32.1	33.2	- 0.9	13.0	3.5	1.2	0.5	0.5
Germany	3.4	3.2	1.5	0.7	-	-	-	-	24.6	2.5	2.4	3.6	-	4.9	0.5	-	-	-
Greece	-	-	-	0.2	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Hungary	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ireland	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Italy	15.5	2.9	-	12.5	-	-	-	-	-	-	1.5	1.3	-	0.2	3.0	-	-	-
Netherlands	0.5	6.0	-	0.3	-	-	-	-	-	-	7.6	0.9	2.6	0.8	2.9	0.8	12.5	12.5
Portugal	-	-	28.7	-	-	-	-	-	-	-	22.6	0.2	- 8.8	0.0	0.3	-	-	-
Spain	2.7	12.8	0.2	0.1	-	-	-	-	-	-	5.2	27.6	-	0.2	0.5	-	-	-
Sweden	4.2	0.1	0.2	-	-	-	-	-	-	-	-	-	-	0.1	3.9	0.3	1.2	1.2
United Kingdom	6.0	1.9	10.6	16.9	-	-	-	3.3	8.9	52.9	3.7	3.6	8.2	42.2	6.1	4.8	17.7	17.7
Unspecified European Union	0.1	0.8	0.1	0.4	0.2	22.7	-	0.7	3.7	8.1	1.2	3.5	- 0.1	1.0	0.2	1.4	6.4	6.4
Other developed Europe	0.0	0.4	1.3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Iceland	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Isle of Man	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Jersey	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Liechtenstein	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Norway	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Switzerland	0.1	0.3	1.3	0.4	-	-	-	0.7	3.7	8.1	1.2	3.5	- 0.2	0.8	0.4	0.9	5.1	5.1
Unspecified Western Europe	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
North America	43.8	29.7	27.4	35.8	-	23.8	-	68.1	-	2.3	3.1	3.4	1.3	19.2	3.1	17.8	10.6	10.6
Canada	0.9	0.1	0.2	-	-	1.2	-	42.9	-	-	0.1	0.1	-	0.7	1.3	14.7	4.6	4.6
United States	42.9	29.6	27.2	35.8	-	22.6	-	25.1	-	2.3	3.1	3.3	1.3	18.5	1.8	3.1	6.0	6.0
Other developed countries	2.8	0.7	-	0.1	-	-	-	1.4	-	-	-	0.1	- 0.7	1.3	0.1	13.0	0.8	0.8
Australia	-	-	-	0.1	-	-	-	-	-	-	-	-	-	1.0	0.3	0.1	-	-
Japan	2.8	0.7	-	-	-	-	-	1.4	-	-	-	0.1	- 0.7	0.3	0.1	-	-	-
New Zealand	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Developing economies	4.3	31.9	26.1	25.8	99.8	40.1	36.2	16.9	57.5	7.4	13.1	10.9	103.3	7.7	72.7	30.7	45.3	45.3
Africa	0.1	30.4	0.2	0.2	-	9.5	36.2	12.6	2.3	2.3	4.9	0.6	95.1	0.3	0.3	28.2	43.1	43.1
North Africa	0.1	30.4	0.2	0.2	-	-	-	-	-	-	4.9	0.3	-	-	0.2	-	-	-
Egypt	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Libyan Arab Jamahiriya	-	-	-	0.2	-	-	-	-	-	-	4.9	0.2	-	-	0.1	-	-	-
Tunisia	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other Africa	0.1	-	-	-	-	-	36.2	12.6	-	2.3	-	0.1	95.1	-	-	27.7	43.1	43.1
Botswana	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ghana	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Kenya	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Malawi	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Mali	-	-	-	-	-	-	-	-	-	-	-	0.1	0.3	-	-	-	-	-
Mauritius	-	-	-	-	-	-	36.2	7.6	-	-	-	-	19.5	-	-	2.9	0.8	0.8
Namibia	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Nigeria	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reunion	-	-	-	-	-	-	-	4.7	-	1.7	-	-	-	-	-	-	-	-

Annex table 2. Geographical distribution of FDI inflows in selected African countries, selected years
(Percentage share in world total) (concluded)

Region/economy	Algeria		Egypt ^a		Ethiopia		Madagascar		Mauritius		Morocco		Mozambique		Tunisia		United Republic of Tanzania	
	1998	2001	1999	2006	1995	2004	2002	2006	1995	2006	1996	2006	2006	2006	1995	2006	1999	2001
South Africa																		
Swaziland																		
Uganda																	5.0	38.4
United Republic of Tanzania																	0.8	0.6
Zambia																		
Unspecified Africa																		
Latin America and the Caribbean																		
Argentina			20.1			9.5												
Bahamas									0.2									
Brazil																		
British Virgin Islands																		
Mexico			20.1															
Panama																		
Asia	4.2	1.5	5.9	25.6	99.8	29.8												
West Asia	3.7	1.5	5.9	25.5	99.8													
Bahrain			3.8	0.1														
Iraq																		
Jordan																		
Kuwait			0.1	0.2														
Lebanon				0.1														
Oman																		
Qatar		0.2																
Saudi Arabia			0.3	1.6														
Syrian Arab Republic																		
Turkey	3.7	0.2		0.1														
United Arab Emirates			1.8	23.3														
Unspecified West Asia				0.1														
South, East and South-East Asia	0.5	0.0			99.8													
China	0.1	0.0		0.1														
Hong Kong, China																		
India																		
Indonesia																		
Korea, Republic of																		
Malaysia	0.4																	
Pakistan																		
Singapore																		
Sri Lanka																		
Taiwan Province of China																		
Unspecified Asia																		
Unspecified developing countries																		
South-East Europe and CIS	0.2	0.1																
South-East Europe																		
Yugoslavia (former)																		
CIS	0.2	0.1																
Russian Federation	0.2	0.1																
Ukraine	1.1	1.7	0.4	6.9		11.4	2.5				4.9	0.3					27.6	2.2
Unspecified																		
Memorandum Total (\$ million)	599	1 197	1 691	13 084	14	545	61	294	19	228	327	2 964	154	323	3 308	1 058	467	

Source: UNCTAD, based on table 6 in country profiles and FDI/TNC database (www.unctad.org/fdistatistics).

^a Fiscal year ending March.

II. Technical introduction

This technical introduction briefly describes the contents of the country data and information provided in the *World Investment Directory*, the main sources of information used and the geographical and sectoral coverage. It also indicates what is included and excluded under each type of data and the limitations of the data.

A. Scope

Each country profile begins with a discussion of the sources and definitions underlying national FDI data. The extent to which a country departs from benchmark definitions is discussed, and attention is drawn to the shortcomings of the data for the country in question. That information is provided so the reader will be aware of the differences between the data presented in this volume and those presented by other data-gathering agencies, including the International Monetary Fund (IMF). Recommended definitions are discussed in section F.

This text is followed by 88 country tables that provide extensive coverage of data on both FDI and operations of transnational corporations (TNCs) by their geographical and sectoral distributions, together with listings of the major TNCs in each economy and selected financial data. These tables are categorized by 20 groups of variables. In the latter half of the country profile is information regarding the legal framework which governs FDI in each of the countries covered. The legal information is divided into national laws and regulations and multilateral and bilateral treaties. Lastly, there is a brief bibliography of official and secondary material which throws light on various aspects of FDI in the economy in question. Thus, the following information is contained in the country tables:

A. Definitions and sources of data

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Table 88. Largest affiliates of foreign TNCs in the host economy

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1. Multilateral instruments
2. Regional instruments
3. Bilateral treaties

D. Sources of information

This volume of the *World Investment Directory* covers 53 economies of Africa (Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Congo, Congo DRC, Cote d'Ivoire, Djibouti, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea Bissau, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sierra-Leone, Somalia, South Africa, Sudan, Swaziland, Tanzania, Togo, Tunisia, Uganda, Zambia and Zimbabwe). The availability of tables for each country is indicated in table 1. Every reasonable effort, including a request to the governments concerned to verify the data, has been made to ensure that each country profile is accurate and up-to-date as of end 2007. However, comments and verification were not necessarily obtained from all of these economies by the cut-off date.

Table 1. Tables presented in this volume

	Economy	Table numbers (as above)
1	Algeria	1, 3, 4, 6, 6a, 9, 12, 15, 21, 23, 30, 33, 35, 40, 43, 45, 48, 50, 86, 87, 88
2	Angola	1, 3, 4, 6, 9, 12, 15, 23, 28, 30, 35, 40, 43, 45, 50, 86, 87, 88
3	Benin	1, 3, 3a, 4, 4a, 6, 9, 12, 15, 23, 86, 87, 88
4	Botswana	1, 3, 3a, 4, 4a, 6, 9, 11, 11a, 12, 12a, 15, 23, 30, 35, 40, 45, 50, 86, 87, 88
5	Burkina Faso	1, 3, 3a, 4, 4a, 6, 9, 12, 15, 23, 30, 45, 50, 86, 87, 88
6	Burundi	1, 3, 3a, 4, 6, 9, 30, 35, 45, 86, 87, 88
7	Cameroon	1, 3, 3a, 4, 6, 9, 12, 15, 23, 30, 35, 40, 45, 50, 86, 87, 88
8	Cape Verde	1, 3, 3a, 4, 4a, 6, 6a, 9, 11, 11a, 12, 12a, 12b, 15, 86, 87, 88
9	Central African Republic	1, 3, 3a, 4, 6, 9, 12, 30, 45, 86, 87, 88
10	Chad	1, 3, 3a, 4, 6, 9, 12, 15, 23, 30, 35, 40, 45, 50, 86, 87, 88
11	Comoros	1, 3, 3a, 6, 12, 30, 45, 86, 87, 88
12	Congo	1, 3, 3a, 4, 6, 9, 12, 15, 23, 30, 35, 40, 45, 50, 86, 87, 88
13	Congo, Democratic Republic of	1, 3, 4, 6, 9, 12, 15, 23, 30, 35, 40, 34, 50, 86, 87, 88
14	Côte d'Ivoire	1, 3, 3a, 4, 4a, 6, 9, 12, 15, 23, 30, 35, 40, 45, 50, 86, 87, 88
15	Djibouti	1, 3, 3a, 4, 4a, 6, 9, 12, 23, 30, 35, 40, 45, 50, 86, 87, 88
16	Egypt	1, 3, 4, 5, 6, 21, 23, 28, 30, 33, 35, 38, 40, 43, 45, 48, 50, 60, 65, 70, 80, 85, 86, 87, 88
17	Equatorial Guinea	1, 3, 3a, 4, 6, 9, 12, 15, 23, 30, 35, 40, 45, 50, 86, 87, 88
18	Eritrea	1, 3, 4, 6, 12, 23, 30, 35, 40, 45, 86, 87, 88
19	Ethiopia	1, 3, 4, 5, 6, 6a, 12, 12a, 21, 23, 28, 30, 33, 35, 38, 40, 43, 45, 48, 50, 86, 87, 88
20	Gabon	1, 3, 3a, 4, 6, 9, 12, 15, 21, 23, 28, 30, 33, 35, 38, 40, 45, 48, 50, 58, 86, 87, 88
21	Gambia	1, 3, 3a, 4, 6, 9, 11, 11a, 12, 15, 30, 45, 86, 87, 88
22	Ghana	1, 3, 4, 6, 9, 12, 15, 23, 30, 35, 40, 45, 50, 86, 87, 88
23	Guinea	1, 3, 4, 6, 9, 12, 15, 21, 23, 28, 86, 87, 88

24	Guinea Bissau	1, 3, 3a, 4, 4a, 6, 9, 12, 15, 23, 30, 86, 87, 88
25	Kenya	1, 3, 3a, 4, 5, 6, 9, 12, 15, 21, 23, 28, 30, 35, 40, 45, 50, 86, 87, 88
26	Lesotho	1, 3, 4, 6, 12, 15, 23, 30, 45, 50, 86, 87, 88
27	Liberia	1, 3, 4, 6, 9, 12, 15, 21, 23, 28, 30, 33, 35, 38, 40, 43, 45, 48, 50, 58, 63, 86, 87, 88
28	Libyan Arab Jamahiriya	1, 3, 4, 6, 9, 12, 15, 21, 23, 28, 30, 33, 35, 40, 43, 45, 50, 86, 87, 88
29	Madagascar	1, 3, 3a, 4, 4a, 5, 5a, 6, 6a, 7, 7a, 7b, 9, 11, 11a, 12, 12a, 13, 13a, 13b, 15, 22, 23, 23a, 30, 35, 35a, 40, 45, 50, 86, 87, 88
30	Malawi	1, 3, 4, 6, 9, 11, 12, 15, 23, 30, 35, 40, 45, 50, 86, 87, 88
31	Mali	1, 3, 3a, 4, 4a, 6, 9, 12, 15, 23, 30, 35, 40, 45, 50, 86, 87, 88
32	Mauritania	1, 3, 4, 5, 6, 9, 12, 15, 23, 30, 35, 40, 45, 86, 87, 88
33	Mauritius	1, 3, 4, 5, 5a, 6, 6a, 8, 8a, 9, 9a, 12, 15, 21, 23, 28, 40, 43, 45, 50, 58, 63, 68, 83, 86, 87, 88
34	Morocco	1, 3, 3a, 4, 4a, 5, 5a, 6, 6a, 11, 11a, 12, 12a, 14, 14a, 15, 15a, 21, 23, 28, 30, 33, 35, 38, 40, 43, 45, 48, 50, 86, 87, 88
35	Mozambique	1, 3, 4, 5, 6, 7, 9, 12, 15, 23, 30, 35, 40, 45, 50, 86, 87, 88
36	Namibia	1, 3, 3a, 4, 4a, 6, 6a, 9, 9a, 11, 11a, 12, 15, 21, 23, 30, 35, 40, 45, 50, 86, 87, 88
37	Niger	1, 3, 3a, 4, 4a, 6, 9, 12, 15, 23, 30, 35, 40, 45, 50, 86, 87, 88
38	Nigeria	1, 3, 4, 5, 6, 8, 9, 11, 12, 14, 15, 21, 23, 28, 30, 35, 40, 43, 45, 50, 60, 65, 70, 85, 86, 87, 88
39	Rwanda	1, 3, 4, 6, 9, 12, 15, 23, 30, 35, 45, 88
40	São Tomé and Príncipe	1, 3, 4, 6, 9, 12, 15, 23, 88
41	Senegal	1, 3, 3a, 4, 4a, 6, 9, 12, 15, 23, 30, 35, 40, 45, 50, 86, 87, 88
42	Seychelles	1, 3, 4, 6, 9, 12, 15, 23, 35, 45, 86, 87, 88
43	Sierra Leone	1, 3, 4, 6, 9, 12, 15, 23, 30, 35, 40, 45, 50, 88
44	Somalia	1, 3, 4, 6, 9, 12, 15, 23, 30, 35, 86, 87
45	South Africa	1, 3, 3a, 4, 4a, 6, 6a, 11, 11a, 12, 12a, 13, 13a, 13b, 13c, 15, 15a, 21, 23, 28, 30, 33, 35, 38, 40, 43, 45, 48, 50, 58, 63, 73, 78, 80, 83, 85, 86, 87, 88
46	Sudan	1, 3, 4, 6, 9, 12, 15, 23, 30, 35, 40, 45, 50, 88
47	Swaziland	1, 3, 4, 6, 9, 11, 12, 14, 15, 21, 23, 28, 35, 40, 50, 88
48	Tanzania	1, 3, 4, 5, 6, 9, 11, 12, 15, 22, 23, 23a, 30, 34, 35, 40, 45, 50, 86, 88
49	Togo	1, 3, 3a, 4, 4a, 6, 9, 12, 23, 30, 35, 40, 45, 50, 86, 87, 88
50	Tunisia	1, 3a, 3b, 4a, 4b, 5a, 5b, 6a, 6b, 7a, 7b, 7c, 7d, 9, 12a, 12b, 15, 22, 23, 30, 34, 35, 40, 45, 50, 86, 87, 88
51	Uganda	1, 3, 4, 5, 6, 6a, 11, 12, 12a, 15, 23, 30, 35, 40, 45, 50, 88
52	Zambia	1, 3, 4, 5, 11, 12, 23, 30, 35, 40, 45, 50, 86, 87, 88
53	Zimbabwe	1, 3, 4, 5, 23, 30, 35, 40, 45, 50, 86, 87, 88

B. Sources of data

The FDI data in this as well as other volumes are reported largely as they were found in national official sources, both published and unpublished. International sources (such as the IMF's *International Financial Statistics* and *Balance of Payments Statistics Online*, the OECD's *Geographical Distribution of Financial Flows to Developing Countries*, the European Central Bank (ECB)) were also used where no national data were available, as were secondary sources. All data on the operations of TNCs and foreign affiliates are provided by national authorities. Some countries have more than one official source of investment statistics, and judgement was exercised in choosing among them.

The corporate data are based on official national sources, both published and unpublished, business directories and periodicals, company financial statements and secondary sources. TNCs are usually ranked in order of importance, according to size of sales or assets. Sales were preferred for non-financial entities and assets for financial entities. Where no data are available, TNCs are listed alphabetically. These tables are intended to give the reader a sense of the relative importance of individual TNCs in the home and host economy.

The national legal framework contains a listing of laws, regulations, official policy declarations and guides in the area of FDI as well as related fields. Those related fields have been selected with a

view towards their importance to FDI. They are collusive and restrictive trade practices; corporate law, including accounting and reporting regulations; incentives for, and restrictions on, FDI; mergers and acquisitions; securities; taxation; transfer of technology; industrial/intellectual property; labour relations and employment; and environmental protection. Official government gazettes and law collections were used where possible, as well as official investment guides. Secondary sources include the International Centre for Settlement of Investment Disputes, *Investment Laws of the World* (Dobbs Ferry, New York, Oceana, various years), professional journals, investment promotion agencies and the web sites of the Economist Intelligence Unit, the United States Commercial Service and the Investment Promotion Network.

The international legal framework for FDI comprises a wide variety of multilateral, regional and bilateral instruments. This volume contains information on four multilateral conventions that deal with issues of importance to FDI, namely, the settlement of disputes, the recognition and enforcement of foreign arbitral awards, industrial property rights and investment guarantees. Information on those multilateral instruments was obtained from documents made available by the international organizations or agencies that are depositories of the original conventions (World Bank, World Intellectual Property Organization, United Nations) and from the United Nations *Treaty Series*. There is also a listing of bilateral treaties for the promotion and protection of foreign investment or for the avoidance of double taxation. Both of these types of treaties are considered to be important elements of a favourable investment climate. Information on bilateral treaties was obtained from UNCTAD, BITs and DTT databases (www.unctad.org/fdistatistics).

The bibliographic information has been taken from the United Nations Bibliographic Information System and other commercial bibliographic databases, as well as from materials of UNCTAD.

C. Industrial and geographical breakdown

The industrial and geographical breakdown are provided for the FDI and corporate data. The industrial breakdown used in the tables follows closely the third revision of the *International Standard Industrial Classification of All Economic Activities* (New York, United Nations, ST/ESA/STAT/SER.M/4/Rev.3, 1989). National data are not always reported in accordance with that code, however, and, in some cases, adjustments have been made in order to follow the International Standard Industrial Classification code. In the interest of space, the names of certain International Standard Industrial Classification industries have been shortened. Following is a list of all the industries (in the broad structure) referred to and their respective International Standard Industrial Classification codes.

Primary	
Agriculture, hunting, forestry and fishing	01, 02, 05
Agriculture and hunting	01
Forestry	02
Fishing	05
Mining, quarrying and petroleum	10,11,12,13,14
Mining and quarrying	10,12,13,14
Petroleum	11
Secondary	
Food, beverages and tobacco	15,16
Food products and beverages	15
Tobacco products	16
Textiles, clothing and leather	17,18,19
Textiles	17
Clothing	18
Leather and leather products	19
Wood and wood products	20,21
Manufacture of wood and wood products	20
Paper and paper products	21

Publishing, printing and reproduction of recorded media	22
Coke, petroleum products and nuclear fuel	23
Chemicals and chemical products	24
Rubber and plastic products	25
Non-metallic mineral products	26
Metal and metal products	27,28
Basic metals	27
Fabricated metal products	28
Machinery and equipment	29
Electrical and electronic equipment	30,31,32
Office, accounting and computing machinery	30
Electrical machinery and apparatus	31
Radio, television and communication apparatus	32
Precision instruments	33
Motor vehicles and other transport equipment	34,35
Motor vehicles, trailers and semi-trailers	34
Other transport equipment	35
Other manufacturing	36
Recycling	37
Tertiary	
Electricity, gas and water	40,41
Construction	45
Trade	50,51,52
Automotive trade and repair	50
Wholesale trade	51
Distributive trade	52
Hotels and restaurants	55
Transport, storage and communications	60,61,62,63,64
Transport and storage	60,61,62,63
Land transport including pipelines	60
Water transport	61
Air transport	62
Supporting and auxiliary transport activities	63
Post and communications	64
Finance	65,66,67
Financial intermediation	65
Insurance and pension funding	66
Activities auxiliary to financial intermediation	67
Business activities	70,71,72,73,74
Real estate	70
Rental activities	71
Computer and related activities	72
Research and development	73
Other business activities	74
Public administration and defense	75
Education	80
Health and social services	85
Community, social and personal service activities	90,91,92
Sewage and waste disposal, sanitation activities	90
Membership Organizations N.E.C.	91
Recreational, cultural and sporting activities	92
Other services	1120,93,95,99
Service activities incidental to oil and gas extraction excluding surveying	1120
Other service activities	93
Private households with employed persons	95
Extra-territorial organizations and bodies	99
Private buying and selling of property	
Unspecified	

For the geographical and regional breakdowns, the classification of countries and territories as either developing, developed or Central and Eastern Europe is employed only for statistical and analytical convenience, and follows the breakdown outlined below, which follows closely United Nations practice. Those countries or territories reported by national sources under the heading "other countries", and which are not elsewhere classified, have been placed under the unallocated category. The unallocated component reported in the geographical breakdown may reflect investments by international organizations (for example, the International Finance Corporation or the Asian Development Bank) or other countries not available separately. The classification of developed and developing areas and territories is as follows:

Developed areas:

- Western Europe
- North America
- Other developed (Australia, Israel, Japan, New Zealand)

Developing areas and territories:

- Africa
- East, South and South-East Asia (excluding Japan)
- West Asia (excluding Israel)
- Central Asia
- Latin America and the Caribbean
- The Pacific (excluding Australia and New Zealand)

Central and Eastern Europe

D. Reporting currency and exchange rates

For most African countries, data are reported in United States dollars. Exchange rate conversion employed in this volume is presented in table 2.

Table 2. Exchange rates of African economies, 1990-2006
(National currency per United States dollar)

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Algeria	12.1908	21.3919	22.7814	24.123	42.8925	52.175	56.1859	58.4139	60.3531	69.3143	75.3428	77.8196	79.7234	72.6128	72.6137	73.3799	71.1582
End of the period	8.95751	18.4729	21.8361	23.3454	35.0585	47.6627	54.7489	57.7074	58.7239	66.5739	75.2598	77.215	79.6819	71.395	72.0606	73.2763	72.6466
Angola	0.000000	0.000000	0.000001	0.000007	0.000509	0.005692	0.201994	0.262376	0.4965	5.57992	16.8178	31.9494	58.6664	79.0815	85.9878	80.7795	80.2644
End of the period	0.000000	0.000000	0.000000	0.000003	0.000060	0.002750	0.128920	0.22904	0.392824	2.12404	10.0405	22.0579	43.5302	74.6063	83.5414	87.1591	80.3681
Benin	256.45	259	275.325	294.775	534.6	490	523.7	598.81	562.21	652.953	704.951	744.306	625.495	519.364	481.578	556.037	498.069
End of the period	272.265	282.107	264.692	283.163	555.205	499.148	511.552	583.669	589.952	615.699	711.976	733.039	696.988	581.2	528.285	527.468	522.89
Burkina Faso	1.87126	2.07254	2.25683	2.56476	2.71739	2.82167	3.64431	3.80952	4.46831	4.63177	5.36193	6.98324	5.46746	4.44247	4.28082	5.51268	6.03136
End of the period	1.86047	2.02156	2.10973	2.42307	2.68465	2.77221	3.3242	3.65076	4.22588	4.6244	5.10182	5.84116	6.3278	4.94993	4.69289	5.11035	5.83657
Burundi	256.45	259	275.325	294.775	534.6	490	523.7	598.81	562.21	652.953	704.951	744.306	625.495	519.364	481.578	556.037	498.069
End of the period	272.265	282.107	264.692	283.163	555.205	499.148	511.552	583.669	589.952	615.699	711.976	733.039	696.988	581.2	528.285	527.468	522.89
Cameroon	165.35	191.1	236.55	264.38	246.94	277.92	322.35	408.38	505.16	628.58	778.2	864.2	1071.23	1093	1109.51	997.78	997.78
End of the period	171.255	181.513	208.303	242.78	252.663	249.757	302.747	352.351	447.766	563.563	720.673	830.353	930.749	1082.62	1100.91	1081.58	1081.58
Cape Verde	256.45	259	275.325	294.775	534.6	490	523.7	598.81	562.21	652.953	704.951	744.306	625.495	519.364	481.578	556.037	498.069
End of the period	272.265	282.107	264.692	283.163	555.205	499.148	511.552	583.669	589.952	615.699	711.976	733.039	696.988	581.2	528.285	527.468	522.89
Central African Republic	66.085	66.47	73.089	85.9919	81.14	77.455	85.165	96.235	94.255	109.165	118.506	125.122	105.149	87.308	80.9559	93.4729	83.7282
End of the period	70.0313	71.4083	68.0176	80.4266	81.8908	76.8533	82.5975	93.1767	98.1575	103.502	119.687	123.228	117.168	97.703	88.8076	88.6703	87.9007
Chad	256.45	259	275.325	294.775	534.6	490	523.7	598.81	562.21	652.953	704.951	744.306	625.495	519.364	481.578	556.037	498.069
End of the period	272.265	282.107	264.692	283.163	555.205	499.148	511.552	583.669	589.952	615.699	711.976	733.039	696.988	581.2	528.285	527.468	522.89
Congo	256.45	259	275.325	294.775	534.6	490	523.7	598.81	562.21	652.953	704.951	744.306	625.495	519.364	481.578	556.037	498.069
End of the period	272.265	282.107	264.692	283.163	555.205	499.148	511.552	583.669	589.952	615.699	711.976	733.039	696.988	581.2	528.285	527.468	522.89
Congo, Democratic Republic of	256.448	258.997	275.322	294.772	400.948	367.498	392.773	449.105	421.655	489.715	528.714	558.23	469.122	389.523	361.183	417.028	373.552
End of the period	272.262	282.105	264.69	283.16	416.399	374.357	383.66	437.747	442.459	461.775	533.982	549.779	522.741	435.9	396.214	395.601	392.168
Congo, Republic of	256.45	259	275.325	294.775	534.6	490	523.7	598.81	562.21	652.953	704.951	744.306	625.495	519.364	481.578	556.037	498.069
End of the period	272.265	282.107	264.692	283.163	555.205	499.148	511.552	583.669	589.952	615.699	711.976	733.039	696.988	581.2	528.285	527.468	522.89
Cote d'Ivoire	0.000000	0.000000	0.000007	0.000350	0.032500	0.14831	1.156	1.06	2.45	4.5	50.0001	313.6	382.14	372.52	444.088	431.279	431.279
End of the period	0.000000	0.000000	0.000215	0.000025	0.011941	0.0702447	0.501849	1.31345	1.60666	4.01833	21.8183	206.617	346.485	405.178	395.93	473.908	473.908
Dibouti	256.45	259	275.325	294.775	534.6	490	523.7	598.81	562.21	652.953	704.951	744.306	625.495	519.364	481.578	556.037	498.069
End of the period	272.265	282.107	264.692	283.163	555.205	499.148	511.552	583.669	589.952	615.699	711.976	733.039	696.988	581.2	528.285	527.468	522.89
Egypt	2	3.33221	3.33861	3.3718	3.391	3.39	3.388	3.388	3.388	3.405	3.69	4.49	4.5	4.5	6.1532	5.7322	5.7322
End of the period	1.55	3.13801	3.32175	3.35252	3.38513	3.39221	3.39148	3.38875	3.388	3.39525	3.47205	3.973	4.49667	5.85088	6.19624	5.77883	5.77883
Equatorial Guinea	256.45	259	275.325	294.775	534.6	490	523.7	598.81	562.21	652.953	704.951	744.306	625.495	519.364	481.578	556.037	498.069
End of the period	272.265	282.107	264.692	283.163	555.205	499.148	511.552	583.669	589.952	615.699	711.976	733.039	696.988	581.2	528.285	527.468	522.89
Eritrea	2.07163	2.07163	5.00393	5.00393	5.95467	6.32497	6.43105	7.125	7.5969	9.6	10.2	13.7975	14.3089	13.7875	13.7875	15.375	15.375
End of the period	2.07	2.07	2.42531	5	5.44544	6.15421	6.35154	6.74932	7.3574	8.11901	9.62428	11.1077	13.9571	13.8756	13.7875	15.3679	15.3679

Table 2. Exchange rates of African economies, 1990-2006 (continued)
(National currency per United States dollar)

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Ethiopia	2.07	2.07	5	5	5.95	6.32	6.426	6.864	7.503	8.134	8.314	8.5583	8.5809	8.6206	8.6519	8.6812	8.7157
Average period	2.07	2.07	2.8025	2.8025	5.465	6.19833	6.35168	6.70934	7.11591	7.94225	8.21726	8.45749	8.56775	8.59968	8.63558	8.66844	8.69862
Gabon	256.45	282.107	275.325	294.775	534.6	490	523.7	598.81	562.21	652.953	704.951	744.306	625.495	519.364	481.578	556.037	498.069
Average period	272.265	282.107	264.692	283.163	555.205	499.148	511.552	583.669	589.952	615.699	711.976	733.039	696.988	581.2	528.285	527.468	522.89
Gambia	7.49457	8.95736	9.21659	9.53471	9.57854	9.64041	9.89218	10.5296	10.9914	11.5473	14.8876	16.9319	23.3918	30.9598	29.6736	28.1348	28.1348
Average period	7.88267	8.80265	8.8875	9.12883	9.57555	9.54625	9.78895	10.2002	10.6431	11.3951	12.7876	15.6872	19.9182	27.3059	30.0301	28.5754	28.5754
Ghana	344.828	390.625	520.833	819.672	1052.63	1449.28	1754.39	2272.73	2325.58	3535.14	7047.65	7321.94	8438.82	8852.32	9054.26	9130.82	9130.82
Average period	326.332	367.831	437.087	649.061	956.711	1200.43	1637.23	2050.17	2314.15	2669.3	5455.06	7170.76	7932.7	8677.37	9004.63	9072.54	9072.54
Guinea	680	802.95	922.41	972.414	981.024	997.984	1039.13	1144.95	1298.03	1736	1882.27	1988.33	1976	2000	2550	4500	4500
Average period	660.167	753.858	902.001	955.49	976.636	991.411	1004.02	1095.33	1236.83	1387.4	1746.87	1950.56	1975.84	1984.93	2225.03	3644.33	3644.33
Guinea-Bissau	38.5942	76.2946	133.162	176.366	236.451	337.366	537.482	598.81	562.21	652.953	704.951	744.306	625.495	519.364	481.578	556.037	498.069
Average period	33.6224	56.2863	106.676	155.106	198.341	278.039	405.745	583.669	589.952	615.699	711.976	733.039	696.988	581.2	528.285	527.468	522.89
Kenya	24.0841	28.0741	36.2163	68.1631	44.8389	55.9389	55.0211	62.6778	61.9056	72.9306	78.0361	78.6	77.0722	76.1389	77.3444	72.3667	69.3967
Average period	22.9148	27.5079	32.2168	58.0013	56.0506	51.4298	57.1149	58.7318	60.3667	70.3626	76.1755	78.5632	78.7491	75.9356	79.1739	75.5541	72.1008
Lesotho	2.56253	2.74303	3.053	3.3975	3.6475	4.6825	4.8675	4.8675	5.86	6.1545	7.5685	12.1265	8.64	6.64	5.63	6.325	6.97
Average period	2.58732	2.76132	2.85201	3.26774	3.5508	3.62709	4.29935	4.60796	5.52828	6.10948	6.93983	8.60918	10.5407	7.56475	6.45969	6.35933	6.77155
Liberia	1	1	1	1	1	1	1	1	1	43.25	39.5	42.75	65	50.5	54.5	56.5	59.5
End of the period	1	1	1	1	1	1	1	1	1	41.5075	40.9525	48.5833	61.7542	59.3788	54.9058	57.0958	58.0133
Average period	1	1	1	1	1	1	1	1	1	41.9025	40.9525	48.5833	61.7542	59.3788	54.9058	57.0958	58.0133
Libyan Arab Jamahiriya	0.269873	0.268406	0.301297	0.325016	0.434371	0.426587	0.440984	0.469976	0.450358	0.46201	0.540348	0.650098	1.20979	1.30041	1.24427	1.352	1.28448
End of the period	0.283177	0.280728	0.281553	0.30437	0.348368	0.418145	0.4368	0.460866	0.467574	0.463811	0.51219	0.605064	1.27068	1.29294	1.30497	1.30838	1.31357
Average period	0.283177	0.280728	0.281553	0.30437	0.348368	0.418145	0.4368	0.460866	0.467574	0.463811	0.51219	0.605064	1.27068	1.29294	1.30497	1.30838	1.31357
Madagascar	293.166	366.532	382.034	392.534	774.216	684.594	865.694	1056.93	1080.44	1308.64	1310.09	1326.24	1286.95	1238.33	1868.86	2003.02	2013.95
Average period	298.829	367.072	372.793	382.757	613.467	853.126	812.25	1018.18	1088.28	1256.76	1353.5	1317.7	1366.39	1238.33	1868.86	2003.02	2142.3
Malawi	2.6469	2.6638	4.3958	4.4944	15.2986	15.3031	15.3231	21.2278	43.8836	46.4377	80.076	67.2941	87.1385	108.566	108.943	123.781	123.781
End of the period	2.72888	2.80331	3.60328	4.40278	8.7364	15.2837	15.3085	16.4442	31.0727	44.0881	59.5438	72.1973	76.6866	97.4325	108.898	118.42	118.42
Average period	2.72888	2.80331	3.60328	4.40278	8.7364	15.2837	15.3085	16.4442	31.0727	44.0881	59.5438	72.1973	76.6866	97.4325	108.898	118.42	118.42
Mali	256.45	282.107	275.325	294.775	534.6	490	523.7	598.81	562.21	652.953	704.951	744.306	625.495	519.364	481.578	556.037	498.069
Average period	272.265	282.107	264.692	283.163	555.205	499.148	511.552	583.669	589.952	615.699	711.976	733.039	696.988	581.2	528.285	527.468	522.89
Mauritania	77.84	77.82	115.1	124.16	128.37	137.11	142.45	168.35	205.78	225	252.3	264.12	268.71	265.6	257.19	270.61	270.61
Average period	80.609	81.9458	87.0267	120.806	123.575	129.768	137.222	151.853	188.476	209.514	238.923	255.629	271.739	263.03	257.19	265.528	265.528
Mauritius	14.322	14.7939	16.998	18.6558	17.8626	17.6641	17.9715	22.265	24.7835	25.468	27.8817	30.3942	29.1968	26.0877	28.2044	30.6666	34.3368
Average period	14.8635	15.6523	15.5632	17.648	17.9604	17.3863	17.9481	23.9927	23.9927	25.1858	26.2496	29.1293	29.962	27.9015	27.4985	29.4662	31.7081
Morocco	8.0429	8.1499	9.0487	9.6512	8.9596	8.4669	8.7995	9.7141	9.2551	10.087	10.619	11.56	10.167	8.7499	8.2177	9.2494	8.4566
Average period	8.24234	8.70655	8.53787	9.29871	9.20272	8.54024	8.71588	9.52711	9.6042	9.8042	10.6256	11.303	11.0206	9.57438	8.86802	8.8501	8.79558
Mozambique	1.03815	1.8454	2.9514	5.34316	6.651	10.89	11.377	11.543	12.366	13.3	17.1405	23.3204	23.8543	23.8567	18.9993	24.183	25.97
Average period	0.929089	1.43447	2.51655	3.87424	6.03859	9.02433	11.2937	11.5436	11.8746	12.7751	15.2272	20.7036	23.678	23.7823	22.5813	23.061	25.4008
Namibia	2.5625	2.74303	3.053	3.3975	3.6475	4.6825	4.8675	4.8675	5.86	6.1545	7.5685	12.1265	8.64	6.64	5.63	6.325	6.97
End of the period	2.58732	2.76132	2.85201	3.26774	3.5508	3.62709	4.29935	4.60796	5.52828	6.10948	6.93983	8.60918	10.5407	7.56475	6.45969	6.35933	6.77155
Average period	2.58732	2.76132	2.85201	3.26774	3.5508	3.62709	4.29935	4.60796	5.52828	6.10948	6.93983	8.60918	10.5407	7.56475	6.45969	6.35933	6.77155

Table 2. Exchange rates of African economies, 1990-2006 (continued)
(National currency per United States dollar)

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Niger	256.45	269	275.325	294.775	534.6	490	523.7	598.81	562.21	652.953	704.951	744.306	625.495	519.364	481.578	556.037	498.069
End of the period	272.265	282.107	264.692	283.163	555.205	499.148	511.552	583.669	589.952	615.699	711.976	733.039	696.988	581.2	528.285	527.468	522.89
Nigeria	9.0009	9.86193	19.6464	21.8818	21.9974	21.8866	21.8861	21.886	21.886	21.886	109.55	112.95	126.4	136.5	132.35	129	129
End of the period	8.03829	9.90949	17.2984	22.0654	21.996	21.8953	21.8844	21.886	21.886	92.3381	101.697	111.231	120.578	129.222	132.888	131.274	131.274
Rwanda	121.12	119.79	146.27	146.37	138.33	299.811	304.164	304.672	320.338	349.53	430.486	457.9	511.854	580.28	566.86	553.719	548.652
End of the period	112.6	171.18	179.421	144.237	140.704	262.182	306.098	301.321	313.717	337.831	393.435	442.801	476.327	537.658	574.622	555.841	552.555
Senegal	256.45	259	275.325	294.775	534.6	490	523.7	598.81	562.21	652.953	704.951	744.306	625.495	519.364	481.578	556.037	498.069
End of the period	272.265	282.107	264.692	283.163	555.205	499.148	511.552	583.669	589.952	615.699	711.976	733.039	696.988	581.2	528.285	527.468	522.89
Seychelles	5.1188	5.0627	5.2545	5.2579	4.9695	4.8639	4.9946	5.1249	5.4521	5.3676	6.2689	5.7522	5.055	5.5	5.5	5.5	5.7955
Average period	5.3369	5.28931	5.12198	5.18153	5.05586	4.76197	4.96998	5.02634	5.26219	5.34258	5.71382	5.85754	5.48003	5.40072	5.5	5.5	5.51969
Sierra Leone	188.679	434.783	526.316	577.634	613.008	943.396	909.091	1333.33	1590.76	2276.05	1666.67	2161.27	2191.73	2562.18	2860.49	2932.52	2973.94
End of the period	151.446	295.344	499.442	567.459	586.74	755.216	920.732	981.482	1563.62	1804.2	2092.12	1986.15	2099.03	2347.94	2701.3	2889.59	2961.91
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
End of the period	490.675	490.675	490.675	490.675	490.675	490.675	490.675	490.675	490.675	490.675	490.675	490.675	490.675	490.675	490.675	490.675	490.675
Average period	2.56253	2.74303	3.053	3.3975	3.5435	3.6475	4.6825	4.8675	5.86	6.1545	7.5685	12.1265	8.64	6.64	5.63	6.325	6.97
South Africa	2.58732	2.76132	2.85201	3.26774	3.5508	3.62709	4.29935	4.60796	5.52828	6.10948	6.93983	8.60918	10.5407	7.56475	6.45969	6.35933	6.77155
Average period	0.450057	1.49929	13.5139	21.7397	40.001	52.6329	144.931	172.2	237.8	257.7	257.35	261.43	261.68	260.16	250.63	230.54	201.33
Sudan	0.45	0.695564	9.74317	15.9314	28.9609	58.0874	125.079	157.574	200.802	252.55	257.123	258.702	263.306	260.983	257.905	243.606	217.153
Average period	2.56253	2.74303	3.053	3.3975	3.5435	3.6475	4.6825	4.8675	5.86	6.1545	7.5685	12.1265	8.64	6.64	5.63	6.325	6.97
Swaziland	2.58732	2.76132	2.85201	3.26774	3.5508	3.62709	4.29935	4.60796	5.52828	6.10948	6.93983	8.60918	10.5407	7.56475	6.45969	6.35933	6.77155
End of the period	140.982	280.021	375.54	516.7	1185.31	1756.88	2833.21	6969.73	6885	7300	8610.65	9019.71	9191.84	9455.9	10104	11929.7	13073.9
Average period	143.331	201.816	321.337	429.854	732.628	1420.34	2203.16	4552.51	6883.24	7118.96	7978.17	8842.11	9088.33	9347.58	9902.32	10558	12445.4
Sao Tomé and Príncipe	256.45	269	275.325	294.775	534.6	490	523.7	598.81	562.21	652.953	704.951	744.306	625.495	519.364	481.578	556.037	498.069
End of the period	272.265	282.107	264.692	283.163	555.205	499.148	511.552	583.669	589.952	615.699	711.976	733.039	696.988	581.2	528.285	527.468	522.89
Togo	0.83675	0.8645	0.95065	1.0466	0.9912	0.9508	0.9985	1.1475	1.101	1.2525	1.3853	1.4683	1.3341	1.2083	1.1994	1.3634	1.2971
End of the period	0.878333	0.924621	0.894433	1.00374	1.01155	0.94575	0.973408	1.10591	1.13872	1.18623	1.37068	1.43871	1.42173	1.28846	1.24547	1.29743	1.33102
Tunisia	540	915	1217.15	1130.15	926.77	1009.45	1029.59	1140.11	1362.69	1506.04	1766.68	1727.4	1852.57	1935.32	1738.59	1816.86	1741.44
Average period	428.855	734.01	1133.83	1195.02	979.445	968.917	1046.08	1083.01	1240.31	1454.83	1644.48	1755.66	1797.55	1963.72	1810.3	1780.67	1831.45
United Republic of Tanzania	196.6	233.9	335	479.871	523.453	550.36	595.64	624.57	681	797.33	803.26	876.412	976.3	1063.62	1042.96	1165.51	1261.64
End of the period	195.056	219.157	297.708	405.274	509.631	574.762	579.977	612.123	664.671	744.759	800.409	876.412	966.583	1038.42	1089.33	1128.93	1251.9
Zambia	42.7533	88.968	359.712	500	680.272	956.13	1282.69	1414.84	2298.92	2632.19	4157.83	3830.4	4334.4	4645.48	4771.31	3508.98	4406.67
End of the period	30.2891	64.6397	172.214	452.763	669.371	864.119	1207.9	1314.5	1862.07	2388.02	3110.84	3610.94	4398.59	4733.27	4778.88	4463.5	3603.07
Average period	0.002636	0.005051	0.005482	0.006935	0.008387	0.009311	0.010839	0.0186081	0.0373692	0.0381388	0.0550661	0.0550358	0.0550358	0.823723	5.72927	77.9646	77.9646
Zimbabwe	0.002452	0.003621	0.005098	0.006483	0.008152	0.008665	0.010002	0.012113	0.0236791	0.03833012	0.0444179	0.0550521	0.0550358	0.697424	5.06866	22.3636	22.3636
Average period																	

Source: data from IMF.

E. Definitions, descriptions and discrepancies in the data

1. FDI statistics

The two main definitions of FDI are contained in the *Balance of Payments Manual: Fifth Edition* (Washington, D.C., International Monetary Fund, 1993) and the second edition of the *Detailed Benchmark Definitions of Foreign Direct Investment: Third Edition* (Paris, Organisation for Economic Co-operation and Development, 1996).

According to the *Balance of Payments Manual*, FDI refers to investment made to acquire lasting interest in enterprises operating outside of the economy of the investor. Further, in cases of FDI, the investor's purpose is to gain an effective voice in the management of the enterprise. The foreign entity or group of associated entities that makes the investment is termed the "direct investor". The unincorporated or incorporated enterprise—a branch or subsidiary, respectively, in which direct investment is made—is referred to as a "direct investment enterprise". Some degree of equity ownership is almost always considered to be associated with an effective voice in the management of an enterprise; in the revised edition of the *Manual*, IMF suggests a threshold of 10 per cent of equity ownership to qualify an investor as a foreign direct investor.

Once a direct investment enterprise has been identified, it is necessary to define which capital flows between the enterprise and entities in other economies should be classified as FDI. Since the main feature of FDI is taken to be the lasting interest of a direct investor in an enterprise, only capital that is provided by the direct investor—either directly or through other enterprises related to the investor—should be classified as FDI. The forms of investment by the direct investor which are classified as FDI are equity capital, the reinvestment of earnings and the provision of long- and short-term intra-company loans (between parent and affiliate enterprises).

According to the benchmark definition of the OECD, a direct investment enterprise is an incorporated or unincorporated enterprise in which a single foreign investor either owns 10 per cent or more of the ordinary shares or voting power of an enterprise (unless it can be proved that the 10 per cent ownership does not allow the investor an effective voice in the management) or owns less than 10 per cent of the ordinary shares or voting power of an enterprise, yet still maintains an effective voice in management. An effective voice in management only implies that direct investors are able to influence the management of an enterprise and does not imply that they have absolute control. The most important characteristic of FDI, which distinguishes it from portfolio investment, is that it is undertaken with the intention of exercising control over an enterprise.

There is a notorious lack of comparability of the FDI data of different countries. This lack of comparability usually results in discrepancies between total outflows and total inflows or between outward stocks and inward stocks. There are three main causes for the lack of comparability and discrepancies. First, countries differ in their definitions of FDI, since most depart in one way or another from the conventions recommended by IMF or OECD. Second, countries differ in their methods of data collection; a principal problem is the difficulty of identifying the ultimate beneficiary as opposed to the immediate beneficiary of FDI. Third, corporate accounting practices and valuation methods differ between countries. Each of those groups of issues is discussed in turn below.

a. *Definitions of FDI*

(i) *Components of FDI*

As stated above, the components of FDI are equity capital, reinvested earnings and intra-company loans. As countries do not always collect data for each of those components, reported data on

FDI are not comparable across countries. In particular, data on reinvested earnings, the collection of which depends on company surveys, are often unreported by many countries.

(ii) *The threshold equity ownership*

Countries differ in the threshold value for foreign equity ownership which they take as evidence of a direct investment relationship. This is the level of participation at or above which the direct investor is normally regarded as having an effective say in the management of the enterprise involved. The threshold value usually involves chosen ranges of between 10 and 50 per cent, and in recent years it has tended to move towards the lower end of this range, owing to the fact that even a small shareholding may allow an effective voice in management. Some countries do not specify a threshold point, but rely entirely on other evidence, including companies' own assessments as to whether the investing company has an effective voice in the foreign firm in which it has an equity stake. The quantitative impact of differences in the threshold value used is relatively small, owing to the large proportion of FDI which is directed to majority-owned subsidiaries and branches.

(iii) *Defining a controlling interest and treatment of non-equity forms of investment*

Other than having an equity stake in an enterprise, there are many other ways in which foreign investors may acquire an effective voice. Those include subcontracting, management contracts, turnkey arrangements, franchising, leasing, licensing and production-sharing. A franchise (a firm to which business is subcontracted) or a company which sells most of its production to a foreign firm through means other than an equity stake are not usually collected, some countries have begun to contemplate doing so. For example, the OECD treats financial leases between direct investors and their branches, subsidiaries or associates as if they were conventional loans; such relationships will therefore be included in its revised definition of FDI.

b. *Methods of data collection and national practices in the treatment of FDI*

(i) *Foreign exchange records versus company surveys*

Very often it is difficult for a country to comply with the recommended definitions and report on all three components of FDI because it relies exclusively on foreign exchange records of the central bank. Thus it is only able to account for capital which crosses its borders and not reinvested earnings. Another approach taken by some countries involves a requirement by the central bank of additional information from foreign investors.

Data on FDI flows are collected primarily for balance-of-payments purposes. However, the data are usually based on the exchange records of the central bank and are extremely limited in details. Some countries supplement their exchange records data with company surveys. In most cases, that involves a request for information on components of FDI not properly covered in the recording of foreign exchange transactions, the most important of which is reinvested earnings. This generally entails an annual company survey. In some countries, there is also a periodic census or benchmark survey which covers all aspects of FDI and may extend to other related variables. In several cases—such as Australia, Canada, Nigeria and the United States, for instance, surveys are the only source of FDI information.

Very often, however, stock data are not available for some developed countries (and for several developing countries) because of their reliance on the exchange records. Stock data may also be obtained from company surveys. If FDI flows were also obtained on the same basis, then cumulative FDI flows would equal FDI stocks because it would include, for example, changes in valuation due to depreciation. However, where FDI flow data are collected from exchange records and FDI stock data are derived from company surveys, cumulative FDI flows do not generally match stocks. Once again, one major source of discrepancies is that—in the absence of company surveys, and the presence of an exclusive reliance on records of exchange transactions—reinvested earnings are excluded from FDI flow data.

Another difficulty is that equity capital, as well as changes in intra-company loans between parents and affiliates, and reinvested earnings tend to fluctuate considerably between years and can be substantially revised. Although there may be attempts to revise the FDI-flow-data series accordingly, it can be difficult to attribute revisions to particular previous years. For that reason, proper adjustments are normally made only at the time of comprehensive surveys. Surveys also allow for a revaluation of assets which helps to ensure a more accurate assessment of investment stocks.

(ii) *Ultimate beneficial owner*

As stated above, FDI flow data are likely to be organized on the basis of the immediate host country and immediate investing country, rather than the ultimate host and ultimate investing country. Where funds are channelled through holding companies, major problems may be created in the compilation of an accurate geographical or industrial distribution of FDI. That often leads to an overstatement of investments, particularly in the financial sector, in or from financial centres. The ultimate investment's origins or intentions of the parent companies are lost as a consequence.

Some countries, however, have made efforts to reduce that problem. Surveys to collect data on FDI stocks can be drawn up in terms of either immediate or ultimate owners. A version of this appears in the German FDI data, where there is a distinction between primary and secondary FDI. Other countries have paid particular attention to trying to resolve the problem of ultimate beneficial ownership, which arises in the case of offshore companies or banks. Those are firms incorporated in countries which are typically offshore banking centres or tax havens (such as the Netherlands Antilles, Panama, Bermuda or the Cayman Islands) that are not active in the country of incorporation and have their management offices in other countries, generally that of the parent company.

Similar difficulties are encountered in cases of takeovers of firms. If a direct investor is taken over by a foreign firm from a different country, the host country will not always record the change in ownership. If an inward direct investment enterprise owned by a firm in country A is taken over by a firm in country B, the host country should record this as a disinvestment by A and as a direct investment by B; it is recognized, however, that countries do not always have the data to implement that recommendation.

Further problems sometimes arise where takeovers proceed in incremental stages. Early acquisitions are treated as portfolio investment and, consequently, are not included in FDI flows until such time that threshold level is reached. The flow data are not subsequently revised once the threshold level is reached; only the investment which takes the firm over the critical threshold and its following investments are recorded in FDI flows.

(iii) *Variety of sources for FDI data*

Many countries have a variety of sources for FDI data, including those collected by the central bank for balance-of-payments purposes and those collected by the board of investment or a similar institution for monitoring and investment promotion purposes.

Owing to the lack of comprehensive FDI data, especially in some countries and territories, it is necessary to draw upon the data provided by institutions responsible for the regulation or promotion of FDI. Allowances must then be made for the regulatory framework within which the data were gathered. For example, not all FDI may have to be registered with the authorities in question; it is possible that reinvested earnings or investments in ventures in which the foreign equity stake is below a certain percentage are excluded.

A typical occurrence is that data provided by those institutions are on approved FDI investments rather than on the investments actually implemented. Sometimes, geographical and sectoral disaggregation of FDI are available only for approved investments. In such cases, data on approved

investments provide crucial information, but their limitations must be acknowledged. Normally, approved investments are larger than those actually implemented.

(iv) *Industrial coverage and classification*

Sometimes, the industrial coverage of FDI reporting is limited, or the classification used by national bodies is incompatible with the second revision of the *International Standard Industrial Classification of All Economic Activities*. For a few countries, FDI data are highly aggregated in very broad categories. In addition, the industrial classification used may be based on either the primary activity of the parent company, or the primary activity of the affiliate. Exceptions are found in the German and United States FDI data, which are compiled in accordance with both of those criteria. The most common method is to rely on the industry of the parent firm; nevertheless, in some cases (for example, the United Kingdom) data are classified by the industry of the affiliate. In some countries, outward FDI is classified according to the industry of the parent company, while inward FDI is attributed to the industry of the affiliate.

(v) *The treatment of banks and other financial institutions*

There are particular problems relating to the measurement of FDI in the finance sector. The level of banking activity by local branches may bear little relationship to the assets owned by the parent banks. FDI data sometimes mistakenly include the deposits made by a parent bank in its foreign affiliates. This can give rise to a substantial overestimation of FDI, as the motivation for such deposits may be a response to interest-rate differentials, fiscal changes or political uncertainty. Thus, it is recommended that deposits made by a parent bank in its branches or subsidiaries abroad not be classified as FDI. Similarly, the intra-company flows between affiliated entities engaged in financial intermediation should be excluded from FDI.

c. *Accounting practices*

(i) *Historical valuation of FDI*

A serious problem stems from the fact that data on FDI stocks usually represent the book value or historical costs of assets. This means that all assets are valued at the prices and exchange rates which prevailed at the time of acquisition. In a company's book of accounts, investments are recorded in terms of the prices paid at the time they were made and usually expressed in local currency units converted at the then-prevailing exchange rate.

This creates major difficulties if inflation or movements of exchange rates become significant. For economies with a significant inward or outward FDI stock established before 1970, the effect of high inflation in the 1970s has been complicated by the impact of dramatic exchange rate fluctuations in the 1980s. It is not possible to allow for these effects through the normal techniques of price indexing in a given currency, as the FDI data are neither at current nor constant prices and do not reflect a single exchange rate. This implies that cross-country comparisons of FDI data must be treated with caution. The United Nations System of National Accounts, the IMF and the Benchmark Definition of OECD recommend market values as the conceptual basis for valuation of stocks. Nevertheless, for practical purposes, OECD recognizes book values from the balance sheets of direct investment enterprises as the only widely available value for the estimation of stocks.

(ii) *Methods of consolidation*

Country rules differ as to how the transactions of the members of an enterprises group are to be consolidated. Foreign affiliates are divided into three categories: subsidiaries, associates and branches. Parent companies in most economies consolidate the accounts of subsidiaries, associates and branches in accordance with national accounting regulations. Such rules may differ from those of the recommended

definitions which suggest full consolidation. The reported FDI position of countries which do not adopt the fully consolidated system may be considerably understated.

(iii) *Capital gains and losses*

Some countries include realized capital gains and losses as affiliate income and, consequently, such figures may be represented in their FDI data under the category of reinvested earnings. Until recently, the United States had also included unrealized capital gains and losses in reinvested earnings. That was a major source of difficulty during the 1980s, when substantial exchange-rate fluctuations generated large unrealized capital gains and losses, which led to dramatic fluctuations in the United States FDI flow data. Such movements should be excluded from FDI figures as the changes in the investment position which they bring about are of a portfolio, or purely financial kind, rather than a change in FDI itself.

2. Corporate data

A transnational corporation is generally regarded as an enterprise comprising entities in more than one country which operate under a system of decision-making that permits coherent policies and a common strategy. The entities are so linked, by ownership or otherwise, that one or more of them may be able to exercise a significant influence over the others and, in particular, to share knowledge, resources and responsibilities with the others.

Once a TNC has been identified, it may be necessary to select the most important parent company for any given associate enterprise. Because the definition of a TNC does not specify majority control, it is possible for an enterprise to be an associate of more than one TNC. In such cases in the tables covering corporate data, enterprises have been treated as associates only of the parent with the highest percentage ownership.

Similarly, some TNCs are active in more than one industrial sector. Such TNCs are listed in the tables containing corporate data as being active only in the sector which is most predominant among its activities. In certain cases where a predominant activity could not be identified, the activities of TNCs have been listed as "diversified".

One of the most complex problems in the compilation of the data on TNCs is the identification of holding companies. In identifying such companies, attention was paid to the strategy of each holding company, including their definition of product or service offerings. If a holding company maintains a purely financial relationship with the companies that it holds, treating the companies themselves as its product, such a holding company would be classified as a financial institution. Alternatively, if a holding company actively involves itself in the management of the companies it holds, thereby treating the goods or services produced by those held companies as its own goods or services, such a holding company would be classified as being involved in the industrial sector of the companies it holds, and ranked accordingly.

Another problem with the corporate data presented in the tables arises from the fact that requirements for the consolidation of financial data differ between countries. Because TNCs, by their very nature, cross borders, the degree to which the financial data of any given TNC are consolidated is often uncertain. Therefore, the data on sales or assets of a foreign affiliate in the host country are not always compiled using the fully consolidated sales or assets of all foreign affiliates of its parent company. In most cases when data are reported on assets or sales of foreign affiliates or of domestically-based TNCs, the extent of consolidation is not known.

3. Legal information

a. National framework

The regulatory framework for FDI in a country or territory consists of laws, regulations, official policy declarations and guidelines that are relevant to FDI and related fields. Naturally, the regulatory framework for FDI differs considerably between countries. Some countries have specific legal frameworks regulating FDI. Others, like the United States, have very few or no laws specifically dealing with FDI. Many developing countries regulate FDI explicitly by enacting investment codes, or by passing laws that deal with the establishment of public investment boards or similar institutions. Others have not enacted FDI-related legislation. Instead, they have enacted industry-specific laws which regulate FDI. Since investment flows are often concentrated in specific industries, the investment laws and regulations that cover these industries have been included in the table relating to the legal framework for TNCs, in addition to basic FDI laws when they were available.

In the country profiles prepared for this volume, the laws and regulations have been selected to cover, *inter alia*:

- corporate law, including accounting and reporting regulations;
- incentives for, and restrictions on, FDI;
- mergers and acquisitions;
- securities;
- taxation (mainly corporate and individual income tax);
- transfer of technology;
- industrial/intellectual property;
- labour relations and employment;
- environmental protection.

Foreign exchange laws have been expressly omitted since this topic is fully covered in other specialized publication.¹ Similarly, customs law has also been omitted-in view of the space limitations-since, compared to the other areas mentioned, it bears only on one aspect of FDI.

To the extent available, the laws and regulations are listed in chronological sequence. They are not presented according to the subject matter of the instrument because the diversity and complexity of the national legal systems prevent such a classification. Laws and regulations that cover two or more legal areas are not unusual.

The citation of laws and regulations includes their title, year of enactment, date of enforcement and source. Where possible, the official source has been cited. In cases where the source is presented in a language other than English, French or Spanish, another source containing the English (official or unofficial) translation has sometimes been added. It should be mentioned, however, that due to considerable difficulties in tracing, updating and, last but not least, translating the relevant national legal instruments, the legal information presented in the individual country profiles compiled for this volume should be considered as a best-effort attempt to cover the vast area of FDI-related legislation in the region.

b. International framework

The present volume contains information on four major legally-binding multilateral instruments. Each of those instruments deals with a specific issue that is considered to be of importance for relations between foreign direct investors and host countries, namely, the settlement of disputes between States

¹ See for example, International Monetary Fund, *Yearbook on Foreign Exchange Regulations* (Washington, D.C., International Monetary Fund, various issues).

and investors from other States; the recognition and enforcement of foreign arbitral awards; industrial property rights; and investment guarantees for non-commercial risks (that is, expropriation).

With respect to bilateral treaties, this volume provides information on two types of treaties, namely, bilateral treaties for the promotion and protection of foreign investment (BITs) and bilateral treaties for the avoidance of double taxation (DTTs). The former deal exclusively with investment issues. The latter deal with a significant aspect of foreign investment management, namely, the avoidance of double taxation. Both types of treaties have been concluded in large numbers between countries from all regions of the world and are considered to be important policy instruments for the promotion of investment flows.

F. Glossary

1. FDI

An investment involving a long-term relationship and reflecting a lasting interest of a resident entity in one economy (direct investor) in an entity resident in an economy other than of the investor. The direct investor's purpose is to exert a significant degree of influence on the management of the enterprise resident in the other economy. FDI involves both the initial transaction between the two entities and all subsequent transactions between them and among affiliated enterprises, both incorporated and unincorporated. FDI may be undertaken by individuals, as well as business entities.

FDI flows

For associates and subsidiaries, FDI flows consist of the net sales of shares and loans (including non-cash acquisitions made against equipment, manufacturing rights, etc.) to the parent company plus the parent firm's share of the affiliate's reinvested earnings plus total net intra-company loans (short- and long-term) provided by the parent company.

For branches, FDI flows consist of the increase in reinvested earnings plus the net increase in funds received from the foreign direct investor.

FDI flows with a negative sign (reverse flows) indicate that at least one of the components in the above definition is negative and not offset by positive amounts of the remaining components.

Equity capital

The foreign direct investor's net purchase of the shares and loans of an enterprise in a country other than its own.

Reinvested earnings

The part of an affiliate's earnings accruing to the foreign investor that is reinvested in that enterprise.

Intra-company loans

Short- or long-term loans from parent firms to affiliate enterprises or vice versa. In the case of banks, deposits, bills and short-term loans are excluded.

FDI stock

For associate and subsidiary enterprises, it is the value of the share of their capital and reserves (including retained profits) attributable to the parent enterprise (this is equal to total assets minus total liabilities), plus the net indebtedness of the associate or subsidiary to the parent firm.

For branches, it is the value of fixed assets and the value of current assets and investments, excluding amounts due from the parent, less liabilities to third parties.

2. Operations of TNCs

Total assets

Everything an incorporated or unincorporated enterprise owns which has a monetary value. The characteristics of assets are their control by the enterprise, the expectation that they will provide future benefits to the enterprise and that they are the outcome of a prior event or transaction. Total assets may be tangible (with physical substance, such as land and buildings) or intangible (without physical substance, such as patents and rights granted by a Government). The assets of a direct investment enterprise cover all the assets of the enterprise carried on its balance sheet, regardless of how they are financed; whether they are financed by the direct investors, or from other non-resident or resident sources.

Fixed assets are regarded as tangible assets with a useful life in excess of one year, which are used in the operation of a business enterprise and subject to depreciation. Current assets, on the other hand are regarded as tangible assets with a life of one year or less which can be readily turned into cash, for example, bank deposits, bills receivable and securities.

Employment

The figures reported for employment should include the number of full- and part-time employees on the payroll. The figures should not include contract and temporary employees who are not listed in the enterprise's payroll. Ideally, figures for part-time employees should be reported on a full-time equivalent basis (FTE). However, where data on a full time equivalent basis are difficult to obtain, countries should use the number of persons employed.

Wages and salaries

"Wages and salaries include the value of any social contributions, income taxes, etc., payable by the employee even if they are actually withheld by the employer ... and paid directly to social insurance schemes, tax authorities, etc., on behalf of the employee" (United Nations, *The System of National Accounts*, 1993, paragraphs 7.31-7.32).

Sales

Sales and turnover are used interchangeably to mean the same thing. "Sales measures gross operating revenues less rebates, discounts and returns. Sales should be measured exclusive of consumption and sales taxes on consumers, and value added taxes" (European Commission, IMF, OECD, UN, UNCTAD and WTO, *Manual on Statistics of International Trade in Services*, Final draft, September 2001, paragraphs 4.48 and 4.50). Sales consist of all goods and services invoiced by an establishment or enterprise during the reporting period. They also include all other charges passed on to the customer, for transportation, packaging etc. The figure used for sales should be after any price reductions, discounts and rebates and credits for returned packaging. Other operating income, financial income and extraordinary income should not be included in sales.

Value added

The difference at each stage of production between the cost of a product and the cost of all capital and labour input or any other input used to make this product. It "measures the value created by production". In essence, it is obtained by subtracting the value of inputs (the cost of materials, fuel and other supplies otherwise called intermediate consumption) from the value of an enterprise's gross output. "Gross value added is an unduplicated measure of output in which the value of the goods and services used as intermediate inputs are eliminated from the value of output" (United Nations, *The System of National Accounts*, 1993, paragraphs 6.222 and 6.223).

Profits

Gross profit refers to total sales revenue less payments of wages, salaries, rents, costs of raw materials and other costs incurred in carrying out the operations of the enterprise. Net profit, on the other hand, refers to gross profit less interest on loans and depreciation.

Exports and imports

Exports should represent the value of the enterprise's (or enterprise group's) total exports of goods and services, including its exports to its foreign affiliates. Imports should similarly cover total imports of goods and services, including those from foreign affiliates.

Merchandise exports should include general merchandise, goods exported for processing, repairs on moveable goods owned by non-residents such as ships, aircraft etc., goods procured in ports (goods sold to non-resident carriers – ships, aircraft etc.), and nonmonetary gold. (Repairs on goods are valued at the prices – the fees paid for the repairs and not the gross value of the goods.) Merchandise exports should be valued free on board (f.o.b.) at the frontier of the exporting country (IMF, *Balance of Payments Manual*, chapter X). Merchandise imports should also include general merchandise, goods imported for processing, repairs on the enterprise's moveable goods performed by non-residents, goods procured in foreign ports by those enterprises which are international carriers, and imports of non-monetary gold. Merchandise imports should also be valued f.o.b. at the frontier of the exporting country (IMF, *Balance of Payments Manual*, chapter X).

Exports and imports of services cover the enterprise's exports and imports of transportation and travel services, communications, construction, insurance, financial, computer and information services, royalties and license fees, and other business, personal, cultural and recreational services. Exports should also include any sales which the enterprise makes to foreign embassies and international institutions located in its country (IMF, *Balance of Payments Manual*, chapters XI, XII, and XIII).

R&D expenditures

“Research and development by a market producer is an activity undertaken for the purpose of discovering or developing new products, including improved versions or qualities of existing products, or discovering or developing new or more efficient processes of production” (United Nations, *The System of National Accounts*, 1993, paragraph 6.142). In the case of inward investment, direct investment enterprises should be asked to report total R&D spending within the host economy during the reporting period.

R&D employment

Data for the number of researchers are on the same basis as data for total employment. The data include all employees engaged in R&D.

Royalty payments

Monetary payments for the use of copyrighted or patented materials and production processes, or payments for the right of extraction of natural resources to the owner of these materials, processes or resources. These may be payments to a Government or to another business enterprise.

Royalty receipts

Receipts of monies for allowing the use of copyrighted or patented materials and production processes, or receipts from providing the right of extraction of natural resources by the owner of these materials, processes or resources. The owner may be a Government or another business enterprise.

3. The structure of TNCs

A TNC is an enterprise, which is irrespective of its country of origin and its ownership, including private, public or mixed, which comprises entities located in two or more countries which are linked, by ownership or otherwise, such that one or more of them may be able to exercise significant influence over the activities of others and, in particular, to share knowledge, resources and responsibilities with the others. TNCs operate under a system of decision making which permits coherent policies and a common strategy through one or more decision-making centres. This definition does not regard the legal form and fields of activity of these entities.

In the above definition, the term "entities" refers to both parent enterprises, defined below, and other enterprises.

For working purposes, the UNCTAD considers a "transnational corporation" to be an entity controlling assets abroad.

Parent enterprise

An incorporated or unincorporated enterprise, or group of enterprises, which has a direct investment enterprise operating in a country other than that of the parent enterprise.

Affiliate enterprise

An incorporated or unincorporated enterprise in which a foreign investor has an effective voice in management. Such an enterprise may be a subsidiary, associate or branch (defined below).

Subsidiary enterprise

An incorporated enterprise in the host country in which another entity directly owns more than half of the shareholders' voting power, or is a shareholder in the enterprise, and has the right to appoint or remove a majority of the members of the administrative, management or supervisory body.

Associate enterprise

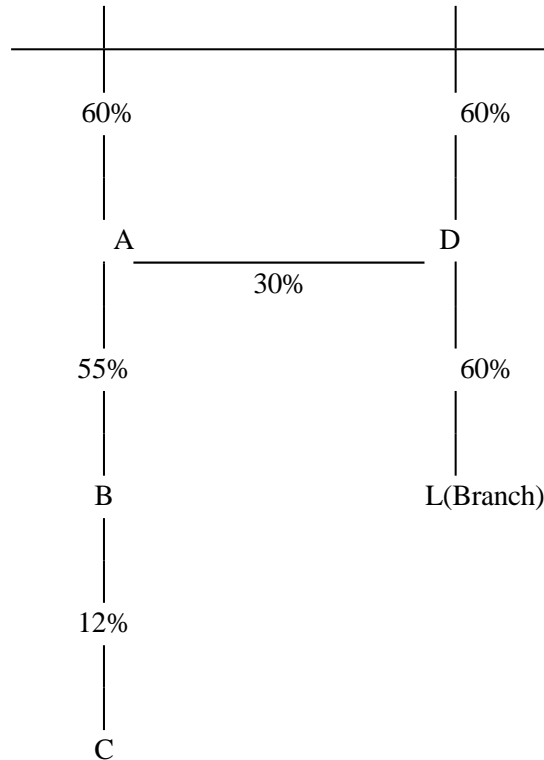
An incorporated enterprise in the host country in which an investor, together with its subsidiaries and associates, owns a total of at least 10 per cent, but not more than half, of the shareholders' voting power (the figure may be less than 10 per cent if there is evidence of an effective voice in management).

Branch

An unincorporated enterprise in the host country which is one of the following: (i) a permanent establishment or office of the foreign investor; (ii) an unincorporated partnership or joint venture (defined below) between the foreign direct investor and one or more third parties; (iii) land, structures (except structures owned by government entities), and/or immovable equipment and objects directly owned by a foreign resident; (iv) mobile equipment (such as ships, aircraft, gas or oil-drilling rigs) operating within a country other than that of the foreign investor for at least one year.

Under the fully consolidated system:

Enterprise N



- A is a subsidiary of N;
- B is indirectly a subsidiary of N;
- C is an associate of B and hence of N, provided that B has an effective voice in the management of C;
- D is a subsidiary of N and an affiliate of A;
- L is a branch of D and hence of N.

Joint venture

A joint venture involves share-holding in a business entity having the following characteristics; (i) the entity was established by a contractual arrangement (usually in writing) whereby two or more parties have contributed resources towards the business undertaking; (ii) the parties have joint control over one or more activities carried out according to the terms of the arrangements and none of the individual investors is in a position to control the venture unilaterally.

A joint venture may take one of the following three forms.

(i) Jointly controlled entity; the joining together of two or more enterprises resulting in the creation of a third enterprise in order to undertake a specific business venture. It is not a continuing relationship like a partnership. A jointly controlled entity is established under contractual agreement whereby the parties to the agreement contribute resources towards the business undertaking. Both parties have control over the activities carried out according to the terms of the agreement and no party can control the joint venture unilaterally.

(ii) Jointly controlled assets: the coordinated use of parts of the investors' enterprises in order to work on a common project which does not form separate entity, and which operates with a loose organizational structure. The assets and expertise of each partner remain under the direct control of that partner.

(iii) Jointly controlled operation: the contribution of resources by investors to a joint venture project which is managed by either one of the investors or by a joint management team. In such a venture, a joint venture agreement defines the terms of the project, and each investor possesses an undivided interest in the assets of the project.

Holding company

A corporation that owns voting stock in another corporation and is able to influence its board of directors, and therefore control its policies and management. A holding company need not own a majority of the shares of the corporation or be involved in activities similar to those of the company it holds.

COUNTRY PROFILES

Algeria

A. Definitions and sources of data

Foreign direct investment (FDI) in Algeria is defined as an equity investment made by a non-resident entity. In order that an investment is considered foreign, it must meet a minimum threshold level of foreign equity share relative to the total value of the investment. For investment of value less than or equal to 2 million Algerian Dinars, the threshold is 15%; for investment valued at between 2 million and 10 million Algerian Dinars, the threshold is 20%; and 30% for investments greater than or equal to 10 million Algerian Dinars. The Central Bank of Algeria keeps record of all FDI which involves foreign currency transactions. Data are also provided by the International Monetary Fund in its balance-of-payments statistics.

The Algerian new Investment Code, Ordonnance n° 01-03 du 20 Août 2001, was instituted with a view to stimulating investment in industries other than those related to petroleum. The Ordonnance recognizes the principle of freedom to invest in any and all activities, including those covered by specific regulations and there are no restrictions on the percentage of capital that can be held by a foreign investor, except in hydrocarbons, where foreign companies can own no more than 71% of capital. Algeria guarantees investors the right to repatriate profits and created the Agence de Promotion, de Soutien et de Suivi des Investissements as a one-stop shop for all foreign companies investing in the country. The agency provides support and assistance to foreign investors and determines which incentives foreign investors should receive. These incentives include exemption from customs duties for imported goods associated directly with the investment. To simplify the investment legislation, various investment codes for different industries had been unified into a code.

Among the areas open to foreign investors in Algeria are the huge reserves of natural gas and other hydrocarbons. The country is the largest supplier of natural gas to the European Union (EU). The Government of Algeria projects to increase oil and gas revenue over the coming decade and is eager to attract substantial foreign investment to the sector. It announced in 2002 that it would privatize, either fully or partly, 100 state-owned firms. But recently, Algeria changed its strategy towards investment in the oil and gas sector to increase the share of Sonatrach - the state-owned oil and gas Company, in all exploration and production contracts awarded to foreign investors. Sonatrach is obliged to hold a minimum 51% stake in exploration and production agreements, and all pipeline and refinery projects, whereas the original law provided for the company to have the option to take 20-30%, with the foreign partner guaranteed a majority stake. There was the insertion of a new article providing for a tax to be levied on foreign company oil profits realised at Dated Brent prices exceeding \$30 a barrel. The tax, to be applied with retroactive effect from August 1st 2006, will be on a sliding scale from 5-50%.

Algeria signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on April 17 1995 and is a member of the Arab Maghreb Union, New Partnership for Africa's Development and the African Union. In 2001, the country signed the Trade and Investment Framework Agreement with the United States, establishing the common principles on which the economic relationship is founded. Algeria also initialed an accord as part of the European Union's drive to build stronger relations with neighbors in the southern and eastern Mediterranean and has an observer status at the World Trade Organization. Central to the agreement is a dismantling of trade barriers over 12 years. It is expected that these will lead to implementation of more reforms, especially in the banking and finance industries and ultimately boost FDI inflows into Algeria.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	1 098.1	90.9
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	4.9	0.4
3. FDI stocks, 2006	10 151	721
4. FDI stocks as a percentage of GDP, 2006	8.9	0.6

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	348.7	..	..	348.7	33.6	..	..	33.6
1981	13.2	..	..	13.2	14.6	..	..	14.6
1982	- 53.6	..	..	- 53.6	11.3	..	..	11.3
1983	0.4	..	..	0.4	14.6	..	..	14.6
1984	0.8	..	..	0.8	14.7	..	..	14.7
1985	0.4	..	..	0.4	2.4	..	..	2.4
1986	5.3	..	..	5.3	- 5.3	..	..	- 5.3
1987	3.7	..	..	3.7	15.1	..	..	15.1
1988	13.0	..	..	13.0	4.9	..	..	4.9
1989	12.1	..	..	12.1	8.2	..	..	8.2
1990	0.3	..	..	0.3	4.7	..	..	4.7
1991	11.6	..	..	80.0	50.3	..	..	0.0
1992	..	..	..	30.0	..	..	..	0.0
1993	..	..	..	0.0	..	..	..	0.0
1994	..	..	..	0.0	..	..	..	0.0
1995	..	..	..	0.0	..	..	..	0.0
1996	..	..	..	270.0	..	..	..	0.0
1997	..	..	..	260.0	..	..	..	0.0
1998	..	..	..	606.6	..	..	..	1.0
1999	..	..	..	291.7	..	..	..	47.0
2000	..	..	..	438.0	..	..	..	18.0
2001	..	..	..	1 196.0	..	..	..	9.0
2002	..	..	..	1 065.0	..	..	..	99.8
2003	..	..	..	633.8	..	..	..	14.2
2004	..	..	..	881.9	..	..	..	257.9
2005	..	..	..	1 081.3	..	..	..	56.9
2006	..	..	..	1 795.4	..	..	..	34.6

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics) based on the Bank of Algeria, unpublished.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment			Total	Outward investment			Total
	Equity	Reinvested earnings	Other		Equity	Reinvested earnings	Other	
1980	1 525.2	..	..	..	98.0
1981	1 538.4	..	..	..	112.6
1982	1 484.8	..	..	..	123.9
1983	1 485.2	..	..	..	138.5
1984	1 486.0	..	..	..	153.2
1985	1 486.4	..	..	..	155.6
1986	1 491.8	..	..	..	150.3
1987	1 495.5	..	..	..	165.3
1988	1 508.5	..	..	..	170.2
1989	1 520.6	..	..	..	178.4
1990	1 520.9	..	..	..	183.0
1991	1 600.9	..	..	..	183.0
1992	1 630.9	..	..	..	183.0
1993	1 630.9	..	..	..	183.0
1994	1 630.9	..	..	..	183.0
1995	1 630.9	..	..	..	183.0
1996	1 900.9	..	..	..	183.0
1997	2 160.9	..	..	..	183.0
1998	2 767.5	..	..	..	184.0
1999	3 059.2	..	..	..	231.0
2000	3 497.2	..	..	..	249.0
2001	4 693.2	..	..	..	258.0
2002	5 758.2	..	..	..	357.8
2003	6 392.0	..	..	..	372.0
2004	7 273.9	..	..	..	629.9
2005	8 355.2	..	..	..	686.8
2006	10 150.6	..	..	..	721.4

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Note: Data are estimated by accumulating flows since 1970.

Table 6a. FDI flows in the host economy, by geographical origin, 1997-2006
(Millions of dollars)

Region / economy	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total world	..	598.8	291.4	467.0	1 196.6	..	..	..	..	..
Developed countries	..	565.4	271.0	418.5	794.3	..	..	..	..	..
Europe	..	286.2	177.4	188.6	429.5	..	..	..	..	..
European Union	..	285.5	177.3	186.4	420.3	..	..	..	..	..
Austria	..	1.2	0.4	2.7	5.1	..	..	..	..	..
Belgium	..	14.6	0.6	4.5	12.4	..	..	..	..	..
Czech Republic	..	0.0	0.2	2.4	1.1	..	..	..	..	..
France	..	76.7	137.5	49.5	80.4	..	..	..	..	..
Germany	..	20.1	7.8	66.5	37.8	..	..	..	..	..
Italy	..	92.8	11.8	9.3	34.4	..	..	..	..	..
Netherlands	..	2.8	0.6	1.3	71.9	..	..	..	..	..
Spain	..	16.2	16.4	35.6	152.9	..	..	..	..	..
Sweden	..	25.1	0.1	0.5	1.1	..	..	..	..	..
United Kingdom	..	36.0	2.0	14.2	23.3	..	..	..	..	..
Other developed Europe	..	0.7	0.1	2.1	9.2	..	..	..	..	..
Iceland	5.0	..	..	..	..	..
Switzerland	..	0.7	0.1	2.1	4.2	..	..	..	..	..
North America	..	262.5	90.8	208.9	356.0	..	..	..	..	..
Canada	..	5.7	0.9	3.2	1.6	..	..	..	..	..
United States	..	256.9	89.9	205.7	354.4	..	..	..	..	..
Other developed countries	..	16.6	2.8	21.1	8.8	..	..	..	..	..
Japan	..	16.6	2.8	21.1	8.8	..	..	..	..	..
Developing economies	..	25.7	6.5	38.0	381.3	..	..	..	..	..
Africa	..	0.4	0.1	3.7	363.3	..	..	..	..	..
Egypt	..	0.1	0.0	0.1	363.0	..	..	..	..	..
Tunisia	..	0.3	0.1	3.6	0.3	..	..	..	..	..
Latin America and the Caribbean	..	0.1	0.9	1.7	..	..	..	..	..	..
Brazil	..	0.1	0.9	1.7	..	..	..	..	..	..
Asia	..	25.3	5.5	32.5	17.9	..	..	..	..	..
West Asia	..	22.2	3.6	20.2	17.9	..	..	..	..	..
Bahrain	8.1	13.0	..	..	..	..	..
Jordan	..	0.1	..	0.6	0.3	..	..	..	..	..
Kuwait	1.2	2.2	..	..	..	..	..	..
Qatar	..	0.1	0.6	9.2	2.1	..	..	..	..	..
Turkey	..	22.0	1.8	0.1	2.5	..	..	..	..	..
South, East and South-East
Asia	..	3.1	1.9	12.3	0.1	..	..	..	..	..
China	..	0.4	1.8	12.2	..	..	..	..	..	..
Korea, Republic of	..	2.7	0.1	0.1	0.1	..	..	..	..	..
South-East Europe and the CIS	..	1.1	8.5	1.2	1.2	..	..	..	..	..
Ukraine	..	1.1	8.5	1.2	1.2	..	..	..	..	..
Unspecified	..	6.7	5.4	9.3	19.9	..	..	..	..	..

Source: UNCTAD, FDI/TNC database based on the Bank of Algeria, unpublished.

Table 6b. FDI flows in the host economy, by geographical origin, 1995-2006

(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	- 47.9	- 44.3	- 38.3	- 35.6	- 34.1	- 24.9	- 7.2	-	- 1.1	-	-	-
China	-	-	-	-	-	-	-	-	2.5	11.2	84.9	-
Cyprus	-	-	-	-	-	-	-	8.2	0.9	-	-	-
France	1.3	11.5	10.1	11.1	20.2	64.5	47.4	19.8	24.8	50.9	98.2	205.7
Germany	2.1	- 8.0	-	- 0.6	-	-	- 0.9	- 9.4	24.8	5.0	- 13.7	38.9
Portugal	-	-	-	0.3	0.0	-	-	-	0.6	0.4	0.2	- 7.1
Korea, Republic of	0.1	-	22.0	8.3	1.4	3.6	0.1	- 8.3	0.7	1.7	2.8	-
Sweden	-	-	-	-	-	-	- 0.9	- 0.9	-	-	-	-
United States	71	638	729	1 403	- 1 149	409	1 416	- 244	636	- 95	66	1 246

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006

(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	-	-	-	1.1	-	0.9	9.8	-	-	-	-	-
Bulgaria	-	-	-	-	-	-	-	-	-	- 0.1	-	0.1
Cyprus	-	-	-	-	-	-	-	- 0.2	-	-	-	-
France	3.9	2.6	5.6	- 1.1	78.8	6.4	4.5	56.5	12.4	9.9	3.7	55.2
Germany	-	-	-	-	-	-	-	0.9	-	-	-	-
Kazakhstan	-	-	-	-	-	-	-	-	-	-	-	- 0.4
Morocco	-	-	-	-	-	1.9	6.6	2.0	0.1	2.8	0.2	0.1
Korea, Republic of	-	-	-	-	-	-	0.2	1.1	-	-	-	-
Sweden	-	-	-	-	-	-	-	2.1	-	-	-	-
Tunisia	-	-	-	-	-	-	0.6	0.6	0.9	1.4	3.9	0.2
United States	-	-	-	-	- 1.0	-	-	-	-	-	-	- 2.0

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006

(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Canada	39.6	65.0	58.8	75.1	81.8	67.3	35.8	-	60.4	-	230.1	238.6
China	-	-	-	-	-	-	-	-	5.7	34.5	171.2	-
Croatia	-	-	-	-	-	-	-	2.2	2.2	2.2	2.2	2.2
Czech Republic	-	-	-	-	-	-	-	0.1	0.1	0.2	-	-
Denmark	-	-	-	-	-	-	-	-	-	379.9	349.6	355.2
Germany	-	-	-	50.8	49.2	49.3	44.9	48.2	70.7	132.1	147.5	-
Morocco	-	-	-	-	-	-	-	0.0	1.1	1.2	0.3	0.5
New Zealand	-	-	-	-	-	-	-	-	-	-	21.1	-
Norway	-	-	-	-	-	-	-	-	1 048	1 523	1 421	-
Portugal	-	-	-	-	-	-	-	-	-	1.4	-	-
Korea, Republic of	75.8	75.8	97.8	106.1	107.4	111.1	111.2	102.8	103.5	105.2	107.9	-
United States	224	1 068	1 890	3 330	1 929	2 333	3 629	3 384	4 080	4 001	4 076	5 342

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006

(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Bulgaria	-	-	-	-	-	0.1	0.1	0.1	0.1	0.0	0.0	0.2
Kazakhstan	-	-	-	-	-	-	-	-	-	0.0	0.0	- 0.3
Korea, Republic of	-	-	-	-	-	-	0.3	1.3	1.3	1.3	1.4	1.4
Saudi Arabia	-	-	-	-	-	2.0	-	-	-	-	2.0	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 21. Number of affiliates of Algerian TNCs by geographic location abroad, 1995-2006

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Tunisia	..	..	..	..	..	..	..	..	..	..	..	38
United States	1	1	2	2	1	1	1	1	1	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1995-2006

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Germany	..	..	..	4	5	7	6	6	7	6	10	..
Italy ^a	3	..	3	..	..	..	..	..	..	..	..	..
Republic of Korea	..	2	3	3	3	3	3	2	2	2	4	..
United States	11	13	13	16	11	12	13	13	16	18	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

^a Data refer to majority-owned affiliates only.

Table 30. Assets of affiliates of foreign TNCs in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Germany	..	..	..	59.8	100.5	186.1	176.3	..	..	..	..	..
United States	498	1 560	2 329	3 723	..	..	..	5 954	5 828	6 655	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 35. Employment of affiliates of foreign TNCs in the host economy, by geographical origin, 1995-2006
(Thousands of employees)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium	0.02	..	..	..	..	..
Czech Republic	0.01	..	..
Germany	1.0	..	1.0	1.0	2.0	2.0	2.0	2.0	..
Italy	0.5	..	..	..	..	..	..	..	..	..
United States	..	0.8	1.1	2.6	1.3	2.3	2.7	3.9	3.5	3.5	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 45. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Czech Republic	..	..	..	..	..	..	..	..	..	0.5	..	..
Germany	..	..	..	56.8	106.5	92.1	89.5	188.2	225.7	124.2	160.8	..
Italy	2.5	..	7.8	..	..	..	..	..	..	..	..	..
United States	..	..	447	..	..	..	..	1 571	1 718	2 328	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 48. Value added of affiliates of Algerian TNCs in the United States, 1995-2004
(Millions of dollars)

Table no.	Variable	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
48	Value added ^a	..	..	..	..	..	..	..	15	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Tables 40 and 50. Wages and salaries and value added of affiliates of United States TNCs in Algeria, 1995-2004
(Millions of dollars)

Table no.	Variable	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
40	Wages and salaries	53	35	49	74	70	89	118	182	168	184
50	Value added ^a	99	29	56	231	313	417	374	851	916	1 345

Source: UNCTAD, FDI/TNC database.

Note: Data are based on the information reported by the United States.

^a Data refer to majority-owned affiliates only.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars)

Company	Industry	Sales
A. Industrial		
Sonatrach	Petroleum expl./ref./distr.	41.8
Sté Nat. De L'électricité et du Gaz(SONELGAZ)	Electricity and Gas	1.4
Sté Nle De Raffinage du Pétrole(NAFTEC)	Petroleum expl./ref./distr.	1.3 ^a
Cévital	Agro-Industry	1.0
Brown and Root-Condor	Petroleum expl./ref./distr.	0.5
Cosider	Construction	0.4
Peugeot Algérie	Automobile	0.3
Groupe Onab	Food products, beverages and tobacco	0.3
Sté Nat. Des Tabacs et des Allumettes(SNTA)	Food products, beverages and tobacco	0.3
Sté Nat. De Vehiculés Industriels(SNVI)	Automobile	0.2
Ent Nat. De Bâtiments Industrialisés(BATIMÉTAL)	Construction	0.2
Ent Nat. Des Travaux Aux Puits(ENTP)	Petroleum expl./ref./distr.	0.2 ^a
Groupe Indus. Des Productions Laitières(GIPLAIT)	Petroleum expl./ref./distr.	0.2
Ent. Nat. Des Grands Travaux Pétroliers(ENGTP)	Petroleum expl./ref./distr.	0.1
Ent. Nat. De Distribution des Médicaments	Pharmaceuticals	0.1 ^a
Groupe Saïdal	Pharmaceuticals	0.1
Groupe Avicole de l'Est(GAE ORAVIE)	Food products, beverages and tobacco	0.1 ^a
Ent. Nat. De Travaux d'Électrification(KAHRIF)	Food products, beverages and tobacco	0.1
B. Tertiary		
Groupe Naftal	Petroleum expl./ref./distr.	2.3 ^a
Algérie Télécom	Telecommunication	1.7
Orascom Télécom Algerié(OTA)	Telecommunication	1.1
Air Algerié	Air Transport	0.7
Groupe Blanky	Diversified Group	0.4 ^a
Ent. Nle des Services Aux Puits	Electricity/gas/water	0.2 ^a
Groupe CFAO Algérie	Retail trade	0.2
Wataniya Télécom Algerié	Telecommunication	0.2
Société Nationale de Génie Civil et Bâtiments	Construction	0.1
Enterprise Nationale des Peintures(ENAP)	Chemical and chemical products	0.1
Ent. Nat. De Trans. Maritime de Voyageurs(ENTMV)	Maritime transportation	0.1
Enterprise Portuaire d'Arzew(EPA)	Ports management	0.1
C. Finance and Insurance		
		Sales
Société Nationale d'Assurances(SAA)	Insurance	0.2
Cie Algérienne Assurance et Réassurance(CAAR)	Insurance	0.1

Source: Jeune Afrique Hors-Série No 14, Edition 2007.

^a 2004.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home Economy	Industry	Sales	Employees
A. Industrial				
Henkel Enead Algérie	Germany	Chemicals and chemical products	39	1 500 ^a
ZF Algérie	Germany	Machinery and equipment	..	..
Michelin Algérie	France	Rubber products	..	500
Glaxo Smith Kline Algeria Spa	England	Chemicals And Chemical Products	..	110
Fromagerie Bel Algerie Spa	France	Food products, beverages and tobacco	..	50
Total Fina Elf E&P Algérie	France	Petroleum	..	26
Dragados Industrial Algérie	Spain	Food products, beverages and tobacco	..	25
Qualitest Algérie	Switzerland	Mining and quarrying	..	..
BJSP	United States	Mining and quarrying	..	..
Nabors International	Bermuda	Petroleum	..	..
Mi-Algeria	United States	Petroleum	..	..
Helison Production	Germany	Petroleum	..	..
B. Tertiary				
Orascom Telecom	Egypt	Telecommunications	405	1 200
Peugeot Algérie PSA	France	Wholesale trade	380	200
Renault Algérie Spa	France	Wholesale trade	219	255
Jalco Jameel Algérie	Saudi Arabia	Wholesale trade	32	70 ^b
Algerian Business Machines	France	Wholesale trade	10	30 ^c
Societe Algerienne D'Hotellerie		Distributive Trade	4	340
Bergerat Monnoyeur	France	Wholesale trade	2	160 ^a
Ets Sahli Mohamed	Republic of Korea	Automotive trade and repair	0.2	7 ^a
Cieptal Spa	France	Wholesale trade	..	251
Diamal Spa	France	Wholesale trade	..	160
Soprema	France	Wholesale trade	..	130
NV Organon	Netherlands	Health and Social Services	..	30
ABB International Marketing	Switzerland	Research and development	..	22
Rhodia Algérie Spa	France	Wholesale trade	..	21
Basf Spa	Germany	Wholesale trade	..	20
Maersk Algérie	Denmark	Transport	..	20
Sika Outre Mer	Switzerland	Construction	..	15
C. Finance and insurance			Assets	Employees
Société Générale Algérie	France	Finance	..	170
Natexis Algérie	France	Finance	13	156 ^b
Paribas el Djazair	France	Finance	..	40 ^c

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

^a 2001.

^b 2002.

^c 2003.

C. Legal Frameworks for Transnational Corporations

Algeria is liberalizing and opening its economy to foreign direct investment inflows. In the effort to make it easy for transnational corporations and foreign investors to come into the country, it has adopted a number of legal instruments at national, bilateral and multilateral levels. The key instruments applicable in the country include the following:

I. National framework

Decree for the Implementation of Ordinance N° 66-54, of March 3, 1966, Relating to Inventors' Certificates and Patents for Invention (N° 66-60 of March 19, 1966)

Source: Abu-Ghazaleh Intellectual Property, (<http://www.agip.com>).

Ordinance relating to Inventors' Certificates and Patents for Inventions (No. 66-54, of March 3, 1966) (JORA N° 19 du 08/03/1966)

Source: Abu-Ghazaleh Intellectual Property, (<http://www.agip.com>).

Ordinance N° 66-57 of 19 March 1966 concerning Trademark Law; effective on 24 March 1966 *Source:* Journal Officiel de la Republique Algerienne (Official Gazette of Algeria), 25 March 1966. (JORA N° 24 du 25/03/1966).

Decree for the Implementation of Ordinance N° 66-57 Of March 19, 1966 relating to Trademarks (N° 66-63 of March 26, 1966) (JORA N° 26 du 01/04/1966)

Source: Abu-Ghazaleh Intellectual Property, (<http://www.agip.com>).

Décret N° 66-120 du 19 mai 1966 fixant les taxes applicables en matière de certificats d'inventeurs et de brevets d'invention (JORA N° 42 du 27/05/1966).

Décret N° 74-204 du 01 octobre 1974 fixant les taxes applicables en matière de certificat d'inventeurs et de brevets d'invention (JORA N° 82 du 11/10/1974).

Ordinance N° 76-65 of 16 July 1976 on Appellations of Origin (JORA N° 59 du 23/07/1976)

Source: World Intellectual Property Organization, Industrial Property Laws and Treaties, No. 1, January 1977 (English translation).

Decree N° 76-121 of 16 July 1976 on the Rules for Registering and Publishing Appellations of Origin, and Laying Down the Relevant Fees (JORA N° 59 du 23/07/1976)

Source: World Intellectual Property Organization, Industrial Property Laws and Treaties, No. 1, January 1977 (English translation).

Law N° 82-13 of 28 August 1982 pertaining to the Organization and Operation of Mixed Economy Companies (JORA N° 35 du 31/08/1982)

Source: Middle East Executive Report (English translation), February 1984, p. 23.

Law No. 86-13 of 19 August 1986 amending Law N° 82-13 of 28 August 1982.

Source: Journal Officiel de la Republique Algerienne (Official Gazette of Algeria), 27 August 1986. (JORA N° 35 du 27/08/1986).

Law No° 86-14 of 19 August 1986 on Foreign Oil and Gas Investments.

Source: Journal Officiel de la Republique Algerienne (Official Gazette of Algeria), 27 August 1986. (JORA N° 35 du 27/08/1986).

Law N° 88-04 Establishing Rules Applicable to Public Economic Enterprises.

Source: Middle East Executive Report (English translation), July 1989, page 25. (JORA N° 02 du 13/01/1988)

Loi N° 88-25 du 12 juillet 1988 relative à l'orientation des investissements économiques privés nationaux (JORA N° 28 du 13/07/1988).

Law N° 89-01 of 7 February 1989 on Management Contracts (portant Code du Commerce)

Source: Journal Officiel de la Republique Algerienne (Official Gazette of Algeria), 8 February 1989 and MEER (English translation), June 1989, page 26. (JORA N° 06 du 08/02/1989).

Arrêté du 02 septembre 1989 portant délivrance du brevet d'invention (JORA N° 38 du 06/09/1989)

Law N° 90-10 of 14 April 1990 on Money and Credit, Effective 25 April 1990

Source: Journal Officiel de la Republique Algerienne (Official Gazette of Algeria), 18 April 1990.

Regulation CMC N° 90-03 of 8 September 1990 concerning Transfer of Capital into Algeria for Financing Business and Repatriation of Capital. (JORA N° 45 du 24/10/1990).

Source: Middle East Executive Report, December 1990, page 22 (English translation).

Regulation of CMC N° 90-04 of 8 September 1990 Concerning Procedures for the Approval of Wholesales and Distributors (JORA N° 45 du 24/10/1990)

Source: Middle East Executive Report (English translation), January 1989, page 24.

Il faut noter que la Loi N° 90-10 relative à la monnaie et au crédit a été abrogée par l'ordonnance N° 03-11 du 26 août 2003 qui renforce les attributions du Conseil de la monnaie et du crédit (CMC) ainsi que la supervision bancaire.

Law N° 90-11 of 21 April 1990 on Work Relations.

Source: Journal Officiel de la Republique Algerienne (Official Gazette of Algeria), 25 April 1990. (JORA N° 17 du 25/04/1990)

Implementing Law n° 90-22 of 18 August 1990 relative au registre de commerce (JORA N° 36 du 27/08/1990).

Legislative Decree N° 93-12 of 19 Rabie Ethani 1414 (5 October 1993) on Investment Promotion.

Source: Journal Officiel de la Republique Algerienne (Official Gazette of Algeria), N° 64 of 24 Rabie Ethani 1414 (10 October 1993).

Executive Decree No 94-319 of 12 Joumada El Oula 1415 (17 October 1994) on the organization of the Investment Promotion Agency. (JORA N° 67 du 19/10/1994)

Source: Republique Algerienne Democratique et Populaire, Services du Chef de Gouvernement, Agency de Promotion, de Soutien et de Suivi des Investissements. Les Publications de PAPSI - March 1995.

Executive Decree N° 94-320 of 12 Joumada El Oula 1415 (17 October 1994) on Free Zones

Source: Republique Algerienne Democratique et Populaire, Services du Chef de Gouvernement, Agency de Promotion, de Soutien et de Suivi des Investissements. Les Publications de l'APSI - March 1995 (JORA N° 67 du 19/10/1994).

Executive Decree N° 94-321 of 12 Joumada El Oula 1415 (17 October 1994) (portant application des dispositions de l'article 24 du decret législatif n°93-12 du 05/10/1993) (JORA N° 67 du 19/10/1994) on implementation of the Legislative Decree No 93-12 of 19 Rabie Ethani 1414 (5 October 1993) on Investment Promotion (JORA N° 64 du 10/10/1993).

Source: Republique Algerienne Democratique et Populaire, Services du Chef de Gouvernement, Agency de Promotion, de Soutien et de Suivi des Investissements. Les Publications de PAPSI - March 1995.

Executive Decree N° 94-322 of 17 October 1994 (relatif à la concession de terrains domaniaux situés en zones spécifiques dans le cadre de la promotion de l'investissement) (JORA N° 67 du 19/10/1994) ; implements Legislative Decree No. 93-12 of 5 October 1993. (JORA N° 64 du 10/10/1993)

Source: Republique Algerienne Democratique et Populaire, Services du Chef de Gouvernement, Agency de Promotion, de Soutien et de Suivi des Investissements. Les Publications de l'APSI - March 1995.

Décret exécutif N° 94-323 du 17 octobre 1994, fixant le seuil minimum des fonds propres relatifs aux investissements (JORA N° 67 du 19/10/1994).

Règlement du CMC (Conseil de la Monnaie et du Crédit) N° 94-17 du 22 octobre 1994 définissant la réglementation des changes spécifiques aux zones franches (JORA N° 83 du 21/12/1994).

Ordonnance N° 95-07 of 10 January 1995 relative aux assurances (JORA N° 13 du 08/03/1995)

Source: Official Journal of 14 January 1996.

Règlement du CMC (Conseil de la Monnaie et du Crédit) N° 2000-03 du 02 avril 2000 relatif aux investissements étrangers.

Règlement du CMC N° 2000-04 du 02 avril 2000 relatif aux mouvements des capitaux au titre des investissements de portefeuille des non résidents.

Ordonnance N° 01-01 du 27 février 2001 modifiant et complétant la Loi N° 90-10 du 14 avril 1990, relative à la monnaie et au crédit (JORA N° 14 du 28/02/2001).

Loi N° 01-04 du 09 mai 2001 portant approbation de l'Ordonnance N° 01- 01 du 27 février 2001 (JORA N° 27 du 13/05/2001).

Law N° 01-04 enacted on 20 August 2001 on organization, management and privatization of economic public enterprises, 20 august 2001 (JORA N° 47 du 22/08/2001).

Source: Algeria Interface: <http://www.algeria-interface.com/>.

Ordonnance N° 03-07 du 19 juillet 2003 relative aux brevets d'invention (JORA N° 44 du 23/07/2003).

Loi N° 03-19 du 04 novembre 2003 portant approbation de l'ordonnance N° 03-07 (JORA N° 67 du 05/11/2003).

Règlement du CMC N° 2005-03 du 06 juin 2005 relatif aux investissements étrangers (JORA N° 53 du 31/07/2005).

Ordonnance N° 01-03 concerning the Development of Investment, August 2001 (JORA N° 47 du 22/08/2001)

Source: Algeria Interface: <http://www.algeria-interface.com/french/economie/codeinvest290901.htm> (<http://www.algeria-interface.com/english/archives/index.htm>) and (http://www.mem-algeria.org/cadre_legis/index.htm).

Mining Act Law N° 01-10 enacted on 3 July 2001 (JORA N° 35 du 04/07/2001)

Source: Democratic and Popular Republic of Algeria, Ministry of Energy and Mines, Journal Officiel N° 35 of 4 July 2001, (http://www.mem-algeria.org/cadre_legis/Mining_act_2001.pdf).

Décret exécutif N° 2001-281 24 septembre 2001 relatif à la composition, organisation et au fonctionnement du Conseil National de l'Investissement (JORA N° 50 du 19/07/2005).

Décret exécutif N° 2001-282 du 24 septembre 2001 portant attribution, organisation et fonctionnement de l'Agence Nationale de Développement des Investissements « ANDI » (JORA N° 55 du 26/09/2001).

Law on Orientation in the Promotion of Small and Medium-Sized Enterprise (Law N° 01-18 Of December 12 2001). (JORA N° 77 du 15/12/2001)

Source: Foreign Tax Law, Bi-Weekly Bulletin, Index Volume 2001(<http://www.foreignlaw.com/whatsnew.htm>).

Law Opening the Distribution of Electricity and Gas for Private Investment, 2001 (approved by the government) Loi n° 02-01 du 5 février 2002 relative à l'électricité et à la distribution du gaz par canalisation (JORA N° 8 du 6 février 2002)

Source: Algeria Interface: <http://www.algeria-interface.com/french/economie/loienergie251001.htm> and (<http://www.algeria-interface.com/english/archives/index.htm>).

Décret exécutif N° 2002-373 du 11 novembre 2002 portant création et fixant les statuts du Fonds de Garantie des Crédits « FGAR » (JORA N° 74 du 13/11/2002).

Une ordonnance récente (N° 03-02 du 19 juillet 2003) fixe les règles générales régissant les zones franches ainsi que le régime d'encouragement applicable aux investissements réalisés dans ces zones.

Décret exécutif N° 2003-78 du 25 février 2003 portant statut type des pépinières d'entreprises (JORA N° 13 du 26/02/2003).

Décret exécutif N° 2003-79 du 25 février 2003 fixant la nature juridique, les missions et l'organisation des Centres de facilitations des petites et moyennes entreprises « PME » (JORA N° 13 du 26/02/2003) ;

Décret exécutif N° 2003-80 du 25 février 2003 portant organisation et fonctionnement du Conseil National Consultatif pour la promotion des petites et moyennes entreprises « PME » (JORA N° 13 du 26/02/2003) ;

Décret Exécutif N° 2003-83 du 26 février 2003 modifiant et complétant le Décret Exécutif N° 99-44 du 13/02/1999, portant création et fixant les statuts du Fonds de Garantie des Risques découlant des micro-crédits (JORA N° 14 du 02/03/2003).

Décret exécutif N° 2003-106 du 05 mars 2003 modifiant et complétant le Décret Exécutif N° 98-200 du 09/06/1998, portant création et fixant les statuts du Fonds de Caution Mutuelle de Garantie risques/crédits jeunes promoteurs (JORA N° 17 du 09/03/2003).

Décret exécutif N° 2003-289 du 26 septembre 2003 modifiant et complétant le Décret Exécutif N° 98-200 du 09/06/1998, portant création et fixant les statuts du Fonds de Caution de Garantie risques/crédits jeunes promoteurs (JORA N° 54 du 10/09/2003).

Décret exécutif N° 2004-03 du 03 janvier 2004 portant création et fixant les statuts du Fonds de Caution Mutuelle de Garantie des risques /crédits des investissements des chômeurs promoteurs âgés de 35 à 50 ans (JORA N° 03 du 11/01/2004).

Décret présidentiel N° 2004-13 du 22 janvier 2004 relatif aux dispositifs du micro-crédit (JORA N° 06 du 25/01/2004).

Décret exécutif N° 2004-14 du 22 janvier 2004 portant création et fixant les statuts de l'Agence Nationale de Gestion du Micro-crédit (JORA N° 06 du 25/01/2004).

Décret exécutif N° 2004-16 du 22 janvier 2004 portant création et fixant les statuts du Fonds de Garantie Mutuelle des Micro-crédits (JORA N° 06 du 25/01/2004).

Décret présidentiel N° 2004-134 du 19 avril 2004 portant statuts de la Caisse de Garantie des Crédits d'Investissements pour les petites et moyennes entreprises « PME » (JORA N° 27 du 28/04/2004).

Décret exécutif N° 2004-162 du 05 juin 2004 portant statut, organisation, missions et attribution de la Caisse nationale d'équipement pour le développement (JORA N° 36 du 06/06/2004) ;

Décret exécutif N° 2005-02 du 03 janvier 2005 modifiant et complétant le Décret Exécutif n° 04-16 du 22/01/2004, portant création et fixant les statuts du Fonds de Caution de Garantie Mutuelle des Micro-crédits « FGMMC » (JORA N° 04 du 09/01/2005).

Décret exécutif N° 2005-165 du 03 mai 2005 portant création, organisation et fonctionnement de l'Agence Nationale de Développement de la petites et moyennes entreprises « PME » (JORA N° 32 du 04/05/2005).

Loi N° 05-07 du 28 avril 2005 relative aux hydrocarbures (JORA N° 50 du 19/07/2005).

Décret exécutif N° 05- 275 du 02 août 2005 fixant les modalités de dépôt et de délivrance des brevets d'invention. (JORA N° 54 du 07/08/2005).

Business Facilitation (Miscellaneous Provisions) Act 2006

Source:<http://www.entreprisesmauriti.us.biz/busfact.htm>,

<http://www.gov.mu/portal/site/MOFSite/menuitem.4ae1c08cc723f8f4e0aad110a7b521ca/>

II. International framework

A. Algeria is a party to the following multilateral and regional instruments:

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 10 June 1958, Entered into force on 7 June 1959.

Convention on the Settlement of Investment Disputes Between States and Nationals of Other States of 18 March 1965; entered into force on 14 October 1966.

Ordonnance N° 66-48 du 25 février 1966 portant adhésion de la République Algérienne Démocratique et Populaire à la Convention de Paris pour la protection de la propriété industrielle du 20 mars 1883 (JORA N°16 du 25/02/1966).

Convention Establishing the Inter-Arab Investment Guarantee Corporation of May 1971; entered into force in April 1974.

Ordonnance N° 72-16 du 07 juin 1972 portant ratification de la Convention relative à la création de l'Organisme Arabe pour la Garantie des Investissements (JORA N° 53 du 04/07/1972).

Ordonnance N° 74-47 du 25 avril 1974 portant ratification de la Charte de la Conférence Islamique (JORA N° 42 du 24/05/1974).

Agreement for the Promotion, Protection and Guarantee of Investment among Member States of the Organization of Islamic Conference, of 1 June 1981; entered into force on 23 September 1986.

Unified Agreement for the Investment of Arab Capital in the Arab States of 1982.

Paris Convention for Protection of Industrial Property of 20 March 1883, (revised at Brussels on 14 December 1900, Washington on 2 June 1911, the Hague on 6 November 1925, London on 2 June 1934, Lisbon on 31 October 1958, Stockholm on 14 July 1967, and as amended on 2 October 1979), signed in 1984.

Loi N° 88-18 du 18 juillet 1988 portant adhésion à la Convention pour la reconnaissance et l'exécution des sentences arbitrales étrangères adoptées par la Conférence des Nations Unies (JORA N° 28 du 13/07/1988).

Décret N° 88-233 du 15 novembre 1988 portant adhésion avec réserve à la Convention pour la reconnaissance et l'exécution des sentences arbitrales étrangères adoptées par la Conférence des Nations Unies à New York le 10 juin 1958 (JORA N° 48 du 23/11/1988).

Convention Establishing the Multilateral Investment Guarantee Agency of 11 October 1985; entered into force on 12 April 1988.

Il faut noter que la Loi N° 90-10 relative à la monnaie et au crédit a été abrogée par l'ordonnance N° 03-11 du 26 août 2003 qui renforce les attributions du Conseil de la monnaie et du crédit (CMC) ainsi que la supervision bancaire.

Décret Présidentiel N° 90-420 du 22 décembre 1990 portant ratification de la Convention entre les pays de l'Union du Maghreb Arabe (U.M.A) pour la promotion et la garantie des investissements signée à Alger le 23 juillet 1990 (JORA N° 06 du 06/02/1991).

Articles of Agreement of the Islamic Corporation for the Insurance of Investment and Export Credit of 19 February 1992 entered into force on 1 August 1994.

Ordonnance N° 95-04 du 21 janvier 1995 portant ratification de la Convention pour le règlement des différends relatifs aux investissements entre Etats et ressortissants d'autres Etats (JORA N° 07 du 15/02/1995).

Ordonnance N° 95-05 du 21 janvier 1995 portant approbation de la Convention portant création de l'Agence Internationale de Garantie des Investissements (JORA N° 07 du 15/02/1995).

Décret Présidentiel N° 95-306 du 07 octobre 1995 portant ratification par l'Algérie de la Convention Unifiée pour l'Investissement des Capitaux Arabes dans les pays arabes (JORA N° 59 du 11/10/1995).

Décret Présidentiel N° 96-144 du 23 avril 1996 portant ratification par l'Algérie de la Convention portant création de la Société Islamique de Garantie des Investissements et de Crédit à l'Exportation (JORA N° 26 du 24/04/1996).

Décret Présidentiel N° 96-146 du 23 avril 1996 autorisant la participation de l'Algérie au capital de la Société Islamique de Garantie des Investissements et de Crédit à l'Exportation (JORA N° 26 du 24/04/1996).

Interface: <http://www.algeria-interface.com/french/economie/codeinvest290901.htm> (<http://www.algeria-interface.com/english/archives/index.htm>) and (http://www.mem-algeria.org/cadre_legis/index.htm).

Une ordonnance récente (N° 03-02 du 19 juillet 2003) fixe les règles générales régissant les zones franches ainsi que le régime d'encouragement applicable aux investissements réalisés dans ces zones.

Trois ordonnances ont été promulguées le 19 juillet 2003:

L'ordonnance N° 03-06 relative aux marques,

L'ordonnance N° 03-07 relative aux brevets d'invention,

L'ordonnance N° 03-08 relative à la protection des schémas de configuration des circuits intégrés.

A l'exception de la ratification de la charte de la conférence islamique, aucune autre ratification de conventions, dans le cadre de l'OCI (Organisation de la Conférence Islamique), au nombre de douze, n'a été effectuée à ce jour. Au cours de la dernière conférence de l'OCI, tenue à Djeda en décembre 2005, une demande réitérée a été adressée aux pays membres qui n'ont pas ratifié ces conventions pour le faire. En

Algérie, lesdites conventions sont actuellement en cours d'études par les services du Ministère des Affaires Etrangères.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: United States of America 1990, Belgium/Luxembourg 1991, Italy 1991, France 1993, Romania 1994, Spain 1994, China 1996, Germany 1996, Jordan 1996, Mali 1996, Qatar 1996, Viet Nam 1996, Egypt 1997, Syria Arab Republic 1997, Bulgaria 1998, Mozambique 1998, Niger 1998, Turkey 1998, Cuba 1999, Denmark 1999, Korea, Republic of 1999, Yemen 1999, Argentina 2000, Czech Republic 2000, Greece 2000, Indonesia 2000, Malaysia 2000, Oman 2000, Saint Helen 2001, South Africa 2001, United Arab Emirates 2001, Bulgaria 2002, Czech Republic 2002, Austria 2003, Bahrain 2003, Denmark 2003, Ethiopia 2003, Iran, Islamic Republic of 2003, Kuwait 2003, Libyan Arab Jamahiriya 2003, Nigeria 2003, Sudan 2003, Sweden 2003, Austria 2004, Portugal 2004, Sweden 2004, Switzerland 2004, Finland 2005, Portugal 2005, Russian Federation 2006, Tunisia 2006.

2. Bilateral treaties for the avoidance of double taxation: United Kingdom 1981, France 1982, Tunisia 1985, Libyan Arab Jamahiriya 1988, Morocco 1990, Belgium 1991, Italy 1991, Romania 1994, Turkey 1994, Syrian Arab Republic 1997, Bulgaria 1998, Qatar 1998, Canada 1999, Mali 1999, Viet Nam 1999, Bahrain 2000, Jordan 2000, Oman 2000, Poland 2000, Korea, Republic of 2001, United Arab Emirates 2001, Ethiopia 2002, Lebanon 2002, Spain 2002, Yemen 2002, Portugal 2003, Austria 2003, Spain 2005, Ukraine 2004, Russian Federation 2006, Switzerland 2006.

C. Other treaties:

Agreement with the government of the United States of America concerning the development of trade and investment relations (2001).

Euro-Mediterranean Agreement Establishing association with the European Communities and their member states (1976 and 2002).

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Angola

A. Definitions and sources of data

Foreign direct investment (FDI) is defined in Angola as the utilization of transferred capital, technology and transferable assets by non-residents on national territory with the aim of setting up a wholly or partly foreign owned business (Foreign Investment Law, Law 15 of Sept. 23, 1994). The Banco Nacional de Angola collects FDI data in Angola for compiling the balance-of-payments statistics. The International Monetary Fund also reports FDI data on Angola in its balance-of-payments statistics.

In 1994, Angola replaced its FDI regulation with a new and more liberal investment code. The new Code permitted FDI in various forms and most industries. Priority is given to the export-promoting or import-reducing investments. Foreign investors are allowed to transfer profits and to repatriate capital. Investors may enjoy certain incentives including exemptions from or the reduction of income tax and custom duties. Also in the same year, the Government of Angola shortened investment application procedures. It had established the Foreign Investment Office (FIO) in the Ministry of Economic Planning in 1989 with a view to promoting and supervising FDI, and providing guidance to potential foreign investors. Since then, foreign investment projects became subject to the approval of the Ministry of Economic Planning and the Council of Ministers. In project evaluation, these authorities consider the assessment of the FIO.

Angola has large potential for FDI. It has large reserves of oil and gas, diamond, considerable hydroelectric potential, varied agricultural land, adequate rainfall and well-stocked marine resources. It is the world's fourth largest diamond producer. The economy is now dominated by the capital-intensive oil sector which produces a large part of the gross domestic product. Massive investment is expected into the oil sector, particularly the deepwater extractions. Other minerals such as iron ore and gold were identified in surveys.

In recent years, Angola introduced some changes in corporate regulations to improve the poor state of its infrastructure, including through privatization and new licensing agreements. Since then, Angola Telecom has introduced a mobile phone network in Luanda and is gradually extending this to some of the larger towns. License was also granted to private cellular telephone companies for a joint venture that included Portugal Telecom, Sonangol and local investors. The authorities have equally concentrated on large new hydro-electric projects. Construction of the Capanda Dam on the Kwanza River resumed and the first turbine already started. The Angolan Government has set up an Institute to regulate the process of privatizing public enterprises through Luanda's new stock exchange, Bolsa de Valores e Derivativos de Angola (BVDA), which was constituted in March 2007. Initially only ten companies are expected to list on the BVDA, but the Government plans to expand the number to 40 within five years.

The country recently increased its effort to recapture international markets and trade by joining regional integration schemes and other trade and investment enhancing initiatives. Angola is a full and eligible member of the African Union, New Partnership for Africa's Development, the Common Market for the Eastern and Southern Africa, Southern Africa Development Community (SADC). Angola qualifies for the special and preferential market access schemes available to the least developed countries and is an eligible member of the United States' market access initiative for Africa – the African Growth and Opportunity Act, European Union's (EU) Everything But Arms initiative and the Cotonou Agreement for renegotiating the trade partnership agreement between African, Caribbean and Pacific countries with the EU. The SADC, particularly, is promoting a regional electricity grid thus alleviating the infrastructure problems and placing Angola as a potential leader in FDI inflows in Southern Africa. Angola is a member of the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	903.1	117.2
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	35.3	4.6
3. FDI stocks, 2006	10 993	462
4. FDI stocks as a percentage of GDP, 2006	25.1	1.1

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	..	..	..	37.4	..	..	..	..
1981	..	..	..	49.1	..	..	..	..
1982	..	..	..	115.8	..	..	..	..
1983	..	..	..	104.3	..	..	..	..
1984	..	..	..	67.1	..	..	..	..
1985	-	..	278.0	278.0	-	-	-	-
1986	-	..	234.0	234.0	-	-	-	-
1987	-	..	119.0	119.0	-	-	-	-
1988	-	..	131.0	131.0	-	-	-	-
1989	-	..	200.0	200.0	-	-	-	-
1990	-	..	- 334.8	- 334.8	-	-	-	0.9
1991	-	26.4	336.1	664.5	-	-	-	-
1992	-	..	288.0	288.0	-	-	-	0.2
1993	-	100.0	202.1	302.1	-	-	-	2.0
1994	-	-	170.3	170.3	-	-	-	- 2.0
1995	-	-	472.4	472.4	-	-	-	- 1.0
1996	-	-	180.6	180.6	-	-	-	- 12.4
1997	-	-	411.7	411.7	-	-	-	4.0
1998	-	-	1 114.0	1 114.0	-	-	-	7.1
1999	0.1	0.0	2 471.4	2 471.5	-	-	-	24.8
2000	0.0	0.0	878.6	878.6	-	-	-	- 21.4
2001	0.0	0.0	2 145.5	2 145.5	-	-	-	- 37.6
2002	0.0	583.1	1 089.0	1 672.1	-	-	-	28.7
2003	0.0	679.6	2 825.1	3 504.7	-	-	-	23.6
2004	- 748.0	1 057.9	1 139.4	1 449.3	-	-	-	35.2
2005	0.0	1 139.7	-2 443.5	-1 303.8	-	-	-	219.4
2006	0.0	2 915.7	-2 953.5	- 37.8	-	-	-	190.6

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are based on information from the OECD for 1980-1984 and the National Bank of Angola thereafter. Outflow data are from the IMF for 1990, the national institution for 2002-2006 and proxy data for 1992-2001. Proxy data are based on investments reported by the following economies:

1992, France.

1993-1995, United States.

1996-2000, France, Portugal and the United States.

2001, Brazil, France, Portugal and the United States.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	60.8	..	..	..	..
1981	109.9	..	..	..	..
1982	225.7	..	..	..	..
1983	330.0	..	..	..	..
1984	397.2	..	..	..	..
1985	-	-	-	675.2	-	-	-	..
1986	-	-	-	909.2	-	-	-	-
1987	-	-	-	1 028.2	-	-	-	-
1988	-	-	-	1 159.2	-	-	-	-
1989	-	-	-	1 359.2	-	-	-	-
1990	-	-	-	1 024.4	-	-	-	0.9
1991	-	-	-	1 688.9	-	-	-	0.9
1992	-	-	-	1 976.8	-	-	-	1.1
1993	-	-	-	2 278.9	-	-	-	3.1
1994	-	-	-	2 449.2	-	-	-	1.1
1995	-	-	-	2 921.6	-	-	-	0.1
1996	-	-	-	3 102.2	-	-	-	- 12.3
1997	-	-	-	3 513.9	-	-	-	- 8.4
1998	-	-	-	4 627.8	-	-	-	- 1.2
1999	-	-	-	7 099.3	-	-	-	23.6
2000	-	-	-	7 977.9	-	-	-	2.2
2001	-	-	-	10 123.4	-	-	-	- 35.4
2002	-	-	-	11 795.5	-	-	-	- 6.7
2003	-	-	-	11 987.5	-	-	-	16.9
2004	-	-	-	13 436.7	-	-	-	52.1
2005	-	-	-	12 132.9	-	-	-	271.5
2006	-	-	-	10 992.9	-	-	-	462.1

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Inward stock data prior to 2002 are estimated by accumulating inflows since 1970. 2003-2006 are based on the national institution. Outward stock data are estimated by accumulating outflows since 1986.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	-	-	-	-	-	0.2	0.2	0.5	-
Denmark	-	-	-	-	-	-	-	-	-	-	4.0	58.4
France	85	27	- 115	33	251	51	38	- 192	- 79	22	- 42	44
Germany	-	12.0	15.6	6.3	-	-	2.7	- 2.8	-	2.5	2.5	-
Netherlands	-	-	18.1	28.9	42.6	-	-	-	-	-	-	-
Portugal	-	- 5.0	32.1	42.1	96.2	102.4	45.7	- 17.4	29.7	86.5	192.2	165.0
United States	-	- 65	203	273	443	79	342	- 263	- 36	47	- 43	- 206

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Brazil	-	-	-	-	-	-	0.5	2.9	0.6	0.5	0.4	2.3
Bulgaria	-	-	-	-	-	-	-	-	-	0.0	-	-
France	-	- 12.8	2.2	4.4	25.6	- 18.4	- 36.7	7.5	- 3.4	2.5	19.9	70.3
Portugal	-	1.3	3.1	0.7	0.2	1.0	1.6	1.1	3.8	2.4	7.2	12.0
United States	- 1.0	- 1.0	- 1.0	2.0	- 1.0	- 4.0	- 3.0	-	1.0	-	- 13.0	4.0

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Brazil	-	-	-	-	-	-	274.1	29.6	24.8	33.8	18.5	-
China	-	-	-	-	-	-	-	-	0.3	0.5	8.8	-
Denmark	-	-	-	-	-	-	-	-	-	3.8	11.5	48.6
Norway	-	-	-	-	549	513	827	1 240	1 675	2 400	2 334	-
Portugal	-	169	148	176	165	208	198	214	293	298	-	-
United States	659	594	798	1 116	1 535	585	1 220	1 110	1 067	1 074	1 038	1 096

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Brazil	-	-	-	-	-	0.3	-	-	-	-	-	-
Bulgaria	-	-	-	-	-	-	-	-	-	0.04	0.04	0.04
Portugal	-	6.6	6.6	29.2	26.1	25.1	24.7	31.5	49.3	58.6	-	-
United States	- 1.0	- 2.0	- 3.0	-	- 1.0	- 5.0	- 9.0	-	-	- 22.0	- 36.0	- 31.0

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2004

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Italy	..	1	..	1	..	..	..	..	..	..	..
United States	10	10	12	13	13	17	18	21	22	22	16

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 28 and 43. Assets and sales of affiliates of Angolan TNCs in the United States, 1994-2004
(Millions of dollars)

Table no./Variable	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
28. Assets	1	1	..	..	..	..	..
43. Sales	2	2	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

Tables 30, 40 and 50. Assets, wages and salaries and value added of affiliates of United States TNCs in Angola, 1994-2004
(Millions of dollars)

Table no./Variable	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
30. Assets ^a	1891	2350	1801	2882	3927	8210	9000	10436	11793
40. Wages and salaries	..	79	119	128	87	108	107	132	218	242	182
50. Value added ^a	..	865	1172	1064	636	1008	1813	1574	1802	2084	3068

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Table 35. Employment of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2004
(Thousands of employees)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Italy	..	0.3	..	0.3	..	..	..	..	..	..	..
United States	..	1.6	2.4	2.6	2.5	2.8	3.5	3.6	3.7	4	4.2

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 45. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2004
(Millions of dollars)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Italy	..	214.9	..	211.4	..	..	..	..	..	..	..
United States ^a	926	..	..	..	222	2 626	3 752

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

^a Data refer to majority-owned affiliates only.

Table 87. Largest affiliates of home-based TNCs, 2007

(Millions of dollars and number)

Company	Host economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
Sonangol USA 6866	United States	Wholesale trade	4.4	14
Puaça - Administração E Gestão, Lda	Portugal	Real estate		10
Ngol Bengo Ltd	Malta	Water Transport		3
Endiama China International Holding Limited	Hong Kong	Wholesale trade		1
C. Finance and insurance			Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Kwaba Sociedade Industrial e Comercial	United States	Food products, beverages and tobacco	2 684	.. ^a
Efacec Angola Lda	Portugal	Electrical and electronic equipment	325	..
Cabinda Gulf Oil Company Limited	United States	Petroleum	100	..
Tecnosecil Investimentos e Participacoes	Portugal	Non-metallic mineral products	6	170 ^b
Tintas Cin de Angola	Portugal	Chemicals and chemical products	6	78 ^a
Bp Angola (Block 18) B V	United Kingdom	Petroleum	..	..
Texaco Panama Inc	United States	Petroleum	..	..
Cameron Angola Lda	United States	Machinery And Equipment	..	..
Esso Exploration Angola Ltd	United States	Petroleum	..	700 ^a
R and B Falcon Drilling Luanda Branch	United States	Petroleum	..	150
Ferpinta Angola Comercio e Industria	Portugal	Metal and metal products	..	80 ^a
Prefabricados de Luanda Ida	Portugal	Non-metallic mineral products	..	70
Quintas & Quintas Angola Condutores Electricos Angola	Portugal	Metal and metal products	..	70
B. Tertiary				
Pao De Acucar - Companhia Angolana Distribuicao Lda	Portugal	Wholesale trade	39 027	5
Alvalade Empreendimentos Turisticos E Hoteleiros Sarl	Portugal	Public Administration	447	70
Serafim L Andrade Sarl	Portugal	Hotels and Restaurants	447	35
Petromar Limitada	Italy	Research and development	96	400
Sonamet Industrial Sarl	Luxembourg	Construction	70	750 ^a
Sonils Sonangol Integrated Logistics Services Lda	United Kingdom	Research and development	60	108
Auto-Sueco Angola Sarl	Portugal	Wholesale trade	47	165
Habitar Sociedade Construcoes Lda	Spain	Research and development	30	50
Conduril Engenharia Angola Lda	Portugal	Research and development	22	252
Eusebios Angola Construcao Civil Lda	Portugal	Construction	20	600
Kuehne & Nagel (Angola) Transitarios Limitada	Switzerland	Supporting transport activities	17	..
T D A Comercio E Industria L D A	Portugal	Wholesale trade	13	..
Comatel Construcao Manutencao de Sistemas de Telecomunicacoes	Portugal	Telecommunications	10	290 ^a
Blackwood Hodge Angola Lda	Portugal	Wholesale trade	8	100
Orey Angola Comercio E Servicos Lda	Spain	Supporting transport activities	5	30
C. Finance and insurance			Assets	Employees
HSBC Equator Bank Plc	United Kingdom	Finance	..	..
Banco Totta de Angola	Spain	Finance	..	210
Banco Espirito Santo de Angola	Portugal	Finance	..	30
Banco de Fomento e Exterior	Portugal	Finance	..	30

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008

^a 2004.

^b 2003.

C. Legal frameworks for transnational corporations

Investors in Angola, particularly of foreign origin, are subject to specific regulations through national, bilateral and multilateral legal instruments. The key regulatory instruments that are applicable to all foreign investors in the country include:

I. National framework

Law relative to Oil Activities, Law No. 13/78, 1978.

Source: Ministry of Finance, Evaluation of Angolan Petroleum Sector, Executive Summary: Initial Report (http://www.angola.org/referenc/reports/oil_diagnostic_eng.pdf).

Decree No. 14/88, June 1988, replacing what was formerly: Conselho de Ministros. Decreto No. 180/80 de outubro 1980. Estatuto Orgânico da Secretaria de Estado da Cultura (Artigo 15º, Subsecção V: Do Instituto Nacional da Propriedade Intelectual).

Source: WIPO (<http://www.wipo.org>).

The Law of Economic Activities", Law No 10/88, of 2 July 1988.

Source: <http://209.183.193.172/business/law1394.html>

Copyright Law No. 4/90, March 1990.

Source: WIPO (<http://www.wipo.org>).

Industrial Property Law No. 3/92, February 1992.

Source: WIPO (<http://www.wipo.org>).

Law of Delimitation of the Sectors of Economic Activity (Law No. 13/94)

Source: http://209.183.193.172/business/Private_invest_law_2003.pdf

Foreign Investment Law No. 15/94 of 23 September 1994, repeals Law 13/1988 of 16 June 1988.

Source: Unofficial translation. French Embassy in Luanda (1990), available at: Centre Francais du Commerce Extérieur – Paris.

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Source: Ministry of Finance, Evaluation of Angolan Petroleum Sector, Executive Summary: Initial Report (http://www.angola.org/referenc/reports/oil_diagnostic_eng.pdf).

Foreign Exchange Law (Law No. 5/97)

Source: http://209.183.193.172/business/Private_invest_law_2003.pdf

Republic Of Angola Law On The Bases For Private Investment Law, 2003.

Source: http://209.183.193.172/business/Private_invest_law_2003.pdf

II. International Framework**A. Angola is a party to the following multilateral and regional instruments:**

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958, which entered into force on 7th June 1959.

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Charter on a Regime of Multinational Industrial Enterprises (MIEs) in the Preferential Trade Area for Eastern and Southern African States (PTA), signed on 21 November 1990, entered into force August 1995.

Source: Preferential Trade Area for Eastern and Southern African States: Report of the Sixteenth Meeting of the Council of Ministers, 17-19 november, 1990, Mbabane, Swaziland (PTA/CM/XVI/2)

Southern Africa Development Community (SADC), signed on 17 August, 1992.

Source: http://www.sadc.int/about_sadc/history.php.

Treaty Establishing the Market for Eastern and Southern Africa (COMESA), 1993.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Cape Verde 1997, Portugal 1997, United Kingdom 2000, Italy 2002, Germany 2003.

2. Bilateral treaties for the avoidance of double taxation:

D. Sources of information

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Benin

A. Definitions and sources of data

In Benin, the Investment Code (Loi No. 82-005) governs all investment activities in the country, including foreign direct investment (FDI). The code does not contain an explicit definition of FDI. Data on FDI in the country are gathered from the Banque Centrale des Etats de l'Afrique de l'Ouest (BCEAO). Data are also provided by the International Monetary Fund in its balance-of-payment statistics.

After the widespread programme of nationalization in the years following the independence, Benin started to liberalize its economy in 1989 as a means to increase private sector activities and FDI. By 2005, the Government of Benin had privatized or liquidated more than one hundred and fifty state-owned companies in such industries as cement, textiles, brewing and tobacco. The government is also committed to strengthening transparency in public administration and public procurement, and ending corruption.

Benin has some proven mineral reserves, notably marble, iron, and phosphate, though there is no significant mining activity in the country except quarrying of limestone. Following the liberalization programmes, gold exploration agreements have been signed with companies from Australia, Canada, Germany, Ghana, Nigeria, South Africa and the United Kingdom. Oil production, which began in 1982 by exploitation at the Sèmè oilfield ended in 1998 when reserves were exhausted, but there are hopes of new discoveries. Exploration was restarted in 2002. The national oil distribution company, Societe nationale de Commercialisation des Produits Petroliers (Sonacop), was privatized in 1999.

Benin signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on September 10, 1965 and is a member of the West African Economic and Monetary Union which imposes a common external tariff. Benin was also a founding member of the Economic Community of West African States and is engaged in a convergence programme for regional integration in the West African Franc Zone, the Union Economique et Monetaire Ouest-Africaine. Monetary policy is controlled by the regional central bank, BCEAO. Membership of the franc zone limits government borrowing and money creation, while the BCEAO sets interest rates. Benin is a member of the African Union, New Partnership for Africa's Development and is eligible for the United States' market access initiative for African countries – the African Growth and Opportunity Act, the European Union (EU) initiatives - Everything But Arms and the Cotonou Agreement for renegotiating the African, Caribbean and Pacific countries' partnership treaty with the EU. It is also eligible for all the market access under the generalized system of preferences schemes available to the least developed countries and a member of the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	56.2	- 0.6
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	7.0	- 0.1
3. FDI stocks, 2006	347	19
4. FDI stocks as a percentage of GDP, 2006	7.3	0.4

Source: Based on tables 3a and 4a and UNCTAD, FDI/TNC database.

Table 3a. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	..	2.0	2.3	4.3	..	..	..	..
1981	..	1.2	0.9	2.1	..	..	0.0	0.0
1982	..	- 0.0	..	- 0.0	- 0.0	..	0.6	0.5
1983	..	0.0	..	0.0	..	..	0.5	0.5
1984	..	0.0	..	0.0	..	..	0.5	0.5
1985	..	..	..	- 0.1	..	..	..	..
1986	..	..	..	1.1	..	..	..	..
1987	..	..	..	0.1	..	..	..	..
1988	4.0	..	- 4.0	- 0.0	..	..	..	- 0.2
1989	32.8	0.2	29.1	62.1	..	..	..	- 0.3
1990	32.0	0.4	30.0	62.4	..	..	..	0.3
1991	61.3	0.4	59.1	120.8	..	..	..	0.4
1992	33.2	1.0	43.4	77.6	..	..	..	0.4
1993	13.1	1.1	- 12.8	1.4	..	..	..	0.7
1994	9.6	0.3	3.8	13.6	..	..	..	1.6
1995	11.4	0.0	- 4.0	8.0	..	0.6	..	0.6
1996	28.3	..	0.3	13.5	12.0	3.2	- 0.2	11.9
1997	18.1	9.3	- 1.4	13.7	0.1	..	12.0	12.1
1998	20.3	9.2	5.2	32.7	3.0	..	- 1.0	2.2
1999	35.3	6.3	- 2.3	39.3	0.8	0.0	0.7	1.4
2000	73.5	- 4.6	- 9.2	59.7	- 0.0	0.2	3.4	3.6
2001	18.7	- 3.8	28.9	43.9	0.9	0.4	0.9	2.3
2002	21.8	6.1	- 14.4	13.5	1.7	0.0	- 0.3	1.4
2003	28.6	13.3	2.8	44.7	1.9	0.2	- 1.7	0.3
2004	71.2	6.6	- 14.0	63.8	0.8	0.0	- 2.1	- 1.3
2005	23.9	- 0.7	29.9	53.0	- 7.8	- 0.9	8.3	- 0.4
2006	..	..	..	63.0	..	..	..	- 0.8

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the IMF for 1980-1984 and 1988-1989, OECD for 1985-1987, the Banque Centrale de l'Afrique de l'Ouest (BCEAO) for 1990-2005 and estimate for 2006. Outflow data are from the IMF for 1981-1984 and 1995, the Banque Centrale de l'Afrique de l'Ouest (BCEAO) for 1996-2005 and estimate for 2006. For 1988-1994 proxy data were used based on investments reported by the following economies: France, 1988-1989 and 1991-1993; Belgium and Luxembourg and France, 1990 and 1994.

Table 3b. FDI flows, by type of investment, 1999-2005
(Millions of Franc de la Communauté financière africaine)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1999	21 708	3 907	- 1 440	24 175	481	6	402	889
2000	52 332	- 3 242	- 6 559	42 531	- 29	147	2 433	2 551
2001	13 711	- 2 752	21 191	32 150	688	329	673	1 690
2002	15 206	4 245	- 10 036	9 415	1 155	5	- 219	941
2003	16 646	7 740	1 612	25 998	1 079	101	- 997	183
2004	37 630	3 487	- 7 389	33 728	417	14	- 1 123	- 692
2005	12 602	- 391	15 768	27 979	- 4 107	- 472	4 376	- 203

Source: UNCTAD, FDI/TNC database based on the Banque Centrale de l'Afrique de l'Ouest (BCEAO), unpublished.

Table 4a. FDI stocks, by type of investment, 1980-2006

(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1980	..	..	..	- 300.3	..	..	..	0.2
1981	..	..	..	- 298.2	..	..	..	0.2
1982	..	..	..	- 298.2	..	..	..	0.8
1983	..	..	..	- 298.2	..	..	..	1.3
1984	..	..	..	- 298.2	..	..	..	1.8
1985	..	..	..	- 298.3	..	..	..	1.8
1986	..	..	..	- 297.2	..	..	..	1.8
1987	..	..	..	- 297.1	..	..	..	1.8
1988	..	..	..	- 297.1	..	..	..	1.6
1989	..	..	..	- 235.0	..	..	..	1.3
1990	..	..	..	- 172.6	..	..	..	1.6
1991	..	..	..	- 51.8	..	..	..	1.9
1992	..	..	..	25.7	..	..	..	2.3
1993	..	..	..	27.1	..	..	..	3.0
1994	..	..	..	40.8	..	..	..	4.6
1995	..	..	..	48.8	..	..	..	5.1
1996	52.3	..	10.0	62.3	..	..	..	17.0
1997	42.2	..	4.7	46.9	..	..	..	29.1
1998	56.1	..	10.8	67.0	..	..	..	31.3
1999	68.5	..	4.9	73.5	4.9	..	0.7	5.6
2000	136.5	..	76.7	213.2	6.5	..	4.0	10.5
2001	71.2	..	102.6	173.8	7.9	..	4.7	12.6
2002	93.3	..	83.0	176.3	11.1	..	5.1	16.2
2003	132.1	..	99.1	231.2	15.6	..	4.1	19.7
2004	194.6	..	74.4	269.0	18.1	..	- 8.8	9.3
2005	182.4	..	102.0	284.3	16.2	..	3.4	19.6
2006	..	..	..	347.3	..	..	..	18.8

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock prior to 1996 are estimated by subtracting inflows from the stock of 1996. 1996-1998 are based on the IMF. 1999-2005 are based on the Banque Centrale de l'Afrique de l'Ouest (BCEAO). 2006 is estimated by adding flows to the 2005 stock. Outward stock prior to 1999 are estimated by accumulating outflows since 1979. 1999-2005 are based on the BCEAO. 2006 is estimated by adding flows to the 2005 stock.

Table 4b. FDI stocks, by type of investment, 1999-2005
(Millions of Franc de la Communauté financière africaine)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1999	44 752	..	3 231	47 983	3 205	..	443	3 648
2000	96 226	..	54 069	150 295	4 584	..	2 832	7 416
2001	52 979	..	76 399	129 378	5 870	..	3 509	9 379
2002	58 337	..	51 930	110 267	6 923	..	3 214	10 137
2003	68 622	..	51 459	120 081	8 093	..	2 148	10 241
2004	93 704	..	35 836	129 540	8 710	..	- 4 218	4 492
2005	101 395	..	56 707	158 102	8 986	..	1 909	10 895

Source: UNCTAD, FDI/TNC database based on the Banque Centrale de l'Afrique de l'Ouest (BCEAO), unpublished.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	-	-	-	-	-	1.8	-	-	-	-	-	-
China	-	-	-	-	-	-	-	-	2.1	13.8	1.3	-
Denmark	-	-	-	-	-	-	-	-	-	-	1.0	4.7
France	-	10.3	4.5	10.0	12.8	5.5	4.5	12.2	18.1	6.2	9.9	11.3
Germany	-	-0.7	-	-	-	-	-	-	-	-	-	-
Portugal	-	-	-	-	-	-	0.0	2.5	4.4	5.4	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Bulgaria	-	-	-	-	-	-	-	-	-	0.2	-0.1	-
China	0.1	-	-	-	-	-	-	-	-	-	-	-
Denmark	-	-	-	-	-	-	-	-	-	-	-1.3	-3.5
France	-	-	-	-	-	0.9	-	0.9	2.3	2.5	2.5	10.0
Portugal	-	-0.0	-	-	-	-	-	-	-	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	-	-	-	-	-	7.7	20.5	19.0	-
Denmark	-	-	-	-	-	-	-	-	-	17.2	12.0	19.1
United States	-	-	-	-	-	-	-	-	-	-	5.0	9.0

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Bulgaria	-	-	-	-	-	-	-	-	-	0.2	0.0	0.0
Denmark	-	-	-	-	-	-	-	-	-	5.3	3.3	-
Madagascar	-	-	-	-	-	-	-	-	-	-	2.2	-
Portugal	-	1.1	-	-	-	-	-	-	-	-	-	-
United States	-	-	-	-	-	-	-	-1.0	-	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Shell Benin S.A.	England	Petroleum	..	..
B. Tertiary				
Promo Pharma Sa	France	Wholesale trade	53	40
John Walkden	Netherlands	Wholesale trade	39	74
Sdv Oilfield Benin	France	Public Administration	..	309
Société Béninoise de Pièces Automobiles de Tourisme	France	Distributive trade	..	50
Société Beninoise De Gaz Industriel Sobegi	France	Distributive trade	..	18
Bureau Veritas	France	Public Administration	..	..
Franzetti	France	Other services	..	..
Hydrochem Benin	Norway	Wholesale trade	..	..
Société de Manutention Du Terminal-Conteneurs	France	Supporting Transport Activities	..	..
C. Finance and insurance				
AGF Bénin Assurances	Germany	Insurance	..	..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal framework for transnational corporations

The laws that regulate the activities of the foreign investors at national, bilateral and multilateral levels in Benin include:

I. National framework

Bangui Agreement, March 1977 (Annex I).

Source: WIPO (<http://www.wipo.org>).

Bangui Agreement, March 1977 (Annex III).

Source: WIPO (<http://www.wipo.org>).

Bangui Agreement, March 1977 (Annexes II and IV).

Source: WIPO (<http://www.wipo.org>).

Law No. 84-008, March 1984.

Source: WIPO (<http://www.wipo.org>).

Law No. 90-002 of 9 May 1990 concerning the Investment Code as amended by Law 90-033 of 24 December 1990, repeals Law No. 82 of 20 May 1982 concerning the Investment Code and the Implementation Decrees.

Source: Republic of Benin, "Code des Investissements", Official Publication.

Law No. 90-004 of 15 May 1990 on the declaration of labour, the employment and cancellation of labour contracts

Source: Republic of Benin, "Code des Investissements", Official Publication.

Law No. 90-005 of 15 May 1990 on the commercial activities in the Republic of Benin.

Source: Republic of Benin, "Code des Investissements", Official Publication.

Implementation Decree No. 91-002 of 4 January 1991.

Source: Republic of Benin, "Code des Investissements", Official Publication.

Arrete No. 002 /MPS/DC/DP/SI of 9 January 1991 on the eligibility to special incentives regimes. *Source:* Republic of Benin, "Code des Investissements", Official Publication.

II. International Framework

A. Benin is a party to the following multilateral and regional instruments:

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 10 June 1958.

Convention on the Settlement of Investment Disputes Between States and Nationals of Other States of 18 March 1965.

Paris Convention for the Protection of Industrial Property of 20 March 1883, (Revised at Brussels on 14 December 1900, Washington on 2 June 1911, The Hague on 6 November 1925, London on 2 June 1934, Lisbon on 31 October 1958, Stockholm on 14 July 1967, and as amended on 2 October 1979), signed in 1967.

Agreement for the Promotion, Protection and Guarantee of Investment Among Member States of the Organization of Islamic Conference of 1 June 1981; entered into force on 23 September 1986.

Convention Establishing the Multilateral Investment Guarantee Agency of 11 October 1985; entered into force on 12 April 1988.

Fourth ACP-EEC Convention (LOME IV) of 15 December 1989; entered into force 1 March 1990.

Articles of Agreement of the Islamic Corporation for the Insurance of Investment Export Credit of 19 February 1992; entered into force on 1 August 1994.

Revised Treaty of the Economic Community of West African States (ECOWAS) 1993.

West African Economic and Monetary Union (WAEMU), established in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Switzerland 1966, Germany 1978, United Kingdom 1987, Belgium/Luxembourg 2001, Burkina Faso 2001, Chad 2001, Ghana 2001, Guinea 2001, Mali 2001, Mauritius 2001, Netherlands 2001, China 2004, Lebanon 2004, Morocco 2004.

2. Bilateral treaties for the avoidance of double taxation: France 1975, Norway 1979.

D. Sources of information

Official

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Secondary

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Botswana

A. Definitions and sources of data

The Bank of Botswana defines foreign direct investment (FDI) in line with the recommendations of the fifth edition of the International Monetary Fund (IMF) balance-of-payments manual. It comprises of “investment made with the objectives of establishing a lasting interest by an entity (or group of related entities) in one economy, in an enterprise in a different economy. A feature of a direct investment relationship is the potential for a significant influence to be exercised by the investor over the management of the direct investment enterprise. Such influence may be less than outright control, but nonetheless, significant in key policy decisions of the enterprise. For statistical purposes, ownership by an investor, held directly or indirectly, of 10% or more of voting power in the entity of an enterprise in another economy is taken as evidence of a direct investment relationship” (Botswana Export Development and Investment Authority Act (BEDIA), 1997). The Bank of Botswana compiles statistics on FDI through an annual survey. The survey has been carried out since 1990 and collects data, at enterprise groups, on equity, reinvested earnings, and long and short-term intra-company loans. Since 1998, stock data in market value have been compiled. Also, a quarterly survey records of purchases and sales of foreign exchange exists (exchange controls were abolished in 1999). FDI flows data in Botswana are also reported by the IMF in its balance-of-payments statistics.

Botswana has no investment code. Investment byelaws exist and are in the Companies Act, the Factories Act, the Employment Act, the Financial Assistance Policy and the Income Tax Act of 1995. These acts are explicit on the investment position of the country. Investment protection and promotion have been a part of the incentives in Botswana. The Trade and Investment Promotion Agency, which was established in 1984, encouraged potential investors through disseminating information, organizing trade and investment fairs and the providing investment advice. This agency was replaced by BEDIA, an independent statutory body established in 1998. BEDIA is a one-stop shop for foreign investors. It promotes inward FDI into Botswana, identifies market outlets for products manufactured in Botswana and constructs factory buildings. BEDIA assists foreign investors to obtain clearances, such as residence permits or work permits, organizes investment promotion missions and visits of potential investors to Botswana. An individual wishing to invest in an enterprise in Botswana must first apply for a license and obtain permits from immigration and labour departments. Investment promotion activities focus on diversifying the country’s industrial base away from mineral resources.

Through the Financial Assistance Policy introduced in 1982, the Government of Botswana provides capital grants to foreign investors in manufacturing projects in proportion to projected employment, as well as wage subsidies and training grants. The Botswana Development Corporation (BDC) undertakes equity participation in investment projects. It also provides loans and carries out the construction of factory shells. Also, an International Financial Services Centre (IFSC) was created with the objective of diversifying the country’s industrial base. IFSC incentives include exemption from withholding taxes in Botswana. To qualify for IFSC incentives, investors have to apply to BDC.

The corporate tax rate is uniform at 15%. Manufacturing companies registered with the Director of Customs are allowed to import raw materials duty-free provided the entire output is destined for export. Botswana signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on January 15, 1970, is a member of the Multilateral Investment Guarantee Agency, the African Union, New Partnership for Africa's Development and Southern Africa Development Community. It is also eligible for the United States' market access initiative for Africa – the African Growth and Opportunity Act, the Cotonou Agreement for renegotiating the trade partnership agreement between African, Caribbean and Pacific countries with the European Union and a member of the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	341.4	63.5
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	17.4	3.2
3. FDI stocks, 2006	958	747
4. FDI stocks as a percentage of GDP, 2006	9.8	7.6

Source: Based on tables 3a and 4a and UNCTAD, FDI/TNC database.

Table 3a. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	72.1	- 15.6	55.1	111.6	..	..	2.3	2.3
1981	105.8	- 80.9	63.6	88.4	0.2	..	- 0.4	- 0.1
1982	30.5	- 93.5	84.1	21.1	..	0.6	- 0.6	..
1983	21.0	- 69.6	72.4	23.8	..	0.6	- 1.9	- 1.3
1984	5.3	- 24.2	81.0	62.2	- 0.6	0.4	..	- 0.2
1985	0.6	- 16.3	69.3	53.6	1.5	-	..	1.5
1986	3.9	- 2.2	68.7	70.4	-	-	..	..
1987	5.2	34.6	73.7	113.6	-	-	..	..
1988	..	-	39.9	39.9	-	-	..	..
1989	27.6	14.6	..	42.2	-	-	..	..
1990	68.2	- 31.3	59.0	95.9	-	7.4	..	7.4
1991	6.9	- 148.2	133.1	- 8.2	-	8.5	..	8.5
1992	22.0	- 156.4	132.9	- 1.5	-	9.9	..	9.8
1993	9.3	- 354.7	58.0	- 287.4	- 0.1	9.6	0.0	9.5
1994	12.2	- 68.9	42.5	- 14.2	0.4	9.1	0.0	9.5
1995	18.4	48.1	4.0	70.4	0.0	40.9	0.0	40.9
1996	6.2	37.5	27.5	71.2	- 1.4	- 1.4	0.4	- 1.1
1997	11.0	45.9	43.3	100.2	0.0	- 0.2	4.3	4.1
1998	24.2	44.1	27.5	95.8	0.0	6.4	- 2.9	3.5
1999	20.5	- 12.4	28.6	36.7	0.0	5.3	- 3.7	1.5
2000	6.2	4.1	47.0	57.3	0.0	4.5	- 2.2	2.3
2001	60.3	- 100.9	71.4	30.8	377.1	12.0	- 7.6	381.4
2002	56.9	343.1	4.6	404.6	36.9	0.0	5.8	42.7
2003	65.5	353.2	0.1	418.8	201.9	4.7	- 0.2	206.4
2004	31.9	357.5	2.2	391.5	- 50.1	9.8	11.1	- 29.2
2005	- 3.4	215.9	68.9	281.3	52.7	0.0	3.8	56.4
2006	4.5	204.7	64.9	274.1	16.9	0.0	3.6	20.5

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the IMF for 1980-1989 and the Bank of Botswana thereafter. Outflow data are from the IMF for 1980-1981 and 1983-1985 and the Bank of Botswana thereafter.

Table 3b. FDI flows, by type of investment, 1995-2006
(Millions of Pula)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1995	-	-	-	195.2	-	-	-	113.4
1996	145.2	-	91.4	236.6	- 4.8	-	1.3	- 3.5
1997	40.1	167.3	158.0	365.4	0.0	- 0.8	15.7	14.9
1998	101.8	185.2	115.7	402.7	0.0	26.7	- 12.0	14.7
1999	94.6	- 57.2	132.2	169.6	0.0	24.3	- 17.3	7.0
2000	31.7	20.8	239.2	291.7	0.0	22.8	- 11.3	11.5
2001	350.8	- 586.7	415.2	179.3	2 192.2	69.9	- 44.4	2 217.7
2002	359.2	2 164.6	29.0	2 552.8	232.6	0.1	36.7	269.4
2003	323.4	1 745.1	0.5	2 069.0	997.5	23.3	- 0.8	1 020.0
2004	149.4	1 675.1	10.3	1 834.8	- 234.7	46.0	51.8	- 136.9
2005	- 17.3	1 092.5	348.5	1 423.7	266.5	0.1	19.0	285.6
2006	26.4	1 188.7	376.8	1 591.9	98.4	0.0	20.7	119.1

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics) based on the Bank of Botswana.

Table 4a. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1980	..	..	..	698.3	..	..	..	440.0
1981	..	..	..	786.7	..	..	..	439.9
1982	..	..	..	807.8	..	..	..	439.9
1983	..	..	..	831.6	..	..	..	438.6
1984	..	..	..	893.7	..	..	..	438.4
1985	..	..	..	947.3	..	..	..	439.9
1986	..	..	..	1 017.7	..	..	..	439.9
1987	..	..	..	1 131.3	..	..	..	439.9
1988	..	..	..	1 171.2	..	..	..	439.9
1989	..	..	..	1 213.4	..	..	..	439.9
1990	..	..	..	1 309.3	..	..	..	447.2
1991	..	..	..	1 301.1	..	..	..	455.7
1992	..	..	..	1 299.6	..	..	..	465.6
1993	..	..	..	1 012.6	..	..	..	475.0
1994	..	..	..	998.5	..	..	..	484.5
1995	..	..	..	1 126.4	..	..	..	650.1
1996	576.7	..	668.8	1 058.1	..	..	..	576.7
1997	421.5	..	751.5	1 172.9	398.8	..	5.6	404.5
1998	531.5	..	763.3	1 294.8	256.6	..	0.9	257.5
1999	644.9	..	742.3	1 387.3	583.6	..	13.3	596.9
2000	665.3	..	1 161.3	1 826.7	505.9	..	10.6	516.6
2001	574.0	..	814.5	1 388.5	861.0	..	4.8	865.8
2002	807.0	..	47.1	854.1	1 014.5	..	9.2	1 023.7
2003	1 079.9	..	87.3	1 167.2	1 446.1	..	0.6	1 446.7
2004	926.6	..	55.6	982.1	941.9	..	8.2	950.1
2005	691.0	..	115.2	806.3	776.7	..	19.3	796.0
2006	..	..	..	958.3	726.2	..	21.1	747.3

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: FDI stock prior to 1990 are estimated by subtracting flows from the stock of 1990. Data thereafter are based on the Bank of Botswana.

Table 4b. FDI stocks, by type of investment, 1996-2006
(Millions of Pula)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1996	1 418.8	..	2 437.2	3 856.0	-	..	-	2 101.7
1997	1 605.6	..	2 862.7	4 468.3	1 519.3	..	21.5	1 540.8
1998	2 369.4	..	3 403.2	5 772.6	1 144.0	..	4.2	1 148.2
1999	2 987.2	..	3 438.3	6 425.5	2 703.2	..	61.5	2 764.7
2000	3 567.4	..	6 227.0	9 794.4	2 712.8	..	57.0	2 769.8
2001	4 008.1	..	5 688.1	9 696.2	6 012.5	..	33.7	6 046.2
2002	4 412.4	..	257.3	4 669.7	5 546.6	..	50.3	5 596.9
2003	4 797.4	..	387.8	5 185.2	6 424.2	..	2.5	6 426.7
2004	3 966.5	..	237.8	4 204.3	4 032.2	..	35.1	4 067.3
2005	3 809.4	..	635.3	4 444.7	4 281.6	..	106.5	4 388.1
2006	..	..	..	5 779.7	4 380.0	..	127.2	4 507.2

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics) based on the Bank of Botswana.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	- 1.4	-	1.1	-	-	-	-	-	-	-	-	-
China	-	-	-	-	-	-	-	-	0.8	0.3	3.7	-
Denmark	-	-	-	-	-	-	-	-	-	-	-0.2	-
France	-	-	-	-	-	-	11.6	- 0.9	1.1	- 6.2	11.2	-
Germany	0.7	-	0.6	-	-	-	-	-	-	-	-	-
Portugal	-	-	-	12.6	7.0	- 5.4	2.0	2.2	- 39.9	- 6.5	-	-
Sweden	-	-	-	-	-	-	-	-	-	1.1	0.5	- 1.9
United States	-	- 1.0	- 1.0	- 13.0	- 21.0	5.0	6.0	5.0	- 9.0	2.0	3.0	5.0

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	0.2	-	-	-	-	-	-	-	-	-	-	-
Germany	-	-	-	0.6	-	-	- 0.9	-	-	-	-	-
Portugal	-	-	-	-	-	-	-	-	0.1	-	-	-
Macedonia, TFYR	-	-	-	-	-	-	-	0.2	-	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Malawi	-	-	-	-	-	0.5	0.5	0.5	0.4	0.5	-	-
Portugal	-	-	-	-	-	-	-	-	0.1	-	-	-
South Africa	-	-	-	-	-	10.4	62.5	80.2	25.9	37.5	32.1	26.1

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 11. FDI stocks in the host economy, by industry, 1995-2006
(Millions of Pula)

Sector / industry	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total	4 877	6 160	7 348	9 826	9 696	4 882	5 187	4 204	4 445	..
Primary	3 643	4 902	5 524	7 792	7 714	2 957	2 688	2 494	2 648	..
Mining and quarrying	3 643	4 902	5 524	7 792	7 714	2 957	2 688	2 494	2 648	..
Secondary	291	333	273	343	274	185	295	151	141	..
Tertiary	914	875	1 471	1 691	1 807	1 739	2 201	1 521	1 634	..
Electricity, gas and water	7	8	..	-	-	9	37	39	-	..
Construction	32	30	8	16	15	13	10	28	1	..
Trade	457	392	670	773	651	609	826	239	129	..
Hotels and restaurants	46	60	83	17	135	129	154	57	23	..
Transport, storage and communications	33	47	43	105	162	155	183	134	97	..
Finance	270	226	523	619	729	731	873	931	1 290	..
Business activities	65	112	144	161	115	93	118	93	94	..
Real estate	65	112	144	161	115	93	118	93	94	..
Health and social services	4	..	..	-	-	-	-	-	-	..
Unspecified	29	50	80	-	- 99	1	3	38	22	..

Source: Bank of Botswana.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of Pula)

Region / economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total world	4 877	6 160	7 348	9 826	10 435	7 876	7 643	..	4 445	..
Developed countries	1 892	2 608	3 467	3 604	3 665	3 996	4 325	..	3 213	..
Europe	1 519	2 278	3 429	3 507	3 617	3 956	4 286	..	3 199	..
European Union	1 392	2 046	3 405	3 448	3 615	3 947	4 180	..	2 926	..
Luxembourg	1 287	1 972	2 178	2 478	3 002	3 313	3 609	..	2 446	..
Netherlands	22	21	34	..	53	..
United Kingdom	105	74	1 227	970	591	613	537	..	427	..
Other developed Europe	127	232	24	59	2	9	106	..	-	..
North America	373	330	38	97	48	40	39	..	14	..
United States	356	325	37	97	45	32	18	..	8	..
Developing economies	2 962	3 552	3 793	6 092	6 515	3 717	3 222	..	1 222	..
Africa	2 932	3 453	3 709	5 990	6 303	3 588	3 135	..	1 013	..
South Africa	2 915	3 452	3 681	5 983	6 275	3 460	3 054	..	940	..
Asia	30	99	84	102	212	129	87	..	209	..
West Asia	92	83	102	109	22	87	..	56	..
South-East Europe and CIS	23	..	..	..	208	68	3	..	-	..
Unspecified	-	-	88	130	47	95	93	..	10	..

Source: Bank of Botswana.

Tables 23, 30, 35, 40, 45 and 50. The number, assets, employment, wages and salaries, sales and value added of affiliates of United States TNCs in Botswana, 1993-2004
(Number, thousands of employees and millions of dollars)

Table no./Variable	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
23. Number	3	5	5	5	5	5	4	3	3	3	1	2
30. Assets ^a	29	49	57	55	60	61	63	69	77	71	..	..
35. Employment ^a	0.5	0.8	1	1	1	0.7	0.4	0.4	0.4	0.3	..	..
40. Wages and salaries ^a	3	5	7	7	6	8	6	6	6	4	..	..
45. Sales	32	44	65	59	61	46	44	55	55	58	..	..
50. Value added ^a	..	2	7	5	3	5	10	11	9	6	..	..

Source : UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars)

Company	Industry	Sales
A. Industrial		
Debswana Diamond Company	Mining	2.74 ^a
Botswana Meat Commission	Food, beverages and tobacco	0.09
Botswana Meat Commission	Food, beverages and tobacco	89.00
B. Tertiary		
Metro Sefalana Cash and Carry	Diversified Group	0.18
Engen Botswana	Petroleum expl./ref./distr.	0.12
C. Finance and Insurance		
Botswana Insurance Holdings	Insurance	Assets 0.08

Source: Jeune Afrique Hors-serie No. 14, 2007.

^a 2004.

Table 87. Largest affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company Name	Host economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
Prima Pasta And Biscuits (Pty) Ltd	South Africa	Wholesale trade	15.92	35
Botswana Meat Commission (U.K.) Holdings Ltd	England	Wholesale trade	13.80	83
Magnol Electrical (Pty) Ltd	South Africa	Public administration	2.92	12
Allied Meat Importers (Nederland) B.V.	Netherlands	Wholesale trade	0.92	3
Allied Meat Importers (Uk) Ltd	England	Wholesale trade	0.23	2
Sad-Elec Secretarial Services (Pty) Ltd	South Africa	Research and development	..	11
Ecco Cold Stores Ltd	England	Wholesale trade	..	80
Allied Meat Importers Gmbh	Germany	Wholesale trade	..	4
Lighting Up Kzn (Pty) Ltd	South Africa	Wholesale trade	..	3
Aa Financial Services (Pty) Ltd	South Africa	Public administration	..	..
Northern Textile Mills Sa (Pty) Ltd	South Africa	Public administration	..	..
C. Finance and Insurance			Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Clover Botswana Pty Ltd	South Africa	Food, beverages and tobacco	661	200
Ppc Botswana Pty Ltd	South Africa	Non-Metallic mineral products	608	80
Orbit Pump Manufacturing Botswana Pty Ltd	South Africa	Rubber and plastic products	4	55
Quartzite Pty Ltd	Netherlands	Food, beverages and tobacco	..	80
Kgale Quarries	South Africa	Mining and quarrying	..	70
Engen Marketing Botswana	South Africa	Petroleum	..	40
Total Botswana (Pty) Ltd	South Africa	Petroleum	..	14
Envig Botswana Pty Ltd	South Africa	Chemicals and chemical products	..	5
B. Tertiary				
Grinaker-Lta Botswana Ltd	South Africa	Public Administration	1 363	
Kalcon Pty Ltd	South Africa	Construction	..	200
Dimension Data Botswana	United Kingdom	Computer and related activities	..	150
Mascom Wireless Botswana (Pty) Ltd	Portugal	Telecommunication	..	150
Babcock Tcm Plant (Pty) Ltd	United Kingdom	Automotive trade and repair	..	90
Kwena Rocla (Pty) Ltd	South Africa	Public Administration	..	82
Xerox Corporation_Botswana	United States	Public Administration	..	60
Caterplus Botswana Pty Ltd	South Africa	Public Administration	..	58
Parmalat Botswana Pty Ltd	South Africa	Public Administration	..	50
Technique Pty Ltd	South Africa	Wholesale trade	..	50
Baba Enterprises (Pty) Ltd	South Africa	Public Administration	..	..
Botswana Insurance Holdings	South Africa	Public Administration	..	..
Cashbuild Botswana (Pty) Ltd	South Africa	Wholesale Trade	..	..
Cb Richard Ellis Inc.	United States	Other Business Activities	..	..
Game Discount World Botswana (Pty) Ltd	South Africa	Wholesale Trade	..	..
Handigas (Botswana) (Pty) Ltd	Germany	Public Administration	..	..
Jacobs Holdings (Pty) Ltd	South Africa	Public Administration	..	..
Macmillan Botswana Publishing Company (Pty) Ltd	Germany	Public Administration	..	..
Marcado Lodge Proprietary	South Africa	Public Administration	..	..
Mosley (Botswana) (Pty) Ltd	Belgium	Public Administration	..	..
P G Glass Pty Ltd	South Africa	Distributive Trade	..	..
Siemens Botswana	Germany	Public Administration	..	..
			Assets	Employees
Barclays Bank of Botswana	United Kingdom	Finance	58	1 200

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

In Botswana, several legal instruments, national and international, have been put in place to facilitate and regulate the activities of foreign investors and transnational corporations. The key among them include:

I. National framework

The Companies Proclamation, No. 71 of 1959; effective on 20 November 1959. Source: Laws of Botswana, Chap. 42:01, vol. V, 1983 Edition. As amended by Company (Amendment) Act, No. 18 of 12 August 1974; effective on 30 August 1974. Source: Botswana Government Gazette, suppl. A of 30 August 1974, p. A 45.

Income Tax Act, No. 10 of 21 June 1973; effective t July 1973 (CAP. 52:01-1977 revised Edition).
Source: Botswana Government Gazette of 25 June 1973, p.A 39.

Trade Disputes Act No. 19 of 11 October 1982; effective on 15 October 1982.
Source: Botswana Government Gazette of 15 October 1982, p. A 57.

Employment Act No. 29 of 30 November 1982.
Source: Botswana Government Gazette of 9 December 1982, p. A 135.

Capital Transfer Tax Act, No. 13 of 27 May 1985; effective on 31 May 1985.
Source: Botswana Government Gazette of 31 May 1985, p. A 31.

Financial Institutions Act No. 28 of 21 December 1986.
Source: Botswana Government Extraordinary Gazette, suppl. A of 31 December 1986, p.A.103.

Local Government Tax (Repeal) Act, No. 10 of 10 June 1988; effective on 17 June 1988.
Source: Botswana Government Gazette, suppl. A of 17 June 1988, p. A 37.

Industrial Development Act No. 17 of 15 November 1988; effective on 25 November 1988 and amended in 1993.
Source: Botswana Government Gazette, suppl. A of 25 November 1988, p. A 77

As amended by Income Tax (Employment Income) Regulation, Statutory Instrument No. 43 of 7 June 1990. Effective 15 June 1990.
Source: Botswana Government Gazette, suppl. C, of 15 June 1990, p. C 159.
Also in International Bureau of Fiscal Documentation, ATS, suppl. No. 94, March 1995.

Financial Assistance Policy (FAP), Medium and Large Scale FAP Application Form (3rd Revision 1995).
Source: Government of Botswana, Ministry of Finance and Development Planning, printed by the Government Printer, Gaborone, Botswana, 1st October 1995.

Industrial Property Act No. 14, 1996.
Source: WIPO (<http://www.wipo.org>).

Botswana Export Development and Investment Authority Act, 1997.
Source: Botswana Government Gazette No. 23, 31st December 1997, A. 61.

Industrial Development Policy for Botswana.
Source: Government of Botswana, Ministry of Commerce and Industry, Government Paper No. 1 of 1998, printed by the Government Printer, Gaborone, Botswana, 3rd December 1997.

Botswana Export Development and Investment Authority Act, 1997.
Source: Botswana Government Gazette No. 23, 31st December 1997, A. 61.

Industrial Property (Amendment) Act No. 19, 1997.
Source: WIPO (<http://www.wipo.org>).

Industrial Property Regulations, Statutory Instrument No. 78, 1997.
Source: WIPO (<http://www.wipo.org>).

Policy on Small Medium and Micro Enterprises in Botswana.
Source: Government of Botswana, Ministry of Commerce and Industry, Government Paper No. 1 of 1999, printed by the Government Printer, Gaborone, Botswana, 15th December 1998.

Income Tax (Amendment) Act.
Source: Botswana Government Gazette, No. 15, 15 July 1999.

Statement from the Minister of Finance abolition of all remaining exchange controls, 1999.

Source: Budget Speech 1999.

Bank of Botswana (Amendment) Act.

Source: Botswana Government Extraordinary Gazette, No. 19, 31 December 1999, Supplement A.

Copyright and Neighbouring Rights Act No. 8, 2000.

Source: WIPO (<http://www.wipo.org>).

Government's Privatization Policy (April 2000).

Source: United States Department of Commerce/ Botswana Country Commercial Guide FY 2001. (<http://www1.usatrade.gov/website/ccg.nsf>).

II. International Framework

A. Botswana is a party to the following multilateral and regional instruments:

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958, which entered into force on 7th June 1959.

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Charter on a Regime of Multinational Industrial Enterprises (MIEs) in the Preferential Trade Area for Eastern and Southern African States (PTA), signed on 21 November 1990, entered into force August 1995.

Source: Preferential Trade Area for Eastern and Southern African States: Report of the Sixteenth Meeting of the Council of Ministers, 17-19 november, 1990, Mbabane, Swaziland (PTA/CM/XVI/2)

Southern Africa Development Community (SADC), signed on 17 August, 1992.

Source: http://www.sadc.int/about_sadc/history.php

Treaty Establishing the Market for Eastern and Southern Africa (COMESA), 1993.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Malaysia 1997, Switzerland 1998, China 2000, Germany 2000, Egypt 2003, Ghana 2003, Zimbabwe 2003, Mauritius 2005, Belgium and Luxembourg 2006.

2. Bilateral treaties for the avoidance of double taxation: South Africa 1977, United Kingdom 1977(2005?), Sweden 1992, Mauritius 1995, Barbados 2005.

D. Sources of information

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Burkina Faso

A. Definitions and sources of data

The Investment Code of 1995 (Loi n°62/95/ADP du 14 Décembre 1995) of Burkina Faso contains a general definition of investment without specific concept of foreign direct investment (FDI). The Banque Centrale des États de l'Afrique de l'Ouest (BCEAO) provides the data on FDI in Burkina Faso. The International Monetary Fund also provides FDI data on the country in its balance-of-payment statistics.

The Investment Code guarantees equal treatment of foreign investors. The Ministry of Industry, Commerce and Mines approves new foreign investments, based on the recommendations of the National Investment Commission. The commission's main criterion is the investment's direct value added. The investment code established three incentive schedules. Schedule 'A' is for investments of less than FCFA 200 million and grants companies with an exemption from most taxes for the first five years of its existence. A tax credit is granted for the ensuing five-year period. Moreover, companies in schedule "A" are permitted to stagger payment of Burkina Faso's registration tax over a four-year period. The registration tax is equal to 3% of the capital invested. Schedule "B" is for investment over FCFA 200 million and grants companies with an eight-year tax exemption from most Burkinabe taxes. It also enables a company to spread the payment of the registration tax over a five-year period. Also, all schedule "A" and "B" investments outside the country's two major cities – Ouagadougou and Bobo-dioulassou receive the above benefits for five extra years. Schedule "C" only applies to export companies and grants permanent exemption from all Burkinabe taxes. In 2005, Burkina Faso halved the fee for registering new contracts and commercial agreements, and reduced the import tax on basic goods from 2% to 1% for formal-sector businesses. The government also made effort to ease business registration through the setting up of a one-stop shop for investors in Ouagadougou—Centre de formation des entreprises (Cefore), officially launched in May 2006, and the simplification of administrative procedures.

Burkina Faso signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on September 16, 1965, is a member of several regional and international organizations and has fostered international investment agreements with developing and developed countries. For instance, Burkina Faso is a member of the West African Monetary and Economic Union, BCEAO, Economic Community of West African States, New Partnership for Africa's Development and African Union. It signed a cooperation treaty with France, a trade, investment protection and technical cooperation agreement with Switzerland and the Cotonou Agreement for renegotiating the trade partnership agreement between African, Caribbean and Pacific countries with the European Union (EU). Burkina Faso is eligible for the African Growth and Opportunity Act, and the EU's Everything But Arms market access initiative. The country is a member of the World Intellectual Property Organization and the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	25.9	- 2.4
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	2.2	- 0.2
3. FDI stocks, 2006	101	5
4. FDI stocks as a percentage of GDP, 2006	1.7	0.1

Source: Based on tables 3a and 4a and UNCTAD, FDI/TNC database.

Table 3a. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	0.4	1.6	- 2.0	0.0	0.0	..	..	0.0
1981	- 0.0	1.0	1.5	2.4	0.0	..	..	0.0
1982	..	1.8	0.2	2.0	0.2	..	..	0.2
1983	..	0.4	1.6	2.0	0.0	..	..	0.0
1984	..	1.0	0.7	1.7	0.0	..	..	0.0
1985	..	- 0.1	- 1.4	- 1.4	0.0	..	..	0.0
1986	..	0.7	2.4	3.1	0.0	..	..	0.0
1987	..	..	1.3	1.3	..	..	..	0.1
1988	..	..	3.7	3.7	..	..	..	0.2
1989	..	..	5.7	5.7	..	..	..	0.8
1990	..	..	..	0.5	..	..	..	- 0.6
1991	..	..	..	0.6	..	..	..	0.1
1992	..	..	..	3.1	..	..	..	0.1
1993	..	..	..	3.2	..	..	..	1.6
1994	..	..	..	18.4	..	..	..	6.8
1995	..	..	..	9.8	..	..	..	0.2
1996	..	..	..	16.2	..	..	..	0.7
1997	..	..	..	9.8	..	..	..	1.0
1998	..	..	..	4.4	..	..	..	5.3
1999	7.8	0.0	0.1	7.9	0.4	..	- 0.2	0.2
2000	22.6	0.0	0.4	23.1	0.1	..	0.1	0.2
2001	4.9	0.1	1.3	6.3	0.6	..	0.0	0.6
2002	9.2	6.7	- 0.9	15.0	1.9	..	- 0.2	1.7
2003	16.0	4.3	8.8	29.1	1.9	..	0.0	1.9
2004	12.9	- 0.1	1.6	14.3	0.0	..	- 9.0	- 8.9
2005	19.8	- 16.2	30.5	34.2	0.5	..	- 0.7	- 0.2
2006	..	..	..	25.9	..	..	..	- 2.4

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the IMF for 1980-1989, OECD for 1990-1991, the Banque Centrale de l'Afrique de l'Ouest (BCEAO) for 1992-2005 and estimate for 2006. Outflow data are from the IMF 1980-1986, estimate for 1991-1992 and 2006, and the BCEAO for 1993-2005. For 1987-1990, proxy data were used based on investments reported by the following economies: Belgium and Luxembourg, 1987 and France, 1988-1990.

Table 3b. FDI flows, by type of investment, 1999-2005
(Millions of Franc de la Communauté financière africaine)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1999	4 801	0	79	4 880	238	..	- 119	119
2000	16 123	12	317	16 452	63	..	56	119
2001	3 573	55	966	4 594	435	..	3	438
2002	6 422	4 663	- 612	10 473	1 351	..	- 155	1 196
2003	9 307	2 517	5 102	16 926	1 091	..	24	1 115
2004	6 807	- 58	831	7 580	8	..	- 4 735	- 4 727
2005	10 466	- 8 540	16 088	18 014	277	..	- 380	- 103

Source: UNCTAD, FDI/TNC database based on the Banque Centrale de l'Afrique de l'Ouest (BCEAO), unpublished.

Table 4a FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1980	..	..	..	17.8	..	..	..	2.8
1981	..	..	..	20.2	..	..	..	2.9
1982	..	..	..	22.1	..	..	..	3.1
1983	..	..	..	24.1	..	..	..	3.1
1984	..	..	..	25.8	..	..	..	3.1
1985	..	..	..	24.4	..	..	..	3.2
1986	..	..	..	27.5	..	..	..	3.2
1987	..	..	..	28.8	..	..	..	3.3
1988	..	..	..	32.5	..	..	..	3.5
1989	..	..	..	38.2	..	..	..	4.3
1990	..	..	..	38.7	..	..	..	3.7
1991	..	..	..	39.2	..	..	..	3.9
1992	..	..	..	42.4	..	..	..	4.0
1993	..	..	..	45.5	..	..	..	5.5
1994	..	..	..	63.9	..	..	..	12.4
1995	..	..	..	73.7	..	..	..	12.6
1996	..	..	..	89.9	..	..	..	13.2
1997	..	..	..	99.7	..	..	..	14.3
1998	..	..	..	104.1	..	..	..	19.5
1999	15.7	..	0.1	15.8	0.5	..	- 0.2	0.3
2000	27.4	..	0.4	27.8	0.5	..	- 0.1	0.4
2001	14.6	..	1.3	15.9	0.7	..	0.0	0.7
2002	23.0	..	0.3	23.3	2.2	..	- 0.2	1.9
2003	45.0	..	6.9	51.9	2.6	..	0.8	3.4
2004	47.1	..	1.7	48.8	12.6	..	- 9.0	3.6
2005	45.8	..	29.6	75.4	15.4	..	- 8.0	7.4
2006	..	..	..	101.2	..	..	..	5.0

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock prior to 1999 are estimated by accumulating inflows since 1970. 1999-2005 are based on the Banque Centrale de l'Afrique de l'Ouest (BCEAO). 2006 is estimated by adding flows to the 2005 stock. Outward stock data prior to 1999 are estimated by accumulating outflows since 1974. 1999-2005 are based on the BCEAO. 2006 is estimated by adding flows to the 2005 stock.

Table 4b. FDI stocks, by type of investment, 1999-2005
(Millions of Franc de la Communauté financière africaine)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1999	10 267	..	79	10 346	310	..	- 119	191
2000	19 304	..	317	19 621	373	..	- 63	310
2001	10 876	..	966	11 842	491	..	3	494
2002	14 382	..	216	14 598	1 351	..	- 155	1 196
2003	23 373	..	3 565	26 938	1 341	..	405	1 746
2004	22 678	..	831	23 509	6 080	..	- 4 330	1 750
2005	25 468	..	16 439	41 907	8 583	..	- 4 463	4 120

Source: UNCTAD, FDI/TNC database based on the Banque Centrale de l'Afrique de l'Ouest (BCEAO), unpublished.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	2.7	-	-	-	1.1	-	-	-	-	-	-	-
France	- 1.3	1.3	- 2.2	5.6	21.3	14.7	8.1	8.5	13.5	29.8	29.8	22.6
Germany	-	-	- 0.6	-	-	-	-	-	-	-	-	-
Sweden	0.1	0.1	-	-	-	-	-	-	-	-	-	-
United States	-	-	1	-	-	-	- 1	- 1	-	- 3	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	-	-	-	-	-	-	-	-	-
Cyprus	-	-	-	-	-	-	-	-	-	-	- 0.1	-
France	- 1.3	1.3	-	-	-	-	- 0.9	0.9	2.3	1.2	3.7	6.3
Korea, Republic of	-	-	-	-	0.1	-	-	-	-	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Canada	-	-	6.3	-	10.4	15.3	-	-	-	-	-	-
Denmark	-	-	-	-	-	-	-	-	-	0.2	0.2	0.4
Portugal	-	-	-	0.1	0.1	0.0	0.1	0.0	-	-	-	-
United States	1	1	2	2	2	2	1	-	-	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Portugal	-	0.3	-	-	-	-	-	-	-	-	-	-
Korea, Republic of	-	-	-	-	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 23, 30, 45 and 50. The number, assets, sales and value added of affiliates of the United States TNCs in Burkina Faso, 1995-2006
(Number and millions of dollars)

Table no./Variable	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
23. Number	1	1	1	1	1	1	1	1	1	1	..	..
30. Assets ^a	6	6	6	7	..	..	..	..	..	..	..	..
45. Sales	..	17	18	16	..	..	..	..	..	..	..	..
50. Value added ^a	3	4	4	4	..	..	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Majority-owned affiliates only.

Table 86. Largest home-based TNCs, 2007

(Billions of dollars)

Company	Industry	Sales
A. Industrial		
Sté Burkinabés des fibres Textiles(SOFITEX)	Agro-Industry	0.31
Sté Nat. Burkinabés d'Hydrocarbures (SONABHY)	Petroleum expl./ref./distr.	0.26
Total Burkina	Petroleum expl./ref./distr.	0.11
B. Tertiary		
Office Nat. Des Télécommunications(ONATEL)	Telecommunication	0.13
C. Finance and Insurance		
..	..	Assets

Source: Jeune Afrique Hors-serie No. 14, 2007.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007

(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Manufacture Burkinabe De Cigarettes SA	France	Food, beverages and tobacco	257	169
Société Nouvelle Sucriere De La Comoe SA	Côte d'Ivoire	Food, beverages and tobacco	137	2 000
Sifa Sa	France	Other Transport Equipment	78	115
Société des Plastiques du Faso SA	Côte d'Ivoire	Rubber and plastic products	45	..
Air Liquide	France	Mining and quarrying	2	20
Somita SA	Canada	Mining and quarrying	..	350
Compagnie Burkinabe Pour La Transformation De Metaux SA	Côte d'Ivoire	Metal and metal products	..	100
Aarhus United Burkina Fasa Sarl	Sweden	Other Services	..	..
Agf Burkina Assurances	Germany	Other Business Activities	..	..
Laborex Burkina	France	Other Business Activities	..	..
Maersk Burkina Faso Sa	Denmark	Other Business Activities	..	..
S D V Burkina Faso	France	Rubber and plastic products	..	..
Sade Burkina	France	Other Services	..	..
Sobugaz	France	Petroleum	..	..
B. Tertiary				
CFAO Burkina	France	Distributive Trade	1091	20
CFAO Burkina SA	France	Wholesale Trade	204	..
Celtel Burkina Faso SA	Kuwait	Wholesale Trade	10	120
Diffusion Industrielle Automobile Et Commerciale Du Faso S A	France	Wholesale Trade	..	550
Scac Delmas Vilejeux Burkina S A	France	Water Transport	..	384
Telecel Faso SA	Côte d'Ivoire	Telecommunications	..	74
Segami	France	Health and Social Services	..	..
Vac-Burkina SA	Netherlands	Research and development	..	..
C. Finance and Insurance			Assets	Employees
Banque Internationale Pour Le Commerce, L'Industrie Du Burkina S A	France	Finance	0.2	300

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal framework for transnational corporations

Burkina Faso has enacted a number of legal instruments at national, bilateral and multilateral levels to regulate the activities of foreign investors in the country. The key instruments that apply at these levels:

I. National framework

Ordinance No. 91-0044 Authorising the Privatization of 12 Enterprises and creating a Privatization Commission of 17 July 1991.

Source: World Bank, Technical Paper No. 186, "Divestiture of State Enterprises. An overview of the legal framework".

Decree No. 91-0385 setting forth the composition, Organisation and Operations of the Privatization Commission of 15 Sept. 1991.

Source: World Bank, Technical Paper No. 186, "Divestiture of State Enterprises. An overview of the legal framework".

Ordinance No. 92/PRES of July 1992 on the Investment Code

Source: Official Copy - Ministry of Industry-Commerce and Mines.

Implementation Decree No. 92-230/PRES/MICM, on the Implementation of the Ordinance concerning the Investment Code of Burkina Faso

Source: Official Copy - Ministry of Industry-Commerce and Mines.

Ordinance No. 93/PRES of March 1993 concerning the Mining Code of Burkina Faso

Source: Official Copy - Ministry of Industry-Commerce and Mines.

Loi n°62/95/ADP du 14 décembre 1995, portant code des investissements au Burkina Faso

Source: La Découverte du Burkina Faso (<http://www.primature.gov.bf/economie/freglement.htm>)

Loi No. 032/99/AN du 22 Décembre 1999 portant protection de la propriété littéraire et artistique.

Source: WIPO (<http://www.wipo.org>).

II. International Framework

A. Burkina Faso is a party to the following multilateral and regional instruments:

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958, which entered into force on 7th June 1959.

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Bangui Agreement, March 1977 (Annex I).

Source: WIPO (<http://www.wipo.org>).

Bangui Agreement, March 1977 (Annexes II and IV).

Source: WIPO (<http://www.wipo.org>).

Bangui Agreement, March 1977 (Annex III).

Source: WIPO (<http://www.wipo.org>).

Agreement for the Promotion, Protection and Guarantee of Investment Among Member States of the Organization of Islamic Conference of 1 June 1981; entered into force on 23 September 1986.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Articles of Agreement of the Islamic Corporation for the Insurance of Investment and Export Credit of 19 February 1991 En' into force on 1 August 1994.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

West African Economic and Monetary Union (WAEMU), established in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Revised Treaty of the Economic Community of West African States. ECOWAS

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

One stop shop 2005/2006

Source: www.eiu.com EIU Country report Main report June 2006, http://test.maisondelentreprise.org/index2.php?option=com_content&do_pdf=1&id=399

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Switzerland 1969, Tunisia 1993, Germany 1996, Malaysia 1998, Netherlands 2000, Belgium/Luxembourg 2001, Benin 2001, Chad 2001, Comoros 2001, Ghana 2001, Mauritania 2001, Guinea 2003, Korea, Republic of 2004, Morocco 2007.

2. Bilateral treaties for the avoidance of double taxation: France 1965, Tunisia 2003.

D. Sources of information

Official

Banque Centrale des Etats de l'Afrique de l'Ouest (www.bceao.in).

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Burundi

A. Definitions and sources of data

Burundi Investment Code (Décret-loi No. 1/8 d'avril 1979 portant Code des investissements du Burundi and Law No 1/001/1986 of 10 July 1986) govern all foreign investment in the country. The Codes do not provide specific definition of foreign direct investment (FDI). Data on FDI in the country are gathered by the National Bank of the Republic of Burundi. Data are also reported by the International Monetary Fund in its balance-of-payment statistics.

The Government of Burundi treats domestic and foreign firms equally and seeks FDI. In the country, residents may hold foreign exchange accounts but documentation must be submitted to the National Bank. Some withdrawals require supporting documentation and an approval from the National Bank to hold them abroad. Non-residents may hold foreign exchange accounts and withdraw funds up to a set limit on presentation of documentation. All payments for invisibles require an approval and are often subject to limitations and bona fide tests. Capital transfers out of Burundi by residents are approved on an individual basis. Capital transactions such as credit operations, direct investment and personal capital movements are subject to restrictions or authorization requirements.

Burundi participates in many integration and market access schemes. It signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on February 17, 1967, and bilateral treaties with many countries including Comoros, Germany, Belgium and Luxembourg, Mauritius and the United Kingdom. Burundi is also signatory to regional integration agreements, including the African Union, New Partnership for Africa's Development, the Community Investment Code of the Economic Community of the Great Lakes Countries, among others. It is party to the Cotonou Agreement for renegotiating the partnership agreements between the Africa, Caribbean and Pacific and the European Union countries, the Economic Community of Central African States, the Common Market for Eastern and Southern African and eligible for the African Growth and Opportunity Act. The country belongs to multilateral agreements including the Convention establishing the Multilateral Investment Guarantee Agency, the Paris Convention for the protection of Industrial Property and the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	72.7	0.0
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	56.1	0.0
3. FDI stocks, 2006	337	2
4. FDI stocks as a percentage of GDP, 2006	37.0	0.3

Source: Based on tables 3a and 4 and UNCTAD, FDI/TNC database.

Table 3a. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	..	..	..	4.6	..	..	..	..
1981	..	..	..	11.1	..	..	..	..
1982	..	..	..	0.9	..	..	..	..
1983	..	..	..	3.0	..	..	..	..
1984	..	..	..	1.2	..	..	..	..
1985	0.5	..	..	1.6	..	..	..	- 1.1
1986	1.5	..	..	1.5	..	..	..	0.1
1987	1.4	..	..	1.4	..	..	..	0.1
1988	1.2	..	..	1.2	..	..	..	0.1
1989	0.6	..	..	0.5	0.1	..	..	0.1
1990	1.3	..	..	1.3	0.0	..	..	0.0
1991	0.9	..	..	0.8	0.0	..	..	0.0
1992	0.6	..	..	0.5	..	..	..	0.0
1993	0.5	..	..	0.4	0.1	..	..	0.1
1994	-	..	..	0.0	0.1	..	..	0.1
1995	2.0	..	..	1.8	0.6	..	..	0.5
1996	..	..	..	0.0	..	..	..	0.0
1997	..	..	..	0.0	..	..	..	0.1
1998	..	..	..	2.0	..	..	..	0.4
1999	0.2	..	..	- 0.6	0.5	..	..	0.8
2000	11.7	..	..	11.7	..	..	..	-
2001	-	..	..	-	-	..	..	-
2002	..	..	..	-	..	..	..	-
2003	-	..	..	-	..	..	..	-
2004	..	..	..	-	..	..	..	-
2005	-	-	-	0.6	-	-	-	..
2006	-	-	-	290.0	-	-	-	-

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the OECD for 1980-1984, the Bank of Burundi for 1985-2005, and estimate for 2006. Outflows are proxy data based on investments reported by Belgium and Luxembourg for 1985-1988, IMF for 1989, and the national institution for 1990-2003.

Table 3b. FDI flows, by type of investment, 1999-2005
(Millions of Burundi Franc)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1999	- 322.7	..	..	..	..
2000	8 419.8	..	..	..	..
2001	- 1.9	..	..	..	..
2002	0.0	..	..	..	..
2003	- 7.8	..	..	..	..
2004	49.2	..	..	..	..
2005	632.4	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics) based on the Bank of Burundi, *unpublished*.

Table 4. FDI stocks, by type of investment, 1980-2006

(Millions of dollars)

Year	Inward Investment				Outward Investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	6.5	..	..	..	..
1981	17.6	..	..	..	..
1982	18.5	..	..	..	..
1983	21.5	..	..	..	..
1984	22.7	..	..	..	..
1985	24.3	..	..	..	..
1986	25.8	..	..	..	0.1
1987	27.2	..	..	..	0.2
1988	28.4	..	..	..	0.3
1989	28.9	..	..	..	0.3
1990	30.2	..	..	..	0.3
1991	31.0	..	..	..	0.3
1992	31.5	..	..	..	0.3
1993	31.9	..	..	..	0.4
1994	31.9	..	..	..	0.5
1995	33.7	..	..	..	1.0
1996	33.7	..	..	..	1.1
1997	33.7	..	..	..	1.1
1998	35.7	..	..	..	1.5
1999	35.1	..	..	..	2.3
2000	46.8	..	..	..	2.3
2001	46.8	..	..	..	2.3
2002	46.8	..	..	..	2.3
2003	46.8	..	..	..	2.3
2004	46.8	..	..	..	2.3
2005	47.4	..	..	..	2.3
2006	337.4	..	..	..	2.3

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock are estimated by accumulating inflows since 1970. Outward stock data are estimated by accumulating inflows since 1986.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	-	-	-	-	-	-	0.9	-	-	-	-	-
France	-	-	-	-	1.1	0.9	-	-	-	1.2	2.5	- 1.3
Germany	-	- 2.7	-	1.7	-	-	-	-	-	-	-	-
Portugal	-	-	-	-	-	-	-	-	-	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	-	-	-	-	-	-	0.9	-	-	-	-	-
Germany	-	-	0.6	-	-	-	-	-	-	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
B. Tertiary				
Chanic Burundi	Belgium	Wholesale trade	0.5	20
Maersk Burundi SA	Denmark	Water Transport	..	..
St Cellular SA	Zimbabwe	Telecommunication	..	..
C. Finance and insurance			Assets	Employees

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

A number of legal instruments exist in Burundi to facilitate as well as regulate the activities of foreign investors. Some of these instruments remit from its association in international organizations and laws enacted at national level. Some of the instruments include:

I. National framework

Industrial Designs Law, August 1964.
Source: WIPO (<http://www.wipo.org>).

Patent Law, August 1964.
Source: WIPO (<http://www.wipo.org>).

Trademark Law, August 1964.
Source: WIPO (<http://www.wipo.org>).

Arrêté ministériel No. 040/523 de septembre 1964 portant mesures d'exécution de la Loi d'août 1964 sur les marques de fabrique et de commerce.
Source: WIPO (<http://www.wipo.org>).

Arrêté ministériel No. 040/750 de juillet 1965 portant mesures d'exécution de la Loi d'août 1964 sur les brevets.
Source: WIPO (<http://www.wipo.org>).

Arrêté ministériel No. 040/120 de juin 1966 portant mesures d'exécution de la Loi d'août 1964 sur les dessins et modèles industriels.
Source: WIPO (<http://www.wipo.org>).

Legislative Decree No. 1/169, July 1968 amending the Law.
Source: WIPO (<http://www.wipo.org>).

Décret-loi No 1/171 de juillet 1968 portant modification de la Loi d'août 1964 sur les dessins et modèles industriels. Legislative Decree No. 1/171, July 1968 amending the Law.
Source: WIPO (<http://www.wipo.org>).

Copyright Legislative Decree, May 1978.
Source: WIPO (<http://www.wipo.org>).

Décret-loi No. 1/8 d'avril 1979 portant Code des investissements du Burundi.
Source: WIPO (<http://www.wipo.org>).

Investment Incentives Law No 1/001/1986 of 10 July 1986 - The Investment Code of 1986; together with the implementation Decree No 120/284 of 23 July 1986; as amended by Law No. 1-005 of 14 January 1987, Decree-Law No. 1-021 of 30 June 1990 and No. 1-025 of 30 September 1991.
Source: Centre Francais du Commerce Extérieur - Paris - DAMEX-Africa and Middle East Publications, 1993.

Decree No. 1/21 on Privatization of States-Owned Enterprises of 12 August 1991.
Source: World Bank, Technical Paper No. 186, "Divestiture of State Enterprises". An overview of legal framework.

Ordinance No. 120/321, setting Modalities for Competitive Bidding for the Privatization of State-Owned Enterprises, 4 October 1991.

Source: World Bank, Technical Paper No. 186. "Divestiture of State Enterprises". An overview of legal framework.

Law No. 1/30 on the Creation of a Free Zone in Burundi, of 31 August 1992

Source: Centre Francais du Commerce Exterieur - Paris - DAMEX-Africa and Middle East Publications, 1993.

Business environment 2005/2006

Source: <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/AFRICAEXT/0,,contentMDK:21043365~menuPK:258657~pagePK:2865106~piPK:2865128~theSitePK:258644,00.html>

II. International Framework

A. Burundi is a party to the following multilateral and regional instruments:

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Community Investment Code of the Economic Community of the Great Lakes Countries of 31 January 1982; entered into force on: 4 October 1987.

Treaty for the Establishment of the Economic Community of Central African States of 18 October 1983; entered into force in December 1984.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Treaty Establishing the Common Market for Eastern and Southern Africa (COMESA) of 5 November 1993 (entered into force on 8 December 1994).

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. **Bilateral investment treaties for the protection and promotion of investments:** Germany 1984, Belgium/Luxembourg 1989, United Kingdom 1990, Comoros 2001, Mauritius 2001.

2. **Bilateral treaties for the avoidance of double taxation:** ...

C. Other treaties:

Investment agreement for the COMESA Common Investment Area (2007).

D. Sources of information

Official

National Bank of Burundi.

Secondary

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Cameroon

A. Definitions and sources of data

The data on foreign direct investment (FDI) in Cameroon were collected by the Banque Centrale des Etats d'Afrique Centrale (BEAC). The country's Code of Investment of 1990 (Ordinance No. 90/007 of 8 November 1990) governs all investment activities, including FDI. The code however, does not provide an explicit definition of FDI. The International Monetary Fund also provides data on FDI in Cameroon in its balance-of-payment statistics.

Cameroon is keen to boost its FDI inflows and provides incentives as stipulated in its national laws, and accepts binding international arbitration of investment disputes through its membership of investment-related bodies. It provides identical incentives for domestic and foreign investors. The measures that Cameroon had put in place to support the private sector include: privatizing public utilities to improve the provision of services; the strengthening of prudential regulations for credit institutions; and promoting micro-finance institutions to encourage savings for productive investment. The Government is also keen to develop capital markets to mobilize long-term savings and provide better access to long-term debt and equity financing. It has set up a competitiveness committee composed of government and business representatives to streamline business procedures and regulations.

Cameroon subscribes to several treaties. Cameroon signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on September 23, 1965. It is signatory to the 1998 treaty between the 15 states of the CFA franc zone to harmonize their business Laws and a member of and serves as the headquarters to the Organisation Africaine de la Propriété Intellectuelle - a member of the World Intellectual Property Organization. Cameroon as signatory to the Convention on the Recognition and Enforcement of Foreign Arbitrage awards, has signed other investment insurance programs with Overseas Private Investment Cooperation and its investment code guarantees protection from non-commercial risk through the articles of the Multilateral Investment Guarantee Agency. In 2007, the Government announced its intention to accelerate the privatization of the 27 hotels that it owns directly or through the state-owned National Investment Corporation, with FDI options.

Cameroon signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on September 23, 1965 and is entitled to preferential treatment in major markets of the world. It is a dominant member of the Central African Economic and Monetary Committee, the six-country Economic and Monetary Community of Central African States. It is also a member of the African Union, New Partnership for Africa's Development, enjoys special trading advantages with the European Union and benefits from the United States market access initiative - the African Growth and Opportunity Act. It is party to the Cotonou Agreement for renegotiating the partnership treaty between the European Union and the African, Caribbean and Pacific countries - the Lomé Convention and the World Trade Organisation.

B. Statistics on FDI and the operations of TNCs**Table 1. Summary of FDI**
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	309.0	1.1
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	11.8	0.0
3. FDI stocks, 2006	3 511	260
4. FDI stocks as a percentage of GDP, 2006	19.1	1.4

Source: Based on tables 3a and 4 and UNCTAD, FDI/TNC database.

Table 3a. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	54.2	55.1	20.6	129.8	- 8.2	..	..	- 8.2
1981	72.2	35.7	27.4	135.4	- 0.4	..	..	- 0.4
1982	111.4	50.4	- 50.4	111.4	4.3	..	..	4.3
1983	186.0	27.9	..	213.8	5.2	..	..	5.2
1984	- 58.3	76.0	..	17.7	10.1	..	..	10.1
1985	114.9	222.7	- 21.4	316.2	10.6	..	..	10.6
1986	- 89.5	3.4	- 4.6	- 90.7	15.7	..	..	15.7
1987	12.0	52.0	52.0	115.9	11.6	..	..	11.6
1988	- 4.2	74.9	21.7	92.4	28.6	..	..	28.6
1989	- 86.0	..	0.3	- 85.7	26.1	0.1	- 0.1	26.1
1990	- 112.9	..	0.0	- 112.8	15.1	0.1	- 0.1	15.1
1991	- 14.0	5.6	- 6.0	- 14.5	21.5	0.1	- 0.1	21.5
1992	29.0	0.0	0.2	29.2	33.1	..	..	33.1
1993	5.0	0.0	0.1	5.1	22.1	..	..	22.1
1994	- 5.2	3.7	- 7.4	- 9.0	0.4	..	..	0.4
1995	14.7	0.4	- 7.8	7.3	0.6	..	..	0.6
1996	..	..	..	101.3	..	..	..	8.1
1997	..	..	..	78.3	..	..	..	- 3.9
1998	..	..	..	215.1	..	..	..	24.0
1999	..	..	..	- 15.5	..	..	..	- 11.7
2000	..	..	..	158.8	..	..	..	9.7
2001	..	..	..	73.3	..	..	..	35.2
2002	..	..	..	601.7	..	..	..	- 33.1
2003	..	..	..	383.0	..	..	..	4.4
2004	..	..	..	319.3	..	..	..	..
2005	..	..	..	224.7	..	..	..	..
2006	..	..	..	309.0	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the IMF for 1980-2002, the Banque Centrale des Etats de l'Afrique Centrale (BEAC) for 2003-2005 and estimate for 2006. Outflow data are from the IMF.

Table 3b. FDI flows, by type of investment, 2003-2005
(Millions of Franc de la Communauté financière africaine)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
2003	222 600	..	..	..	..
2004	168 700	..	..	..	..
2005	118 500.0	..	..	..	..

Source: UNCTAD, FDI/TNC database based on the Banque Centrale des Etats de l'Afrique Centrale (BEAC).

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	330.4	..	..	..	22.9
1981	465.8	..	..	..	22.5
1982	577.2	..	..	..	26.8
1983	791.0	..	..	..	32.0
1984	808.7	..	..	..	42.1
1985	1 124.9	..	..	..	52.7
1986	1 034.2	..	..	..	68.4
1987	1 150.2	..	..	..	79.9
1988	1 242.5	..	..	..	108.6
1989	1 156.8	..	..	..	134.7
1990	1 044.0	..	..	..	149.8
1991	1 029.5	..	..	..	171.3
1992	1 058.7	..	..	..	204.3
1993	1 063.8	..	..	..	226.4
1994	1 054.8	..	..	..	226.8
1995	1 062.1	..	..	..	227.4
1996	1 163.4	..	..	..	235.5
1997	1 241.7	..	..	..	231.6
1998	1 456.8	..	..	..	255.6
1999	1 441.4	..	..	..	244.0
2000	1 600.2	..	..	..	253.7
2001	1 673.4	..	..	..	288.9
2002	2 275.2	..	..	..	255.7
2003	2 658.2	..	..	..	260.1
2004	2 977.5	..	..	..	260.1
2005	3 202.2	..	..	..	260.1
2006	3 511.2	..	..	..	260.1

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock are estimated by accumulating inflows since 1970. Outward stock data are estimated by accumulating inflows since 1973.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	-	-	- 1.1	3.3	20.2	11.1	9.8	-	-	-	-	-
China	-	-	-	-	-	-	-	-	0.3	0.4	0.2	-
Denmark	-	-	-	-	-	-	-	-	-	-	1.5	3.9
France	13.1	50.0	19.1	68.9	59.7	81.1	97.5	83.8	142.2	59.6	26.1	90.3
Germany	-	- 6.6	3.5	1.1	-	-	0.9	- 0.9	- 15.8	7.5	3.7	- 1.3
Japan	-	-	-	-	-	-	-	-	-	-	0.8	2.1
Malaysia	0.4	-	-	-	-	-	-	-	-	-	-	-
United States	6	25	38	- 41	94	- 68	- 120	- 6	163	- 6	- 7	124

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	-	-	-	-	-	- 0.9	-	-	-	-	-	-
China	0.1	-	-	-	-	-	-	-	-	-	-	-
France	3.9	12.8	6.7	5.6	24.5	- 12.0	28.6	6.6	36.1	44.7	62.2	- 1.3
Korea, Republic of	-	-	-	-	-	-	0.1	-	-	-	0.1	-
Sweden	-	-	-	-	-	-	-	1.7	-	-	-	-
United States	-	-	-	-	-	-	-	-	-	-	1.0	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	-	-	-	-	-	5.7	7.0	7.9	-
Denmark	-	-	-	-	-	-	-	-	-	8.8	9.2	13.1
Germany	7.0	7.1	7.8	9.0	8.0	3.7	2.6	8.4	-	-	-	-
Malaysia	0.4	0.4	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	-
Korea, Republic of	1.2	1.2	1.0	1.0	1.0	1.0	1.0	0.7	0.7	0.7	0.7	-
United Kingdom	-	-	-	-	-	-	-	-	-	-	-	-
United States	156	181	218	178	313	257	148	135	242	252	99	231

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Estonia	-	-	-	-	-	-	-	-	-	0.0	-	- 0.0
France	45.5	43.8	43.8	40.8	46.2	44.7	74.0	90.2	140.2	196.1	247.7	-
Korea, Republic of	-	-	-	-	-	-	0.1	0.1	0.1	0.1	0.2	0.2

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	3	4	4	4	7	8	5	4	4	..	..	..
Italy	..	1	..	1	..	..	..	..	..	..	..	..
Republic of Korea	..	..	2	2	2	2	2	2	2	2	2	2
United States	10	10	10	10	10	8	9	14	14	13	11	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 30. Assets of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005
(Millions of dollars)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	..	69.8	64.3	55.8	119.5	100.5	93.1	..	..	..	..	..
United States ^a	493	723	754	882	726	682	590	1 344	1 698	1 807	1 874	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

^a Data refer to majority-owned affiliates only.

Table 35. Employment of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005
(Thousands of employees)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Belgium	..	..	..	..	..	..	..	0.1	0.1	0.1	..	..
Germany	1.0	1.0	1.0	2.0	2.0	2.0	2.0	2.0	2.0	..	..	..
Italy	..	0.6	..	1.0	..	..	..	..	..	..	..	..
United States	0.7	0.7	0.7	0.7	0.6	1.0	1.0	5.1	4.9	8.7	12.6	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 40 and 50. Wages and salaries and value added of affiliates of United States TNCs in Cameroon, 1994-2005
(Millions of dollars)

Table no./Variable	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
40. Wages and salaries	15	15	20	20	18	25	27	51	65	81	78	..
50. Value added ^a	28	134	179	173	117	98	149	216	252	..	435	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Table 45. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005
(Millions of dollars)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	61.6	69.8	66.5	57.7	56.8	..	..	..	..	..	..	..
Italy	..	24.6	..	42.3	..	..	..	..	..	..	..	..
United States	..	281.0	326.0	347.0	280.0	331.0	448.0	441.0	545.0	803.0	781 a	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

^a Data refer to majority-owned affiliates only.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars)

Company	Industry	Sales
A. Industrial		
Société Nationale de Raffinage(SONARA)	Petroleum expl./ref./distr.	0.90
Sté Nle des Hydrocarbures(SNH)	Petroleum expl./ref./distr.	0.87
Cameroon oil Transportation co.	Petroleum expl./ref./distr.	0.46
AES Sonel	Electricity/gas/water	0.26
Total Cameroun	Petroleum expl./ref./distr.	0.21
Cie Camerounaise de l'Aluminium(ALUCAM)	Aluminium	0.16
Sté de Dév. Du Coton du Cameroun(SODCOTON)	Agro-Industry	0.15
Cimenteries du Cameroun(CIMENCAM)	Building Materials	0.13
Cameroon Development Corporation(CDC)	Agro-Industry	0.11
Groupe PHP	Agro-Industry	0.10
B. Tertiary		
SA des Brasseries du Cameroun(SABC)	Food, beverages and tobacco	0.32
Orange Cameroun	Telecommunication	0.21
Groupe CFAO Cameroun	Diversified Group	0.17
MTN Cameroun	Telecommunication	0.16
Cameroon Telecommunications(CAMTEL)	Telecommunication	0.14
C. Finance and Insurance		Assets
..

Sources: Sources: Jeune Afrique Hors-Série No 14, Edition 2007.

^a 2004.

Table 87. Largest foreign affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company	Host economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
Foberd Congo	Dem. Republic of Congo	Wholesale trade	..	250
C. Finance and Insurance			Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
British American Tobacco Cameroun Sa	United Kingdom	Food products, beverages and tobacco	375	..
Nestle Cameroun Sa	Switzerland	Food products, beverages and tobacco	353	287
Société Anonymes Des Brasseries Du Cameroun S A	Luxembourg	Food products, beverages and tobacco	..	864
Total Cameroun	France	Petroleum	..	271
Société Camerounaise De Transformation De L' Aluminium S A	Togo	Metal And Metal Products	..	152
Industrie De Crayons Et Fournitures S A	France	Other Manufacturing	..	131
Plantes Du Cameroun - Medicam S R L	Belgium	Chemicals and chemical products	..	84
Société Camerounaise D' Oxygene Et Acetylene	France	Chemicals and chemical products	..	81
Colgate Palmolive Cameroun	United States	Chemicals and chemical products	..	52
Compagnie Industrielle Pharmaceutique S A	India	Chemicals and chemical products	..	35
Camo	France	Petroleum	..	..
Société Shell Du Cameroun	United Kingdom	Petroleum	..	..
B. Tertiary				
Pricewaterhousecoopers Llp	United States	Other Services	70	..
Commerce General Et International Sa (Cogeni)	France	Wholesale Trade	62	40
Socada S A	France	Wholesale Trade	..	..
Société D'Exploitation Des Parcs A Bois Du Cameroun	France	Forestry And Fishing	..	355
Sho Cameroun Sarl	India	Wholesale Trade	..	344
Société Camerounaise De Manutention Et D'Acconage SA	France	Construction	..	331
Six International Limited	Belgium	Construction	..	253
Société Du Haut Ogoue S A	France	Wholesale Trade	..	233
Cameroon Motor Industries S A	France	Wholesale Trade	..	154
Sipca Sa	United Kingdom	Wholesale Trade	..	140
Maersk Cameroun Sa	Denmark	Public Administration	..	126
Compagnie Africaine D' Electricite Du Cameroun	India	Construction	..	31
Bull Cameroun Sa	France	Wholesale Trade	..	16
Abb Sub-Sahara Africa Ltd	Switzerland	Research And Development	..	..
Bayer Cropscience Cameroun Sarl	Germany	Other Services	..	..
Compagnie Camerounaise D' Entreprise	France	Public Administration	..	..
Consortio Acueducto Oriental	Italy	Other Services	..	..
Cp Qianshao (Qingdao) Power Tools Ltd	China	Wholesale Trade	..	..
Credit Lyonnais Cameroune	France	Other Business Activities	..	..
DHL International Cameroon S.A.R.L.	Germany	Air Transport	..	..
C. Finance and Insurance			Assets Employees	
Société Generale De Banques Au Cameroun S A	France	Finance	..	479
Agf Cameroun Assurances	Germany	Insurance	..	..
Axa Assurances Cameroun	France	Other Services	..	..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal framework for transnational corporations

A number of legal instruments at national, bilateral and multilateral levels exist to regulate the activities of foreign investors in Cameroon. The instruments include the following:

I. National framework

Ordinance N° 90/001 of 29/01/90.
Source: <http://www.hallelaw.com>

Ordinance N° 90/07 of 18/11/90
Source: <http://www.hallelaw.com>

Law N° 92/007 of 14 August 1992.
Source: <http://www.hallelaw.com>

Law No. 2000/011 on Copyright and Related Rights, December 2000.
Source: WIPO (<http://www.wipo.org>).

Law N° 2002/004 of 19 April 2002
Source: <http://www.hallelaw.com>

II. International Framework

A. Cameroon is a party to the following multilateral and regional instruments:

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958, which entered into force on 7th June 1959.

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Customs and Economic Union of Central Africa (UDEAC) refers to the following instruments: Common Convention on Investments in the UDEAC (1965).
Joint Convention on the Freedom of Movement of Persons and the Right of Establishment in the UDEAC (1972).
Multinational Companies Code in the UDEAC (1975).

Patents: Bangui Agreement, March 1977 (Annex I), as last amended in February 1999.
Source: WIPO (<http://www.wipo.org>).

Trade Marks: Bangui Agreement, March 1977 (Annex III), as last amended in February 1999.
Source: WIPO (<http://www.wipo.org>).

Industrial Designs: Bangui Agreement, March 1977 (Annex IV), as last amended in February 1999.
Source: WIPO (<http://www.wipo.org>).

Appellations of Origin / Geographical Indications / Indications of Source: Bangui Agreement, March 1977 (Annex VI), as last amended in February 1999.

Protection of Undisclosed Information: Bangui Agreement, March 1977 (Annex VIII), as last amended in February 1999.

Layout Designs (Topographics) of Integrated Circuits: Bangui Agreement, March 1977 (Annex IX), as last amended in February 1999. Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments:

Germany 1962, Switzerland 1963, Netherlands 1965, Belgium and Luxembourg 1980, Romania 1980, United Kingdom 1982, United States 1986, Italy 1999, Egypt 2000, Guinea 2001, Mali 2001, Mauritania 2001, Mauritius 2001, Morocco 2007.

2. Bilateral treaties for the avoidance of double taxation:

France 1976, Canada 1982, United Kingdom 1982, Tunisia 1999.

D. Sources of information

Official

Banque des Etats l'Afrique Centrale (www.beac.int).

Secondary

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Cape Verde

A. Definitions and sources of data

In Cape Verde, foreign direct investment (FDI) is the same as "external investment", in the country's External Investment Code (Law 89/IV/93). In this code, external investment is defined as any participation in an economic activity made, according to the law, with contributions from abroad that can be monetarily evaluated. The institution responsible for the registration, supervision and surveillance of FDI activities in Cape Verde is the Centro de Promoção Turística dos Investimentos e das Exportações de Cabo Verde (PROMEX). PROMEX records statistics on FDI. The International Monetary Fund also provides data on FDI in Cape Verde in its balance-of-payment statistics.

The Government of Cape Verde encourages foreign investment, particularly in tourism, fishing, light manufacturing, communications and transportation. All sectors of the economy are open to foreign investment, although approval is required. Residents and non-residents may hold foreign exchange accounts, subject to government approval and regulations. Most payments and transfers are subject to controls. Real estate transactions require a Central Bank (Banco de Cabo Verde) approval. When permitted the Central Bank must approve most capital transactions in advance.

The Government of Cape Verde has put in place reforms to streamline the cumbersome bureaucracy and to increase transparency for businesses to set up in Cape Verde. PROMEX has become a one-stop shop for external investors. When an application is submitted to PROMEX, within thirty days the investor should get a reply. If Government action is not forthcoming, within 30 days, approval is automatic. Mass privatizations have also eased the burden of competing with state-owned enterprises. The Government of Cape Verde works to ensure that its economy is integrated in the global economy. Cape Verde is a member of the African Union, New Partnership for Africa's Development and Economic Community of West Africa States. It is also eligible for the United States' market access initiative for African countries - the African Growth and Opportunity Act, the Cotonou Agreement for renegotiating the trade links between the African, Caribbean and Pacific countries with the European Union (EU), the EU's Everything But Arms initiative and the generalized system of preferences for the least developed countries. Cape Verde has an observer status at the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	58.3	0.1
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	17.2	0.0
3. FDI stocks, 2006	433	8
4. FDI stocks as a percentage of GDP, 2006	36.1	0.6

Source: Based on tables 3a and 4a and UNCTAD, FDI/TNC database.

Table 3a. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	..	..	..	..	..	..	..	..
1981	..	..	..	..	..	..	..	..
1982	..	..	..	..	..	..	..	..
1983	..	..	..	..	..	..	..	..
1984	..	..	..	..	..	..	..	..
1985	..	..	..	..	..	..	..	..
1986	- 0.0	-	-	- 0.0	..	..	..	..
1987	2.8	-	-	2.8	..	..	..	..
1988	0.6	-	-	0.6	..	..	..	0.2
1989	0.2	-	-	0.2	..	..	..	0.8
1990	0.2	-	-	0.3	..	..	..	0.3
1991	1.7	-	-	1.7	..	..	..	0.5
1992	0.5	-	-	0.5	..	..	..	1.2
1993	3.6	-	-	3.6	..	..	..	0.7
1994	2.0	0.2	-	2.1	..	..	..	0.4
1995	25.7	0.5	-	26.2	..	..	..	0.6
1996	28.2	0.3	-	28.5	..	..	..	0.3
1997	11.6	-	-	11.6	..	..	..	0.0
1998	6.7	0.1	2.3	8.8	..	..	..	0.0
1999	53.3	..	..	61.1	..	..	..	0.4
2000	32.4	1.4	- 0.3	42.1	..	..	..	1.4
2001	8.0	1.0	0.1	12.7	..	..	..	0.5
2002	13.7	1.1	0.0	40.2	..	..	..	0.0
2003	13.8	1.0	..	33.5	..	..	..	..
2004	19.5	0.8	..	68.0	..	..	..	0.1
2005	51.7	2.8	- 0.0	75.5	..	..	..	0.1
2006	-	-	-	110.6	..	..	..	0.1

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the IMF for 1986-1993 and the Banco de Cabo Verde thereafter. Data on outflows are from the IMF for 1988-1993, 2000-2001 and 2004-2005, Banco de Cabo Verde for 1994-1999 and 2002 and estimate for 2006.

Table 3b. FDI flows, by type of investment, 1999-2006
(Millions of escudos)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1999	6 327.0	..	..	..	..
2000	5 034.4	..	..	..	..
2001	1 562.7	..	..	..	..
2002	4 713.3	..	..	..	..
2003	3 276.4	..	..	..	..
2004	6 037.8	..	..	..	..
2005	6 695.7	..	..	..	..
2006	9 721.9	..	..	..	..

Source: UNCTAD, FDI/TNC (www.unctad.org/statistics) database based on the Banco de Cabo Verde.

Table 4a. FDI stocks, by type of investment, 1986-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1986
1987	2.8	..	..	..	..
1988	3.4	..	..	..	0.2
1989	3.5	..	..	..	1.0
1990	3.8	..	..	..	1.3
1991	5.5	..	..	..	1.8
1992	6.0	..	..	..	3.0
1993	9.6	..	..	..	3.7
1994	11.8	..	..	..	4.1
1995	37.9	..	..	..	4.7
1996	66.5	..	..	..	4.9
1997	78.1	..	..	..	5.0
1998	86.8	..	..	..	5.0
1999	139.3	..	..	..	5.4
2000	172.8	..	..	..	6.7
2001	189.7	..	..	..	7.3
2002	199.3	..	..	..	7.3
2003	215.0	..	..	..	7.3
2004	332.9	..	..	..	7.3
2005	360.0	..	..	..	7.4
2006	518.0	..	..	..	7.5

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock prior to 2004 are estimated by accumulating inflows since 1986. As of 2004 data are based on the Banco de Cabo Verde. Outward stock are estimated by accumulating inflows since 1985.

Table 4b. FDI stocks, by type of investment, 2004-2006
(Millions of escudos)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
2004	26 951.6	..	..	..	..
2005	33 647.2	..	..	..	..
2006	43 369.1	..	..	..	..

Source: UNCTAD, FDI/TNC (www.unctad.org/statistics) database based on the Banco de Cabo Verde.

Table 5. FDI flows in the host economy, by industry, 2000-2007
(Millions of escudos)

Sector / industry	2000	2001	2002	2003	2004	2005	2006	2007
Total	7 857
Secondary	4 950
Food, beverages and tobacco	-
Textiles, clothing and leather	-
Non-metallic mineral products	-
Machinery and equipment	-
Motor vehicles and other transport equipment	-
Other manufacturing	-
Tertiary	2 357
Construction	-
Trade	1 414
Transport, storage and communications	-
Transport and storage	-
Activities of travel agencies and tour operators	-
Post and communications	-
Telecommunications	-
Other services	-
Unspecified	550

Source: Banco de Cabo Verde, Boletim de Estatística Trimestral.

Note: Values are calculated from percentages of total FDI.

Table 6a. FDI flows in the host economy, by geographical origin, 2000-2007
(Millions of escudos)

Region / economy	2000	2001	2002	2003	2004	2005	2006	2007
Total world	4 713	3 276	6 038	6 696	9 722	..
Developed countries	4 709	3 221	5 718	6 508	4 900	..
Europe	4 709	3 221	5 718	6 508	4 900	..
European Union	4 709	3 221	5 718	6 508	4 900	..
Belgium	306	-	-	-	-	..
France	-	13	30	268	39	..
Germany	-	-	-	-	-	..
Italy	4 218	131	272	449	88	..
Portugal	184	2 864	1 383	5 591	1 886	..
Spain	-	213	4 033	201	2 887	..
Developing economies	-	3	18	20	10	..
Africa	-	3	18	20	10	..
Angola	-	-	18	-	-	..
Senegal	-	3	-	20	10	..
Asia and Oceania	-	-	-	-	-	..
South, East and South-East Asia	-	-	-	-	-	..
Hong Kong, China	-	-	-	-	-	..
Unspecified	5	52	302	167	4 812	..

Source: Banco de Cabo Verde, Boletim de Estatística Trimestral.

Note: Values are calculated from percentages of total FDI.

Table 6b. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	-	-	-	-	-	-	-	0.3	-
Germany	-	-	-	-	-	-	0.9	-	-	-	-	-
Portugal	-	0.1	14.0	7.4	38.3	9.0	9.7	5.0	5.6	- 54.0	14.2	18.5

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Brazil	-	-	-	-	-	-	-	-	-	0.02	0.15	0.36
Chile	0.01	-	-	-	-	-	-	-	-	-	-	-
Portugal	-	-	0.13	0.22	0.05	0.01	0.22	0.09	-	- 0.1	0.10	- 0.3

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Brazil	-	-	-	-	-	-	-	-	0.1	-	-	-
China	-	-	-	-	-	-	-	-	-	-	0.6	-
Portugal	-	25.7	30.6	42.0	91.4	131.2	132.2	110.1	137.7	91.3	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Chile	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2
Portugal	-	-	-	-	-	-	0.2	0.4	0.4	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 11. FDI stocks in the host economy, by industry, 1990-1995
(Millions of escudos)

Sector / industry	1990	1991	1992	1993	1994	1995
Total	1.00	..	..	..	..	3.92
Primary	1.00	..	..	..	..	1.00
Mining, quarrying and petroleum	1.00	..	..	..	..	1.00
Petroleum	1.00	..	..	..	..	1.00
Secondary	-	..	..	..	..	0.95
Food, beverages and tobacco	-	..	..	..	..	0.19
Textiles, clothing and leather	-	..	..	..	..	0.53
Non-metallic mineral products	-	..	..	..	..	0.02
Machinery and equipment	-	..	..	..	..	0.04
Motor vehicles and other transport equipment	-	..	..	..	..	0.13
Other manufacturing	-	..	..	..	..	0.04
Tertiary	-	..	..	..	..	1.98
Construction	-	..	..	..	..	0.01
Transport, storage and communications	-	..	..	..	..	1.96
Transport and storage	-	..	..	..	..	0.36
Supporting and auxiliary transport activities	-	..	..	..	..	0.18
Post and communications	-	..	..	..	..	1.60
Telecommunications	-	..	..	..	..	1.60
Other services	-	..	..	..	..	0.01
Unspecified	-	..	..	..	..	-

Source: UNCTAD, FDI/TNC database based on the Banco de Cabo Verde, unpublished.

Table 12. FDI stocks in the host economy, by geographical origin, 1990-1995
(Millions of escudos)

Region / economy	1990	1991	1992	1993	1994	1995
Total world	1.0	..	..	..	..	3.9
Developed countries	1.0	..	..	..	..	3.7
Europe	1.0	..	..	..	..	3.7
European Union	1.0	..	..	..	..	3.7
Belgium	-	..	..	..	..	0.1
Denmark	0.0	..	..	..	..	0.0
Germany	-	..	..	..	..	0.0
Italy	-	..	..	..	..	0.0
Portugal	-	..	..	..	..	2.6
United Kingdom	1.0	..	..	..	..	1.0
Developing economies	-	..	..	..	..	0.2
Africa	-	..	..	..	..	0.1
Senegal	-	..	..	..	..	0.1
Asia	-	..	..	..	..	0.1
Hong Kong, China	-	..	..	..	..	0.1

Source: UNCTAD, FDI/TNC database based on the Banco de Cabo Verde, unpublished.

Table 87. Largest affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company	Host economy	Industry	Sales	Employees
A. Industrial				
Csp - Sociedade De Cogeração, S.A.	Portugal	Electricity, gas and water	2.38	1
Companhia Termica Compal, A.C.E.	Portugal	Electricity, gas and water	1.70	3
Ece - Empresa De Cogeração De Estarreja, Lda	Portugal	Electricity, gas and water	..	14
Sociedade De Cogeração Da Pardala, S.A.	Portugal	Electricity, gas and water	..	3
B. Tertiary				
Engimais - Engenharia E Consultoria Imobiliaria, S.A.	Portugal	Research and development	4.61	30
Finertec - Energia E Tecnologia, S.G.P.S., S.A.	Portugal	Holding	1.42	9
Finertec - Serviços De Engenharia E Consultoria, S.A.	Portugal	Research and development	..	3
Peninsular - Avaliação De Activos, Lda	Portugal	Other services	..	1
C. Finance and insurance			Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Cimentos de Cabo Verde	Portugal	Non-metallic mineral products	19	62
Ceris - Sociedade Caboverdiana Cerveja Refrigerantes	Luxembourg	Food products, beverages and tobacco	4	100
Industria de Componentes de Calçados Ortopedicos	Portugal	Leather and leather products	2	180
Verdeveste Industria de Vestuários	Portugal	Textiles and clothing	..	800
Cape Verde Clothing Company	Hong Kong, China	Textiles and clothing	..	500
B. Tertiary				
Msf Emprieteiros Cabo Verde S A	Portugal	Research and development	228.6	20
Shell Cabo Verde S A R L	United Kingdom	Wholesale trade	120.6	73
Cimentos De Cabo Verde Sa	Portugal	Wholesale trade	18.88	62
MCV - Marpe Cabo Verde Construcao Sa	Portugal	Construction	14	220 ^a
Cabo Verde Motors S A R L	Portugal	Wholesale trade	8.05..	
Forcabo -Veiculos Automoveis Lda	Portugal	Wholesale trade	2.08..	
Directel Cabo Verde-Servicos De Comunicacao Lda	Portugal	Other business activities	0.893	13
C I C Lda	Netherlands	Wholesale trade	..	8
A Promotora Sociedade Capital De Risco Sarl	Portugal	Research and development	..	4
Aldeasa Cabo Verde S A	Spain	Distributive trade	..	2
Calvopesca Atlantico Sa	Spain	Forestry and fishing	..	..
Pricewaterhousecoopers	United States	Other services	..	..
C. Finance and Insurance			Assets	Employees
Banco Comercial Do Atlantico	Portugal	Finance	261	378 ^a
Banco Interatlantico Cabo Verde Sa	Portugal	Finance	..	60

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

^a 2006.

C. Legal frameworks for transnational corporations

In Cape Verde, the following legal instruments adopted at national, bilateral and multilateral levels have been put in place to regulate the activities of foreign investors:

I. National framework

Law n° 43/III/88 of 27 December, “States the general rules of constitution and functioning of International Financial Institutions in Cape Verde,” O.B. n° 52.

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Investment Code of Cape Verde of 27 December 1989.

Source: Supplement of the Official Bulletin of Cape Verde No. 27 of 13 July 1990.

Decree Law No. 108/89 of 30 December 1989 on Industrial Statute.

Source: Supplement of the Official Bulletin of Cape Verde No. 27 of 13 July 1990.

Decree-Law No. 109/89 of 30 December 1989 on Financial Institutions.

Source: Supplement of the Official Bulletin of Cape Verde No. 27 of 13 July 1990.

Decree-law n° 110/89 of 3 December 1989 “Fiscal exemptions regime for external investors of industrial sector,” O.B. n° 52.

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Law n° 50/III/89 of 13 July 1989, “Basic objectives policies, means and basic instruments and policies regarding industrial development,” O.B. n° 27.

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Law n° 52-E/90 of 4 July 1990, “Regulates the performance services of the banks and credit activities,” O.B. n° 26.

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Decree-law n° 52-F/90 of 4 July 1990, “Regulates the access to insurance services throughout the country,” O.B. n° 26

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Decree-Law n° 101-P/90 of 23 November 1990, “Regulates the legal statutes of insurance mediators,” O.B. n° 46.

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Decree-law n° 157/90 of 22 December 1990, “Defines the industrial activity and its applicability to the Industrial Statute,” O.B. n° 51.

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Law n° 102/III/90 of 29 December 1990, “Establishes the basis of Cultural Property,” O.B. n° 52
Source: Cape Verde a Virtual Portal, Invest in Cape Verde
(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).
Copyright: Law No. 101/III/90, December 1990.
Source: WIPO (<http://www.wipo.org>).

Decree-law n° 1/92 of 21 January 1992, “Approves the statutes of hotel related industry,” O.B. n° 3.
Source: Cape Verde a Virtual Portal, Invest in Cape Verde
(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Law n° 42/IV/92 of 06 April 1992, “Tourism Utility,” O.B. n° 14.
Source: Cape Verde a Virtual Portal, Invest in Cape Verde
(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Decree-law n° 24/93 of 10 May 1993, “Regulates access of marine charter activity,” O.B. n° 16.
Source: Cape Verde a Virtual Portal, Invest in Cape Verde
(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Decree-law n° 26/93 of 1 May 1993, “Defines and regulates access to the industry of marine transportation services,” O.B. n° 16.
Source: Cape Verde a Virtual Portal, Invest in Cape Verde
(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

External Investment Code Law 89/IV/93, of 13 December 1993
Source: http://virtualcapeverde.net/news2/modules/Downloads/docs/External%20Investment_Code.pdf

Law n° 92/IV/93 of 15 December 1993, “States the benefit regime applicable to export and import operations for goods and services,” O.B. n° 47.
Source: Cape Verde a Virtual Portal, Invest in Cape Verde
(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Law n° 93/IV/93 of 15 December 1993, “Private initiative operation is not forbidden to any sector,” O.B. n° 47 of 15 December.
Source: Cape Verde a Virtual Portal, Invest in Cape Verde
(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Law n° 99/IV/93 of 31 December 1993, “Approves the legal regime of free zone enterprises” O.B. n° 49.
Source: Cape Verde a Virtual Portal, Invest in Cape Verde
(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Decree-law n° 44/94 of 25 July 1994, “Institutionalizes the exchange currency agencies,” O.B. n° 27.
Source: Cape Verde a Virtual Portal, Invest in Cape Verde
(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Decree-law n° 72/94 of 12 December 1994, “Creates the venture (risks) capital,” O.B. n° 41.
Source: Cape Verde a Virtual Portal, Invest in Cape Verde
(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Decree-law n° 45/95 of 11 September 1995, “States the legal functioning of the financial leasing associations,” O.B. n° 30.
Source: Cape Verde a Virtual Portal, Invest in Cape Verde
(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Decree-law n° 70/95 of 20 November 1995, "Defines access and service performance of telecommunications on the value added regime," O.B. n° 40.

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Decree-law n° 72/95 of 20 November 1995, "Defines the management regime for the establishment and exploration of the infrastructure and services performance of complementary telecommunications," O.B. n° 40.

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Decree-law n° 13/96 of 18 March 1996, "Defines the tariffs regime and prices of services performed exclusively by the operators of public services of post-offices and telecommunications," O.B. n° 6.

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Law n° 3/V/96 of 1 July 1996, "States the general rules of constitution and functioning of banks and financial institutions," O.B. n° 20.

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Decree-law n° 51/96 of 26 December 1996, "Regulates the international shipping registration services," O.B. n° 44. Note: The National Assembly has approved a new law on International Ship Registration. It awaits publication in the Official Bulletin and regulation. The new law will revoke Decree-Law n° 51/96.

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Law n° 32/V/97 of 30 June 1997, "Alters some law-articles n° 43/III/88 of 27 December regarding the International Financial Institutions," O.B. n° 25.

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Decree-law n° 66/97 of 3 November 1997, "Regulates the specific conditions of Authorization, for the constitution or establishment and functioning of International Financial Institutions in Cape Verde," O.B. n° 42, 1st Series.

Notice n° 3/98 of 18 August 1998, "Clarifications regarding the movements of foreign accounts in escudos, foreign accounts in foreign currency, national accounts in foreign currency," O.B. n° 30.

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Decree-law n° 25/98 of 29 July 1998, "Approves the new Exchange Operation regime," O.B. n° 23.

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Decree-law n° 26/98 of 29 June 1998, "Approves the new current and capital operation regime," O.B. n° 23.

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Decree-law n° 46/98 of 7 September 1998, "Determines the pre-conditions to be observed by the entities performing as marine agents," O.B. n° 33.

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Notice n° 4/98 of 21 December 1998, “Regulates current and capital operations,” O.B. n° 47.

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Law n° 83/V/98 of 21 December 1998, “Creates free trade zones” O.B. n° 47.

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Decree-law n° 1/99 of 1 February 1999, “Establishes the price policy for goods and services,” O.B. n° 1.

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Decree-law n° 3/99 of 1 February 1999, “Total liberalization of imports,” O.B. n° 1.

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Legislative law n° 3/99 of 29 March 1999, “Approves the Code of Trade Enterprises,” O.B. n° 9.

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Decree-law n° 4/99, “States the norms for economic operations,” O.B. n° 1.

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Decree-law n° 59/99 of 27 September 1999, “Regulates registration procedures for firms,” O.B. n° 35.

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Decree-law n° 30/2000 of 10 July 2000, “Re-analyzes the legal exchange agencies regimes,” O.B. n° 21

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Decree-law n° 126/VI/2001 of 22 January 2001, “Granting of fiscal benefits to the holders of air transportation,” O.B. n° 2.

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

Decree-law n° 10/VI/2002 of 15 July 2002, “Approves the organic law of the Bank of Cape Verde,” O.B. n° 21.

Source: Cape Verde a Virtual Portal, Invest in Cape Verde

(<http://virtualcapeverde.net/news2/modules.php?name=News&file=categories&op=newindex&catid=4>).

II. International Framework

A. Cape Verde is a party to the following multilateral and regional instruments:

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Germany 1990, Portugal 1990, Austria 1991, Netherlands 1991, Switzerland 1991, Angola 1997, Cuba 1997, Italy 1997, China 1998.

2. Bilateral treaties for the avoidance of double taxation: Portugal 1999.

D. Sources of information

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Banco de Cabo Verde (www.bcv.cv).

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Foreign Investment Advisory Service (FIAS) (2000). "Providing advice on FDI in small island economies: the need for a differentiated approach?" (FIAS/PREM seminars, 17 October 2000).

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_____ (2005c). *FDI in least developed countries at a glance: 2005/2006* (UNCTAD/ITE/IIA/2005/17).

United States Trade Representative (2006). *2006 Comprehensive Report on U.S. Trade and Investment Policy Toward Sub-Saharan Africa and Implementation of the Africa Growth and Opportunity Act: The Sixth of Eight Annual Reports, May 2006*. (Washington D.C.: US Government).

World Bank/International Finance Corporation (2007). *Doing Business 2008 Cape Verde* (Washington D.C.: The World Bank Group).

Central African Republic

A. Definitions and sources of data

Data on foreign direct investment (FDI) in Central African Republic are gathered by the Banque des États de l'Afrique Centrale (BEAC). Data are also provided by the international Monetary in its balance-of-payment statistics. The Investment Code (Investment Code - No. 88-004 of 9 May 1988) governs all foreign investment in the country, including foreign direct investment (FDI). This code does not define FDI.

Central African Republic welcomes foreign investment particularly in the mining which has grown in the recent years. Alluvial diamonds are the main source of mineral income. There are many diamond companies in the country. Other companies are planning to develop deposits of silver, lead and iron in the country. In the investment code, the Ministry of Energy and Mines will be entirely responsible for issuing licenses, in an attempt to speed up license acquisition. Given the improved political stability, there is likely to be a rise in foreign investment in cotton, timber and mining.

In Central African Republic, investments must be declared unless they are reinvestment of undistributed profits. The investment code is designed to open up the country to foreign investors while complying with the treaty creating the Central African States Economic and Monetary Community. In the code, there is no sector in which foreign investors are denied national treatment in Central African Republic. Foreigners have also won a significant presence in some formerly state-dominated sectors such as telecommunications, and full ownership of businesses by foreigners is permitted. Residents and non-residents may hold foreign exchange accounts. The Government plans to privatize its share in several other public companies. But in 2005, the Central African Republic introduced an indefinite suspension of the issuance of new gold and diamond mining permits and banned foreigners from entering mining zones.

Central African Republic signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on August 26, 1965 and is a member of the Central African States Economic and Monetary Community which includes Cameroon, Chad, the Republic of Congo, Equatorial Guinea and Gabon. It is also a member of the African Union, New Partnership for Africa's Development, BEAC and is eligible for several preferential trade schemes, such as the generalized system of preferences for the least developed countries, the European Union market access scheme - the Everything But Arms initiative and is signatory to the Cotonou Agreement for renegotiating the preferential trade between the Africa, Caribbean and Pacific countries with the European Union. Central Africa Republic is a member of the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	24.3	0.0
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	37.1	0.0
3. FDI stocks, 2006	211	45
4. FDI stocks as a percentage of GDP, 2006	14.2	3.0

Source: Based on tables 3a and 4 and UNCTAD, FDI/TNC database.

Table 3a. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	..	..	5.3	5.3	..	..	..	..
1981	3.0	..	2.8	5.8	..	..	..	..
1982	3.8	0.1	5.3	9.2	0.3	..	..	0.3
1983	2.3	..	2.2	4.5	0.4	..	..	0.4
1984	1.5	0.6	3.1	5.2	0.3	..	..	0.3
1985	1.5	..	1.5	3.0	0.6	..	..	0.6
1986	2.4	..	5.8	8.2	1.3	..	..	1.3
1987	0.6	..	11.4	11.9	2.6	..	..	2.6
1988	..	..	-3.8	-3.8	4.8	..	..	4.8
1989	0.2	0.6	0.5	1.3	3.8	..	..	3.8
1990	1.0	1.1	-1.4	0.7	3.8	..	..	3.8
1991	0.4	0.0	-5.3	-4.9	3.5	..	..	3.5
1992	..	..	-10.7	-10.7	5.9	..	..	5.9
1993	..	..	-10.0	-10.0	5.3	..	..	5.3
1994	..	..	3.6	3.6	7.2	..	..	7.2
1995	0.0	6.8	-1.2	6.2	0.0	1.2	0.3	1.4
1996	0.0	1.8	9.1	10.9	0.0	1.2	0.3	1.5
1997	-0.0	3.4	-1.9	1.5	-0.1	0.7	-0.4	0.2
1998	0.1	-0.2	7.7	7.6	..	..	0.3	0.3
1999	1.2	0.4	2.2	3.8	..	..	0.0	0.0
2000	0.5	1.9	-1.5	0.8	..	..	..	0.0
2001	2.4	0.4	2.4	5.2	..	..	..	0.0
2002	-1.1	0.6	6.1	4.3	..	..	1.3	1.3
2003	..	..	..	19.4	..	..	..	0.0
2004	..	..	..	24.8	..	..	..	..
2005	..	..	..	28.6	..	..	..	..
2006	..	..	..	24.3	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the IMF for 1980-1994, the Banque Centrale des Etats de l'Afrique Centrale (BEAC) for 1995-2005, and estimate for 2006. Outflow data are from the IMF for 1982-1994 and the BEAC for 1995-2003.

Table 3b. FDI flows, by type of investment, 2000-2005
(Millions of Franc de la Communauté financière africaine)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
2000	600	..	..	..	..
2001	3 800	..	..	..	..
2002	3 000	..	..	..	..
2003	11 300	..	..	..	..
2004	13 100	..	..	..	..
2005	15 100	..	..	..	..

Source: UNCTAD, FDI/TNC database based on the Banque Centrale des Etats de l'Afrique Centrale (BEAC).

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	49.6	..	..	..	0.1
1981	55.4	..	..	..	0.1
1982	64.6	..	..	..	0.4
1983	69.0	..	..	..	0.9
1984	74.2	..	..	..	1.1
1985	77.2	..	..	..	1.7
1986	85.3	..	..	..	3.0
1987	97.2	..	..	..	5.5
1988	93.4	..	..	..	10.3
1989	94.7	..	..	..	14.1
1990	95.4	..	..	..	17.9
1991	90.5	..	..	..	21.4
1992	79.8	..	..	..	27.3
1993	69.9	..	..	..	32.6
1994	73.5	..	..	..	39.8
1995	79.7	..	..	..	41.2
1996	90.6	..	..	..	42.7
1997	92.1	..	..	..	42.9
1998	99.7	..	..	..	43.2
1999	103.5	..	..	..	43.2
2000	104.3	..	..	..	43.2
2001	109.5	..	..	..	43.2
2002	113.8	..	..	..	44.5
2003	133.2	..	..	..	44.5
2004	158.0	..	..	..	44.5
2005	186.7	..	..	..	44.5
2006	211.0	..	..	..	44.5

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock are estimated by accumulating inflows since 1970. Outward stock data are estimated by accumulating inflows since 1975.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	-	-	-	1.1	-	-	-	-	-	-	-	-
France	-	2.6	4.5	2.2	3.2	- 3.7	- 1.8	1.9	2.3	3.7	1.2	3.8
Germany	-	0.7	- 1.2	-	-	-	-	-	-	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	-	-	- 1.1	1.1	-	-	-	-	-	-	-	-
France	-	-	-	-	-	-	-	-	-	1.2	-	-
Germany	-	- 0.7	-	-	-	-	-	-	-	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	-	-	-	-	-	-	-	2.0	-
Morocco	-	-	-	-	-	-	-	2.2	2.7	2.9	2.5	2.8

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Tables. 30 and 45. Assets and sales of affiliates of United States TNCs in the Central African Republic, 1995-2006
(Millions of dollars)

Table no./Variable	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
30. Assets	1	1	2	2	..	..	..
45. Sales	3	3	4	4	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

Table 87. Largest affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company	Host economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
Gulf Trading And Export Agency	Bahrain	Wholesale trade	..	2 000
C. Finance and insurance			Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the home economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Société Centrafricaine Des Gaz Industriels S A	France	Chemicals and chemical products	..	27
B. Tertiary				
CFAO Centrafrique	France	Wholesale trade	19.6	85
C. Finance and Insurance			Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

The legal instruments adopted in the Central African Republic to regulate the activities of foreign investors at national, bilateral and multilateral levels include:

I. National framework

Code of Tax Benefits. Decree 67-72 of 30 December 1967.

Source: Official Journal of the Central African Republic of 15 February 1968.

Decree on Company Tax No. 74-0013 of 24 January 1974.

Source: Official Journal of the Central African Republic of 15 March 1974.

Ordinance No. 85-002 on Copyright.

Source: WIPO (<http://www.wipo.org>).

Investment Code - No. 88-004 of 9 May 1988 concerning the Central African Republic Investment Code - Repeals Law No. 62-355 of 19 February 1963.

Source: Official Journal of the Central African Republic of 9 May 1988.

Decree No. 88-165 of 9 May 1988 on the Legislation of Enterprises in the Central African Republic.

Source: Fiduciare France Afrique, 1994 edition. Also official copy received from PEE-French Embassy in Bangui.

Decree No. 89-103 on the implementation modalities of Law No. 88- 004 of 9 May 1988.

Source: Fiduciare France Afrique, 1994 edition. Also official copy received from PEE-French Embassy in Bangui.

Investment Guide

Source: "News", published by the Embassy of the Central African Republic, Washington, D.C., May 1989.

Finance Law 1990 providing for a tax reduction in respect of investments.

Source: Fisealite Africaine, FIDAFRICA, 1990.

II. International Framework

A. Central African Republic is a party to the following multilateral and regional instruments:

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958, which entered into force on 7th June 1959.

Customs and Economic Union of Central Africa (UDEAC) refers to the following instruments: Common Convention on Investments in the UDEAC (1965).

Joint Convention on the Freedom of Movement of Persons and the Right of Establishment in the UDEAC (1972).

Multinational Companies Code in the UDEAC (1975).

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Patents: Bangui Agreement, March 1977 (Annex I), as last amended in February 1999.

Source: WIPO (<http://www.wipo.org>).

Trade Marks: Bangui Agreement, March 1977 (Annex III), as last amended in February 1999.

Source: WIPO (<http://www.wipo.org>).

Industrial Designs: Bangui Agreement, March 1977 (Annexes II and IV), as last amended in February 1999.

Source: WIPO (<http://www.wipo.org>).

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Germany 1965, Switzerland 1973, Egypt 2000, Morocco 2006.

2. Bilateral treaties for the avoidance of double taxation: France 1969.

D. Sources of information

Official

Bank of Central African States (www.beac.int).

Secondary

Economist Intelligence Unit (EIU) (various years). *Country Profile: Central African Republic* (London: EIU Ltd.).

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United States Department of State, Bureau of African Affairs (1995). "Investment climate report: sub-Saharan Africa" (Washington D.C.: United States Department of State).

United States Trade Representative (2006). *2006 Comprehensive Report on U.S. Trade and Investment Policy Toward Sub-Saharan Africa and Implementation of the Africa Growth and Opportunity Act: The Sixth of Eight Annual Reports, May 2006.* (Washington D.C.: US Government).

World Bank (2002a). *Global Economic Prospects and the Developing Countries 2003: Investing to Unlock Opportunities* (Washington D.C.: World Bank).

_____ (2002b). *Global Development Finance: financing the poorest countries* Washington D.C.: World Bank).

World Bank/International Finance Corporation (2007). *Doing Business 2008 Central African Republic* (Washington D.C.: The World Bank Group).

Chad

A. Definitions and sources of data

The Investment Code of the Republic of Chad (Ordonance No. 25/PR/87) governs all investment in the country. This code provides no specific definition of foreign direct investment (FDI). The main agency in charge of promoting foreign investment in the country is Office de Promotion Industrielle du Tchad (OPIT). Data on the annual FDI are collected from the Banque Centrale des Etats d'Afrique Centrale (BEAC) or the Central Bank of Central Africa States. The International Monetary Fund also provided FDI data on the country in its balance-of-payments statistics, until 1994.

Chad welcomes foreign investment, places no limits on foreign ownership, and provides equal treatment to domestic and foreign investors. All investments must be reviewed and approved by the Government. Residents and non-residents may hold foreign exchange accounts with government approval. Capital transactions, payments and transfers to some countries are permitted freely while those to other countries are subject to exchange-control approval and quantitative limits. The government's investment policy does not discriminate against foreign investment.

Chad is known to have large commercially viable petroleum reserves in the Doba basin of lake Chad. Recent completion of the oil pipeline from Chad to the ports in Cameroon had significantly reduced constraint to exploring these oil reserves and lead to significant increase of FDI in the industry. Planned exploitation of the Doba oilfields is expected to further increase its economic contribution to the secondary and tertiary sectors.

Chad signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on May 12, 1966, is active in many regional integration schemes and eligible for participation in market access and trade initiatives. It is a member of the Communauté Economique et Monétaire de l'Afrique Centrale (CEMAC, named Union Douanière et Economique de l'Afrique Centrale, until 1994). CEMAC's main aim is to extend the economic integration of six Central African countries-Cameroon, Central African Republic, Chad, Congo (Brazzaville), Gabon and Equatorial Guinea which are already tied to a common currency, the CFA franc, and a monetary policy under the aegis of the BEAC. Chad is a member of African Union, New Partnership for Africa's Development, World Trade Organization and eligible for the United States' market access initiative for Africa countries - the African Growth and Opportunity Act, the Cotonou Agreement for renegotiating the partnership trade treaty between the African, Caribbean and Pacific countries with the European Union (EU) and the EU's Everything But Arms initiative.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	630.2	0.0
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	46.9	0.0
3. FDI stocks, 2006	4 482	70
4. FDI stocks as a percentage of GDP, 2006	68.5	1.1

Source: Based on tables 3a and 4 and UNCTAD, FDI/TNC database.

Table 3a. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	..	..	..	- 0.4	0.4	..	..	0.4
1981	..	..	..	- 0.1	0.1	..	..	0.1
1982	..	..	..	- 0.1	0.1	..	..	0.1
1983	..	..	..	- 0.1	0.1	..	..	0.1
1984	9.2	..	..	9.2	..	..	..	..
1985	53.7	..	..	53.7	0.3	..	..	0.3
1986	31.9	..	- 3.7	28.2	0.4	..	..	0.4
1987	8.9	..	- 0.8	8.2	8.0	..	..	8.0
1988	1.3	..	..	1.3	13.8	..	..	13.8
1989	21.9	..	- 3.1	18.7	12.6	..	..	12.6
1990	..	..	..	9.4	..	..	..	0.1
1991	4.2	..	..	4.2	10.5	..	..	10.5
1992	15.5	- 11.2	- 2.3	2.0	13.8	..	..	13.8
1993	15.2	..	..	15.2	10.9	..	..	10.9
1994	27.1	..	..	27.1	0.6	..	..	0.6
1995	- 7.6	- 15.8	56.0	32.6	..	- 2.2	- 0.2	- 2.5
1996	0.4	- 6.4	45.5	39.5	..	- 3.1	4.4	1.3
1997	1.4	3.3	39.6	44.3	..	- 0.8	1.7	0.9
1998	11.1	- 11.4	21.7	21.4	- 1.0	-	- 0.2	- 0.3
1999	6.6	- 8.8	28.8	26.6	0.0	-	2.1	- 2.1
2000	3.2	- 13.9	125.5	114.8	..	..	-	-
2001	3.9	3.4	452.6	459.9	..	..	..	..
2002	8.1	- 13.5	929.5	924.1	..	..	..	..
2003	7.3	- 302.5	1 007.9	712.7	..	..	..	..
2004	..	..	..	495.4	..	..	..	..
2005	..	..	..	612.9	..	..	..	..
2006	..	..	..	700.0	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the IMF on the basis of net direct investment for 1980-1983, IMF for 1984-1989 and 1991-1994, World Bank for 1990, the Banque Centrale des Etats de l'Afrique Centrale (BEAC) for 1995-2005, and estimate for 2006. Outflow data are from the IMF for 1985-1983, 1984-1989 and 1991-1994, proxy based on investments reported by Belgium and Luxembourg for 1990 and the BEAC for 1995-2003.

Table 3b. FDI flows, by type of investment, 2000-2005
(Millions of Franc de la Communauté financière africaine)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
2000	81 700	..	..	..	..
2001	337 100	..	..	..	..
2002	644 100	..	..	..	..
2003	414 200	..	..	..	..
2004	261 700	..	..	..	..
2005	323 300	..	..	..	..

Source: UNCTAD, FDI/TNC database based on the Banque Centrale des Etats de l'Afrique Centrale (BEAC).

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	121.4	..	..	..	1.7
1981	121.3	..	..	..	1.8
1982	121.1	..	..	..	2.0
1983	121.1	..	..	..	2.0
1984	130.2	..	..	..	2.0
1985	183.9	..	..	..	2.3
1986	212.1	..	..	..	2.7
1987	220.3	..	..	..	10.7
1988	221.5	..	..	..	24.6
1989	240.3	..	..	..	37.1
1990	249.7	..	..	..	37.2
1991	253.9	..	..	..	47.7
1992	255.9	..	..	..	61.5
1993	271.0	..	..	..	72.4
1994	298.1	..	..	..	72.9
1995	330.7	..	..	..	70.5
1996	370.2	..	..	..	71.8
1997	414.5	..	..	..	72.7
1998	435.9	..	..	..	72.4
1999	462.5	..	..	..	70.3
2000	577.2	..	..	..	70.3
2001	1 037.1	..	..	..	70.3
2002	1 961.2	..	..	..	70.3
2003	2 673.9	..	..	..	70.3
2004	3 169.2	..	..	..	70.3
2005	3 782.2	..	..	..	70.3
2006	4 482.2	..	..	..	70.3

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock are estimated by accumulating inflows since 1970. Outward stock data are estimated by accumulating inflows since 1979.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	-	-	-	-	1.1	-	-	-	-	-	-	-
China	-	-	-	-	-	-	-	-	-	-	2.7	-
France	11.8	19.2	21.4	51.1	20.2	0.9	5.4	26.4	38.4	18.6	12.4	13.8
Malaysia	-	-	-	-	-	-	-	172.2	8.9	6.5	-	-
Portugal	-	-	-	-	-	-	-	0.4	1.4	4.0	-	-
United States	-	6.0	16.0	-	-	-	-	-	-	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Denmark	-	-	-	-	-	-	-	-	-	-	-7.7	-1.8
France	-	3.8	-	-1.1	1.1	-	-	-	-	-1.2	1.2	3.8
Kazakhstan	-	-	-	-	-	0.1	-	-	-	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	-	-	-	-	-	-	-	2.7	-
Malaysia	-	-	-	-	-	-	-	172.2	181.1	187.6	434.7	-
United States	106.0	112.0	128.0	-	-	-	-	-	-	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Denmark	-	-	-	-	-	-	-	-	-	42.6	30.5	30.7

Source: UNCTAD, FDI/TNC database. Note: Data are based on information reported by Denmark.

Tables 23, 30, 35, 40, 45 and 50. Number, assets, employees, wages and salaries, sales and value added of affiliates of United States' TNCs in Chad, 1995-2006
(Number, thousands of employees and millions of dollars)

Table no./Variable	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
23. Number	..	4	4	3	2	4	6	7	10	12	..	..
30. Assets	..	133	154	..	..	534	..	..	..	5222	..	..
35. Employees	..	0.3	0.3	0.2	..	..	..	..	0.6	1.2	..	..
40. Wages and salaries	..	2	2	1	..	..	..	..	87	112	..	..
45. Sales	..	15	16	7	..	12	13	13	..	1417	..	..
50. Value added ^a	..	-7	-5	-5	..	-12	-14	-31	109	802	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Majority-owned affiliates only.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Encana International (Chad) Limited	Canada	Petroleum	..	..
B. Tertiary				
CFAO Motors Tchad	France	Wholesale trade	55.5	50
Tchad Mobile	Egypt	Telecommunications	..	71
Tchad Motors Industries SA	France	Wholesale trade	..	20
Millicom Tchad S A	Luxembourg	Telecommunications	..	14
Laborex Tchad	France	Wholesale trade	..	10
Pricewaterhousecoopers	United States	Other services	..	10
Geodis Tchad	France	Wholesale trade	..	..
C. Finance and Insurance			Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

The legal instruments for regulating foreign investment activities in Chad include:

I. National framework

Ordinance No. 025/PR/87 of 8 December 1987 concerning the Investment Code of the Republic of Chad. Together with Decree No. 446/PR7MCI/87 of 8 December 1987 on the application of incentives provided for by the Investment Code. Repeals Decree No. 156/PR of 26 August 1963.

Source: Official Publication, "Tchad-Code des Investissements-Ordonnance-Decret". Ministère du Commerce et de l'Industrie, Direction de l'Industrie et des Cooperatives. Also in Fiduciaire France Afrique, 1988-Editions.

II. International Framework

A. Chad is a party to the following multilateral and regional instruments:

Customs and Economic Union of Central Africa (UDEAC) refers to the following instruments: Common Convention on Investments in the UDEAC (1965).

Joint Convention on the Freedom of Movement of Persons and the Right of Establishment in the UDEAC (1972).

Multinational Companies Code in the UDEAC (1975).

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Patents: Bangui Agreement, March 1977 (Annex I), as last amended in February 1999.

Source: WIPO (<http://www.wipo.org>).

Trade Marks: Bangui Agreement, March 1977 (Annex III), as last amended in February 1999.

Source: WIPO (<http://www.wipo.org>).

Industrial Designs: Bangui Agreement, March 1977 (Annexes II and IV), as last amended in February 1999.

Source: WIPO (<http://www.wipo.org>). Agreement for the Promotion, Protection and Guarantee of Investment Among Member States of the Organization of Islamic Conference of 1 June 1981; entered into force on 23 September 1986.

Sources: Depository of the Agreement, Organisation of Islamic Conference, 1981. Also in UNCTAD, Division on Investment, Enterprise Development and Technology, Bilateral Investment Instruments: A Compendium (Geneva, United Nations, 1996).

Treaty for the Establishment of the Economic Community of Central African States of 18 October 1983; entered into force in December 1984.

Sources: Secretariat of the Economic Community of Central African States. Treaty for the Establishment of the Economic Community of Central African States. Libreville, 1984. Also in UNCTAD, Division on Investment, Enterprise Development and Technology, Bilateral Investment Instruments: A Compendium (Geneva, United Nations, 1996).

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Articles of Agreement of the Islamic Corporation for the Insurance of Investment and Export Credit of 19 February 1992. Entered into force on 1 August 1994.

Sources: Islamic Development Bank, "Articles of Agreement of the Islamic Corporation for the Insurance of Investment and Export Credit", (LD133/A:CI/RI/MH,C:2212/RI) (Jeddah, Islamic Development Bank, 1992). Also in UNCTAD, Division on Investment, Enterprise Development and Technology, *Bilateral Investment Instruments: A Compendium* (Geneva, United Nations, 1996).

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: France 1960, Germany 1967, Switzerland 1967, Italy 1969, Morocco 1997, Egypt 1998, Qatar 1999, Benin 2001, Burkina Faso 2001, Mali 2001, Mauritius 2001, Guinea 2004, Lebanon 2004, .

2. Bilateral treaties for the avoidance of double taxation: Qatar 1999.

D. Sources of information

Official

Banque des Etats l'Afrique Centrale (www.beac.int).
Office de Promotion Industrielle du Tchad (OPIT) (droit.francophonie.org).

Secondary

Economist Intelligence Unit (EIU) (various years). *Country Profile: Chad* (London: EIU Ltd.).

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United States Trade Representative (2006). *2006 Comprehensive Report on U.S. Trade and Investment Policy Toward Sub-Saharan Africa and Implementation of the Africa Growth and Opportunity Act: The Sixth of Eight Annual Reports, May 2006*. (Washington D.C.: US Government).

World Bank (2002). *Global Economic Prospects and the Developing Countries 2003: Investing to Unlock Opportunities* (Washington D.C.: World Bank).

World Bank/International Finance Corporation (2007). *Doing Business 2008 Chad* (Washington D.C.: The World Bank Group).

Comoros

A. Definitions and sources of data

The Investment Code of Comoros (Ordinance No. 92 on Investment of November 1992) does not provide an explicit definition of foreign direct investment (FDI). Data on FDI in Comoros are not available except those provided by the International Monetary Fund in its balance-of-payment statistics.

The Government of Comoros welcomes FDI. Lush and with regular rainfall, Comoros possesses vast rich agricultural land. As a result, agriculture is at the heart of the Comorian economy but economic growth and development have been tightly constrained by geographical isolation, the small size of the domestic market and an absence of minerals and other high-value raw materials. Its coastal waters are rich in marine wildlife, notably the coelacanth fish, fishing and marine trade, which can contribute to other small coastal economies but have been neglected.

Infrastructure is still in a poor stage of development, particularly the telecommunication facilities. The Government of Comoros is, however, adopting private sector-oriented policies to reverse the conditions of the sector. A mobile telephony service is now being provided by a company formed by a consortium of the Libyan Arab Jamahiriya Foreign Investment Company and French firms - Alcatel and SNPT. Also, the Global System for Mobile Communications network is due to come into operation in Grande Comore and Moheli.

Comoros signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on September 26, 1978 and is a member of the Common Market for Eastern and Southern Africa, the East African Community, New Partnership for Africa's Development, the African Union, the Cotonou Agreement for renegotiating the Lomé Convention between European Union (EU) and the African, Caribbean and Pacific countries, the EU market access initiative - the Everything But Arms initiative, the Southern African Development Community and the Indian Ocean Rim Association for Regional Co-operation. Comoros also qualifies for the preferential market access schemes such as the generalized system of preferences for the least developed countries. Comoros has an observer status at the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	0.8	-
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	2.4	-
3. FDI stocks, 2006	26	1
4. FDI stocks as a percentage of GDP, 2006	6.3	0.3

Source: Based on tables 3a and 4 and UNCTAD, FDI/TNC database.

Table 3a. FDI flows, by type of investment, 1982-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1982	..	..	..	0.2	-	-	-	-
1983	..	..	..	..	-	-	-	-
1984	..	..	..	..	-	-	-	-
1985	..	..	..	..	-	-	-	-
1986	..	..	..	..	-	-	-	-
1987	7.4	0.0	0.1	7.6	-	-	-	-
1988	3.7	0.1	..	3.8	-	-	-	-
1989	3.3	..	..	3.3	-	-	-	-
1990	..	0.4	..	0.4	-	-	-	1.1
1991	2.0	0.5	..	2.5	-	-	-	-
1992	..	..	..	- 1.4	-	-	-	-
1993	..	..	..	0.2	-	-	-	-
1994	..	..	..	0.2	-	-	-	-
1995	..	..	..	0.9	-	-	-	-
1996	..	..	..	0.5	-	-	-	-
1997	..	..	..	0.0	-	-	-	-
1998	..	..	..	0.4	-	-	-	-
1999	..	..	..	0.3	-	-	-	-
2000	..	..	..	0.1	-	-	-	-
2001	..	..	..	1.1	-	-	-	-
2002	..	..	..	0.4	-	-	-	-
2003	..	..	..	0.8	-	-	-	-
2004	..	..	..	0.7	-	-	-	-
2005	-	-	-	0.6	-	-	-	-
2006	-	-	-	0.6	-	-	-	-

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the OECD for 1982, 1996-1997, IMF for 1987-1995, the *IMF Country Report*, March 2004 No. 04 and 77 for 1998, the Banque Centrale des Comores for 1999-2006. Outflow data are from the IMF for 1990.

Table 3b. FDI flows, by type of investment, 2000-2006
(Millions of Comorian Franc)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
2000	50	..	..	..	..
2001	630	..	..	..	..
2002	225	..	..	..	..
2003	346	..	..	..	..
2004	266	..	..	..	..
2005	221	..	..	..	..
2006	226	..	..	..	..

Source: UNCTAD, FDI/TNC database based on the Banque Centrale des Comores, unpublished.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward Investment				Outward Investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	1.9	..	..	..	..
1981	1.9	..	..	..	..
1982	2.1	..	..	..	..
1983	2.1	..	..	..	..
1984	2.1	..	..	..	..
1985	2.1	..	..	..	..
1986	2.1	..	..	..	..
1987	9.6	..	..	..	..
1988	13.4	..	..	..	..
1989	16.7	..	..	..	..
1990	17.1	..	..	..	1.1
1991	19.6	..	..	..	1.1
1992	18.1	..	..	..	1.1
1993	18.3	..	..	..	1.1
1994	18.5	..	..	..	1.1
1995	19.4	..	..	..	1.1
1996	19.9	..	..	..	1.1
1997	19.9	..	..	..	1.1
1998	20.3	..	..	..	1.1
1999	20.6	..	..	..	1.1
2000	20.6	..	..	..	1.1
2001	21.8	..	..	..	1.1
2002	22.2	..	..	..	1.1
2003	23.0	..	..	..	1.1
2004	23.7	..	..	..	1.1
2005	24.7	..	..	..	1.1
2006	25.5	..	..	..	1.1

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock are estimated by accumulating inflows since 1978. Data on outward stock are estimated by accumulating inflows since 1990.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Mauritius	2.8	1.0	1.2	-	-	-	-	-	-	-	-	-

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by Mauritius.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Brazil	-	-	-	-	-	-	-	-	1.1	-	-	-
China	-	-	-	-	-	-	-	-	-	0.01	0.01	-

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Tables. 30 and 45. Assets and sales of affiliates of United States TNCs in Comoros, 1995-2006
(Millions of dollars)

Table no./Variable	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
30. Assets	2	..	..
45. Sales	2	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
..	
B. Tertiary				
..	
C. Finance and insurance			Assets	Employees
Banque pour l'Industrie et le Commerce du Comores	France	Finance	..	65

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

The legal instruments for regulating the activities of the transnational corporations and foreign investors in Comoros include:

I. National framework

Ordinance No. 92 on Investment of November 1992. Repeals Investment Law of 1984.
Source: Unofficial copy – Banque Internationale des Comores, Agence de Moroni, 1992.

II. International Framework**A. Comoros is a party to the following multilateral and regional instruments:**

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Charter on a Regime of Multinational Industrial Enterprises (MIEs) in the Preferential Trade Area for Eastern and Southern African States (PTA), signed on 21 November 1990, entered into force August 1995.
Source: Preferential Trade Area for Eastern and Southern African States: Report of the Sixteenth Meeting of the Council of Ministers, 17-19 November, 1990, Mbabane, Swaziland (PTA/CM/XVI/2).

Articles of Agreement of the Islamic Corporation for the Insurance of Investment and Export Credit of 19 February 1992. Entered into force on 1 August 1994.

Market for Eastern and Southern Africa (COMESA), 1993.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. **Bilateral investment treaties for the protection and promotion of investments:** Egypt 1994, Belgium / Luxembourg 2001, Burkina Faso 2001, Burundi 2001, Mali 2001, Mauritius 2001.

2. **Bilateral treaties for the avoidance of double taxation:** France 1970.

C. Other treaties:

Investment agreement for the COMESA Common Investment Area (2007).

D. Sources of information

Official

Banque Centrale des Comores.

Secondary

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Congo

A. Definitions and sources of data

The Investment Code of Congo, of March 1992, governs all foreign investments in the country. This code does not provide specific definition of foreign direct investment (FDI). Data on the annual inflows of FDI are collected by the Banque des Etats de l'Afrique Centrale (BEAC). The International Monetary Fund also provides data on FDI in the country in its balance-of-payment statistics. FDI stock data were estimated as an accumulation of flows.

FDI in Congo exists in the oil and forestry industries, but privatization has attracted some interests. The country is a substantial oil producer. Most of the oilfields are offshore and are gradually extending into deep waters. TotalFinaElf, a French company, has traditionally dominated the oil sector in Congo. Agip of Italy is the next most significant player. The United States-based companies Anadarko, CMS Nomeco, Chevron, Marathon and ExxonMobil, and the Anglo-Dutch company - Shell, are also involved in production or exploration in the oil sector in the country.

Congo also has some potential in the non-oil mineral sector. Production of diamond and gold has been restricted to artisanal mining. Rights are granted to corporation to market diamonds from areas to the border with the Central African Republic. Potash and Iron ore reserves are estimated to exist along the southern section of the Gabon frontier and access is possible through the spur of the Brazzaville-Pointe-Noire railway. A Canadian company, Magnesium Alloy Corporation has unveiled plans to develop magnesium deposits in Kouilou region, near Pointe-Noire.

Congo signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on December 27, 1978 and is a member of regional integration schemes. The most prominent ones are the BEAC, Communauté économique et monétaire de l'Afrique centrale, the Union économique et monétaire ouest-africaine, New Partnership for Africa's Development and the African Union. Congo is also an eligible member of the Cotonou Agreement for renegotiating the Lomé Convention offering a group of African, Caribbean and Pacific countries preferential trade and aid links with the European Union. Congo is signatory to the convention that established the multilateral investment guarantee agency and World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	344.1	3.5
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	30.9	0.3
3. FDI stocks, 2006	3 467	-
4. FDI stocks as a percentage of GDP, 2006	46.9	0.0

Source: Based on tables 3a and 4 and UNCTAD, FDI/TNC database.

Table 3a. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment			Outward investment				
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	4.2	6.0	29.9	40.0	..	..	..	..
1981	1.4	1.9	27.6	30.8	..	..	..	..
1982	0.9	1.3	33.2	35.3	..	..	..	..
1983	1.0	17.1	37.9	56.1	..	..	..	..
1984	1.1	2.3	31.5	34.9	..	..	..	..
1985	0.8	0.4	11.6	12.7	..	..	..	..
1986	..	2.8	19.6	22.4	..	..	..	..
1987	1.5	..	42.0	43.4	..	..	..	..
1988	..	..	9.1	9.1	..	..	..	0.3
1989	..	..	..	- 7.1	..	..	..	- 0.4
1990	..	..	..	22.6	..	..	..	3.3
1991	..	..	..	32.8	..	..	..	1.2
1992	..	..	..	2.7	..	..	..	1.5
1993	..	..	..	286.1	..	..	..	1.2
1994	..	..	..	3.0	..	..	..	- 0.5
1995	4.1	199.6	- 81.9	121.8	- 2.2	3.2	0.6	- 1.6
1996	2.6	298.0	- 228.0	72.6	0.4	..	- 0.8	- 0.4
1997	0.0	- 38.7	117.9	79.2	0.7	..	2.8	3.5
1998	7.9	- 77.4	102.2	32.8	- 6.6	..	- 1.5	- 8.1
1999	8.0	69.5	460.7	520.6	..	17.6	1.7	1.7
2000	0.1	155.8	10.0	162.1	..	..	3.9	3.8
2001	10.3	- 27.3	94.3	71.3	0.5	..	5.4	5.9
2002	..	327.6	3.5	130.6	..	..	4.2	6.2
2003	0.5	361.0	- 38.4	321.4	..	..	- 0.3	1.8
2004	4.5	305.3	- 318.4	- 13.1	..	..	..	4.5
2005	..	..	724.0	724.0	..	..	..	4.2
2006	..	..	..	344.1	..	..	..	3.5

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the Banque Centrale des Etats de l'Afrique Centrale (BEAC) for 1980-1993 and 1995-2005, OECD for 1994, and estimate for 2006. Outflow data are from the IMF for 2004, proxy based on investments reported by Belgium and Luxembourg and France for 1988-1994 and the BEAC for 1995-2003. 2005-2006 data are estimates.

Table 3b. FDI flows, by type of investment, 2000-2005
(Millions of Franc de la Communauté financière africaine)

Year	Inward investment			Outward investment				
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
2000	115 400	..	..	..	..
2001	52 300	..	..	..	..
2002	91 000	..	..	..	..
2003	186 800	..	..	..	..
2004	- 6 900	..	..	..	..
2005	381 900	..	..	..	..

Source: UNCTAD, FDI/TNC database based on the Banque Centrale des Etats de l'Afrique Centrale (BEAC).

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	314.8	..	..	..	..
1981	345.7	..	..	..	..
1982	381.0	..	..	..	..
1983	437.1	..	..	..	..
1984	472.1	..	..	..	..
1985	484.8	..	..	..	..
1986	507.2	..	..	..	..
1987	550.6	..	..	..	..
1988	559.7	..	..	..	..
1989	552.6	..	..	..	..
1990	575.2	..	..	..	..
1991	607.9	..	..	..	..
1992	610.7	..	..	..	..
1993	896.7	..	..	..	..
1994	899.7	..	..	..	..
1995	1 021.5	..	..	..	..
1996	1 094.1	..	..	..	..
1997	1 173.3	..	..	..	..
1998	1 206.0	..	..	..	..
1999	1 726.7	..	..	..	..
2000	1 888.8	..	..	..	..
2001	1 960.1	..	..	..	..
2002	2 090.7	..	..	..	..
2003	2 412.1	..	..	..	..
2004	2 399.0	..	..	..	..
2005	3 123.0	..	..	..	..
2006	3 467.2	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock are estimated by accumulating inflows since 1970.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	-	-	-	2.2	-	14.7	-	-	-	-	-	-
China	-	-	-	-	-	-	-	-	-	0.5	8.1	-
Denmark	-	-	-	-	-	-	-	-	-	-	-2.3	1.3
France	-84.1	2.6	-10.1	166.8	-79.9	243.2	220.1	198.6	251.7	147.8	415.4	421.5
Germany	-	1.3	1.7	2.8	-	-	-10.7	0.9	-1.1	-	-	-
Netherlands	13.7	14.4	-	-	25.6	-	-	-	-	-	-	-
Portugal	-	0.1	-	-	-0.0	-0.0	0.0	0.0	-0.0	-0.1	-	-
United States	-	-	-1.0	15.0	97.0	-48.0	-8.0	5.0	-70.0	16.0	-63.0	128.0

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	-	-	-	-	13.9	3.7	-	-	-	-	-	-
Bulgaria	-	-	-	-	0.1	-	-0.0	-	0.0	-	-0.0	-
Cyprus	-	-	-	-	-	-	-	-	0.0	-	0.1	-
France	1.3	3.8	3.4	-7.8	4.3	6.4	4.5	3.8	2.3	7.5	13.7	7.5
Portugal	-	-	-	-	-	-0.0	-	-	-	-	-	-
United States	-	-	-	-	-1.0	-1.0	-1.0	1.0	-	-5.0	1.0	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	-	-	-	-	-	-	5.7	13.3	-
Denmark	-	-	-	-	-	-	-	-	-	0.5	1.4	2.6
Germany	12.6	9.6	-	-	-	-	8.8	-	-	-	-	-
Morocco	-	-	-	-	-	-	-	-	-	2.1	1.8	2.0
Portugal	-	0.0	0.0	0.1	0.1	0.1	0.1	0.1	0.1	-	-	-
United States	-	72.0	79.0	108.0	222.0	133.0	126.0	116.0	45.0	102.0	75.0	184.0

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Bulgaria	-	-	-	-	0.1	0.1	-0.0	-	0.0	-	0.0	0.0
United States	-	-	-	-	-	-1.0	-2.0	-	-	-5.0	-4.0	-4.0

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Germany	..	..	3	3	..	..	..	..	..	..	..	..
Italy	1	..	1	..	1	..	..	..	..	..	..	..
United States	6	7	6	5	5	6	8	9	9	8	9	8

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 30. Assets of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004
(Millions of dollars)

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Germany	..	..	69.8	..	..	..	..	..	..	..	..	..
United States	468	369	307	186	177	..	1 264	1 280	1 331	1 263	1 429	1 331

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 35. Employment of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004

(Thousands of employees)

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Belgium	..	..	..	..	..	..	..	..	6.3	5.8	5.0	..
Germany	..	..	1.0	1.0	..	..	..	..	..	..	..	..
Italy	0.3	..	0.4	..	0.4	..	..	..	..	..	..	..
United States	0.1	0.1	0.1	0.1	0.1	0.2	0.2	0.2	0.2	0.2	0.4	0.5

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 40 and 50. Wages and salaries and value added of affiliates of United States TNCs in Congo, 1993-2004

(Millions of dollars)

Table no./Variable	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
40. Wages and salaries	..	4	4	6	5	5	7	4	5	5	14	19
50. Value added ^a	..	34	46	35	17	-7	134	299	173	180	198	244

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States. ^a Majority-owned affiliates only.

Table 45. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004

(Millions of dollars)

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Germany	..	..	69.8	132.9	..	..	..	..	..	..	..	..
Italy	402.1	..	408.0	..	358.2	..	..	..	..	..	..	..
United States	..	94.0	70.0	67.0	..	123.0	243.0	357.0	244.0	235.0	304.0	430.0

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 87. Largest affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company Name	Host economy	Industry	Sales	Employees
A. Industrial				
Congolaise de Raffinage	Dem. Rep. Congo	Petroleum	..	1 200
B. Tertiary				
Auto Transport Compagnie	Dem. Rep. Congo	Wholesale trade	..	40
C. Finance and insurance				
..	..	..	Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Zetah Maurel And Prom Congo Sarl	France	Petroleum	2	43 ^a
Societe Congolaise Industrielle De Bois S A	Germany	Wood and wood products	..	1 700
Elf Congo S A	France	Petroleum	..	730
Société Industrielle Et Agricole Du Tabacs Tropical SA	France	Food products, beverages and tobacco	..	10
C M S Nomeco Inc	United States	Electricity, gas and water	..	5
Bj Services Company France Sarl	United States	Machinery and equipment	..	..
K.G.H.M. Congo S P R L	Poland	Mining and quarrying	..	..
Scgi	France	Petroleum	..	..
Shell Republique Democratique De Congo	United Kingdom	Petroleum	..	..
Societe Congolaise De Petrole Shell	United Kingdom	Manufacture of petroleum	..	..
B. Tertiary				
Celtel Congo (Rdc) Sprl	Kuwait	Telecommunications	80	..
SHO Congo Sa	France	Distributive trade	16	60 ^a
Enterprise Generale Malta Forrest Sprl	Belgium	Construction	..	..
Score Congo S A	Monaco	Wholesale trade	..	75
Afrimtransit	France	Other services	..	..
Armorgroup Site Logistics Sprl	United Kingdom	Other services	..	..
Auto One	France	Other business activities	..	..
Auxeltra Beton	France	Construction	..	..
Basf Coatings (Pty.) Ltd.	Germany	Public administration	..	..
Batipont Zaire S A R L	Belgium	Wholesale trade	..	..
Bivac Rdc Sprl	France	Public administration	..	..
Cegelec	France	Telecommunications	..	..
Cimcongo Sa	Norway	Wholesale trade	..	..
Compagnie Forestiere Africaine S A	Denmark	Public administration	..	..
Congo Handling	France	Air transport	..	..
Dimon Congo Sprl	Spain	Wholesale trade	..	..
Edtv	France	Construction	..	..
Inalca Kinshasa Sprl	Italy	Agriculture and hunting	..	..
International Metal Factors Ltd	United Kingdom	Public administration	..	..
Saga Congo	France	Supporting transport activities	..	..
C. Finance and insurance				
..	..	..	Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

^a 2006.

C. Legal frameworks for transnational corporations

In the Congo, many legal instruments exist at national, bilateral and multilateral levels to regulate the activities of the transnational corporations and foreign investors. The key among these instruments include the following:

I. National framework

Mining legislation Law 29-62 of June 1962, as amended by Decree No. 23/82 of July 7, 1982, and Decree No. 86/814 of June 11, 1986.

Source: The Mineral Industry Of Congo (Brazzaville), By George J. Coakley (<http://minerals.usgs.gov/minerals/pubs/country/1997/cf97.pdf>).

Copyright: Law No. 24/82, July 1982.

Source: WIPO (<http://www.wipo.org>).

Decree 14-89 of 21 April 1989.

As amended by Finance Law, 1994.

Source: General Tax Code, Articles 16.111 and 261. Also in FDI Africa, Congo, 1994.

Investment Code of Congo of March 1992, repeals Investment Code of Congo of 1982.

Source: Recueil des Lois, Assemblée Nationale Populaire de la République Populaire du Congo, Session du Premier Semestre 1992.

Hydrocarbon Law 24/94 of August 23, 1994.

Source: The Mineral Industry Of Congo (Brazzaville), By George J. Coakley <http://minerals.usgs.gov/minerals/pubs/country/1997/cf97.pdf>

II. International Framework**A. The Republic of Congo is a party to the following multilateral and regional instruments:**

Customs and Economic Union of Central Africa (UDEAC): Common Convention on Investments in the UDEAC (1965); Joint Convention on the Freedom of Movement of Persons and the Right of Establishment in the UDEAC (1972); Multinational Companies Code in the UDEAC (1975).

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Joint Convention on the Freedom of Movement of Persons and the Right of Establishment in the Central African Customs and Economic Union of 22 September 1972.

Patents: Bangui Agreement, March 1977 (Annex I), as last amended in February 1999.

Source: WIPO (<http://www.wipo.org>).

Trade Marks: Bangui Agreement, March 1977 (Annex III), as last amended in February 1999.

Source: WIPO (<http://www.wipo.org>).

Industrial Designs: Bangui Agreement, March 1977 (Annexes II and IV), as last amended in February 1999.

Source: WIPO (<http://www.wipo.org>).

Treaty for the Establishment of the Economic Community of Central African States of 18 October 1983; entered into force in member 1984.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: France 1960, Switzerland 1962, Germany 1965, United Kingdom 1989, United States 1990, Italy 1994, China 2005, South Africa 2005, Tunisia 2005, Korea, Republic of 2006.

2. Bilateral treaties for the avoidance of double taxation: United Kingdom 1976, France 1987.

D. Sources of information

Official

Banque des Etats de l'Afrique Centrale (www.beac.int).

Secondary

Economist Intelligence Unit (EIU) (various years). *Country Profile: Democratic Republic of Congo* (London: EIU Ltd.).

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Congo, Democratic Rep. of

A. Definitions and sources of data

Data on the annual foreign direct investment (FDI) in the Democratic Republic of Congo (DRC) are gathered from the tapes provided by the Organization for Economic Cooperation and Development, Development Assistance Committee and International Development Statistics On-line databases. The country does not provide FDI statistics. The International Monetary Fund does not provide data on FDI in the country in its balance-of-payment statistics either. The Investment Code of (Ordinance-Law No. 86-028 of 1986) of the DRC (former Zaire) does not define FDI, specifically.

The investment climate in the DRC is improving. Rampant company nationalizations that were instituted in the 1970's and the two wars fought in the country during the past years have caused a sharp drop in economic activities. Large reserve of natural resources has kept the economy going and attracted some FDI. The formal economy is dominated by copper and cobalt mining, with exploiting of diamonds. Also, there is timber in the Equateur province, immense hydroelectric potential in Bas-Congo, gold and coffee in Oriental and Nord-Kivu. The mining industry is strapped for cash and in serious need of new investment.

DRC also has extensive energy resources including hydroelectric potential estimated at 100,000 megawatts. The Inga dam alone, on the Congo River, possesses potential capacity of 40,000-45,000 megawatts, enough to supply Southern Africa's electricity needs. Only a fraction of this amount has been developed at Inga. Production is estimated at no more than 650-750 megawatts, largely because two-thirds of the turbines are not working. The country exports hydroelectricity to Congo (Brazzaville) and South Africa through the Southern African electricity grid. A proposal has been developed to increase production at Inga and export this to the region. A South African utility company, Eskom, has been involved in rehabilitating the Inga dam for this goal.

The Government of DRC signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on October 29, 1968, cooperates with many African countries and considers regional integration as an important for its economic success. The country participates in integration schemes such as: the Communauté Economique et Monétaire de l'Afrique Centrale, the Union Economique et Monétaire Ouest-Africaine, Southern African Development Community, New Partnership for Africa's Development and the African Union. DRC is also an eligible member of the Cotonou agreement for renegotiating the Lomé Convention offering a group of African, Caribbean and Pacific countries preferential trade and aid links with the European Union and the United States market access initiative for African countries - the African Growth and Opportunity Act. DRC is signatory to the convention that established the multilateral investment guarantee agency and a member of the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	67.3	-
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	7.4	-
3. FDI stocks, 2006	1 086	-
4. FDI stocks as a percentage of GDP, 2006	12.7	-

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	109.6	..	..	..	..
1981	69.6	..	..	..	..
1982	- 2.4	..	..	..	..
1983	- 192.8	..	..	..	..
1984	- 32.5	..	..	..	..
1985	69.2	..	..	..	..
1986	5.6	..	..	..	..
1987	- 55.1	..	..	..	..
1988	- 3.9	..	..	..	..
1989	- 6.1	..	..	..	..
1990	- 14.5	..	..	..	..
1991	12.4	..	..	..	..
1992	- 0.7	..	..	..	..
1993	6.9	..	..	..	0.9
1994	- 1.5	..	..	..	..
1995	- 22.4	..	..	..	0.2
1996	24.8	..	..	..	19.3
1997	- 44.4	..	..	..	17.2
1998	61.3	..	..	..	- 1.2
1999	11.3	..	..	..	- 1.1
2000	23.4	..	..	..	- 1.8
2001	82.0	..	..	..	0.9
2002	117.0	..	..	..	- 1.9
2003	158.0	..	..	..	0.1
2004	9.9	..	..	..	- 0.1
2005	- 78.6	..	..	..	..
2006	180.0	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the OECD for 1980-2000 and 2004-2005; *IMF Country Report*, April 2004 No. 04/97 for 2001-2003 and estimate for 2006. Outflows are proxy data based on investments reported by the following economies:

1993 and 1995, France.

1996, Belgium and Luxembourg and France.

1997, Belgium and Luxembourg, France and the United States.

1998, Belgium and Luxembourg and the United States.

1999-2001, Belgium and Luxembourg.

2002, Belgium.

2003, Portugal.

2004, Cyprus.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	709.2	..	..	..	..
1981	778.9	..	..	..	..
1982	776.5	..	..	..	..
1983	583.7	..	..	..	..
1984	551.3	..	..	..	..
1985	620.4	..	..	..	..
1986	626.0	..	..	..	..
1987	570.9	..	..	..	..
1988	567.0	..	..	..	..
1989	560.9	..	..	..	..
1990	546.4	..	..	..	..
1991	558.8	..	..	..	..
1992	558.1	..	..	..	..
1993	564.9	..	..	..	..
1994	563.4	..	..	..	..
1995	541.1	..	..	..	..
1996	565.9	..	..	..	..
1997	521.5	..	..	..	..
1998	582.9	..	..	..	..
1999	594.1	..	..	..	..
2000	617.5	..	..	..	..
2001	699.5	..	..	..	..
2002	816.5	..	..	..	..
2003	974.5	..	..	..	..
2004	984.4	..	..	..	..
2005	905.8	..	..	..	..
2006	1 085.8	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Note: Inward stock data are estimated by accumulating inflows since 1970.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium	-	-	-	-	-	-	-	-7.5	-	-	2.5	-
Belgium/Luxembourg	-2.7	10.4	6.8	-	1.1	4.6	2.7	-7.5	-	-	2.5	-
China	-	-	-	-	-	-	-	-	0.1	11.9	5.1	-
France	-	-	-	-	20.2	-	-	-	-	-	-	2.5
Germany	-27.9	28.6	-4.6	1.1	-	-	-7.2	-5.6	-9.0	-6.2	-7.5	-8.8
Netherlands	-	-	-	8.9	10.7	-	-	-	-	-	-	-
Portugal	-	0.1	0.0	-	-0.3	-	-	-	-0.1	0.1	-	-
Korea, Republic of	-	0.1	-	-	-	-	0.5	1.5	0.1	0.0	-	-
Sweden	-	-	-	-	-	11.9	-	-	-	-	-	-
United States	-5.0	2.0	-39.0	58.0	-37.0	-11.0	-16.0	-36.0	-26.0	-7.0	-12.0	-9.0

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium	-	-	-	-	-	-	-	-2.8	-	-	-	-
Belgium/Luxembourg	-	19.5	6.8	-2.2	-1.1	-1.8	0.9	-2.8	-	-	-	-
Bulgaria	-	-	-	-	-	-	-0.0	-	-	-	-	-
Cyprus	-	-	-	-	-	-	-	-	-	-0.1	-	-
Denmark	-	-	-	-	-	-	-	-	-	-	-14.7	-3.5
France	-	-	9.0	-	-5.3	-	-	-	-	3.7	7.5	-1.3
Germany	-	-0.7	-	-	-	-	-	-	-	-	-	-
Portugal	-	0.0	0.0	0.0	-	-	-	0.0	0.1	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	-	-	-	-	-	0.2	15.7	25.1	-
Germany	39.8	52.7	32.9	12.0	-	-	-	-	-	-	-	-
Portugal	-	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	-	-	-
Korea, Republic of	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	-
United States	65.0	66.0	28.0	77.0	101.0	102.0	96.0	70.0	55.0	61.0	60.0	62.0

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Denmark	-	-	-	-	-	-	-	-	-	81.6	58.5	58.8
Portugal	-	0.1	0.1	0.2	0.1	0.1	0.1	0.2	0.3	-	-	-
United States	-	-	2.0	2.0	2.0	2.0	2.0	-	-	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1995-2004

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Germany	6	6	5	4	..	..	..	..	..	..
Italy	2	..	2	..	..	..	..	..	..	..
United States	9	9	9	8	7	8	8	8	8	4

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 30. Assets of affiliates of foreign TNCs in the host economy, by geographical origin, 1995-2004
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Germany	69.8	64.3	55.8	59.8	..	..	..	..	..	..
United States ^a	326	386	470	189	184	236	213	232	336	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

^a Data refer to majority-owned affiliates only.

Table 35. Employment of affiliates of foreign TNCs in the host economy, by geographical origin, 1995-2004
(Thousands of employees)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Belgium	..	..	..	..	..	..	0.2	0.5	0.5	..
Germany	2.0	2.0	2.0	2.0	..	..	..	..	..	..
Italy	0.9	..	0.8	..	..	..	..	..	..	..
United States ^a	1.1	..	0.4	0.4	0.4	0.4	0.2	0.2	0.2	0.4

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

^a Data refer to majority-owned affiliates only.

Tables 40 and 50. Wages and salaries and value added of affiliates of United States TNCs in the Democratic Republic of Congo, 1995-2004
(Millions of dollars)

Table no./Variable	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
40. Wages and salaries	14.0	6.0	7.0	6.0	6.0	9.0	10.0	6.0
50. Value added ^a	71.0	31.0	24.0	51.0	31.0	53.0	96.0	42.0

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Table 45. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1995-2004
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Germany	69.8	66.5	..	..	..	..	..	..	..	..
Italy	22.1	..	18.2	..	..	..	..	..	..	..
United States ^a	..	..	..	87.0	106.0	160.0	129.0	123.0	139.0	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

^a Data refer to majority-owned affiliates only.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars and number)

Company	Industry	Sales	Employment
A. Industrial			
..
B. Tertiary			
Vodacom Congo	Telecommunication	0.21	..
C. Finance and Insurance			
..	..	Assets	..

Source: Jeune Afrique Hors-serie No. 14, 2007.

^a 2004.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company Name	Home economy	Industry	Sales	Employees
A. Industrial				
Agip Recherches Congo (Brazzaville) S A	Italy	Petroleum	..	300
Perenco Rdc	France	Petroleum	35	3000
Brasseries, Limonaderies Et Malteries Sarl	Switzerland	Food products, beverages and tobacco	15.153	50357
Utexafrica S A R L	Belgium	Precision instruments	11.727	1850
Bat Congo Sarl	United Kingdom	Food products, beverages and tobacco	..	80655
Tabacongo Sarl	United Kingdom	Food products, beverages and tobacco	..	70948
Societe Miniere Du Congo	Canada	Mining and quarrying	..	70000
Congolaise De Raffinage S A	Congo	Petroleum	..	1700
Agip Recherches Congo (Brazzaville) S A	Italy	Petroleum	..	1200
Agip Congo S A	Italy	Petroleum	..	500
Eni Congo S A	Italy	Petroleum	..	500
Societe Congolaise Industrielle De Bois Sa	Germany	Wood and wood products	..	5
B. Tertiary				
Vodacom Congo Rdc Sprl	South Africa	Telecommunications	250	..
Groupement D' Enterprises De Transport Maritime Et Ariens	France	Supporting transport activities	118.075	10
Tractafic Congo Sprl	France	Wholesale trade	25	120
Sait Telecom S P R L	Egypt	Telecommunications	16.8	120
Congo Korea Telecom S A R L	Rep. of Korea	Telecommunications	5	150
Agence Afrcaine De Distribution De Materiel Sarl	France	Distributive trade	..	..
Celitel Congo Sa	Kuwait	Telecommunications	..	900
Foberd Congo S A R L	Cameroon	Wholesale trade	..	250
Auto Transport Compagnie S A	Congo	Wholesale trade	..	40
Laborex Congo S A	France	Wholesale trade	..	20
E G A B	Belgium	Construction	..	..
Iveco S.P.R.L.	Italy	Wholesale trade	..	..
Totalfinaelf E & P Congo S A	France	Public administration	..	..
C. Finance and Insurance			Assets	Employees
Banque Commerciale Du Congo Sarl	Belgium	Finance	..	310

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

The Democratic Republic of Congo has adopted a number of legal instruments at national, bilateral and multilateral levels to regulate the activities of transnational corporations and foreign direct investors in the country. The key instruments include the following:

I. National framework

Corporations: Décret du 23 Juin 1960 sur les sociétés commerciales.

Land Property: Loi n° 80-008 du 18 Juillet 1980 modifiant et complétant la loi n° 73-021 du 20 juillet 1973 portant régime général des biens, régime foncier et immobilier et régime des sûretés.

Source : *Journal Officiel de la RDC, Numéro 15 du 1er Août 1980.*

Ordinance-Law No. 81-010 creating a Free Zone Regime of Industrial Development; effective on 2 April 1981. Amendment: Ordinance Law No. 83-008, effective on 21 February 1983.

Source: Journal Officiel de la République du Zaïre, 15 April 1981.

Administration of the INGA Free Zones Regime, Ordinance Law No. 81-066; effective on 30 April 1981. Amendment: Ordinance No. 83-060; effective on 21 February 1983.

Source: Journal Officiel de la République du Zaïre, 1 May 1981.

Protection of Industrial property :- Loi n° 001 de 07 Janvier 1982 régissant la propriété industrielle.

Source : CEPI, Législation et réglementation économiques et commerciales, 3ème éd., Kinshasa 2003, Ordonnance n° 89-173 du 31 Août 1989 portant mesures d'exécution de la Loi n° 001 de 07 Janvier 1982 régissant la propriété industrielle. *Source* : CEPI, Législation et réglementation économiques et commerciales, 3ème éd, Kinshasa 2003.

Appellations of Origin / Geographical Indications / Indications of Source: Law No. 82-001, January 1982, as above, under Patents (Geographical and Commercial Denominations: arts. 153 to 163).

Source: WIPO (<http://www.wipo.org>).

Industrial Designs: As above, under Patents, Law No. 82-001, (Industrial Designs: arts 106 to 126).

Source: WIPO (<http://www.wipo.org>).

The Investment Code of Zaïre, Ordinance-Law No. 86-028; effective on 5 April 1986.

Source: Journal Officiel de la République du Zaïre, Numéro special, April 1986.

Copyright: Ordonnance-Loi No. 86-033 d'avril 1986 portant protection des droits d'auteur et des droits voisins. Legislative Ordinance No. 86-033, April 1986.

Source: WIPO (<http://www.wipo.org>).

Patents : Ordonnance-loi n° 86-033 du 5 Avril 1986 portant Protection des droits d'auteurs et des droits voisins.

Source : *Journal Officiel de la RDC, Numéro spécial, Avril 1986.*

Ordonnance No. 89-173 d'août 1989 portant mesures d'exécution de la Loi No. 82-001. Ordinance No. 89-173, August 1989, implementing Law No. 82-001.

Source: WIPO (<http://www.wipo.org>).

The Investment Code, Law n° 004/2002, of February 21, 2002.

Source: Journal Officiel de la RDC, Numéro 6, 15 mars 2002

The Mining Code, Law n° 007/2002 of July 11, 2002.

Source: Journal Officiel de la RDC, Numéro Spécial du 15 juillet 2002

The Forest Code, Law n° 011/2002, of August 29, 2002.

Source: Journal Officiel de la RDC, Numéro Spécial du 31 Août 2002

The Labour Code, Law n° 015/2002, of October 16, 2002.

Source: Journal Officiel de la RDC, Numéro Spécial du 25 Octobre 2002

Exchange: New Regulation of exchange of February 13, 2003

II. International Framework

A. Democratic Republic of Congo is a party to the following multilateral and regional instruments:

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958, which entered into force on 7th June 1959.

Convention on the Settlement of Investment Disputes between States and Nationals of others States of 1965, entered into force on 14 October 1966.

Treaty for the Establishment of the Economic Community of Central African States (ECCAS), 1982

Investment Code of the Economic Community of the Great Lakes Countries (CEPGL); 1982.

Convention Establishing the Multilateral Investment Guarantee Agency (MIGA) of 1985, entered into force on 12 April 1988.

Fourth ACP-EEC Convention (Lomé IV) of 1989, entered into force on 1st March 1990.

[Southern Africa Development Community \(SADC\), signed on 17 August, 1992.](#)

Source: http://www.sadc.int/about_sadc/history.php

Common Market for Eastern and Southern Africa (COMESA) in 1994. Replaced the Preferential Trade Area for Eastern and Southern Africa (PTA).

Source: http://www.comesa.int/about/Multi-language_content.2007-06-14.1154/en

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Agreement establishing the Trade Insurance Agency in Africa of 18 May 2000.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Germany 1969, France 1972, Switzerland 1972, United States 1984, Israel 1985, , Greece 1991, China 1997, Egypt 1998, Jordan 2004, South Africa 2004, Belgium / Luxembourg 2005, Korea, Republic of 2005, Italy 2006.

2. Bilateral treaties for the avoidance of double taxation: Spain 1969, South Africa 2005.

C. Other treaties:

Investment agreement for the COMESA Common Investment Area (2007).

D. Sources of information

Official

Banque Central du Congo (www.bcc.cd).

Secondary

Economist Intelligence Unit (EIU) (various years). *Country Profile: Democratic Republic of Congo* (London: EIU Ltd.).

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Côte d'Ivoire

A. Definitions and sources of data

Data on foreign direct investment (FDI) in Côte d'Ivoire can be obtained from the Banque Centrale des Etats de l'Afrique de l'Ouest. Additional data are provided by the International Monetary Fund in its balance-of-payments statistics. The Code of Investment (Law No 95-620 of 3 August 1995) does not provide specific definition of FDI.

The Government of Côte d'Ivoire encourages FDI, especially the type that contributes to the country's economic development. It provides exemption from tax and custom duties for such investors. There are no significant limits on foreign investment or difference in the treatment of foreign and national investors in terms of level of foreign ownership or sector of investment. Investments from outside the Franc zone require government approval. Purchases of real estate are permitted, but they must be reported to the government if they involve investment in an enterprise, branch, or corporation. The government must approve foreign exchange accounts and transfers to countries other than France, Monaco, West African Economic and Monetary Union (WAEMU), members of the Central African Economic and Monetary Community and Comoros. Other transfers are subject to many requirements, controls, and authorization depending on the transaction.

Besides oil reserves, Côte d'Ivoire has fertile agricultural land. The area is rich for producing oil palm, coconut, pineapple and banana plantations, and important rubber plantations. Further inland and to the west, occupying much of the southern half of the country, are the rich forest lands, where mostly cocoa and coffee are grown with domestic food staples such as rice, cassava, plantain, yams and maize. The infrastructure in the country is improving. The telecommunications industry has experienced extremely rapid growth since the granting of a first GSM license and the government's sale of the national telecommunications company, Citelcom, to France Télécom. By 2001, Côte d'Ivoire Télécom was operating thousand of lines, much higher than at the time of privatization. There are three mobile-phone companies operating in the country: Société ivoirienne de mobiles (SIM, otherwise known as Ivoiris), pan-African Telecel, and Cora de Comstar.

Ties with the rest of the world are good. The Côte d'Ivoire signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on June 30, 1965 and is a member of other regional integration schemes. Among them are WAEMU, which imposes a common external tariff, the African Union, New Partnership for Africa's Development and the Economic Community of West African States. The country is eligible for the Cotonou Agreement for re-negotiating the trade partnership agreement between the African, Caribbean and Pacific countries with the European Union. Côte d'Ivoire is member of the Multilateral Investment Guarantee Agency and the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	253.4	- 3.9
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	16.4	- 0.3
3. FDI stocks, 2006	4 155	43
4. FDI stocks as a percentage of GDP, 2006	24.0	0.2

Source: Based on tables 3a and 4a and UNCTAD, FDI/TNC database.

Table 3a. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	3.3	65.8	25.6	94.7	..	..	..	..
1981	2.2	19.1	11.4	32.8	..	..	..	..
1982	2.1	13.4	32.0	47.5	..	..	..	..
1983	1.8	8.4	27.3	37.5	..	..	..	..
1984	2.5	9.4	9.8	21.7	..	..	..	..
1985	1.6	20.3	7.4	29.2	..	..	..	..
1986	1.2	47.1	22.5	70.8	..	..	..	0.2
1987	3.7	59.2	24.6	87.5	..	..	..	0.1
1988	0.7	46.0	5.0	51.7	..	..	..	0.4
1989	3.5	17.9	- 2.8	18.5	..	..	..	5.7
1990	..	31.2	16.9	48.4	..	..	..	..
1991	..	17.0	- 0.7	18.5	..	..	..	..
1992	..	21.5	- 252.4	69.1	..	..	..	..
1993	29.3	17.7	41.0	175.2	..	..	..	..
1994	4.9	11.2	62.0	117.5	..	..	..	1.5
1995	62.6	93.6	55.3	211.8	..	..	..	7.0
1996	116.9	60.2	92.1	269.2	..	..	..	0.4
1997	276.9	61.9	76.6	415.5	..	..	..	49.4
1998	219.2	84.7	76.2	380.0	..	..	..	- 28.9
1999	..	..	..	323.7	..	..	..	- 6.3
2000	135.1	84.3	15.3	234.7	..	..	..	7.9
2001	144.4	79.9	48.3	272.7	..	..	..	- 5.2
2002	106.3	84.2	22.1	212.6	..	..	..	- 4.2
2003	119.7	99.3	- 53.6	165.4	..	..	..	23.2
2004	221.4	105.4	- 43.8	283.0	..	..	..	- 25.5
2005	195.1	107.2	9.6	311.9	..	..	..	- 7.4
2006	..	..	..	253.4	..	..	..	- 5.9

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the IMF for 1980-1989, the Banque Centrale de l'Afrique de l'Ouest (BCEAO) for 1990-2005 and estimate for 2006. Outflow data are proxy data for 1986-1989, 1994-1995 and 1997-1998, based on the IMF for 1996, the BCEAO for 1999 and 2005 and estimate by applying the difference in stock for 2000-2004. Proxy data are based on investments reported by the following economies: 1986-1987, Belgium and Luxembourg; 1988-1989 and 1994, Belgium and Luxembourg and France; 1995, France and the United States; 1997, France and Germany and 1998, France.

Table 3b. FDI flows, by type of investment, 1999-2005
(Millions of Franc de la Communauté financière africaine)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1999	..	..	..	199 288	..	..	..	- 3 909
2000	96 217	59 985	10 900	167 102	..	..	..	..
2001	105 839	58 605	35 441	199 885	..	..	..	..
2002	74 088	58 664	15 414	148 166	..	..	..	..
2003	69 576	57 725	- 31 176	96 125	..	..	..	..
2004	116 968	55 657	- 23 131	149 494	..	..	..	..
2005	102 925	56 548	5 056	164 529	..	..	..	- 3 909

Source: UNCTAD, FDI/TNC database based on the Banque Centrale de l'Afrique de l'Ouest (BCEAO), unpublished.

Table 4a. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1980	529.9	..	..	..	..
1981	562.7	..	..	..	..
1982	610.1	..	..	..	..
1983	647.7	..	..	..	..
1984	669.4	..	..	..	..
1985	698.6	..	..	..	..
1986	769.3	..	..	..	0.2
1987	856.8	..	..	..	0.3
1988	908.5	..	..	..	0.7
1989	927.0	..	..	..	6.4
1990	975.4	..	..	..	6.4
1991	994.0	..	..	..	6.4
1992	1 063.0	..	..	..	6.4
1993	1 238.2	..	..	..	6.4
1994	1 355.7	..	..	..	7.9
1995	1 567.5	..	..	..	14.9
1996	1 836.7	..	..	..	15.3
1997	2 252.1	..	..	..	64.7
1998	1 858.2	..	..	..	35.8
1999	1 905.1	7.2	..	- 6.4	0.8
2000	2 483.2	7.5	..	1.1	8.7
2001	2 164.4	4.0	..	- 0.5	3.5
2002	2 812.4	5.4	..	- 6.1	- 0.7
2003	3 572.1	20.2	..	2.2	22.5
2004	4 162.8	10.4	..	- 13.5	- 3.0
2005	3 901.3	34.6	..	14.5	49.0
2006	4 154.7	..	..	..	43.2

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on Inward stock prior to 1998 are estimated by accumulating inflows since 1970. 1998 are based on the IMF. 1999-2005 are based on the Banque Centrale de l'Afrique de l'Ouest (BCEAO). 2006 is estimated by adding flows to the 2005 stock. Outward stock data prior to 1999 are estimated by accumulating outflows since 1986. 1999-2005 are based on the BCEAO. 2006 is estimated by adding flows to the 2005 stock.

Table 4b. FDI stocks, by type of investment, 1999-2005
(Millions of Franc de la Communauté financière africaine)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1999	1 243 963	4 695	..	- 4 162	533
2000	1 750 500	5 315	..	810	6 125
2001	1 610 950	3 000	..	- 388	2 612
2002	1 759 115	3 379	..	- 3 813	- 434
2003	1 855 240	10 515	..	1 155	11 670
2004	2 004 734	5 025	..	- 6 491	- 1 466
2005	2 169 262	19 217	..	8 048	27 265

Source: UNCTAD, FDI/TNC database based on the Banque Centrale de l'Afrique de l'Ouest (BCEAO), unpublished.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006

(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	1.4	2.6	- 1.1	-	-	23.0	13.4	-	- 3.4	-	-	-
China	-	-	-	-	-	-	-	-	0.6	6.8	8.7	-
Denmark	-	-	-	-	-	-	-	-	-	-	- 5.2	0.5
France	21.0	28.2	171.9	- 41.1	63.9	- 64.5	98.4	- 19.8	14.7	54.6	27.4	64.0
Germany	6.3	- 0.7	3.5	- 5.7	-	-	9.8	- 1.9	- 13.5	-	7.5	- 3.8
Netherlands	-	-	-	- 2.2	- 9.6	-	-	-	-	-	-	-
Sweden	-	-	-	-	- 0.1	-	-	-	-	-	-	-
Switzerland	4.9	13.3	11.3	35.2	- 17.3	- 27.5	- 3.6	- 59.6	2.7	- 12.9	- 1.4	56.2
United States	3.0	41.0	67.0	41.0	8.0	- 8.0	- 64.0	40.0	20.0	29.0	53.0	- 22.0

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006

(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium	-	-	-	-	-	-	-	-	1.1	-	-	-
France	23.7	37.2	50.6	- 28.9	41.6	2.8	1.8	37.6	5.6	5.0	3.7	37.6
Germany	-	-	- 0.6	-	-	-	-	-	-	-	-	-
Romania	-	-	-	-	-	-	-	-	-	1.2	-	-
United States	2.0	- 2.0	-	-	-	-	-	- 1.0	- 1.0	- 27.0	-	- 5.0

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006

(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Canada	-	-	-	11.1	-	-	-	-	-	-	-	-
China	-	-	-	-	-	-	-	-	8.1	14.1	29.1	-
Denmark	-	-	-	-	-	-	-	-	-	13.2	6.6	8.1
Germany	14.0	14.1	14.0	14.9	25.1	26.1	24.7	23.1	35.4	30.0	35.4	-
Morocco	-	-	-	-	-	-	-	0.9	1.2	1.0	0.2	0.2
Portugal	-	0.0	0.1	0.2	0.2	0.2	0.2	0.2	0.1	-	-	-
Korea, Republic of	0.4	0.4	35.0	35.5	35.8	35.8	36.0	36.3	37.9	39.6	42.5	-
Switzerland	72.8	89.3	83.0	73.7	71.4	68.9	69.9	43.6	76.3	128.7	92.4	122.3
United States	48.0	93.0	167.0	254.0	206.0	194.0	136.0	184.0	215.0	249.0	304.0	298.0

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006

(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
France	354.8	100.2	104.1	124.8	134.6	136.8	137.5	181.4	223.6	203.0	194.7	-
Latvia	-	-	-	-	-	-	-	-	0.3	-	-	-
United Rep. of Tanzania	-	-	-	0.6	-	-	-	-	-	-	-	-
United States	1.0	-	-	-	-	-	-	- 1.0	- 3.0	- 30.0	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	8	8	7	6	5	9	7	7	3	4	3	4
Italy	..	11	..	10	..	..	..	..	..	..	..	..
Republic of Korea	..	..	1	2	3	3	3	3	3	3	3	3
United States	11	11	11	13	10	10	9	13	15	14	10	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 30. Assets of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005
(Millions of dollars)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	..	69.8	64.3	55.8	59.8	100.5	93.1	88.1	..	..	..	..
United States	..	164.0	178.0	319.0	297.0	384.0	320.0	374.0	490.0	483.0	477.0	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 35. Employment of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005
(Thousands of employees)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Belgium	..	..	..	..	..	..	..	0.7	0.7	0.6	..	..
Germany	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	..	..	1.0	1.0
Italy	..	2.6	..	2.5	..	..	..	..	..	..	..	..
Switzerland	1.2	1.3	1.9	2.1	2.5	2.2	2.9	2.4	2.3	2.2	2.1	2.2
United States	0.7	0.7	0.7	0.8	0.5	1.4	1.5	1.9	2.3	2.3	2.5	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 40 and 50. Wages and salaries and value added of affiliates of United States TNCs in Côte d'Ivoire, 1994-2005
(Millions of dollars)

Table no./Variable	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
40. Wages and salaries	20	23	24	28	10	15	18	26	41	43	40	..
50. Value added ^a	68	73	54	68	50	83	70	110	148	259	226	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States. ^a Majority-owned affiliates only.

Table 45. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005
(Millions of dollars)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	61.6	69.8	66.5	57.7	56.8	106.5	92.1	89.5	94.1	..	124.2	80.4
Italy	..	126.0	..	117.3	..	..	..	..	..	..	..	..
United States	..	187	217	267	199	291	316	616	891	1 252	1 061	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars)

Company	Industry	Sales
A. Industrial		
Société Ivoirienne de Raffinage(SIR)	Chemical and chemical products	1 853
Compagnie Ivoirienne d'Électricité(CIE)	Electricity/gas/water	450 ^a
Groupe Sifca	Agro-Industry	245
Unilever Côte d'Ivoire	Cosmetics	237 ^a
Total Côte d'Ivoire	Petroleum expl./ref./distr.	232 ^a
ADM Cocoa Sifca	Agro-Industry	192
Sté Limonaderies Brasseries d'Afrique(SOLIBRA)	Food products, beverages and tobacco	183
Shell Côte d'Ivoire	Petroleum expl./ref./distr.	144 ^a
Petroci Holding	Petroleum expl./ref./distr.	142 ^a
Société Ivoirienne des Tabacs	Tobacco	131 ^a
UNICAO	Agro-Industry	120
COSMIVOIRE	Agro-Industry	109 ^a
SOTACI	Metals and metal products	106 ^a
Ivoire Coton	Agro-Industry	96
Sté Tropicale d'Engrais et Prod. Chimiques	Chemical and chemical products	90
B. Tertiary		
Industrial promotion Services(IPS WA)	Diversified Group	277 ^a
Orange Côte d'Ivoire	Telecommunications	217
Outspan Ivoire	Import-Export	171
Nestlé Côte d'Ivoire	Diversified Group	151 ^a
Groupe CFAO Côte d'Ivoire	Diversified Group	139
Sté Ivoirienne de Promo. De Supermarchés	Retail trade	134
Sté Ivoirienne d'Opérations Maritimes(SIVOM)	Ports Management	129 ^a
Cie Ivoirienne de Promo. Pour l'Exportation(CIPEX)	Import-Export	127
SDV Côte d'Ivoire	Maritime Transportation	102 ^a
Saga Côte d'Ivoire	Maritime Transportation	83 ^a
C. Finance and insurance		
..	..	Assets ..

Source: Jeune Afrique Hors-serie No. 14, 2007.

^a 2004.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Société Africaine De Cacao Sa	Switzerland	Food, beverages and tobacco	963.0	400
Nestle Côte d'Ivoire Sa	Switzerland	Food, beverages and tobacco	951.2	836
Société D Etude Et De Developpement De La Culture Bananiere SA	France	Agriculture and hunting	756.8	..
Société Des Conserves Côte d'Ivoire S A	Italy	Food, beverages and tobacco	140.6	400
Syngenta Côte d'Ivoire Sa	Switzerland	Chemicals and chemical products	102.7	27
Cnr International (Côte d'Ivoire) Sarl	Canada	Petroleum	10.4	47
Unilever Côte d'Ivoire Sa	United Kingdom	Food, beverages and tobacco	0.001	750
A J Seward Côte d'Ivoire S A	United Kingdom	Chemicals and chemical products	..	1 044
Uniwax S A	United Kingdom	Chemicals and chemical products	..	800
Société Africaine De Produits Chimiques Et De Synthese S A	United Kingdom	Chemicals and chemical products	..	743
Bayer Cropsience Côte d'Ivoire S A	Germany	Chemicals and chemical products	..	312
Ivoirienne De Peintures Et Laques S A	Luxembourg	Chemicals and chemical products	..	300
Société Hydrochem Côte d'Ivoire S A	Norway	Chemicals and chemical products	..	290
Synenta Côte d'Ivoire S A	Switzerland	Chemicals and chemical products	..	200
Colgate Palmolive Côte d'Ivoire S A	United States	Chemicals and chemical products	..	200
Société Ivoirienne De Cables S A	France	Electrical and electronic equipments	..	173
Unilever	United Kingdom	Food, beverages and tobacco	..	170
Peche Et Froid Côte d'Ivoire S A	France	Food, beverages and tobacco	..	140
Cemoi Côte d'Ivoire S A	France	Food, beverages and tobacco	..	120
Société Africaine De Produits Alimentaires S A	France	Food, beverages and tobacco	..	113
Compagnie Ivoirienne De Produits Alimentaires Sa	Monaco	Food, beverages and tobacco	..	100
B. Tertiary				
Daf Ci Sa	France	Wholesale trade	333.0	70
Star Auto S A	Germany	Wholesale trade	267.5	260
Compagnie Francaise De L'Afrique Occidentale S A	France	Wholesale trade	185.1	..
Texaco Côte d'Ivoire	United States	Wholesale trade	86.2	77
Cidp Ci	France	Wholesale trade	76.5	80
Afripa Telecom Côte d'Ivoire S A	United States	Telecommunications	50.0	175
Friedlander (Ci) Sarl	France	Other services	49.2	35
Société Ivorienne D Electrification Sa	France	Construction	10.2	150
Union Des Impressions De Wax En Côte d'Ivoire S A	United Kingdom	Textiles and clothing	0.1	714
Nedlloyd Lines	Netherlands	Supporting transport activities	..	1 850
Orange Côte d'Ivoire S A	France	Telecommunications	..	850
Saga C I	France	Public administration	..	747
Côte d'Ivoire Telecom S A	France	Telecommunications	..	700
Loteny Telecom S A	Mauritania	Telecommunications	..	600
Semag Matforce S A R L	Belgium	Wholesale trade	..	510
C. Finance and insurance			Assets	Employees
Standard Chartered Bank Côte d'Ivoire Sa	United Kingdom	Finance	96.6	90
Ste Generale De Banques En Côte d'Ivoire S A	France	Finance	..	1 000
Banque Internationale Pour Le Commerce Et L' Industrie S A	France	Finance	..	1 000
Société Ivoirienne De Banque S A	France	Finance	..	565
Ecobank Côte d'Ivoire Sa	Togo	Finance	..	235

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

The legal instrument for the regulation of the activities of transnational corporations and foreign direct investment in Côte d'Ivoire include a range of national, bilateral and international measures. They are as follows:

I. National framework

Decree No. 64-292 of 1 August 1964 involving accounting rules for commercial enterprises.

Source: Official Gazette of 20 August 1964.

Labour Law No. 64-290 of 1 August 1964.

Source: Official Gazette of 17 April 1964.

Law No. 70-489 of 3 August 1970 which sets forth the Petroleum Code.

Source: Official Gazette of 12 August 1970, p. 1275.

Law No. 73-368 of 26 July 1973 on the Private Investment Regime in the Tourist Industry.

Source: ICSID, p. 63 (French) and p. 67 (English translation).

Decree No. 73-401 of 22 August 1973 implementing Law No. 73-368.

Source: Ministère de l'Economie, des Finances et du Plan, "La Côte d'Ivoire en Chiffre", Edition 1970-80, Abidjan, pp. 314-315.

Law No. 84-1238 of 8 November 1984 concerning export grants for products manufactured in Côte d'Ivoire.

Source: Official Gazette of 22 November 1984, p. 616.

Law No. 90- 589 of 25 July 1990 regulating Banking in Côte d'Ivoire.

Source: FIDAfrica-Core d'Ivoire 1990.

Code of Investment-Law No 95-620 of 3 August 1995, repeals Law No. 84-1230 of 8 November 1984.

Sources: Ministry of Industry and Trade, Investir en Côte d'Ivoire - Code des Investissements. Not published in the Journal Officiel de la République de Côte d'Ivoire at the date of the present publication. Also in CEPICI-27/10/95, August 1995.

Copyright: Loi No. 96-564, sur la protection des oeuvres de l'esprit et aux droits des auteurs, des artistes-interprètes et des producteurs de phonogrammes et vidéogrammes, juillet 1996. Law No. 96-564, July 1996.

Source: WIPO (<http://www.wipo.org>).

II. International Framework

A. Côte d'Ivoire is a party to the following multilateral and regional instruments:

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958, which entered into force on 7th June 1959.

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Patents: Bangui Agreement, March 1977 (Annex I), as last amended in February 1999.

Source: WIPO (<http://www.wipo.org>).

Industrial Designs: Bangui Agreement, March 1977 (Annexes II and IV), as last amended in February 1999.

Source: WIPO (<http://www.wipo.org>).

Trade Marks: Bangui Agreement, March 1977 (Annex III), as last amended in February 1999.

Source: WIPO (<http://www.wipo.org>).

Bangui Agreement, March 1977 (Annex VII), as last amended in February 1999.

Source: WIPO (<http://www.wipo.org>).

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Revised Treaty of the Economic Community of West African States (ECOWAS) signed 24 July 1993.

Source: <http://www.worldtradelaw.net/fta/agreements/ecowasfta.pdf>.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Switzerland 1962, Netherlands 1965, Sweden 1965, Germany 1966, Italy 1969, Tunisia 1995, United Kingdom 1995, Ghana 1997, Belgium/Luxembourg 1999, China 2002.

2. Bilateral treaties for the avoidance of double taxation: France 1966, Belgium 1977, Norway 1978, Germany 1979, Italy 1982, Canada 1983, United Kingdom 1985, Switzerland 1987, Tunisia 1999, Morocco 2006.

D. Sources of information

Official

Banque Centrale des Etats de l'Afrique de l'Ouest (www.bceao.int)

Secondary

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World Bank/International Finance Corporation (2007). *Doing Business 2008 Côte d'Ivoire* (Washington D.C.: The World Bank Group).

Djibouti

A. Definitions and sources of data

According to the Chambre Internationale de Commerce et d'Industrie de Djibouti, there is no official definition of foreign direct investment (FDI). The country's Investment Code of 1988 (Law 88/AN/84), however, contains a general definition of foreign investment. Data on FDI in the country were obtained from Banque Centrale de Djibouti.

In Djibouti inward FDI is allowed without restriction except for small crafts industries. The government grants equal treatment to investments regardless of origin. In principle there is no screening of investment or other discriminatory mechanisms. Particular sectors, most notably public utilities, are state-owned and not open to investors. The Finance Ministry issues a license only to investors that possess an approved investor visa. Djibouti has no restrictions on foreign exchange or on the inflow and outflow of cash. Residents and non-residents may hold foreign exchange accounts and there are no restrictions on payments or transfers.

Djibouti belongs to many regional integration schemes. It has vigorously promoted the seven-member Intergovernmental Authority on Development. It is also a member of the Common Market for Eastern and Southern Africa, African Union, New Partnership for Africa's Development and an eligible member of the United States' market access for African countries - the African Growth and Opportunity Act initiative, the Cotonou Agreement for renegotiating the partnership trade agreement between the African, Caribbean and Pacific countries with the European Union (EU) and the Everything But Arms initiative. Djibouti is among the 34 African least developed countries that have the option of entering the EU generalized system of preferences and is a member of the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	45.8	-
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	42.5	-
3. FDI stocks, 2006	230	-
4. FDI stocks as a percentage of GDP, 2006	30.0	-

Source: Based on tables 3a and 4a and UNCTAD, FDI/TNC database.

Table 3a. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	0.2	..	..	..	..
1981	0.0	..	..	..	..
1982	- 0.1	..	..	..	..
1983	- 0.1	..	..	..	..
1984	0.2	..	..	..	..
1985	0.2	..	..	..	..
1986	1.2	..	..	..	..
1987	0.4	..	..	..	..
1988	0.6	..	..	..	..
1989	- 0.1	..	..	..	..
1990	0.1	..	..	..	..
1991	2.3	..	..	..	..
1992	2.3	..	..	..	..
1993	1.4	..	..	..	..
1994	1.4	..	..	..	..
1995	3.2	..	..	..	..
1996	3.3	..	..	..	..
1997	2.4	..	..	..	..
1998	3.5	..	..	..	..
1999	4.2	..	..	..	..
2000	3.3	..	..	..	..
2001	3.4	..	..	..	..
2002	3.5	..	..	..	..
2003	14.2	..	..	..	..
2004	38.5	..	..	..	..
2005	22.2	..	..	..	..
2006	108.3	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics). Data are from the OECD for 1980-1987 and 1989-1990; World Bank for 1998 and the Banque Centrale de Djibouti for 1991-2006.

Table 3b. FDI flows, by type of investment, 2003-2005
(Millions of Djibouti Franc)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
2003	2 528	..	..	..	..
2004	6 850	..	..	..	..
2005	3 946	..	..	..	..

Source: UNCTAD, FDI/TNC database based on the Banque Centrale de Djibouti.

Table 4a. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	10.2	..	..	..	..
1981	10.2	..	..	..	..
1982	10.2	..	..	..	..
1983	10.1	..	..	..	..
1984	10.3	..	..	..	..
1985	10.6	..	..	..	..
1986	11.8	..	..	..	..
1987	12.2	..	..	..	..
1988	12.8	..	..	..	..
1989	12.7	..	..	..	..
1990	12.7	..	..	..	..
1991	15.0	..	..	..	..
1992	17.3	..	..	..	..
1993	18.8	..	..	..	..
1994	20.2	..	..	..	..
1995	23.4	..	..	..	..
1996	26.7	..	..	..	..
1997	29.1	..	..	..	..
1998	32.5	..	..	..	..
1999	36.8	..	..	..	..
2000	40.1	..	..	..	..
2001	43.4	..	..	..	..
2002	46.9	..	..	..	..
2003	61.2	..	..	..	..
2004	99.7	..	..	..	..
2005	121.9	..	..	..	..
2006	230.2	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics). Data prior to 2003 are estimated by subtracting inflows from the stock of 2003. 2003-2006 are based on the Banque Centrale de Djibouti.

Table 4b. FDI stocks, by type of investment, 2003-2005
(Millions of Djibouti Franc)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
2003	10 868	..	..	..	..
2004	15 188	..	..	..	..
2005	18 554	..	..	..	..

Source: UNCTAD, FDI/TNC database based on the Banque Centrale de Djibouti.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
France	-	23.1	25.8	16.7	16.0	10.1	16.1	18.8	14.7	13.7	21.1	17.6
Germany	-	-	-	0.6	-	-	-	-	-	-	-	-
United States	-	-	-	-	-	-	-1.0	-1.0	-1.0	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
France	-	-	-	-	-	-	-	2.8	-	-	5.0	-2.5
Germany	-	-	0.6	-1.1	-	-	-	-	-	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Brazil	-	-	-	-	-	-	-	-	-	11.5	-	-
China	-	-	-	-	-	-	-	-	-	0.4	0.4	-
United States	-	-	-	-	9.0	8.0	7.0	7.0	6.0	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Tables 23, 30, 35, 40, 45 and 50. The number, assets, employment, wages and salaries, sales and value added of affiliates of United States TNCs in Djibouti, 1995-2006
(Number, thousands of employees and millions of dollars)

Table no.	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
23. Number	1	1	1	1	1	1	1	1	2	1	..	..
30. Assets	..	15	15	15	..	..	..	..	..	..	..	..
35. Employment	0.1	0.1	0.1	0.1	..	..	..	..	..	..	..	..
40. Wages and salaries	2.0	2.0	2.0	2.0	..	..	..	..	..	..	..	..
45. Sales	..	24.0	25.0	22.0	..	..	..	..	..	..	..	..
50. Value added ^a	3.0	4.0	4.0	4.0	..	..	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Majority-owned affiliates only.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
DHL Worldwide Express Inc.	Germany	Air transport	..	..
China State Construction Engineering Corporation	China	Construction	1.4	120
Anciens Comptoirs Ries S A R L	Panama	Distributive trade	2.9	37
Shell Djibouti S A	United Kingdom	Wholesale trade	..	87
Société De Transit Et De Commerce S A R L	Switzerland	Wholesale trade	23.7	20
Red Sea Automotive Sazf	United Kingdom	Wholesale trade	..	8
C. Finance and insurance			Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

The legal instruments for the regulation of the activities of transnational corporations and foreign investors at national, bilateral and multilateral levels in Djibouti include:

I. National framework

Law No. 52/AN/78 of 9 January 1979 concerning territorial sea, contiguous zone. EEZ, maritime boundaries and fishing

Source: <http://www.fao.org/docrep/V9982E/v9982e16.htm>

Ordinance No. 80-018/PR of 14 February 1980 together with Ordinance No. 82-71/PR of July 1982 on the Limited Liability Companies in the Free Zone.

Source: Republique de Djibouti. Chambre Internationale de Commerce et d'Industrie de Djibouti.

Law No. 2121AN/82 of 18 January 1982 establishing Code of Maritime Affairs

Source: <http://www.fao.org/docrep/V9982E/v9982e16.htm>

Law No. 2517AN71982 on the Social and Economic Orientations of the Republic of Djibouti.

Source: Marches Tropicaux, Fourth Trimester of 1982.

Investment Code. Law 88/AN/84. 1er. L. of 13 February 1984 concerning the Investment Code. *Source:* Official Journal of the Republic of Djibouti of 29 February 1984.

Law 65/AN/94. 3eme. L. concerning the Regime for Industrial Free Zones.

Source: Official Journal of the Republic of Djibouti of 7 December 1994.

Restrictive Law on Port Operations, 2003.

Source: <http://www.ethioguide.com/aa-ethioguide/ethioguide/Fortune/Fortune%2049.htm>

II. International Framework**A. Djibouti is a party to the following multilateral and regional instruments:**

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958, which entered into force on 7th June 1959.

Convention Establishing the Inter-Arab Investment Guarantee Corporation of May 1971. Entered into force in April 1974.

Agreement for the Promotion, Protection and Guarantee of Investment Among Member States of the Organization of Islamic Conference of 1 June 1981; entered into force on 23 September 1986.

Unified Agreement for the Investment of Arab Capital in the Arab States of 1982.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Charter on a Regime of Multinational Industrial Enterprises (MIEs) in the Preferential Trade Area for Eastern and Southern African States (PTA), signed on 21 November 1990, entered into force August 1995.

Source: Preferential Trade Area for Eastern and Southern African States: Report of the Sixteenth Meeting of the Council of Ministers, 17-19 November, 1990, Mbabane, Swaziland (PTA/CM/XVI/2).

Articles of Agreement of the Islamic Corporation for the Insurance of Investment and Export Credit of 19 February 1992. Entered into force on 1 August 1994.

Treaty Establishing the Market for Eastern and Southern Africa (COMESA), 1993.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Treaty for the Establishment of the East African Community, 30 November 1999.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Egypt 1998, Malaysia 1998, Switzerland 2001, China 2003, India 2003, Italy 2006.

2. Bilateral treaties for the avoidance of double taxation: ..

C. Other treaties:

Investment agreement for the COMESA Common Investment Area (2007).

D. Sources of information

Official

Ministry of Finance (www.ministere-finances.dj).

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Egypt

A. Definitions and sources of data

The Egyptian Investment Code (Investment Law No. 230/1989) does not provide an explicit definition of foreign direct investment (FDI). The code, however, defines foreign capital as the invested funds owned by a natural person enjoying the nationality of a foreign country except the Arab countries, or by a juridical person of which the majority of the capital is owned by persons enjoying the nationality of a foreign country. The Central Bank of Egypt and the General Authority for Free Zones and Investment (GAFI) provide data on FDI in the country. The International Monetary Fund also provides FDI data in its balance-of-payment statistics.

Historically petroleum attracted a large bulk of FDI into Egypt, although privatization and liberalization that picked up in the 1990s have prompted FDI in a range of industries such as cement, telecommunications and tourism. The Government of Egypt has completed the sale of many public enterprises slated for privatization but the programme is still on-going. The government plans to accelerate the programme in the "strategic" areas, including telecommunications and other utilities (for example, the Egyptian Electricity Authority).

FDI continues to be at the heart of the economic strategy for sustaining high growth rates. GAFI, a one-stop shop for foreign investors in Egypt was incorporated into the Ministry of Economy and Foreign Trade in October 1999. The Egyptian Government implemented Law 8 of 1997 to help foreign investment by creating a unified and clear package of guarantees and incentives. The Investment Code amended in 1995 has ended pre-incorporation approval and replaced it with a notification requirement for investment, directing investment to targeted economic sectors and promoting decentralization of industry from crowded geographical areas. The law allows full foreign ownership and guarantees the right to remit income earned in Egypt and to repatriate capital. Other key provisions include: the guarantee against confiscation, sequestration and nationalization; the right to own land; the right to maintain foreign currency bank accounts; freedom from administrative attachment; the right to repatriate capital and profits; and equal treatment regardless of nationality. Under this law, approval is nearly automatic for specified sectors. The Egyptian legal system provides protection for real and personal property, but laws on real estate ownership are complex and titles to real property may be difficult to set up.

Egypt signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on February 11, 1972 and association agreements with many countries and regional groupings. It has signed the Euro-Mediterranean Association Agreement with the European Union (EU). This agreement will improve bilateral relations with its largest trading partner, raise Egyptian exports to EU and encourage EU investment into Egypt. Progressive elimination of all tariffs on over a third of Egypt's imports will significantly increase competition in domestic markets, resulting in lower costs and promoting productivity gains in local industries. Egypt has bilateral treaties with Albania, Argentina, Belgium-Luxembourg, China, Czech Republic, Finland, France, Germany, Greece, Hungary, Indonesia, Italy, Japan, Kazakhstan, Republic of Korea, Morocco, Netherlands, Poland, Romania, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Tunisia, Turkmenistan, Uganda, Ukraine, United Kingdom, United States, Uzbekistan and Federal Republic of Yugoslavia. Egypt is a member of the Arab Maghreb Union, African Union, New Partnership for Africa's Development, Multilateral Investment Guarantee Agency and the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	4 453.3	105.0
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	27.2	0.6
3. FDI stocks, 2006	38 925	1 116
4. FDI stocks as a percentage of GDP, 2006	36.4	1.0

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	548.3	..	..	..	7.0
1981	752.6	..	..	..	6.0
1982	293.6	..	..	..	8.0
1983	490.0	..	..	..	19.0
1984	729.1	..	..	..	16.0
1985	1 177.6	..	..	..	3.0
1986	1 217.4	..	..	..	6.0
1987	947.7	..	..	..	19.0
1988	1 190.0	..	..	..	12.0
1989	1 250.2	..	..	..	22.6
1990	734.0	..	..	..	12.0
1991	253.0	..	..	..	62.0
1992	459.0	..	..	..	4.0
1993	1 206.5	..	..	..	25.0
1994	1 133.4	..	..	..	62.3
1995	595.2	..	..	..	34.2
1996	636.4	..	..	..	4.9
1997	886.9	..	..	..	165.9
1998	1 075.5	..	..	..	45.5
1999	1 065.3	..	..	..	37.5
2000	1 235.4	..	..	..	51.2
2001	509.9	..	..	..	12.4
2002	646.9	..	..	..	27.8
2003	237.4	..	..	..	20.7
2004	2 157.4	..	..	..	158.9
2005	5 375.6	..	..	..	92.0
2006	10 042.8	..	..	..	148.4

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data are from the IMF for 1980-1989 and the Central Bank of Egypt thereafter. The petroleum sector is included in FDI inflows statistics as of the third quarter of 2004.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward Investment				Outward Investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	2 260.4	..	..	..	39.0
1981	3 013.0	..	..	..	45.0
1982	3 306.5	..	..	..	53.0
1983	3 796.5	..	..	..	72.0
1984	4 525.7	..	..	..	88.0
1985	5 703.2	..	..	..	91.0
1986	6 920.7	..	..	..	97.0
1987	7 868.4	..	..	..	116.0
1988	9 058.4	..	..	..	128.0
1989	10 308.6	..	..	..	150.6
1990	11 042.6	..	..	..	162.6
1991	11 295.6	..	..	..	224.6
1992	11 754.6	..	..	..	228.6
1993	12 961.1	..	..	..	253.6
1994	14 094.5	..	..	..	315.9
1995	13 354.6	..	..	..	350.1
1996	13 991.0	..	..	..	355.0
1997	16 578.0	..	..	..	520.9
1998	17 654.0	..	..	..	566.4
1999	18 719.0	..	..	..	603.9
2000	19 955.0	..	..	..	655.1
2001	20 465.0	..	..	..	667.5
2002	21 111.5	..	..	..	695.7
2003	21 348.9	..	..	..	716.4
2004	23 506.3	..	..	..	875.3
2005	28 881.9	..	..	..	967.3
2006	38 925.0	..	..	..	1 115.7

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock prior to 1995 are estimated by accumulating inflows since 1970. 1995 and 2002-2006 are based on the Central Bank of Egypt. 1996-2001 are estimated by adding inflows to the stock of 1995. Outward stock prior to 1997 are estimated by accumulating outflows since 1977. Data are based on the Central Bank of Egypt thereafter.

Table 5. FDI flows in the host economy, by industry, 2000-2006
(Millions of dollars)

Sector / industry	2000	2001	2002	2003	2004	2005	2006
Total	13 084
Primary	4 934
Agriculture, hunting, forestry and fishing	30
Mining, quarrying and petroleum	4 905
Petroleum	4 905
Secondary	1 055
Tertiary	5 029
Construction	61
Transport, storage and communications	2 353
Transport and storage	429
Supporting and auxiliary transport activities	429
Activities of travel agencies and tour operators	429
Post and communications	1 924
Telecommunications	1 924
Finance	2 315
Business activities	39
Real estate	39
Unspecified	2 067

Source: Central Bank of Egypt.

Notes: Data refer to fiscal years ending March. Petroleum in the primary sector refers to oil and gas. Telecommunications refer to communications and IT. Activities of tour operators and travel agencies refer to tourism. 2006 data are provisional.

Table 6. FDI flows in the host economy, by geographical origin, 1996-2006
(Millions of dollars)

Region / economy	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total world	1 691	510	532	892	435	4 135	9 098	13 084
Developed countries	1 243	490	524	869	278	2 977	7 589	8 807
Europe	780	202	365	588	48	854	3 025	4 111
European Union	758	196	363	584	43	813	2 944	4 061
Austria	-	-	-	-	-	-	2	2
Belgium	-	-	-	-	4	-	-	9
Luxembourg	-	-	-	-	8	-	-	1
Cyprus	-	-	-	-	-	-	6	3
Denmark	-	-	-	-	-	-	1	3
France	62	0	208	61	0	339	566	37
Germany	26	25	18	27	11	42	114	97
Greece	-	-	-	1	-	26	140	22
Italy	-	-	3	1	-	16	20	1 631
Netherlands	-	-	-	289	2	219	8	40
Portugal	486	-	39	-	-	117	-	-
Spain	4	-	84	178	-	5	361	7
Sweden	-	-	-	-	-	-	-	1
United Kingdom	179	129	12	28	17	50	1 725	2 210
Other developed Europe	23	6	2	4	5	41	81	50
Norway	-	-	-	-	-	1	2	0
Switzerland	23	6	2	4	5	40	78	49
North America	463	288	159	279	230	2 050	4 554	4 686
Canada	3	11	-	1	1	10	1	5
United States	460	277	159	278	229	2 040	4 554	4 681
Other developed countries	-	-	-	2	1	72	11	10
Australia	-	-	-	-	-	12	6	9
Japan	-	-	-	2	1	60	4	1
Developing economies	441	12	4	15	152	249	559	3 373
Africa	-	-	-	-	-	-	4	21
Libyan Arab Jamahiriya	-	-	-	-	-	-	4	21
Tunisia	-	-	-	-	-	-	-	1
Latin America and the Caribbean	340	-	-	-	-	-	-	-
Mexico	340	-	-	-	-	-	-	-
Asia	101	12	4	15	152	249	555	3 352
West Asia	101	12	4	15	152	214	552	3 339
Bahrain	65	0	-	1	14	30	66	19
Jordan	-	-	-	2	1	1	9	4
Kuwait	2	4	3	9	18	17	73	25
Lebanon	-	-	-	-	15	21	234	11
Oman	-	-	-	-	96	70	-	1
Qatar	-	-	-	-	1	2	6	3
Saudi Arabia	5	2	1	4	4	32	99	204
Turkey	-	-	-	-	-	0	1	9
United Arab Emirates	30	6	-	-	3	41	63	3 050
South, East and South-East Asia	-	-	-	-	-	35	4	13
China	-	-	-	-	-	-	1	8
India	-	-	-	-	-	9	-	4
Korea, Republic of	-	-	-	-	-	7	-	-
Singapore	-	-	-	-	-	19	3	-
Taiwan Province of China	-	-	-	-	-	1	-	-
South-East Europe and the CIS	-	-	-	-	-	-	11	-
Romania	-	-	-	-	-	-	11	-
Unspecified	8	8	4	7	4	909	939	905

Source: Central Bank of Egypt

Notes: Data refer to fiscal years ending March. 2006 data are provisional.

Table 21. The number of foreign affiliates of home-based transnational corporations, by geographical location abroad, 1993-2005

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Albania	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	5
Armenia	..	..	..	..	..	..	..	..	..	6	..	..	..	..	..	..
Germany	3	..	4	3	3	3	3	3	4	..	..	..	..	..	..	..
United States	10	10	6	6	6	6	5	4	4	4	4	4	1	1	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2005

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	20	20	21	19	16	21	22	24	31	42	52	55	43	39	43	49
Italy	..	5	..	5	..	6	..	7	..	..	..	..	..	..	..	..
Republic of Korea	..	..	..	..	..	..	4	7	7	7	7	8	9	10	11	10
United States	67	66	67	59	58	57	61	64	62	62	58	59	60	59	58	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 30. Assets of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2005
(Millions of dollars)

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	335	330	248	174	194	279	257	391	777	804	837	793	..	..	..	..
United States	3146	2705	2555	2 666	2 723	2 893	3 621	3 828	5 063	5 672	6 314	6 951	7 109	8 111	10 009	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 35. Employment of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2005
(Thousands of employees)

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Belgium	..	..	..	..	..	..	..	..	..	..	..	0.1	0.1	..	..	..
Germany	4.0	4.0	3.0	3.0	3.0	4.0	4.0	4.0	4.0	6.0	8.0	8.0	8.0	7.0	11.0	13.0
Italy	..	3.4	..	3.5	..	4.3	..	4.9	..	..	..	..	..	..	..	..
Sweden ^a	..	..	..	..	..	..	..	..	..	..	..	1.0	1.0	..	..	..
Switzerland	..	..	..	8.1	5.6	6.3	6.0	8.2	9.8	8.4	8.5	8.3	8.0	7.8	8.6	9.4
United States	13.0	14.0	14.0	15.8	16.2	15.5	12.5	24.5	26.5	25.3	30.0	31.6	30.8	29.2	27.2	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

^a Data refer to majority-owned affiliates only.

Table 45. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2005
(Millions of dollars)

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Belgium	..	..	..	..	..	..	..	..	1.1	2.1	2.2	6.3	8.5	6.8	..	..
France	..	..	..	..	..	48.6	137.2	118.0	242.4	335.6	338.1	..	380.2	..	..	..
Germany	247.6	180.8	192.1	181.5	246.5	279.1	332.3	346.0	511.5	639.3	737.1	715.9	752.9	902.9	993.3	723.7
Greece	..	..	..	..	..	..	..	..	..	..	0.9	1.8	1.9	1.8	2.4	3.2
Italy	..	736.1	..	528.8	..	536.6	..	633.2	..	..	..	..	..	..	..	..
United States	2512.0	2375.0	2524.0	2 495	2 632	3 011	3 258	3 565	3 387	4 352	5 245	5 304	5 117	5 605	6 139	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 28, 33, 38, 43, 48 and 63. Assets, employment, wages and salaries, sales, value added and imports of affiliates of Egyptian TNCs in the United States, 1993-2004

(Thousands of employees and millions of dollars)

Table no.	Variable	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
28	Assets	56	41	37	36	37	44	43	44	45	..	..	..
33	Employment	0.2	..	0.3	0.2	0.2	0.2	0.3	0.3	0.2	..	..	..
38	Wages and salaries	4	..	6	6	5	6	6	6	6	..	..	..
43	Sales	16	..	..	61	..	35	27	29	29	..	..	..
48	Value added	11	..	5	2	3	2	2	2	2	..	..	..
63	Imports	..	4	..	2	1	..	..	..	1	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

Tables 40, 50, 60, 65, 70, 80 and 85. Wages and salaries, value added, exports, imports, research and development expenditure, royalty receipts and royalty payments of affiliates of United States TNCs in Egypt, 1993-2004

(Millions of dollars)

Table no.	Variable	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
40	Wages and salaries	..	122	147	145	214	228	251	248	247	245	233	279
50	Value added ^a	..	699	840	930	921	668	1090	1162	1395	1474	1568	2106
60	Exports	..	..	84	32	85	78	103	142	..	..	..	..
65	Imports	..	..	5	..	..	36	..	..	..	..	..	..
70	R & D expenditure ^a	..	..	1	1	1	2	3	3	4	5	4	..
80	Royalty receipts ^a	..	1	..	..	..	..	..	..	..	..	..	..
85	Royalty payments ^a	..	8	..	..	..	..	24	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars)

Company	Industry	Sales
A. Industrial		
Alexandria National Iron and Steel co.	Iron and Steel	1.37
Middle East Oil Refineries	Food products, beverages and tobacco	0.79 ^a
Aluminium Co. Of Egypt	Iron and Steel	0.52
Alexandria Minerals Oils Co.	Food products, beverages and tobacco	0.43 ^a
Sugar and Integrated Industries C.	Agro-Industry	0.43 ^a
Egyptian Iron and Steel Co.	Iron and Steel	0.41
Suez Cement	Building materials	0.41
Ezz Stell Rebars	Metal and metal products	0.36 ^a
Sidi Kerir Petrochemicals	Petroleum expl./ref./distr.	0.30
United Pharmacists Co.	Pharmaceuticals	0.29
Oriental Weavers Holding Group	Textiles and clothing	0.28
Egyptian cement Co.	Building materials	0.26 ^a
Egyptian Aluminium Products Co.	Aluminium	0.25 ^a
Abu Qir Fertilizers and chemical Industries	Chemical and chemical products	0.25
Delta Industrial Company	Engineering	0.22
ASEC Cement Co.	Building materials	0.22
El Mansour Automotive Co.	Automobile	0.19 ^a
Egyptian Vehicles Manufacturing Co.	Automobile	0.18 ^a
B. Tertiary		
Orascom Telecom Holding	Telecommunication	3.24
Orascom Construction Industries	Construction	1.97
Telecom Egypt	Telecommunication	1.48
The Arab Contractors-Osman Ahmed Osman	Construction	1.27
Vodafone Egypt Telecommunications	Telecommunication	1.03
Mobinil	Telecommunication	0.93
ExxonMobil Egypt	Distribution	0.72 ^a
Eastern Co.	Diversified group	0.59
National navigation Co.	Transportation	0.38 ^a
Egyptian Shipping Transport	Transportation	0.31 ^a
Olympic Group	Holding	0.28
American Group for Food	Diversified group	0.21
Sté Égyptienne d'Enterprises-Mokhtar Ibrahim	Construction	0.19
Reach Trade and marketing Co.	Import-Export	0.16 a
Middle and West delta Flour Mills	Diversified group	0.16 a
Egypt Air	Air transport	0.15 a
C. Finance and insurance		Assets
Misr Insurance Co.	Insurance	0.34
Al Chark Insurance CO.	Insurance	0.15

Source: Jeune Afrique Hors-serie No. 14, 2007.

^a 2004.

Table 87. Largest affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company	Host economy	Industry	Sales	Employees
A. Industrial				
Cambridge Weavers Ltd	England	Textiles and clothing	3.9	7
B. Tertiary				
Orascom Telecom Algerie Spa	Algeria	Telecommunications	405.3	1 200
Orascom Telecom Tunisia	Tunisia	Telecommunications	81.5	100
Dynatrade Sa	Switzerland	Wholesale trade	50.0	10
T & H Gulf Distribution Fzco	United Arab Emirates	Wholesale trade	25.0	6
Lecico Plc	England	Wholesale trade	19.1	10
Sait Telecom S P R L	Congo Dem. Rep.	Telecommunications	16.8	120
Oriental Weavers Uk Ltd	England	Wholesale trade	8.5	15
Billedge Ltd	England	Holding	3.9	7
Apic Usa Inc	United States	Wholesale trade	3.5	20
Al Ahram Overseas Ltd	England	Publishing, printing	1.4	14
Nabila Tours And Cruises Inc	United States	Supporting transport activities	0.8	4
Multilateral Trade France	France	Wholesale trade	0.7	6
Misr Travel Co (Filial Egypten)	Sweden	Supporting transport activities	0.5	1
H C H Supply Co, Inc	United States	Research and development	0.3	5
Elnasr France S A R L	France	Wholesale trade	0.3	4
Bangla Link Limited	Bangladesh	Telecommunications	..	800
Chancel International F Z E	United Arab Emirates	Wholesale trade	..	500
Tchad Mobile	Chad	Telecommunications	..	71
Arab Contractors (Rewanda) Ltd	Rwanda	Construction	..	45
Lecico (U K) Ltd	England	Holding	..	12
A C B U K Ltd	England	Wholesale trade	..	9
A. Hak Middle East Services Limited	Cyprus	Research and development	..	4
M & W Distribution Fzco	United Arab Emirates	Wholesale trade	..	4
Nescaro Fz Co	United Arab Emirates	Wholesale trade	..	1
Ahd Kitchens L.L.C.	United Arab Emirates	Distributive trade	..	..
C. Finance and insurance				
Pioneers Investments Co	Jordan	Finance	..	..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Nasr Bottling Sae	United States	Food products, beverages and tobacco	131	3 000
Ahram Beverages Company S.A.E.	Switzerland	Food products, beverages and tobacco	99	3 100
Egyptian German Telecommunication Industry	Germany	Electrical and electronic equipments	81	120
Abb Arab Contractors For Electrical Industries	Switzerland	Electrical and electronic equipments	77	1 300
Unilever Mashreq Home Care	United Kingdom	Chemicals and chemical products	69	3 000
Glaxosmithkline Egypt	United Kingdom	Chemicals and chemical products	68	1 500
Ahram Beverages Company S.A.E.	Switzerland	Food products, beverages and tobacco	50	3 100
Sanofi Aventis Egypt Sae	France	Chemicals and chemical products	40	624
Fayoum Gas	United Kingdom	Petroleum	27	100
Mohandes Jotun For Paints S A E	Norway	Chemicals and chemical products	25	300
Duravit Egypt	Germany	Non-metallic mineral products	20	650
Dow Mideast Systems	United States	Chemicals and chemical products	15	100
Gillette Egypt S A E	United States	Machinery and equipment	10	50
International Aerated Water S A E	United States	Rubber and plastic products	9	300
Egyptian German Dyes And Resins	Switzerland	Chemicals and chemical products	9	40
Gianacis Vineyards For Beverages	Switzerland	Food products, beverages and tobacco	8	100
Bayer Middle East Ltd	Germany	Chemicals and chemical products	8	70
Henkel Building Chemicals Egypt S.A	Germany	Chemicals and chemical products	8	30
Johnson Wax Egypt	United States	Chemicals and chemical products	7	110
B. Tertiary				
Savola Sime	Saudi Arabia	Wholesale trade	94	500
Toyota Egypt S A E	United Arab Emirates	Wholesale trade	32	300
Astrazeneca Egypt	United Kingdom	Wholesale trade	16	160
Ocean Marine Services	United States	Wholesale trade	15	32
General Electric International Corporation	United States	Wholesale trade	13	60
Bauer Egypt Soil Engineering And Foundations	Germany	Research and development	13	300
Atlantis Egypt Ltd.	United Kingdom	Wholesale trade	10	57
Va Tech Transmission & Distribution	France	Wholesale trade	12	500
Bardissy Import	United States	Wholesale trade	11	156
Pgs Data Processing	United States	Other business activities	8	70
Ferrostaal Egypt	Germany	Wholesale trade	8	
Pepperl & Fuchs Egypt	Germany	Wholesale trade	6	20
Cymi Control Y Montajes Industriel	Spain	Construction	6	5
Nile Trading And Engineering Company Ltd	United Arab Emirates	Wholesale trade	6	100
Egytrade Import And Export	Germany	Wholesale trade	5	65
Sofipetrol Free Zone Services	Cyprus	Other business activities	5	20
Kodak Egypt Sae	United States	Distributive trade	4	98
Tam Tours Limited	Netherlands Antilles	Supporting transport activities	4	100
C. Finance and insurance			Assets	Employees
Hsbc Bank Egypt Sae	United Kingdom	Finance	986	995 ^a
Pharaonic American Life Insurance	United States	Insurance	100	..
Bnp Paribas Le Caire	France	Holding	47	270
Hsbc Securities (Egypt) S.A.E.	United Kingdom	Finance	..	..
Marsh & McLennan Co	United States	Insurance	..	..
Royal & Sunalliance Middle East	United States	Insurance	..	..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

^a 2006.

C. Legal frameworks for transnational corporations

Egypt has adopted a number of legal instruments for regulating the activities of transnational corporations and foreign investors. The key among these instruments include:

I. National framework

Decree No. 3 of 9 February 1976 Instituting an Agency for the Development of Innovations and Inventions.
Source: World Intellectual Property Organisation, Industrial Property Laws and Treaties, No. 12. December 1976 (English translation).

Law No. 56 of 17 November 1979 regulating ownership of real estate property by non-Egyptians
Source: Official Gazette, No. 48 of 29 November 1979, and Graham & Trotman Ltd., (ed.), Business Laws of Egypt (BLE), vol. III, 1985, p. 3.7-1 - 3.8-23 (loose-leaf edition, English translation).

Labor Law No. 137 of 1981.
Source: Official Gazette, No. 33, 13 August 1981 (supplement).

Income Tax Law No. 157 of 1981.
Source: Official Gazette, No. 37, Supplement, and Business Laws of Egypt, vol. III, 10 September 1981, pp. 3.3-1 - 3.3-120, (English translation).

Company Law No. 159 of 1981.
Source: Business Laws of Egypt, vol. I, pp. 1.2-1 - 1.2-74 (English translation).

Decision No. 7 of 1982 by the Minister of Investment Affairs and International Co-operation.
Source: Official Gazette, No. 214, 16 September 1982.

Ministerial Decision No. 96 of 1982 regarding Executive Regulations to Company Law No. 159 of 1981
Source: Business Laws of Egypt, vol. I, pp. 1.2-75 - 1.2-226 (English translation).

Law No. 120 of 1982 regulating Activities of Commercial Agents and Certain Activities of Commercial Intermediaries, effective on 4 May 1983.
Source: Official Gazette, No. 31 of 5 August 1982, and Business Laws of Egypt, vol. I, pp. 1.4-1 - 1.4-24 (English translation).

Executive Regulations No. 164 of 1982 to Income Tax Law No. 157 of 1981.
Source: Official Gazette, No. 186 (supplement) and Business Laws of Egypt, vol. 11, 15 August 1982, pp. 2.4-1 - 2.4-54, (English translation).

Decision No. 342 of 1982, Ministry of Economy and Foreign Trade Implementing Law No. 120 of 1982, effective on 5 August 1983.
Source: Official Gazette, May 1983.

Decree No. 27 of 1986 concerning Industrial Investment in New Cities.
Source: International Bureau of Fiscal Documentation ATS, suppl. No. 91/92 of July 1994.

Law No. 230 of 20 July 1989 promulgating the Investment Code, effective: 21 July 1989.
Source: Al Jaridah al Rasmiyah, Official Gazette No. 29 of 20 July 1989, and International Center for Settlement of Investment Disputes (ICSID), Investment Laws of the World, Release 90-2, June 1990, p. 1 (English Translation), and Official Publication - A.R Egypt. General Authority for Investment (Cairo) - "Investment Law No. 230/1989."
As amended by Decree No. 9 of 23 March 1995.

Source: Official Publication - A.R Egypt. General Authority for Investment, Cairo.

Privileges and Exemptions Granted by Investment Law No. 230/1989.

Source: Official Publication - A.R. Egypt. General Authority for Investment, "Privileges and Exemptions Granted by Investment Law No. 230/1989", Cairo.

Executive Regulations concerning Investment Law No. 230/1989. Decree of the Prime Minister No. 363 of 31 January 1995. Amends and replaces Decree No. 1531 of 1989.

Source: General Authority for Investment, 8 Adly Street, Cairo.

Law No. 203 on Public-Sector Business Enterprises of 1991.

Source: World Bank, Technical Paper No. 186, "Divestiture of State Enterprises". An overview of the legal framework.

Prime Minister Decree No. 1590/1991 on the implementing regulations for law No. 203/1991 of 1991.

Source: World Bank, Technical Paper No. 186, "Divestiture of State Enterprises". An overview of the legal framework.

Decree issued by the General Authority for Investment and Free Zones of April 1992- to streamline investment procedures.

Source: General Authority for Investment, "Egypt's Free Zones", Cairo.

Banking Law No. 37 and 95/1992 of 1 June 1992.

Source: Capital Market Authority, Cairo.

Law No. 82 of 2002 Pertaining to the Protection of Intellectual Property Rights, repealing the following legislations: Patents: Patent and Industrial Models Act No. 132 of 1949. Ministerial Decree No. 132 of 1949, as amended by Ministerial Decrees Nos. 271 of 1953, 39 of 1955, and 49 of 1958. Trade Marks: Act No. 57 of 1939, as amended by Acts Nos. 143 of 1949, 353 and 531 of 1953, 569 of 1954, 205 of 1956 and 59 of 1969. Copyright: Law No. 354 of 1954, as amended by laws Nos. 14 of 1968, 34 of 1975 and 38 of 1992.

Source: Abu-Ghazaleh Intellectual Property, (<http://www.agip.com>).

Law on special economic zones, May 2002.

Source: The Economist Intelligence Unit (<http://db.eiu.com>).

Prime Ministerial Decree 506 on foreign exchange from exports, passed in March 2003.

Source: The Economist Intelligence Unit (<http://db.eiu.com>).

National Committee for Upgrading Economic Legislation, April 2006

Source: www.eiu.com, EIU Country report Main report May 2006

Amendment to tax code, 2005/2006

Source: www.eiu.com, Country forecast Main report July 2006.

II. International Framework

A. Egypt is a party to the following multilateral and regional instruments:

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958, which entered into force on 7 June 1959.

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Convention Establishing the Inter-Arab Investment Guarantee Corporation of May 1971. Entered into force in April 1974.

Agreement for the Promotion, Protection and Guarantee of Investment Among Member States of the Organisation of Islamic Conference of t June 1981, entered into force on 23 September 1986.

Unified Agreement for the Investment of Arab Capital in the Arab States of 1982.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Articles of Agreement of the Islamic Corporation for the Insurance of Investment and Export Credit of 19 February 1992, entered into force on 1 August 1994.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Kuwait 1966, Switzerland 1973, France 1974, Germany 1974, United Kingdom 1975, Morocco 1976, Netherlands 1976, Belgium/Luxembourg 1977, Iran, Islamic Republic of 1977, Japan 1977, Sudan 1977, Serbia and Montenegro 1977, Sweden 1978, Finland 1980, Somalia 1982, Oman 1985, United States 1986, United Arab Emirates 1988, Yemen 1988, Italy 1989, Tunisia 1989, Libyan Arab Jamahiriya 1990, Saudi Arabia 1990, Tunisia 1990, Argentina 1992, Ecuador 1992, Spain 1992, Ukraine 1992, Uzbekistan 1992, Albania 1993, Czech Republic 1993, Greece 1993, Kazakhstan 1993, China 1994, Comoros 1994, Indonesia 1994, Romania 1994, Armenia 1995, Hungary 1995, Poland 1995, Turkmenistan 1995, Uganda 1995, Canada 1996, Denmark 1996, Jordan 1996, Korea, Republic of 1996, Lebanon 1996, Netherlands 1996, Sri Lanka 1996, Turkey 1996, Yemen 1996, Algeria 1997, Bahrain 1997, Belarus 1997, Croatia 1997, Gabon 1997, India 1997, Latvia 1997, Malawi 1997, Malaysia 1997, Morocco 1997, Russian Federation 1997, Singapore 1997, Slovakia 1997, Syrian Arab Republic 1997, Tanzania, United Republic of 1997, United Arab Emirates 1997, Viet Nam 1997, Bosnia and Herzegovina 1998, Bulgaria 1998, Chad 1998, Congo, Democratic Republic of 1998, Cyprus 1998, Djibouti 1998, Ghana 1998, Guinea 1998, Mali 1998, Mozambique 1998, Niger 1998, Oman 1998, Palestine Territory 1998, Senegal 1998, Slovenia 1998, South Africa 1998, Belgium/Luxembourg 1999, Chile 1999, Denmark 1999, Georgia 1999, Jamaica 1999, Korea, Democratic People's Republic of, 1999, The Former Yugoslav Republic of Macedonia, 1999, Malta 1999, Portugal 1999, Qatar 1999, Zimbabwe 1999, Cameroon 2000, Central African Republic 2000, Nigeria 2000, Pakistan 2000, Swaziland 2000, Thailand 2000, Zambia 2000, Australia 2001, Austria 2001, Kuwait 2001, Sudan 2001, Azerbaijan 2002, Seychelles 2002, Botswana 2003, Finland 2004, Mongolia 2004, Germany 2005, Serbia and Montenegro 2005, Ethiopia 2006.

2. Bilateral treaties for the avoidance of double taxation: Sweden 1958, Germany 1959, Austria 1962, Norway 1964, Finland 1965, Iraq 1968, Japan 1968, India 1969, Sudan 1970, United Kingdom 1977, Italy 1979, Romania 1979, France 1980, United States 1980, Canada 1983, Germany 1987, Switzerland 1987, Yugoslav(Former) 1987, Denmark 1989, Morocco 1989, Tunisia 1989, Belgium 1991, Hungary 1991, Syrian Arab Republic 1991, Korea, Republic of 1992, Cyprus 1993, Turkey 1993, Sweden 1994, United Arab Emirates 1994, Czech Republic 1995, Lebanon 1996, Poland 1996, China 1997, Malaysia 1997,

Armenia 1998, Indonesia 1998, Mongolia 1998, The Former Yugoslav Republic of Macedonia, 1999, Malta 1999, Netherlands 1999, Uzbekistan 1999, Korea, Democratic People's Republic of 2000, Oman 2000, Senegal 2001, Bulgaria 2003, Slovakia 2004, Armenia 2005, Croatia 2005, Serbia and Montenegro 2005, Spain 2005, Thailand 2006.

C. Other treaties:

Agreement with the United States of America concerning the development of trade and investment relations (1999).

Euro-Mediterranean agreement establishing association with the European Communities and their member states (1977 and 2001).

Framework agreement with MERCOSUR (2004).

Free trade agreement with Turkey (2005).

Free Trade Agreement with the European Free Trade Association (EFTA) states (2007).

Investment agreement for the COMESA Common Investment Area (2007).

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United States Commercial Service (2006). *Doing Business in Egypt: A country Commercial Guide for US Companies*. (Washington D.C.: US Government).

US–Egypt Business Council (2000). "Trade and investment resources: overview of US investment in Egypt, 2000" (US-Egypt Business Council).

World Bank/International Finance Corporation (2007). *Doing Business 2008 Egypt* (Washington D.C.: The World Bank Group).

Equatorial Guinea

A. Definitions and sources of data

The data on annual flows of foreign direct investment (FDI) in Equatorial Guinea are gathered from the Banque des États de l'Afrique Centrale (BEAC). Additional data are provided by the International Monetary Fund in its balance-of-payment statistics. The country's Investment Code (Investment Code of April 1992, as amended in April 1994) does not contain specific definition of FDI.

In Equatorial Guinea, commercial oil and gas reserves are the major attraction for FDI. There has been growing and substantial investment in exploiting the reserves with significant new expansion planned for years to follow. This has transformed the country into Africa's fastest growing economy and one of the main destinations of United States investment in the region. Among the major companies operating in the country are: CMS Nomeco (United States), ExxonMobil (United States), Marathon (United States), TotalFinaElf (France) and United Meridian Corporation (United States). Oil and gas exploration has also led to the expansion of the hitherto tiny services sector. Recent foreign investments in forestry and growing demand from Asia have also boosted economic expansion in the non-oil sector, modestly. Equatorial Guinea possesses deposits of gold, diamonds, bauxite, iron ore, titanium, copper, manganese and uranium. Artisanal gold mining is reported to be taking place in parts of the mainland.

Equatorial Guinea is engaged in the regional integration schemes and other international arrangements. It is a member of the Communauté Economique et Monétaire de l'Afrique Centrale, New Partnership for Africa's Development and the African Union. It is an eligible member of the Cotonou agreement for renegotiating the trade links between the European Union (EU) and the Africa, Caribbean and Pacific countries and the Everything But Arms initiative. Equatorial Guinea is also among the 34 African least developed countries that have the option of entering the EU generalized system of preferences and has an observer status at the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	1 655.8	0.0
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	100.8	0.0
3. FDI stocks, 2006	9 018	3
4. FDI stocks as a percentage of GDP, 2006	98.7	0.0

Source: Based on tables 3a and 4 and UNCTAD, FDI/TNC database.

Table 3a. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	..	..	..	..	..	..	..	..
1981	..	..	..	- 0.2	..	..	..	..
1982	..	..	..	0.5	..	..	..	..
1983	..	..	..	0.5	..	..	..	..
1984	..	..	..	2.2	..	..	..	..
1985	..	..	..	2.4	..	..	..	..
1986	..	..	..	5.6	..	..	..	..
1987	..	..	..	1.7	..	..	..	..
1988	..	..	..	0.5	..	..	..	..
1989	0.9	..	..	0.9	..	..	..	0.1
1990	11.1	..	..	11.1	..	..	..	0.1
1991	41.3	..	..	41.3	..	..	..	0.1
1992	6.0	..	..	6.0	..	..	..	..
1993	22.3	..	..	22.3	..	..	..	..
1994	17.0	..	..	17.0	..	..	..	..
1995	39.7	13.1	7.7	63.3	..	..	..	0.1
1996	190.0	41.4	16.3	247.6	..	..	..	..
1997	60.4	- 15.6	111.4	53.5	..	..	..	..
1998	67.7	7.8	235.4	291.5	..	..	..	..
1999	31.6	- 14.2	232.9	251.9	..	..	1.6	1.5
2000	14.7	47.6	- 82.2	111.4	..	..	- 3.5	- 3.6
2001	3.2	2.1	1 001.2	940.7	1.4	..	0.6	4.2
2002	..	..	..	323.4	..	..	..	..
2003	..	..	..	1 443.6	..	..	..	..
2004	..	..	..	1 650.6	..	..	..	..
2005	..	..	..	1 873.1	..	..	..	..
2006	..	..	..	1 655.8	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the OECD for 1981-1988, IMF for 1989-1994, the Banque Centrale des Etats de l'Afrique Centrale (BEAC) for 1995-2005, and estimate for 2006. Outflow data are from the IMF for 1989-1991 and the BEAC for 1995-2003.

Table 3b. FDI flows, by type of investment, 2000-2005
(Millions of Franc de la Communauté financière africaine)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
2000	79 300	..	..	..	..
2001	689 600	..	..	..	..
2002	225 400	..	..	..	..
2003	839 000	..	..	..	..
2004	872 000	..	..	..	..
2005	988 000	..	..	..	..

Source: UNCTAD, FDI/TNC database based on the Banque Centrale des Etats de l'Afrique Centrale (BEAC).

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980
1981
1982	0.5	..	..	..	..
1983	1.0	..	..	..	..
1984	3.1	..	..	..	..
1985	5.6	..	..	..	..
1986	11.2	..	..	..	..
1987	12.9	..	..	..	..
1988	13.4	..	..	..	..
1989	14.3	..	..	..	0.1
1990	25.4	..	..	..	0.3
1991	66.7	..	..	..	0.4
1992	72.7	..	..	..	0.4
1993	95.0	..	..	..	0.4
1994	112.0	..	..	..	0.4
1995	175.3	..	..	..	0.4
1996	423.0	..	..	..	0.4
1997	476.4	..	..	..	0.4
1998	767.9	..	..	..	0.5
1999	1 019.8	..	..	..	2.0
2000	1 131.2	..	..	..	- 1.6
2001	2 072.0	..	..	..	2.6
2002	2 395.4	..	..	..	2.6
2003	3 838.9	..	..	..	2.6
2004	5 489.5	..	..	..	2.6
2005	7 362.6	..	..	..	2.6
2006	9 018.4	..	..	..	2.6

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock are estimated by accumulating inflows since 1982. Outward stock data are estimated by accumulating inflows since 1989.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	-	-	-	-	-	0.5	1.7	6.4	-
France	-	-	-	11.1	3.2	6.4	14.3	4.7	2.3	1.2	- 2.5	28.9
United States	-	-	-	-	261	- 48	114	- 460	1 025	- 227	413	877

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
France	-	-	-	-	-	-	-	0.9	1.1	-	6.2	35.1
United States	-	-	-	-	-	- 3.0	-	- 9.0	- 12.0	25.0	2.0	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	-	-	-	-	-	8.6	10.2	16.6	-
United States	-	-	-	-	1 249	1 144	2 316	3 080	3 188	2 948	3 361	4 238

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
United States	-	-	-	-	-	- 3.0	-	-	-	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on the information reported by the United States.

Tables 23, 30, 35, 40, 45 and 50. The number, assets, employment, wages and salaries, sales and value added of affiliates of United States TNCs in Equatorial Guinea, 1995-2006
(Number, thousands of employees and millions of dollars)

Table no./Variable	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
23. Number	2	3	5	6	7	7	8	8	8	13	..	..
30. Assets	33	..	904	1376	2045	2076	4001	7101	10421	12572	..	..
35. Employees	..	..	0.1	0.1	0.1	0.1	0.2	0.2	0.4	0.7	..	..
40. Wages and salaries	..	2	5	8	9	1	17	15	20	58	..	..
45. Sales	18	81	346	311	551	959	1119	1607	2033	3378	..	..
50. Value added ^a	14	45	273	189	404	778	937	1330	1679	3207	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Majority-owned affiliates only.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Guinebega S A	Spain	Food products, beverages and tobacco	..	14
Weatherford International Inc	Bermuda	Petroleum	..	47
Triton Equatorial Guinea Inc	United States	Petroleum	..	60
Mobil Equatorial Guinea Incorporated	United States	Petroleum	..	372
Noble Energy Eg Limited	United States	Petroleum	1 966	700
B. Tertiary				
Bouygues Batiment Sucursal Guinea Equatorial	France	Construction	..	450
B I S Supplies Engineering	Hong Kong	Wholesale trade	..	5
Autopista Aeropuerto	Spain	Forestry and fishing	..	..
Equatorial Guinea	United Kingdom	Water Transport	..	..
Luba Freeport Ltd	United Kingdom	Public administration	..	..
Segami - Grupo Cfao	France	Wholesale trade	..	..
C. Finance and insurance			Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

The legal instruments for regulating the activities of the transnational corporations and foreign investors in Equatorial Guinea varied. The key instruments were adopted at national, bilateral and multilateral levels, including the following:

I. National framework

Patents: Decreto-Ley No. 7/1987, por el que se crea el Consejo de Investigaciones Científicas y Tecnológicas, August 1987. Decreto No. 56/1990, por el que se aprueba el Reglamento Orgánico del Consejo de Investigaciones Científicas y Tecnológicas (CICTE), September 1990. Decreto No. 38/1991, por el que se crean los Institutos Especializados del Consejo de Investigaciones Científicas y Tecnológicas (CICTE), May 1991.

Source: WIPO (<http://www.wipo.org>).

Investment Code of April 1992, as amended in April 1994.

Source: Institutional Web Site of Equatorial Guinea http://www.ceiba-guinea-ecuatorial.org/guineeeagl/finv_codeinvest.htm

II. International Framework**A. Equatorial Guinea is a party to the following multilateral and regional instruments:**

Customs and Economic Union of Central Africa (UDEAC): Common Convention on Investments in the UDEAC (1965); Joint Convention on the Freedom of Movement of Persons and the Right of Establishment in the UDEAC (1972); Multinational Companies Code in the UDEAC (1975).

Treaty for the Establishment of the Economic Community of Central African States (ECCAS) 1983.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

New Hydrocarbons Law No. 8/2006 of 3 November 2006

Source: Government of Republic of Equatorial Guinea.

B. Bilateral treaties

1. **Bilateral investment treaties for the protection and promotion of investments:** France 1982, Spain 2003, South Africa 2004, China 2005, Morocco 2005.

2. **Bilateral treaties for the avoidance of double taxation:**

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Eritrea

A. Definitions and sources of data

Eritrea became independent in 1993 and introduced its own currency in 1996. It was only then that the government was able to exercise monetary and fiscal control. Data on foreign direct investment (FDI) are still not available from the Central Bank. The Eritrean Investment Proclamation (No. 59/1994) governs all foreign investment in the country but is silent on specific definition of FDI.

As a way of encouraging private investment, the Eritrean Government is ending all subsidies for state-run enterprises and is divesting its shares from many of these enterprises. The enterprises being privatized include those that process salt, glass, leather, processed foods, cotton, knitwear and sweaters, beverages and liquors. The Government of Eritrea is divesting shares in its previously publicly-owned ventures, particularly hotels. Sales had attracted significant private interest and FDI. Also, several new factories were opened to produce marble, recycled plastics and rubber goods. Tourism, formerly a small but growing sector was the subject of a promotional drive launched by the Ministry of Tourism. The main export items are salt, semi-processed leather goods, flowers, livestock and textiles.

Eritrea has gold reserves. Artisanal gold mining plays an important role in revealing new potential areas for mining companies. The country recently announced a high-grade borehole results at its Bisha project, west of Asmara. Eritrea also has substantial reserves of barite, feldspar and kaolin, and deposits of potash, rock salt, gypsum, asbestos and marble. The marble is of high quality and the Government is encouraging investments for the export of finished or semi-finished products to the Middle East and Europe.

Since independence Eritrea belonged to the seven-member Intergovernmental Authority on Development (IGAD). Eritrea is also a member of the Common Market for Eastern and Southern Africa, New Partnership for Africa's Development and the African Union. The country is an eligible member of the Cotonou Agreement for renegotiating the trade and aid links between the African, Caribbean and Pacific countries with the European Union and the Everything But Arms initiative. Eritrea is also among the 34 African least developed countries that have the option of exploiting the EU generalized system of preferences.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	3.7	-
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	1.6	-
3. FDI stocks, 2006	384	-
4. FDI stocks as a percentage of GDP, 2006	33.1	-

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1996-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1996	..	..	..	36.7	..	..	..	..
1997	..	..	..	41.1	..	..	..	..
1998	148.5	..	..	148.5	..	..	..	..
1999	83.2	..	..	83.2	..	..	..	..
2000	27.9	..	..	27.9	..	..	..	..
2001	..	..	..	12.1	..	..	..	..
2002	..	..	..	20.0	..	..	..	..
2003	..	..	..	22.0	..	..	..	..
2004	..	..	..	- 7.9	..	..	..	..
2005	..	..	..	- 3.0	..	..	..	..
2006	..	..	..	3.7	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data are based on the IMF for 1996-2000; IMF, *Country Report*, June 2003 No. 03/165 for 2001-2003; OECD for 2004-2005 and estimate for 2006.

Table 4. FDI stocks, by type of investment, 1996-2006
(Millions of dollars)

Year	Inward Investment				Outward Investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1996	36.7	..	..	..	..
1997	77.8	..	..	..	..
1998	226.3	..	..	..	..
1999	309.5	..	..	..	..
2000	337.4	..	..	..	..
2001	349.5	..	..	..	..
2002	369.5	..	..	..	..
2003	391.5	..	..	..	..
2004	383.6	..	..	..	..
2005	380.6	..	..	..	..
2006	384.3	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Note: Data based are estimated by accumulating inflows since 1976.

Table 6. FDI flows in the host economy, by geographical origin, 1997- 2006
(Millions of dollars)

Economy	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Germany	-	-	-	-	0.9	-	-	-	-	..
United States	-	- 3.0	- 7.0	- 15.0	- 15.0	- 15.0	- 14.0	- 17.0	- 4.0	..

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1997-2006
(Millions of dollars)

Economy	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Canada	-	-	1.4	2.0	1.3	-	-	-	-	-
China	-	-	-	-	-	-	1.9	0.1	0.1	-
Slovenia	-	-	0.1	0.2	-	-	-	-	-	-
United States	2.0	- 1.0	12.0	- 3.0	- 17.0	- 32.0	- 53.0	5.0	1.0	1.0

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Tables 23, 30, 35, 40 and 45. The number, assets, employment, wages and salaries and sales of affiliates of United States TNCs in Eritrea, 1997-2006
(Number, thousands of employees and millions of dollars)

Table no./Variable	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
23. Number	1	1	3	3	3	3	2	2	..	..
30. Assets	..	..	..	28	30	31	..	..	..	..
35. Employment	..	..	0.3	0.3	0.3	0.3	..	..	..	..
40. Wages and salaries	1	..	..	1	1	1	..	..	..	..
45. Sales	..	..	..	22	24	24	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

Table 87. Largest affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company Name	Host Economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
Ageca (Ethiopia) Company Pvt Ltd	Ethiopia	Wholesale trade	1.4	25
C. Finance and insurance				
..	..	..	Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
Perenco Eritrea Ltd	France	Wholesale trade	46.1	10
Shell Eritrea Ltd	United Kingdom	Wholesale trade	20.0	54
Eritrean Maritime Shipping Services Entrprise	Denmark	Water Transport	..	120
C. Finance and Insurance				
..	..	..	Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

The national instruments that regulate the activities of the foreign direct investors and transnational corporations in Eritrea include:

I. National framework

Transitional Commercial Code, effective 15 September 1991

Source: Gazette of Eritrean Laws published by the Government of Eritrea in 1991.

Transitional Maritime Code, effective 15 September 1991

Source: Gazette of Eritrean Laws published by the Government of Eritrea in 1991.

Transitional Civil Procedure Code, effective 15 September 1991

Source: Gazette of Eritrean Laws published by the Government of Eritrea in 1991.

Transitional Civil Code of Eritrea, 15 September 1991

Source: Gazette of Eritrean Laws published by the Government of Eritrea in 1991.

Land Proclamation, No. 58/1994 of 24 August 1994.

Source: Gazette of Eritrean Laws published by the Government of Eritrea on 24 August 1994.

Investment Proclamation, No. 59/1994.

Source: Gazette of Eritrean Laws published by the Government of Eritrea on 24 August 1994.

Income Tax Proclamation, No. 62/1994

Source: Gazette of Eritrean Laws published by the Government of Eritrea in 1994.

Income Tax Regulations, Legal Notice No.20 (1995).

Source: Gazette of Eritrean Laws published by the Government of Eritrea in 1995.

Business Licensing Proclamation No.72/1995.

Source: Gazette of Eritrean Laws published by the Government of Eritrea in 1995.

Proclamation to Regulate the Registration of Eritrean Ships, No. 77 (1995).

Source: Gazette of Eritrean Laws published by the Government of Eritrea on in 1995.

Communications Proclamation, No. 102 (1998).

Advocates Proclamation, No. 88 (1996),

Source: Gazette of Eritrean Laws published by the Government of Eritrea in 1996.

II. International Framework**A. Eritrea is a party to the following multilateral and regional instruments:**

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Treaty Establishing the Market for Eastern and Southern Africa (COMESA), 1993.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Italy 1996, Qatar 2000, Uganda 2001, Netherlands 2003.

2. Bilateral treaties for the avoidance of double taxation: Qatar 2000.

C. Other treaties:

Investment agreement for the COMESA Common Investment Area (2007).

D. Sources of information

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Secondary

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Ethiopia

A. Definitions and sources of data

The Ethiopia investment code defines a foreign investor as "... a physical or juridical person of foreign nationality which has invested imported capital" (Investment Proclamation No. 15/1992, article 2). The responsible organ for collecting data on foreign direct investment (FDI) is the statistic and information technology service which is part of Ethiopian Investment Authority (EIA). The EIA is the institution responsible for approving FDI projects for the pre and post-investment phases. Detailed data on outward investment from Ethiopia are not available. The International Monetary Fund (IMF) also provides data on FDI in Ethiopia in its balance-of-payments statistics.

FDI into Ethiopia started to grow since liberalizing control of the economy in 1992. The new regime sought to eliminate the constraints on FDI and to establish an enabling environment for foreign investors. The authorities began to promote Ethiopia more vigorously as a location for FDI in early 1998. In 1999, a new investment guide for potential foreign investors in Ethiopia was published.

The liberalizing of the economy prompted improved incentives and more efficient marketing in the country. The gradual shift to private ownership which is being overseen by two government agencies, the Ethiopian Investment Authority and the Ethiopian Privatization Agency began with the sale of small retail outlets and medium-sized hotels and restaurants. The telecommunications and energy sectors were thrown open to foreign investors later. The disposal of state farms and agro-industrial plants was a little more problematic, partly because of continued wrangles over allocating land titles by regional authorities. Further state-owned enterprises, notably hotel chains, state farms and plantations are slated for sale in the economic programme agreed with the IMF.

Ethiopia is endowed with a geological environment, hosting a wide variety of promising mineral resources. Initial explorations have confirmed deposits of gold, platinum, tantalite, soda ash and phosphate. Dimension stones, geothermal, petroleum and other metallic, industrial, and chemical minerals have also been found. Despite all these occurrences, mineral development remained limited. The Government of Ethiopia is taking steps to attract foreign investment in these areas.

Ethiopia signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on September 21, 1965 and improved its position in providing excellent market access for many products. Ethiopia is a member of the African Union, New Partnership for Africa's Development, Common Market for Eastern and Southern Africa, the Cotonou Agreement for renegotiating the trade links between the European Union and the African, Caribbean and Pacific countries - the Lomé convention, the United States' African Growth and Opportunity Act and the European Union led Everything But Arms initiatives. It is also a beneficiary of the generalized system of preferences and is party to the Convention for the Multilateral Investment Guarantee Agency. Since the inception of the new regime and gradual liberalization of the economy, interest had been shown by foreign investors in the country.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	398.9	-
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	19.2	-
3. FDI stocks, 2006	3 133	-
4. FDI stocks as a percentage of GDP, 2006	23.5	0.0

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	1.0	..	..	..	..
1981	0.1	..	..	..	..
1982	2.0	..	..	..	..
1983	- 2.6	..	..	..	..
1984	5.1	..	..	..	..
1986	- 0.6	..	..	..	..
1987	- 2.6	..	..	..	..
1988	1.7	..	..	..	..
1989	- 0.5	..	..	..	..
1990	12.0	..	..	..	..
1991	6.0	..	..	..	..
1992	0.2	..	..	..	..
1993	3.5	..	..	..	..
1994	17.2	..	..	..	..
1995	14.1	..	..	..	..
1996	21.9	..	..	..	..
1997	288.5	..	..	..	..
1998	260.7	..	..	..	..
1999	70.0	..	..	..	..
2000	134.6	..	..	..	..
2001	349.4	..	..	..	..
2002	255.0	..	..	..	..
2003	465.0	..	..	..	..
2004	545.1	..	..	..	..
2005	221.1	..	..	..	..
2006	-	-	-	364.4	-	-	-	-

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics). Data are based on OECD for 1980-1988, World Bank for 1989-1991 and the National Bank of Ethiopia thereafter.

Note: Data for 2005-2006 are on a net basis.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	109.6	..	..	..	..
1981	109.7	..	..	..	..
1982	111.7	..	..	..	..
1983	109.1	..	..	..	..
1985	114.4	..	..	..	..
1986	113.8	..	..	..	..
1987	111.2	..	..	..	..
1988	112.9	..	..	..	..
1989	112.4	..	..	..	..
1990	124.4	..	..	..	..
1991	130.4	..	..	..	..
1992	130.6	..	..	..	..
1993	134.1	..	..	..	..
1994	151.3	..	..	..	..
1995	157.1	..	..	..	..
1996	179.0	..	..	..	..
1997	467.5	..	..	..	..
1998	728.2	..	..	..	..
1999	798.1	..	..	..	..
2000	932.8	..	..	..	..
2001	1 282.2	..	..	..	..
2002	1 537.2	..	..	..	..
2003	2 002.2	..	..	..	..
2004	2 547.3	..	..	..	..
2005	2 768.4	..	..	..	..
2006	3 132.8	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics). Data prior to 1995 are estimated by accumulating inflows since 1970. 1995 is based on the National Bank of Ethiopia. 1996-2006 are estimated by adding flows to the 1995 stock.

Table 5. FDI flows in the host economy, by industry, 1993-2002
(Millions of dollars)

Sector / industry	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
Total	3.5	17.2	14.1	21.9	288.5	260.7	70.0	134.6	..	..
Primary	-	0.1	0.1	0.9	173.6	1.7	4.1	40.5	..	..
Agriculture, hunting, forestry and fishing	-	0.1	0.1	0.1	-	0.0	4.1	14.5	..	..
Mining, quarrying and petroleum	-	-	-	0.9	173.6	1.7	-	26.0	..	..
Secondary	0.3	0.1	14.0	19.1	101.9	125.0	51.0	83.7	..	..
Food, beverages and tobacco	-	-	-	16.9	69.2	106.1	12.8	37.7	..	..
Textiles, clothing and leather	0.3	-	-	0.7	26.4	0.8	28.1	8.6	..	..
Wood and wood products	-	-	5.6	-	1.6	-	0.3	0.3	..	..
Chemicals and chemical products	-	-	4.5	-	0.6	0.2	1.8	18.4	..	..
Manufacture of pharmaceuticals	-	-	-	-	0.1	0.2	1.7	14.6	..	..
Rubber and plastic products	-	-	-	-	0.2	0.3	4.8	1.8	..	..
Metal and metal products	-	-	-	-	0.1	10.7	0.1	0.1	..	..
Electrical and electronic equipment	-	0.1	2.8	0.1	3.9	5.6	0.9	4.3	..	..
Other manufacturing	-	-	1.2	1.4	-	1.4	2.3	12.4	..	..
Tertiary	3.2	17.0	-	1.9	13.0	133.9	14.8	10.4	..	..
Construction	3.2	17.0	-	1.9	11.3	2.2	5.7	3.7	..	..
Hotels and restaurants	-	-	-	-	1.3	131.5	8.3	6.4	..	..
Business activities	-	-	-	-	0.3	0.1	0.6	0.3	..	..
Health and social services	-	-	-	0.0	0.1	0.2	0.2	0.1	..	..
Unspecified	-	-	-	-	-	-	-	-	..	..

Source: National Bank of Ethiopia, unpublished.

Table 6a. FDI flows in the host economy, by geographical origin, 1993-2004
(Millions of dollars)

Region/economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Total world	3.5	17.2	14.1	21.9	288.5	260.7	70.0	134.6	349.4	255.0	465.0	545.1
Developed countries	-	0.1	0.0	0.5	69.8	17.0	45.6	19.5	103.1	48.8	209.2	264.5
European Union	-	0.1	0.0	-	67.2	12.7	12.3	8.0	36.0	26.4	75.0	123.7
North America	-	-	-	0.5	2.7	4.2	4.1	2.6	67.1	21.3	130.4	129.9
Canada	-	-	-	0.1	-	0.0	-	-	-	-	48.2	6.8
United States	-	-	-	0.4	0.5	0.1	-	0.3	67.1	21.3	82.2	123.1
Developing economies	3.5	17.2	14.1	21.5	218.4	207.7	23.6	113.3	231.6	194.4	233.1	218.4
Africa	0.3	-	-	-	0.7	0.9	0.8	0.7	8.8	7.7	52.1	52.0
West Asia	3.2	17.2	14.1	20.8	217.6	206.0	20.7	100.1	-	-	-	-
Unspecified	-	-	-	-	0.2	36.0	0.8	1.9	14.7	11.8	22.7	62.2

Source: National Bank of Ethiopia, unpublished.

Table 12a. FDI stocks in the host economy, by geographical origin, 1993-2004
(Millions of dollars)

Region/economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Total world	157.1	..	..	..	..	..	..	..	..	..
Developed countries	35.8	..	..	..	..	..	..	..	..	..
European Union	13.1	..	..	..	..	..	..	..	..	..
Italy	13.1	..	..	..	..	..	..	..	..	..
North America	21.6	..	..	..	..	..	..	..	..	..
Canada	15.9	..	..	..	..	..	..	..	..	..
United States	5.7	..	..	..	..	..	..	..	..	..
Other developed countries	1.1	..	..	..	..	..	..	..	..	..
Japan	1.1	..	..	..	..	..	..	..	..	..
Developing economies	121.3	..	..	..	..	..	..	..	..	..
Africa	2.7	..	..	..	..	..	..	..	..	..
Kenya	2.7	..	..	..	..	..	..	..	..	..
Asia	118.6	..	..	..	..	..	..	..	..	..
West Asia	118.1	..	..	..	..	..	..	..	..	..
Saudi Arabia	117.6	..	..	..	..	..	..	..	..	..
Yemen	0.5	..	..	..	..	..	..	..	..	..
South, East and South-East Asia	0.4	..	..	..	..	..	..	..	..	..
China	0.3	..	..	..	..	..	..	..	..	..
Korea, Republic of	0.2	..	..	..	..	..	..	..	..	..

Source: National Bank of Ethiopia, unpublished

Table 6b. FDI flows in the host economy, by geographical origin, 1994-2006
(Millions of dollars)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	0.5	-	-	- 1.1	-	-	0.9	-	-	-	-	-	-
China	-	-	-	-	-	-	-	-	-	1.0	0.4	4.9	-
France	-	-	7.6	8.8	-	-	-	-	-	-	1.2	1.2	1.3
Germany	-	-	- 4.7	- 1.7	- 11.4	-	-	8.1	- 3.8	9.0	- 1.2	- 2.5	-
Portugal	-	-	-	-	-	-	-	-	-	-	0.0	-	-
Korea, Republic of	-	-	0.1	0.4	-	-	-	0.6	0.7	-	-	-	-
Slovakia	-	-	-	-	-	-	-	-	-	-	7.1	0.9	-
United States	-	25.0	-	5.0	3.0	-	-	1.0	2.0	1.0	3.0	1.0	6.0

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 12b. FDI stocks in the host economy, by geographical origin, 1994-2006
(Millions of dollars)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	-	-	-	-	-	-	4.8	7.9	29.8	-
Germany	-	-	-	-	-	-	-	-	-	-	-	-	-
Korea, Republic of	-	-	0.1	0.5	0.5	0.5	0.5	1.1	1.9	1.9	1.9	1.9	-
United States	3.0	15.0	30.0	35.0	38.0	-	38.0	40.0	50.0	50.0	53.0	54.0	60.0

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Italy	..	2	..	2	..	..	..	..	..	..	..	..
Korea, Rep. of	..	..	1	1	1	1	1	1	2	2	2	2
United States	2	2	3	3	3	2	3	3	3	3	2	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 21, 28, 33, 38, 43 and 48. Number, assets, employment, wages and salaries, sales and value added of affiliates of Ethiopian TNCs in the United States, 1994-2005

(Number, thousands of employees and millions of dollars)

Table no./Variable	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
21. Number	2	2	2	1	1	1	1	1	..	..	..	..
28. Assets	..	47	..	..	..	..	..	..	..	..	..	..
33. Employment	0.5	0.5	0.5	..	0.4	..	..	..	..	..	..	..
38. Wages and salaries	8	8	9	..	8	..	..	..	..	..	..	..
43. Sales	..	44	..	..	..	..	..	..	..	..	..	..
48. Value added	14	13	15	..	14	..	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

Tables 30, 40 and 50. Assets, wages and salaries and value added of affiliates of United States TNCs in Ethiopia, 1994-2005

(Millions of dollars)

Table no./Variable	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
30. Assets	..	23	64	58	57	..	41	39	38	33	..	..
40. Wages and salaries	2	1	2	2	2	..	2	2	2	2	..	..
50. Value added ^a	17	38	48	49	54	..	8	9	21	28	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Table 35. Employment of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005

(Thousands of employees)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Italy	..	0.2	..	0.2	..	..	..	..	..	..	..	..
United States	0.7	0.5	0.6	0.6	0.6	..	0.2	0.2	0.2	0.2	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 45. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005

(Millions of dollars)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Italy	..	61.0	..	59.5	..	..	..	..	..	..	..	..
United States	..	14.0	97.0	115.0	105.0	..	105.0	119.0	120.0	130.0	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars)

Company	Industry	Sales
A. Industrial		
..
B. Tertiary		
Ethiopian Airlines	Air Transportation	0.5
Ethiopian Telecommunication Corporation	Telecommunication	0.2

Source: Jeune Afrique Hors-serie No. 14, 2007.

Table 87. Largest foreign affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company	Host economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
Ethiopian Airlines	United Kingdom	Transport and storage	..	..
C. Finance and Insurance			Assets	Employees
Commercial Bank of Ethiopia	Djibouti	Finance	..	..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Addis Tyre Company S C	Slovakia	Rubber and plastic products	..	830
B. Teriary				
Ries Engineering Share Company	Panama	Wholesale trade	7	200
Paul Ries & Sons (Ethiopia) Ltd	Panama	Wholesale trade	3	450
Ageca (Ethiopia) Company Pvt Ltd	Eritrea	Wholesale trade	1	25
Equatorial Business Group Ltd	United Kingdom	Wholesale trade	..	..
The Motor And Engineering Company of Ethiopia Ltd	United Kingdom	Wholesale trade	..	400
Shell Ethiopia Ltd	United Kingdom	Wholesale trade	..	330
Addis Ababa Hilton International	United Kingdom	Hotels and Restaurants	..	320
A B B Midrock Industrial Services P L C	Switzerland	Wholesale trade	..	88
G C S - N C R Ethiopia	United States	Wholesale trade	..	35
Ayderus Hussien Mohammed Farag	India	Wholesale trade	..	20
Siemens Private Limited	Germany	Wholesale trade	..	20
B A S F (Ethiopia) Ltd P L C	Germany	Wholesale trade	..	17
Rabeco East Africa Plc	Sweden	Wholesale trade	..	10
Sheba Investment Hldgs Ethiopia Pvt Ltd	Yemen	Holding	..	4
Inchcape Shipping Services	United Kingdom	Other business activities	..	..
Unfpa Cst	United States	Other business activities	..	..
Inchcape Ethiopia Ltd	United Kingdom	Public administration	..	..
Mitsui & Co., Ltd.	Japan	Wholesale trade	..	..
C. Finance and Insurance			Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

In Ethiopia, a number of legal instruments adopted at national, bilateral and international levels exist to facilitate and regulate the activities of foreign direct investors and transnational corporations. The key among these instruments include:

I. National framework

The Maritime Code Proclamation No. 164/1960.

Source: Negarit Gazeta of the Empire of Ethiopia, 19th year Extraordinary Issue No.1.

Civil Code Proclamation No. 165/1960.

Source: Negarit Gazeta of the Empire of Ethiopia, 19th year Extraordinary Issue No.2.

Commercial Code Proclamation No. 166/1960.

Source: Negarit Gazeta of the Empire of Ethiopia, 19th year Extraordinary Issue No.3.

Labour Proclamation No. 42/1993.

Source: Federal Negarit Gazeta of the Transitional Government of Ethiopia, 53rd year, No. 27, page 268.

Mining Proclamation No. 52/1993.

Source: Negarit Gazeta of the Transitional Government of Ethiopia, 52nd year, No. 42, page 368.

Monetary and Banking Proclamation No. 83/1994.

Source: Federal Negarit Gazeta of the Transitional Government of Ethiopia, 53rd year, No. 43, page 226.

Licensing and Supervision of Banking Business Proclamation No. 84/1994.

Source: Federal Negarit Gazeta of the Transitional Government of Ethiopia, 53rd year, No. 44, page 244.

Development Bank of Ethiopia Establishment Council of Ministers Regulation No. 200/1994.

Source: Federal Negarit Gazeta of the Transitional Government of Ethiopia, 52nd year, No. 109, page 483.

Commercial Registration and Business Licensing Proclamation No.67/1997.

Source: Federal Negarit Gazeta of the Federal Democratic Republic of Ethiopia, 3rd year, No. 25, page 367.

Federal Government Commercial Registration and Licensing Regulation No. 67/1997.

Source: Federal Negarit Gazeta of the Federal Democratic Republic of Ethiopia, 3rd year, No. 28, page 433.

Export Trade Duty Incentive Scheme Proclamation No. 249/2001.

Source: Federal Negarit Gazeta of the Federal Democratic Republic of Ethiopia, 7th year, No. 39, page 1591.

Investment Proclamation No. 280/2002 as amended by the Investment (Amendment) Proclamation, ratified by the People's Representatives Council on 27 October 2003.

Source: Federal Negarit Gazeta of the Federal Democratic Republic of Ethiopia, 8th year, No. 27, page 1768.

Value Added Tax Proclamation No. 283/2002.

Source: Federal Negarit Gazeta of the Federal Democratic Republic of Ethiopia, 8th year, No. 33, page 1832, as amended.

Investment Incentives and Investment Areas Reserved or Domestic Investors Council of Ministers Regulations No. 84/2003.

Source: Federal Negarit Gazeta of the Federal Democratic Republic of Ethiopia, 9th year, No. 34, page 2092.

Income Tax Proclamation No. 286/2003-12-04.

Source: Federal Negarit Gazeta of the Federal Democratic Republic of Ethiopia, 8th year, page 867.

National Foreign Investment Promotion Advisory Council established 2006.

Source: http://www.buyusainfo.net/docs/x_7373050.pdf.

II. International Framework

A. Ethiopia is a party to the following multilateral and regional instruments:

Convention on the Settlement of Investment Disputes Between States and Nationals of Other States of 18 March 1965. Entered into force on 14 October 1966.

Convention Establishing the Multilateral Investment Guarantee Agency of 11 October 1985. Entered into force on 12 April 1988.

Fourth ACP-EEC Convention signed at Lomé on 15 December 1989, Official Journal L 229, 17/08/1991 p. 0003 – 0280.

Treaty Establishing the Market for Eastern and Southern Africa (COMESA), 1993.

Partnership Agreement Between the Members of the African, Caribbean and Pacific Group of States of the one Part, and the European Community and Its Member States, of the Other Part, Signed in Cotonou, Benin on 23 June 2000

B. Bilateral treaties

1. **Bilateral investment treaties for the protection and promotion of investments:** Italy 1994, Kuwait 1996, China 1998, Malaysia 1998, Switzerland 1998, Yemen 1999, Russian Federation 2000, Sudan 2000, Tunisia 2000, Turkey 2000, Denmark 2001, Algeria 2002 and France 2003, Israel 2003, Iran, Islamic Republic of 2003, Netherlands 2003, Austria 2004, Germany 2004, Libyan Arab Jamahiriya 2004, Sweden 2004, Belgium and Luxembourg 2006, Egypt 2006, Finland 2006.

2. **Bilateral treaties for the avoidance of double taxation:** United Kingdom 1977, Algeria 2002, Tunisia 2003, Israel 2004, South Africa 2004, Iran, Islamic Republic of 2005, Turkey 2005.

C. Other treaties:

Investment agreement for the COMESA Common Investment Area (2007).

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Gabon

A. Definitions and sources of data

The Investment Law in Gabon (Law 015/98) does not contain a specific definition of foreign direct investment (FDI). Data on FDI in Gabon is gathered from Banque Centrale des Etats d'Afrique Centrale (BEAC). The International Monetary Fund also provides data on FDI in the country in its balance-of-payments statistics.

In Gabon, foreign investors face few restrictions in most areas and foreign businesses may compete with local businesses. The new investment charter streamlines and liberalizes the foreign investment climate in the country; for example, it grants foreign companies with head offices in Gabon the same rights as Gabonese companies. The government dominates the most lucrative economic sectors, most notably oil. Residents may hold foreign exchange accounts and non-residents may hold them if they receive prior approval from the government. Transfers and payments, including repatriation of profits, to countries outside of France, Monaco, members of the West African Economic and Monetary Union, members of the Communauté Economique et Monétaire de l'Afrique Centrale (CEMAC) and Comoros must be approved by the Government. Capital transactions are subject to various requirements, controls and official authorization. Private property is moderately well-protected in Gabon. The judiciary is also generally independent.

Gabon's FDI strategy is developing. Ties between Gabon and France have remained strong. As a result, Gabon's oil sector has been dominated by large French companies, particularly TotalFinaElf which gained exclusive access to Gabon's oil exploration. Since the 1990s, Gabon introduced new oil production-sharing contracts to attract new entrants and prefers to focus less on seeking big new discoveries and more on attracting companies skilled in extracting more from older fields and exploiting smaller but more marginal fields. Gabon also has one of the world's largest remaining pristine ecosystems and possesses minerals including manganese ore, uranium, iron ore, gold, niobium and phosphates. Some prospecting for diamonds and other minerals is taking place, and deposits of lead, gold, zinc, titanium, niobium, iron and copper have been identified, although commercial production has not yet begun.

To increase its outreach to the world and expand trading opportunities, Gabon signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 21 September 1965 and is a member of the regional integration schemes in Africa and other international market access arrangements. It is a member of the CEMAC, New Partnership for Africa's Development and the African Union. It is an eligible member of the United States' market access initiative for African countries – the African Growth and Opportunity Act, the Cotonou Agreement for renegotiating the trade links between the European Union and the African, Caribbean and Pacific countries - the Lomé convention and the Everything But Arms initiative. It is a member of the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	267.8	- 22.9
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	15.5	- 1.3
3. FDI stocks, 2006	794	169
4. FDI stocks as a percentage of GDP, 2006	8.7	1.9

Source: Based on tables 3a and 4 and UNCTAD, FDI/TNC database.

Table 3a. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year				Outward investment			
	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	54.8	- 28.2	31.5	8.0	..	..	8.0
1981	56.2	- 33.5	54.6	7.1	..	..	7.1
1982	69.0	29.7	131.7	4.8	..	..	4.8
1983	92.5	- 6.3	111.8	5.7	..	..	5.7
1984	40.6	- 39.5	8.1	3.4	..	..	3.4
1985	40.3	- 34.2	15.1	4.1	..	..	4.1
1986	78.5	32.4	110.3	6.6	..	..	6.6
1987	24.3	41.3	89.8	7.7	..	..	7.7
1988	25.9	84.5	132.5	9.7	..	..	9.7
1989	- 57.7	- 9.2	- 30.5	8.0	..	..	8.0
1990	55.6	- 198.0	73.5	28.8	..	..	28.8
1991	72.3	- 237.1	- 54.6	14.9	..	..	14.9
1992	75.6	- 191.5	126.9	25.7	..	..	25.7
1993	122.9	- 236.6	- 113.7	2.5	..	..	2.5
1994	84.1	- 183.7	- 99.6	..	..	..	6.8
1995	113.3	- 444.7	- 316.7	33.9	- 0.9	- 0.1	32.9
1996	154.7	- 668.3	- 498.6	- 0.3	9.5	- 6.9	- 7.2
1997	90.5	- 429.8	- 318.4	0.0	7.1	13.8	13.8
1998	19.3	140.0	99.2	- 1.1	47.5	- 13.1	- 14.3
1999	169.1	- 356.1	- 217.7	- 0.8	61.1	13.6	12.8
2000	167.9	- 240.0	- 42.6	13.7	..	11.7	25.3
2001	- 136.6	56.0	- 89.1	- 12.0	0.9	14.9	3.8
2002	33.5	- 2.1	39.0	- 17.3	7.9	- 13.6	- 23.0
2003	112.2	39.7	263.2	- 2.0	36.6	- 55.5	- 20.9
2004	345.6	- 0.8	219.0	- 1.3	0.5	- 24.0	- 24.8
2005	..	..	321.2	..	..	..	- 22.9
2006	..	..	267.8	..	..	..	- 22.9

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the IMF for 1980-1994 and 2000-2002, the Banque Centrale des Etats de l'Afrique Centrale (BEAC) for 1995-1999 and 2003-2005, and estimate for 2006. Outflow data are from the IMF for 1980-1993 and 2000-2004, proxy based on investments reported by France for 1994 and the BEAC for 1995-1999. 2005-2006 data are estimates.

Table 3b. FDI flows, by type of investment, 2003-2005
(Millions of Franc de la Communauté financière africaine)

Year				Outward investment			
	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
2003	153 000	..	..	..	..
2004	115 700	..	..	..	..
2005	169 400	..	..	..	..

Source: UNCTAD, FDI/TNC database based on the Banque Centrale des Etats de l'Afrique Centrale (BEAC).

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year				Outward investment			
	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	511.5	..	..	..	80.7
1981	566.1	..	..	..	87.8
1982	697.8	..	..	..	92.6
1983	809.7	..	..	..	98.4
1984	817.8	..	..	..	101.7
1985	832.9	..	..	..	105.8
1986	943.2	..	..	..	112.3
1987	1 033.0	..	..	..	120.0
1988	1 165.5	..	..	..	129.8
1989	1 135.0	..	..	..	137.8
1990	1 208.4	..	..	..	166.6
1991	1 153.9	..	..	..	181.5
1992	1 280.8	..	..	..	207.2
1993	1 167.1	..	..	..	209.6
1994	1 067.5	..	..	..	216.5
1995	750.8	..	..	..	249.4
1996	252.2	..	..	..	242.1
1997	- 66.2	..	..	..	256.0
1998	32.9	..	..	..	241.7
1999	- 184.8	..	..	..	254.5
2000	- 227.4	..	..	..	279.8
2001	- 316.5	..	..	..	283.6
2002	- 277.5	..	..	..	260.6
2003	- 14.3	..	..	..	239.7
2004	204.7	..	..	..	214.9
2005	525.9	..	..	..	192.0
2006	793.7	..	..	..	169.2

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock are estimated by accumulating inflows since 1970. Outward stock data are estimated by accumulating inflows since 1975.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	-	-	- 1.1	2.1	-	-	-	-	-	-	-
China	-	-	-	-	-	-	-	-	5.6	2.1	-
Denmark	-	-	-	-	-	-	-	-	-	0.2	-
France	246.2	68.6	157.9	174.7	173.2	123.5	46.1	- 32.7	42.2	145.5	237.1
Germany	-	0.6	- 0.6	-	-	-	- 0.9	- 2.3	- 1.2	- 1.2	-
Malaysia	2.0	0.4	-	-	-	0.2	9.7	6.9	1.3	-	-
Netherlands	- 110	-	-	-	-	-	-	-	-	-	-
United States	- 32	- 18	91	129	73	2	- 182	11	- 20	- 153	- 114

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	-	-	-	-	-	0.9	-	-	-	-	-
Cyprus	-	-	-	-	-	-	-	-	-	0.1	-
France	15.4	14.6	- 5.6	- 16.0	124.4	- 62.6	- 18.8	- 2.3	3.7	- 24.9	109.1
Morocco	-	-	-	-	-	-	-	1.1	-	0.2	-
United States	- 1.0	2.0	- 2.0	2.0	- 1.0	1.0	1.0	- 1.0	3.0	- 1.0	- 3.0

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	-	-	-	-	24.1	31.3	35.4	-
Denmark	-	-	-	-	-	-	-	-	- 0.4	-	- 1.2
Malaysia	2.0	1.5	1.6	1.6	1.6	1.8	11.5	18.4	19.7	20.6	-
Morocco	-	-	-	-	-	-	9.5	9.7	3.1	2.7	3.0
Portugal	0.0	0.1	-	-	-	-	-	-	-	-	-
United States	86.0	68.0	186.0	469.0	546.0	555.0	344.0	370.0	456.0	204.0	109.0

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
France	96.4	121.6	143.5	153.7	186.1	130.4	132.1	189.4	228.8	177.0	-
United States	- 2.0	-	- 2.0	-	- 1.0	-	1.0	-	3.0	2.0	- 1.0

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 21, 28, 33, 38, 48 and 58. The Number, assets, employment, wages and salaries, value added and exports of foreign affiliates of Gabonese TNCs in the United States, 1993-2004
(Number, thousands of employees, millions of dollars)

Table no./Variable	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
21. Number	1	1	1	..	..	..	..	..	..	..	..
28. Assets	..	..	..	..	..	..	..	..	..	..	..
33. Employment	0.1	0.1	0.1	..	..	..	..	..	..	..	..
38. Wages and salaries	2	2	3	..	..	..	..	..	..	..	..
48. Value added	2	3	5	..	..	..	..	..	..	..	..
58. Exports	1	1	1	..	..	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
United States	16	14	15	15	13	10	10	10	10	12	10

Source: UNCTAD, FDI/TNC database.

Note: Data are based on the information reported by the United States.

Tables 30, 35, 40, 45 and 50. Assets, employment, wages and salaries, sales and value added of affiliates of United States TNCs in Gabon, 1993-2004
(Thousands of employees and millions of dollars)

Table no./Variable	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
30. Assets	..	311	325	331	536	..	961	778	771	742	815
35. Employment	..	0.7	0.8	0.8	0.7	0.6	0.6	0.5	0.5	0.5	0.7
40. Wages and salaries	..	26	30	31	25	20	25	24	27	28	34
45. Sales	..	278	301	313	294	..	518	496	556	640	895
50. Value added ^a	99	99	105	104	71	99	231	257	323	311	405

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States. ^a Majority-owned affiliates only.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars)

Company	Sales
A. Industrial	
Total Gabon	1.141
Société Gabonaise de Raffinage	0.418
Compagnie Minière de l'Ogooué	0.253
Société Brasseries du Gabon	0.181
Société d'Énergie et d'Eau du Gabon	0.169
B. Tertiary	
Société Gabonaise de Distribution	0.182
Compagnie du Komo	0.167
Total Marketing Gabon	0.148
Gabon Telecom	0.114
Groupe CFAO Gabon	0.106
C. Finance and insurance	
..	Assets ..

Source: Jeune Afrique Hors-serie No. 14, 2007.

^a 2004.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Industry	Sales	Employees
A. Industrial			
Shell Gabon Sa	Manufacture of petroleum	545	371
Société Des Cigarettes Gabonaises Sa	Food products, beverages and tobacco	..	1 400
Les Ciments Du Gabon	Non-metallic mineral products	..	325
Elf Gabon S A	Petroleum	..	418
Nestlé Gabon	Food products, beverages and tobacco	..	70
Société Gabonaise D' Oxygene Et D' Acetylene SA	Chemicals and chemical products	..	64
Compagnie Miniere De L' Ogogue S A	Mining and quarrying	..	61
Construction Gabonaise Mota S.A.	Motor vehicles and trailers	..	..
Transocean Inc	Petroleum	..	..
B. Tertiary			
Comptoir Francais De L Afrique Occidentale	Wholesale trade	254	200
Société Haut Ogoue Gabon S A	Distributive trade	..	700
Société De Surveillance Gabon Sa	Public administration	..	600
Société D'Exploitation Des Parcs A Bois Du Gabon SA	Water Transport	..	250
Société De Distribution Gabonaise S A	Wholesale trade	..	240
Rougier Ocean Gabon S A	Forestry and fishing	..	210
Société Des Matériaux Du Gabon S A	Other services	..	80
Pizo Shell S A	Wholesale trade	..	69
Distrigab	Wholesale trade	..	21
Friedlander	Wholesale trade	..	19
Kafco Zambia Ltd	Wholesale trade	..	17
C. Finance and Insurance		Assets	Employees
Union Gabonaise De Banque S A	Finance	..	326
Les Assureurs Conseils Gabonais	Insurance	..	96

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

Gabon has enacted a number of national legal instruments and is also party to bilateral and multilateral measures for regulating the activities of the transnational corporations and foreign direct investors. The key instruments in the country include:

I. National framework

Law No. 15/62 of 2 June 1962 which Establishes the Mining Code as amended up to 1973.

Source: Official Gazette, No. 16 of 2 July 1962, p. 565 (special issue).

Gabon Investment Fund Ordinance No. 36 of 1 August 1967.

Source: Ministère de l'Economie et des Finances, "Code general des impôts directs et indirects", Multipress-Gabon SA, 1981, p. 135.

Decree No. 412/PR of 22 August 1967, Implementing Ordinance No. 36 of 1 August 1967.

Source: Ministère de l'Economie et des Finances, "Code general des impôts directs et indirects", Multipress-Gabon SA, 1981, p. 136.

Law No. 18/68 of 25 November 1968 Concerning Taxation of Mining Activities on Public or Private Property.

Source: Official Gazette, No. 2 of 15 January 1969, p. 43.

Law No. 7 of 5 June 1972 Concerning Approval Requirements by the Ministry of Commerce for Setting Up a Company.

Source: FIDAFRICA- Fiscalite Affcaine, 1972, p. 8.

Law No. 10 of 20 December 1973 on Shareholding Corporations.

Source: FIDAFRICA- Fiscalite Africaine, 1973, p. 10.

Company Taxation

Source: Arts: 1-30 of the General Tax Code, Finance Law 1974, No. 12-73 of 20 December 1973, as amended in 1987.

Law No. 14/74 of 21 January 1975 Regulating Research Activities and Exploitation of Petroleum. *Source:* Official Gazette of 1 February 1975, p. 94

Labour Law No. 5 of 5 June 1978.

Source: FIDAFRICA- Fiscalite Africaine, 1978, p. 26.

Law No. 1-81 of 3 June 1981 on Incentives for small and medium-sized enterprises.

Source: International Bureau of Fiscal Documentation ATS, suppl. No. 94 of March 1995.

Law No. 8-83 of 31 December 1983 on State Participation and Private Capital Investment.

Source: Societe des Conseils Juridiques et Fiscaux (FIDAfrica), "Establishing a company in Gabon", 1984, p. 10.

Copyright Law No. 1/87, July 1987 (on Protection of Copyright and Neighboring Rights).

Source: WIPO (<http://www.wipo.org>).

Investment Code of Gabon-Law No. 7-89 of 6 July 1989.

Source: Journal Officiel de la Republique Gabonaise (Official Gazette) of 20 July 1989

Ordinance 010/89/PR of 28 September 1989 on commercial activities.

Source: Editions Fiduciaires France-Afrique, 1989, p. 76 and 78.

Finance Law for 1994, as amended by Finance Law for 1995.

Source: FIDAFRICA- Fiscalite Africaine, 1995.

II. International Framework

A. Gabon is a party to the following multilateral and regional instruments:

Customs and Economic Union of Central Africa (UDEAC) refers to the following instruments: Common Convention on Investments in the UDEAC (1965).

Joint Convention on the Freedom of Movement of Persons and the Right of Establishment in the UDEAC (1972).

Multinational Companies Code in the UDEAC (1975).

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Customs and Economic Union of Central Africa (UDEAC): Common Convention on Investments in the UDEAC (1965); Joint Convention on the Freedom of Movement of Persons and the Right of Establishment in the UDEAC (1972); Multinational Companies Code in the UDEAC (1975).

Patents: Bangui Agreement, March 1977 (Annex I), as last amended in February 1999.

Source: WIPO (<http://www.wipo.org>).

Industrial Designs: Bangui Agreement, March 1977 (Annexes II and IV), as last amended in February 1999.

Source: WIPO (<http://www.wipo.org>).

Trade Marks: Bangui Agreement, March 1977 (Annex III), as last amended in February 1999.

Source: WIPO (<http://www.wipo.org>).

Agreement for the Promotion, Protection and Guarantee of Investment Among Member States of the Organization of Islamic Conference, of 1 June 1981; entered into force on 23 September 1986.

Treaty for the Establishment of the Economic Community of Central African States (ECCAS) 1983.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Articles of Agreement of the Islamic Corporation for the Insurance of Investment and Export Credit of 19 February 1992. Entered into force on 1 August 1994.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Italy 1968, Germany 1969, Switzerland 1972, France 1974, Romania 1979, Spain 1995, China 1997, Egypt 1997, Belgium/Luxembourg 1998, Germany 1998, Lebanon 2001, Portugal 2001, Morocco 2004, Mali 2005.

2. Bilateral treaties for the avoidance of double taxation: France 1966, Italy 1999, Lebanon 2001, Canada 2002, South Africa 2005.

D. Sources of information

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United States Trade Representative (2006). *2006 Comprehensive Report on U.S. Trade and Investment Policy Toward Sub-Saharan Africa and Implementation of the Africa Growth and Opportunity Act: The Sixth of Eight Annual Reports, May 2006*. (Washington D.C.: US Government).

Walter, Andrew (1998). Globalization and policy convergence: the case of direct investment rules (London School of Economics - <http://personal.lse.ac.uk/wyattwal/Beiler-Higgott%20final%202.pdf>).

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World Bank/International Finance Corporation (2007). *Doing Business 2008 Gabon* (Washington D.C.: The World Bank Group).

The Gambia

A. Definitions and sources of data

In The Gambia, the Development Act of 1973 (Act No. 15 of 1973) and its revision in the Act of 1988 (Act No. 1 of 10 May 1988) do not provide an explicit definition of foreign direct investment (FDI). The Act rather defines "company" as any company incorporated or registered under any law in force in The Gambia and any company which, although incorporated or registered outside The Gambia, carries on business or has an office or place of business therein. The Central Bank of The Gambia provides data on FDI in the country. Data reported by the Central Bank refer only to investments in hotels and fisheries. Some FDI inflows may have been included under items "drawings and repayments on other long-term loans received by other sectors" or under "other short-term liabilities of deposit money banks" in capital account of the balance-of-payments. The International Monetary Fund also provides the county's FDI data in its balance-of-payment statistics.

The Gambia Investment Promotion and Free Zones Agency (GIPFZA) is the Government agency mandated to promote foreign investment. The Government merged two legislative instruments - the Gambia Investment Promotion Act and the Gambia Free Zones Act to set up GIPFZA. GIPFZA serves as the link between investors and national authorities connected with business registration, administration of incentive and other support facilities associated with investing in The Gambia. The Agency has instituted a one-stop-shop service to provide all the information and help investors at the first stage of establishment and to continue rendering assistance to ensure the smooth functioning and sustainability of such business ventures.

In The Gambia, there are two separate but complementary environments for FDI: the free zones and outside the free zones. Separate and different activities take place in these two environments and the activities are governed by respective rules. Different incentives and responsibilities go with each environment. Investment activities in the free zones may include: warehousing, bulk breaking, labeling and packaging, financial and offshore services. Investments here should contribute positively to domestic capital formation and about 70% of the output of companies here should be for export markets. Investment outside the free zones should aim to set up companies and partnership under the laws of The Gambia and in the priority sectors such as agriculture, fisheries, tourism and manufacturing. Outside free zones, investment in The Gambia require at least US \$100,000 in fixed assets.

Incentives for investment are different in or out of the free zones. But all foreign investment in The Gambia benefit from exemptions from withholding tax and tax on dividends, exemption from customs duty on imported capital equipment, machinery and approved quantities of semi-finished products. They may or may not be exempted from sales taxation.

The Gambia signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 1 October 1974 and has membership of several international bodies and organizations which provide market-cushion for the outputs of international investors. The Gambia is a member of the Economic Community of West African States, New Partnership for Africa's Development and the African Union. The country is an eligible member of the United States' market access initiative for African countries – the African Growth and Opportunity Act, the Cotonou Agreement for renegotiating the trade links between the European Union (EU) and the African, Caribbean and Pacific countries and the EU's Everything But Arms initiative. The Gambia is also among the thirty-four African least developed countries that have the option of entering the EU generalized system of preferences and is a member of the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	44.7	-
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	43.6	-
3. FDI stocks, 2006	442	-
4. FDI stocks as a percentage of GDP, 2006	87.3	0.0

Source: Based on tables 3a and 4 and UNCTAD, FDI/TNC database.

Table 3a. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	..	..	..	0.3	..	..	..	..
1981	..	..	..	2.3	..	..	..	..
1982	..	..	..	0.3	..	..	..	..
1983	..	..	..	- 0.4	..	..	..	..
1984	..	..	..	- 1.7	..	..	..	..
1985	..	..	..	- 0.5	..	..	..	..
1986	..	..	..	- 2.0	..	..	..	..
1987	2.3	..	..	1.5	..	..	..	..
1988	2.0	..	..	1.2	..	..	..	..
1989	14.8	..	..	14.8	..	..	..	..
1990	..	..	..	14.1	..	..	..	..
1991	10.2	..	..	8.0	..	..	..	..
1992	6.2	..	..	12.9	..	..	..	..
1993	11.1	..	..	11.2	..	..	..	..
1994	9.8	..	..	8.8	..	..	..	..
1995	7.8	..	..	15.0	..	..	..	..
1996	10.8	..	..	18.4	..	..	..	..
1997	12.0	..	..	20.6	..	..	..	..
1998	..	..	..	23.7	..	..	..	..
1999	..	..	..	49.5	..	..	..	..
2000	..	..	..	43.5	..	..	..	..
2001	..	..	..	35.5	..	..	..	..
2002	..	..	..	42.8	..	..	..	..
2003	..	..	..	14.9	..	..	..	..
2004	..	..	..	49.1	..	..	..	..
2005	..	..	..	44.7	..	..	..	..
2006	..	..	..	69.9	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics). Data are based on OECD for 1980, 1982-1986, IMF for 1981 and 1987-1989 and the Central Bank of the Gambia thereafter.

Table 3b. FDI flows, by type of investment, 2003-2006
(Millions of Dalasi)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
2003	406.8	..	..	..	..
2004	1 474.6	..	..	..	..
2005	1 277.1	..	..	..	..
2006	1 998.8	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics) based on the Central Bank of the Gambia.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	127.1	..	..	..	..
1981	129.4	..	..	..	..
1982	129.7	..	..	..	..
1983	129.3	..	..	..	..
1984	127.6	..	..	..	..
1985	127.1	..	..	..	..
1986	125.1	..	..	..	..
1987	126.6	..	..	..	..
1988	127.7	..	..	..	..
1989	142.5	..	..	..	..
1990	156.6	..	..	..	..
1991	158.2	..	..	..	..
1992	160.3	..	..	..	..
1993	168.9	..	..	..	..
1994	177.7	..	..	..	..
1995	184.7	..	..	..	..
1996	193.6	..	..	..	..
1997	200.1	..	..	..	..
1998	211.4	..	..	..	..
1999	219.6	..	..	..	..
2000	216.0	..	..	..	..
2001	220.9	..	..	..	..
2002	263.8	..	..	..	..
2003	278.7	..	..	..	..
2004	327.8	..	..	..	..
2005	372.5	..	..	..	..
2006	442.4	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data prior to 1990 are estimated by subtracting inflows from the stock of 1990. 1990-2001 are based on the Central Bank of the Gambia. 2002-2006 are estimated by adding flows to the 2001 stock.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Denmark	-	-	-	-	-	-	-	-	-	-	0.2	-
France	0.2	-	-	-	-	-	-	-	-	-	-	-
Germany	-	-	-	-	-	-	-3.6	-	-	1.2	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Bulgaria	-	-	-	-	-	-	-	-	2.6	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by Bulgaria.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	-	-	-	-	-	0.0	0.2	1.2	-
Denmark	-	-	-	-	-	-	-	-	-	0.5	0.3	0.5

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Bulgaria	-	-	-	-	-	-	-	-	2.7	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by Bulgaria.

Table 11. FDI stocks in the host economy, by industry, 1995-2006
(Millions of Dalasi)

Sector / industry	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total	658.5	706.2	..	..	..	..	..	..
Primary	20.0	20.0	..	..	..	..	..	..
Agriculture, hunting, forestry and fishing	20.0	20.0	..	..	..	..	..	..
Secondary	135.3	156.2	..	..	..	..	..	..
Tertiary	501.4	528.0	..	..	..	..	..	..
Construction	0.1	0.4	..	..	..	..	..	..
Trade	58.7	63.9	..	..	..	..	..	..
Hotels and restaurants	175.2	170.6	..	..	..	..	..	..
Finance	266.9	292.5	..	..	..	..	..	..
Health and social services	0.6	0.6	..	..	..	..	..	..
Unspecified	1.8	1.9	..	..	..	..	..	..

Source: Central Bank of Gambia.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company Name	Home economy	Industry	Sales	Employees
A. Industrial				
Abb Holdings (Pty) Ltd	Switzerland	Electricity, gas and water	..	..
Gacem Ltd	Italy	Non-metallic mineral products	..	..
B. Tertiary				
CFAO Gambia Limited	France	Wholesale trade	..	110
Shell Marketing Gambia Ltd	United Kingdom	Wholesale trade	..	23
Dhl International Ltd.	Germany	Air transport	..	..
Macmillan Education Ltd	Germany	Education	..	..
Phenix Gabon S A R L	France	Other services	..	..
C. Finance and Insurance			Assets	Employees
Standard Chartered Bank Gambia	England	Finance	..	..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

In the Gambia, the government uses a number of legal instruments to regulate the activities of transnational corporations and foreign investors. The key national, bilateral and multilateral regulatory instruments include:

I. National framework

Trademarks Act., of 31 August 1916. chapter. 182.

Source: The laws of Gambia, 1966, vol. VIII. p. 1,611.

Patents: Registration of United Kingdom Patents Act, cap. 165 No. 8 of 1925, as amended by No. 19 of 1928, No. 13 of 1932 and No. 6 of 1956 repealed. Under Section 46 patents registered under the Registration of United Kingdom Patents Act, 1925, remain in force for the unexpired portion of the period of protection provided thereunder, subject, respectively, to the payment of the fees provided for in this Act.

Source: WIPO (<http://www.wipo.org>).

Industrial Designs: United Kingdom Designs (Protection) Act, 1936, cap. 184 No. 18 of 1936.

Industrial Property Act of 1989, published in 1990 (not yet in force): Part IV: Industrial Designs (sections 19 to 25).

Source: WIPO (<http://www.wipo.org>).

Minerals Act No. 21 of 22 December 1953; effective on 1 July 1953, p.1.

Source: Supplement C to the Gambia Gazette, No. ,15 of 31 December 1953, p. 1.

Companies Act No. 9 of 29 July 1955, (Chapter 29).

Source: The Laws of Gambia, 1966. vol. 11, p. 485.

Income Tax Act of 1966. (Chapter 96).

Source: The Laws of Gambia. 1966, vol. 5, Cap. 96

Tourist Industry Licensing Act No. 17 of 6 June 1971.; effective on 6 June 1971.

Source: Supplement C to the Gambia Gazette. No. 24 of 17 June 1974, p. 101.

Business Registration Act No. 14 of 10 August 1973.

Source: Supplement C to the Gambia Gazette, No. 28 of 2,1 August 1973, p. 43.

Amendment: Legal Notice No. 39 of 22 July 1975 (Trademarks Amendment Rules).

Source: Supplement A to the Gambia Gazette. No. 30 of 22 August 1975, p. 89. II. International framework.

Import Tax Act No. 25 of 16 December 1976; effective on 1 October 1976.

Source: Supplement C to the Gambia Gazette, No. 48 of 31 December 1976, p. 81.

The Gambia Investment Board Act No. 7 of 26 January 1977; effective on 25 February 1977.

Source: Supplement C to the Gambia Gazette, No. 18 of 9 March 1977, p. 39.

The Development Act No. 1 of 10 May 1988; effective on 23 May 1988.

Source: Supplement C to the Gambia Gazette, No. 19 of 23 May 1988, p. 12.

The Income Tax (Amendment) Act No. 3 of 10 May 1988; effective on 23 May 1988.

Source: Supplement C to the Gambia Gazette, No. 19 of 23 May 1988, p. 5.

Industrial Property Act of 1989, published in 1990 (not yet in force): Part II: Patents (sections 3-15).

Source: WIPO (<http://www.wipo.org>).

Employees' Inventions: Industrial Property Act of 1989, published in 1990 (not yet in force): Part II: Employees' inventions section 5(5) and (6) and (21).

Source: WIPO (<http://www.wipo.org>).

Utility Models: Industrial Property Act of 1989, published in 1990 (not yet in force): Part III: Utility Model Certificates (sections 16 to 18).

Source: WIPO (<http://www.wipo.org>).

Industrial Property Act of 1989, published in 1990 (not yet in force): Part V: Marks, Collective Marks, Trade Names and Unfair Competition (sections 26 to 36).

Source: WIPO (<http://www.wipo.org>).

II. International Framework

A. The Gambia is a party to the following multilateral and regional instruments:

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Agreement for the Promotion, Protection and Guarantee of Investment Among Member States of the Organization of Islamic Conference, of 1 June 1981; entered into force on 23 September 1986.

Revised Treaty of the Economic Community of West African States (ECOWAS) 1983.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Articles of Agreement of the Islamic Corporation for the Insurance of Investment and Export Credit of 19 February 1992. Entered into force on 1 August 1994.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Switzerland 1993, Mauritania 2001, Netherlands 2002, United Kingdom 2002, Qatar 2002, Morocco 2006, .

2. Bilateral treaties for the avoidance of double taxation: Switzerland 1963, United Kingdom 1980, Sweden 1993, Norway 1994, Taiwan Province of China 1997.

D. Sources of information

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Soderbom, M. and F. Teal (2004). "Size and Efficiency in Africa Manufacturing firms: Evidence from Firm-Level Panel Data." *Journal of Development Economics*, 73. pp 369 - 394.

United Nations Conference on Trade and Development (UNCTAD) (2002). *FDI in Least Developed Countries at a Glance 2002* (Geneva: UNCTAD/ITE/IIA/6).

_____ (2005a). *Investor-Disputes Arising from Investment Treaties: A Review*. UNCTAD Series of International Investment Policies for Development (UNCTAD/ITE/IIT/2005/4).

_____ (2005b). *A Survey of Support by Investment Promotion Agencies to Linkages*. Advisory Studies No. 18 (UNCTAD/ITE/IPC/2005/12).

_____ (2005c). *FDI in least developed countries at a glance: 2005/2006* (UNCTAD/ITE/IIA/2005/17).

United States Trade Representative (2006). *2006 Comprehensive Report on U.S. Trade and Investment Policy Toward Sub-Saharan Africa and Implementation of the Africa Growth and Opportunity Act: The Sixth of Eight Annual Reports, May 2006*. (Washington D.C.: US Government).

World Bank/International Finance Corporation (2007). *Doing Business 2008 Gambia* (Washington D.C.: The World Bank Group).

Ghana

A. Definitions and sources of data

Five main institutions are responsible for collection of foreign direct investment (FDI) data in Ghana. Bank of Ghana provides information on the cash investments that pass through the Banking System. Data on the inward FDI are also derived from the records of the Ghana Investment Promotion Centre (GIPC), the Ghana Minerals Commission and the Energy Board/Ghana National Petroleum Corporation of the Ministry of Mines and Energy. These institutions are responsible for coordinating and monitoring investment in their respective sectors. Divestiture Implementation Committee collects information on foreign participation in diversified state enterprises. But comprehensive data on FDI in Ghana, compiled in line with the international Monetary Fund (IMF) balance-of-payments manual (5th edition) and Organization for Economic Cooperation and Development (OECD) benchmark definition standards, are not available from these sources. Data are also provided by the IMF in its balance-of-payment statistics, the World Bank Group and the database of the OECD. FDI stock data were estimated as an accumulation of flows.

Under the GIPC Act, 1994 (Act 478), the Ghana Investment Promotion Centre started registering and recording information on FDI-related projects in September 1994. But GIPC does not include projects in the minerals and petroleum sector, and reports information on registered projects. These project-specific data are subject to validation by the Bank of Ghana and the Ghana Customs and Preventive Service. Recently, GIPC embarked on an exercise to determine which of the registered projects are operational.

In 1995, the Ghanaian Parliament enacted the country's Free Zone Act (FZA) which created attractive packages of incentives for hassle-free business operation for exporting firms. These incentives amplify business in what is already a centre for international business. The FZA allows production, manufacturing, and services, including financial services, exemption from taxes on profits for 10 years; up to 30% of the annual production can be sold in the national customs zone; a foreign investor may take hold of 100% of shares in Free Zone property; income tax after 10 years does not exceed 8%; and foreign and domestic investors have equal status.

Ghana signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 26 November 1965 and is a member of integration schemes that include the African Union, New Partnership for Africa's Development and Economic Community for West African States. Ghana is an eligible member of the United States' market access initiative for African countries - the African Growth and Opportunity Act and the Cotonou Agreement for renegotiating the partnership between the African, Caribbean and Pacific countries with the European Union. Ghana is also a member of the Multilateral Investment Guarantee Agency and the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	213.8	2.4
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	9.4	0.1
3. FDI stocks, 2006	2 497	-
4. FDI stocks as a percentage of GDP, 2006	19.4	0.0

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	3.1	12.2	0.3	15.6	..	..	..	..
1981	6.2	11.6	- 1.5	16.3	..	..	..	..
1982	5.7	10.6	-	16.3	..	..	..	..
1983	0.8	1.6	-	2.4	..	..	..	..
1984	..	2.0	-	2.0	..	..	..	..
1985	5.6	-	-	5.6	..	..	..	..
1986	4.3	-	-	4.3	..	..	..	..
1987	4.7	-	-	4.7	..	..	..	..
1988	5.0	-	-	5.0	..	..	..	..
1989	15.0	-	-	15.0	..	..	..	..
1990	14.8	-	-	14.8	..	..	..	..
1991	20.0	-	-	20.0	..	..	..	..
1992	22.5	-	-	22.5	..	..	..	..
1993	125.0	-	-	125.0	..	..	..	..
1994	233.0	-	-	233.0	..	..	..	..
1995	106.5	-	-	106.5	..	..	..	..
1996	120.0	-	-	120.0	..	..	..	1.3
1997	81.8	-	-	81.8	..	..	..	1.7
1998	167.4	-	-	55.7	..	..	..	26.7
1999	243.7	-	-	243.7	..	..	..	163.3
2000	165.9	-	-	165.9	..	..	..	..
2001	89.3	-	-	89.3	..	..	..	9.6
2002	58.9	-	-	58.9	..	..	..	- 2.0
2003	136.7	-	-	136.6	..	..	..	10.7
2004	139.3	-	-	139.3	..	..	..	- 1.0
2005	107.8	-	48.0	145.0	..	..	..	..
2006	-	-	-	434.5	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the IMF for 1980-1989 and the Bank of Ghana thereafter. Outflow data are proxy data based on investments reported by the following economies:

1996 and 1998, Germany.

1997, France and Malaysia.

1999, United Republic of Tanzania and the United States.

2001, Germany and the United Republic of Tanzania.

2002, Germany and the United States.

2003, Cyprus and the United States.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	232.9	..	..	..	..
1981	249.2	..	..	..	..
1982	265.5	..	..	..	..
1983	267.9	..	..	..	..
1984	269.9	..	..	..	..
1985	275.5	..	..	..	..
1986	279.8	..	..	..	..
1987	284.5	..	..	..	..
1988	289.5	..	..	..	..
1989	304.5	..	..	..	..
1990	319.3	..	..	..	..
1991	339.3	..	..	..	..
1992	361.8	..	..	..	..
1993	486.8	..	..	..	..
1994	719.8	..	..	..	..
1995	826.3	..	..	..	..
1996	946.3	..	..	..	..
1997	1 028.1	..	..	..	..
1998	1 083.8	..	..	..	..
1999	1 327.5	..	..	..	..
2000	1 493.4	..	..	..	..
2001	1 582.7	..	..	..	..
2002	1 641.6	..	..	..	..
2003	1 778.2	..	..	..	..
2004	1 917.4	..	..	..	..
2005	2 062.4	..	..	..	..
2006	2 496.9	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Note: Data are estimated by accumulating inflows since 1970.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium	-	-	-	-	-	-	-	-	1.1	-	2.5	-
Belgium/Luxembourg	-	2.6	3.4	- 1.1	-	-	-	-	1.1	-	2.5	-
Bulgaria	-	-	-	-	-	-	-	-	-	-	0.1	0.0
China	-	-	-	-	-	-	-	-	2.9	0.3	2.6	-
Denmark	-	-	-	-	-	-	-	-	-	-	1.8	4.0
France	- 0.2	0.3	2.2	-	-	-	-	-	-	18.6	9.9	2.5
Germany	- 1.4	26.6	-	- 0.6	-	-	- 7.2	- 5.6	1.1	6.2	- 5.0	- 2.5
Malaysia	-	2.4	1.1	1.8	0.5	50.5	-	-	-	-	-	-
Netherlands	5.5	17.0	15.8	2.2	4.3	- 1.8	16.1	6.6	- 6.8	5.0	-	-
Portugal	-	-	-	1.5	1.2	1.4	0.2	0.2	0.1	-	-	-
Korea, Republic of	-	0.8	-	0.1	0.1	0.3	0.1	1.4	0.1	0.4	0.1	-
Sweden	-	-	0.1	0.4	0.1	-	2.0	-	-	2.4	1.3	0.6
United States	41.0	58.0	29.0	50.0	- 92.0	- 24.0	91.0	- 31.0	4.0	117.0	- 2.0	- 1.0

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Cyprus	-	-	-	-	-	-	-	0.0	7.7	0.0	0.0	-
Denmark	-	-	-	-	-	-	-	-	-	-	- 1.3	-
Germany	-	0.7	-	13.6	-	-	8.1	0.9	- 32.7	-	-	-
Malaysia	-	-	2.0	-	-	-	-	-	-	-	-	-
Korea, Republic of	-	-	-	-	-	0.1	0.0	-	0.2	-	0.1	0.4
United Rep. of Tanzania	-	-	-	-	164.3	-	1.5	-	-	-	-	-
United States	-	-	-	-	- 1.0	-	-	- 3.0	3.0	- 1.0	-	- 2.0

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Bulgaria	-	-	-	-	-	-	-	-	-	-	0.1	-
Canada	26.4	92.7	101.5	67.3	74.1	92.0	52.1	55.1	68.9	236.0	-	-
China	-	-	-	-	-	-	-	-	6.6	6.3	7.3	-
Denmark	-	-	-	-	-	-	-	-	-	11.2	14.5	25.3
Germany	24.4	27.7	34.6	38.3	28.1	14.0	14.1	-	-	-	-	-
Israel	-	-	-	-	-	-	0.1	0.1	0.3	0.3	0.3	-
Malaysia	-	2.4	2.3	4.3	4.8	55.3	55.3	55.3	55.3	55.3	55.6	-
Netherlands	39.8	50.6	53.5	36.2	37.2	46.5	66.1	65.0	37.9	36.8	36.6	-
Korea, Republic of	0.1	0.9	0.9	1.0	1.1	1.4	1.5	2.8	3.0	3.4	3.5	-
United States	190.0	248.0	279.0	330.0	225.0	205.0	297.0	266.0	250.0	238.0	239.0	237.0

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Denmark	-	-	-	-	-	-	-	-	-	1.3	-	-
Korea, Republic of	-	-	-	-	-	0.1	0.1	0.1	0.3	0.3	0.4	0.7
United Rep. of Tanzania	-	-	-	542.7	418.7	149.9	174.9	-	-	-	-	-
United States	-	-	-	-	- 1.0	- 1.0	- 1.0	- 4.0	- 1.0	- 2.0	- 2.0	- 4.0

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	5	7	9	11	11	8	6	5	..	..	..	..
Korea, Rep. of	..	..	3	3	4	6	7	8	12	12	13	14
United States	4	4	5	5	5	5	5	6	6	5	6	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 30. Assets of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005
(Millions of dollars)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	..	..	64.3	55.8	119.5	100.5	93.1	88.1	..	..	..	..
United States	298.0	313.0	409.0	463.0	524.0	512.0	487.0	639.0	590.0	607.0	661.0	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 35. Employment of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005
(Thousands of employees)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	..	1.0	2.0	2.0	2.0	2.0	1.0	1.0	..	..	..	..
Sweden ^a	..	..	..	..	1.8	..	..	..	..	..	..	..
United States	2.5	..	3.1	3.2	2.8	..	..	..	3.0	3.0	3.9	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

^a Data refer to majority-owned affiliates only.

Tables 40 and 50. Wages and salaries and value added of affiliates of United States TNCs in Ghana, 1994-2005
(Millions of dollars)

Table no./Variable	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
40. Wages and salaries	28	34	33	..	..	..	37	37	44	..
50. Value added ^a	155	180	112	..	..	..	125	121	100	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Table 45. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005
(Millions of dollars)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	61.6	69.8	66.5	115.3	113.7	106.5	92.1	89.5	..	..	..	..
United States	281	355	348	430	348	444	427	493	596	603	572	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars)

Company	Industry	Sales
A. Industrial		
Volta River Authority	Electricity/gas/water	0.36
Electricity Company of Ghana	Electricity/gas/water	0.30
Produce Buying Company	Agro-Industry	0.25
Shell Ghana	Petroleum expl./ref./distr.	0.16 a
Mobil Oil Ghana	Petroleum expl./ref./distr.	0.15 a
Unilever Ghana	Chemical & chemical products	0.11
B. Tertiary		
Olam Ghana	Import-Export	0.10
C. Finance and insurance		
		Assets
..

Source: Jeune Afrique Hors-serie No. 14, 2007.

^a 2004.

Table 87. Largest affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company Name	Host Economy	Industry	Sales	Employees
A. Industrial				
Societe Ashanti Goldfields De Guinee SA	Guinea	Mining and quarrying	108	1 978
Geita Gold Mine (T) Ltd	Tanzania	Mining and quarrying	..	20
B. Tertiary				
Luki Investments Limited, Inc.	Usa	Wholesale trade	0.21	2
C. Finance and insurance				
			Assets	Employees
Kek Reinsurance Brokers (Europe) Ltd.	England	Insurance	0.12	4
Ghana International Bank Plc	England	Finance	..	47

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home Economy	Industry	Sales	Employees
A. Industrial				
Unilever Ghana Limited	United Kingdom	Chemicals and chemical products	102.0	1 200
Ausdrill (Gh) Ltd	Australia	Mining and quarrying	88.8	15
Lever Brothers Ghana Ltd	United Kingdom	Chemicals and chemical products	82.7	800
Golden Star Wassa Limited	United States	Mining and quarrying	65.0	800
British American Tobacco	United Kingdom	Food products, beverages and tobacco	52.4	310
S.C.Johnson Wax Ltd	United States	Chemicals and chemical products	0.7	60
Cadbury Ghana Limited	United Kingdom	Food products, beverages and tobacco	..	1 800
Barnex (Prestea) Ltd	South Africa	Mining and quarrying	..	1 548
Nestle Ghana Limited	Switzerland	Food products, beverages and tobacco	..	897
Chirano Gold Mines Ltd	Canada	Mining and quarrying	..	599
Pioneer Food Cannery Limited	United States	Food products, beverages and tobacco	..	247
Ghacem Limited	Norway	Non-metallic mineral products	..	229
Ghana Aluminium Products Limited	Bermuda	Metal and metal products	..	112
Prestea Sankofa Gold Limited	United Kingdom	Mining and quarrying	..	100
Alcatel Kablemetal Gh Ltd	Germany	Metal and metal products	..	90
Carson Products West Africa Ltd	France	Chemicals and chemical products	..	6
B. Tertiary				
Shell Ghana Limited	United Kingdom	Wholesale trade	176.7	..
C F A O (Ghana) Ltd	France	Wholesale trade	8.3	145
Reiss And Company (Ghana) Limited	United Kingdom	Wholesale trade	5.2	72
West African Mining Services Ltd	Australia	Wholesale trade	0.1	220
Neoplan Ghana Ltd	Germany	Automotive trade and repair	..	400
Pricewaterhousecoopers	United States	Other services	..	100
Saikirpa Ltd	United Kingdom	Wholesale trade	..	100
Pens & Plastics (Ghana) Ltd	France	Rubber and plastic products	..	84
Acg Telesystems (Ghana) Ltd	United States	Other business activities	..	75
Dizengoff Ghana Ltd	United Kingdom	Wholesale trade	..	65
Atlas Copco Ghana Limited	Sweden	Wholesale trade	..	32
Sandvik Tamrock Ghana Ltd	Sweden	Wholesale trade	..	10
Maersk Ghana Ltd	Denmark	Supporting transport activities	..	4
Amadeus Marketing Ghana Ltd	Luxembourg	Supporting transport activities	..	..
Bt Ghana Limited	United Kingdom	Telecommunications	..	..
Energoprojekt Ghana Ltd.	Serbia and Montenegro	Public administration	..	..
C. Finance and insurance			Assets	Employees
Barclays Bank Ghana Limited	United Kingdom	Finance	86.3	771
Sg-Ssb Limited	France	Finance	45.7	1 500
Standard Chartered Bank (Gh) Ltd	United Kingdom	Finance	38.6	586
Metropolitan Insurance Company	India	Insurance	4.9	120
Ecobank Ghana Ltd	Togo	Insurance	..	80
Munich Mauritius Reinsurance Company	Germany	Insurance	..	..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

The key national, bilateral and multilateral legal instruments for regulating the activities of transnational corporations and foreign investors in Ghana include:

I. National Framework

Exchange Control Act, 1961 (Act 71).

Source: Publication Number GP/A259/4,886/8/61-62 of the Government Printing Department, Accra, Ghana.

Exchange Control Regulations, 1961 (LI 133).

Source: *Official Gazette of the Republic of Ghana*, 11th August 1961.

Registration of Business Names Act, 1962 (Act 151).

Source: *Acts of Ghana, Vol. III, Act 179*, Publication Number GP/A270/5,396/11/62-63 of the Government Printing Department, Accra, Ghana.

Incorporated Private Partnerships Act, 1962 (Act 152).

Source: *Acts of Ghana Vol. III*, Publication Number GP/A270/5,396/11/62-63 of the Government Printing Department, Accra, Ghana.

Insolvency Act, 1963 (Act 153).

Source: *Acts of Ghana Vol. III, Act 153*. Publication Number GP/A270/4,396/11/62-63 of the Government Printing Department, Accra, Ghana.

Aliens Act, 1963 (Act 160).

Source: Publication Number SPC/A10502/4,030/6/66 of the State Publishing Corporation (Printing Division) Accra-Tema, Ghana.

Companies Code, 1963 (Act 179).

Source: *Acts of Ghana, Vol. IV, Act 179*, Publication Number GP/A270/5,396/11/62-63 of the Government Printing Dept., Accra, Ghana.

Bodies Corporate (Official Liquidation) Act, 1963 (Act 180).

Source: *Acts of Ghana Vol. IV, Act 180*. Publication Number GP/A1410/5,506/7/62-63 of the Government Printing Department, Accra, Ghana.

Aliens Regulations, 1963 (LI 265).

Source: *Official Gazette of the Republic of Ghana*, 5th April 1963.

Companies (Prescribed Forms) Instrument, 1963 (LI 289).

Source: *Official Gazette of the Republic of Ghana*, 12th July 1963.

Industrial Relations Act, 1965 (Act 229).

Source: *Acts of Ghana Vol. V, Act 229*.

Trade Marks Act, 1965 (Act 270).

Source: *Acts of Ghana, Vol. V, Act 270*.

Stamp Duty Act, 1965 (Act 311).

Source: *Acts of Ghana Vol. V, Act 311*.

Copyright (Fee) Regulations, 1965 (LI 620).

Source: Official Gazette of the Republic of Ghana, 9th May 1969.

Textile Designs (Registration) Regulations, 1966 (LI 512).

Source: Official Gazette of the Republic of Ghana, 24th June 1966.

Labour Decree, 1967 (NCLD 157), as amended, and Regulations made thereunder.

Source: Official Gazette of the Republic of Ghana, 14th April 1967.

Factories, Offices and Shops Act, (Act 328).

Source: Acts of Ghana Vol. V, Act 328, Publication Number GPC/A1384/7,508/6/70.

Ghana Standards (Certification Mark) Rules, 1970, (LI 662).

Source: Official Gazette of the Republic of Ghana, 17th September 1970.

Trade Marks Regulations, 1970 (LI 667).

Source: Official Gazette of the Republic of Ghana, 4th December 1970.

Registration of Business Regulations, 1972 (LI 982).

Source: Official Gazette of the Republic of Ghana, 11th October 1974.

Petroleum Decree, 1973 (NRCD 187).

Source: Official Gazette of the Republic of Ghana, 6th July 1973.

Textile Designs (Registration) Decree, 1973 (NCRD 213).

Source: Official Gazette of the Republic of Ghana, 14th September 1973.

Aliens (Registration) Regulations, 1974 (LI 856).

Source: Official Gazette of Republic of Ghana, 11th January 1974.

Registration of Business Names (Amendment) Decree, 1974 (NRCD 293).

Source: Official Gazette of the Republic of Ghana, 11th October 1974.

Capital Gains Tax Decree, 1975 (NCRD 347).

Source: Official Gazette of the Republic of Ghana, 29th August 1975.

Standards Decree, 1973 (NRCD 173).

Source: Official Gazette of the Republic of Ghana, 4th May 1973.

Tax Collection (Receipts) Decree, 1975 (NRCD 349).

Source: Official Gazette of the Republic of Ghana, 29th August 1973.

Income Tax Decree, 1975 (SMCD 5).

Source: Official Gazette of the Republic of Ghana, 24th December 1975.

Incorporated Private Partnership Act (Amendment) Act, 1980 (Act 423).

Source: Acts of Ghana Vol. V, Act 423. Publication Number GPC/A736/5,220/8/80 of the Ghana Publishing Corporation, Accra, Ghana.

Factories, Offices and Shops (Amendment) Law, 1983 (PNDCL 66).

Source: Official Gazette of the Republic of Ghana, 2nd September 1983.

Petroleum (Exploration and Production) Law, 1984 (PNDCL 84).

Source: Official Gazette of the Republic of Ghana, 29th June 1984.

Copyright Law, 1985 (PNDCL 110).

Source: *Official Gazette of the Republic of Ghana*, 21st June 1985.

Additional Profits Tax Law, 1985 (PNDCL 122).

Source: *Official Gazette of the Republic of Ghana*, 25th October 1985.

Internal Revenue Service Law, 1986 (PNDCL 143).

Source: *Official Gazette of the Republic of Ghana*, 4th April 1986.

External Companies and Diplomatic Missions (Acquisition and Rental of Immovable Property) Law, 1986 (PNDCL 150).

Source: *Official Gazette of the Republic of Ghana*, 13th June 1986.

Minerals & Mining Law, 1986 (PNDCL 153).

Source: *Official Gazette of the Republic of Ghana*, 18th July 1986.

Minerals (Royalties) Regulations, 1986 (LI 1340).

Source: *Official Gazette of the Republic of Ghana*, 24th December 1986.

Workmen's Compensation Law, 1987 (PNDCL 187).

Source: *Official Gazette of the Republic of Ghana*, 21st August 1987.

Petroleum Income Tax Law, 1987 (PNDCL 188).

Source: *Official Gazette of the Republic of Ghana*, 4th September 1987.

Minerals (Royalties) Regulations, 1987 (LI 1348).

Source: *Official Gazette of the Republic of Ghana*, 28th August 1987.

Income Tax (Registration of Trade, etc.) Law, 1988 (PNDCL 201).

Source: *Official Gazette of the Republic of Ghana*, 9th September 1988.

Banking Law, 1989 (PNDCL 225).

Source: *Official Gazette of the Republic of Ghana*, 2nd December 1989.

Insurance Law, 1989 (PNDCL 227) and Regulations.

Source: *Official Gazette of the Republic of Ghana*, 29th December 1989.

Stock Exchange (Ghana Stock Exchange) Listing Regulations, 1990 (LI 1509).

Source: *Official Gazette of the Republic of Ghana*, 11th January 1991.

Social Security Law, 1991 (PNDCL 247).

Source: *Official Gazette of the Republic of Ghana*, 15th February 1991.

Patent Law, 1992 (PNDCL 332).

Source: *Official Gazette of the Republic of Ghana*, 18th June 1993.

Technology Transfer Regulations, 1992 (LI 1547).

Source: *Official Gazette of the Republic of Ghana*, 18th December 1992.

Customs Excise and Preventive Service (Management) Law, 1993 (PNDCL 330).

Source: *Official Gazette of the Republic of Ghana*, 11th May 1998.

Finance Lease Law, 1993 (PNDCL 331).

Source: *Official Gazette of the Republic of Ghana*, 18th June 1993.

Securities Industry Law, 1992 (PNDCL 333).

Source: *Official Gazette of the Republic of Ghana*, 19th November 1993.

Ghana Standards Board (Food, Drugs and Other Goods) General Labelling Rules, 1992 (LI 1541).

Source: *Official Gazette of the Republic of Ghana*, 11th September 1992.

Minerals and Mining (Amendment) Act, 1994 (Act 475).

Source: *Official Gazette of Republic of Ghana*, 25th February 1994.

Ghana Investment Promotion Centre Act, 1994 (Act 478).

Source: *Official Gazette of the Republic of Ghana*, 2nd September 1994.

Environmental Protection Agency Act, 1994 (Act 490).

Source: *Official Gazette of the Republic of Ghana*, 30th December 1994.

Export and Import Act, 1995 (Act 503).

Source: *Official Gazette of the Republic of Ghana*, 11th August 1995.

Free Zones Act, 1995 (Act 504).

Source: *Official Gazette of the Republic of Ghana*, 15th September 1995.

Stamp Duty (Amendment) Act, 1996 (Act 510).

Source: *Official Gazette of the Republic of Ghana*, 22nd March, 1996.

Capital Gains Tax (Amendment) Act, 1996 (Act 513).

Source: *Official Gazette of the Republic of Ghana*, 22nd March 1996.

Value Added Tax Service Act, 1998 (Act 546).

Source: *Official Gazette of the Republic of Ghana*, 18th March 1998.

Income Tax (Amendment) Act 1998 (Act 551).

Source: *Official Gazette of the Republic of Ghana*, 8th May 1998.

Customs Excise and Preventive Service (Management) (Amendment) Act, 1998 (Act 552).

Source: *Official Gazette of the Republic of Ghana*, 8th May 1998.

Value Added Tax Regulations, 1998 (LI 1646).

Source: *Official Gazette of the Republic of Ghana*, 12th June 1998.

II. International Framework

A. Ghana is a party to the following bi-lateral, multilateral, unilateral and regional instruments:

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of June 10, 1958, entered into force on 7 June 1959.

Source: United Nations, Treaty Series, Vol. 330, p. 3.

International Development Association Act, 1960 (Act 11)

Source: *Acts of Ghana*, Vol. I. Act 11.

International Bank, Fund and Finance Corporation (Amendment) Act, 1960 (Act 12)

Source: *Acts of Ghana*, Vol. I Act 12.

Arbitration Act, 1961 (Act 38), (including the U.N. Convention on the Recognition and Enforcement of Foreign Arbitral Awards)

Source: *Acts of Ghana*, Vol. II, Act 38.

Paris Convention for the Protection of Industrial Property of 20 March 1883 (revised at Brussels on 14 December 1900, Washington on 2 June 1911, The Hague on 6 November 1925, London on 2 June 1934, Lisbon on 31 October 1958, Stockholm on 14 July 1967, and as amended on 2 October 1979), signed in 1963.

Sources: World Intellectual Property Organisation: Depository of the original convention and revisions and United Nations, Treaty Series, vol. 828, p. 107 (Lisbon Revision); vol. 828, p. 305 (Stockholm Revision).

Convention on the Settlement of Investment Disputes Between States and Nationals of Other States of 18 March 1965. Entered into force on 14 October 1966.

Source: World Bank, Depository of the Original convention. The convention was published under document ICSID/2.

African Development Bank (Immunities and Privileges) Decree, 1967 (NLCD 173)

Source: *Official Gazette of the Republic of Ghana*, 2nd June 1967.

Convention Establishing Multilateral Investment Guarantee Agency of 11 October 1985. Entered into force on 12 April 1988.

Source: Multilateral Investment Guarantee Agency. Convention Establishing the multilateral Investment Guarantee Agency and Commentary on the Convention (Washington D.C., MIGA, 1985), pp. 365-403.

Protocol on Patents and Industrial Designs within the Framework of the Industrial Property Organization for English-speaking Africa (ESARIPO) (Ratification) Law, 1985 (PNDCL 137)

Source: *Official Gazette of the Republic of Ghana*, 24th December 1986.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Partnership Agreement Between the Members of the African, Caribbean and Pacific Group of States of the One Part, and the European Community and Its Member States, of the Other Part, signed in Cotonou, Benin on 23 June 2000.

Source: African, Caribbean and the Pacific States and the European Community (2000).

B. Bilateral Treaties

1. Bilateral investment treaties for the protection and promotion of investments: Bulgaria 1989,,China 1989, Netherlands 1989, Romania 1989, United Kingdom 1989, Switzerland 1991, Denmark 1992, Germany 1995, Malaysia 1996, Cote d'Ivoire 1997, Egypt 1998, Italy 1998, South Africa 1998, Cuba 1999, France 1999, United Kingdom 1999,,Serbia and Montenegro 2000, Benin 2001, Burkina Faso 2001, Guinea 2001, Mauritania 2001, Mauritius 2001, Zambia 2001, India 2002, Botswana 2003, Spain 2006.

2. Bilateral treaties for the avoidance of double taxation: France 1993, United Kingdom 1993, Serbia and Montenegro 2000, Italy 2004, South Africa 2004, Belgium 2005.

C. Other treaties:

Agreement with the United States of American government concerning the development of trade and investment relations (1999).

D. Sources of information

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World Bank/International Finance Corporation (2007). *Doing Business 2008 Ghana* (Washington D.C.: The World Bank Group).

World Economic Forum (2000/2001). *Africa competitiveness report* (New York: Oxford University Press).

Guinea

A. Definitions and sources of data

In the Republic of Guinea, the Investment Code (Ordonance No. 001/PRG/87) does not contain a specific definition of foreign direct investment (FDI). The code rather defines "investment of foreign capital" in three forms: 1) as the contribution to any business duly established in Guinea of foreign currency or new capital goods acquired abroad, in return for the granting of company stock or shares, such stock or shares entitling the contributor to an interest in the profits and proceeds of liquidating the business, provided the value of any contribution other than a foreign currency contribution has been determined by independent certified public accountants; 2) the reinvestment of earnings from the business that could have been transferred abroad; and 3) the purchase of existing businesses or acquisition of holdings in such businesses through a contribution of foreign currency. The data on annual inflows of FDI were gathered from the Central Bank of Guinea (Banque Centrale de la République de Guinée). The International Monetary Fund also provides data on FDI in Guinea in its annual balance-of-payment statistics publication.

Guinea established an investment code in 1995 to update the code of October 1984. More recently the Government provided a wide range of investment incentives. Industrial exploitation of diamonds is a subject of intense interest. Guinea has almost half the world's stock of bauxite and is the second largest global producer of the ore, with known reserves of 12 billion tones and as much in probable deposits. The country also has proven large deposits of iron ore and other known reserves include chrome, cobalt, copper, lead, manganese, molybdenum, nickel, platinum, titanium, uranium, zinc, chalk, graphite and granite (the only mineral exploited on an industrial scale).

Guinea signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 27 August 1968 and benefits from a wide range of market access. It is a member of the Economic Community of West African States, the West African Economic and Monetary Union, New Partnership for Africa's Development and the African Union. Also, Guinea benefits from the United States' market access initiative - the Africa Growth and Opportunity Act and the Cotonou Agreement between the African, Caribbean and Pacific countries and the European Union for renegotiating the Lomé Convention. It is also a member of the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	97.7	- 1.5
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	20.8	- 0.3
3. FDI stocks, 2006	686	7
4. FDI stocks as a percentage of GDP, 2006	20.7	0.2

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	..	..	..	0.6	..	..	..	..
1981	..	..	..	- 1.3	..	..	..	..
1982	..	..	..	- 0.4	..	..	..	..
1983	..	..	..	0.4	..	..	..	..
1984	..	..	..	0.7	..	..	..	..
1985	..	..	..	1.1	..	..	..	0.0
1986	3.9	4.5	..	8.4	..	..	..	0.1
1987	5.8	7.1	..	12.9	..	..	..	..
1988	6.7	9.0	..	15.7	..	..	..	1.8
1989	1.5	8.1	..	12.3	..	..	..	- 0.4
1990	0.6	16.6	..	17.9	..	..	..	0.1
1991	1.6	37.2	..	38.8	..	..	..	1.1
1992	..	19.3	..	19.7	..	..	..	0.5
1993	2.7	..	..	2.7	..	..	..	0.9
1994	..	0.2	..	0.2	..	..	..	0.2
1995	0.7	0.1	..	0.8	..	..	..	0.6
1996	23.7	0.1	..	23.8	..	..	..	0.5
1997	17.3	..	..	17.3	..	..	..	1.5
1998	17.8	0.0	..	17.8	..	..	..	1.0
1999	9.1	0.2	54.1	63.5	..	..	..	4.0
2000	9.9	..	..	9.9	..	..	..	..
2001	1.5	0.1	..	1.7	..	..	..	5.0
2002	30.0	..	..	30.0	..	..	..	0.5
2003	..	79.0	..	82.8	..	..	..	..
2004	..	..	..	97.9	..	..	..	- 1.0
2005	..	..	..	102.0	..	..	..	- 5.0
2006	..	..	..	108.0	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the OECD for 1980-1981 and 1983-1985, World Bank for 1982, the IMF for 1986-2001 and the Banque Centrale de la République de Guinée for 2002-2004. Data for 2005-2006 are estimates. Outflow data are from the IMF for 1996. The rest are proxy data based based on investments reported by the following economies:

1985-1986 and 1990, Belgium and Luxembourg.

1988-1989 and 1991-1993, Belgium and Luxembourg and France.

1994, Belgium and Luxembourg and China.

1995 and 2002, France.

1997- 1999, 2001, 2004-2005, United States.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	1.2	..	..	..	..
1981	- 0.1	..	..	..	..
1982	- 0.5	..	..	..	..
1983	- 0.1	..	..	..	..
1984	0.6	..	..	..	..
1985	1.7	..	..	..	..
1986	10.1	..	..	..	..
1987	23.0	..	..	..	..
1988	38.7	..	..	..	..
1989	51.0	..	..	..	..
1990	68.8	..	..	..	..
1991	107.6	..	..	..	..
1992	127.3	..	..	..	..
1993	130.0	..	..	..	..
1994	130.2	..	..	..	..
1995	131.0	..	..	..	..
1996	154.8	..	..	..	0.5
1997	172.1	..	..	..	2.0
1998	189.9	..	..	..	3.0
1999	253.3	..	..	..	7.0
2000	263.3	..	..	..	7.0
2001	265.0	..	..	..	12.0
2002	295.0	..	..	..	12.5
2003	377.8	..	..	..	12.5
2004	475.7	..	..	..	11.5
2005	577.7	..	..	..	6.5
2006	685.7	..	..	..	6.5

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock are estimated by accumulating outflows since 1973. Outward stock are estimated by accumulating outflows since 1996.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	-	-	-	-	-	1.2	14.4	16.3	-
Denmark	-	-	-	-	-	-	-	-	-	-	2.0	0.3
France	1.3	7.7	-	2.2	9.6	12.9	2.7	4.7	6.8	3.7	7.5	7.5
Malaysia	-	0.4	1.8	0.4	-	-	-	-	7.4	3.7	-	-
Portugal	-	-	-	-	-	-	-	0.0	-0.1	-	-	-
United States	-	-21.0	-	-	-	-	-	-	-	-	-	-

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Cyprus	-	-	-	-	-	-	-	0.5	-	-	-	-
France	-	1.3	1.1	-	-1.1	-	-	0.9	2.3	-	-	1.3
United States	-	2.0	-	-	4.0	-	5.0	-	-	26.0	38.0	-

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Canada	-	-	-	-	-	-	47.1	-	-	-	-	-
China	-	-	-	-	-	-	-	-	14.3	25.8	44.2	-
Czech Republic	-	-	-	2.6	-	-	-	-	-	-	-	-
Denmark	-	-	-	-	-	-	-	-	-	2.6	3.6	2.6
Malaysia	-	0.4	1.5	2.0	2.0	2.0	2.0	2.0	9.4	13.2	17.5	-
Morocco	-	-	-	-	-	-	-	8.4	10.1	11.1	9.5	10.6
Portugal	-	-	-	-	-	-	-	0.0	1.4	-	-	-
United States	23.0	2.0	-	-	-	-	130.0	-	-	-	-	-

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Czech Republic	-	-	-	-	-	-	-	-	-	7.9	7.2	-
United States	2.0	4.0	-	-	-	1.0	6.0	-	-	-	-	-

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Tables 21 and 28. The number and assets of foreign affiliates of Guinean TNCs in the United States, 1993-2004
(Number and millions of dollars)

Table no./Variable	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
21. Number	1	1	1	1	..	..	..	..	1	1	1	..
28. Assets	..	1	1	1	1	1	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 23. The number of affiliates United States TNCs in Guinea, 1993-2004

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
United States	1	2	2	2	1	1	2	2	2	2	2	3

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Compagnie Des Bauxites De Guinee S A	United States	Mining and quarrying	3 500	3 000
Societe Ashanti Goldfields De Guinee Sa	Ghana	Mining and quarrying	108	1 978
Sogedi	France	Chemicals and chemical products	..	500
Metal Guinee Sa	Cote d'Ivoire	Machinery and equipment	..	300
Societe Guineenne De Lubrifiants Et D' Emballages	United Kingdom	Manufacture of petroleum	..	105
Aredor Guinea S A	Canada	Mining and quarrying	..	39
Coments De Guinee S A	Switzerland	Non-metallic mineral products	..	15
B. Tertiary				
Associates Business Machines Guinee S A	Senegal	Wholesale trade	2	10
Bureau Veritas S A	France	Research and development	..	..
African Security Africa	United Kingdom	Other business activities	..	350
S D V Guinee S A	France	Water Transport	..	120
Nestle Guinea S A	Switzerland	Wholesale trade	..	100
S G S Guinee Conakry S A	Switzerland	Agriculture and hunting	..	60
Compagnie Shell De Guinee	United Kingdom	Wholesale trade	..	33
Societe Commerciale Des Bois Et Matériaux	France	Wholesale trade	..	25
Astipeche Conakry S A R L	Spain	Forestry and fishing	..	20
Laborex Guinee	France	Wholesale trade	..	20
The Uniqueness Of Christ International Ministries Inc	United States	Community, social and personal services	..	15
African Maritime Agency S A	France	Supporting transport activities	..	5
Egl, Inc	United Kingdom	Water Transport	..	..
Ep-Holding Guinee S.A	Serbia and Montenegro	Research and development	..	..
Maers Guinee Sa	Denmark	Other services	..	..
Saga Guinee	France	Supporting transport activities	..	..
The Clorox Company	United States	Distributive trade	..	..
C. Finance and insurance			Assets	Employees
Societe Generale De Banques En Guinee Sa	France	Finance	..	210
Union Internationale De Banque En Guinee	France	Finance	..	110

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

In Guinea, a number of legal instruments exist to regulate the activities of the transnational corporations and foreign direct investors. Some of these instruments are international treaties. The others are enacted at national and bilateral levels. The key ones are:

I. National framework

Law No. 043/APN/CP/80, August 1980 regulating Copyright and Neighboring Rights Protection.
Source: WIPO (<http://www.wipo.org>).

Investment Code - Ordinance No. 001/PRG/87 concerning the Investment Code of 3 January 1987.
Source: Ministry of Planning and International Cooperation (official copy); National Investment Commission. As amended by Law L/95/029/CTRN of 30 June 1995, amending the Investment code.
Source: Official Journal of the Republic of Guinea of 10 July 1995.

Code du Travail. Ordinance No. 008/PRG/88 of 28 January 1988 on Labour Law.
Source: Journal Official de la Republique de Guinee of 1 February 1988.

Code foncier et Domanial. Ordinance No. 0/92/019 of 30 March 1992 on the Land Law.
Source: Journal Official de la Republique de Guinee. Trente Huitieme annee, May 1992 -Hors Serie.

Code des Activites Economiques -Iere et Ileme parties. Promulgated by Law L/92/043/CTRN of 8 December 1992, after correction of material errors by Ministry of Justice Atrete A/94/0503I/MJ/CAB of 19 December 1994.
Source: Journal Official de la Republique de Guinee. Trente Huitieme annee, Octobre 1995 -Hors Serie.

Code des Activites Economiques IIIeme partie. Promulgated by Law L/94/020/CTRN of July 1994. *Source:* Journal Official de la Republique de Guinee. Trente Huitieme annee, Octobre 1995 -Hors Serie.

II. International Framework**A. Guinea is a party to the following multilateral and regional instruments:**

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958, which entered into force on 7 June 1959.

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Patents: Bangui Agreement, March 1977 (Annex I), as last amended in February 1999.
Source: WIPO (<http://www.wipo.org>).

Industrial Designs: Bangui Agreement, March 1977 (Annexes II and IV), as last amended in February 1999.
Source: WIPO (<http://www.wipo.org>).

Trade Marks: Bangui Agreement, March 1977 (Annex III), as last amended in February 1999.
Source: WIPO (<http://www.wipo.org>).

Agreement for the Promotion, Protection and Guarantee of Investment Among Member States of the Organisation of Islamic Conference of 1 June 1981; entered into force on 23 September 1986.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Articles of Agreement of the Islamic Corporation for the Insurance of Investment and Export Credit of 19 February 1992; entered into force on 1 August 1994.

Revised Treaty of the Economic Community of West African States (ECOWAS) 1993.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Switzerland 1962, Italy 1964, Tunisia 1990, Malaysia 1996, Serbia and Montenegro 1996, Egypt 1998, Benin 2001, Cameroon 2001, Ghana 2001, Mali 2001, Mauritania 2001, Mauritius 2001, Morocco 2002, Burkina Faso 2003, Chad 2004, Lebanon 2004, China 2005, Germany 2006.

2. Bilateral treaties for the avoidance of double taxation: Serbia and Montenegro 1996.

D. Sources of information

Official

Central Bank of the Republic of Guinea (www.bcr.gov.gn).

Secondary

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Guinea Bissau

A. Definitions and sources of data

In the Republic of Guinea-Bissau, foreign direct investment (FDI) is defined as any contribution calculable in financial terms brought into the country from an external source by individuals or corporate bodies not domiciled or headquartered within the national territory, either for the purposes of their own commercial activities or for the purpose of participating in the capital of companies that are already established or that is intended to establish in the Republic of Guinea-Bissau (Decree-Law No. 2/85). Data on the annual inflows of FDI in Guinea-Bissau were gathered from the Banque Centrale des Etats De L'Afrique De L'Ouest (BCEAO). The International Monetary Fund also provides data on FDI in the country in its balance-of-payment statistics.

The Investment Code of the Republic of Guinea-Bissau provides incentives for investment and guarantees against nationalization and expropriation. Residents and non-residents may hold foreign exchange accounts with permission of the Central Bank of West African States – the BCEAO. Payments and transfers are generally free of restrictions. The Government must authorize outward capital transactions. Capital transfers to members of the West African Economic and Monetary Union are unrestricted, aside from direct investments. The Government must approve most personal capital movements between residents and non-residents, such as personal loans, gifts or inheritances, or transfer of assets. Barriers are moderate by global standards.

The country has some capacity for attracting FDI in the tourism industry. The sector has some potential that includes deep-sea fishing and scuba diving operations on the Bijagos archipelago. The country also has some historical and architectural interest. The sector is yet to be developed.

To increase its outreach to the world market and expand trading opportunities, Guinea-Bissau signed the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 4 September 1991 and is a member of Economic Community of West African States and the Inter-State Sahelien Committee (known by its French acronym, CILSS - Comite permanent inter-Etats de lutte contre la secheresse dans le Sahel), BCEAO, the Union economique et monetaire ouest-Africaine, New Partnership for Africa's Development, African Union and is a signatory of the Cotonou Agreement for renegotiating the partnership links between the African, Caribbean and Pacific countries with the European Union. It also belongs to the Lusophone community, Comunidade dos Pais de Lingua Portuguesa. Most recently, the country was declared an eligible member state of the United States' market access initiative for African countries - the African Growth and Opportunity Act and is a member of the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	14.1	- 2.5
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	25.1	- 4.5
3. FDI stocks, 2006	98	- 3
4. FDI stocks as a percentage of GDP, 2006	32.2	-1.0

Source: Based on tables 3a and 4a and UNCTAD, FDI/TNC database.

Table 3a. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980
1981
1982
1983
1984	2.3	..	..	..	..
1985	1.4	..	..	..	..
1986	0.8	..	..	..	..
1987	0.1	..	..	..	..
1988	0.7	..	..	..	..
1989	0.5	..	..	..	..
1990	2.0	..	..	..	..
1991	2.1	..	..	..	..
1992	5.8	..	..	..	..
1993	3.3	..	..	..	..
1994	0.4	..	..	..	..
1995	0.0	..	..	..	..
1996	1.0	..	..	..	1.0
1997	11.5	..	..	..	..
1998	4.4	..	..	..	..
1999	0.7	..	..	..	..
2000	0.7	..	..	..	..
2001	0.4	..	..	0.4	- 0.4	..	..	- 0.4
2002	0.7	0.7	2.1	3.5	1.0	..	..	1.0
2003	1.2	0.2	2.6	4.0	0.5	..	..	0.5
2004	2.1	0.0	- 0.4	1.7	- 7.8	..	0.3	- 7.5
2005	5.9	0.0	2.8	8.7	- 0.0	..	0.7	0.7
2006	42.0	..	..	..	- 3.8

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the OECD for 1984-1992 and 1994-1996, the World Bank for 1993, the Banque Centrale de l'Afrique de l'Ouest (BCEAO) for 1997-2005 and estimate for 2006.

Outflow data are from the BCEAO for 2001-2005. Data for 2006 is an estimate. Figure for 1996 is proxy data based on investments reported by France.

Table 3b. FDI flows, by type of investment, 1999-2005
(Millions of Franc de la Communauté financière africaine)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1999	..	..	..	450	..	..	..	..
2000	..	..	..	500	..	..	..	..
2001	290	..	..	290	- 290	..	..	- 290
2002	518	464	1 489	2 471	700	..	..	700
2003	722	91	1 515	2 328	300	..	..	300
2004	1 097	0.01	- 210	887	- 4 100	..	137	- 3 963
2005	3 125	0.01	1 460	4 585	- 0.01	..	367	367

Source: UNCTAD, FDI/TNC database based on the Banque Centrale de l'Afrique de l'Ouest (BCEAO), unpublished.

Table 4a. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1980	0.1	..	..	..	..
1981	0.1	..	..	..	..
1982	0.1	..	..	..	..
1983	0.1	..	..	..	..
1984	2.4	..	..	..	..
1985	3.9	..	..	..	..
1986	4.7	..	..	..	..
1987	4.8	..	..	..	..
1988	5.5	..	..	..	..
1989	6.0	..	..	..	..
1990	8.0	..	..	..	..
1991	10.1	..	..	..	..
1992	15.9	..	..	..	..
1993	19.2	..	..	..	..
1994	19.6	..	..	..	..
1995	19.7	..	..	..	..
1996	20.7	..	..	..	..
1997	32.2	..	..	..	..
1998	36.6	..	..	..	..
1999	37.3	..	..	..	..
2000	38.0	..	..	..	..
2001	38.4	..	..	..	..
2002	0.6	..	2.4	42.0	1.1	..	0.0	1.1
2003	1.5	..	0.1	46.0	0.6	..	0.0	0.6
2004	1.2	..	- 0.3	47.6	0.3	..	0.3	0.6
2005	3.3	..	2.6	56.3	0.0	..	0.7	0.7
2006	98.3	..	..	..	- 3.1

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock are estimated by accumulating inflows since 1975. Outward stock for 2002-2005 are based on the Banque Centrale de l'Afrique de l'Ouest (BCEAO). 2006 is estimated by adding flows to the 2005 stock.

Table 4b. FDI stocks, by type of investment, 2002-2005
(Millions of Franc de la Communauté financière africaine)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
2002	402	..	1 489	1 891	700	..	0.01	700
2003	754	..	53	807	300	..	0.01	300
2004	564	..	- 157	407	150	..	137	287
2005	1 837	..	1 460	3 297	0.01	..	367	367

Source: UNCTAD, FDI/TNC database based on the Banque Centrale de l'Afrique de l'Ouest (BCEAO), unpublished.

Tables 6, 9, 12, and 15. FDI with Portugal, 1995-2006
(Millions of dollars)

Table no./Variable	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
6. Inflows from Portugal	-	0.2	9.8	0.3	- 3.0	1.3	0.9	- 9.1	1.9	- 0.1	0.1	- 0.3
9. Outflows to Portugal	-	0.1	0.1	- 0.2	-	-	-	-	-	-	-	-
12. Inward stock from Portugal	-	16.2	18.8	16.3	12.1	6.5	6.2	7.3	8.8	6.8	-	-
15. Outward stock to Portugal	-	0.4	0.4	0.5	0.4	0.4	0.4	0.4	0.5	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by Portugal.

Table 30. Assets of affiliates of United States TNCs in Guinea Bissau, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
United States	1	..	..	..	..	..	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Guine Telecom S A R L	Portugal	Telecommunications	14	240
Astipesca Bissau Lda	Spain	Forestry and fishing	..	100
Petrogal Guine Bissau S A	Portugal	Holding	..	81
Petromar Sociedade De Abastecimento Petroliferos Lda	Portugal	Wholesale trade	..	80
B. Tertiary				
..
C. Finance and insurance				
..	..	..	Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

In Guinea-Bissau, there are a number of national, bilateral and multilateral legal instruments for regulating the activities of transnational corporations and foreign direct investors. The key ones among them are:

I. National framework

Patents: Decreto lei No. 6/96, Capitulo I, February 1997.

Source: WIPO (<http://www.wipo.org>).

Industrial Designs: Decreto lei No. 6/96, Capitulo III, February 1997.

Source: WIPO (<http://www.wipo.org>).

Trade Marks: Decreto lei No. 6/96, Capitulo IV, February 1997.

Source: WIPO (<http://www.wipo.org>).

II. International Framework**A. Guinea Bissau is a party to the following multilateral and regional instruments:**

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958, which entered into force on 7th June 1959.

Agreement for the Promotion, Protection and Guarantee of Investment Among Member States of the Organization of Islamic Conference, of 1 June 1981; entered into force on 23 September 1986.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Articles of Agreement of the Islamic Corporation for the Insurance of Investment and Export Credit of 19 February 1992. Entered into force on 1 August 1994.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Portugal 1991.

2. Bilateral treaties for the avoidance of double taxation: ..

D. Sources of information

Official

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Kenya

A. Definitions and sources of data

Foreign direct investment (FDI) in Kenya is defined as investment in foreign assets, such as foreign currency, credits, rights, benefits or property, undertaken by a foreign national (for example, a person who is not a Kenyan citizen) for the purpose of production of goods and services, which are to be sold either in the domestic market or exported overseas (Investment Promotion Center Act, chapter 518). The Central Bank of Kenya keeps records of FDI transactions. Until 1995, all foreign investments flowing into the country were subject to approval by the Central Bank. After this point all restrictions were removed, including exchange control. More data are collected by the Kenyan Investment Promotion Center (KIPC), established under the Investment Promotion Center Act, 1987. Information collected by the Center, however, is not complete since it is not obligatory for firms to be registered in the KIPC and some investments are undertaken unreported to the agency. Investors are welcome to contact the KIPC as a source of information on investment rules and procedures, opportunities and possible financing sources in the country.

Kenya has put in place measures to attract foreign investors. The legal framework for FDI in Kenya is provided by the Companies Ordinance (chapter 486), the Partnership Act (chapters 20 and 30) and the Foreign Investment Protection Act. The economic liberalization programme that, also, started first with the manufacturing sector was recently extended to agriculture and communication, bringing to an end the monopolies enjoyed by many companies and commodity marketing boards. Kenya has five export processing zones. The Government of Kenya owns two of them (Mombasa and Athi) and the private industry owns the remaining three (Nairobi, Della Rue and Nakuru). The zones offer considerable advantages such as a ten-year tax holiday followed by a 25% tax rate for the next ten years, exemption from import duties, exemption on value added and sales taxes and no restriction on management or technical agreement. Special incentives are given to transnational corporations that invest in lesser developed areas. The legal investment regime in Kenya provides protection and non-discrimination against foreign investors, and the investment environment is mostly based on a sound principle. For instance, in 2006, the Communications Commission of Kenya announced regulatory reform where all players in the industry are allowed to offer the entire range of telecoms services.

Kenya has increased its outreach to the global economy, signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 24 May 1966 and was an active participant in the work on a framework for regional co-operation that led to a treaty for the establishment of the East African Community. It is also a member of the African Union, New Partnership for Africa's Development, Common Market for Eastern and Southern Africa countries, Indian Ocean Rim Association for Regional Co-operation, the Intergovernmental Authority on Drought and Development and eligible for the United States' market access initiative for African countries - the African Growth and Opportunity Act; and the Cotonou Agreement for renegotiating the partnership links between the Africa, Caribbean and Pacific countries with the European Union, under the Lomé Convention. The country is also a member of the Multilateral Investment Guarantee Agency and the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	50.0	10.0
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	1.6	0.3
3. FDI stocks, 2006	1 164	163
4. FDI stocks as a percentage of GDP, 2006	5.0	0.7

Source: Based on tables 3a and 4 and UNCTAD, FDI/TNC database.

Table 3a. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	15.4	51.5	12.1	79.0	..	1.1	..	1.1
1981	13.6	0.6	..	14.2	..	5.9	..	5.9
1982	12.5	0.5	..	13.0	..	9.6	..	9.6
1983	23.4	0.4	..	23.7	..	14.5	..	14.5
1984	7.0	3.8	..	10.8	..	6.9	..	6.9
1985	10.7	18.1	..	28.9	..	5.4	..	5.4
1986	17.8	14.9	..	32.7	..	4.9	..	4.9
1987	5.7	32.9	0.8	39.4	..	17.0	13.7	30.8
1988	0.8	20.9	- 21.2	0.4	..	-	2.2	2.2
1989	8.6	23.8	29.9	62.2	0.8	-	0.6	1.4
1990	12.0	45.1	-	57.1	-	-	..	- 0.4
1991	2.8	16.0	-	18.8	-	-	..	0.2
1992	4.8	1.6	-	6.0	-	-	..	- 0.1
1993	..	1.6	-	2.0	-	-	..	2.8
1994	..	3.7	-	4.3	-	-	..	1.0
1995	28.2	4.3	-	33.0	-	-	..	13.2
1996	8.4	4.3	-	10.5	-	-	- 0.5	- 2.7
1997	19.7	-	-	52.5	-	-	2.2	2.2
1998	11.4	-	-	11.4	-	-	-	-
1999	13.8	-	-	13.8	-	-	-	-
2000	83.3	-	27.6	110.9	-	-	-	-
2001	0.8	-	4.5	5.3	-	-	-	-
2002	13.1	-	14.5	27.6	7.4	-	-	7.4
2003	27.0	-	54.7	81.7	2.1	-	-	2.1
2004	29.9	-	16.2	46.1	4.4	-	-	4.4
2005	5.6	-	15.7	21.3	9.6	-	-	9.6
2006	3.1	-	47.7	50.7	24.1	-	-	24.1

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics). Data are based on IMF for 1980-1989 and the Central Bank of Kenya thereafter.

Table 3b. FDI flows, by type of investment, 1999-2006
(Millions of Kenyan Shillings)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1999	972.0	..	..	972.0	..	..	..	..
2000	6 346.2	..	2 102.0	8 448.2	..	..	..	..
2001	63.7	..	352.8	416.6	..	..	..	..
2002	1 035.1	..	1 139.8	2 174.9	584.0	..	..	584.0
2003	2 049.5	..	4 157.4	6 206.8	157.6	..	..	157.6
2004	2 364.3	..	1 282.8	3 647.1	349.6	..	..	349.6
2005	423.9	..	1 184.0	1 607.9	722.3	..	..	722.3
2006	221.1	..	3 436.4	3 657.4	1 738.7	..	..	1 738.7

Source: UNCTAD, FDI/TNC database based on the Central Bank of Kenya, unpublished.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	-	-	-	385.7	-	-	-	17.6
1981	-	-	-	399.8	-	-	-	23.5
1982	-	-	-	412.8	-	-	-	33.1
1983	-	-	-	436.5	-	-	-	47.6
1984	-	-	-	447.3	-	-	-	54.5
1985	-	-	-	476.1	-	-	-	59.9
1986	-	-	-	508.9	-	-	-	64.8
1987	-	-	-	548.3	-	-	-	95.6
1988	-	-	-	548.6	-	-	-	97.8
1989	-	-	-	610.8	-	-	-	99.1
1990	-	-	-	667.9	-	-	-	98.7
1991	-	-	-	686.7	-	-	-	98.9
1992	-	-	-	692.7	-	-	-	98.8
1993	-	-	-	694.7	-	-	-	101.6
1994	-	-	-	699.0	-	-	-	102.5
1995	-	-	-	732.0	-	-	-	115.7
1996	-	-	-	742.6	-	-	-	113.0
1997	-	-	-	795.1	-	-	-	115.2
1998	-	-	-	806.5	-	-	-	115.2
1999	-	-	-	820.3	-	-	-	115.2
2000	-	-	-	931.2	-	-	-	115.2
2001	-	-	-	936.5	-	-	-	115.2
2002	-	-	-	964.2	-	-	-	122.6
2003	-	-	-	1 045.9	-	-	-	124.7
2004	-	-	-	1 092.0	-	-	-	129.1
2005	-	-	-	1 113.2	-	-	-	138.7
2006	-	-	-	1 164.0	-	-	-	162.8

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock are estimated by accumulating inflows since 1970. Outward stock are estimated by accumulating inflows since 1975.

Table 5. Approved FDI flows in the host economy, by industry, 1992-2001
(Millions of Kenyan Shillings)

Sector / industry	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001
Total	2 092	3 568	2 705	3 568	..	..	..	..	..	..
Primary	74	191	73	1 922	..	..	..	..	..	..
Agriculture, hunting, forestry and fishing	74	189	73	796	..	..	..	..	..	..
Agriculture and hunting	74	189	73	796	..	..	..	..	..	..
Mining, quarrying and petroleum	-	2	-	1 126	..	..	..	..	..	..
Secondary	1 059	1 108	1 835	1 246	..	..	..	..	..	..
Food, beverages and tobacco	300	176	46	654	..	..	..	..	..	..
Textiles, clothing and leather	206	498	135	25	..	..	..	..	..	..
Chemicals and chemical products	21	33	611	95	..	..	..	..	..	..
Other manufacturing	532	402	1 043	473	..	..	..	..	..	..
Tertiary	959	2 270	797	400	..	..	..	..	..	..
Construction	3	39	159	6	..	..	..	..	..	..
Transport, storage and communications	700	322	498	214	..	..	..	..	..	..
Transport and storage	698	217	493	208	..	..	..	..	..	..
Supporting and auxiliary transport activities	698	217	493	208	..	..	..	..	..	..
Activities of travel agencies and tour operators	698	217	493	208	..	..	..	..	..	..
Post and communications	2	105	5	6	..	..	..	..	..	..
Telecommunications	2	105	5	6	..	..	..	..	..	..
Other services	257	1 908	139	180	..	..	..	..	..	..

Source: Kenya Investment Promotion Center, unpublished data.

Notes: Data are on an approval basis. Data in tables 5 and 6a were updated in different periods therefore, data are not strictly comparable.

Table 6a. Approved FDI flows in the host economy, by geographical origin, 1992-2001
(Millions of Kenyan Shillings)

Region / economy	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001
Total world	1 935	3 568	2 874	3 177	2 053	4 703	2 615	9 182	..	..
Developed countries	437	2 501	1 206	2 312	1 581	1 024	826	2 911	..	..
Europe	423	300	1 068	2 285	1 115	1 024	826	2 898	..	..
European Union	412	300	1 036	2 285	1 115	1 024	826	104	..	..
Germany	154	56	3	8	17	-	27	-	..	..
Italy	121	51	264	234	-	868	30	92	..	..
United Kingdom	137	193	769	2 043	1 098	155	769	12	..	..
Other developed Europe	11	-	32	-	-	-	-	2 794	..	..
Switzerland	11	-	32	-	-	-	-	2 794	..	..
North America	15	2 202	138	28	466	-	-	14	..	..
United States	15	2 202	138	28	466	-	-	14	..	..
Developing economies	95	542	330	187	123	92	1 011	2 647	..	..
Asia	95	542	330	187	123	92	1 011	2 647	..	..
China	62	240	211	65	91	28	186	2 573	..	..
India	21	301	81	79	17	5	13	74	..	..
Pakistan	13	-	38	43	15	59	812	-	..	..
Unspecified	1 403	526	1 337	678	349	3 588	778	3 623	..	..

Source: Kenya Investment Promotion Center, unpublished data.

Notes: Data are on an approval basis. Data in tables 5 and 6a were updated in different periods therefore, data are not strictly comparable.

Table 6b. FDI flows in the host economy, by geographical origin, 1995-2006

(Millions of dollars)												
Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium	-	-	-	-	-	-	-	-	1.1	-	-	-
Belgium/Luxembourg	1.4	2.6	-	-	-	-0.9	-	-	1.1	-	-	-
China	-	-	-	-	-	-	-	-	0.7	2.7	2.1	-
Denmark	-	-	-	-	-	-	-	-	-	-	2.0	1.0
France	-	3.8	9.0	2.2	2.1	114.2	30.4	11.3	2.3	5.0	5.0	5.0
Germany	-	-0.7	-23.1	-5.7	-	-	-	-0.9	6.8	1.2	12.4	-2.5
Malaysia	-	-	0.4	-	-	-	-	-	-	-	-	-
Netherlands	-	24.8	7.9	30.0	9.6	-	-	-	-	-	-	-
Portugal	-	-0.8	1.1	1.8	2.3	1.6	0.5	-0.2	-0.0	-	-	-
Korea, Republic of	1.3	0.1	0.0	-	-	-	-	0.3	-	-	0.2	-
Sweden	-	-	-	-	0.1	0.1	-	-	0.9	-26.4	-0.1	-0.1
Switzerland	-	-	-	-	-	5.5	2.6	-0.4	-1.3	8.8	11.2	16.0
United Kingdom	105.7	37.4	119.5	64.6	82.5	207.3	60.5	48.0	94.7	86.1	129.1	-
United States	4.0	3.0	52.0	11.0	27.0	-19.0	-	-	7.0	-7.0	38.0	-110.0

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006

(Millions of dollars)												
Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Australia	-	-	-	-	-	-	-0.2	0.2	0.0	0.0	0.3	-
China	3.3	-	-	-	0.4	-	-	-	-	-	-	-
Cyprus	-	-	-	-	-	-	-	0.1	0.2	-0.0	0.1	-
Denmark	-	-	-	-	-	-	-	-	-	-	-0.8	-
France	-	-1.3	-	-	-1.1	-	-	-	-	2.5	2.5	3.8
Germany	-	-	1.7	-1.1	-	-	0.9	-2.8	-	-	-	-
Portugal	-	0.0	-	-	-	-	-	-	0.3	-	-	-
United Rep. of Tanzania	-	-	-	-	35.4	6.5	14.2	-	-	-	-	-

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006

(Millions of dollars)												
Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	-	-	-	-	-	25.5	28.5	58.3	-
Denmark	-	-	-	-	-	-	-	-	-	8.0	10.8	12.4
Germany	38.4	40.5	26.8	31.7	37.2	48.4	46.7	59.8	68.2	80.4	99.1	-
Malaysia	-	-	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	-
Portugal	-	1.3	2.3	3.7	4.0	4.5	2.9	3.5	4.2	-	-	-
Korea, Republic of	1.5	1.7	1.7	1.7	1.7	1.7	1.7	2.0	2.0	2.0	2.2	-
Slovenia	0.4	0.4	0.3	1.3	0.9	0.6	0.2	0.2	0.3	0.3	-	-
Switzerland	-	-	-	-	-	33.5	33.7	42.0	77.2	92.8	91.4	-
United Kingdom	427.8	402.4	597.0	690.4	628.8	556.6	426.4	448.1	508.6	459.7	501.1	-
United States	142.0	143.0	188.0	198.0	89.0	66.0	-	73.0	90.0	86.0	145.0	68.0

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006

(Millions of dollars)												
Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Australia	-	-	-	-	-	-	-0.2	-0.0	-	-	-	-
Bulgaria	-	-	-	-	-	-	-	-	-	-	0.0	0.1
Canada	-	-	-	-	0.7	-	-	-	-	-	-	-
Denmark	-	-	-	-	-	-	-	-	-	0.7	-	-
Ethiopia	2.7	-	-	-	-	-	-	-	-	-	-	-
Madagascar	-	-	-	-	-	-	-	-	-	-	0.1	-
Malawi	-	-	-	-	-	1.0	3.9	4.4	5.3	7.4	-	-
Pakistan	2.5	1.4	22.5	14.8	1.1	5.3	1.4	0.1	9.0	1.2	-	-
Portugal	-	0.4	-	-	-	-	-	-	0.3	-	-	-
Uganda	-	-	-	-	67.2	74.7	65.9	62.9	60.9	-	-	-
United Rep. of Tanzania	-	-	-	110.0	55.8	113.7	275.5	-	-	-	-	-
United States	1.0	-	1.0	1.0	1.0	1.0	-	-	-	-	-	-

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 21 and 28. The number and assets of foreign affiliates of Kenyan TNCs in the United States, 1994-2005
(Number and millions of dollars)

Table no./Variable	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
21. Number	1	1	1	1	1	..	..	..	..
28. Assets	1	1	1	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	19	19	19	18	16	18	16	20	12	10	8	13
India	..	..	11	..	..	..	..	..	..	..	..	..
Italy	..	1	..	1	..	..	..	..	..	..	..	..
Rep. of Korea	..	..	5	6	6	6	6	6	8	8	8	11
United States	24	25	23	22	22	16	17	18	16	17	16	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 30. Assets of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005
(Millions of dollars)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	64.6	69.8	64.3	55.8	..	..	..	88.1	..	..	..	..
United States	527.0	632.0	632.0	634.0	684.0	598.0	701.0	742.0	696.0	746.0	724.0	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 35. Employment of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005
(Thousands of employees)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Belgium	..	..	..	..	..	..	..	0.1	0.1	0.1	..	..
Germany	3.0	2.0	2.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Italy	..	0.3	..	0.3	..	..	..	..	..	..	..	..
Switzerland	..	..	..	..	..	..	1.7	1.6	1.1	1.2	1.2	1.5
United States	5.7	5.3	4.1	4.0	3.9	4.4	5.0	4.9	3.7	4.0	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 40 and 50. Wages and salaries and value added of affiliates of United States TNCs in Kenya, 1994-2005
(Millions of dollars)

Table no./Variable	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
40. Wages and salaries	37.0	44.0	39.0	36.0	36.0	49.0	53.0	57.0	47.0	54.0	38 ^a	..
50. Value added ^a	130.0	160.0	163.0	181.0	228.0	164.0	210.0	204.0	184.0	184.0	133.0	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States. ^a Majority-owned affiliates only.

Table 45. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005
(Millions of dollars)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	184.9	139.6	132.9	115.3	113.7	106.5	92.1	89.5	94.1	112.9	124.2	80.4
Italy	..	120.9	..	150.8	..	..	..	..	..	..	..	..
United States	625.0	708.0	683.0	724.0	737.0	681.0	910.0	888.0	771.0	879.0	842.0	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars)

Company	Industry	Sales
A. Industrial		
Kenya Oil Company	Petroleum expl./ref./distr.	0.57
East African Breweries	Consumer goods/brewers	0.48
Kenya Power and Lighting	Electricity/gas/water	0.39
Bamburi Cement	Building materials	0.21
Mumias Sugar Company	Food products, beverages and tobacco	0.17
British American Tobacco	Food products, beverages and tobacco	0.15
Kenya Electricity Generating Company	Electricity/gas/water	0.12
Jambo Biscuits	Food products, beverages and tobacco	0.10 ^a
B. Tertiary		
Kenya Airways	Air Transportation	0.73
Safaricom	Telecommunications	0.48
Total Kenya	Petroleum expl./ref./distr.	0.46
C. Finance and Insurance		
..	..	Assets ..

Source: Jeune Afrique Hors-serie No. 14, 2007.
^a 2004.

Table 87. Largest affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company Name	Host Economy	Industry	Sales	Employees
A. Industrial				
Tri Clover Industries (T) Limited	Tanzania	Chemicals and chemical products	..	500
Kibo Breweries Ltd	Tanzania	Food products, beverages and tobacco	..	250
Uganda Grain Milling Co Ltd	Uganda	Food products, beverages and tobacco	..	125
Treadsetters Tyres (T) Ltd	Tanzania	Rubber and plastic products	..	65
Henkel Polmer Company Uganda Limited	Uganda	Chemicals and chemical products	..	..
Kinyara Sugar Works Ltd	Uganda	Food products, beverages and tobacco	..	..
Metsec (T) Ltd	Tanzania	Electrical and electronic equipments	..	..
The Coopers Motors Corporation (Uganda) Ltd	Uganda	Motor vehicles and trailers	..	..
B. Tertiary				
Regional Air Services	Tanzania	Air transport	2.2	31
Als Europe Ltd	England	Air transport	0.5	..
Alunox Ltd	England	Wholesale trade	0.2	1
Alliance Ginneries Ltd	Tanzania	Agriculture and hunting	..	300
Laxmanbhai & Co (Pty) Ltd	Seychelles	Construction	..	40
Monitor Publications Ltd	Uganda	Publishing, printing	..	40
Farm Engineering Industries Ltd	Uganda	Wholesale trade	..	30
Transpaper (U) Ltd	Uganda	Wholesale trade	..	30
Car & General (U) Ltd	Uganda	Wholesale trade	..	30
Service And Computer Industries Ltd	Tanzania	Wholesale trade	..	26
Desbro Tanzania Ltd	Tanzania	Wholesale trade	..	18
Lasurit 94 A D	Bulgaria	Wholesale trade	..	7
Car & General (Tanzania) Ltd	Tanzania	Wholesale trade	..	..
Evolution Auto Parts Ltd	England	Wholesale trade	..	..
Mowlex Ltd	England	Other business activities	..	..
Sameer (Europe) Ltd	England	Other business activities	..	..
C. Finance and Insurance				
Laiki Factors Limited	Cyprus	Finance	12.9	31

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home Economy	Industry	Sales	Employees
A. Industrial				
Unilever Kenya Limited	United Kingdom	Food products, beverages and tobacco	117.3	..
Johnson Wax (E.A) Ltd	United States	Chemicals and chemical products	2.7	..
Raymond Woolen Mills (Kenya) Ltd	India	Textiles and clothing	..	1 622
Cadbury Kenya Ltd	Netherlands	Food products, beverages and tobacco	..	544
Eatec Limited	United Kingdom	Wood and wood products	..	300
Glaxo Wellcome (Kenya) Limited	United Kingdom	Chemicals and chemical products	..	38
Ceva Animal Health Eastern Africa Ltd	Sweden	Chemicals and chemical products	..	20
Nestle Foods Kenya Limited	Switzerland	Food products, beverages and tobacco	..	20
Pfizer Laboratories Ltd	United States	Chemicals and chemical products	..	20
Boc Kenya Ltd	United Kingdom	Chemicals and chemical products	..	..
Carnaud Metalbox (K) Ltd	United Kingdom	Machinery and equipment	..	..
Castle Brewing Kenya Ltd	United Kingdom	Food products, beverages and tobacco	..	..
Colgate-Palmolive (Ea) Ltd	United States	Chemicals and chemical products	..	..
Ecolab East Africa (K) Ltd	United States	Chemicals and chemical products	..	..
Greif Kenya Limited	Spain	Machinery and equipment	..	..
B. Tertiary				
Henkel Kenya Limited	Germany	Wholesale trade	11.8	..
Mccann-Erickson (Kenya) Limited	United States	Other business activities	5.6	280
Amiran Kenya Limited	United Kingdom	Wholesale trade	2.2	1 920
Hotel Inter-Continental Nairobi	United Kingdom	Hotels and Restaurants	1.4	..
East African Storage Company Ltd	United Kingdom	Land transport	..	730
Interfreight (Kenya) Limited	Switzerland	Supporting transport activities	..	546
Egl, Inc	United Kingdom	Water Transport	..	530
S G S Kenya Ltd	Switzerland	Public administration	..	500
D.T Dobie & Co. (K) Ltd	France	Automotive trade and repair	..	500
Maersk Logistics Kenya Ltd	Denmark	Supporting transport activities	..	500
Limuru Tea Co Limited	United Kingdom	Forestry and fishing	..	400
Tibbett & Britten Kenya Ltd	Germany	Supporting transport activities	..	350
Caltex Oil (Kenya) Limited	United States	Wholesale trade	..	300
Mackenzie Maritime Ltd	Denmark	Supporting transport activities	..	225
Schindler Ltd	Switzerland	Public administration	..	207
C. Finance and Insurance				
Citi Bank Na Limited	United States	Finance	3.2	..
Stanbic Bank Kenya Limited	South Africa	Finance	1.7	16
British American Insurance Co. (K) Ltd	Mauritius	Insurance	..	550
Barclays Bank Of Kenya Limited	United Kingdom	Finance	..	300
Standard Chartered Bank Kenya	United Kingdom	Finance	..	300
Acro Traders Ltd	France	Finance	..	230
Aon Minet Insurance Brokers Limited	United States	Insurance	..	148
Aon Minet Nyerere	United States	Insurance	..	120
East African Development Bank	Uganda	Finance	..	90
Old Mutual Asset Managers	United Kingdom	Insurance	..	50
Old Mutual Holdings Ltd	United Kingdom	Insurance	..	..
Old Mutual Investment Services (Kenya)	United Kingdom	Insurance	..	..
Old Mutual Life Assurance Company	United Kingdom	Insurance	..	..
UAP Provincial Insurance Company Ltd	United Kingdom	Insurance	..	..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

Kenya has adopted a number of national, bilateral and multilateral legal instruments to attract and regulate transnational corporations and foreign direct investors. The key legal instruments in the country include:

I. National framework

The Partnership Act, Chapter 29; effective on 1 July 1934.

Source: Laws of Kenya, vol. II, Chapter 29, 1962.

The Mining Act, Chapter 306; effective on 1 October 1940.

Source: Laws of Kenya, vol. IX, Chapter 306.

The Trade Marks Act, cap. 506, No. 51 of 1955, No. 39 of 1956 (revised edition 1962)

Source: WIPO (<http://www.wipo.org>).

Trade Marks Rules, L.N. 575/1956, 454/1959 (revised edition 1962), as amended by L.N. Nos. 44 of 1970, 138 of 1971, 131 of 1975, 249 of 1988 and in 1994.

Source: WIPO (<http://www.wipo.org>).

The Companies Ordinance No. 50 of 24 November 1959; effective on 15 December 1959.

Source: Kenya Gazette Supplement No. 88, Ord. 1959, of 15 December 1959.

Appellations of Origin / Geographical Indications / Indications of Source: The Trade Descriptions Act, cap. 505, No. 27 of 1962 (revised edition 1963).

Source: WIPO (<http://www.wipo.org>).

The Foreign Investments Protection Act, No. 35 of 12 December 1964; effective on 15 December 1964.

Source: Kenya Gazette Supplement, No. 170, Acts 1964, of 17 December 1964.

Copyright Statute of 24 February 1966; effective on 1 April 1966.

Source: Kenya Gazette Supplement, No. 15, Acts 1966, of 1 March 1966.

Trade Marks (Amendment) Acts, Nos. 11 of 1965, 1 of 1984,.

Source: WIPO (<http://www.wipo.org>).

Patents and Designs (Convention Countries) Order of 1971 (commencement December 1971).

Source: WIPO (<http://www.wipo.org>).

The Income Tax Act, No. 16 of 21 December 1973; effective on 24 December 1973.

Source: Kenya Gazette Supplement No. 87, Acts 1973, of 24 December 1973.

The Statute Law (Miscellaneous Amendments) Act, No. 6 of 25 March 1976; effective on 4 June 1976.

Source: Kenya Gazette Supplement No. 27, Acts 1976, of 4 June 1976.

Foreign Investments Protection Act Interpretation.6 of 1976, Sch. CHAPTER 518 Revised Edition 1981 (1967).

Source: Kenya Law- Sage: <http://www.kenyalaw.com/theForeignInvestmentsProtectionAct.htm>

The Prevention of Fraud (Investments) Act, No. 1 of 1 March 1977; effective on 4 March 1977. *Source:* Kenya Gazette Supplement No. 11, Acts 1977, of 4 March 1977.

The Partnership (Amendments) Act 13 of 8 November 1978; effective on 10 November 1978.

Source: Kenya Gazette Supplement No. 70, Acts 1978, of 10 November 1978.

Trade Description Act, Chapter 505; effective on 1 April 1979.

Source: Laws of Kenya, vol. XV, Chapter 505.

The Employment Agents Licensing Act, No. 2 of 25 April 1979; effective on 4 May 1979.

Source: Kenya Gazette Supplement No. 25, Acts 1979, of 4 May 1979.

Copyright (Amendment) Act No. 5 of 25 May 1982; effective on 28 May 1982.

Source: Kenya Gazette Supplement No. 25, Acts 1982, of 28 May 1982.

Investment Promotion Center Act, No. 3 of 22 May 1986; effective since 15 December 1964.

Source: Kenya Gazette Supplement No. 30, Acts 1986 of 30 May 1986.

The Finance Act No. 10 of 4 September 1986; effective on 13 June 1986.

Source: Kenya Gazette Supplement No. 68, Acts 1986, of 7 September 1986.

Statute Law (Miscellaneous Amendments) Act No. 18 of 23 December 1986. Effective: 30 December 1986.

Source: Kenya Gazette Supplement No. 93, Acts 1986, of 30 December of 1986.

The Companies Ordinance (Amendments) Act No. 10 of 30 July 1987; effective on 1 January 1988.

Source: Kenya Gazette Supplement No. 55, Acts 1987, of 7 August 1987.

Investment Promotion Center (ammendment) Act No. 22 of 30 December 1987; effective on 31 December 1987.

Source: Kenya Gazette Supplement No. 98, Acts 1987 of 3 December 1987.

The Restrictive Trade Practices, Monopolies and Price Control Act, CHAPTER 504, enacted in 1988 and came into force on 1st February 1989, Revised Edition 1990.

Source: (http://www.treasury.go.ke/mon_law_part1.htm).

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Source: FAO: <http://www.fao.org/docrep/V9982E/v9982e2b.htm>

Regulations under Fisheries Act 1989, sect. 23

Source: FAO: <http://www.fao.org/docrep/V9982E/v9982e2b.htm>

The Industrial Property Act of 1989, cap. 509 (in force in February 1990).

Source: WIPO (<http://www.wipo.org>).

The Industrial Property Act of 1989, cap. 509 (in force in February 1990).

Source: WIPO (<http://www.wipo.org>).

The Industrial Property Act of 1989 (sections 43-71), since February 1990.

Source: WIPO (<http://www.wipo.org>).

The Industrial Property Act of 1989 (in force in February 1990) (to be amended), as above, under Patents.

Source: WIPO (<http://www.wipo.org>).

Statute Law No. 7 of 1990 and as last amended 1994.

Source: WIPO (<http://www.wipo.org>).

Export Processing Zones Act of 1990, Parliament Act of 7 June 1990. Completed by Administrative Rules of Export Processing Zones of 1990.

Source: The Industrial and Promotion Advisory Center, P.O.Box 30007 Nairobi, 1992.

Legal Notice No. 227 on Exemptions on the EPZ Act 1990.

Source: The Industrial and Promotion Advisory Center, P.O.Box 30007 Nairobi, 1992.

Legal Notice No. 228 on the EPZ Regulations of 1991.

Source: The Industrial and Promotion Advisory Center, P.O.Box 30007 Nairobi, 1992.

Legal Notice No. 234 on Customs and Excise (Amendment) Regulations of 1991.

Source: The Industrial and Promotion Advisory Center, P.O.Box 30007 Nairobi, 1992.

The Industrial Property Regulations of 1993.

Source: WIPO (<http://www.wipo.org>).

Exchange Control (Repeal) Act of 1995

Source: The Economist Intelligence Unit: <http://www.viewswire.com>

Copyright Act cap. 130 of the Laws of Kenya as last amended by the Copyright (Amendment) Act, October 1995.

Source: WIPO (<http://www.wipo.org>).

Central Bank (Amendment) Act of 1995, effective 27 December 27 1995.

Source: The Economist Intelligence Unit: <http://www.viewswire.com>

Finance Act 1997

Source: The Economist Intelligence Unit: <http://www.viewswire.com>.

Kenya Communications Act (No. 2 of 1998)

Source: Communications Commission of Kenya, <http://www.cck.go.ke/lgislation/legis.html>

Industrial Property Act of July 2001, not yet in force.

Source: WIPO (<http://www.wipo.org>).

Companies Act (Cap. 486) of 1959.

Source: Communications Commission of Kenya, <http://www.cck.go.ke/lgislation/legis.html>

Central Bank of Kenya Act (CAP) 491 of 1966.

Source: Central Bank of Kenya: <http://www.centralbank.go.ke/>

The Banking Act of 1994.

Source: Central Bank of Kenya: <http://www.centralbank.go.ke/>

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Source: The Economist Intelligence Unit: <http://www.viewswire.com>

Capital Markets (Foreign Investors) Regulations, 2002.

Source: The Economist Intelligence Unit: <http://www.viewswire.com>

Corruption Control Bill, May 2002.

Source: The Economist Intelligence Unit: <http://www.viewswire.com>

Public Officer Ethics Bill, May 2002.

Source: The Economist Intelligence Unit: <http://www.viewswire.com>

II. International Framework

A. Kenya is a party to the following multilateral and regional instruments:

Paris Convention for the Protection of Industrial Property of 20 March 1883, as amended and revised.

Convention on the Settlement of Investment Disputes between States and Nationals of Other States of 18 March 1965. Entered into force on 14 October 1966.

Convention Establishing the Multilateral Investment Guarantee Agency of 11 October 1985. Entered into force on 12 April 1988.

Fourth ACP-EEC Convention signed at Lomé on 15 December 1989, Official Journal L 229, 17/08/1991 p. 0003 - 0280

Charter on a Regime of Multinational Industrial Enterprises (MIEs) in the Preferential Trade Area for Eastern and Southern African States (PTA), signed on 21 November 1990, entered into force August 1995.
Source: Preferential Trade Area for Eastern and Southern African States: Report of the Sixteenth Meeting of the Council of Ministers, 17-19 november, 1990, Mbabane, Swaziland (PTA/CM/XVI/2)

Treaty Establishing the Market for Eastern and Southern Africa (COMESA), 1993.

The Agreement on Trade-Related Aspects of Intellectual Property Rights, signed on 15 April 1994; in force on 1 January 1995.

The General Agreement on Trade in Services, signed on 15 April 1994; in force on 1 January 1995.

The Fourth Protocol to the General Agreement on Trade in Services of 15 February 1997.

The Fifth Protocol to the General Agreement on Trade in Services of 12 December 1997.

Treaty for the Establishment of the East African Community, 30 November 1999.

Partnership Agreement Between the Members of the African, Caribbean and Pacific Group of States of the one Part, and the European Community and Its Member States, of the Other Part, Signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Netherlands 1970, Germany 1996, Italy 1996, United Kingdom 1999, China 2001, Switzerland 2006.

2. Bilateral treaties for the avoidance of double taxation: Zambia 1968, Denmark 1972, Norway 1972, Sweden 1973, United Kingdom 1973, Germany 1977, Italy 1979 and 1997, Canada 1983, India 1985, France 1996..

C. Other treaties:

Investment agreement for the COMESA Common Investment Area (2007).

D. Sources of information

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Lesotho

A. Definitions and sources of data

The Central Bank of Lesotho is the only agency that collects data on foreign direct investment (FDI) in the country. The Central Bank defines FDI in line with the fourth edition of the balance-of-payment manuals published by the International Monetary Fund (IMF). The IMF also provides data on FDI in Lesotho in its balance-of-payment statistics.

Lesotho adheres to a strong commitment to private investment and is generally welcoming to FDI, especially in export manufacturing; labour-intensive manufacturing and import substitution activities. In 2006, the Government cut the standard rate of company tax from 35% to 25%, while the concession rate for manufacturing was cut from 15% to 10% and, provided that they held a tax clearance certificate from the Lesotho Revenue Authority, no tax would be levied on companies' exports of manufactured goods outside the Southern African Customs Union SACU. Additional sectors have been opened to FDI as steady progress is made in privatizing State-owned enterprises. Lesotho has neither foreign investment law nor foreign ownership restrictions in the sectoral licensing laws. There is no performance requirements imposed solely on foreign investors. But there are foreign investment restrictions in licensing of consumer services and in a de-facto form of FDI screening for small-scale manufacturing.

FDI entry restrictions in business and consumer services were introduced in 1999 into Lesotho's trade licensing system. Trading licenses are required for a wide range of services. FDI is not permitted in designated services that require a reserved trading license. No foreign ownership of any level or even board directorship by a non-citizen is permitted in reserved trading license businesses. All manufacturing businesses employing over 10 people or utilizing machinery of more than 25 horsepower require an industry license. Lesotho has a standard and good practice of treatment and protection of foreign investors. The country has some bilateral investment treaties (BITs). The specific standard of treatment and protection afforded to foreign investors are: national treatment, non-discrimination, funds transfer, expropriation and dispute settlement.

Lesotho signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 19 September 1995. Lesotho is a member of a Common Monetary Area through a trilateral Agreement with South Africa, Swaziland and recently Namibia. There are no restrictions on imports from members of SACU - Botswana, Namibia, South Africa and Swaziland. Licensing of imports from outside SACU is similar to that of the Republic of South Africa. There are no controls on exports, except for diamonds for which a license is required. Lesotho is a member of the African Union, New Partnership for Africa's Development and the Southern Africa Development Community. Lesotho is also eligible for the market access initiative for African countries by the United States - the African Growth and Opportunity Act, European Union (EU) led Everything But Arms (EBA) and the Cotonou Agreement for renegotiating the trade links between the African, Caribbean and Pacific countries with the EU. It is a member of the Multilateral Investment Guarantee Agency and the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	52.4	0.0
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	10.0	0.0
3. FDI stocks, 2006	594	2
4. FDI stocks as a percentage of GDP, 2006	36.4	0.1

Source: Based on tables 3a and 4a and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	4.5	..	..	..	..
1981	4.8	..	..	..	..
1982	3.0	..	..	..	..
1983	4.8	..	..	..	..
1984	2.3	..	..	..	..
1985	4.8	..	..	..	..
1986	2.0	..	..	..	..
1987	5.6	..	..	..	..
1988	20.6	..	..	..	0.1
1989	13.3	..	..	..	..
1990	16.1	..	..	..	..
1991	7.2	..	..	..	..
1992	7.6	..	..	..	..
1993	15.3	..	..	..	..
1994	42.6	..	..	..	..
1995	23.4	..	..	..	..
1996	28.0	..	..	..	..
1997	31.7	..	..	..	1.9
1998	26.8	..	..	..	..
1999	32.7	..	..	..	..
2000	31.5	..	..	..	..
2001	28.2	..	..	..	..
2002	26.9	..	..	..	0.1
2003	41.9	..	..	..	0.0
2004	53.3	..	..	..	0.1
2005	57.3	..	..	..	..
2006	57.0	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the IMF for 1980-1981 and the Central Bank of Lesotho thereafter. Investment in the Lesotho Highland Water Project is excluded from its FDI statistics as they are not considered as foreign investment by UNCTAD. Investment in this project is reported as "other capital" by the Central Bank of Lesotho and the IMF. Outflows are from the IMF for 1988; thereafter, proxy data are used based on investments reported by France for 1997, and the Central Bank of Lesotho for 2002-2004.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	5.2	..	..	..	..
1981	9.9	..	..	..	..
1982	13.0	..	..	..	..
1983	17.8	..	..	..	..
1984	20.1	..	..	..	..
1985	24.9	..	..	..	..
1986	26.9	..	..	..	..
1987	32.6	..	..	..	..
1988	53.2	..	..	..	0.1
1989	66.5	..	..	..	0.1
1990	82.6	..	..	..	0.1
1991	89.9	..	..	..	0.1
1992	97.5	..	..	..	0.1
1993	112.9	..	..	..	0.1
1994	155.4	..	..	..	0.1
1995	178.8	..	..	..	0.1
1996	206.9	..	..	..	0.1
1997	238.6	..	..	..	1.9
1998	265.4	..	..	..	1.9
1999	298.1	..	..	..	1.9
2000	329.6	..	..	..	1.9
2001	357.8	..	..	..	1.9
2002	384.7	..	..	..	2.0
2003	426.6	..	..	..	2.1
2004	479.9	..	..	..	2.2
2005	537.2	..	..	..	2.2
2006	594.2	..	..	..	2.2

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock are estimated by accumulating inflows since 1977. Outward stock are estimated by accumulating inflows since 1988.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	..	-	0.0	0.6	..
France	..	0.8	..	..	..	..	..	..	..	-	-	..
Germany	..	-	-2.5	-	..

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	-	-	-	-	-	0.2	0.0	0.6	-
South Africa	-	-	-	-	-	-	15.5	18.8	30.7	45.5	35.9	34.3
United States	1.0	1.0	1.0	1.0	3.0	3.0	3.0	3.0	3.0	2.0	2.0	2.0

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1994-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
South Africa	-	-	-	-	-	2.5	4.3	8.1	11.1	13.1	11.9	10.8

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by South Africa.

Tables 23, 30, 45 and 50. The number, assets, sales and value added of affiliates of United States TNCs in Lesotho, 1995-2006
(Number and millions of dollars)

Table no./Variable	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
23. Number	1	1	1	1	..	..	..	..	..	1	..	..
30. Assets	3	3	3	3	..	3	3	4	4	..	..	..
45. Sales	..	8	8	7	..	7	8	8	9	..	..	..
50. Value added ^a	1	1	1	1	..	..	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Table 87. Largest affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company Name	Host Economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
Fast N Fresh Transport (Pty) Ltd	South Africa	Land transport	..	400
Imperial Cargo (Pty) Ltd	South Africa	Land transport	6 773	..
C. Finance and insurance				
..	..	..	Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Astoria Bakery (Pty) Ltd	South Africa	Food, beverages and tobacco	..	159
B. Tertiary				
Standard Bank Lesotho Ltd	South Africa	Public administration	1 282	..
Vodacom Lesotho Proprietary Limited	South Africa	Telecommunications	..	55
Maseru Business Machines	United States	Public administration	..	..
Maseru Cash & Carry (Inc In Lesotho)	South Africa	Wholesale trade	..	..
Lesotho Oxygen Company (Pty) Ltd	Germany	Public administration	..	..
Letseng Diamonds (Pty) Ltd	South Africa	Public administration	..	..
C. Finance and Insurance				
Lesotho Bank	South Africa	Finance	143	..
Nedbank	United Kingdom	Finance	67	137

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

Lesotho has adopted a number of national, bilateral and multilateral legal instruments to regulate the activities of transnational corporations and foreign direct investors. The key instruments applicable in the country include:

I. National framework

Merchandise Marks Regulations, High Commissioner's Notice No. 83, April 1937.

Source: WIPO (<http://www.wipo.org>).

Lesotho National Development Corporation Act No. 20 of 1967: effective on 2 June 1967.

Source: International Center for Settlement of Investment Disputes (ICSID), *Investment Laws of the World*, August 1981, (1), p. 5.

The Employment Act No. 22 of 1967; effective on upon notification in the Official Gazette.

Source: Lesotho Government Gazette, Lesotho Government Gazette, No.20 of 1967, Supplement (reprinted in August 1971).

Companies Act No. 25 of 1967; effective on 3 July 1967.

Source: Lesotho Government Gazette, vol. XII of 1967, p. 169. Amendment: Companies Act 1984; effective on 1 March 1985. *Source:* Lesotho Government Gazette, vol. XXIX, No. 35 of 1984, p. 132.

Pioneer Industries Encouragement Act No. 19 of 1969; effective on 1 July 1969.

Source: Lesotho Government Gazette, vol. X:V, No. 19 of 1964, p. 62.

Pioneer Industries Encouragement Regulations 1969 (Legal Notice No. 21 of 1969); effective on 18 July 1969.

Source: Lesotho Government Gazette, No.35 of 1969, p. 301.

The Industrial Licensing Act 1969; effective on upon notification in the Official Gazette.

Source: Lesotho Government Gazette, vol. XIV, No. 27 of 1969, p. 110.

Industrial Licensing Regulations 1969 (Legal Notice No. 22 of 1969); effective on 18 July 1969. *Source:* Lesotho Government Gazette, No. 35 of 1969, p. 304.

Regulation of Wages and Conditions of Employment Act No. 35 of 1969; effective on 14 November 1969.

Source: Lesotho Government Gazette, No. 53 of 1969.

Employment (Amendment) Act No. 14 of 1977; effective on 14 October 1977

Source: Lesotho Government Gazette, vol. XXII of 1977, p. 49.

Wages and Conditions of Employment Order, 1978 (Legal Notice No. 5 of 1978); effective on 1 April 1978.

Source: Lesotho Government Gazette, No. 12 of 31 March 1978, Supplement No. I.

Lesotho National Development Corporations (Amendment) Act No. 18 of 1978. Effective: upon promulgation

Source: Lesotho Government Gazette, No. 44 of 1 December 1978, Supplement No. 1.

The Industrial Licensing (Amendment) Act No. 15 of 1979; effective on 23 November 1979.

Source: Lesotho Government Gazette, No. 39 of 23 November 1979, Supplement No. 2.

Workmen's Compensation Regulations, 1980 (Legal Notice No. 5 of 1981).

Source: Lesotho Government Gazette, No. 4 of 23 January 1981, Supplement No. 11.

Income Tax Act No. 7 of 1981; effective on 1 April 1981.

Source: Lesotho Government Gazette, No. 38 of 16 October 1981, Supplement No. 1.

Income Tax (Amendment) Act No. 3 (Order No. 30 of 1986); effective (Section 8) on 1 April 1981; remainder: 1 April 1986.

Source: Lesotho Government Gazette, No. 13 of 13 March 1986, Supplement No. 1.

Pioneer Industries Encouragement (Amendment) Order 1987; effective on 9 June 1987.

Source: Lesotho Government Gazette (Extraordinary), vol. XXXII, No. 25 of 9 June 1987, p. 168,

Trading Enterprises Order No. 10 of 1987; effective on 24 October 1987.

Source: Lesotho Government Gazette, No. 47 of 23 October 1987, Supplement No. 1.

Amendment: Trading Enterprises, Order No. 22 of 1988; effective on 21 October 1988.

Source: Lesotho Government Gazette, No. 74 of 21 October 1988, Supplement No. 1.

Trading Enterprises Regulations No. 30 of 1988; effective on 13 February 1988.

Source: Lesotho Government Gazette, No. 8 of 12 February 1988, Supplement No. 5.

Industrial Property Order No. 5, May 1989: Part II: Patents (sections 3 to 16, in force in May 1989) (F) IP/PI, May 1990.

Industrial Property Order No. 5 of 1989: Part III: Utility Model Certificates (sections 17 to 19) (in force in May 1989) (F) IP/PI, May 1990.

Source: WIPO (<http://www.wipo.org>).

Industrial Property Order No. 5 of 1989: Part III: Industrial Designs (sections 20 to 25) (in force on May 1989) (F) IP/PI, May 1990.

Source: WIPO (<http://www.wipo.org>).

Copyright Order No. 13, May 1989.

Source: WIPO (<http://www.wipo.org>).

Industrial Property Order No. 5, May 1989: Part V: Marks, Collective Marks and Trade Names (sections 26 to 33) (in force on May 1989) (F) IP/PI May 1990.

Source: WIPO (<http://www.wipo.org>).

Industrial Property Order No. 5 of 1989: Part VI: Acts of Unfair Competition (section 34) (in force in May 1989) (F) IP/PI, May 1990.

Source: WIPO (<http://www.wipo.org>).

Wages and Conditions of Employment (Amendment of Schedule) Order, 1989 (Legal Notice No. 54 of 1989); effective on 1 April 1989.

Source: Lesotho Government Gazette, Extraordinary, No. 19 of 2 March 1989, p. 143.

Industrial Property Order (Commencement) Notice, Legal Notice No. 84, May 1989.

Source: WIPO (<http://www.wipo.org>).

Rectification of Errors Orders L.N. Nos. 137 and 138, August 1989.

Source: WIPO (<http://www.wipo.org>).

Industrial Property Regulations, Legal Notice No. 85, May 1989(in force in January 1990) (F) IP/PI, May 1990.

Source: WIPO (<http://www.wipo.org>).

Industrial Property Regulations (Commencement) Notice, Legal Notice No. 1, January 1990.

Source: WIPO (<http://www.wipo.org>).

Industrial Property (Amendment) Order No. 22, April 1993.

Source: WIPO (<http://www.wipo.org>).

Industrial Property Amendment Act of 1995.

Source: WIPO (<http://www.wipo.org>).

Industrial Property Amendment Act 1997, June 1997, Sections 3 and 4 came into force in April 1998.

Source: WIPO (<http://www.wipo.org>).

Monopoly extended, 2006

Source: www.eiu.com EIU Country report Main report April 2006

II. International Framework

A. Lesotho is a party to the following multilateral and regional instruments:

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958, which entered into force on 7th June 1959.

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Charter on a Regime of Multinational Industrial Enterprises (MIEs) in the Preferential Trade Area for Eastern and Southern African States (PTA), signed on 21 November 1990, entered into force August 1995.

Source: Preferential Trade Area for Eastern and Southern African States: Report of the Sixteenth Meeting of the Council of Ministers, 17-19 november, 1990, Mbabane, Swaziland (PTA/CM/XVI/2)

Southern Africa Development Community (SADC), signed on 17 August, 1992.

Source: http://www.sadc.int/about_sadc/history.php.

Treaty Establishing the Market for Eastern and Southern Africa (COMESA), 1993.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: United Kingdom 1981, Germany 1982, Switzerland 2004.

2. Bilateral treaties for the avoidance of double taxation: South Africa 1995, Mauritius 1997, United Kingdom 1997.

D. Sources of information

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- World Trade Organization (WTO) (1998). "Trade-Related Technical Assistance Needs-Assessment presented by Lesotho", integrated responses by IMF, ITC, UNCTAD, UNDP, World Bank and WTO (Geneva: WTO/COMTD/IF/21, committee on Trade and Development, integrated framework for Trade-Related Technical Assistance) February.
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Liberia

A. Definitions and sources of data

The data on foreign direct investment (FDI) in Liberia were gathered from the tapes provided by the International Monetary Fund in its balance-of-payment statistics, the Organization for Economic Co-operation and Development, the Development Assistance Committee and International Development Statistics On-line Databases.

The Government of Liberia has implemented a series of reforms to reconstruct the country, improve financial management, strengthen the judiciary, combat corruption, and provide technical assistance to Liberians to help them manage their economy. The Liberian authorities have taken steps to improve fiscal discipline.

Efforts to work within integration schemes, international agreements and market access initiatives provide non-commercial risk coverage for foreign investors in the country. Liberia signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 19 September 1968. Liberia also belongs to the Economic Community of West African States, the African Union, New Partnership for Africa's Development and the Multilateral Investment Guarantee Agency. The country enjoys large preferential access to world markets under special access and duty reduction programmes. Among these are the generalized system of preferences for the least developed countries, the Everything But Arms initiative by the European Union, the Cotonou Agreement for renegotiating the partnership links between the African, Caribbean and Pacific countries with the EU and the United States' market access initiative for African countries - the African Growth and Opportunity Act.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	12.0	315.2
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	23.0	606.2
3. FDI stocks, 2006	3 306	3 237
4. FDI stocks as a percentage of GDP, 2006	531.4	520.4

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	..	..	..	71.9	..	..	..	231.2
1981	..	..	..	288.0	..	..	..	40.7
1982	34.8	..	..	312.9	..	..	..	161.2
1983	41.8	2.5	4.8	49.1	..	..	..	21.1
1984	24.9	1.8	9.5	36.2	..	..	..	59.3
1985	0.3	1.7	- 18.2	- 16.2	..	..	..	245.0
1986	- 16.5	..	..	- 16.5	..	..	..	- 264.8
1987	38.5	..	..	38.5	..	..	..	40.3
1988	..	..	..	290.2	..	..	..	194.5
1989	..	..	..	656.0	..	..	..	45.4
1990	..	..	..	225.2	..	..	..	- 3.1
1991	..	..	..	8.4	..	..	..	365.6
1992	..	..	..	- 10.9	..	..	..	55.2
1993	..	..	..	- 53.6	..	..	..	96.6
1994	..	..	..	17.4	..	..	..	95.8
1995	..	..	..	4.6	..	..	..	- 43.8
1996	..	..	..	- 132.1	..	..	..	- 59.5
1997	..	..	..	213.8	..	..	..	502.1
1998	..	..	..	190.3	..	..	..	- 729.4
1999	..	..	..	256.3	..	..	..	310.6
2000	..	..	..	20.8	..	..	..	779.9
2001	..	..	..	8.3	..	..	..	- 292.0
2002	..	..	..	2.8	..	..	..	402.9
2003	..	..	..	372.2	..	..	..	173.0
2004	..	..	..	236.9	..	..	..	304.5
2005	..	..	..	- 479.5	..	..	..	436.8
2006	..	..	..	- 81.7	..	..	..	346.4

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from OECD for 1980-1982, 1988-1999 and 2003-2005; IMF for 1983-1987, the *IMF Country Report*, May 2005 No. 05/166 for 2002 and proxy data based on investment reported by Croatia and Japan for 2005. Data on outflows are proxy data for 1980-2002 and estimates for 2004-2005. Proxy data are based on investments reported by the following economies:

1980-1984 Brazil and the United States.

1985-1988 and 1990 Belgium and Luxembourg, Brazil and the United States.

1989 and 1991 Belgium and Luxembourg, Brazil, France and the United States.

1992-1993 Belgium and Luxembourg, Brazil, China, France and the United States.

1994 Belgium and Luxembourg, Brazil, China, France, Malaysia, Pakistan and the United States.

1995 Belgium and Luxembourg, China, France, Germany, Malaysia and the United States.

1996 France, Germany, Malaysia, Portugal and the United States.

1997 Belgium and Luxembourg, France, Portugal and the United States.

1998 Belgium and Luxembourg, Croatia, Germany, Portugal, Saudi Arabia and the United States.

1999 Belgium and Luxembourg and the United States.

2000 Belgium and Luxembourg, France and the United States.

2001 Belgium and Luxembourg, Brazil, Bulgaria, Chile, France, Germany, Latvia and the United States.

2002 Brazil, Bulgaria, Chile, Cyprus, France, Germany, Kazakhstan, Latvia, Sweden and the United States.

2003 Bulgaria, Cyprus, Germany, Kazakhstan and the United States.

2004 Brazil, Bulgaria, Cyprus, Germany, Kazakhstan, Latvia, Romania and the United States.

2005 Brazil, Bulgaria, Chile, Cyprus, Kazakhstan, Latvia and the United States.

2006 Brazil, Bulgaria, Estonia, Kazakhstan and Latvia.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	868.2	..	..	..	48.0
1981	1 156.2	..	..	..	74.0
1982	1 469.1	..	..	..	72.0
1983	1 518.2	..	..	..	74.0
1984	1 554.4	..	..	..	126.0
1985	1 538.2	..	..	..	361.0
1986	1 521.7	..	..	..	87.0
1987	1 560.2	..	..	..	212.0
1988	1 850.3	..	..	..	343.0
1989	2 506.3	..	..	..	430.0
1990	2 731.6	..	..	..	453.0
1991	2 740.0	..	..	..	935.0
1992	2 729.1	..	..	..	1 181.0
1993	2 675.5	..	..	..	1 229.0
1994	2 692.9	..	..	..	1 243.0
1995	2 697.5	..	..	..	1 370.0
1996	2 565.4	..	..	..	1 030.7
1997	2 779.2	..	..	..	1 466.3
1998	2 969.5	..	..	..	713.4
1999	3 225.8	..	..	..	1 116.6
2000	3 246.6	..	..	..	2 187.5
2001	3 254.9	..	..	..	1 631.1
2002	3 257.7	..	..	..	1 741.4
2003	3 629.9	..	..	..	1 979.5
2004	3 866.7	..	..	..	2 273.5
2005	3 387.3	..	..	..	2 929.5
2006	3 305.5	..	..	..	3 236.8

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock are estimated by accumulating inflows since 1970. Outward stock are proxy data for 1980-2002 and estimates for 2004-2005. Proxy data are based on investments reported by the following economies:

1980-1993 United States.

1994 Chile, Colombia, Indonesia, United States and Venezuela.

1995 Brazil, Chile, Colombia, Indonesia, United States and Venezuela.

1996 Chile, Colombia, Indonesia, Portugal, the United States and Venezuela.

1997-1999 Chile, Colombia, Portugal, United States and Venezuela.

2000 Brazil, Chile, Colombia, Croatia, Latvia, Portugal, the United States and Venezuela.

2001 Chile, Croatia, Latvia, Portugal, the United States and Venezuela.

2002 Chile, Kazakhstan, Latvia, Portugal, the United States and Venezuela.

2003 Chile, Kazakhstan, Latvia, Portugal and the United States.

2004-2005 Chile, Croatia, Kazakhstan, Latvia and the United States.

2006 Kazakhstan, Latvia and the United States.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	26.0	5.2	-33.8	-12.2	-5.3	8.3	-	-	-	-	-	-
China	-	-	-	-	-	-	-	-	0.4	0.6	8.7	-
Croatia	2.7	0.2	11.5	-9.4	1.3	-0.1	33.7	13.7	-27.2	2.9	-24.9	17.8
Cyprus	-	-	-	-	-	-	-	8.3	-	-	-	-
Denmark	-	-	-	-	-	-	-	-	-	-	1.0	-16.5
France	-22.3	-7.7	197.8	-7.8	-	0.9	-10.7	-	2.3	-45.9	-42.3	20.1
Germany	4.2	-21.3	-75.5	39.2	-	-	242.5	-196.7	60.9	37.3	7.5	10.0
Israel	-	-	-	-	-	19.5	-5.1	10.3	-11.4	-7.6	-10.6	-
Japan	-	-	-	-	-	-	-	-	-	-	-288.1	-99.5
Latvia	-	-	-	-	-	17.6	-	-	-	-	-	-
Malaysia	2.8	0.8	2.1	-	-	-	-	-	-	-	-	-
Netherlands	-	-	-	-7.8	-	-	-	-	-	-	-	-
Portugal	-	-0.4	-	-	-	-	-	-	-	-	-	-
Sweden	-9.5	-	-	-	-	-	-14.6	-0.9	2.9	15.5	-	-
United States	27	-17	-9	13	35	-218	-60	-260	47	-12	102	-101

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Armenia	-	-	-	-	-	0.6	-0.5	-	-	-	-	-
Belgium/Luxembourg	-19.2	-	14.7	22.2	11.7	237.7	3.6	-	-	-	-	-
Brazil	-	-	-	-	-	-	0.1	0.1	-	0.0	0.4	0.1
Bulgaria	-	-	-	-	-0.1	0.1	0.1	-0.0	0.5	0.8	0.4	0.1
Chile	-	-	-	-	-	-	7.9	0.1	-	-	0.0	7.7
China	12.5	-	-	-	-	-	-	-	-	-	-	-
Croatia	-	-	-	2.0	-	-	-	-	-	-	-	-
Cyprus	-	-	-	-	-	-	-	12.4	15.0	2.6	2.3	-
Czech Republic	-	-	-	-	-	-	-0.0	-	-	-	-	-
France	25.0	12.8	12.4	-	22.4	-7.4	-4.5	-9.4	-2.3	2.5	1.2	1.3
Germany	23.7	-0.7	-	-1.1	-	-	13.4	-6.6	9.0	22.4	-3.7	-41.4
Kazakhstan	-	-	-	-	-	-	-	34.7	74.4	128.1	335.9	338.8
Latvia	-	-	-	-	-	-1.2	-0.6	4.7	-	-0.9	-2.8	-2.0
Lithuania	-	-	-0.0	0.0	-0.0	-	-	-	-	-	-	-
Malaysia	6.8	-	-	-	-	-	-	-	-	-	-	-
Portugal	-	-0.1	1.3	0.6	-	-	-	-	-	-	-	-
Korea, Republic of	-	-	-	0.0	-0.0	-	-	-	-	0.0	-	0.1
Romania	-	-	-	-	-	-	-	-	-	2.5	-	-
Saudi Arabia	-	-	-	1.0	-	-	-	-	-	-	-	-
Sweden	-	-	-	-	-	-	-	279.9	-	-	-	-
United States	-96	-71	474	-753	299	550	-312	87	74	152	106	100

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1994 - 2006
(Millions of dollars)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Brazil	-	-	-	-	-	-	-	149.6	133.7	81.4	95.6	119.9	-
Canada	117.6	38.1	46.0	42.0	-	-	-	-	-	-	-	-	-
China	-	-	-	-	-	-	-	-	-	5.8	6.4	16.0	-
Croatia	-	-	-	-	-	-	4.5	-	255.0	275.5	305.0	262.7	288.9
Denmark	-	-	-	-	-	-	-	-	-	-	158.8	157.5	128.6
Germany	125.3	101.2	184.6	147.3	186.5	111.5	134.9	163.0	68.2	60.6	12.3	3.5	-
Israel	-	-	-	-	-	-	25.1	22.7	28.5	7.1	29.8	8.7	30.7
Latvia	-	-	-	176.7	132.7	129.5	-	-	-	-	-	-	-
Malaysia	0.8	3.5	4.3	4.4	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	-
Norway	-	-	-	-	66.7	635.6	645.5	637.1	715.1	799.0	1 211.4	1 104.0	-
Slovenia	17.1	22.2	28.1	28.5	-	22.7	24.1	23.8	21.0	24.9	44.4	70.9	-
United Kingdom	112.5	-	-	-	-	-	-	-	-	-	-	-	-
United States	215	242	224	214	227	- 225	- 819	- 547	-1 344	273	272	378	289

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1994 - 2006
(Millions of dollars)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Armenia	-	-	-	-	-	-	0.6	0.1	0.1	0.1	0.1	0.1	0.1
Brazil	-	224.0	-	-	-	-	140.1	-	-	-	-	-	-
Bulgaria	-	-	-	-	-	0.2	0.1	0.3	1.2	2.2	2.9	2.8	3.2
Canada	-	3.7	-	-	-	-	-	-	-	-	-	-	-
Chile	0.5	0.5	0.5	0.5	0.5	0.5	0.5	8.4	8.5	8.5	8.5	8.6	16.3
Colombia	0.4	0.4	0.4	1.7	2.5	12.8	14.9	-	-	-	-	-	-
Croatia	-	-	-	-	-	2.0	2.1	-	-	-	26.5	31.2	-
Czech Republic	-	-	-	-	-	-	0.6	0.6	-	-	-	-	-
Estonia	-	-	-	-	-	-	-	-	-	0.0	0.0	0.0	2.1
Indonesia	30.4	30.4	31.0	-	-	-	-	-	-	-	-	-	-
Kazakhstan	-	-	-	-	-	-	-	-	43.3	204.8	332.9	668.7	1 007.6
Latvia	-	-	-	-	-	-	20.7	6.5	32.3	35.5	18.6	17.0	15.7
Portugal	-	-	5.1	0.4	0.7	0.6	0.5	0.5	0.6	0.7	-	-	-
Korea, Republic of	-	1.1	1.1	1.1	1.2	1.1	1.1	1.1	1.1	1.1	1.2	1.2	1.3
Saudi Arabia	-	-	-	-	-	-	26.0	-	-	-	-	26.0	-
United States	1 210	1 113	992	1 462	708	1 099	2 007	1 614	1 655	1 730	2 062	2 174	1 477
Venezuela	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7	-	-	-	-
Viet Nam	-	-	-	0.2	0.2	0.2	0.2	0.2	0.2	-	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 21. The number of foreign affiliates of home-based transnational corporations, by geographical location abroad, 1991-2003

Economy	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Armenia	..	..	..	..	..	..	..	..	1	..	..	..	..
Hong Kong, China	8	7	6	4	9	8	4	..	..	..	..	..	..
Indonesia	..	6	..	7	7	8	..	..	..	..	..	..	..
Romania	..	..	..	..	..	..	..	..	..	..	..	34	..
United States	19	32	28	26	26	25	7	8	7	7	7	7	5

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2005

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	16	14	12	14	13	13	14	13	13	5	4	4	3
Republic of Korea	..	..	..	1	1	1	1	1	1	1	1	1	1
United States	15	13	14	13	13	13	20	23	26	23	18	26	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 28. Assets of foreign affiliates of home-based transnational corporations, by geographical location abroad, 1992-2004
(Millions of dollars)

Economy	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Hong Kong, China	77.9	34.9	7.4	72.0	107.7	93.7	..	..	..	..	..	..	..
United States	746	746	885	829	383	339	818	1 060	374	388	349	..	335

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 30. Assets of affiliates of foreign TNCs in the host economy, by geographical origin, 1992-2004
(Millions of dollars)

Economy	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Germany	433.7	347.6	387.4	348.8	385.9	334.8	358.6	301.4	186.1	264.4	..	..	..
United States	568	378	..	887	1 437	1 622	938	..	4 135	4 339	3 793	3 077	2 756

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 33. Employment of foreign affiliates of home-based transnational corporations, by geographical location abroad, 1990-2002
(Thousands of employees)

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
Indonesia	..	..	0.3	..	0.3	..	0.3	..	..	..	..	..	..
United States	0.8	0.3	0.5	0.5	0.4	0.3	0.3	0.3	..	..	0.4	0.3	0.4

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 35. Employment of affiliates of foreign TNCs in the host economy, by geographical origin, 1992-2004
(Thousands of employees)

Economy	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Germany	..	1.0	1.0	1.0	2.0	2.0	2.0	2.0	1.0	1.0	..	..	..
United States	0.5	0.4	0.5	0.3	0.3	..	..	8.0	..	..	7.6	8.2	9.9

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 38, 43, 48, 58 and 63. Wages and salaries, sales, value added, exports and imports of foreign affiliates of Liberian TNCs in the United States, 1993-2004
(Millions of dollars)

Table no./Variable	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
38. Wages and salaries	18	13	12	9	13	..	..	23	18	26	25 ^a	28 ^a
43. Sales	303	405	374	155	..	..	..	177	261	336	..	..
48. Value added	21	79	66	-12	-9	..	..	-20	-22	32 ^a	..	..
58. Exports	..	..	..	..	55	..	2	1	..	..	..	..
63. Imports	..	140	..	150	..	..	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Tables 40 and 50. Wages and salaries and value added of affiliates of United States TNCs in Liberia, 1993-2004
(Millions of dollars)

Table no./Variable	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
40. Wages and salaries	5	15	16	4	13	..	83	..	..	88	95	119
50. Value added ^a	..	11	21	22	..	..	6	..	..	62	204	421

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Table 45. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004
(Millions of dollars)

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Germany	181.5	246.5	209.3	199.4	173.0	170.5	213.1	276.4	268.5	..	..	..
United States	116	..	149	..	160	137	..	1 689	1 620	1 345	1 329	1 897

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 87. Largest affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company Name	Host Economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
Novoship (U K) Ltd	England	Supporting transport activities	11.8	82
C. Finance and insurance				
..	..	..	Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Liberia Cement Corporation	Norway	Mining and quarrying	..	..
B. Tertiary				
Ace Navigation Inc	Japan	Water Transport	..	..
Anda Fpso Inc	Japan	Public administration	..	..
Arco Ireland Exploration Inc	United Kingdom	Other business activities	..	..
Arco Ireland Inc	United Kingdom	Other business activities	..	..
Baratta Shipping Ltd	Japan	Water Transport	..	..
Buccimazza Industrial Works Corporation Limited	Italy	Public administration	..	..
Castlerock Shipping Ltd.	Japan	Water Transport	..	..
DHL International (Liberia) Ltd.	Germany	Air transport	..	..
Escravos Fso Inc	Japan	Water Transport	..	..
F Corporation Ltd	Japan	Water Transport	..	..
Gotaas-Larsen Shipping Corporation	Bermuda	Other services	..	..
Hiro Shipping Inc.	Japan	Water Transport	..	..
Maersk Liberia Ltd	Denmark	Other services	..	..
T.Y. Eri Maritime Co., Ltd.	Japan	Water Transport	..	..
C. Finance and insurance				
..	..	..	Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

Liberia has adopted a number of national and international legal instruments to regulate the activities of the transnational corporations and foreign direct investors in the country. The key instruments applicable include:

I. National framework

Patent, Copyright and Trademark Law of 31 May 1972; effective on 12 August 1972.

Source: Copyright Laws and Treaties of the World, vol. I., Liberian Supplement, 1987-1988.

The Investment Incentives Code of 1973.

Source: Liberian Code of Laws Revised, 1976 edition. Title 8. Also in International Bureau of Fiscal Documentation ATS, suppli. No. 87, August 1993.

The Industrial Free-Zones Law of 1975.

Source: Liberian Code of Laws Revised, 1976 edition. Title 8.

The General Business Law of 1975 as amended in 1993.

Source: Liberian Code of Laws Revised, 1976 edition. Title 15.

Associations Law of 1976. Effective 3 January 1977.

Source: Liberian Code of Laws Revised, 1976 edition. Title 6.

II. International Framework**A. Liberia is a party to the following multilateral and regional instruments:**

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988 (In the process of fulfilling membership requirements).

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1 March 1990.

Revised Treaty of the Economic Community of West African States (ECOWAS) 1993.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Germany 1961, Switzerland 1963, France 1979, Belgium / Luxembourg 1985.

2. Bilateral treaties for the avoidance of double taxation: Sweden 1969, Germany 1970, Spain 1977, United States 1987.

D. Sources of Information

Official

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Secondary

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Libyan Arab Jamahiriya

A. Definitions and sources of data

A clear definition of foreign direct investment (FDI) in Libyan Arab Jamahiriya is not available; however, in the 1997 Law on encouraging of foreign capital investment, foreign capital is defined as the total financial value brought into the Great Jamahiriya whether owned by Libyans or foreigners to undertake an investment activity (Law No.5 for the year 1997). Project is defined as any economic enterprise established in accordance with this law. The result of its work is the production of goods for end or intermediate consumption, or investment goods, or the export or provision of service, or any other enterprise approved as such by the General People's Committee. Investor is defined as any natural or juridical entity, national or non-national, investing in accordance with the provisions of this law. The data on FDI were gathered from the Central Bank of Libyan Arab Jamahiriya. The International Monetary Fund also provides data on FDI in the country in its balance-of-payment statistics.

Libyan Arab Jamahiriya is a State-dominated economy that depends on oil revenues. The United Nations managed to lift its sanctions on the country in 2003. Foreign participation in industrial ventures set up after 1970 is permitted on a minority basis if it leads to increased production over local requirements, introduction of the latest technology and cooperation with foreign firms in exporting the surplus production.

Libyan Arab Jamahiriya allows foreigners to invest directly in the country as part of an effort to reduce the Government's dominant role in production and services. But the Government has yet to formulate a privatization plan; reform its investment regime; or address cumbersome bureaucracy, poor legal protection for investment and an unpredictable policy environment. At the moment, only residents may hold foreign currency accounts. Payments for authorized imports are not restricted. All other payments require government approval. Repatriation and most capital transactions, including approval requirements for transactions for capital and money market instruments, credit operations, direct investment, and real estate are controlled.

The country has maintained a relationship with the Arab League and has continued to pursue closer bilateral ties with African countries. Libyan Arab Jamahiriya is a member of the New Partnership for Africa's Development and African Union. Italy, its main trading partner, is cementing political cooperation and boosting investment. Italy's Agency for Export Credit Insurance helped the situation when it decided to write-off some debt and review its credit policy for the country. The prospect of lucrative contracts and investments, especially in the hydrocarbons sector, has also encouraged countries such as Australia, Canada and China to develop or strengthen their ties with Libyan Arab Jamahiriya. Libyan Arab Jamahiriya has an observer status at the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	818.0	11.4
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	24.8	0.3
3. FDI stocks, 2006	3 755	1 677
4. FDI stocks as a percentage of GDP, 2006	7.5	3.3

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	..	141.9	-1 231.2	-1 089.3	46.6	..	..	46.6
1981	..	142.9	- 887.0	- 744.1	25.3	..	..	25.3
1982	..	126.0	- 517.8	- 391.8	19.3	..	..	19.3
1983	..	136.8	- 463.4	- 326.6	..	..	..	..
1984	..	..	- 16.9	- 16.9	..	..	..	..
1985	..	..	119.2	119.2	..	..	..	..
1986	..	..	- 176.9	- 176.9	..	..	..	..
1987	..	..	- 97.6	- 97.6	113.5	..	..	113.5
1988	..	..	98.0	98.0	56.0	..	..	56.0
1989	..	..	125.2	125.2	35.1	..	..	35.1
1990	..	..	158.9	158.9	105.2	..	..	105.2
1991	91.9	..	..	91.9	173.8	..	..	173.8
1992	99.1	..	..	99.1	- 150.6	..	..	- 150.6
1993	58.2	..	..	58.2	- 479.4	..	..	- 479.4
1994	- 72.6	..	..	- 72.6	25.8	..	..	28.0
1995	- 88.5	..	..	- 88.5	68.6	..	..	82.9
1996	- 111.7	..	..	- 111.7	52.2	..	..	63.3
1997	..	..	..	- 67.9	..	..	..	284.0
1998	..	..	..	- 148.0	..	..	..	295.0
1999	..	..	..	- 128.1	..	..	..	226.0
2000	..	..	..	141.0	..	..	..	98.0
2001	..	..	..	- 113.0	..	..	..	- 174.6
2002	..	..	..	145.0	..	..	..	- 136.0
2003	..	..	..	143.0	..	..	..	62.6
2004	..	..	..	357.0	..	..	..	- 286.0
2005	..	..	..	1 038.0	..	..	..	128.0
2006	..	..	..	1 734.0	..	..	..	141.0

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the IMF for 1980-1989 and the Central Bank of Libya thereafter. Outflow data are from the IMF for 1980-1982 and 1987-1989 and the Central Bank of Libya thereafter.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	1 855.4	..	..	..	870.1
1981	1 111.3	..	..	..	895.4
1982	719.5	..	..	..	914.7
1983	392.8	..	..	..	914.7
1984	376.0	..	..	..	914.7
1985	495.2	..	..	..	914.7
1986	318.3	..	..	..	914.7
1987	311.9	..	..	..	1 185.4
1988	394.0	..	..	..	1 180.5
1989	519.1	..	..	..	1 215.5
1990	678.0	..	..	..	1 320.8
1991	769.9	..	..	..	1 494.6
1992	869.0	..	..	..	1 344.0
1993	927.2	..	..	..	864.7
1994	854.6	..	..	..	892.7
1995	766.1	..	..	..	975.6
1996	654.4	..	..	..	1 038.9
1997	586.5	..	..	..	1 322.9
1998	438.5	..	..	..	1 617.9
1999	310.4	..	..	..	1 843.9
2000	451.4	..	..	..	1 941.9
2001	338.4	..	..	..	1 767.3
2002	483.4	..	..	..	1 631.3
2003	626.4	..	..	..	1 693.9
2004	983.4	..	..	..	1 407.9
2005	2 021.4	..	..	..	1 535.9
2006	3 755.4	..	..	..	1 676.9

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics). Data prior to 1986 are estimated by subtracting flows from the stock of 1986. 1986-1988 are based on the IMF. 1989-2006 are estimated by adding flows to the 1988 stock.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	-	-	-	-	-	-	-	-	-	-	-	-
China	-	-	-	-	-	-	-	-	0.1	0.1	0.3	-
Cyprus	-	-	-	-	-	-	-	1.0	17.5	0.8	0.4	-
Estonia	-	-	-	-	-	-	-	-	-	-0.1	-0.0	-
France	10.5	73.1	15.7	36.7	9.6	6.4	-47.4	224.0	-86.9	1.2	7.5	25.1
Germany	14.0	-34.6	13.3	50.0	-	-	210.3	-248.4	-241.5	546.3	130.6	711.3
Japan	-	-	-	-	-	-	-	-	-	-	0.1	1.2
Pakistan	6.4	5.4	5.5	4.4	3.9	4.3	4.1	2.1	-	-	-	-
Korea, Republic of	-	-	-	-	3.7	4.0	4.6	11.1	22.0	27.0	51.9	-
United States	28.0	23.0	-67.0	-61.0	38.0	3.0	2.0	2.0	4.0	4.0	284.0	-

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium	..	-	-	-	-	-	-	-	-4.5	-	-	-
Belgium/Luxembourg	..	-	-	-	-	-	-	-	-4.5	-	-	-
Brazil	..	-	-	-	-	-	0.3	0.1	0.0	0.1	0.0	0.0
Bulgaria	..	0.0	0.3	1.0	-0.0	0.1	-0.0	0.0	0.2	0.1	-0.0	-0.1
China	..	-	-	-	-	-	-	-	-	-	-	-
Cyprus	..	-	-	-	-	-	-	1.2	2.7	1.2	0.3	-
Egypt	..	-	-	-	-	-	-	0.2	-	-	-	-
Estonia	..	-	-	-	-	-	-	-	-	0.1	-	-
France	..	-5.1	-1.1	-	-	-4.6	-18.8	107.3	20.3	-50.9	1.2	-
Georgia	..	-	-	-	-	1.8	0.8	-	-	-	0.0	-
Germany	..	15.3	13.3	23.9	-	-	12.5	46.1	4.5	2.5	-5.0	-1.3
Malta	..	-	-	-	-	-	-	-	-	7.8	-5.8	-
Morocco	..	16.0	26.0	19.0	-	0.3	0.5	-	2.7	2.7	0.5	0.9
Pakistan	..	-	-	-	-	-	-	-	-	-	-	-
Portugal	..	-	-0.1	-0.1	-0.3	-0.4	-0.0	-0.1	-0.1	-0.2	-	-
Korea, Republic of	..	-	-	0.0	-	-	0.1	0.1	0.0	0.2	0.2	0.3
Tunisia	5.2	8.6	10.5	48.4	6.2	3.9	6.7	0.8	3.2

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of US dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Bulgaria	-	-	-	-	3.4	2.6	-	-	-	-	-	..
Canada	39.6	13.9	-	18.3	23.6	18.7	125.0	125.3	-	-	-	..
China	-	-	-	-	-	-	-	-	0.9	0.9	33.1	..
Croatia	-	-	-	-	-	-	-	-	-	0.1	0.1	..
Germany	249.0	254.1	241.6	352.7	284.3	367.5	327.0	307.3	421.8	585.7	479.0	..
Pakistan	37.6	37.5	39.7	44.1	48.0	52.3	56.4	58.5	58.5	58.5	-	..
United Kingdom	-	-	-	-	-	-	-	-	-	-	-	..
United States	161	187	120	60	48	49	52	53	56	61	345	..

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1992-2006
(Millions of US dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Bulgaria	-	..	-	-	0.3	-	-	-	-	-	-	-
Estonia	-	..	-	-	-	-	-	-	-	0.1	-	-
Germany	7.7	..	8.9	13.7	12.1	7.4	8.8	-	-	-	-	-
Malta	-	..	-	-	-	-	-	-	-	140.1	117.3	-
Morocco	-	..	-	-	-	-	-	-	-	191.8	176.8	185.4
Pakistan	21.6	..	-	-	-	-	-	-	-	-	-	-
Portugal	-	..	1.8	1.9	2.3	2.3	2.2	2.7	3.2	-	-	-
Korea, Republic of	-	..	-	-	-	-	0.1	0.2	0.3	0.4	0.6	1.0
Syrian Arab Republic	-	..	-	-	-	-	-	-	68.3	-	-	-
United Rep. of	-	..	-	-	-	-	-	-	-	-	-	-
Tanzania	-	..	-	4.6	-	-	-	-	-	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 21. The number of foreign affiliates of home-based transnational corporations, by geographical location abroad, 1995-2006

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Germany	..	..	3	3	3	3	3	..	..	..	..	..
Italy	1	..	1	..	..	..	..	..	..	..	..	..
Tunisia	..	..	..	..	..	..	..	..	..	..	..	46
United States	..	..	1	1	1	1	1	..	..	..	..	..

Source: UNCTAD, FDI/TNC database. Note: Data are based on information reported by the economies listed above.

Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1995-2006

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Germany	8	7	6	8	9	9	9	4	6	8	11	..
Italy	1	..	1	..	..	..	..	..	..	..	..	..
United States	9	9	9	9	6	6	6	6	6	4	..	..

Source: UNCTAD, FDI/TNC database. Note: Data are based on information reported by the economies listed above.

Table 28. Assets of foreign affiliates of home-based transnational corporations, by geographical location abroad, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
United States	4.0	4.0	5.0	5.0	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database. Note: Data are based on information reported by the United States.

Table 30. Assets of affiliates of foreign TNCs in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Germany	488.3	514.5	502.2	597.7	602.8	744.4	616.9	..	..	..	..	..
United States	..	..	..	..	..	619	407	411	404	320	..	..

Source: UNCTAD, FDI/TNC database. Note: Data are based on information reported by the economies listed above.

Table 33. Employment of foreign affiliates of home-based transnational corporations, by geographical location abroad, 1995-2006
(Thousands of employees)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Italy	0.3	..	0.3	..	..	..	..	..	..	..	..	..
Tunisia	..	..	..	..	..	..	..	..	..	..	..	4.4

Source: UNCTAD, FDI/TNC database. Note: Data are based on information reported by the economies listed above.

Table 35. Employment of affiliates of foreign TNCs in the host economy, by geographical origin, 1995-2006
(Thousands of employees)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Germany	..	..	..	..	..	..	..	..	1.0	2.0	3.0	..
Italy	1.0	..	1.0	..	..	..	..	..	..	..	..	..
United States	0.5	0.7	0.7	..	..	..	0.4	0.4	0.4	0.5	..	..

Source: UNCTAD, FDI/TNC database. Note: Data are based on information reported by the economies listed above.

Tables 40 and 50. Wages and salaries and Value added of affiliates of United States TNCs in the Libyan Arab Jamahiriya, 1994-2005
(Millions of dollars)

Table no./Variable	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
40. Wages and salaries	14	11	27	24	..	..	..	11	11	13	12	..
50. Value added ^a	25	82	21	-3	-46	33	..	5	5	4	8	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Table 43. Sales of foreign affiliates of home-based transnational corporations, by geographical location abroad, 1994-2005
(Millions of dollars)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	61.6	..	..	..	..	..	..	..	..	..	..	..
Italy	..	93.8	..	92.0	..	..	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 45. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005
(Millions of dollars)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	678	907	1 130	1 153	739	1 172	1 658	1 432	1 412	1 919	2 359	2 171
Italy	..	653	..	754	..	..	..	..	..	..	..	..
United States	..	..	..	..	..	42	55	26	26	58	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
Abb Libya	Switzerland	Other business activities	..	..
Mohamed Ghattour & Co	United States	Other services	..	..
Energoprojekt-Holding	Serbia and Montenegro	Research and development	..	..
Acacus Inspection International Ltd	United Kingdom	Supporting transport activities	..	..
C. Finance and Insurance			Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

Libyan Arab Jamahiriya has a number of instruments to regulate the activities of the transnational corporations and foreign direct investors within its territory. The key legal instruments include the following:

I. National framework

Hydrocarbons law No(25) for the year 1955, as amended in 1961, 1965, and 1971.

Source: <http://www.lupinfo.com/country-guide-study/libya/libya73.html>

Trade Marks: Law No. 40 of 1956.

Source: WIPO (<http://www.wipo.org>).

Patent, Industrial Designs and Models Law (No. 8 of 1959)

Source: Abu-Ghazaleh Intellectual Property/Arab World (<http://www.agip.com>).

Law No. (9) for 1968 Issuing the Copyright Protection Law

Source: Abu-Ghazaleh Intellectual Property/Arab World (<http://www.agip.com>).

Law No. 37 of 1968 concerning Foreign Capital Investment.

Source: Chambre de Commerce Franco-Arabe (Paris), Documentary fund.

Law No. 65 of 1970 A.D. "Some Decisions pertaining to Tradesmen and Commercial Companies and Controlling Them".

Source: Official Gazette No. 33 of 25 June 1970 A.D.

Law No. 25 of 1971 amending the Commercial Code.

Source: Official Gazette No. 28 of 1 June 1979 A.D.

Income Tax Law No. 64 for the year 1973 and its amendments.

Source: Libyan Investment (<http://www.libyaninvestment.com>).

Customs Law No. 67 for the year 1973 and its amendments.

Source: Libyan Investment (<http://www.libyaninvestment.com>).

Law No. 85 for the year 1975 on Establishment of Joint-Stock Contracting Companies.

Source: Official Gazette of 27 Shaban 1395 H.Y. (3 September 1975 A.D.).

Decision number 10 of 1979 allowing NOC to enter into agreements with foreign companies.

Source: MBendi Information for Africa (<http://www.mbendi.co.za>).

Decree of 3 May 1980 on Registration of Companies.

Source: Chambre de Commerce Franco-Arabe (Paris), Documentary fund.

Law No. 5 of 1981 concerning the exemption from tax for foreign companies.

Source: International Bureau of Fiscal Documentation, suppl. 53-54, Winter 1984.

Law No. 20 for the year 1991 concerning the Consolidation of freedom.

Source: Libyan Investment (<http://www.libyaninvestment.com>).

Law No. 1 for the year 1993 concerning Banks, Currency and Credit and its amendments.

Source: Libyan Investment (<http://www.libyaninvestment.com>).

Law No. 5 For Year 1426 (1997) Concerning Encouragement Of Foreign Capitals Investment and its amendments by law No(7) of the year (2003).

Source: Libyan Investment (<http://www.libyaninvestment.com>).

Establishment of the Free Zones Authority General People's Committee Resolution no. (495) for the year 1999.

Source: Libyan Investment (<http://www.libyaninvestment.com>).

Libyanisation, November 2006.

Source: www.eiu.com, EIU Country report Main report Jan 2007.

Foreign banks allowed to invest, January 2006.

Source: www.viewswire.com, Libya regulations Feb 1st 2006.

Law on establishment of stock market, June 2006.

Source: <http://www.heritage.org/research/features/index/country.cfm?id=Libya>.

II. International Framework

A. Libyan Arab Jamahiriya is a party to the following multilateral and regional instruments:

Agreement on Arab Economic Unity of 3 June 1957. Entered into force on 30 April 1964. Together with Agreement on Investment and Free Movement of Arab Capital Among Arab Countries of 29 August 1970 and the Unified Agreement for the Investment of Arab Capital in the Arab States of 26 November 1980.

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Agreement for the Promotion, Protection and Guarantee of Investment Among Member States of the Organization of Islamic Conference, of 1 June 1981; entered into force on 23 September 1986.

Unified Agreement for the Investment of Arab Capital in the Arab States of 1982.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Articles of Agreement of the Islamic Corporation for the Insurance of Investment and Export Credit of 19 February 1992. Entered into force on 1 August 1994.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Malta 1973, Tunisia 1973, Egypt 1990, Syrian Arab Republic 1993, Bulgaria 1999, Belarus 2000, Italy 2000, Morocco 2000, Austria 2002, Croatia 2002, Malta 2003, Portugal 2003, Switzerland 2003, Belgium and Luxembourg 2004, Ethiopia 2004, Germany 2004, Serbia and Montenegro 2004, Qatar 2004, Tunisia 2005, Iran, Islamic Republic of 2006, Korea, Republic of 2006.

2. Bilateral treaties for the avoidance of double taxation: Malta 1972, Pakistan 1975, India 1981, Morocco 1984, Algeria 1988.

C. Other treaties:

Investment agreement for the COMESA Common Investment Area (2007).

D. Sources of information

Official

Central Bank of Libya (www.cbl-ly.com).

Libyan Foreign Investment Board (www.investinlibya.com).

Secondary

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Reiffers, J.L. (1997). *La Mediterranee aux portes de l'an 2000* (Massaieille: Institut de la Mediterranee).

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United Nations Conference on Trade and Development (UNCTAD) (2005a). *Investor-Disputes Arising from Investment Treaties: A Review*. UNCTAD Series of International Investment Policies for Development (UNCTAD/ITE/IIT/2005/4).

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Madagascar

A. Definitions and sources

Foreign direct investment (FDI) in Madagascar is defined as the “purchase, creation or extension of funds, branches or enterprises, or any other activity that would allow foreign entities to establish or to increase control of a corporation carrying out industrial, agricultural, commercial, financial or real estate activities of any form, or the extension of such a corporation already under their control” (Arrête no. 4100 of 30 December 1972). The Banque Centrale de Madagascar compiles data on FDI in the country. Aggregate data on inward FDI are available for 1990-2000, based on cash transfers, complemented by information on privatization of State-owned enterprises. Data are expressed in units of Special Drawing Rights. Data broken down by region or industry are currently not available. It is not known whether the application of the balance-of-payment manual 5th edition guidelines for compiling FDI data is envisaged. Additional data are available on the balance-of-payment statistics by the International Monetary Fund.

Foreign investment has mainly been in the free zones, particularly in textiles. With the abolition of the Investment Code in 1996, foreign investment no longer needs prior authorization. The Guichet Unique (established in 1994), which used to serve foreign investors in the past, now serves as a one-stop shop. In addition, the Espace des Promotions des Investissements was established in 1999, within the Ministère de l'Industrialisation et de l'Artisanat, to provide free assistance to investors interested in Madagascar, with advice on investment conditions, market potential, prospective local partners and advice on legal and financial issues. The Ministry also determines FDI policy and promotion measures related to industrial and handicraft activities, within the framework of government economic policy. The Export Free Zone (EFZ) regime, established in 1989, provides incentives to investors in export-oriented manufacturing activities, development or management of industrial free zones or provision of services to EFZ companies. The following incentives are offered: tax holidays for two to ten years following the initial investment and depending on the type of enterprise, exemption of customs duties for all exports and imports, and free transfer of funds abroad. To qualify for this regime, investors have to register with the Guichet Unique.

Madagascar signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 1 June 1966 and is a member of the African Union, New Partnership for Africa's Development, Multilateral Investment Guarantee Agency, World Intellectual Property Organization and World Trade Organization. Madagascar also has membership of the Common Market for Eastern and Southern Africa, Southern African Development Community, Indian Ocean Commission, and eligible for the provisions of the Cotonou Agreement for renegotiating the Lomé Convention between Africa, Caribbean and Pacific with the European Union; the United States' market access initiative for African countries - the African Growth and Opportunity Act and the European Commission's Everything But Arms market access initiative.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	126.7	- 1.1
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	11.9	- 0.1
3. FDI stocks, 2006	504	6
4. FDI stocks as a percentage of GDP, 2006	9.2	0.1

Source: Based on tables 3a and 4a and UNCTAD, FDI/TNC database

Table 3a. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	..	..	..	- 0.8	..	..	..	..
1981	..	..	..	- 0.8	..	..	..	..
1982	..	..	..	- 0.1	..	..	..	..
1983	..	..	..	3.7	..	..	..	..
1984	..	..	..	8.6	..	..	..	..
1985	..	..	..	- 0.2	..	..	..	..
1986	..	..	..	14.0	..	..	..	2.0
1987	..	..	..	3.5	..	..	..	6.0
1988	..	..	..	2.9	..	..	..	- 8.5
1989	12.8	..	..	12.8	..	..	..	0.4
1990	22.4	..	..	22.4	..	..	..	1.3
1991	13.7	..	..	13.7	..	..	..	- 0.4
1992	21.1	..	..	21.1	..	..	..	1.9
1993	15.4	..	..	15.4	..	..	..	4.9
1994	5.7	..	..	5.7	..	..	..	2.8
1995	9.7	..	..	9.7	..	..	..	1.5
1996	10.2	..	..	10.2	..	..	..	- 0.8
1997	14.0	..	..	13.8	..	..	..	- 1.5
1998	16.6	..	..	16.1	..	..	..	..
1999	58.4	..	..	58.4	..	..	..	..
2000	83.0	..	..	83.0	..	..	..	..
2001	93.1	..	..	93.1	..	..	..	1.1
2002	21.5	14.2	25.4	61.1	..	..	..	..
2003	13.2	- 6.0	88.2	95.5	..	..	..	- 4.5
2004	18.4	13.5	63.3	95.2	..	..	..	..
2005	23.8	29.4	32.9	86.0	..	..	..	..
2006	30.1	55.7	144.5	230.2	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from OECD for 1980-1988; IMF for 1989 and the Banque Centrale de Madagascar thereafter. Data on outflows are based on investments reported by the following economies: 1986-1987, United States; 1988, Belgium and Luxembourg, France and the United States; 1989-1991, Belgium and Luxembourg and France; 1992-1994, Belgium and Luxembourg, China and France; 1995, China and France; 1996, France; 1997, France and the United States and 2001, Belgium and Luxembourg and the United States.

Table 3b. FDI flows, by type of investment, 2002-2006
(Millions of ariary)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
2002	29 400	19 400	34 700	83 500	..	..	..	..
2003	16 400	- 7 400	109 200	118 200	..	..	..	..
2004	34 400	25 300	118 000	177 700	..	..	..	..
2005	47 600	58 800	65 900	172 300	..	..	..	..
2006	64 400	119 300	309 500	493 200	..	..	..	..

Source: UNCTAD, FDI/TNC database based on the Banque Centrale de Madagascar, *unpublished*.

Table 4a. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	39.9	..	..	..	..
1981	39.1	..	..	..	..
1982	39.0	..	..	..	..
1983	42.7	..	..	..	..
1984	51.3	..	..	..	..
1985	51.1	..	..	..	..
1986	65.2	..	..	..	2.0
1987	68.6	..	..	..	8.0
1988	71.6	..	..	..	- 0.5
1989	84.4	..	..	..	- 0.0
1990	106.8	..	..	..	1.3
1991	120.4	..	..	..	0.9
1992	141.6	..	..	..	2.8
1993	156.9	..	..	..	7.7
1994	162.6	..	..	..	10.5
1995	172.4	..	..	..	12.1
1996	182.5	..	..	..	11.3
1997	196.3	..	..	..	9.8
1998	212.4	..	..	..	9.8
1999	270.8	..	..	..	9.8
2000	41.3	140.8	..	..	..	9.8
2001	51.5	142.6	..	..	..	10.9
2002	78.9	180.5	..	..	..	10.9
2003	138.3	259.0	..	..	..	6.4
2004	149.9	256.6	..	..	..	6.4
2005	135.4	249.2	..	..	..	6.4
2006	348.9	503.5	..	..	..	6.4

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on Inward stock prior to 2000 are estimated by accumulating inflows since 1970. As of 2000 data are based on the Banque Centrale de Madagascar. Data for outward stock Estimated by accumulating inflows since 1986.

Table 4b. FDI stocks, by type of investment, 2000-2006
(Millions of ariary)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
2000	54 100	184 500	..	..	..	..
2001	68 300	189 100	..	..	..	..
2002	62 600	232 300	..	..	..	..
2003	137 200	315 900	..	..	..	..
2004	223 500	479 700	..	..	..	..
2005	199 700	540 630	..	..	..	..
2006	1 014 014	..	..	..	..

Source: Banque Centrale de Madagascar.

Table 5. FDI flows in the host economy, by industry, 1998-2006
(Millions of ariary)

Sector / industry	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total	171 583	630 400
Primary	56 882	449 800
Agriculture, hunting, forestry and fishing	24 695	7 700
Forestry and Fishing	24 650	7 700
Fishing, operation of fish hatcheries and fish farms	24 650	7 700
Mining, quarrying and petroleum	32 187	442 100
Secondary	-11 786	39 600
Tertiary	89 508	140 700
Electricity, gas and water	12 939	300
Construction	13 655	1 100
Trade	40 455	34 400
Wholesale trade	-	18 200
Hotels and restaurants	1 122	- 300
Transport, storage and communications	-2 296	24 500
Transport and storage	-	18 800
Post and communications	-	5 700
Telecommunications	-	5 700
Finance	22 039	76 700
Business activities	1 594	4 000
Unspecified	36 979	300

Source: Central Bank of Madagascar, *Investissements Directs Etrangers et de Portefeuille a Madagascar*, various issues.

Table 6. FDI flows in the host economy, by geographical origin, 1998-2006
(Millions of ariary)

Region / economy	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total world	83 500	118 200	177 700	172 300	630 400
Developed countries	51 200	80 600	56 500	98 500	524 300
Europe	51 200	70 600	56 500	61 800	86 400
European Union	51 200	65 400	56 500	61 800	82 200
Denmark	-	800	-	-	-
France	51 200	62 000	56 500	39 000	52 700
Luxembourg	-	2 600	-	22 800	8 700
United Kingdom	-	-	-	-	20 800
Other developed Europe	-	5 200	-	-	4 200
Switzerland	-	5 200	-	-	4 200
North America	-	10 000	-	36 700	429 000
Canada	-	9 800	-	36 700	270 700
United States	-	200	-	-	158 300
Other developed countries	-	-	-	-	8 900
Japan	-	-	-	-	8 900
Developing economies	30 200	34 600	82 300	40 800	106 400
Africa	30 200	31 600	78 300	40 800	79 400
Mauritius	30 200	31 800	69 300	40 800	48 000
Reunion	-	- 600	7 000	-	29 600
South Africa	-	400	2 000	-	1 800
Latin America and the Caribbean	-	5 000	-	-	-
Bermuda	-	5 000	-	-	-
Asia and Oceania	-	-2 000	4 000	-	27 000
Asia	-	-2 000	4 000	-	27 000
South, East and South-East Asia	-	-2 000	4 000	-	27 000
China	-	1 200	4 000	-	6 200
Hong Kong, China	-	-3 200	-	-	-
India	-	-	-	-	9 200
Korea, Republic of	-	-	-	-	8 800
Sri Lanka	-	-	-	-	2 800
Unspecified	2 100	3 000	38 900	33 000	- 300

Source: Central Bank of Madagascar, *Investissements Directs Etrangers et de Portefeuille a Madagascar*, various issues.

Table 7. FDI flows in the host economy, by industry and geographical origin, 2005
(Billions of ariary)

Sector/industry / Region/economy	Total world	Developed countries	European Union	France	Developing economies	Africa	Mauritius	Asia	China	Unspecified
Total	171.6	25.4	25.4	25.4	112.2	35.7	35.7	76.5	76.5	34.0
Primary	57.0	8.3	8.3	8.3	74.8	-	-	74.8	74.8	26.1
Agriculture, hunting, forestry and fishing	24.8	4.0	4.0	4.0	-	-	-	-	-	20.8
Forestry and Fishing	24.7	4.0	4.0	4.0	-	-	-	-	-	20.7
Mining, quarrying and petroleum	32.2	4.3	4.3	4.3	74.8	-	-	74.8	74.8	46.9
Secondary	- 11.8	- 1.4	- 1.4	- 1.4	9.8	8.2	8.2	1.6	1.6	20.2
Tertiary	89.4	12.7	12.7	12.7	27.7	27.6	27.6	0.1	0.1	49.0
Electricity, gas and water	12.9	0.2	0.2	0.2	4.5	4.5	4.5	-	-	8.2
Construction	13.6	21.1	21.1	21.1	-	-	-	-	-	34.7
Trade	40.5	13.3	13.3	13.3	2.6	2.5	2.5	0.1	0.1	24.6
Hotels and restaurants	1.1	-	-	-	-	-	-	-	-	1.1
Transport, storage and communications	- 2.3	22.8	22.8	22.8	2.1	2.1	2.1	-	-	27.2
Finance	22.0	1.6	1.6	1.6	17.5	17.5	17.5	-	-	2.9
Business activities	1.6	- 4.1	- 4.1	- 4.1	1.0	1.0	1.0	-	-	4.7
Unspecified	37.0	5.8	5.8	5.8	- 0.1	- 0.1	- 0.1	-	-	31.3

Source: Central Bank of Madagascar, *Investissements Directs Etrangers et de Portefeuille a Madagascar*, various issues.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	-	-	-	..	..	-	-0.9	-	-	-	-	-
Bulgaria	-	-	-	..	..	-	0.0	-	-	-	-	-
China	0.7	-	-	..	..	-	-	-	-	-	-	-
France	1.3	-1.3	-	..	..	-0.9	1.8	1.9	1.1	2.5	-3.7	-5.0
Germany	-	-	-	..	..	-	-	-	-	-	2.5	-2.5
United States	-	-	-1.0	..	..	-	2.0	-	-	-	-	-

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Bulgaria	-	-	-	-	-	-	0.03	0.03	0.04	0.04	0.03	0.04
United States	-	-	-1.0	-1.0	-2.0	-2.0	-	-	-	-	-	-

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 11. FDI stocks in the host economy, by industry, 1998-2006
(Millions of ariary)

Sector / industry	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total	213 000	277 000	479 700	540 600	1 877 900
Primary	14 600	24 800	35 100	103 500	917 900
Agriculture, hunting, forestry and fishing	9 600	8 400	12 700	56 400	15 100
Forestry and Fishing	9 600	8 400	12 600	51 000	15 100
Fishing, operation of fish hatcheries and fish farms	9 600	8 400	12 600	51 000	15 100
Mining, quarrying and petroleum	5 000	16 400	22 400	47 100	902 800
Secondary	28 200	21 400	64 300	111 300	427 800
Tertiary	168 800	223 800	358 400	320 900	531 500
Electricity, gas and water	14 800	10 400	14 900	10 800	22 600
Construction	30 200	58 000	96 100	40 200	40 700
Trade	47 400	48 000	80 300	76 600	90 000
Wholesale trade	-	-	-	41 000	53 200
Hotels and restaurants	400	-1 200	200	900	900
Transport, storage and communications	32 000	62 400	74 500	67 200	213 200
Transport and storage	-	-	-	9 400	46 500
Post and communications	-	-	-	57 800	166 700
Telecommunications	-	-	-	57 800	166 700
Finance	30 600	27 400	86 700	95 800	132 200
Business activities	13 400	18 800	5 700	29 400	31 900
Unspecified	1 400	7 000	21 900	4 900	700

Source: Central Bank of Madagascar, *Investissements Directs Etrangers et de Portefeuille a Madagascar*, various issues.

Table 12. FDI stocks in the host economy, by geographical origin, 1998-2006
(Millions of ariary)

Region / economy	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total world	213 000	277 000	479 700	540 630	1 877 900
Developed countries	145 000	195 400	259 800	368 763	1 181 100
Europe	143 400	184 000	247 100	302 701	962 400
European Union	133 800	169 000	232 100	282 745	962 400
Belgium	1 400	1 600	7 500	17	11 300
Denmark	200	1 000	800	260	-
France	110 600	141 000	197 500	182 099	180 300
Germany	-	-	-	201	-
Greece	-	-	-	10	-
Hungary	-	-	-	36	-
Ireland	-	-	-	3 329	-
Italy	-	-	-	2 880	-
Luxembourg	20 800	24 600	16 700	81 730	20 500
Netherlands	800	800	9 600	6 244	-
United Kingdom	-	-	-	5 940	750 300
Other developed Europe	9 600	15 000	15 000	19 956	-
Switzerland	9 600	15 000	15 000	19 826	-
North America	1 600	11 400	12 700	65 707	209 800
Canada	-	9 800	9 700	45 414	40 200
United States	1 600	1 600	3 000	20 293	169 600
Other developed countries	-	-	-	355	8 900
Australia	-	-	-	324	-
Japan	-	-	-	31	8 900
Developing economies	62 200	75 400	219 900	171 862	688 600
Africa	55 400	70 000	146 400	115 549	658 100
North Africa	-	-	-	12	-
Egypt	-	-	-	12	-
Other Africa	55 400	70 000	146 400	115 537	658 100
Benin	-	-	-	4 721	-
Guinea	-	-	-	11	-
Kenya	-	-	-	143	-
Mauritius	46 200	64 000	133 400	86 389	627 200
Reunion	8 000	5 600	10 800	13 864	25 400
South Africa	1 200	400	2 200	10 408	5 500
Latin America and the Caribbean	3 800	5 200	10 000	-	-
Bermuda	3 800	5 200	10 000	-	-
Asia	3 000	200	63 500	54 858	30 500
West Asia	-	-	-	8 655	-
Kuwait	-	-	-	8 583	-
Saudi Arabia	-	-	-	45	-
Turkey	-	-	-	27	-
South, East and South-East Asia	3 000	200	63 500	46 202	30 500
China	1 200	1 600	19 900	9 655	6 300
Hong Kong, China	600	-2 200	30 900	28 841	-
India	-	-	-	2 351	15 200
Korea, Republic of	-	-	-	8	9 000
Singapore	-	-	-	104	-
Sri Lanka	1 200	800	12 700	5 215	-
Thailand	-	-	-	28	-
Oceania	-	-	-	1 456	-
New Caledonia	-	-	-	1 456	-
South-East Europe and the CIS	-	-	-	5	-
Russian Federation	-	-	-	5	-
Unspecified	5 800	6 200	-	-	8 200

Source: Central Bank of Madagascar, *Investissements Directs Etrangers et de Portefeuille a Madagascar*, various issues.

Table 13. FDI stocks in the host economy, by industry and geographical origin, 2005
(Billions of ariary)

Sector/industry / Region/economy	Total world	Developed countries	European Union	France	Developing economies	Africa	Mauritius	Asia	China	Unspecified
Total	540.6	207.3	207.3	207.3	192.9	114.2	114.2	78.7	78.7	140.4
Primary	79.5	10.5	10.5	10.5	81.8	5.4	5.4	76.4	76.4	12.8
Agriculture, hunting, forestry and fishing	37.4	4.5	4.5	4.5	2.0	2.0	2.0	-	-	30.9
Forestry and Fishing	37.3	4.4	4.4	4.4	2.0	2.0	2.0	-	-	30.9
Fishing, operation of fish hatcheries and fish farms	37.3	4.4	4.4	4.4	2.0	2.0	2.0	-	-	30.9
Mining, quarrying and petroleum	42.1	6.0	6.0	6.0	79.8	3.4	3.4	76.4	76.4	43.7
Secondary	35.3	10.4	10.4	10.4	20.9	19.1	19.1	1.8	1.8	4.0
Tertiary	374.3	181.4	181.4	181.4	87.3	87.0	87.0	0.3	0.3	105.6
Electricity, gas and water	26.2	0.3	0.3	0.3	6.1	6.1	6.1	-	-	19.8
Construction	109.8	74.4	74.4	74.4	22.3	22.3	22.3	-	-	13.1
Trade	104.8	36.2	36.2	36.2	20.1	19.8	19.8	0.3	0.3	48.5
Hotels and restaurants	1.3	0.1	0.1	0.1	-	-	-	-	-	1.2
Transport, storage and communications	70.5	30.9	30.9	30.9	13.9	13.9	13.9	-	-	25.7
Finance	54.7	38.7	38.7	38.7	23.7	23.7	23.7	-	-	7.7
Business activities	7.0	0.8	0.8	0.8	1.2	1.2	1.2	-	-	5.0
Unspecified	51.5	5.0	5.0	5.0	2.9	2.7	2.7	0.2	0.2	43.6

Source: Central Bank of Madagascar, *Investissements Directs Etrangers et de Portefeuille a Madagascar*, various issues.

Table 22. The Number of affiliates of foreign TNCs in the host economy, by industry, 1994-1999

Sector/Industry	1994-1999
Total	2 768
Primary	185
Agriculture, hunting, forestry and fishing	92
Mining, quarrying and petroleum	93
Mining and quarrying	89
Petroleum	4
Secondary	332
Food, beverages and tobacco	44
Textiles, clothing and leather	103
Wood and wood products	53
Publishing, printing and reproduction of recorded media	28
Chemicals and chemical products	36
Machinery and equipment	49
Unspecified secondary	19
Tertiary	2 251
Construction	106
Trade	1 266
Transport, storage and communications	201
Finance	10
Business activities	264
Community, social and personal service activities	94
Other services	310

Source: INSTAT, Direction des Statistiques Economiques, unpublished data.

Notes: Data refer to newly established enterprises during the period 1994-1999. Petroleum refers to energy. Wood and wood products include construction materials. Publishing, printing and reproduction of recorded media include paper.

Table 23a. The Number of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-1999

Region/economy	1994-1999	Region/economy	1994-1999
Total world	2 768	Cameroon	2
Developed countries	1 526	Comoros	2
Europe	1 464	Congo	1
European Union	1 436	Côte d'Ivoire	2
Austria	2	Democratic Republic of the Congo	1
Belgium / Luxembourg	31	Gambia	15
Czech Republic	1	Guinea	47
Denmark	2	Liberia	6
France	1 241	Mali	15
Germany	22	Mauritius	86
Greece	4	Rwanda	5
Ireland	4	Senegal	6
Italy	82	Sierra Leone	4
Netherlands	7	Somalia	1
Poland	2	United Republic of Tanzania	2
Portugal	4	Zimbabwe	2
Spain	8	Latin America and the Caribbean	3
United Kingdom	26	Brazil	3
Other Europe	28	Asia	381
Iceland	2	West Asia	1
Switzerland	26	Iran, Islamic Republic of	1
North America	26	South, East and South-East Asia	379
Canada	11	Cambodia	1
United States	15	China	185
Other developed countries	39	India	38
Australia	8	Indonesia	2
Israel	18	Malaysia	17
Japan	2	Pakistan	11
South Africa	11	Republic of Korea	29
Developing economies	591	Singapore	3
Africa	207	Sri Lanka	60
North Africa	10	Thailand	33
Algeria	2	Unspecified Asia	1
Libyan Arab Jamahiriya	2	South-East Europe and CIS	21
Morocco	2	Romania	1
Sudan	3	Russian Federation	16
Tunisia	1	Ukraine	1
Other Africa	197	Unspecified	630

Source: INSTAT, Direction des Statistiques Economiques, unpublished data.

Note: Data refer to newly established enterprises during the period 1994-1999. Zimbabwe includes Malawi.

Table 35a. Employees of affiliates of foreign TNCs in the host economy, by geographical origin, 1998

Region/economy	1998
Total world	81 410
Developed countries	68 077
Western Europe ^a	65 787
North America ^b	2 290
Developing economies	13 333
Africa	10 343
Asia ^c	2 990

Source: INSTAT/MADIO, Enquête annuelle de l'industrie/98.

Notes: Data are for registered investments.

^a Includes Central and Eastern Europe.

^b Includes Latin America and the Caribbean.

^c Includes Australia, Israel, Japan and New Zealand.

Table 40. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1998
(Billions of Madagascar francs)

Region/economy	1998
Total world	2 851.3
Developed countries	2 602.9
Western Europe ^a	2 567.7
North America ^b	35.2
Developing economies	248.4
Africa	189.0
Asia ^c	59.4

Source: INSTAT/MADIO, Enquête annuelle de l'industrie/98.

Notes: Data are for registered investments.

^a Includes Central and Eastern Europe.

^b Includes Latin America and the Caribbean.

^c Includes Australia, Israel, Japan and New Zealand.

Table 50. Value added of affiliates of foreign TNCs in the host economy, by geographical origin, 1998
(Billions of Madagascar francs)

Region/economy	1998
Total world	958.7
Developed countries	897.8
Western Europe ^a	891.4
North America ^b	6.4
Developing economies	60.8
Africa	34.3
Asia ^c	26.6

Source: INSTAT/MADIO, Enquête annuelle de l'industrie/98.

Notes: Data are for registered investments.

^a Includes Central and Eastern Europe.

^b Includes Latin America and the Caribbean.

^c Includes Australia, Israel, Japan and New Zealand.

Table 23b. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Italy	2	..	2	..	2	..	..	..	..	..	..	..
United States	2	..	..	..	..	..	..	..	..	..	..	1

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 30. Assets of affiliates of United States TNCs in Madagascar, 1993-2004
(Millions of dollars)

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
United States	7.0	..	..	..	..	..	..	1.0	1.0	1.0	1.0	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

Table 35b. Employment of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004
(Thousands of employees)

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Belgium	..	..	..	..	..	..	..	..	..	..	0.1	..
Italy	0.3	..	0.3	..	0.3	..	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 45. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004
(Millions of dollars)

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Italy	9.4	..	9.5	..	9.4	..	..	..	..	..	..	..
United States	..	..	..	..	..	..	..	..	1.0	1.0	1.0	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars)

Company	Industry	Sales
A. Industrial		
..
B. Tertiary		
Air Madagascar	Air Transport	0.12
C. Finance and Insurance		Assets
..

Source: Jeune Afrique Hors-serie No. 14, 2007.
^a 2004.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employee s
A. Industrial				
Festival Sa	France	Textiles and clothing	9.3	850
Floreal Madagascar S A	Mauritius	Textiles and clothing	7.0	4 100
Crown Smem S A	France	Rubber and plastic products	5.5	..
Plg Confection Sa	France	Textiles and clothing	2.3	1 200
Sdv Madagascar	France	Supporting transport activities	..	..
Celtel Madagascar Sa	Kuwait	Telecommunications	..	2 500
Polo Garments Majunga Sarl	Belgium	Textiles and clothing	..	800
La Cotonniere D' Antsirabe S A	Mauritius	Textiles and clothing	..	436
Apma	United States	Precision instruments	..	..
B. Tertiary				
Hoechst Madagascar S A	France	Wholesale trade	7.7	..
Cimelta Madagascar Sa	Virgin Islands, UK	Construction	6.3	67
Landis Madagascar S A	Germany	Wholesale trade	4.1	120
Fimapila S A R L	France	Wholesale trade	2.3	20
Societe Aquamad S A	France	Wholesale trade	1.8	20
Mcfi Madagascar Sarl	Mauritius	Wholesale trade	1.5	69
I B L Madagascar S A	Mauritius	Wholesale trade	0.7	17
M C F I Madagascar S A R L	Mauritius	Wholesale trade	0.5	..
Sgs Madagascar Sarl	Switzerland	Agriculture and hunting	..	700
Egl, Inc	United Kingdom	Water Transport	..	95
Soval Madagascar S A	France	Wholesale trade	..	95
Somaphar Sa	France	Wholesale trade	..	48
T M V Sarl	France	Wholesale trade	..	20
Setra Madagascar Sarl	Germany	Wholesale trade	..	20
Dimaco	United States	Wholesale trade	..	..
Geodis Overseas Madagascar	France	Public administration	..	..
Nouvelles Frontieres Madagascar	Germany	Public administration	..	..
Union Prospection Miniere	United States	Public administration	..	..
C. Finance and Insurance			Assets	Employee s
B F V Societe Generale S A	France	Finance	..	64 600
Banque Malgache De L'Ocean Indien	France	Finance	..	280

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

In Madagascar, the Government applies several national, bilateral and multilateral legal instruments to regulate the activities of transnational corporations and foreign investors. The main instruments applicable in the country include the following:

I. National framework

Ordonnance no. 62-041 of 19 September 1962.

Ordonnance no. 60-050 of 22 June 1960: Commercial lease.

Source: Ministry of Justice: (<http://www.justice.gov.mg>).

Ordonnance no. 60-146 of 3 October 1960: régime foncier de l'immatriculation.

Source: Ministry of Justice: (<http://www.justice.gov.mg>).

Ordonnance no. 62-023 of 19 September 1962 relating to the expropriation for reasons of public utility, friendly acquisition of real estate by the State or secondary public cooperatives.

Source: Ministry of Justice: (<http://www.justice.gov.mg>).

Law no. 80-001 of 6 June 1980 on the Petroleum Code, as amended by law no. 89-010 of 17 November 1989.

Source: Ministry of Finance (official copy) (Antananarive, 1990).

Decree No. 90-070 on the Implementation of Law No. 89-026 of 29 December 1989 on the Investment Code; effective on 30 April 1990

Source: *Gazetim Panjakan Ni Repoblika Demokratika Malagasy* of 30 April 1990.

Decree No. 90-071 on the implementation of law no. 89-027 of 29 December 1989 on the implementation of Industrial Free Zones, effective on 30 April 1990.

Source: *Gazetim Panjakan Ni Repoblika Demokratika Malagasy* of 30 April 1990.

Law no. 89-027 of 29 December 1989 "Régime des Zones Franches Industrielles", modified and completed by law no. 91-020 of 12 August 1991 and decree no. 92-809 of 16 November 1992.

Source: *Gazetim Panjakan Ni Repoblika Demokratika Malagasy* of 2 January 1990.

Law no. 90-033 of 21 December 1990, Charte de l'environnement malgache, modified and completed by law no. 97-012 of 6 June 1997.

Source: Ministry of Justice: (<http://www.justice.gov.mg>).

Order 1029 dated 03/10/93 Provisions relating to the establishment of export processing zones and tax-free companies.

Source: <http://www.justice.gov.mg/actus/trentloi.htm>

Law no. 94-027 of 25 August 1995: Code du Travail.

Source: Ministry of Justice: (<http://www.justice.gov.mg>).

Law no. 95-020 of 27 November 1995 on the acquisition of land by non-nationals.

Source: Ministry of Justice: (<http://www.justice.gov.mg>).

Law no. 96-015 of 13 August 1996: Abolition of law no. 89-026 of 29 December 1989 (modified and completed by law no. 91-019 of 12 August 1991.

Source: Gazetim Panjakan Ny Repoblikan I Madagasikara, of 26 August 1996.

Law no. 96-025 of 30 September 1996 regarding local administration of renewable natural resources.

Source: Ministry of Justice: (<http://www.justice.gov.mg>).

Foreign Exchange Regulation: Article VIII of the IMF was adopted in September 1996.

Source: Ministry of Justice: (<http://www.justice.gov.mg>).

Law no. 96-011 of 13 August 1998 on privatization.

Source: Ministry of Justice: (<http://www.justice.gov.mg>).

Decr e no. 98-394 of 28 May 1998: Mining Policy.

Loi n  98-019 sur l'arbitrage Publi e au Journal officiel du 15 d cembre 1998

Source: Ministry of Justice: (<http://www.justice.gov.mg>).

Le code des assurances loi n  99-013 du 2 aout 1999 portant: code des assurances.

Source: Publi e au Journal officiel de la R publique de Madagascar n  2592 du 16 / 08 / 99, p. 1739   1815 (Edition sp ciale) <http://www.justice.gov.mg/actus/ass.htm>

Loi n  99 - 018 du 2 aout 1999 relative au statut du commer ant (J.O. n  2592 du 16/08/99, p. 1865 - 1870).

Source: <http://www.justice.gov.mg/actus/stcoloi.htm>

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Loi sur la transparence des entreprises loi n  99 - 025 du 19 aout 1999 relative   la transparence des entreprises (J.O. n  2595 du 30/08/99, p. 2006 - 2010,  d  sp ciale)

Source: Ministry of Justice: (<http://www.justice.gov.mg>).

Loi de finances N  99-032 du 3 f vrier 2000 portant loi de finances pour 2000

Source: <http://www.justice.gov.mg/actus/invest.htm>

Decr e no. 2000-170 of 15 March 2000, determining the modalities and conditions of the application of law no. 99-022.

Source: Ministry of Justice: (<http://www.justice.gov.mg>).

II. International Framework

A. Madagascar is a party to the following multilateral and regional instruments:

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958, which entered into force on 7th June 1959.

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Treaty Establishing the Market for Eastern and Southern Africa (COMESA), 1993.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Germany 1962, Switzerland 1964, Norway 1966, Sweden 1966, France 2003, Mauritius 2004, China 2005, Belgium and Luxembourg 2005, Germany 2006, South Africa 2006.

2. Bilateral treaties for the avoidance of double taxation: France 1983, Mauritius 1994.

C. Other treaties:

Investment agreement for the COMESA Common Investment Area (2007).

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Malawi

A. Definitions and sources of data

Malawi is undertaking a data gathering project with the International Monetary Fund (IMF) and World Bank in order to establish a primary national databank on foreign direct investment (FDI) and the activities of transnational corporations. In this process a foreign company is defined as an external company if it establishes a place of business or owns immovable property in Malawi. It must have at least one Malawian resident director (Investment Promotion Act. Act No. 28 of 1991). The IMF provides data on FDI in Malawi in its balance-of-payments statistics.

Malawi has taken initiatives to create an investor friendly environment and attract more FDI. Except for the repeal of the Forfeiture Act of 1992, there are effective laws derived from the English Common Law to protect foreign investment. The Malawian Investment Promotion Agency (MIPA), established under the Investment Promotion Act of 1991 promotes, encourages and facilitates FDI in Malawi. Currently, MIPA operates as a one-stop investment centre. Under this arrangement, investors are assured of speedy and efficient services on investment approval.

Malawi has also put in place a generous incentive package for FDI. This includes the corporate taxation policy and the special taxation for export-oriented manufacturers. Malawi signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on June 9, 1966 and double taxation treaties with eight countries: Denmark, France, the Netherlands, Norway, South Africa, Sweden, Switzerland and the United Kingdom. Malawi is a member of the Southern African Development Community, the Common Market for Eastern and Southern Africa, Multilateral Investment Guarantee Agency, New Partnership for Africa's Development and the African Union. Malawi benefits from the European Union's (EU) duty-free, quota-free access for all products because of its status as a least developed country - the Everything But Arms initiative, and the United States' market access initiative for African countries - the African Growth and Opportunities Act. Also, it is eligible for the Cotonou Agreement for renegotiating the trade partnership agreement between African, Caribbean and Pacific countries with the EU and it is a member of the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	62.5	1.1
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	11.8	0.6
3. FDI stocks, 2006	640	17
4. FDI stocks as a percentage of GDP, 2006	29.2	0.7

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	9.5	-	-	9.5	-	-	-	-
1981	1.1	-	-	1.1	-	-	-	-
1982	..	-	-	6.0	-	-	-	-
1983	2.6	-	-	2.6	-	-	-	-
1984	..	-	-	27.3	-	-	-	-
1985	0.5	-	-	0.5	-	-	-	-
1986	..	-	-	- 2.9	-	-	-	-
1987	0.1	-	-	0.1	-	-	-	-
1988	..	-	-	17.4	-	-	-	-
1989	..	-	-	9.3	-	-	-	-
1990	..	-	-	23.3	-	-	-	-
1991	..	-	-	- 28.7	-	-	-	-
1992	..	-	-	- 7.1	-	-	-	-
1993	..	-	-	8.0	-	-	-	-
1994	25.0	-	-	25.0	-	-	-	-
1995	5.6	-	-	5.6	-	-	-	-
1996	15.8	-	-	15.8	-	-	-	1.9
1997	14.9	-	-	14.9	-	-	-	0.9
1998	12.1	-	-	12.1	-	-	-	5.6
1999	58.5	-	-	58.5	-	-	-	0.1
2000	27.0	12.6	-	39.6	-	-	-	- 0.6
2001	3.3	30.4	7.7	41.4	0.0	0.6	4.1	4.7
2002	10.5	18.0	- 11.8	16.7	-	0.0	0.3	0.3
2003	0.7	34.6	30.5	65.8	0.4	0.5	0.4	1.3
2004	4.4	34.4	68.9	107.7	1.2	0.1	0.5	1.8
2005	-	-	-	26.5	-	-	-	1.0
2006	-	-	-	29.7	-	-	-	0.9

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the IMF for 1980-1981, 1983, 1985, 1987 and 19994-1996; OECD for 1982, 1984, 1986, 1988-1989 and the Reserve Bank of Malawi for 1990-1993 and 1997-2006. Data on outflows are estimated by applying the difference in stock for 1996-1998. For 1999-2005, data are from the Reserve Bank of Malawi. Data for 2006 is an estimate.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1980	142.9	..	..	..	..
1981	144.0	..	..	..	..
1982	150.0	..	..	..	..
1983	152.6	..	..	..	..
1984	179.9	..	..	..	..
1985	180.4	..	..	..	..
1986	177.4	..	..	..	..
1987	177.5	..	..	..	..
1988	195.0	..	..	..	..
1989	204.3	..	..	..	..
1990	227.6	..	..	..	..
1991	198.9	..	..	..	..
1992	191.8	..	..	..	..
1993	199.8	..	..	..	..
1994	224.8	..	..	..	..
1995	230.4	..	..	..	..
1996	246.2	..	..	..	1.9
1997	261.1	..	..	..	2.8
1998	273.2	..	..	..	8.4
1999	331.7	..	..	..	8.5
2000	226.4	..	131.3	357.7	..	..	..	7.9
2001	322.4	..	96.6	419.0	..	..	..	12.6
2002	390.5	..	..	..	12.2
2003	409.9	..	..	..	12.2
2004	562.3	..	..	..	13.8
2005	503.0	..	..	..	14.8
2006	535.6	..	..	..	15.7

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock prior to 1997 are estimated by subtracting inflows from the stock of 1997. 1997-2006 data are based on the Reserve Bank of Malawi. Outward stock are estimated by accumulating flows since 1996.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	-	-	-	-	-	-	-	-	-	-	-	-
Denmark	-	-	-	-	-	-	-	-	-	-	1.7	-0.3
Germany	4.9	2.0	-	-0.6	-	-	-	-	-	-	-1.2	-
Malaysia	2.4	-	0.4	-	1.4	-	-	-	-	-	-	-
Portugal	-	-	-	-	0.0	0.2	3.0	6.9	1.8	0.5	-	-
United States	5.0	-	-	-	5.0	-3.0	-3.0	-2.0	-	1.0	-3.0	-

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Mozambique	-	-	-	-	-	-	-	-	-	-	2.1	0.4
Portugal	-	-	-	-	-	-	-	-	-	0.0	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
United Rep. of Tanzania	10.5	..	..	..	..	..	..	..	..

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the United Republic of Tanzania.

Table 11. FDI stocks in the host economy, by industry, 1996-2006
(Millions of dollars)

Sector / industry	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total	358	491	..	..	..	..	..
Primary	48	65	..	..	..	..	..
Agriculture, hunting, forestry and fishing	48	65	..	..	..	..	..
Secondary	162	205	..	..	..	..	..
Tertiary	146	219	..	..	..	..	..
Construction	0	0	..	..	..	..	..
Trade	80	122	..	..	..	..	..
Hotels and restaurants	1	1	..	..	..	..	..
Transport, storage and communications	34	37	..	..	..	..	..
Finance	28	54	..	..	..	..	..
Financial Intermediation	24	47	..	..	..	..	..
Insurance and pension funding	4	7	..	..	..	..	..
Business activities	1	2	..	..	..	..	..
Real estate	1	2	..	..	..	..	..
Health and social services	1	1	..	..	..	..	..
Community, social and personal service activities	2	2	..	..	..	..	..
Unspecified	2	2	..	..	..	..	..

Source: National Statistics Office.

Table 12. FDI stocks in the host economy, by geographical origin, 1996-2006
(Millions of dollars)

Region / economy	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total world	357.7	419.0	390.5	409.9	562.3	..	..
Developed countries	201.8	254.5	240.0	253.3	366.2	..	..
Europe	114.5	147.0	147.8	148.4	196.8	..	..
European Union	96.9	141.7	143.3	143.8	191.3	..	..
Austria	0.0	0.0	0.0	0.0	..	..
Cyprus	0.6	0.4	0.4	0.4	..	..
Denmark	0.9	8.8	10.5	14.4	..	..
France	1.9	5.5	2.8	3.8	..	..
Germany	6.3	5.5	4.7	5.4	..	..
Ireland	18.6	24.9	23.5	30.1	..	..
Netherlands	14.1	14.0	16.5	24.5	..	..
United Kingdom	96.9	99.3	84.1	85.2	112.7	..	..
Other developed Europe	17.6	5.3	4.5	4.6	5.6	..	..
Norway	17.6	..	..	..	..	..	..
Switzerland	2.4	1.8	1.5	1.7	..	..
North America	87.3	101.8	88.7	101.5	162.6	..	..
Canada	0.0	0.1	0.1	0.1	..	..
United States	87.3	101.8	88.6	101.5	162.6	..	..
Other developed countries	5.7	3.6	3.4	6.8	..	..
Japan	5.7	3.6	3.4	6.8	..	..
Developing economies	103.6	158.3	144.7	146.8	183.8	..	..
Africa	103.6	139.8	126.3	124.2	151.5	..	..
Botswana	0.5	0.5	0.5	0.4	0.5	..	..
Kenya	1.0	3.9	4.4	5.3	7.4	..	..
Mauritius	15.1	18.7	13.3	18.1	23.0	..	..
Mozambique	3.9	2.6	0.7	0.6	5.4	..	..
South Africa	75.8	108.1	100.9	93.4	101.2	..	..
Tanzania, United Rep. of	0.6	..	..	..	0.6	..	..
Uganda	1.2	..	..
Zambia	0.9	0.8	0.6	0.9	..	..
Zimbabwe	6.7	5.1	5.8	5.8	7.2	..	..
Asia	18.5	18.4	22.6	32.3	..	..
West Asia	3.1	2.6	2.3	2.5	..	..
United Arab Emirates	3.1	2.6	2.3	2.5	..	..
South, East and South-East Asia	15.3	15.7	20.3	29.8	..	..
China	0.2	0.5	0.7	0.8	..	..
Hong Kong, China	0.1	0.1	0.2	..	..	..
Malaysia	13.8	12.2	14.3	20.8	..	..
Taiwan Province of China	1.2	2.9	5.2	8.1	..	..
Unspecified	52.3	6.3	5.8	9.8	12.3	..	..

Source: National Statistics Office.

Tables 23, 30, 35, 40, 45 and 50. The number, assets, employment, wages and salaries, sales and value added of affiliates of United States TNCs in Malawi, 1995-2004

(Number, thousands of employees and millions of dollars)

Table no.	Variable	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
23	Number	13	12	12	12	7	7	7	7	6	6
30	Assets	190	192	263	218	..	201	227	227	219	233
35	Employees	10.2	5.9	4.7	4.9	5.3	3.3	3.6	4.3	4.3	..
40	Wages and Salaries	37	19	16	19	21	19	20	17	19	..
45	Sales	292	375	374	389	..	375	373	373	301	268
50	Value Added ^a	59	..	40	50	41	45	56	40	41	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Illovo Sugar Malawi Limited	South Africa	Food products, beverages and tobacco	140	..
Transglobe Produce Exports Ltd	Mali	Food products, beverages and tobacco	2.5	1800
Valmore Paints (Malawi) Pvt Limited	United Kingdom	Chemicals and chemical products	0.8	60
Limbe Leaf Tobacco Company Limited	United States	Food products, beverages and tobacco	..	..
Packaging Industries Malawi Limited	South Africa	Wood and wood products	..	200
B. Tertiary				
C F A O Malawi Limited	France	Wholesale trade	2 417	300
Metro Cash & Carry Malawi	Germany	Distributive trade	47	1800
CelTel Malawi Limited	Kuwait	Telecommunications	43	..
Kawalazi Estate Company Ltd	United Kingdom	Forestry and fishing	..	..
Alexander Frobes Malawi Limited	South Africa	Other business activities	..	30
C D H - Continental Discount House	Mauritius	Other business activities	..	22
The Cold Chain (Pvt) Limited	Zimbabwe	Wholesale trade	..	10
Lipton Tea (Malawi) Ltd	United Kingdom	Wholesale trade	..	5
Aventis Cropscience Malawi Ltd.	Germany	Other services	..	..
Bic Malawi Pty Ltd	France	Other business activities	..	..
CFAO Malawi Limited	France	Automotive trade and repair	..	..
Cyanamid Ltd.	Germany	Public administration	..	..
Dimon (Malawi) Limited	Spain	Wholesale trade	..	..
Egl, Inc	United Kingdom	Water Transport	..	..
Macmillan Malawi Ltd	Germany	Education	..	..
Monsanto Company	United States	Agriculture and hunting	..	..
Maersk Malawi Ltd	Denmark	Other services	..	..
Portland Malawi	France	Other services	..	..
Pricewaterhousecoopers	United States	Other services	..	..
Sara Lee Corporation	United States	Construction	..	..
Telekom Networks Malawi Ltd	South Africa	Other business activities	..	..
C. Finance and Insurance			Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

Many legal instruments - national, bilateral and multilateral apply in the regulation of the activities of the transnational corporations and foreign direct investors in Malawi. The key instruments in the country include:

I. National framework

Patents Act No. 13 of 1957 as last amended by Act No. 9 of 1985.

Source: Laws of Malawi, Cap. 49:02.

Regulation of Minimum Wages and Conditions of Employment Act No. 4 of 1958 as last amended by Act No. 12 of 1974.

Source: Laws of Malawi, Cap. 55:01.

Industrial Designs: Registered Designs Act No. 12, cap. 49:05, December 1958(F).

Statute Law (Miscellaneous Amendments) Act No. 9, April 1985; Section 7A: Designs registered under the [ARIPO] Harare Protocol, amending the Registered Designs Act cap. 49:05.

Source: WIPO (<http://www.wipo.org>).

Trade Marks: Trade Marks Act No. 14, cap. 49:01, April 1958(F).

Trade Descriptions Act No. 18, August 1987.

Source: WIPO (<http://www.wipo.org>).

Trade Unions Act No. 32 of 1958 as last amended by Act No. 3 of 1963.

Source: Laws of Malawi, Cap. 54:01.

Income Taxation Act of 1 January 1964 as amended by Taxation Amendment Act No. 4 of 1988. Effective: 1 April 1988.

Source: Laws of Malawi, Cap. 41:01.

Malawi Development Corporation Act No. 13 of 1964. Effective 28 April 1964.

Source: Laws of Malawi, Cap. 39:01, pp. 1-13.

Copyright Act No. 38 of 1965 as last amended by Act No. 9 of 26 April 1989; effective on 8 May 1989.

Source: Laws of Malawi, Cap. 49:03, and WIPO, Copyright Laws and Treaties, No. 10, October 1990.

Industrial Development Act: effective on 13 January 1967.

Source: Laws of Malawi, Cap. 51:01, pp. 1-6.

Industrial Development Rules (Government Notice No. 24/1967) as mended

Source: International Center for Settlement of Investment Disputes (ICSID), Investment Laws of the World, August 1984, p. 7.

Partnership Act No. 4 of 1969.

Source: Laws of Malawi, Cap. 46:04.

Export Promotion Council Act No. 32 of 1971 as mended by Act No. 16 of 1983.

Source: Laws of Malawi, Cap. 39:03.

Property and Business (Presumptions of Ownership), Act No. I 1 of 1974.

Source: Laws of Malawi, Cap. 46:05.

Companies Act No. 19 of 1984; effective on 1 April 1986.
Source: Malawi Gazette Supplement, No. 3C of 7 December 1984.

Statute Law (Miscellaneous Amendments) Act No. 9, April 1985; Section 10A: Patents granted under the ARIPO Harare Protocol, amending the Patents Act cap. 49:02.
Source: WIPO (<http://www.wipo.org>).

Companies (Winding-up) Rules 1986 (Government Notice No. 29 of 7 February 1986). Effective: 1 April 1986.
Source: Malawi Gazette Extraordinary, Supplement No. 9A of 14 March 1986, p. 147.

Companies (Second Schedule) (Amendment) Regulations 1986 (Government Notice No. 21 of 20 February 1985). Effective: 1 April 1986, p. 97.
Source: Malawi Gazette Extraordinary, Supplement No. 9A of 14 March 1986, p. 97.

Companies (Fees) Regulations 1986 (Government Notice No. 22 of 20 February 1986); effective on 1 April 1986.
Source: Malawi Gazette Extraordinary, Supplement No. 9A of 14 March 1986, p. 97.

External Companies Accounts Regulations 1986 (Government Notice No. 26 of 20 February 1986); effective on 1 April 1986.
Source: Malawi Gazette Extraordinary, Supplement No. 9A of 14 March 1986, p. 137.

Malawi Development Corporation (Amendment) Act No. 11 of 3 April 1986; date of assent 23 April 1986.
Source: Malawi Gazette Supplement, 5 May 1986.

Statement of Development Policies, 1987-1996.
Source: Office of the President and Cabinet, Department of Economic Planning and Development, Lilongwe.

Industrial Development (Amendment) Rules of 22 March 1989 (Government Notice No. 35).
Source: Malawi Gazette Supplement, No. 13A of 12 May 1989, p. 149.

Industrial Licensing Act 1991 (Amending the Industrial Development Act of 1967)
Source: Ministry of Trade, Industry and Tourism, Lilongwe, May 1991.

Investment Promotion Act. Act No. 28 of 1991, assented to by the President on 24 January 1992; effective on 16 March 1992.
Source: Malawi Gazette Supplement No. 2C of 16 March 1992.

II. International Framework

A. Malawi is a party to the following multilateral and regional instruments:

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Charter on a Regime of Multinational Industrial Enterprises (MIEs) in the Preferential Trade Area for Eastern and Southern African States (PTA), signed on 21 November 1990, entered into force August 1995.

Source: Preferential Trade Area for Eastern and Southern African States: Report of the Sixteenth Meeting of the Council of Ministers, 17-19 November, 1990, Mbabane, Swaziland (PTA/CM/XVI/2)

Southern Africa Development Community (SADC), signed on 17 August, 1992.

Source: http://www.sadc.int/about_sadc/history.php.

Treaty Establishing the Market for Eastern and Southern Africa (COMESA), 1993.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Taiwan Province of China 1995, Malaysia 1996, Egypt 1997, Italy 2003, Netherlands 2003, Zimbabwe 2003.

2. Bilateral treaties for the avoidance of double taxation: Sweden 1954, United Kingdom 1955, Denmark 1959, France 1963, Norway 1963, Switzerland 1965, Netherlands 1969, South Africa 1971.

C. Other treaties:

Investment agreement for the COMESA Common Investment Area (2007).

D. Sources of information

Official

Reserve Bank of Malawi (www.rbm.malawi.net).
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World Bank/International Finance Corporation (2007). *Doing Business 2008 Malawi* (Washington D.C.: The World Bank Group).

Mali

A. Definitions and sources of data

Mali has no explicit definition of foreign direct investment (FDI). In the national Investment Law (Loi 91-48/ANRM du mars 1991) it is regarded as part of investment, in the spirit of the law, the funding of assets and of the initial working capital in the framework of a development project. The data on FDI to Mali were gathered from the Banque Centrale des Etats de l'Afrique de l'Ouest. The International Monetary Fund also reports data on FDI in the country in its balance-of-payment statistics.

In Mali, the investment code allows foreign investors to have full ownership of new business. The Government of Mali also embraces a liberalization agenda that includes partly or fully privatizing or liquidating of public enterprises, without much restriction on foreign participation. As a result, the mining industry is gradually picking up as gold accounted for a large part of exports. The country is now Africa's third largest producer of gold.

As a standard practice in project approval, prospective investors must go through the same screening process as domestic investors. The "guichet unique" (one-stop shop procedure) is the body responsible for application processing. Residents and non-residents may hold foreign exchange accounts with permission from the Government and regional central banks. Criteria for granting authorization under the investment code include the size of capital investment, the potential for value-added and job creation. Transfer of money to countries except France, Monaco, West African Economic Monetary Union members, Central African Economic and Monetary Community member states and Comoros require Government approval. Credit and loan operations, issues and purchases of securities, derivatives, and other instruments are subject to various requirements, controls and authorization depending on the transaction. Purchase of real estate requires an authorization from the Ministry of Finance.

Mali signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 9 April 1966 and is a member of the West African Economic and Monetary Union, the African Union, New Partnership for Africa's Development, Economic Community of West African States, the Union Economique et Monetaire Ouest-Africaine and the Comite permanent inter-Etats de lutte contre la Secheresse dans le Sahel. As a least developed country, Mali benefits from the European Union (EU) generalized system of preferences – Everything But Arms initiative and the Cotonou agreement for renegotiating the partnership links between the African, Caribbean and Pacific countries with the EU, under the Lomé Convention. It is also an eligible for the United States' market access initiative for African countries – the African Growth and Opportunity Act. Mali is a signatory to New York convention of 1958 on the recognition and enforcement of foreign arbitrage awards and a member of the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	160.5	0.5
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	14.7	0.0
3. FDI stocks, 2006	1 057	84
4. FDI stocks as a percentage of GDP, 2006	17.1	1.4

Source: Based on tables 3a and 4a and UNCTAD, FDI/TNC database.

Table 3a. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	..	..	2.4	2.4	..	..	..	-
1981	..	..	3.7	3.7	..	..	..	-
1982	..	..	1.5	1.5	..	..	..	-
1983	..	..	3.2	3.2	..	..	..	-
1984	..	..	10.1	10.1	..	..	..	-
1985	..	..	2.9	2.9	..	..	..	-
1986	..	..	- 8.4	- 8.4	..	..	..	-
1987	..	..	- 6.0	- 6.0	..	..	..	0.2
1988	..	1.7	5.3	7.1	..	..	..	0.1
1989	..	3.7	2.7	6.4	..	..	..	- 0.3
1990	..	1.6	4.1	5.7	..	..	..	0.2
1991	..	..	1.2	1.2	..	..	..	- 1.0
1992	..	2.2	- 24.1	- 21.9	..	..	..	1.5
1993	..	- 8.0	12.0	4.2	..	..	..	0.0
1994	..	- 2.2	19.7	17.5	..	..	..	0.0
1995	-	5.1	106.3	111.4	-	-	-	0.0
1996	16.0	15.3	13.5	43.4	-	-	1.6	3.9
1997	- 4.5	17.6	49.9	69.7	-	-	- 6.8	4.5
1998	0.1	34.9	- 26.2	8.9	-	-	- 0.0	26.9
1999	- 23.8	55.1	- 29.0	2.2	0.0	- 0.0	0.8	0.8
2000	19.5	24.5	38.5	82.4	0.6	- 0.0	3.5	4.0
2001	- 80.9	115.6	87.0	121.7	- 0.7	0.8	17.2	17.3
2002	256.3	72.2	- 84.7	243.8	0.3	- 0.0	1.2	1.6
2003	50.5	- 3.7	85.4	132.3	0.4	- 0.0	1.0	1.4
2004	- 2.1	93.9	9.2	101.0	1.7	- 0.0	- 0.9	0.8
2005	46.0	38.8	139.0	223.8	1.5	- 0.0	- 2.4	- 0.9
2006	..	..	..	185.0	..	..	..	0.8

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the IMF for 1980-1992 and 1998, the Banque Centrale de l'Afrique de l'Ouest (BCEAO) for 1993-1997 and 1999-2005, and estimate for 2006.

Outflows are from the BCEAO for 1993-2005 and estimate for 2006. For 1987-1992, proxy data were used based on investments reported by the following economies: 1987-1989, Belgium and Luxembourg; 1990, France and 1991-1992, Belgium and Luxembourg and France.

Table 3b. FDI flows, by type of investment, 1999-2005
(Millions of CFA francs)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1999	- 14 684	33 910	- 17 885	1 341	10	- 0.01	500	510
2000	13 894	17 424	27 377	58 695	395	- 0.01	2 462	2 857
2001	- 59 321	84 751	63 804	89 234	- 541	562	12 636	12 657
2002	178 639	50 337	- 59 047	169 929	237	- 0.01	860	1 097
2003	29 339	- 2 122	49 653	76 870	253	- 0.01	574	827
2004	- 1 112	49 628	4 842	53 358	890	- 0.01	- 477	413
2005	24 259	20 481	73 309	118 049	772	- 0.01	- 1 267	- 495

Source: UNCTAD, FDI/TNC database based on the Banque Centrale de l'Afrique de l'Ouest (BCEAO), unpublished.

Table 4a. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1980	..	..	..	203.3	..	..	..	22.1
1981	..	..	..	206.9	..	..	..	22.1
1982	..	..	..	208.5	..	..	..	22.1
1983	..	..	..	211.6	..	..	..	22.1
1984	..	..	..	221.7	..	..	..	22.1
1985	..	..	..	224.6	..	..	..	22.1
1986	..	..	..	216.2	..	..	..	22.1
1987	..	..	..	210.2	..	..	..	22.3
1988	..	..	..	217.3	..	..	..	22.3
1989	..	..	..	223.6	..	..	..	22.1
1990	..	..	..	229.4	..	..	..	22.2
1991	..	..	..	230.6	..	..	..	21.2
1992	..	..	..	208.7	..	..	..	22.8
1993	..	..	..	212.9	..	..	..	22.8
1994	..	..	..	230.3	..	..	..	22.8
1995	..	..	..	341.7	..	..	..	22.8
1996	..	..	..	385.1	..	..	..	26.7
1997	..	..	..	454.8	..	..	..	31.2
1998	..	..	..	309.9	..	..	..	58.1
1999	78.5	..	149.6	228.1	0.0	..	0.7	59.0
2000	79.2	..	53.2	132.4	0.6	..	0.1	63.0
2001	81.9	..	128.6	210.4	0.0	..	15.8	80.2
2002	461.6	..	62.5	524.2	0.4	..	1.7	81.8
2003	551.4	..	131.2	682.6	5.2	..	1.4	83.2
2004	682.9	..	73.5	756.4	7.5	..	2.7	84.0
2005	654.6	..	217.0	871.6	6.6	..	1.3	83.1
2006	..	..	..	1 056.6	..	..	..	83.8

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock prior to 1997 are estimated by subtracting inflows from the 1997 stock. 1997-1998 are based on the IMF. 1999-2005 are based on the Banque Centrale de l'Afrique de l'Ouest (BCEAO). 2006 is estimated by adding flows to the 2005 stock. Outward stock data are estimated by accumulating inflows since 1975.

Table 4b. FDI stocks, by type of investment, 1999-2005
(Millions of Franc de la Communauté financière africaine)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1999	51 266	..	97 669	148 935	10	..	430	440
2000	55 809	..	37 501	93 310	395	..	53	448
2001	60 940	..	95 685	156 625	21	..	11 790	11 811
2002	288 752	..	39 109	327 861	237	..	1 057	1 294
2003	286 381	..	68 156	354 537	2 703	..	729	3 432
2004	328 857	..	35 389	364 246	3 593	..	1 309	4 902
2005	363 962	..	120 677	484 639	3 677	..	697	4 374

Source: UNCTAD, FDI/TNC database based on the Banque Centrale de l'Afrique de l'Ouest (BCEAO), unpublished.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	-	-	-	-	-	5.4	-	-	-
Denmark	-	-	-	-	-	-	-	-	-	-	-0.2	0.2
France	-	17	11	13	37	- 119	17	- 6	16	9	22	10
Germany	-	-	-	-	-	-	-0.9	-0.9	-	1.2	-6.2	-
Portugal	-	-	-	-	-	0.1	0.7	-	-	0.0	-	-
Sweden	-	-	-	-	-	-	-	-	16.4	-0.9	-2.2	-15.3
United States	-	16.0	23.0	1.0	1.0	-	-	-5.0	-	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
France	-	-	2.2	-2.2	-1.1	-	-0.9	3.8	5.6	3.7	-	1.3
Germany	-	-	-	0.6	-	-	-	-	-	-	-	-
Lithuania	-	-	0.0	-	0.1	-	-	-	-	-	-	-
Portugal	-	0.4	-	-	-	-	-	-	-	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Canada	9.5	-	-	-	-	-	-	-	-	-	-	-
China	-	-	-	-	-	-	-	-	12.1	13.2	13.3	-
Denmark	-	-	-	-	-	-	-	-	-	2.2	1.4	1.8
Morocco	-	-	-	-	-	-	-	6.5	7.8	8.6	7.4	12.1
United States	3.0	202.0	225.0	5.0	5.0	5.0	2.0	-5.0	-	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Lithuania	-	0.1	0.2	0.1	-	-	-	-	-	-	-	-

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by Lithuania.

Tables 23, 30, 35, 40, 45 and 50. The number, assets, employment, wages and salaries, sales and value added of affiliates of United States TNCs in Mali, 1995-2006
(Number, thousands of employees and millions of dollars)

Table no./Variable	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
23. Number	1	3	3	1	1	1	1	1	1	1	..	..
30. Assets	8	..	437	10	..	..	..	..	..	..	..	..
35. Employees	0.1	0.9	0.9	0.1	..	..	..	..	..	..	..	..
40. Wages and salaries	..	20	10	..	..	..	..	..	..	..	..	..
45. Sales	..	131.0	69.0	17.0	..	..	..	..	..	..	..	..
50. Value added ^a	7	34	24	7	..	..	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Majority-owned affiliates only.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars)

Company	Industry	Sales
A. Industrial		
Cie Malienne de Development des Textiles	Clothing and textiles	437 ^a
Société des Mines de Morila	Mning	296
Société d'Exploitation des Mines d'Or de Sadiola	Mning	198
Énergy du Mali	Electricity/gas/water	124 ^a
B. Tertiary		
Ethiopian Airlines	Air Transportation	491
Ethiopian Telecommunication Corporation	Telecommunication	193
Sté Télécommunications du Mali	Telecommunication	152
Ikatel Mali	Telecommunication	124
Groupe Tomota	Diversified group	104 ^a
C. Finance and Insurance		
..	..	Assets ..

Source: Jeune Afrique Hors-serie No. 14, 2007.

^a 2004.

Table 87. Largest affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company Name	Host Economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
Transglobe Produce Exports Ltd	Malawi	Food products, beverages and tobacco	3	1800
C. Finance and insurance				
..	..	..	Assets ..	Employees ..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Société Malienne De Gaz Industriel SA	France	Electricity, gas and water	2.0	26
Tambaoura Minings Company SA	Canada	Mining and quarrying	..	488
Mts Mali	France	Petroleum	..	..
B. Tertiary				
Laborex Mali SA	France	Wholesale trade	166.2	55
CFAO Technologies Mali SA	France	Computer and related activities	..	61
Hydrosahel	France	Research and development	..	65
Société Auxilliaire De Distribution D' Eaux	France	Other services	..	..
Société Moderne Du Pneumatique Malien	France	Wholesale trade	..	..
Timac Agro Mali	France	Public administration	..	..
C. Finance and Insurance			Assets	Employees
Agf Mali Assurances	Germany	Insurance	..	..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

Mali had adopted a number of national, bilateral and multilateral legal instruments to regulate the activities of transnational corporations and foreign direct investors. The following key legal instruments apply in the country:

I. National framework

Law 91-048/AN-RM of 26 February 1991, concerning the Investment Code. Repeals the Investment Code of 8 March 1986.

Source: Republic of Mali. Ministry of Industries, Hydraulic and Energy-Direction of Industry, No. 324 of 13 March 1991 (official copy).

Implementation Decree No. 91-079 of 4 March 1991.

Source: Republic of Mali. Ministry of Industries, Hydraulic and Energy-Direction of Industry, No. 324 of 13 March 1991 (official copy).

Law No. 92-002 concerning the Commercial Code of Mali.

Source: Ministry of Economy, Finance and Planning (official copy), 1993.

Decree 92.028 of 14 May 1992 concerning the Real Property Investment Code.

Source: Ministry of Economy, Finance and Planning (official copy), 1993.

Law No. 84/AN-RM, October 1994, abrogating and superseding the Ordinance No. 17-46, July 1977, and creating the Literary and Artistic Property Régime.

Source: WIPO (<http://www.wipo.org/about-ip/en/ipworldwide/pdf/ml.pdf>).

Privatisation plan, Sept 2006

Source: www.eiu.com EIU Country report Main report Nov 2006.

II. International Framework**A. Mali is a party to the following multilateral and regional instruments:**

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958, which entered into force on 7 June 1959.

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Bangui Agreement of March 2, 1977 (Annex I), since September 1984, as last amended in February 1999.

Source: WIPO (<http://www.wipo.org/about-ip/en/ipworldwide/pdf/ml.pdf>).

Bangui Agreement of March 2, 1977 (Annex II), since September 1984, as last amended in February 1999.

Source: WIPO (<http://www.wipo.org/about-ip/en/ipworldwide/pdf/ml.pdf>).

Bangui Agreement of March 2, 1977 (Annex III), since September 1984, as last amended in February 1999.

Source: WIPO (<http://www.wipo.org/about-ip/en/ipworldwide/pdf/ml.pdf>).

Agreement for the Promotion, Protection and Guarantee of Investment Among Member States of the Organization of Islamic Conference, of 1 June 1981; entered into force on 23 September 1986.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Articles of Agreement of the Islamic Corporation for the Insurance of Investment and Export Credit of 19 February 1992. Entered into force on 1 August 1994.

West African Economic and Monetary Union (WAEMU), signed in Dakar, Senegal 10 January 1994.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Germany 1977, Switzerland 1978, Tunisia 1986, Algeria 1996, Egypt 1998, Korea, Democratic People's Republic of 1999, Benin 2001, Cameroon 2001, Chad 2001, Comoros 2001, Guinea 2001, Qatar 2002, Netherlands 2003, Gabon 2005, Senegal 2005.

2. Bilateral treaties for the avoidance of double taxation: France 1972, Algeria 1999.

D. Sources of information

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Mauritania

A. Definitions and sources of data

In Mauritania, the Investment Code (Ordonnance No. 89.013/CMSN of January 1989 and its revision number 71.028) does not contain a specific definition of foreign direct investment (FDI). But, foreign capital investment is defined as the contributions of foreign currency or new capital equipment in an enterprise, on the condition that it offers shares or stocks; the reinvestment of profits, which could have been transferred abroad; and the repurchase of existing enterprises or participation in existing enterprises effected by a return of foreign currency. The International Monetary Fund provides data on FDI in Mauritania in its balance-of-payments statistics.

Mauritania has considerable known quantities of mineral resources, notably iron ore, copper, cobalt, diamonds, gold, gypsum and phosphates, but reserves have yet to be fully surveyed and only iron ore is exploited industrially. Oil was discovered under the seabed off Nouakchott. Mauritania's coastal waters also constitute one of the world's richest fishing grounds. To improve the climate for inflow of investment, the 1989 investment code is continuously being updated to address the needs of foreign investors. In 1998, the mining code was updated and a new commercial code was drafted in 1999.

Mauritania offers several guarantees to foreign investors and these include availability of hard currency to import all goods and services needed for operating the enterprise and for repaying loans contracted; freedom to transfer foreign capital; ability to transfer professional income of foreign employees; protecting vested interests and equal treatment of Mauritanian and foreign individuals and legal entities. There is no legal or policy restrictions on converting or transferring funds associated with an investment. Government revenue has grown significantly since 2004, encouraging infrastructure investments.

Mauritania has also instituted measures to address investment disputes as well as respect property rights. Mauritania is a signatory to the procedures of arbitration through World Bank Group's Convention on the Settlement of Disagreements Related to Investments between states and citizens of other states and the 1958 New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards. Mauritania is a member of the Multilateral Investment Guarantee Agency and the African Organization of Intellectual Property. In addition, Mauritania subscribes to the Paris Convention for the Protection of Industrial Property, the Berne Convention for the Protection of Literary and Artistic Works and the World Intellectual Property Organization.

Mauritania is also eligible for a wide access for its exports. It has signed bilateral investment agreement with the Arab Maghreb Union and Saudi Arabia. It has signed three fisheries agreements with the European Union (EU) and is party to the Cotonou Agreement for renegotiating the trade links with African, Caribbean and Pacific countries with the EU under the Lomé Convention. Mauritania is a member of the African Union, New Partnership for Africa's Development, eligible for the Everything But Arms initiative and the United States' market access initiative for African countries – the Africa Growth and Opportunity Act.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	377.9	1.3
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	192.7	0.6
3. FDI stocks, 2006	1 802	9
4. FDI stocks as a percentage of GDP, 2006	67.7	0.4

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	27.1	-	-	27.1	-	-	-	-
1981	12.4	-	-	12.4	-	-	-	-
1982	15.0	-	-	15.0	-	-	-	-
1983	1.4	-	-	1.4	-	-	-	-
1984	8.5	-	-	8.5	-	-	-	-
1985	7.0	-	-	7.0	-	-	-	-
1986	4.5	-	-	4.5	-	-	-	1.4
1987	1.7	-	-	1.7	-	-	-	0.2
1988	1.9	-	-	1.9	-	-	-	0.9
1989	3.5	-	-	3.5	-	-	-	-
1990	6.7	-	-	6.7	-	-	-	-
1991	2.3	-	-	2.3	-	-	-	-
1992	7.6	-	-	7.0	-	-	-	-0.2
1993	16.1	-	-	16.8	-	-	-	0.2
1994	2.1	-	-	2.8	-	-	-	1.2
1995	7.0	-	-	6.8	-	-	-	0.2
1996	-	-	-	-0.4	-	-	-	0.2
1997	-	-	-	-3.3	-	-	-	0.2
1998	0.1	-	-	-0.3	-	-	-	0.1
1999	-	-	-	15.1	-	-	-	-
2000	-	-	-	40.1	-	-	-	-
2001	-	-	-	76.7	-	-	-	-
2002	-	-	-	67.4	-	-	-	-
2003	-	-	-	101.9	-	-	-	-1.0
2004	-	-	-	391.6	-	-	-	4.0
2005	-	-	-	863.6	-	-	-	2.0
2006	-	-	-	154.6	-	-	-	-

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the IMF for 1980-1991 and the Banque Centrale de Mauritanie thereafter. Data on outflows are from the IMF for 1986-1988. Thereafter, proxy data was used based on investments reported by the following economies: 1992, Belgium and Luxembourg and France. 1993 and 1995-1997, France. 1994, Belgium and Luxembourg, China and France. 1998, Lithuania. 2003-2005, United States.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	-	-	-	- 3.4	-	-	-	..
1981	-	-	-	9.0	-	-	-	..
1982	-	-	-	24.0	-	-	-	..
1983	-	-	-	25.4	-	-	-	..
1984	-	-	-	33.9	-	-	-	..
1985	-	-	-	40.9	-	-	-	..
1986	-	-	-	45.4	-	-	-	1.4
1987	-	-	-	47.0	-	-	-	1.6
1988	-	-	-	49.0	-	-	-	2.5
1989	-	-	-	52.4	-	-	-	2.5
1990	-	-	-	59.2	-	-	-	2.5
1991	-	-	-	61.4	-	-	-	2.5
1992	-	-	-	68.4	-	-	-	2.4
1993	-	-	-	85.2	-	-	-	2.6
1994	-	-	-	88.1	-	-	-	3.7
1995	-	-	-	94.9	-	-	-	3.9
1996	-	-	-	94.5	-	-	-	4.1
1997	-	-	-	91.1	-	-	-	4.3
1998	-	-	-	90.8	-	-	-	4.4
1999	-	-	-	106.0	-	-	-	4.4
2000	-	-	-	146.0	-	-	-	4.4
2001	-	-	-	222.7	-	-	-	4.4
2002	-	-	-	290.1	-	-	-	4.4
2003	-	-	-	392.0	-	-	-	3.4
2004	-	-	-	783.6	-	-	-	7.4
2005	-	-	-	1 647.2	-	-	-	9.4
2006	-	-	-	1 801.8	-	-	-	9.4

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock are estimated by accumulating inflows since 1970. Data on outward stock are estimated by accumulating inflows since 1986.

Table 5. FDI flows in the host economy, by industry, 1999-2006
(Millions of dollars)

Sector / industry	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total	15	40	77	67	102	392	864	155
Primary	6	11	50	50	95	378	731	2
Mining, quarrying and petroleum	6	11	50	50	95	378	731	2
Petroleum	6	11	50	50	95	378	731	2
Unspecified	9	29	27	17	7	14	133	153

Source: Banque Centrale de Mauritanie.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	1.4	-	-	-	1.1	-	-	-	-	-	-	-
China	-	-	-	-	-	-	-	-	1.7	0.1	0.4	-
Denmark	-	-	-	-	-	-	-	-	-	-	0.7	-3.9
France	-	5.1	1.1	-1.1	1.1	9.2	-8.1	0.9	-	2.5	1.2	13.8
Germany	-	-	-	-	-	-	-	-	-	5.0	-	10.0

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
France	-	0.9	-	-	-	5.0
Lithuania	0.1	..	..	..	-	-	-0.0	-	-
Morocco	-	-	-	0.0	0.0	0.1
United States	-	-	-1.0	4.0	2.0	-

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	-	1.8	2.1	2.4	-
Denmark	-	-	-	-	-	3.3	3.3	1.8
Morocco	-	-	-	45.4	46.0	49.5	38.4	36.6
United States	1.0	1.0	1.0	1.0	1.0	5.0	1.0	1.0

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
United States	-1.0	3.0	5.0	5.0

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the United States.

Tables 30, 35, 40 and 45. Assets, employment, wages and salaries and sales of foreign affiliates of United States TNCs in Mauritania, 1995-2006
(Millions of dollars and thousands of employees)

Table no./Variable	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
30. Assets	3	3	4	3	13	..	..
35. Employees	0.1	..	..
40. Wages and salaries	1	..	..
45. Sales	7	7	7	8	5	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars)

Company	Industry	Sales
A. Industrial		
Société Nationale Industrielle et Minière	Mining	0.25 ^a
B. Tertiary		
C. Finance and Insurance		Assets

Source: Jeune Afrique Hors-serie No. 14, 2007.

^a 2004.

Table 87. Largest affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company Name	Host Economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
Loteny Telecom S A	Côte d' Ivoire	Telecommunications	..	600
C. Finance and insurance			Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Elf Oil Mauritanie	France	Petroleum	43	..
Agence Mauritanienne aux Missions d'Assistance	Switzerland	Mining and quarrying	..	..
B. Tertiary				
Maersk Mauritanie Sa	Denmark	Other services		
Societe Mauritanienne Des Telecommunications	France	Other services	36	580
Sogeco Sa	France	Other business activities	..	150
Souliemane Ould Choumad	France	Construction	..	28
Administradora De Condominios				
Metepec, S.A. De C.V.	Mexico	Real estate	..	..
Air Mauritania	Morocco	Supporting transport activities	..	..
C. Finance and Insurance			Assets	Employees

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

The activities of transnational corporations and foreign direct investors are regulated through several national, bilateral and multilateral legal instruments. The following key legal instruments apply in the country:

I. National framework

Law No. 77-204-Mining Code of 30 July 1977.

Source: Unofficial translation. Chambre de Commerce Franco-Arabe (Paris). Documentary Fund.

Investment Code. Ordinance No. 89.031/CSM concerning the Investment Code of 23 January 1989. Repeals Ordinance No. 79/046 of 16 March 1979 and as amended by Ordinance 366 of 7 May 1985.

Source: Official Journal of the Islamic Republic of Mauritania of 22 February 1989.

Ordinance 91-42 of 30 December 1991. New Banking Regulations. Repeals Ordinance of 20 April 1988.

Source: MOCI 1024/11 May 1992.

Law No. 94-010 of 24 January 1994 amending the Tax Code and creating the Value Added Tax; effective on 1 January 1995.

Source: CEPEX Africa-Actualities No. 442 of September 1994. Also in 1994- Editions Fiduciaries France-Afrique.

Foreign exchange restrictions abolished, September 2006.

Source: www.viewswire.com Latest analysis, Mali industry September 18th 2006.

Establishment of Investment bank, 2006.

Source: www.eiu.com EIU Country report Main report April 2006.

II. International Framework**A. Mauritania is a party to the following multilateral and regional instruments:**

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958, which entered into force on 7th June 1959.

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Convention Establishing the Inter-Arab Investment Guarantee Corporation of May 1971; entered into force in April 1974.

Agreement for the Promotion, Protection and Guarantee of Investment Among Member States of the Organization of Islamic Conference, of 1 June 1981; entered into force on 23 September 1986.

Unified Agreement for the Investment of Arab Capital in the Arab States of 1982.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Articles of Agreement of the Islamic Corporation for the Insurance of Investment and Export Credit of 19 February 1992. Entered into force on 1 August 1994.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Switzerland 1976, Germany 1982, Belgium / Luxembourg 1983, Tunisia 1986, Romania 1988, Morocco 2000, Burkina Faso 2001, Cameroon 2001, Gambia 2001, Ghana 2001, Guinea 2001, Mauritius 2001, Italy 2003, Qatar 2003, Korea, Republic of 2004, Lebanon 2004, Kuwait 2006.

2. Bilateral treaties for the avoidance of double taxation: France 1967, Senegal 1971, Qatar 2003.

D. Sources of Information

Official

Banque Central de Mauritanie

Secondary

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Mauritius

A. Definitions and sources of data

The Bank of Mauritius defines foreign direct investment (FDI) in line with the fifth edition of the International Monetary Fund's (IMF) Balance of Payments Manual (BOPM5). FDI is considered a category of international investment in which the direct investor acquires a lasting interest in, or a significant influence on the management of an enterprise in another economy (the direct investment enterprise). A direct investment link is established between the two parties involved when the direct investor owns 10% or more of the ordinary shares or voting power in an enterprise. Once a direct investment link is established, all financial transactions occurring between the two parties involved are classified under direct investment. Direct investment data in Mauritius are recorded in the BOP on a directional basis.

The Bank of Mauritius, the primary source of FDI data, compiles the returns submitted by Category 1 (commercial) banks, which record FDI transactions of their customers. Starting from July 2002, data coverage was extended to Category 2 (offshore) banks. Returns from Category 2 banks however exclude all nonresident-to-nonresident transactions transiting through them. FDI transactions on banks' own account are also included. The IMF and the Organization for Economic Cooperation and Development also provide data on FDI in Mauritius. FDI stock data were estimated as an accumulation of flows. Data specifying the geographic location and the origin of FDI inflows have been provided by the source-countries.

Since 1994, there are no restrictions on capital account transactions and foreign investors do not require the approval of the Bank of Mauritius for carrying out FDI activity. However, under the "Non Citizens Property Restriction Act", non-citizens of Mauritius wishing to hold, purchase or acquire immovable property require authorization from the competent authority. In general, there are no restrictions with regard to foreign participation in equity holdings. Dividends, profits and invested capital may be repatriated freely.

Mauritius is pursuing its diversification strategy with a focus on the services sector. The country seeks to develop an Information and Communication Technology (ICT) sector by setting up a cyber park. Mauritius seeks to attract foreign ICT companies in English-speaking countries wishing to tap the African market, specifically the French-speaking countries, and conversely, investors from French-speaking countries wishing to tap the market of English-speaking countries. A special package of incentives has also been put in place to accommodate this.

Mauritius has been able to develop a Global Business (offshore) sector, enacted various legislations to enhance its image as a credible international financial center and signed a double taxation treaty with 26 countries, including the United Kingdom, South Africa and India. As part of its investment strategy, Mauritius has recently implemented two innovative schemes, namely the Permanent Residence Scheme, which enables investors investing more than \$500,000 to be eligible for permanent residence and ownership of private property, and the Regional Headquarters Scheme, which aims to attract international companies with a minimum share capital of Rs 1 million to Mauritius where they can set up their office to supervise their operations in the region.

Mauritius signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 2 June 1968 and is actively engaged in regional cooperation and a number of trade and investment initiatives. The enactment of the African Growth and Opportunity Act (AGOA) has given a new impetus to the textiles and clothing sector as the AGOA provides duty free and quota free access to Mauritius for the United States market. Mauritius aspires to emerge as the textile hub of the region and is actively promoting the setting up of spinning units to enable companies to satisfy the rules of origin criteria. Enterprises engaged in spinning benefit from a package of incentives, which includes tax benefits and concessionary utilities rates. Mauritius is a member of the African Union, New Partnership for Africa's Development, the Common Market for the Eastern and Southern Africa countries, the Southern African Development Community and the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	55.8	20.9
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	4.0	1.5
3. FDI stocks, 2006	900	227
4. FDI stocks as a percentage of GDP, 2006	13.9	3.5

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	1.2	..	..	1.2	..	..	..	..
1981	0.7	..	..	0.7	..	..	..	..
1982	1.8	..	..	1.7	..	..	..	..
1983	1.6	..	..	1.6	..	..	..	..
1984	4.9	..	..	4.9	..	..	..	..
1985	8.0	..	..	8.0	..	..	..	..
1986	7.4	..	..	7.4	..	..	..	..
1987	17.2	..	..	17.2	..	..	..	..
1988	22.4	..	..	23.7	..	..	..	0.1
1989	35.4	..	..	35.8	..	..	..	0.6
1990	36.4	..	..	41.0	..	..	..	0.6
1991	17.4	..	..	17.4	..	..	..	10.9
1992	13.8	..	..	14.7	..	..	..	43.3
1993	14.7	..	..	14.7	..	..	..	33.2
1994	20.0	..	..	20.0	..	..	..	1.1
1995	18.7	..	..	18.7	..	..	..	3.6
1996	36.7	..	..	36.7	..	..	..	2.7
1997	55.3	..	..	55.3	..	..	..	3.2
1998	12.2	..	..	12.2	..	..	..	13.7
1999	49.4	..	..	49.4	..	..	..	6.4
2000	265.6	..	..	265.6	..	..	..	13.0
2001	-27.7	..	..	-27.7	..	..	..	2.9
2002	32.1	..	..	32.1	..	..	..	8.7
2003	62.6	..	..	62.6	..	..	..	-6.0
2004	13.9	..	..	13.9	..	..	..	31.8
2005	..	..	..	41.6	..	..	..	47.5
2006	..	..	..	105.3	..	..	..	10.1

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics) based on the Bank of Mauritius, unpublished.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward Investment				Outward Investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	25.7	..	..	..	..
1981	26.4	..	..	..	..
1982	28.1	..	..	..	..
1983	29.7	..	..	..	..
1984	34.6	..	..	..	..
1985	42.6	..	..	..	..
1986	50.0	..	..	..	..
1987	67.2	..	..	..	..
1988	90.9	..	..	..	0.1
1989	126.7	..	..	..	0.7
1990	167.8	..	..	..	1.3
1991	185.1	..	..	..	12.2
1992	199.8	..	..	..	55.5
1993	214.6	..	..	..	88.7
1994	234.6	..	..	..	89.7
1995	253.3	..	..	..	93.4
1996	289.9	..	..	..	96.0
1997	345.2	..	..	..	99.2
1998	357.4	..	..	..	112.9
1999	406.7	..	..	..	119.3
2000	672.4	..	..	..	132.3
2001	644.7	..	..	..	135.2
2002	676.7	..	..	..	143.9
2003	739.4	..	..	..	137.8
2004	753.3	..	..	..	169.6
2005	794.8	..	..	..	217.2
2006	900.1	..	..	..	227.3

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock are estimated by accumulating inflows since 1970. Data on outward stock are estimated by accumulating outflows since 1988.

Table 5. FDI flows in the host economy, by industry, 1995-2006
(Millions of Rupees)

Sector / industry	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total	609	297	230	271	360	325	658	1 164	292	1 243	7 265	936	979	1 966	1 796	2 807	7 222
Tertiary	422	249	214	244	170	315	141	1 142	219	542	7 222	603	457	1 481	717	1 271	6 254
Trade	270	130	203	92	41	245	51	-	27	300	8	3	41	77	248	106	90
Hotels and restaurants	152	68	8	152	129	70	35	20	75	27	10	-	100	103	121	536	2 610
Transport, storage and communications	-	-	-	-	-	-	-	-	-	-	7 204	-	-	-	38	175	43
Post and communications	-	-	-	-	-	-	-	-	-	-	7 204	-	-	-	38	175	43
Telecommunications	-	-	-	-	-	-	-	-	-	-	7 204	-	-	-	38	175	43
Finance	-	51	3	-	-	-	55	1 122	117	215	-	600	316	1 301	310	454	3 511
Financial Intermediation	-	51	3	-	-	-	55	1 122	117	215	-	600	316	1 301	310	454	3 511
Monetary intermediation	-	51	3	-	-	-	55	1 122	117	215	-	600	316	1 301	310	454	3 511
Unspecified	187	48	16	27	190	10	517	22	73	701	43	333	522	485	1 079	1 536	968

Source: UNCTAD, FDI/TNC database based on the Bank of Mauritius, unpublished.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of Rupees)

Region / economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total world	609	297	230	271	360	325	658	1 164	292	1 243	7 265	936	979	1 966	1 796	2 807	7 222
Developed countries	155	144	108	47	75	138	42	73	167	452	7 222	302	422	368	1 319	1 643	5 302
Europe	154	144	62	47	74	138	42	73	167	452	7 219	299	393	331	801	1 568	5 139
European Union	109	139	42	39	73	126	42	73	164	447	7 214	25	393	329	759	1 420	4 555
France	75	57	25	35	39	17	17	34	48	33	7 214	25	232	157	492	427	523
Germany	27	23	4	-	10	80	6	1	-	9	-	-	4	-	95	46	177
Luxembourg	-	17	-	-	-	-	-	-	66	-	-	-	-	-	29	369	34
United Kingdom	7	42	13	4	24	29	19	38	50	405	-	-	157	172	143	578	3 821
Other developed Europe	45	5	20	8	1	12	-	-	3	5	5	274	-	2	42	148	584
Switzerland	45	5	20	8	1	12	-	-	3	5	5	274	-	2	42	148	584
North America	1	-	46	-	1	-	-	-	-	-	3	3	29	37	518	75	163
United States	1	-	46	-	1	-	-	-	-	-	3	3	29	37	518	75	163
Developing economies	339	109	114	192	173	187	614	1 070	111	772	42	600	413	1 488	201	934	537
Africa	55	20	8	10	51	-	-	964	-	575	31	600	333	1 196	24	156	164
Reunion	53	13	5	10	49	-	-	-	-	-	30	-	-	174	5	130	126
South Africa	2	7	3	-	2	-	-	964	-	575	1	600	333	1 022	19	26	38
Latin America and the Caribbean	15	16	-	-	16	-	-	-	-	-	-	-	-	-	13	4	13
Panama	15	16	-	-	16	-	-	-	-	-	-	-	-	-	13	4	13
Asia	269	73	106	182	106	187	614	106	111	197	11	-	80	292	164	774	360
West Asia	-	-	-	-	-	-	-	19	39	156	11	-	8	45	10	9	114
United Arab Emirates	-	-	-	-	-	-	-	19	39	156	11	-	8	45	10	9	114
South, East and South-East Asia	269	73	106	182	106	187	614	87	72	41	-	-	72	247	154	765	246
China	17	11	3	3	1	-	-	-	-	-	-	-	18	33	-	38	6
Hong Kong, China	55	36	31	40	4	19	-	-	-	-	-	-	9	-	4	7	30
India	78	1	-	8	35	157	43	69	55	1	-	-	2	143	150	670	160
Malaysia	10	25	57	129	60	11	27	-	-	25	-	-	30	70	-	-	-
Pakistan	-	-	-	-	-	-	25	18	17	15	-	-	-	-	-	50	50
Singapore	18	-	14	2	6	-	519	-	-	-	-	-	13	1	-	-	-
Taiwan Province of China	91	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Unspecified	115	44	8	32	112	-	2	21	14	19	1	34	144	110	276	230	1 383

Source: UNCTAD, FDI/TNC database based on the Bank of Mauritius, unpublished.

Table 8. FDI flows abroad, by industry, 1995-2006
(Millions of Rupees)

Sector / industry	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total	8	170	674	587	19	63	48	67	329	162	333	83	278	1 156	970	1 942	1 134
Secondary	5	5	-	15	9	14	24	13	25	10	13	-	245	41	101	258	335
Tertiary	-	165	613	443	-	-	3	-	144	76	248	47	-	577	422	967	391
Hotels and restaurants	-	165	-	-	-	-	3	-	30	8	68	-	-	137	422	967	391
Finance	-	-	613	443	-	-	-	-	114	68	180	47	-	440	-	-	-
Financial Intermediation	-	-	613	443	-	-	-	-	114	68	180	47	-	440	-	-	-
Monetary intermediation	-	-	613	443	-	-	-	-	114	68	180	47	-	440	-	-	-
Unspecified	3	-	61	129	10	49	21	54	160	76	72	36	33	538	447	717	408

Source: UNCTAD, FDI/TNC database based on the Bank of Mauritius, unpublished.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of Rupees)

Region / economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total world	8	170	674	587	19	63	48	67	329	162	333	83	278	1 156	970	1 942	1 134
Developed countries	3	-	5	3	8	4	3	-	27	5	180	-	-	-	20	58	2
Europe	3	-	2	3	3	4	3	-	21	-	180	-	-	-	10	58	2
European Union	3	-	2	3	3	4	3	-	5	-	180	-	-	-	10	58	2
France	3	-	2	3	3	4	3	-	5	-	180	-	-	-	10	58	2
Other developed Europe	-	-	-	-	-	-	-	-	16	-	-	-	-	-	-	-	-
Switzerland	-	-	-	-	-	-	-	-	16	-	-	-	-	-	-	-	-
North America	-	-	3	-	5	-	-	-	6	5	-	-	-	-	10	-	-
United States	-	-	3	-	5	-	-	-	6	5	-	-	-	-	10	-	-
Developing economies	5	170	613	471	8	59	24	59	224	157	70	67	241	1 154	898	1 650	876
Africa	5	170	613	21	7	56	21	59	76	157	70	67	241	1 154	565	841	767
Comoros	-	165	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-
Kenya	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-
Madagascar	5	5	-	20	4	5	-	13	19	57	2	2	238	47	195	195	291
Mozambique	-	-	-	-	-	-	-	-	5	81	-	58	-	523	253	532	270
Reunion	-	-	613	-	-	-	-	-	17	10	-	6	3	7	36	24	5
Seychelles	-	-	-	-	-	-	-	-	30	9	68	-	-	570	75	89	187
South Africa	-	-	-	-	1	2	3	20	5	-	-	1	-	7	6	1	14
Asia	-	-	-	450	1	3	3	-	148	-	-	-	-	-	333	809	109
India	-	-	-	450	1	3	3	-	148	-	-	-	-	-	-	1	2
Maldives	-	-	-	-	-	-	-	-	-	-	-	-	-	-	333	808	107
Unspecified	-	-	56	113	3	-	21	8	78	-	83	16	37	2	52	234	256

Source: UNCTAD, FDI/TNC database based on the Bank of Mauritius, unpublished.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Australia	-	-	-	-	-	-	-	-	0.1	-	-	-	-
Brazil	-	-	-	-	-	-	-	0.9	0.9	1.0	2.0	2.1	-
Canada	-	-	-	-	-	-	-	-	-	9	10	34	-
China	-	-	-	-	-	-	-	-	-	13	13	27	-
Denmark	-	-	-	-	-	-	-	-	-	-	140	270	273
Germany	17	13	14	9	17	18	19	20	34	59	79	52	-
India	-	-	-	21	-	-	-	-	-	-	-	-	-
Latvia	-	-	-	-	-	-	-	-	-	0.2	0.4	-	-
Malaysia	27	56	62	45	102	309	325	346	457	558	619	660	-
Singapore	-	-	-	-	-	2 076	2 840	2 041	3 121	3 520	5 633	-	-
South Africa	-	-	-	-	-	-	-	546	307	618	1 442	544	4 863
United Kingdom	56	147	314	352	253	519	349	-	-	-	-	-	-
United States	-	11	10	11	148	119	97	124	-	10	205	432	692

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Brazil	-	-	-	-	-	-	0.3	-	-	-	-	-	-
Bulgaria	-	-	-	-	-	-	-	-	-0.1	-0.2	-	-	-
Croatia	-	-	-	-	-	-	-	-	-	-	-	0.2	0.3
Denmark	-	-	-	-	-	-	-	-	-	-	30.7	21.0	-
Israel	-	-	-	-	-	-	0.4	0.3	0.3	0.2	0.2	0.1	-
Kazakhstan	-	-	-	-	-	-	0.2	0.2	3.1	0.2	1.7	1.5	3.2
Latvia	-	-	-	-	-	-	0.5	0.7	1.0	1.1	2.7	0.5	-
Lithuania	-	-	-	-	-	0.5	-	-	-	0.6	0.6	0.6	0.6
Madagascar	-	-	-	-	-	-	-	-	35.9	52.5	71.4	40.0	311.4
Malawi	-	-	-	-	-	-	15.1	18.7	13.3	18.1	23.0	-	-
Portugal	-	-	-	-	-	-	-	7.5	6.9	2.0	-	-	-
Korea, Republic of	-	-	-	0.5	0.5	0.5	0.5	0.5	0.6	2.3	3.0	4.2	6.6
Saudi Arabia	-	-	-	-	-	-	-	-	-	-	-	1.0	-
Slovenia	-	-	-	-	-	-	0.5	0.1	-	-	-	-	-
South Africa	-	-	-	-	-	-	-	125.8	264.9	296.1	206.0	200.0	197.4
Uganda	-	-	-	-	-	18.7	34.5	50.3	58.3	65.6	-	-	-
United Rep. of Tanzania	-	-	-	-	144.1	89.0	175.8	171.4	-	-	-	-	-
Viet Nam	-	135.9	185.8	202.5	271.8	363.4	408.2	493.1	532.5	-	-	-	-
Zambia	-	-	-	-	-	-	2.4	4.2	-	-	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 21. The number of foreign affiliates of home-based transnational corporations, by geographical location abroad, 1994-2005

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
India	12	9	19	11	29	44	49	48	..	..
United States	1	1	1	..	..

Source : UNCTAD, FDI/TNC database. Note: Data are based on information reported by the economies listed above.

Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	5	5	4	4	6	8	8	11	8	7	8	10
United States	4	4	7	7	10	16	18	22	31	37	38	..

Source : UNCTAD, FDI/TNC database. Note: Data are based on information reported by the economies listed above.

Tables 28, 43, 58, 63, 68 and 83. Assets, sales, exports, imports, research and development expenditure and royalty payments of affiliates of Mauritius TNCs in India, 1994-2005

(Thousands of employees and millions of dollars)

Table no./Variable	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
28. Assets	709	662	791	1 509	2 554	3 520	3 945	4 432	..	..
43. Sales	545	506	522	1 008	1 414	2 016	2 006	2 609	..	..
58. Exports	129	89	189	199	342	505	384	594	..	..
63. Imports	64	83	112	85	183	494	383	489	..	..
68. R&D expenditure	0.1	0.0	0.7	0.7	3.4	1.2	6.4	6.4	..	..
83. Royalty payments	0.2	0.1	0.3	0.9	2.0	0.4	0.7	0.9	..	..

Source : UNCTAD, FDI/TNC database. Note: Data are based on information reported by India.

Table 30. Assets of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005

(Millions of dollars)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	..	..	..	..	60	100	186	176	..	..	..	..
United States	93	129	304	211	621	1 096	1 311	1 555	2 655	4 508	3494 ^a	..

Source : UNCTAD, FDI/TNC database. Note: Data are based on information reported by the economies listed above.

^a Data refer to majority-owned affiliates only.

Table 35. Employment of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005

(Thousands of employees)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	1.0	1.0	1.0	..	..	..	..	..	..	..	..	..
United States	0.1	..	..	..	..	0.2	..	..	..	..	4.3	..

Source : UNCTAD, FDI/TNC database. Note: Data are based on information reported by the economies listed above.

Tables 40 and 50. Wages and salaries and value added of affiliates of United States TNCs in Mauritius, 1994-2005

(Millions of dollars)

Table no./Variable	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
40. Wages and salaries	1	1	1	2	..	..	..	..	38	..
50. Value added ^a	18	15	14	-2	..	..	..	..	38	..

Source : UNCTAD, FDI/TNC database. Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Table 45. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005

(Millions of dollars)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	56.8	106.5	92.1	89.5	94.1	..	..	80.4
United States	..	91.0	101.0	116.0	..	131.0	446.0	381.0	249.0	401.0	395.0	..

Source : UNCTAD, FDI/TNC database. Note: Data are based on information reported by the United States.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars)

Company	Industry	Sales
A. Industrial		
Shell Mauritius	Petroleum expl./ref./distr.	0.194
Ciel Textile	Clothing and textiles	0.154
Compagnie Mauricienne de Textile	Clothing and textiles	0.141
British American Tobacco	Food products, beverages and tobacco	0.098 ^a
Caltex Oil	Petroleum expl./ref./distr.	0.085 ^a
B. Tertiary		
Air Mauritius	Air Transport	0.493
Rogers Group	Diversified group	0.251
Ireland Blyth	Diversified group	0.250
Groupe Mon Loisir	Diversified group	0.250
Ciel Group	Diversified group	0.213
Mauritius Telecom	Telecommunications	0.191
Food and Allied Group of Companies	Diversified group	0.182
New Mauritius Hotels	Leisure	0.163 ^a
Currimjee Group	Diversified group	0.135 ^a
Sun Resorts	Leisure	0.111
State Investment Corporation	Diversified group	0.085 ^a
C. Finance and Insurance		Assets
British American Investment Company	Insurance	0.162

Source: Jeune Afrique Hors-serie No. 14, 2007.

^a 2004.

Table 87. Largest affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company Name	Host Economy	Industry	Sales	Employees
A. Industrial				
United Phosphorus Ltd	England	Chemicals and chemical products	405.45	1000
China Hewlett-Packard Co., Ltd.	China	Machinery and equipment	376.9	6500
Taco Kunststofftechnik Gmbh	Germany	Motor vehicles and trailers	54.518	300
Dexcel-Pharma Ltd	England	Chemicals and chemical products	33.39	20
Lear Corporation Changchun Automotive Interior Systems Co., Ltd.	China	Wood and wood products	33.238	250
Rohm And Haas Shanghai Chemical Industry Co.,Ltd.	China	Chemicals and chemical products	27.544	150
Floreal Madagascar S A	Madagascar	Textiles and clothing	7	4100
Cognizant Technology Solutions Asia Pacific Pte. Ltd.	Singapore	Computer and related activities	2.743	60
S B & T (Uk) Ltd	England	Computer and related activities	2.58	2
Advanced Interconnect Technologies li, Inc	United States	Computer and related activities	2	16
Covansys Software Technology (Shanghai) Co., Ltd.	China	Computer and related activities	1.398	70
Glendale Industrial Services Ltd	England	Petroleum	0.496	4
Mocambique Farms Lda	Mozambique	Food products, beverages and tobacco	..	2500
Boss & Co.Ltd	England	Machinery and equipment	..	500
Harbin New Holland Tractors Co., Ltd.	China	Machinery and equipment	..	250
Metalform (Wuxi) Precision Engineering Co., Ltd.	China	Machinery and equipment	..	120
B. Tertiary				
Adani Global Pte Ltd	Singapore	Wholesale trade	673.76	12
Adani Global Fze	United Arab Emirates	Wholesale trade	352.92	21
Essar Gulf F Z E	United Arab Emirates	Wholesale trade	41.095	3500
Asia T.V. Ltd	England	Telecommunications	34.061	64
Hi-Level Technology Limited	Hong Kong	Wholesale trade	30.936	10
Igfl Solutions (S) Pte Ltd	Singapore	Wholesale trade	21.378	25
Arista Tubes Ltd	England	Rubber and plastic products	20.355	186
Anti-Friction Components Ltd	England	Wholesale trade	15.938	90
Garment Trims & Accessories	United Arab Emirates	Rubber and plastic products	14	150
Consolidated Power Projects Australia Pty Ltd	Australia	Construction	9.019	25
Essel Propack Uk Ltd	England	Rubber and plastic products	7.586	48
Ait International Limited	Hong Kong	Wholesale trade	4.438	13
Rentworks India Private Limited	India	Other business activities	4.144	35
United Phosphorus Limited	Hong Kong	Wholesale trade	3.455	2
Igfl Solutions (Uk) Ltd	England	Other business activities	3.05	14
Bonair Paris	France	Wholesale trade	2.458	6
Iroko Securities Ltd	England	Research and development	2.31	7
C. Finance and Insurance			Assets	Employees
Banque Sbm Madagascar Sa	Madagascar	Finance	..	102
Acap Advisers Ltd	England	Finance	..	..
State Bank Of Mauritius Limited	India	Finance	..	..
State Bank Of Mauritius Limited	India	Finance	..	50
British American Insurance Co. (K) Ltd	Kenya	Insurance	..	148

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home Economy	Industry	Sales	Employees
A. Industry				
Asian Paints (Mauritius) Ltd	India	Chemicals and chemical products	..	24
Blue Track Ltd	France	Textiles and clothing	..	..
Bwsc Mauritius	Japan	Electricity, gas and water	..	..
Nestle's Products (Mauritius) Ltd	Switzerland	Food products, beverages and tobacco	..	..
B. Tertiary				
Stoneridge Asia Holdings Ltd	United States	Holding	170	..
Courts (Mauritius) Ltd	United Kingdom	Wholesale trade	51	..
International Motors Company Limited	France	Wholesale trade	11	..
Holiday Villages Management Services (Mauritius)	France	Hotels and Restaurants	8	..
Pricewaterhousecoopers	United States	Other services	..	200
Nakufreight (Mauritius) Limited	Switzerland	Supporting transport activities	..	20
Mast Industries (Mauritius) Ltd	United States	Wholesale trade	..	10
All Africa Airways	France	Supporting transport activities	..	..
Basf Styrenics Holding Company	Germany	Public administration	..	..
C M T V Mauritius Ltd	France	Other services	..	..
Central Business Equipment Co. Ltd.	United States	Other business activities	..	..
Chamarel Marine Services	France	Telecommunications	..	..
Club Mediterranee Albion Resort	France	Hotels and Restaurants	..	..
Coasia International Corp	Taiwan	Other business activities	..	..
Egl, Inc	United Kingdom	Water Transport	..	..
Kvaerner Process Mauritius	Norway	Other services	..	..
Lara Networks (Mauritius) Llc	United States	Other services	..	..
Micro Jewels Ltd	United Kingdom	Public administration	..	..
Moga Holding Ltd	Egypt	Telecommunications	..	..
C. Finance and insurance			Assets	Employees
Standard Chartered Bank Mauritius Limited	United Kingdom	Finance	25	..
Barclays Leasing Company Ltd	United Kingdom	Finance	..	..
Hsbc Private Equity (Asia) Limited	United Kingdom	Finance	..	..
Hsbc Trustee(Mauritius) Limited	Netherlands	Finance	..	..
Standard Chartered Private Equity (Mauritius) Limited	United Kingdom	Finance	..	..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

In Mauritius, several national, bilateral and multilateral legal instruments to regulate the activities of transnational corporations and foreign direct investors exist. The key instruments in the country include:

I. National framework

The Trade Marks Act No. 18, November 1868.

Source: WIPO (<http://www.wipo.org>).

Patents: Patents Act, May 1875, as amended by the Patents (Amendment) Act No. 16, July 1975, the Patents (Amendment) Act No. 29, October 1983 and the Information Technology (Miscellaneous Provisions) Act No. 18, December 1998.

Source: WIPO (<http://www.wipo.org>).

Trade Marks Regulations (Govt. Notice No. 22), February 1889, and Trade Marks (Fees)

Source: WIPO (<http://www.wipo.org>).

Trade Marks (Appeals) Rules (Govt. Notice No. 3), March 1956.

Source: WIPO (<http://www.wipo.org>).

The Trade Marks (Amendment) Act No. 35, July 1970.

Source: WIPO (<http://www.wipo.org>).

The Fair Trading Act No. 26, December 1979, as last amended by the Fair Trading (Amendment) Act No. 33, November 1988.

Source: WIPO (<http://www.wipo.org>).

Patents (Fees) Regulations (Govt. Notice No. 33), February 1980.

Source: WIPO (<http://www.wipo.org>).

Appellations of Origin / Geographical Indications / Indications of Source: The Commodities (Indications of Origin) Regulations 1981 (Government Notice No. 170) of 1981.

Geographical Indications Bill of 2000, not yet in force.

Source: WIPO (<http://www.wipo.org>).

The Consumer Trade Practices Regulations (Govt. Notice No. 171) of 1981.

Layout-Designs (Topographics) of Integrated Circuits: Layout-Designs (Topographies) of Integrated Circuits Bill of 2000, not yet in force.

Source: WIPO (<http://www.wipo.org>).

The Mauritius Export Development and Investment Authority Act No. 23 of 16 September 1983.

Source: Legal Supplement to the Government Gazette of Mauritius, No. 96 of 24 September 1983, p. 209.

Patent (Inspection Fees) Regulations (Govt. Notice No. 164), November 1983.

Source: WIPO (<http://www.wipo.org>).

The Companies Act, 1984; effective on 1 March 1985. Amends the Companies Act of 1913. As amended by the MOBAA-Mauritius, offshore Business Activities Act, 1992.

Source: Extracts in Mauritius - Your Profit Centre. Mauritius Export Development and Investment Authority.

Regulations (Govt. Notice No. 43), February 1985.

Source: WIPO (<http://www.wipo.org>).

The Trade Marks (Amendment) Act No. 15, March 1985.

Source: WIPO (<http://www.wipo.org>).

Patent (Fees) (Amendment) Regulations (Govt. Notice No. 13), February 1986.

Source: WIPO (<http://www.wipo.org>).

The Copyright Act No. 8 of 8 April 1986.

Source: Legal Supplement to the Government Gazette of Mauritius, No. 27 of 14 April 1986. As amended by The Copyright (Amendment) Act No. 45 of 20 December 1988.

Source: Legal Supplement to the Government Gazette of Mauritius, No. 5 of 5 May 1990.

The Mauritius Export Development and Investment Authority (Amendment) Bill, No. 32 of 16 August 1986.

Source: Legal Supplement to the Government Gazette of Mauritius, No. 60 of 16 August 1986, p. 321.

The Copyright Act No. 8 to make Better Provision for the Protection of Authors' Rights in Relation to their Works, April 1986.

The Copyright (Amendment) Act No. 45, December 1988.

Source: WIPO (<http://www.wipo.org>).

The Export Processing Zone Act 57 of 1990. Repeals Export Processing Zones Act No. 51, of 8 December 1970 as amended.

Source: International Bureau of Fiscal Documentation ATS, suppl. No. 91/92, July 1994.

The Offshore Companies Scheme. Mauritius Offshore Business Activities Act of 1992 (MOBAA). *Source:*

International Bureau of Fiscal Documentation ATS, supplementary No. 91/92, July 1994.

The Trade Marks (Amendment) Act No. 15, May 1993.

Source: WIPO (<http://www.wipo.org>).

The Industrial Expansion Act 1993.

Source: Mauritius -Mauritius Export Development and Investment Authority, 1993.

Mauritius International Companies Act of 1994.

Source: <http://www.webspawner.com/users/palpicolo/index.html>.

Copyright Act 1997.

Source: The Government of Mauritius.

Telecommunications Act 1998.

Source: The Government of Mauritius.

Patents (Bill of 2000).

Source: WIPO (<http://www.wipo.org>).

Electronic Transaction Act 2000.

Source: The Government of Mauritius.

The Investment Promotion Act (2000) establishing the Board of Investment with following regulations:

Investment Promotion (Integrated Resort Schemes) Regulations 2002

Investment Promotion (Permanent Residence Schemes) Regulations 2002

Investment Promotion (SAPES) Regulations 2002

Investment Promotion (Amendment of Schedule) Regulations 2002

Source: Board of Investment, website: <http://www.boimauritius.com>

Patents, Industrial Designs and Trademarks Bill of 2000, not yet in force.

Source: WIPO (<http://www.wipo.org>).

Information and Communications Technologies Act 2001.

Source: The Government of Mauritius.

The Trust Act (2001).

Source: The Government of Mauritius.

The Companies Act 2001, which replaced The Companies Act 1984

Source: <http://www.fscmauritius.org>

The Financial Services Development Act 2001, which replaced MOBAA Act (1992) and provide for the establishment of two bodies namely the Financial Services Commission and the Financial Services Promotion Agency.

Source: <http://www.fscmauritius.org>

The Business Registration Act (2002).

Source: The Government of Mauritius.

The Patents, Industrial Design and Trade Marks Act (2002).

Source: The Government of Mauritius.

The lay-out designs (topographies) of Integrated Circuits Act (2002).

Source: The Government of Mauritius.

The Competition Act (2003).

Source: The Government of Mauritius.

The Computer Misuse and Cybercrime Act (2003).

Source: The Government of Mauritius.

The Genetically Modified Organisms Act 2004.

Source: The Government of Mauritius.

The Data Protection Act 2004.

Source: The Government of Mauritius.

The Tourism Act 2004.

Source: The Government of Mauritius.

The Banking Act 2004.

Source: The Government of Mauritius.

The Utility Regulatory Authority Act 2004.

Source: The Government of Mauritius.

The Public Private Partnership Act 2004.

The Financial Reporting Act 2004.

The Maritime Zones Act 2005.

Source: The Government of Mauritius.

The Insurance Act 2005.

Source: The Government of Mauritius.

The Securities Act 2005.

Source: The Government of Mauritius.

The Mauritius Industrial Development Authority (MIDA) is now replaced with a new organization known as Enterprise Mauritius: a collaborative partnership between industry and government that aims to help businesses in Mauritius expand into regional and international markets, and at the same time develop their internal capability to meet the challenges of international competition (www.enterprisemauritius.biz).

II. International Framework

A. Mauritius is a party to the following multilateral and regional instruments:

Paris Convention for the Protection of Industrial Property of 20 March 1883, as amended and revised.

Convention on the Settlement of Investment Disputes Between States and Nationals of Other States of 18 March 1965. Entered into force on 14 October 1966.

Convention Establishing the Multilateral Investment Guarantee Agency of 11 October 1985. Entered into force on 12 April 1988.

Fourth ACP-EEC Convention signed at Lomé on 15 December 1989, Official Journal L 229, 17/08/1991 p. 0003 – 0280.

Southern Africa Development Community (SADC), signed on 17 August, 1992.

Source: http://www.sadc.int/about_sadc/history.php.

Treaty Establishing the Market for Eastern and Southern Africa (COMESA), 1993.

The Agreement on Trade-Related Aspects of Intellectual Property Rights, signed on 15 April 1994; in force on 1 January 1995.

The General Agreement on Trade in Services, signed on 15 April 1994; in force on 1 January 1995.

The Fourth Protocol to the General Agreement on Trade in Services of 15 February 1997.

The Fifth Protocol to the General Agreement on Trade in Services of 12 December 1997.

Partnership Agreement Between the Members of the African, Caribbean and Pacific Group of States of the one Part, and the European Community and Its Member States, of the Other Part, Signed in Cotonou, Benin on 23 June 2000.

Indian Ocean Commission (IOC).

Source: <http://coi.intent.mu>.

Indian Ocean Rim Association for Regional Cooperation (IOR-ARC).

Source: <http://coi.intent.mu>.

B. Bilateral treaties

1. **Bilateral investment treaties for the protection and promotion of investments:** Germany 1971, France 1973, United Kingdom 1986, China 1996, Indonesia 1997, Mozambique 1997, Pakistan 1997, Portugal 1997, India 1998, South Africa 1998, Switzerland 1998, Czech Republic 1999, Nepal 1999, Romania 2000, Singapore 2000, Swaziland 2000, Zimbabwe 2000, Benin 2001, Burundi 2001, Cameroon 2001, Chad 2001, Comoros 2001, Ghana 2001, Guinea 2001, Mauritania 2001, Rwanda 2001, Senegal 2002,

Sweden 2004, Madagascar 2004, Barbados 2004, Botswana 2005 and Belgium Luxembourg Economic Union 2005.

2. Bilateral treaties for the avoidance of double taxation: Denmark 1954, Norway 1955, Germany 1978, France 1980, United Kingdom 1981, India 1982, Italy 1990, Malaysia 1992, Sweden 1992, Zimbabwe 1992, China 1994, Madagascar 1994, Pakistan 1994, Swaziland 1994, Belgium 1995, Botswana 1995, Luxembourg 1995, Namibia 1995, Russian Federation 1995, Singapore 1995, Indonesia 1996, South Africa 1996, Sri Lanka 1996, Kuwait 1997, Lesotho 1997, Mozambique 1997, Thailand 1997, Indonesia 1998, Oman 1998, Nepal 1999, Cyprus 2000, Rwanda 2001, Croatia 2002, Senegal 2002, Uganda 2003, Barbados 2004, Seychelles 2005, United Arab Emirates 2006.

C. Other treaties:

Trade and investment framework agreement with the United States of America (2006).

Investment agreement for the COMESA Common Investment Area (2007).

D. Sources of information

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United States Trade Representative (2006). *2006 Comprehensive Report on U.S. Trade and Investment Policy Toward Sub-Saharan Africa and Implementation of the Africa Growth and Opportunity Act: The Sixth of Eight Annual Reports, May 2006*. (Washington D.C.: US Government).

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Morocco

A. Definitions and sources of data

In Morocco, the industrial investments law (Law No. 17-82) defines elements of foreign direct investment (FDI). In this law, an "industrial company" is a company using capital goods for the manufacture of finished or semi-finished products and within an investment programme including production equipment for a minimum value of 100,000 dirhams, excluding tax. The Foreign Exchange Office collects data on FDI through foreign currency transactions. Foreign participation is determined according to the percentage of foreign share capital holdings in an investment statistics. Data are collected on both flows and stocks by industrial and geographical breakdown. The International Monetary Fund also provides FDI data on the country in its balance-of-payment statistics.

Resident or non-resident, foreign nationals are entitled to invest freely in Morocco. No investment operation in Morocco requires prior authorization. Before 1996, Morocco offered foreign investors a package of investment incentives through various investment codes in different areas of business such as exports, tourism, industrial, mining, maritime, handicraft and real estate investments. A new Investment Charter, promulgated by Decree No.1-95-213 of 8 November 1995 has replaced those codes. As of January 1996, the new Charter sets up a framework in which the main objectives are the promotion and development of investments in Morocco in the next ten years. It also codified several regulations, some of which have been implemented through the inclusion in the Corporate Tax Law in 1996. Further, the Charter establishes that benefits for investors under previous laws will be maintained until expiration of their terms and of the conditions for which they had been granted.

Morocco has abundant natural resources. It is the world's largest exporter of raw and processed phosphate products, including phosphoric acid and fertilizers. Other minerals including silver, zinc, copper and cobalt are extracted. Manufacturing is dominated by the clothing and textiles industry while there are small but growing electrical and mechanical industries.

Morocco signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 11 October 1965 and continued to make its economy attractive to foreign investors by reforming investment laws, liberalizing trade and prices, reducing red tape, updating the financial system, privatizing some state firms and offering concessions in telecommunications, power generation and water management. It has also been a government policy to strengthen the fiscal position by cutting the public wage bill, trimming subsidies and widening and deepening the tax net. Under the privatization and liberalization programme, the telecommunications sector has been opened to competition and is expanding rapidly with new services and new platforms. Morocco is increasingly integrated in the regional and international economic systems through its membership in integration schemes such as the Arab Maghreb Union, and the Association Accord with the European Union. Morocco is a member of the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	2 335.9	173.5
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	19.1	1.4
3. FDI stocks, 2006	29 939	1 350
4. FDI stocks as a percentage of GDP, 2006	52.3	2.4

Source: Based on tables 3a and 4a and UNCTAD, FDI/TNC database.

Table 3a. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	..	3.8	85.6	89.4	..	..	-	..
1981	..	4.8	53.8	58.6	..	..	-	..
1982	..	2.7	76.9	79.5	..	..	-	..
1983	..	3.0	43.2	46.1	..	..	-	..
1984	..	6.1	40.9	47.0	..	..	-	..
1985	..	3.2	16.8	20.0	..	..	-	0.6
1986	..	4.2	- 3.6	0.6	..	..	-	1.3
1987	..	13.4	46.2	59.6	..	..	-	8.0
1988	..	6.9	77.7	84.5	..	..	-	14.2
1989	..	13.1	154.0	167.1	..	..	-	1.6
1990	0.0	10.8	154.3	165.0	..	..	-	13.0
1991	272.2	39.7	5.5	317.0	22.7	..	-	23.0
1992	270.8	105.5	46.1	424.0	32.4	..	-	32.0
1993	431.1	16.2	44.1	491.0	23.1	..	-	23.0
1994	191.9	24.7	334.4	551.0	23.9	..	-	24.0
1995	330.1	4.7	0.0	332.0	11.8	2.8	-	12.0
1996	338.3	19.0	0.0	322.0	27.3	3.0	-	28.0
1997	1 095.8	4.4	107.0	1 207.2	8.8	-	-	8.8
1998	361.1	15.7	83.5	460.3	24.5	-	-	24.5
1999	922.1	4.2	712.4	1 638.7	22.3	-	-	22.3
2000	249.2	10.1	211.3	470.6	58.7	1.0	-	59.7
2001	2 730.9	3.0	140.9	2 874.8	100.3	-	-	100.3
2002	454.2	0.3	79.3	533.8	53.7	-	-	53.7
2003	2 340.8	8.1	80.2	2 429.1	19.9	-	-	19.9
2004	940.9	0.0	128.9	1 069.8	21.3	10.5	-	31.8
2005	1 778.7	331.4	836.3	2 946.4	174.1	-	-	174.1
2006	2 705.8	0.0	192.4	2 898.2	468.0	-	-	468.0

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on Inflows are from the IMF for 1980-1989 and the Office des Changes thereafter. Outflow data are proxy data based on investments reported by the following economies: Belgium and Luxembourg, 1985-1986; Belgium and Luxembourg and France, 1987-1988; Belgium and Luxembourg. France and Tunisia, 1989.

Table 3b. FDI flows, by type of investment, 1997-2006
(Millions of dirhams)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1997	10 418.4	41.4	1 017.6	11 477.4	83.8	-	-	83.8
1998	2 891.2	150.8	802.1	3 844.1	195.6	-	-	195.6
1999	6 423.8	41.3	7 069.1	13 534.2	177.1	-	-	177.1
2000	2 132.5	107.5	2 243.6	4 483.6	611.6	10.2	0.0	621.8
2001	30 102.4	33.9	1 591.9	31 728.2	1 097.0	-	-	1 097.0
2002	4 421.4	3.7	872.4	5 297.5	312.2	-	-	312.2
2003	21 314.5	77.3	767.8	22 159.6	116.9	-	-	116.9
2004	6 790.0	0.0	1 143.0	7 933.0	179.3	93.8	0.0	273.1
2005	7 449.1	588.7	6 624.8	14 662.6	661.5	0.0	- 9.2	652.3
2006	22 996.5	507.3	-1 959.5	21 544.3	3 913.0	0.0	- 1.1	3 911.9

Source: UNCTAD, FDI/TNC database based on the Office des Changes, *unpublished*.

Table 4a. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1980	-	-	-	1 779.8	-	-	-	116.2
1981	-	-	-	1 838.4	-	-	-	116.2
1982	-	-	-	1 918.0	-	-	-	116.2
1983	-	-	-	1 964.1	-	-	-	116.2
1984	-	-	-	2 011.1	-	-	-	116.2
1985	-	-	-	2 031.0	-	-	-	116.7
1986	-	-	-	2 031.6	-	-	-	118.0
1987	-	-	-	2 091.2	-	-	-	126.0
1988	-	-	-	2 175.7	-	-	-	140.2
1989	-	-	-	2 342.8	-	-	-	141.8
1990	-	-	-	2 507.8	-	-	-	154.8
1991	-	-	-	2 824.8	-	-	-	177.8
1992	-	-	-	3 248.8	-	-	-	209.8
1993	-	-	-	3 739.8	-	-	-	232.8
1994	-	-	-	4 290.8	-	-	-	256.8
1995	-	-	-	4 622.8	-	-	-	268.8
1996	-	-	-	4 944.8	-	-	-	296.8
1997	-	-	-	6 152.0	-	-	-	305.6
1998	-	-	-	6 612.3	-	-	-	330.1
1999	-	-	-	8 251.0	-	-	-	352.4
2000	-	-	-	8 721.6	-	-	-	412.1
2001	-	-	-	11 596.4	-	-	-	512.4
2002	11 141.4	-	988.8	12 130.2	426.6	-	26.6	453.3
2003	16 037.3	-	1 068.9	17 106.1	519.6	-	40.7	560.2
2004	18 675.5	-	1 207.6	19 883.1	490.1	-	185.4	675.5
2005	19 016.9	-	1 734.6	20 751.5	534.7	-	130.9	665.6
2006	28 213.5	-	1 725.2	29 938.7	1 024.7	-	324.8	1 349.5

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock prior to 2002 are estimated by subtracting inflows from the stock of 2002. After 2002 data are based on the Office des Changes. Data on outward stock prior to 2002 are estimated by accumulating outflows since 1977. After 2002 data are based on the Office des Changes.

Table 4b. FDI stocks, by type of investment, 2002-2006
(Millions of dirhams)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
2002	113 274.2	-	10 053.2	123 327.4	4 337.5	-	270.9	4 608.4
2003	140 324.4	-	9 352.7	149 677.1	4 546.2	-	355.8	4 902.0
2004	153 469.5	-	9 923.9	163 393.4	4 027.2	-	1 523.9	5 551.1
2005	175 895.2	-	16 044.1	191 939.3	4 946.0	-	1 210.7	6 156.7
2006	238 590.6	-	14 589.2	253 179.8	8 665.6	-	2 746.8	11 412.4

Source: UNCTAD, FDI/TNC database based on the Office des Changes, unpublished.

Table 5. FDI flows in the host economy, by industry, 1996-2006
(Millions of dirhams)

Sector / industry	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total	2 850	11 499	4 418	16 069	4 998	32 486	5 876	23 257	9 485	26 708	26 070
Primary	235	6 402	432	412	100	71	229	267	379	388	125
Agriculture, hunting, forestry and fishing	9	29	86	20	26	70	46	149	42	11	24
Agriculture and hunting	9	19	38	20	14	34	22	24	29	6	24
Forestry and Fishing	-	10	48	-	12	35	24	124	13	4	-
Mining, quarrying and petroleum	227	6 374	346	392	74	1	183	118	337	377	100
Mining and quarrying	96	2 772	182	333	72	1	183	106	336	-	-
Petroleum	131	3 601	163	59	2	0	0	12	1	-	-
Secondary	1 377	1 381	1 882	3 520	911	2 264	1 176	18 791	1 796	2 735	8 973
Tertiary	1 124	3 630	2 046	12 010	3 819	30 058	4 387	4 095	7 218	23 554	16 861
Construction	78	210	29	127	75	118	15	66	106	160	34
Trade	139	171	250	108	658	1 114	251	484	612	441	1 047
Transport, storage and communications	52	514	182	10 324	1 433	26 737	849	819	2 192	18 714	7 912
Transport and storage	44	495	173	324	202	360	423	200	1 474	3 402	7 884
Supporting and auxiliary transport activities	17	476	163	294	187	332	409	186	1 431	3 081	7 828
Post and communications	9	19	10	10 001	1 231	26 377	426	619	718	15 311	27
Telecommunications	9	19	10	10 001	1 231	26 377	426	619	718	15 311	27
Finance	436	2 229	912	677	859	315	78	219	1 721	1 399	3 067
Financial Intermediation	436	2 229	912	677	859	218	78	56	1 556	254	1 611
Monetary intermediation	392	1 905	749	490	696	166	64	56	1 525	44	1 464
Other financial intermediation	44	324	163	186	164	53	14	0	31	210	147
Other financial intermediation n.e.c.	44	324	163	186	164	53	14	0	31	210	147
Insurance and Pension Funding	-	-	-	-	0	97	-	162	166	1 145	1 456
Business activities	392	305	451	471	594	819	1 844	1 686	2 110	2 426	4 117
Real estate	392	305	442	451	575	811	1 825	1 685	2 040	2 422	4 117
Research and development	-	-	10	20	19	8	19	1	70	4	-
Other services	26	200	221	304	199	955	1 350	821	478	415	685
Unspecified	113	86	58	127	169	93	84	104	92	31	112

Source: UNCTAD, FDI/TNC database based on the Office des Changes, unpublished.

Note: Data refer to gross investments and may not be comparable to those presented in table 3.

Table 6. FDI flows in the host economy, by geographical origin, 1996-2006
(Millions of dirhams)

Region / economy	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total world	2 850	11 499	4 418	16 069	4 998	32 486	5 876	23 257	9 485	26 708	26 070
Developed countries	2 336	10 470	3 486	15 560	4 655	32 044	4 943	22 586	8 198	24 740	23 149
Europe	2 249	6 726	3 179	14 550	4 335	31 326	4 545	22 109	7 734	24 502	22 228
European Union	2 214	6 650	3 006	14 295	4 205	31 017	4 300	21 808	7 051	23 743	21 303
Austria	-	-	-	-	-	-	-	-	1	0	3
Belgium / Luxembourg	70	29	134	98	172	103	261	190	346	426	2 605
Cyprus	-	-	-	-	-	-	-	12	16	31	8
Denmark	-	-	-	-	4	1	3	0	2	1	3
France	915	1 448	1 614	3 657	1 624	27 650	2 252	2 889	4 745	19 843	8 646
Germany	70	600	48	69	193	257	493	145	475	856	940
Hungary	-	-	-	-	-	-	-	-	0	1	279
Ireland	-	-	-	-	-	-	-	-	10	7	40
Italy	44	29	58	118	202	109	69	107	266	210	335
Netherlands	218	257	288	3 157	76	199	239	74	125	260	227
Portugal	645	10	134	4 961	857	1 422	237	35	21	60	50
Spain	148	476	490	2 030	564	939	390	18 095	477	1 442	7 191
Sweden	-	3 601	-	20	24	52	1	16	113	155	46
United Kingdom	105	200	240	186	490	287	356	244	455	452	931
Other developed Europe	35	76	173	255	130	309	245	302	683	759	925
Iceland	-	-	-	-	0	0	0	26	3	-	-
Norway	-	-	48	-	11	-	5	15	3	1	19
Switzerland	35	76	125	255	119	309	240	260	676	758	906
North America	87	2 982	307	1 010	308	710	390	477	461	235	896
Canada	-	10	58	-	11	10	10	5	13	8	33
United States	87	2 972	250	1 010	297	699	380	471	448	226	864
Other developed countries	-	762	-	-	11	9	9	0	4	4	25
Japan	-	762	-	-	11	9	9	0	4	4	25
Developing economies	375	876	749	412	304	437	904	623	1 197	1 932	2 847
Africa	139	248	182	69	27	162	76	190	67	45	150
North Africa	139	248	182	20	27	162	76	179	66	43	134
Algeria	-	-	-	-	20	75	23	1	25	1	1
Egypt	-	-	-	-	1	11	1	0	13	10	85
Libyan Arab Jamahiriya	139	248	182	-	3	6	-	26	24	4	8
Tunisia	-	-	-	20	3	70	52	152	5	28	40
Other Africa	-	-	-	49	-	-	-	10	0	2	16
Gabon	-	-	-	-	-	-	-	10	-	2	-
Mali	-	-	-	-	-	-	-	-	-	-	16
Mauritania	-	-	-	-	-	-	-	-	0	0	1
South Africa	-	-	-	49	-	-	-	-	-	-	-
Latin America and the Caribbean	-	-	-	-	1	-	71	-	3	32	-
Chile	-	-	-	-	-	-	2	-	3	27	-
Panama	-	-	-	-	1	-	69	-	-	5	-
Asia	235	629	567	343	276	275	757	433	1 127	1 856	2 697
West Asia	235	267	192	196	248	275	750	432	1 012	1 542	2 418
Bahrain	17	-	-	-	0	13	-	-	83	0	35
Iraq	-	-	19	-	6	22	7	7	210	137	71
Jordan	9	76	-	-	-	-	1	1	-	5	55
Kuwait	9	10	19	78	33	131	431	17	18	223	1 012
Lebanon	-	-	-	-	0	11	11	9	13	17	66
Qatar	-	-	-	-	-	1	6	0	-	26	50
Saudi Arabia	183	76	86	108	145	87	172	163	354	362	330
Syrian Arab Republic	-	-	-	10	-	0	1	-	1	25	14
Turkey	-	-	-	-	-	0	3	11	3	20	12
United Arab Emirates	17	105	67	-	64	9	118	222	331	728	774
South, East and South-East Asia	-	362	375	147	27	1	6	2	116	314	279
China	-	-	-	-	-	-	-	0	15	1	-
Hong Kong, China	-	-	-	-	-	-	-	-	-	-	13
India	-	76	48	147	-	1	6	-	1	184	20
Indonesia	-	-	-	-	-	-	-	-	-	-	20
Korea, Republic of	-	286	327	-	27	0	0	2	0	-	-
Pakistan	-	-	-	-	-	-	-	-	100	129	226
Unspecified	139	152	182	98	39	5	29	48	90	35	74

Source: UNCTAD, FDI/TNC database based on the Office des Changes, unpublished.

Note: Data refer to gross investments and may not be comparable to those presented in table 3.

Table 11. FDI stocks in the host economy, by industry, 2002-2006
(Millions of dirhams)

Sector / industry	2002	2003	2004	2005	2006
Total	123 327	149 677	163 393	191 939	253 180
Primary	8 450	11 057	9 009	10 441	9 339
Agriculture, hunting, forestry and fishing	1 217	1 262	1 328	1 336	1 363
Agriculture and hunting	420	397	431	434	463
Forestry and Fishing	797	865	897	902	901
Fishing, operation of fish hatcheries and fish farms	797	865	897	902	901
Mining, quarrying and petroleum	7 233	9 795	7 681	9 105	7 976
Secondary	27 858	47 832	54 540	58 915	77 546
Coke, petroleum products and nuclear fuel	3 063	1 278	4 152	4 595	7 971
Non-metallic mineral products	5 018	7 342	8 316	9 408	14 767
Manufacture of non-metallic mineral products n.e.c.	5 018	7 342	8 316	9 408	14 767
Tertiary	75 125	78 070	86 462	108 842	151 253
Construction	2 458	2 351	2 504	2 494	2 505
Trade	4 005	3 962	4 516	4 048	4 684
Transport, storage and communications	43 515	43 318	47 036	65 801	89 703
Transport and storage	4 503	4 468	5 821	8 593	17 466
Supporting and auxiliary transport activities	4 103	4 101	5 414	7 934	16 805
Activities of travel agencies and tour operators	4 103	4 101	5 414	7 934	16 805
Post and communications	39 012	38 851	41 215	57 208	72 237
Telecommunications	39 012	38 851	41 215	57 208	72 237
Finance	8 264	9 614	10 702	12 411	24 273
Financial Intermediation	8 050	9 140	10 252	11 985	22 899
Insurance and Pension Funding	214	475	450	426	1 374
Business activities	13 670	14 544	16 777	18 765	23 894
Real estate	10 618	11 670	13 745	15 489	20 451
Other business activities	3 052	2 875	3 032	3 276	3 443
Business activities n.e.c.	2 943	2 767	2 868	3 109	3 262
Other business activities n.e.c.	2 943	2 767	2 868	3 109	3 262
Other services	3 213	4 280	4 927	5 323	6 193
Unspecified	11 895	12 718	13 383	13 742	15 042

Source: UNCTAD, FDI/TNC database based on the Office des Changes, unpublished.

Table 12. FDI stocks in the host economy, by geographical origin, 2004-2006
(Millions of dirhams)

Region / economy	2004	2005	2006
Total world	163 393	191 939	253 180
Developed countries	143 564	170 008	225 960
Europe	132 244	158 509	213 608
European Union	125 789	152 029	204 585
Belgium / Luxembourg	1 817	1 770	3 940
France	68 830	89 232	125 108
Germany	2 480	3 516	4 545
Italy	1 462	1 695	2 035
Netherlands	5 110	5 307	5 428
Portugal	7 296	7 350	7 351
Spain	31 893	33 890	44 381
Sweden	3 111	5 067	6 930
United Kingdom	3 790	4 203	4 867
Other developed Europe	6 456	6 480	9 023
Switzerland	6 456	6 480	9 023
North America	10 285	10 462	11 312
United States	10 285	10 462	11 312
Other developed countries	1 035	1 036	1 040
Japan	1 035	1 036	1 040
Developing economies	13 263	15 582	18 662
Africa	1 940	2 010	1 985
Libyan Arab Jamahiriya	1 576	1 635	1 568
Tunisia	364	374	417
Asia	11 323	13 573	16 678
West Asia	10 236	12 052	14 894
Iraq	235	393	461
Kuwait	1 487	1 681	2 933
Saudi Arabia	5 077	5 550	6 278
United Arab Emirates	3 437	4 429	5 223
South, East and South-East Asia	1 087	1 520	1 784
India	299	554	562
Korea, Republic of	662	660	655
Pakistan	126	306	566
Unspecified	6 567	6 350	8 558

Source: UNCTAD, FDI/TNC database based on the Office des Changes, unpublished.

Table 14. FDI stocks abroad, by industry, 2002-2006
(Millions of dirhams)

Sector / industry	2002	2003	2004	2005	2006
Total	4 608	4 902	5 551	6 157	11 412
Primary	930	959	965	550	581
Agriculture, hunting, forestry and fishing	20	21	38	37	60
Agriculture and hunting	6	6	25	37	60
Forestry and Fishing	14	15	13	-	-
Fishing, operation of fish hatcheries and fish farms	14	15	13	-	-
Mining, quarrying and petroleum	910	938	927	513	522
Secondary	141	145	84	1 264	1 241
Textiles, clothing and leather	33	35	41	-	-
Non-metallic mineral products	-	-	0	1 215	1 241
Manufacture of non-metallic mineral products n.e.c.	-	-	0	1 215	1 241
Tertiary	3 526	3 787	4 491	4 189	9 404
Trade	9	14	10	-	-
Transport, storage and communications	645	590	588	548	3 160
Transport and storage	146	155	146	197	302
Post and communications	499	435	442	351	2 857
Telecommunications	499	435	442	351	2 857
Finance	1 604	1 860	2 982	2 996	4 673
Insurance and Pension Funding	-	-	-	73	72
Business activities	1 251	1 296	856	645	1 572
Other business activities	1 251	1 296	856	645	1 572
Business activities n.e.c.	1 251	1 296	856	645	1 572
Other business activities n.e.c	1 251	1 296	856	645	1 572
Other services	18	27	56	-	-
Unspecified	11	11	11	153	186

Source: UNCTAD, FDI/TNC database based on the Office des Changes, unpublished.

Table 15. FDI stocks abroad, by geographical destination, 2002-2006
(Millions of dirhams)

Region / economy	2002	2003	2004	2005	2006
Total world	4 608	4 902	5 551	6 157	11 412
Developed countries	3 206	3 549	3 139	2 819	4 033
Europe	2 652	2 948	2 488	2 444	3 688
European Union	2 652	2 948	2 481	2 437	3 681
Belgium	325	338	335	339	358
France	1 782	2 023	1 933	1 409	2 505
Germany	382	397	4	1	1
Italy	5	5	5	5	12
Spain	159	186	197	636	681
United Kingdom	-	-	6	48	125
Other developed Europe	-	-	7	7	7
Switzerland	-	-	7	7	7
North America	554	601	651	374	345
Canada	399	431	412	18	17
United States	155	170	238	357	328
Developing economies	1 209	1 172	1 155	2 288	4 872
Africa	848	813	793	1 941	4 517
North Africa	6	24	18	1 232	1 267
Algeria	0	9	10	3	5
Egypt	-	7	0	1 222	1 233
Tunisia	6	7	8	7	30
Other Africa	842	789	775	709	3 250
Burkina Faso	-	-	-	-	2 451
Cameroon	-	-	-	-	3
Central African Republic	23	24	24	23	24
Congo	-	-	17	17	17
Côte d'Ivoire	9	11	8	2	2
Gabon	96	85	26	25	25
Guinea	85	89	91	88	90
Mali	66	69	71	69	102
Mauritania	462	403	407	355	310
Senegal	101	110	132	130	227
Latin America and the Caribbean	5	5	5	1	1
Brazil	5	5	5	1	1
Asia	356	354	357	347	354
West Asia	10	9	11	1	1
United Arab Emirates	10	9	11	1	1
South, East and South-East Asia	346	346	346	346	353
India	346	346	346	346	353
Unspecified ^a	193	181	1 257	1 050	2 508

Source: UNCTAD, FDI/TNC database based on the Office des Changes, unpublished.

^a includes Morocco's outward FDI stock in the offshore center of Tangiers, Morocco.

Tables 21, 28, 33, 38, 43 and 48. Number, assets, employees, wages and salaries, sales and value added of affiliates of Moroccan TNCs in the United States, 1993-2004
(Number, thousands of employees and millions of dollars)

Table no./Variable	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
21. Number	6	6	6	6	5	5	5	5	4	4	3	1	..	..
28. Assets	68	89	86	84	28	48	49	50	60	61	..	..	..	..
33. Employees	0.1	..	..	..	..	..	..	..	..	..	..	..	..	..
38. Wages and Salaries	3	..	..	..	..	1	1	1	1	1	..	..	..	..
43. Sales	..	..	..	..	3	9	10	11	11	12	..	..	..	..
48. Value added	9	13	7	11	1	29	29	29	29	30	..	..	..	..

Source: UNCTAD, FDI/TNC database. Note: Data are based on information reported by the United States.

Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005

Economy	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	42	37	33	35	39	39	40	43	40	39	22	23	27	30
Italy	..	16	..	23	..	26	..	33	..	..	..	..	..	..
Republic of Korea	..	..	..	..	5	6	7	7	8	8	6	6	5	6
United States	15	14	18	18	19	22	22	22	22	21	21	22	21	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 30. Assets of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005
(Millions of dollars)

Economy	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	186	174	194	349	322	279	418	1 206	1 396	441	..	..	..	..
United States	281	..	..	430	499	..	..	..	..	..	..	..	715	..
United States ^a	146	158	316	385	451	424	416	543	544	482	575	629	647	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

^a Data refer to majority-owned affiliates only.

Table 35. Employment of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005
(Thousands of employees)

Economy	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Belgium	..	..	..	..	..	..	..	..	..	0.3	0.2	0.3	..	..
Germany	7.0	6.0	6.0	6.0	6.0	6.0	7.0	7.0	6.0	6.0	5.0	5.0	6.0	7.0
Italy	..	7.1	..	7.9	..	8.1	..	9.4	..	..	..	..	..	..
Portugal	..	..	..	..	..	..	..	0.7	..	0.5	0.5	..	..	..
Switzerland	..	3.0	3.6	3.3	3.6	4.1	3.7	3.5	3.5	3.2	3.3	3.3	3.3	3.3
United States	2.3	2.3	3.0	3.1	4.1	4.2	3.2	5.2	5.7	5.5	6.0	6.8	7.5	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 40 . Wages and salaries of affiliates of United States TNCs in Morocco, 1994-2005
(Millions of dollars)

Economy	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
United States	..	34	44	52	65	69	53	64	78	69	78	78	105	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Table 45. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005
(Millions of dollars)

Economy	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Belgium	..	..	..	..	143.3	143.2	141.1	143.8	40.2	149.4	170.3	207.7	..	..
France	..	..	..	1 050	1 103	1 132	1 139	1 163	1 482	..	1 499	..	..	..
Germany	256.1	241.9	308.1	279.1	332.3	288.3	511.5	532.7	644.9	536.9	564.7	677.2	869.2	562.9
Italy	..	248.6	..	345.8	..	341.8	..	472.1	..	..	..	..	..	..
Portugal ^a	..	..	..	..	..	..	42.4	42.4	44.0	45.4	58.9	11.4	9.8	..
United States	605	..	..	683	896	994	942	1 038	1 211	1 303	1 311	1 452	1 146	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

^a Data refer to majority-owned affiliates only.

Table 50. Value added ^a of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005
(Millions of dollars)

Economy	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Portugal	24.7	9.0	2.7	..	..
United States	129.0	142.0	163.0	136.0	156.0	111.0	193.0	196.0	207.0	243.0	229.0	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

^a Data refer to majority-owned affiliates only.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars)

Company	Industry	Sales
A. Industrial		
Sté Anonyme Marocaine de l'Industry du Raffinage	Petroleum expl./ref./distr.	2.75
Office Chérifien des Phosphates	Mining	2.37 ^a
Office National de l'Électricité	Electricity/gas/water	1.46 ^a
Maroc Phosphore	Chemical and chemical products	1.34 ^a
Régie des Tabacs	Food products, beverages and tobacco	1.22
Shell Maroc	Electricity/gas/water	0.86 ^a
Société ationale de Sidérurgie	Metal and metal products	0.51
Cie Sucrière Marocaine de Raffinage	Agro-Industry	0.49
Lesieur Cristal	Food products, beverages and tobacco	0.38
Centrale Laitière	Food products, beverages and tobacco	0.36
Lafarge Ciments	Construction materials	0.33
Sté Promotion Indus. Automobile au Maroc	Automobile	0.25
Société Marocaine de Carburants-ZIZ	Petroleum expl./ref./distr.	0.21
Cimentets du Maroc	Building materials	0.21
Indus. Marocaines Modernes	Chemical and chemical products	0.20 ^a
Huileries du Souss	Food products, beverages and tobacco	0.20 ^a
Salam Gaz	Electricity/gas/water	0.20
Renault Maroc	Automobile	0.19 ^a
Afrika Gaz	Electricity/gas/water	0.18
Groupe Managem	Mining	0.18
Maghreb Steel	Metal and metal products	0.17 ^a
Holcim	Building Materials	0.17
B. Tertiary		
Groupe Ona	Diversified group	2.77
Maroc Télécom	Telecommunication	2.18
Royal Air Maroc	Air transport	0.94
Lyonnaise Eaux Casablanca	Water	0.50
Marjane Holding	Retail trade	0.48
Médi Télécom	Telecommunication	0.47
Office National de l'Eau Potable	Electricity/gas/water	0.33 ^a
Office National des Chemins Fer du Maroc	Transportation	0.31
Holding CY Makro Maroc	Retail trade	0.29
Office d'Exploitation des Ports	Ports management	0.27 ^a
Groupe Optorg	Retail trade	0.26
Douja Promotion	Real Estate	0.23
Cie Marocaine de Navigation	Maritime transportation	0.22 ^a
Office National des Aeroports	Airport management	0.17
Grope CFAO Maroc	Diversified group	0.14
Groupe ACIMA	Retail trade	0.14
Barid al Maghrib	Posts	0.14
C. Finance and insurance		
		Assets
RMA Wataniya	Insurance	0.30
Société Centrale de Réassurance	Insurance	0.24
AXA Assurance Maroc	Insurance	0.23
Wafa Assurance	Insurance	0.17
Cie Nord-Africaine International d'Assurances	Insurance	0.12
Es Saada Assurances	Insurance	0.09

Sources: Jeune Afrique Hors-serie No. 14, 2007.

^a 2004.

Table 87. Largest affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company Name	Host Economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
M2M Europe Diverfied Management Services, International Inc	France	Computer and related activities	0.592	2
Air Mauritania	United States	Telecommunications	0.093	1
	Mauritania	Supporting transport activities	..	..
C. Finance and insurance			Assets	Employees
Medicapital Bank Plc	United Kingdom	Finance	..	24

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Air Liquide Maroc Sa	France	Chemicals and chemical products	9 438	240
Nexans Maroc Sa	France	Electrical and electronic equipments	160	520
Unilever Bestfoods Maghreb Sa	United Kingdom	Chemicals and chemical products	131	300
St Microelectronics Maroc Sa	Netherlands	Electrical and electronic equipments	117	4345
Nestle Maroc S A	Switzerland	Food products, beverages and tobacco	99	450
Compagnie Marocaine Des Cartons Et Papiers Sa	United States	Wood and wood products	88	1335
Valeo Cabelec Sa	France	Machinery and equipment	85	1300
Societe Marocaine De Cooperation Pharmaceutique Ka	France	Chemicals and chemical products	83	574
Valeo Bouznika	France	Electrical and electronic equipments	77	1270
Asment Temara Sa	Portugal	Non-metallic mineral products	77	243
Alcatel Maroc S A	France	Electrical and electronic equipments	61	575
Akzo Nobel Coating Sa	Netherlands	Chemicals and chemical products	60	615
Fromagerie Bel Maroc	France	Food products, beverages and tobacco	58	1894
Savola Morocco	Saudi Arabia	Food products, beverages and tobacco	30	105
Bayer Maghreb Sa	Germany	Chemicals and chemical products	28	100
Societe De Derives Du Sucre Sa	France	Food products, beverages and tobacco	24	200
Compagnie Industrielle Des Fibres Sa	France	Textiles and clothing	23	400
Colgate Palmolive Maroc Sa	United States	Machinery and equipment	22	208
B. Tertiary				
Renault Maroc Sa	France	Wholesale trade	200	232
Telyco Maroc Sa	Spain	Wholesale trade	106	20
Scania Maroc Sa	Sweden	Wholesale trade	34	103
Bymaro Sa	France	Construction	31	3500
Wafasalaf Sa	France	Wholesale trade	30	70
Kraft Food Maroc Sa	United States	Wholesale trade	21	164
Societe Africaine De Vernis Et Laques Sa	Netherlands	Wholesale trade	20	110
Ibm Maroc Sa	United States	Wholesale trade	17	100
Gonvarri Industrial Maroc Sarl	Spain	Wholesale trade	16	70
Societe Pharmaceutique Du Detroit Sa	France	Wholesale trade	14	70
Societe D'Importation Et Representation De Materiel Electrique Sa	France	Wholesale trade	13	71
Group 4 Falck Maroc Sa	United Kingdom	Other business activities	13	1899
Thomson Multimedia Maroc Sa	India	Wholesale trade	12	41
Nouvelle Societe Magideutz Sa	Germany	Wholesale trade	11	40
Alcatel Telecom Maroc Sa	France	Telecommunications	11	153
Bull Maroc S A	France	Wholesale trade	10	50
Maersk Logistics Maroc Sa	Denmark	Supporting transport activities	9	65
Crouzet Maroc Sa	France	Public administration	7	600
C. Finance and insurance			Assets	Employees
Societe Generale Marocaine Des Banques Sa	France	Finance	184.537	2000
Banque Marocaine Pour Le Commerce Et L' Industrie	France	Finance	181.85	1300

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

Morocco is quite open to FDI. It has adopted a number of national, bilateral and multilateral legal instruments to regulate the activities of transnational corporations and foreign direct investors. Among the key legal instruments operational in the country are:

I. National framework

Moroccan Law of 1916 Chapter Three: Patents of Invention.

Source: Abu-Ghazaleh Intellectual Property/Arab World <http://www.agip.com>

Dahir promulgating Law No. 1-73-408 of 13 August 1973.

Source: Bulletin Officiel No. 3940 of 4 May 1988.

Dahir promulgating Law No. 1-73-409 of 13 August 1973. The Handicraft Investment Code.

Source: Bulletin Officiel No. 3940 of 4 May 1988.

Law No. 1-76-385 of 17 December 1976 on The Moroccan Center for the Promotion of Exports. *Source:* Bulletin Officiel No. 3350 of 12 January 1977.

Dahir portant loi n°1-77-339 du 25 chaoual 1397 (9 octobre 1977) approuvant le code des douanes ainsi que des impôts indirects relevant de l'administration des douanes et impôts indirects, tel qu'il a été modifié et complété par la suite et par la loi n°02-99 promulguée par le dahir n° 1-00-222 du 2 rabii I 1421 (5 juin 2000).

Source : Bulletin officiel n°3389 Bis du 13/10/1977. Bulletin officiel n°4804 du 15/06/2000.

Law No. 1-83-134 of 3 June 1983 on the Investment Code.

Source: Bulletin Official of 15 June 1983.

Dahir No. 1-83-134 promulgating Law No. 20-82. The Tourism Investment Code.

Source: Bulletin Official No. 3685 of 15 June 1983.

Dahir No. 1-83-107- Promulgating Law No. 21-82 . The Maritime Investment Code.

Source: Bulletin Officiel No. 3775 of 6 March 1985.

Dahir No. 1-85-100 promulgating Law No. 15-85. The Real Estate Investment Code.

Source: Bulletin Officiel No. 3799 of 21 August 1985.

Loi n°24-86 instituant l'impôt sur les sociétés du 31 décembre 1986.

Source : Bulletin officielle n°3873 du 21 janvier 1987.

Law No. 24-86 of 31 December 1986 introducing the Company Tax.

Source: Bulletin Officiel of 21 January 1987.

Dahir No. 1-86-1 promulgating Law No. 1-84. The Mining Investment Code.

Source: Bulletin Officiel No. 3875 of 4 February 1987.

Circular No. 1504 of 1 March 1988 concerning Foreign Investment

Source: Office des Changes (Office of Exchange Control), Rabat.

Dahir promulgating Law No. 01-88.

Source: Bulletin Officiel No. 3940 of 4 May 1988.

Dahir No. 1-88-14 of 4 May 1988 promulgating Law No. 02-88

Source: Bulletin Officiel No. 3940 of 4 May 1988.

Dahir No. 1-88-17 promulgating Law No. 05-88.

Source: Bulletin Officiel No. 3940 of 4 May 1988.

Dahir No. 1-88-18 promulgating Law No. 06-88.

Source: Bulletin Officiel No. 3940 of 4 May 1988 and Decree No. 2-88-484. *Source:* Bulletin Officiel No. 3955 of 17 August 1988.

Dahir No. 1-88-19 promulgating Law No. 07-88.

Source: Bulletin Officiel No. 3940 of 4 May 1988.

Dahir No. 1-88-20 promulgating Law No. 08-88.

Source: Bulletin Officiel No. 3940 of 4 May 1988.

Dahir No. 01-88- promulgating the Finance Law for 1989, further amending Law No. 1-73-408 of 13 August 1973.

Source: Bulletin Officiel No. 3975 of 4 January 1989 and in Investment Codes of North Africa: Morocco, by E. de Brauw (English translation).

Law No. 39-89 authorizing the transfer of public enterprises to the private sector, promulgated by Dahir No. 1-90-01 of 11 April 1990.

Source: World Bank, Technical Paper No. 186, "Divestiture of State Enterprises". An overview of the legal framework.

Dahir n°1-90-01 du 15 ramadan 1410 (11 avril 1990) portant promulgation de la loi n°39-89 autorisant le transfert d'entreprises publiques au secteur privé.

Source : Bulletin officiel n°4042 du 22 ramadan 1410 (18 avril 1990).

Decree No. 2-90-402 taken pursuant to article 5 of law No. 39-89, authorizing the transfer of public enterprises to the private sector of 16 October 1990.

Source: World Bank, Technical Paper No. 186, "Divestiture of State Enterprises". An overview of the legal framework.

Decree No. 2-90-403 on the powers of the minister charged with implementing the transfer public enterprises to the private sector of 16 October 1990.

Source: World Bank, Technical Paper No. 186, "Divestiture of State Enterprises". An overview of the legal framework.

Decree No. 2-90-577 issued in application of article 7 of law No. 39-89 of 16 October 1990.

Source: World Bank, Technical Paper No. 186, "Divestiture of State Enterprises". An overview of the legal framework.

Decree No. 2-90-578 setting the Working Conditions of the Transfer Commission provided for article 2 of law No. 39-89, authorizing the transfer of public enterprises to the private sector of 16 October 1990.

Source: World Bank, Technical Paper No. 186, "Divestiture of State Enterprises". An overview of the legal framework.

Dahir No. 1-91-131 of 26 February 1992 promulgating Law No. 58-90 on Off-shore Financial Centres and Off-shore Zone of Tangier.

Source: Bulletin Officiel of 26 February 1992.

Circulaire n°1589 du 15 Septembre 1992 (17 Rabii I 1413) relative au Régime de convertibilité en faveur des investissements étrangers.

Source : office des changes.

Décret n°2-93-415 du 11 moharrem 1414 (2 juillet 1993) pris pour l'application de la loi n° 13-89 relative au commerce extérieur.

Source : Bulletin officiel n°4212 du 30 moharrem 1414 (21 juillet 1993).

Law No. 9-94, on the Protection of New Varieties of Plants, 1994, enacted 1997.

Source: WIPO (<http://www.wipo.org>).

Dahir No. 1-95-110 of 27 Moharrem 1416 (26 June 1995) promulgating Law No. 26-93 amending Law No. 17-82 on The Industrial Investment Code.

Source: Bulletin Officiel No. 4318 of 4 Rabii I 1416 (2 August 1995).

Dahir n°1-95-5 du 24 chaabane 1415 (26 janvier 1995) portant promulgation de la loi n°36-93 modifiant et complétant la loi n°58 90 relative aux places financières offshore.

Source : Bulletin officiel n°4294 du 15 ramadan 1415 (15 février 1995).

Law No. 15-95, Establishing a Commercial Code, 1995.

Source: WIPO (<http://www.wipo.org>).

Dahir No. 1-95-213 of 14 Joumada II 1416 (8 November 1995) on the Promulgation of Law No. 18-95. The Investment Charter.

Source: Bulletin Officiel (Official Gazette) No. 4336-13 Rejeb 1416 (6 December 1995).

Décret n°2-95-562 du 19 rejeb 1416 (12 décembre 1995) pris pour l'application de la loi n°19-94 relative aux zones franches d'exportation.

Source : Bulletin officiel n°4338 du 27 rejeb 1416 (20 décembre 1995).

Loi n°15-95 formant code de commerce du 1^{er} août 1996.

Source : Bulletin officiel n°4418 du 19 joumada I 1417 (3 octobre 1996).

Patent Law No.17/97 published in Official Gazette on 9 March 2000.

Source: Abu-Ghazaleh Intellectual Property/Arab World<http://www.agip.com>

Dahir n°1-97-63 du 4 chaoual 1417 (12 février 1997) portant promulgation de la loi n°3-96 modifiant et complétant la loi n°13-89 relative au commerce extérieur.

Source : BO N°4482 du 15.05. 1997.

Décret n°2-97-771 du 25 joumada II 1418 (28 octobre 1997) fixant le nombre, le siège et le ressort des tribunaux de commerce et des cours d'appel de commerce.

Source : Bulletin officiel n°4532 du 5 rejeb 1418 (6 novembre 1997).

Circulaire n°1650 du 27 octobre 1997 (24 Joumada II 1418) relative aux transferts des économies sur revenus des étrangers résidents.

Source : office des changes.

Decree No. 2-98-520 of 30 June 1998 on Corporate Tax completed by Decree No. 2-99-242 of 30 June 1999.

Sources: Ministry of Economy and Finances, Department of Foreign Investments Official Bulletin No. 4,599 bis of 1 July 1998; Official Bulletin No. 4,704 of 1 July 1999.

Dahir n°1-99-131 du 26 moharrem 1420 (13 mai 1999) portant promulgation de la loi n°34-98 modifiant et complétant la loi n° 39-89 autorisant le transfert d'entreprises publiques au secteur privé.

Source : Bulletin officiel n°4692 du 4 safar 1420 (20 Mai 1999).

Dahir n°1-99-132 du 26 moharrem 1420 (13 mai 1999) portant promulgation de la loi n° 35-98 complétant et modifiant le décret n°2-90-402 du 25 rabii I 1411 (16 octobre 1990) pris sur le fondement de

l'habilitation prévue par l'article 5 de la loi n°39-89 autorisant le transfert d'entreprises publiques au secteur privé.

Source : Bulletin officiel n°4692 du 4 safar 1420 (20 mai 1999).

Décret n°2-99-125 du 27 moharrem 1420 (14 mai 1999) complétant le décret n°2-90-577 du 25 rabii 11411 (16 octobre 1990) pris pour l'application de l'article 7 de la loi n°39-89 autorisant le transfert d'entreprises publiques au secteur privé.

Source : Bulletin officiel n° 4692 du 4 safar 1420 (20 Mai 1999).

Decree No. 1.00.20 issued on 9 Dhul-Qada 1420 (15 February 2000) Of executing Law No. 2-00 related to copyrights and the neighboring rights.

Source: Abu-Ghazaleh Intellectual Property/Arab World<http://www.agip.com>

Dahir n°1-00-19 du 9 kaada 1420 (15 février 2000) portant promulgation de la loi n°17-97 relative à la protection de la propriété industrielle.

Source : Bulletin officiel n°4778 du 9 hija 1420 (16 mars 2000).

Decree No. 1.00.19 issued on 9 Dhul-Qada 1420 (February 15, 2000) Of executing Law No. 17.97 related to Industrial Property Protection.

Source: Abu-Ghazaleh Intellectual Property/Arab World<http://www.agip.com>

Copyright Law (Thaheer Sherief No. 1.00.20 dated 15 February, 2000) published in Official Gazette on May 18, 2000.

Source: Abu-Ghazaleh Intellectual Property/Arab World<http://www.agip.com>

Dahir n°1-00-225 du 2 rabii I 1421 (5 juin 2000) portant promulgation de la loi n°06-99 sur la liberté des prix et de la concurrence.

Source : Bulletin officiel n°4810 du 3 rabii I 1421 (6 juillet 2000).

Dahir n°1-00-20 du 9 kaada 1420 (15 février 2000) portant promulgation de la loi n°2-00 relative aux droits d'auteur et droits voisins.

Source : Bulletin officiel n°4810 du 3 rabii II 1421 (6 juillet 2000).

Décret n°2-00-280 du 17 rabii I 1421 (20 juin 2000) modifiant et complétant le décret n°2-97-771 du 25 jourmada II 1418 (28 octobre 1997) fixant le nombre, le siège et le ressort des tribunaux de commerce et des cours d'appel de commerce.

Source : Bulletin officiel n°4810 du 3 rabii II 1421 (6 juillet 2000).

Law No. 2-00 for copyright and neighbouring rights.

Source: Abu-Ghazaleh Intellectual Property/Arab World<http://www.agip.com>.

Décret n°2-00-895 du 6 Kaada 1421 (31 janvier 2001) pris pour l'application des articles 17 et 19 de la loi cadre n°18-95 formant charte de l'investissement.

Source : Bulletin officiel n°4874 du 21 Kaada 1421 (15 février 2001).

Article 5 de la loi de finances 2001 : exonérations fiscales au profit d'investisseurs réalisant un montant d'investissement dépassant 200 millions de dirhams, octroyées dans le cadre d'une convention à conclure avec l'Etat.

Lettre royale au Premier Ministre relatif à la gestion déconcentrée de l'investissement.

Source : Bulletin officiel n°4970 du 3 Kaada 1422 (17 janvier 2002).

Décret n°2-02-9 du 6 jourmada I 1423 (17 juillet 2002) modifiant et complétant le décret n°2-77-862 du 25 chaoual 1397 (9 octobre 1977) pris pour l'application du code des douanes et impôts indirects.

Source : Bulletin officiel n°5030 du 6 jourmada II 1423 (15 août 2002).

II. International framework

A. Morocco is a party to the following multilateral and regional instruments:

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 10 June 1958, Entered into force on 7 June 1959.

Convention on the Settlement of Investment Disputes Between States and Nationals of Other States of 18 March 1965; entered into force on 14 October 1966.

Convention Establishing the Inter-Arab Investment Guarantee Corporation of May 1971; entered into force in April 1974.

Agreement for the Promotion, Protection and Guarantee of Investment Among Member States of the Organization of Islamic Conference, of 1 June 1981; entered into force on 23 September 1986.

Unified Agreement for the Investment of Arab Capital in the Arab States of 1982.

Articles of Agreement of the Islamic Corporation for the Insurance of Investment and Export Credit of 19 February 1992. Entered into force on 1 August 1994.

Paris Convention for Protection of Industrial Property of 20 March 1883, (revised at Brussels on 14 December 1900, Washington on 2 June 1911, the Hague on 6 November 1925, London on 2 June 1934, Lisbon on 31 October 1958, Stockholm on 14 July 1967, and as amended on 2 October 1979), signed in 1984.

The General Agreement on Trade in Services, signed on 15 April 1994; in force on 1 January 1995.

The Fourth Protocol to the General Agreement on Trade in Services of 15 February 1997.

The Fifth Protocol to the General Agreement on Trade in Services of 12 December 1997.

The Agreement on Trade-Related Aspects of Intellectual Property Rights, signed on 15 April 1994; in force on 1 January 1995.

Convention Establishing the Multilateral Investment Guarantee Agency of 11 October 1985; entered into force on 12 April 1988.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Germany 1961, Belgium/Luxembourg 1965, Netherlands 1971, France 1975, Gabon 1979, Kuwait 1980, Romania 1981, United Arab Emirates 1982, Libyan Arab Jamahiriya 1984, Switzerland 1985, United States 1985, Portugal 1988, Iraq 1990, Italy 1990, Sweden 1990, United Kingdom 1990, Hungary 1991, Austria 1992, Greece 1994, Poland 1994, Romania 1994, Tunisia 1994, China 1995, Argentina 1996, Bulgaria 1996, France 1996, Chad 1997, Egypt 1997, Indonesia 1997, Lebanon 1997, Spain 1997, Turkey 1997, Jordan 1998, Belgium/Luxembourg 1999, El Salvador 1999, India 1999, Korea, Republic of 1999, Kuwait 1999, Qatar 1999, Sudan 1999, United Arab Emirates 1999, Bahrain 2000, Libyan Arab Jamahiriya 2000, Mauritania 2000, Czech Republic 2001, Finland 2001, Germany 2001, Iran, Islamic Republic of 2001, Oman 2001, Pakistan 2001, Senegal 2001, Syrian Arab Republic 2001, Ukraine 2001, Yemen 2001, Dominican Republic 2002, Guinea 2002, Malaysia 2002, Denmark 2003, Benin 2004, Croatia 2004, Gabon 2004, United States of America 2004, Equatorial Guinea 2005, Central African Republic 2006, Gambia 2006, Senegal 2006, Burkina Faso 2007, Cameroon 2007.

2. Bilateral treaties for the avoidance of double taxation: Sweden 1961, France 1970, Belgium 1972 and 2006, Germany 1972, Italy 1972, Norway 1972, Finland 1973, Tunisia 1974, Canada 1975, Netherlands 1977, United States 1977, Spain 1978, Italy 1979, Greece 1980, Luxembourg 1980, Romania 1981, United Kingdom 1981, Denmark 1984, Libyan Arab Jamahiriya 1984, Egypt 1989, France 1989, Algeria 1990,

Hungary 1991, Switzerland 1993, Poland 1994, Bulgaria 1996, Portugal 1997, Russian Federation 1997, India 1998, Korea, Republic of 1999, United Arab Emirates 1999, Bahrain 2000, Spain 2000, Finland 2001 and 2006, China 2002, Senegal 2002, Austria 2002, Lebanon 2002, Senegal 2002, Turkey 2004, Jordan 2005, Syrian Arab Republic 2005, Côte d'Ivoire 2006, Pakistan 2006, Qatar 2006, Yemen 2006.

C. Other treaties:

Euro-Mediterranean Agreement establishing association with the European Communities and their member states (1976 and 1996).

Free trade agreement with the European Free Trade Association (EFTA) states (1997).

Free trade agreement with the United States of America (2004).

Free Trade Agreement with Turkey (2004).

D. Sources of information

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Mozambique

A. Definitions and sources of data

In Mozambique, foreign direct investment (FDI) is defined as any form of foreign capital contribution, valuables in monetary terms which constitutes own equity capital or resources at the own account and risk of foreign investor brought from external sources and to be used in an investment project for carrying out an economic activity, through a company registered in Mozambique and operating in Mozambican territory (Law of Investment – Law No. 3/93). The data on FDI are collected by Bank of Mozambique and the Centro de Promocao de Investimentos (CPI). The International Monetary Fund also reports the country's FDI flow data in its balance-of-payments statistics.

The Law 4/84 and the Direct Investment Order of January 1987 set the basic framework for foreign investment. In June 1993, a new investment code was approved, simplifying procedures for investment proposals and streamlining the decision process. The country adopted a separate code for petroleum and mining industries. The CPI offers a comprehensive service in support of foreign investors wishing to invest anywhere in the country. It acts as a one-stop shop. Companies established under the Investment Code must get authorization from the CPI and register their investment at the Ministry of Finance and the Bank of Mozambique. Regulations governing business operations include labour and tax laws and investment incentives such as the ability to remit profits. The CPI has increasingly tried to co-ordinate sectoral efforts to clarify the investment environment, stressing the country's position as a "gateway to Southern Africa". Additionally, the CPI processes and offers privileged access to a range of sectoral activities, providing exemptions from import and export duties and income, and from profit and sales taxes with the exception of a reasonable royalty on turnover.

As a means of boosting private sector activities and FDI, Mozambique has made significant efforts to upgrade its infrastructure. The massive effort in the Maputo corridor is an important project given the close economic ties between Mozambique and South Africa and the potential benefits of improved bilateral transport links. It is hoped that the combination of better road, rail and port services will serve as a catalyst for secondary development along the whole corridor. In the telecommunications sector, some services have been upgraded.

Mozambique signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 4 April 1995 and other market access-enhancing measures to improve its attractiveness to FDI. Since the end of the civil war in 1992, it has forged good relations with the United States, Japan and most European countries. Mozambican foreign policy is now largely focused on South Africa, other members of the Southern African Development Community, the Common Market for Eastern and Southern Africa, the African Union, New Partnership for Africa's Development, western donors and Portugal. Mozambique is eligible for trade and investment initiatives including the United States' market access initiative for African - the African Growth and Opportunity Act, the European Union's (EU) Everything But Arms initiative, and the Cotonou agreement for renegotiating the partnership links between the African, Caribbean and Pacific countries with the EU under the Lomé Convention. Mozambique is a member of the World Trade Organization.

B. Statistics on FDI and the operations of TNCs**Table 1. Summary of FDI**
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	210.7	0.1
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	14.9	0.0
3. FDI stocks, 2006	4 775	- 1
4. FDI stocks as a percentage of GDP, 2006	65.4	0.0

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	..	..	..	4.4	..	..	..	..
1981	..	..	..	0.4	..	..	..	..
1982	..	..	..	1.9	..	..	..	..
1983	..	..	..	2.5	..	..	..	..
1984	..	..	..	- 2.9	..	..	..	..
1985	..	..	..	0.3	..	..	..	..
1986	1.5	..	..	1.5	..	..	..	..
1987	6.2	..	..	6.2	..	..	..	..
1988	4.5	..	..	4.5	..	..	..	..
1989	3.4	..	..	3.4	..	..	..	0.9
1990	9.2	..	..	9.2	..	..	..	..
1991	22.5	..	..	22.5	..	..	..	..
1992	25.3	..	..	25.3	..	..	..	..
1993	32.0	..	..	32.0	..	..	..	0.1
1994	35.0	..	..	35.0	..	..	..	- 0.0
1995	45.0	..	..	45.0	..	..	..	0.2
1996	72.5	..	..	72.5	..	..	..	- 0.1
1997	64.4	..	..	64.4	..	..	..	- 0.1
1998	234.9	..	..	234.9	..	..	..	- 2.3
1999	381.7	..	..	381.7	..	..	..	0.1
2000	139.2	..	..	139.2	..	..	..	0.2
2001	255.4	..	..	255.4	..	..	..	- 0.0
2002	347.3	..	0.2	347.3	..	..	..	- 0.1
2003	336.7	..	..	336.7	..	..	..	- 0.2
2004	234.6	0.0	10.1	244.7	..	..	..	- 0.1
2005	59.8	0.0	48.1	107.9	..	..	..	0.2
2006	111.8	77.2	- 35.2	153.7	..	..	..	0.4

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the OECD for 1980-1985 and the Banco de Moçambique thereafter. Data for outflows are from the Banco de Moçambique for 2003-2004. Data for 1989 and 1993-2004 are proxy data based on investments reported by the following economies: France, 1989 and 1995; Belgium and Luxembourg, 1993-1994; Portugal, 1996-1997 and 1999-2004; Germany and Portugal, 1998.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1980	..	..	..	854.5	..	..	..	..
1981	..	..	..	854.9	..	..	..	..
1982	..	..	..	856.8	..	..	..	..
1983	..	..	..	859.3	..	..	..	..
1984	..	..	..	856.4	..	..	..	..
1985	..	..	..	856.7	..	..	..	..
1986	..	..	..	858.2	..	..	..	1.0
1987	..	..	..	864.4	..	..	..	2.0
1988	..	..	..	868.9	..	..	..	3.0
1989	..	..	..	872.3	..	..	..	0.9
1990	..	..	..	881.5	..	..	..	0.9
1991	..	..	..	904.0	..	..	..	0.9
1992	..	..	..	929.3	..	..	..	0.9
1993	..	..	..	961.3	..	..	..	1.0
1994	..	..	..	996.3	..	..	..	1.0
1995	..	..	..	1 041.3	..	..	..	1.2
1996	..	..	..	1 113.8	..	..	..	1.0
1997	1 178.2	..	..	1 178.2	..	..	..	1.0
1998	1 413.1	..	..	1 413.1	..	..	..	- 1.4
1999	1 794.9	..	..	1 794.9	..	..	..	- 1.2
2000	1 934.1	..	..	1 934.1	..	..	..	- 1.0
2001	2 189.5	..	..	2 189.5	..	..	..	- 1.0
2002	3 573.1	..	..	3 573.1	..	..	..	- 1.1
2003	4 126.2	..	..	4 126.2	..	..	..	- 1.3
2004	4 360.7	..	10.1	4 370.9	..	..	..	- 1.3
2005	4 420.5	..	200.5	4 621.0	..	..	..	- 1.1
2006	4 609.5	..	165.2	4 774.8	..	..	..	- 0.7

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock prior to 1997 are estimated by accumulating inflows since 1970. From 1997 onwards, data are from the Banco de Moçambique. Data for outward stock are estimated by accumulating inflows since 1989.

Table 5. FDI flows in the host economy, by industry, 1996-2006
(Millions of dollars)

Sector / industry	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total	255.4	347.3	336.7	244.7	107.9	153.7
Primary	6.0	71.5	198.2	181.7	53.2	95.6
Agriculture, hunting, forestry and fishing	6.0	29.2	24.8	8.6	26.7	- 9.3
Forestry and Fishing	1.7	1.9	9.9	6.9	19.5	- 2.5
Fishing, operation of fish hatcheries and fish farms	1.7	1.9	9.9	6.9	19.5	- 2.5
Mining, quarrying and petroleum	-	42.3	173.5	173.2	26.4	104.8
Secondary	194.1	212.3	108.9	4.7	- 10.9	47.5
Tertiary	55.3	63.5	29.5	58.2	65.6	10.6
Electricity, gas and water	1.2	53.0	11.3	-	2.5	0.4
Construction	10.6	4.4	2.3	10.9	8.1	- 2.8
Trade	-	-	-	5.9	10.4	9.5
Hotels and restaurants	2.9	2.2	0.3	2.3	10.8	4.5
Transport, storage and communications	-	-	0.8	29.3	23.5	6.7
Transport and storage	-	-	-	-	25.2	-
Finance	-	-	6.1	7.6	1.9	- 7.4
Business activities	21.1	2.7	1.1	1.4	7.3	- 0.4
Public administration and defence	-	-	-	-	0.1	-
Education	-	-	-	-	1.3	-
Health and social services	-	-	-	-	- 0.2	-
Community, social and personal service activities	19.6	1.2	7.7	0.9	-	0.0
Unspecified	-	-	-	-	-	-

Source: UNCTAD, FDI/TNC database based on the Banco de Moçambique, *unpublished*.

Note: Transport and storage refer to railways and shipping (ports).

Table 6. FDI flows in the host economy, by geographical origin, 1996-2006
(Millions of dollars)

Region / economy	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total world	244.7	107.9	153.7
Developed countries	24.8	53.2	2.5
Europe	24.8	54.7	1.7
European Union	24.6	50.8	1.9
Austria	-	0.2	0.0
France	1.3	19.1	- 1.4
Netherlands	0.1	-	4.0
Portugal	13.0	20.3	- 13.5
Spain	0.0	0.6	-
United Kingdom	10.1	10.7	12.7
Other developed Europe	0.2	3.9	- 0.2
Norway	0.0	0.0	0.0
Switzerland	0.2	3.9	- 0.3
North America	0.1	- 1.6	2.0
United States	0.1	- 1.6	2.0
Other developed countries	-	-	- 1.1
Japan	-	-	- 1.1
Developing economies	209.7	44.9	158.9
Africa	86.6	25.4	146.2
Malawi	-	2.1	0.4
Mauritius	79.6	8.0	30.0
Reunion	2.8	1.3	- 0.0
South Africa	4.1	12.2	113.8
Swaziland	-	1.3	2.1
Zimbabwe	-	0.6	- 0.1
Latin America and the Caribbean	122.8	6.9	12.5
South America	122.8	-	6.5
Brazil	122.8	-	6.5
Caribbean and other America	-	6.9	6.0
Bahamas	-	5.6	5.6
British Virgin Islands	-	1.3	0.4
Asia	0.3	12.6	0.2
West Asia	0.3	-	-
United Arab Emirates	0.3	-	-
South, East and South-East Asia	0.1	12.6	0.2
India	0.1	12.6	-
Singapore	-	-	0.2
Unspecified	10.1	9.8	- 7.6

Source: UNCTAD, FDI/TNC database based on the Banco de Moçambique, *unpublished*.

Table 9. FDI flows abroad, by geographical destination, 1996-2006
(Millions of dollars)

Economy	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Brazil	-	-	-	-	-	-	-	-	-	-	-	-	-	0.1	0.0
Bulgaria	-	-	-	-	-	-	-	-	-	-	-	-	-	0.1	-
France	-	-	-	-	-	-	-	-	-	-0.9	-	-	-	-	-
Germany	-	-	-	-	-	-	-1.1	-	-	-	-	-	-	-	-
Portugal	-	-	-	-	-0.1	-0.1	-0.1	0.1	0.2	-0.0	-0.1	-0.2	-0.1	-0.2	-0.8

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1996-2006
(Millions of dollars)

Economy	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Brazil	-	-	-	-	-	-	-	-	-	-	-	0.1	-	-	-
China	-	-	-	-	-	-	-	-	-	-	-	2.4	5.6	14.7	-
Denmark	-	-	-	-	-	-	-	-	-	-	-	-	-	0.2	-0.2
Malaysia	-	-	-	-	-	0.5	1.3	5.2	9.1	9.1	9.1	9.1	9.1	9.3	-
Portugal	-	-	-	-	84.8	107.2	458.5	452.1	421.5	403.6	415.3	430.7	475.4	-	-
South Africa	-	-	-	-	-	-	-	-	-	339.5	798.1	763.7	780.8	724.7	764.8
United Kingdom	22.7	20.7	12.5	32.6	11.9	-	-	-	-	-	-	-	-	-	-
United States	-	-	1.0	2.0	3.0	4.0	5.0	1.0	3.0	8.0	12.0	13.0	-	-	7.0

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1996-2006
(Millions of dollars)

Economy	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Malawi	-	-	-	-	-	-	-	-	3.9	2.6	0.7	0.6	5.4	-	-
Portugal	-	-	-	-	0.4	0.4	0.5	1.0	0.9	0.9	1.0	1.3	1.4	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004

Economy	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Italy	1	..	1	..	1	..	2	..	..	..	..	..	..	..
United States	..	..	..	1	1	1	1	1	2	2	3	3	2	1

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 30, 40 and 50. Assets, wages and salaries and value added of affiliates of United States TNCs in Mozambique, 1993-2004
(Millions of dollars)

Table no./Variable	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
30. Assets	8	8	..	11	..	..	53	54	..	..
40. Wages and salaries	4	4	..	..
50. Value added ^a	3	3	3	2	2	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Table 35. Employment of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004
(Thousands of employees)

Economy	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Italy	0.8	..	0.8	..	0.8	..	1.1	..	..	..	..	..	..	..
United States	..	..	..	0.1	0.1	0.1	..	..	..	..	0.6	0.6	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 45. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004
(Millions of dollars)

Economy	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Italy	4.0	..	3.2	..	3.7	..	15.3	..	..	..	..	..	..	..
United States	..	..	..	..	14.0	16.0	..	20.0	..	..	92.0	81.0	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars)

Company	Industry	Sales
A. Industrial		
Cervejas de Moçambique	Food, beverages and tobacco	0.11
B. Tertiary		
Mcell Mozambique	Telecommunications	0.13
Telecomunicações de Moçambique	Telecommunications	0.09
C. Finance and Insurance		
..	..	Assets
..

Source: Jeune Afrique Hors-serie No. 14, 2007.
^a 2004.

Table 87. Largest affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company Name	Host economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
Linhas Aereas De Mozambique	Italy	Transport	..	..
C. Finance and Insurance				
..	..	..	Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Cimentos De Mocambique Sarl	Portugal	Non-metallic mineral products	1 773.8	5
Electricidade De Mocambique E P	France	Electricity, gas and water	170.0	3 176
Mocambique Leaf Tobacco Importacao E Exportacao Limitada	United States	Food, beverages and tobacco	50.0	..
Companhia Industrial Do Monapo Lda	Portugal	Food, beverages and tobacco	14.4	150
Cimbetao - Cimpor Betao Mozambique Sarl	Portugal	Non-metallic mineral products	9.0	22
Entrepoto Frigorifico De Pesca De Mozambique Lda	Japan	Forestry and fishing	7.4	10
Exploracoes Mineiras De Mocambique Limitada	United Kingdom	Mining and quarrying	2.9	50
Colgate Palmolive Mocambique L D A	United States	Chemicals & chemical products	5.0	..
Cervejas De Mocambique Sarl	United Kingdom	Food, beverages and tobacco	..	..
Sasol Petroleum Temane Limitada	South Africa	Petroleum	..	..
Parmalat Mocambique Produtos Alimentares Lda	Italy	Food, beverages and tobacco	..	140
Parmalat Sarl Central Leteira De Maputo	Italy	Food, beverages and tobacco	..	120
Mocambique Farms Lda	Mauritius	Food, beverages and tobacco	..	106
Steeladale Mocambique Lda	South Africa	Machinery and equipment	..	36
E C L Servicos Ltda	Canada	Machinery and equipment	..	30
B. Tertiary				
Siemens Limitada	Germany	Wholesale trade	..	21
Abb Tecnel Lda	Switzerland	Other services	..	60
Hotel Tivoli Hostelaria E Servicos Lda	Portugal	Hotels and Restaurants	446.8	30
J L M Industries Lda	South Africa	Distributive trade	32.0	..
Opca-Obras Publicas E Cimentos Armados SA	Portugal	Construction	9.3	500
Teixeria Duarte Engenharia E Construccoes (Mocambique) Lda	Portugal	Construction	8.0	..
Soares Da Costa Mocambique S A R L	Bahamas	Research and development	6.4	300
Ferromocambique Comercio E Industria De Fernando Pinho Teixeira Limitada	Portugal	Wholesale trade	6.4	17
Soares Da Costa Mocambique Sarl	Bahamas	Construction	6.0	200
Engil Mocambique Lda	Portugal	Construction	4.0	700
Sociedade Mocambicana Do Acumulador Tudor SARL	Portugal	Wholesale trade	3.5	180
Sociedade Geral De Empreitadas Lda	Spain	Construction	2.0	570
Aquatec Lda	Portugal	Wholesale trade	1.1	22
Enop - Engenharia E Obras Publicas Lda	Portugal	Research and development	1.0	60
Macaloe Lda	Portugal	Public administration	0.8	150
C. Finance and Insurance			Assets	Employees
Banco Internacional De Mocambique S A R L	Portugal	Finance	26.9	528
Impar - Companhia De Seguros De Mocambique SARL	Portugal	Insurance	..	125

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

I. National Framework

Mozambique has adopted a number of national, bilateral and multilateral legal instruments to regulate the activities of transnational corporations and foreign direct investors. The main legal instruments applicable in the country include:

Petroleum Law (Law no. 3/81, of 3 October 1982).

Mining Law (Law no. 2/86, of 16 May 1986; with changes approved by Law no. 5/94, of 13 September 1994).

Law no. 15/91, of 3 August 1991, establishing norms for restructuring, transformation and re-dimensioning of the state enterprise sector, including privatisation, sale of enterprises, establishments and shareholdings of the state.

Decree no. 27/91, of 21 November, establishing an Inter-ministerial Commission for Enterprise Restructuring of 21 November 1991.

Source: World Bank, Technical Paper no. 186, "Divestiture of State Enterprise". An overview of the legal framework.

Law of Investment (Law no. 3/93, of 24 June 1993) and Regulations of the Law on Investment (Decree no. 14/93, of 21 June; with changes approved by Decree no. 36/95, of 8 August 1995).

Code of Fiscal Benefits for Investments in Mozambique (Decree no. 12/93, of 21 July 1993; with changes approved by Decree no. 37/95, of 8 August 1995).

Exchange Law (Law no. 3/96, of 4 January 1996) and Regulation of the Exchange Law (Notice no. 5/GGBM/96).

Land Law (Law no. 19/97, of 1 October 1997) and Regulations on Land Law (Decree no. 66/98, of 8 December 1998).

Environmental Framework Law (Law no. 20/97, of 1 October 1997).

Labour Law (Law no. 8/98, of 20 July 1998).

Constitution of the Mozambican Stock Exchange (Decree no. 49/98, of 22 September 1998) and Securities Trading Regulations (Decree no. 49/98, of 22 September 1998).

VAT Code (Decree no. 51/98, of 29 September 1998).

Arbitration Law (Law no. 11/99, of 8 July 1999).

Financial Institutions Law (Law no. 15/99, of 1 November 1999).

Industrial Property Code (Decree no. 18/99, of 4 May 1999).

Regulations on the Employment of Foreign Nationals (Decree no. 25/99, of 24 May 1999).

Regulations on Industrial Free Zones (Decree no. 62/99, of 21 September 1999).

Special Investment Regime for the Hotel and Tourism Industry (Decree no. 73/99, of 12 October 1999); Special Investment Regime for the Sugar Industry (Decree no. 74/99, of 12 October 1999) and Special Fiscal and Customs Regime for the Zambezi River Valley (Decree no. 16/98, of 16 April 1998).

Labour Regime in the Industrial Free Zones (Decree no. 75/99, of 12 October 1999).

II. International Framework

A. Mozambique is a party to the following multilateral and regional instruments:

The international treaties and convention are part of the effort by the government of Mozambique to improve its competitiveness to investments. Through the years, the government has been party to the following treaties:

Bern Convention for the Protection of Literary and Artistic Works of September 9, 1886 (approved by Resolution no. 13/97, of 13 June).

Madrid Agreement Concerning the International Registration of Marks of April 14, 1891 (approved by Resolution no. 20/97, of 12 August).

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of June 10, 1958.

Convention on the Settlement of Investment Disputes Between States and Nationals of Other States of 18 March 1965. Entered into force on 14 October 1966.

Source: World Bank, Depository of the Original Convention. The convention was published under document ICSID/2.

Agreement for the Promotion, Protection and Guarantee of Investment among Member States of Organisation of Islamic Conference of 1 June 1981; entered into force on 23 September 1986.

Sources: Depository of the Agreement, Organisation of Islamic Conference, 1981. Also in UNCTAD, Division on Investment, Enterprise Development and Technology, *International Investment Instruments: A Compendium* (Geneva: United Nations, 1996).

Agency and Commentary on the Convention (Washington D.C., MIGA, 1985), pp. 365-403.

Paris Convention for the Protection of Industrial Property of 20 March 1883 (revised at Brussels on 14 December 1900, Washington on 2 June 1911, The Hague on 6 November 1925, London on 2 June 1934, Lisbon on 31 October 1958, Stockholm on 14 July 1967, and as amended on 2 October 1979), signed in 1963.

Sources: World Intellectual Property Organisation: Depository of the original convention and revisions and United Nations, Treaty Series, vol. 828, p. 107 (Lisbon Revision); vol. 828, p. 305 (Stockholm Revision).

Convention Establishing Multilateral Investment Guarantee Agency of 11 October 1985. Entered into force on 12 April 1988.

Source: Multilateral Investment Guarantee Agency. Convention Establishing the Multilateral Investment Guarantee.

Charter on a Regime of Multinational Industrial Enterprises (MIEs) in the Preferential Trade Area for Eastern and Southern African States (PTA), signed on 21 November 1990, entered into force August 1995.

Source: Preferential Trade Area for Eastern and Southern African States: Report of the Sixteenth Meeting of the Council of Ministers, 17-19 November, 1990, Mbabane, Swaziland (PTA/CM/XVI/2)

Articles of Agreement of the Islamic Corporation for the Insurance of Investment and Export Credit of 19 February 1992; entered into force on August 1994.

Sources: Islamic Development Bank, "Articles of Agreement of Islamic Corporation for the Insurance of Investment and Export Credit" (LD133/A: C1/R1/MH, C: 2212/RI) (Jeddah: Islamic Development Bank, 1992).

Treaty Establishing the Common Market for Eastern and Southern Africa (COMESA) of 5 November 1993, entered into force on 8 December 1994.

Sources: *International Legal Materials*, vol. 33, no. 5 of September 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Partnership Agreement between the Members of the African, Caribbean and Pacific Group of States of the One Part, and the European Community and Its Member States, of the Other Part, signed in Cotonou, Benin on 23 June 2000.

Source: African, Caribbean and the Pacific States and the European Community (2000). "Partnership Agreement Between the Members of the African, Caribbean and Pacific Group of States of the One Part, and the European Community and Its Member States, of the Other Part", *Official Journal of the European Communities*, L 317, 15 December 2000, p. 3; available also on the Internet (<http://www.acpsec.org/gb/cotonou/accord1.htm>).

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Zimbabwe 1990, Portugal 1996, Mauritius 1997, South Africa 1997, Algeria 1998, Egypt 1998, Indonesia 1998, Italy 1998, United States of America 1998, China 2001, Cuba 2001, Netherlands 2001, Sweden 2001, Denmark 2002, France 2002, Germany 2002, Switzerland 2002, United Arab Emirates 2003, Finland 2004, United Kingdom 2004, Belgium 2006,

2. Bilateral treaties for the avoidance of double taxation: Portugal 1991, Mauritius 1997, United Arab Emirates 2003.

C. Other treaties:

Trade and investment framework agreement with the United States of America (2005)

D. Sources of information

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Namibia

A. Definitions and sources of data

Foreign direct investment (FDI) in Namibia is defined as any proposed investment by a foreign national of assets with not less than 10% of the total share capital of a venture or that the foreign national holds a management interest in the day-to-day running of the business concern (Foreign Investment Act, 1990). The Central Bank of Namibia provides FDI data in its database and the International Monetary Fund reports data in its balance-of-payment statistics.

The Foreign Investment Act outlines the legal framework in which investors can operate in Namibia and provides the basic guarantees for an enabling environment conducive to the private sector. It makes provision for the unhindered conduct of business activities by foreign nationals and establishes "a level playing field" with foreign investors assured of equal legal status and tax treatment with locally owned or domiciled businesses. The Act also guarantees the availability of foreign currency for the transfer of profits and proceeds of sale as well as recourse to international arbitration in the case of disputes, while investors may also be eligible for the Certificate of Status Investment.

Foreign nationals may invest and engage in any business activity in any sector in Namibia. Although the Government regards it as preferable to involve Namibians as participants in a new venture, it is not a requirement. There is no obligatory minimum equity stake for nationals. Similarly, no foreign investor is obliged to offer participation in any proposed venture to the Government. Exceptions may be made in cases where licenses or other authorization for the grant of rights over natural resources are required; however, in the case of mineral licenses, the Mines and Minerals Act, 1992 specifies that a Government interest may be acquired only as a result of negotiations for a non-obligatory mineral agreement, entered into solely at the behest of the investor. The Act also provides guarantees against expropriation, except in the few circumstances provided for in the Constitution, and in the unlikely event of expropriation, the Act stipulates that just and prompt compensation has to be paid in freely convertible currency. A part of the Act was the provision for establishment of an Investment Center, as a division in the Ministry of Trade and Industry. This came into existence in 1991 as a one-stop investment advisory and information agency, and liaises with other Government and official bodies to end bureaucratic blocks.

Namibia has created Export Processing Zone (EPZ) regimes that offer tax and duty-free environment for foreign investors. The EPZs have two tailor-made banking accounts, EPZ Customer Foreign Currency Account and the EPZ non-resident account to address the operational and foreign exchange requirements of investors. The Ministry of Trade and Industry provides generous tax incentives for potential foreign investors in the EPZs. Manufacturing companies enjoy a 10% tax rebate for the first ten years of operation, a special 20% write-off of special building allowance, tax exemption for export promotion activities and a 25% tax-free deduction for production line wages and training.

Namibia signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 16 October, 1998 and offers an excellent market access for foreign investors. It is a member of the Rand Common Monetary Area. Namibia serves as a springboard to the regional markets of the Southern African Customs Union and the Southern African Development Community. It is a member of the Common Market for Eastern and Southern Africa, New Partnership for Africa's Development and the African Union. In 1990 Namibia signed a bilateral agreement with the Overseas Private Investment Corporation of the United States, whose purpose is to promote economic growth in developing countries by encouraging United States' private investment. Moreover, Namibia is a member of the World Trade Organization and benefits from the United States' Africa Growth and Opportunity Act, and the Cotonou agreement for renegotiating the partnership links between African, Caribbean, Pacific countries with the European Union under the Lomé Convention.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	262.4	- 14.2
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	17.6	- 1.0
3. FDI stocks, 2006	2 768	56
4. FDI stocks as a percentage of GDP, 2006	43.8	0.9

Source: Based on tables 3a and 4a and UNCTAD, FDI/TNC database.

Table 3a. FDI flows, by type of investment, 1985-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1985	..	..	..	16.4	..	..	..	..
1986	..	..	..	9.0	..	..	..	..
1987	..	..	..	- 0.2	..	..	..	..
1988	..	..	..	- 1.5	..	..	..	..
1989	..	..	..	- 0.5	..	..	..	..
1990	36.3	- 43.5	36.8	29.6	0.1	- 0.2	1.5	1.4
1991	28.4	22.7	69.3	120.5	0.3	2.1	1.4	3.8
1992	12.2	66.9	39.2	118.3	- 3.4	1.9	1.3	- 0.2
1993	17.8	25.1	12.4	55.3	1.2	- 1.0	1.2	1.3
1994	27.1	51.2	19.7	98.0	- 0.7	- 4.8	1.1	- 4.5
1995	31.1	98.9	23.0	153.0	- 0.3	- 1.5	1.0	- 0.7
1996	73.9	79.2	- 24.4	128.8	0.0	- 3.0	0.9	- 2.1
1997	77.6	13.7	- 7.5	83.8	0.0	- 0.2	0.8	0.6
1998	72.7	- 19.5	24.1	77.2	0.0	- 0.5	0.7	0.2
1999	27.8	10.3	- 18.5	19.6	- 2.1	0.3	1.0	- 0.8
2000	88.4	108.5	- 8.6	188.2	1.2	- 0.4	2.0	2.8
2001	351.1	105.8	- 91.5	365.4	0.1	- 2.0	- 10.9	- 12.8
2002	135.5	14.4	31.9	181.7	- 1.0	- 1.0	- 3.4	- 5.4
2003	111.4	- 72.1	109.5	148.7	- 1.2	- 1.6	- 7.5	- 10.4
2004	129.9	76.0	20.0	225.8	- 1.2	- 2.1	- 18.8	- 21.9
2005	184.8	202.6	- 39.4	348.0	- 1.5	2.1	- 13.2	- 12.6
2006	376.0	150.5	- 199.3	327.2	- 5.6	- 1.0	- 5.3	- 11.8

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Inflows are based on OECD for 1985 and 1987-1989, estimate for 1986 and the Bank of Namibia for 1990-2006. Data on outflows are based on information provided by the Bank of Namibia.

Table 3b. FDI flows, by type of investment, 1990-2006
(Millions of Namibian dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1990	93.9	- 112.6	95.2	76.5	0.3	- 0.6	3.8	3.5
1991	78.5	62.8	191.3	332.7	0.7	5.9	3.8	10.4
1992	34.8	190.7	111.7	337.2	- 9.7	5.3	3.8	- 0.5
1993	58.1	82.1	40.4	180.7	3.8	- 3.2	3.8	4.5
1994	96.2	181.6	70.1	347.9	- 2.5	- 17.2	3.8	- 15.8
1995	112.9	358.6	83.5	554.9	- 1.0	- 5.5	3.8	- 2.7
1996	317.6	340.4	- 104.7	553.3	-	- 12.7	3.8	- 8.8
1997	357.7	63.0	- 34.7	386.0	-	- 1.1	3.8	2.7
1998	402.0	- 108.0	133.3	427.3	-	- 2.8	3.8	1.0
1999	170.0	63.0	- 113.0	120.0	- 13.0	2.0	6.0	- 4.0
2000	607.0	745.0	- 59.0	1 294.0	8.0	- 3.0	14.0	18.0
2001	3 021.0	910.0	- 787.0	3 144.0	1.0	- 17.0	- 94.0	- 110.0
2002	1 425.0	151.0	335.0	1 912.0	- 10.0	- 11.0	- 36.0	- 57.0
2003	842.4	- 545.7	828.5	1 125.2	- 9.3	- 12.4	- 56.7	- 78.9
2004	838.9	490.9	129.1	1 458.9	- 7.9	- 13.7	- 121.7	- 141.3
2005	1 174.9	1 288.2	- 250.3	2 213.0	- 9.6	13.3	- 84.1	- 80.4
2006	2 546.3	1 019.0	- 1 349.5	2 216.0	- 37.9	- 6.7	- 35.6	- 80.2

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics) based on Bank of Namibia, *unpublished*.

Table 4a. FDI stocks, by type of investment, 1984-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1984	..	..	..	1 934.6	..	..	..	..
1985	..	..	..	1 951.0	..	..	..	..
1986	..	..	..	1 960.0	..	..	..	..
1987	..	..	..	1 959.8	..	..	..	..
1988	..	..	..	1 958.3	..	..	..	..
1989	..	..	..	1 957.8	..	..	..	64.3
1990	..	..	..	2 046.8	..	..	..	79.6
1991	..	..	..	2 114.8	..	..	..	98.1
1992	..	..	..	2 141.8	..	..	..	81.6
1993	..	..	..	1 490.8	..	..	..	79.2
1994	..	..	..	1 601.2	..	..	..	15.8
1995	..	..	..	1 707.7	..	..	..	14.8
1996	..	..	..	1 492.2	..	..	..	13.0
1997	..	..	..	1 582.7	..	..	..	14.2
1998	1 270.1	-	168.0	1 438.1	4.5	-	17.2	21.6
1999	1 330.0	-	184.7	1 514.7	5.9	-	36.1	42.0
2000	1 095.5	-	169.1	1 264.5	7.5	-	37.0	44.5
2001	670.1	-	80.8	750.9	9.0	-	6.0	15.0
2002	1 347.4	-	410.1	1 757.4	13.5	-	12.5	26.0
2003	2 435.4	-	568.1	3 003.5	58.7	-	24.3	83.0
2004	3 308.2	-	738.6	4 046.9	75.2	-	23.7	99.0
2005	2 247.9	-	192.4	2 440.3	66.9	-	1.4	68.3
2006	2 381.0	-	404.0	2 767.5	5.4	-	1.8	56.5

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock prior to 1989 are estimated by subtracting inflows from the stock of 1989. 1989 data is based on the IMF. 1990-2006 data are based on the Bank of Namibia. Data on outflows are based on information provided by the Bank of Namibia. 1989 data is based on the IMF.

Table 4b. FDI stocks, by type of investment, 1990-2005
(Millions of Namibia dollars)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1990	..	..	..	5 245.0	..	..	..	204.0
1991	..	..	..	5 801.0	..	..	..	269.0
1992	..	..	..	6 539.0	..	..	..	249.0
1993	..	..	..	5 065.0	..	..	..	269.0
1994	..	..	..	5 674.0	..	..	..	56.0
1995	..	..	..	6 229.0	..	..	..	54.0
1996	..	..	..	6 897.0	..	..	..	61.0
1997	..	..	..	7 704.0	..	..	..	69.0
1998	7 475.6	-	988.6	8 464.2	26.3	-	101.1	127.4
1999	8 173.9	-	1 135.2	9 309.1	36.1	-	222.1	258.2
2000	8 368.4	-	1 291.5	9 659.9	57.2	-	283.0	340.2
2001	7 737.5	-	933.1	8 670.6	104.2	-	69.5	173.7
2002	12 071.9	-	3 674.2	15 746.1	121.1	-	112.1	233.1
2003	15 893.4	-	3 707.2	19 600.6	383.0	-	158.5	541.5
2004	18 963.8	-	4 234.1	23 197.9	431.2	-	136.1	567.3
2005	14 294.4	-	1 223.6	15 518.0	425.6	-	8.7	434.4

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics) based on Bank of Namibia, unpublished.

Table 6. FDI flows in the host economy, by geographical origin, 1991-2001
(Millions of Namibia dollars)

Region / economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001
Total world	..	333	327	189	195	201	..	..	..	..	..	..
Developed countries	..	117	114	66	68	70	..	..	..	..	..	..
Europe	..	117	114	66	68	70	..	..	..	..	..	..
European Union
Spain
United Kingdom
Other developed Europe
Switzerland
Developing economies	..	216	213	123	127	131	..	..	..	..	..	..
Africa	..	216	213	123	127	131	..	..	..	..	..	..
South Africa	..	216	213	123	127	131	..	..	..	..	..	..

Source: Bank of Namibia, unpublished

Table 9. FDI flows abroad, by geographical destination, 1991-2001
(Millions of Namibia dollars)

Region / economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001
Total world	..	18	- 5	29	- 21	17	..	..	..	..	..	..
Developed countries	..	4	- 1	7	- 5	4	..	..	..	..	..	..
Europe	..	4	- 1	7	- 5	4	..	..	..	..	..	..
Developing economies	..	14	- 4	22	- 16	13	..	..	..	..	..	..
Africa	..	14	- 4	22	- 16	13	..	..	..	..	..	..
South Africa	..	14	- 4	22	- 16	13	..	..	..	..	..	..

Source: Bank of Namibia, unpublished

Table 11. FDI stocks in the host economy, by industry, 1994-2006
(Millions of Namibia dollars)

Sector / industry	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total	5 245	5 801	6 539	5 628	6 066	-	6 897	7 704	..	..	9 660	8 671	15 746	19 601	23 198	15 518	19 416
Primary	4 166	4 697	5 342	4 346	4 648	-	2 595	2 898	..	..	3 634	3 262	5 924	7 374	8 727	5 838	7 304
Agriculture, hunting, forestry and fishing	-	-	-	-	-	-	223	250	..	..	313	281	510	635	752	503	629
Mining, quarrying and petroleum	-	-	-	-	-	-	2 371	2 649	..	..	3 321	2 981	5 413	6 739	7 975	5 335	6 675
Mining and quarrying	-	-	-	-	-	-	2 371	2 649	..	..	3 321	2 981	5 413	6 739	7 975	5 335	6 675
Secondary	153	206	218	240	320	-	485	542	..	..	679	610	1 107	1 378	1 631	1 091	1 365
Tertiary	926	898	979	1 042	1 098	-	3 817	4 264	..	..	5 347	4 799	8 715	10 849	12 840	8 589	10 747
Construction	-	-	-	-	-	-	10	11	..	..	14	12	22	27	32	22	27
Trade	-	-	-	-	-	-	872	975	..	..	1 222	1 097	1 992	2 480	2 935	1 963	2 456
Hotels and restaurants	-	-	-	-	-	-	..	..	..	..	..	..	..	..	..	..	..
Transport, storage and communications	-	-	-	-	-	-	3	4	..	..	5	4	8	10	12	8	10
Finance	-	-	-	-	-	-	2 932	3 275	..	..	4 106	3 686	6 694	8 332	9 861	6 597	8 254

Source: Bank of Namibia, unpublished

Notes: Except for 1994 and 2005, data are estimated as follows: the percentage shares of each sector in 2005 were applied to the total levels of stock in each of the years. Trade includes hotels and restaurants. Finance includes business activities. Data are not available for 1995, 1998 and 1999.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Canada	-	-	10.0	12.5	-	15.4	11.8	15.9	-	11.3	11.4	13.9	15.8	-	-
China	-	-	-	-	-	-	-	-	-	-	-	0.7	2.2	2.4	-
Denmark	-	-	-	-	-	-	-	-	-	-	-	-	1.1	0.9	1.1
Germany	-	-	-	5.6	9.0	5.6	6.6	6.0	44.7	42.3	-	-	-	-	-
Iceland	-	-	1.5	0.1	0.3	0.6	-0.0	-0.3	1.0	1.0	1.4	1.8	2.0	2.0	1.7
Malaysia	-	-	2.0	11.0	19.0	13.4	20.2	20.5	20.5	20.5	20.5	90.5	90.5	91.0	-
New Zealand	-	-	-	0.7	0.8	0.6	0.6	0.5	0.9	-	-	-	-	-	-
Portugal	-	-	-	-	0.2	0.2	0.4	0.4	0.3	0.3	0.4	0.5	-	-	-
South Africa	-	-	-	-	-	-	-	-	-	115.9	126.7	173.3	149.2	131.9	125.1
United Kingdom	39.3	3.0	65.6	-	-	-	-	-	-	-	-	-	-	-	-
United States	-	-	1.0	1.0	1.0	2.0	2.0	-	-	-	-	-	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Portugal	-	-	-	-	-	-	-	0.0	0.0	0.0	0.0	0.2	-	-	-
South Africa	-	-	-	-	-	-	-	-	-	3.3	5.2	3.3	3.9	3.5	3.2
United States	-	1.0	-	-	2.0	2.0	3.0	4.0	-	-	-	-	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Tables 21. The Number of foreign affiliates of Namibian TNCs in the United States, 1993-2004

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
United States	..	1	1	1	1	1	..	..	..	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Germany	..	..	1	1	1	1	1	..	..	..	..	..	..	..	..
United States	1	1	1	1	4	3	3	3	3	2	2	2	2	2	2

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 30. Assets of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004
(Millions of dollars)

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Germany	93.1	88.1	..	..	..
United States	63.0	43.0	37.0	47.0	39.0	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 35. Employment of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004
(Thousands of employees)

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Germany	1.0	..	..	..	..	..	..	..	..	..
United States	0.4	0.1	..	..	..	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 40 and 50. Wages and salaries and value added of affiliates of United States TNCs in Namibia, 1993-2004
(Millions of dollars)

Table no./Variable	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
40. Wages and salaries	..	1	1	..	6	3	3	2	..	..	..	..	..	..	..
50. Value added ^a	13	12	13	10	5	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Table 45. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004
(Millions of dollars)

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Germany	57.7	..	..	..	..	..	..	..
United States	81.0	63.0	67.0	71.0	..	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars)

Company	Industry	Sales
A. Industrial		
Namibia Breweries	Consumer goods/brewers	0.15
Namibian Power Corporation	Electricity/gas/water	0.14
B. Tertiary		
Telecom Namibia	Telecommunication	0.17
C. Finance and Insurance		
..	..	Assets ..

Source: Jeune Afrique Hors-serie No. 14, 2007.

Table 87. Largest affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company	Host Economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
Tfd Network Africa (Pty) Ltd	South Africa	Land transport	8418.74	540
Nictus Meubels (Pty) Ltd	South Africa	Distributive trade	..	600
Allied Investment Corporation Ltd	South Africa	Public administration	..	..
Avtex Investment Company (Pty) Ltd	South Africa	Public administration	..	..
Grinaker-Lta Properties (Pty) Ltd	South Africa	Public administration	..	..
Kruben Holdings (Pty) Ltd	South Africa	Public administration	..	..
Mf Wholesale (Pty) Ltd	South Africa	Public administration	..	..
Oreon Place (Pty) Ltd	South Africa	Public administration	..	..
C. Finance and Insurance			Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Caterplus Namibia (Pty) Ltd	South Africa	Food, beverages and tobacco	..	..
Igl Pty Ltd	United Kingdom	Chemicals & chemical products	463	..
Schweppes Namibia	United Kingdom	Food, beverages and tobacco	..	..
Springer Schokoladen Fabrik	Netherlands	Food, beverages and tobacco	..	700
Bokomo Namibia	South Africa	Food, beverages and tobacco	..	126
Namzinc Pty Ltd	South Africa	Mining and quarrying	..	100
Mondipak Namibia	United Kingdom	Wood and wood products	..	69
B. Tertiary				
Waltons Stationery Company	South Africa	Wholesale trade	..	..
Rosh Pinah Zinc Corporation Pty Ltd	South Africa	Public administration	951	570
Hertz Rent A Car	South Africa	Automotive trade and repair	..	1 450
Distillers Corp (Namibia)	United Kingdom	Wholesale trade	..	106
Abb Pty Ltd	Switzerland	Public administration	..	52
Barloworld Coatings Namibia Pty Ltd	South Africa	Public administration	..	50
Murray & Robertz Construction	South Africa	Construction	..	46
Freshmark Namibia (Pty) Ltd	South Africa	Distributive trade	..	43
P G Glass Namibia (Pty) Ltd	South Africa	Distributive trade	..	25
Shoprite Namibia (Pty) Ltd	South Africa	Distributive trade	..	20
Alexander Forbes Financial Service Namibia (Pty)	South Africa	Public administration	..	..
Atlas Copco Namibia Pty Ltd	South Africa	Public administration	..	..
Basil Read Civils Namibia Pty Ltd	South Africa	Public administration	..	..
Bonanza Holding (Pty) Ltd	South Africa	Public administration	..	..
Bp Namibia (Pty) Ltd	United Kingdom	Distributive trade	..	..
Dimension (Pty) Ltd	South Africa	Public administration	..	..
Dimension Data (Namibia) (Pty) Ltd	United Kingdom	Public administration	..	..
Game Discount World Namibia (Pty) Ltd	South Africa	Distributive trade	..	..
Investec Asset Management Namibia (Pty) Ltd	South Africa	Public administration	..	..
Itc Namibia	South Africa	Public administration	..	..
C. Finance and Insurance				
Standard Bank Namibia	South Africa	Finance	2 569	..
Mutual Federal Insurance Company Of Botswana Ltd	South Africa	Insurance	..	120
Old Mutual Properties Namibia	United Kingdom	Insurance	..	..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

In Namibia, a number of national, bilateral and multilateral legal instruments exist to regulate the activities of transnational corporations and foreign direct investors. The key instruments applicable in the country include:

I. National framework

Mining Ordinance, 1888; Mining Ordinance, 1889; Mining Ordinance, 1905; Mining Ordinance, 1909; Mining legislation, 1954.

Source: Chronology Of Namibian History, From Pre-historical Times to Independent Namibia, Klaus Dierks, 18 September 2003, (http://www.klausdierks.com/Chronology/index_acts.htm).

The Patent Rules of 1917, as amended by Government Notices Nos. 884 of 1919, 1255 of 1919, 2040 of 1920, 474 of 1933, 314 of 1934, 1237 of 1934 and 99 of 1942.

Source: WIPO (<http://www.wipo.org>).

Patents, Designs, Trade Marks & Copyright Proclamation No. 17 of 1923.

Act No. 9 of 1916 to consolidate and amend the Laws relating to the granting of letters patent for inventions and for the registration of patents, designs, trade marks and copyright: Chapter I – Patents.

Source: WIPO (<http://www.wipo.org>).

Patents, Designs, Trade Marks & Copyright Proclamation No. 17 of 1923.

Source: WIPO (<http://www.wipo.org>).

Merchant shipping Act, 1951 (Act No. 57 of 1951).

Source: Government Gazette 7 December 2001 No.2657 (<http://www.mfmr.gov.na/policy/policies.htm>).

National Transport Corporation Act, 1987.

Source: Chronology Of Namibian History, From Pre-historical Times to Independent Namibia, Klaus Dierks, 18 September 2003, (http://www.klausdierks.com/Chronology/index_acts.htm).

Bank of Namibia Act, 1990. Act No. 8 of 1990.

Source: Republic of Namibia. Foreign Investment Act. Official Publication by the Investment Center. Private Bag 13340, Windhoek, Namibia.

Foreign Investment Act, 1990. Act No. 27 of 19 December 1990. Effective: 7 July 1992.

Source: Official Gazette No. 19/1992 of 7 July 1992.

As amended by Act No. 24, 1993. Foreign Investment Amendment Act.

Source: Republic of Namibia. Foreign Investment Act. Official Publication by the Investment Center. Private Bag 13340, Windhoek, Namibia.

Fisheries Act, effective 1 October 1992.

Source: Government Gazette 7 December 2001 No.2657 (<http://www.mfmr.gov.na/policy/policies.htm>).

Policy Statement on the Granting of Rights of Exploitation to Utilise Marine Resources and on the Allocation of Fishing Quotas of 8 July 1993.

Source: Government Gazette 7 December 2001 No.2657 (<http://www.mfmr.gov.na/policy/policies.htm>).

Copyright: Copyright and Neighboring Rights Act No. 6, April 1994.

Source: WIPO (<http://www.wipo.org>).

Special Incentives for Manufacturers and Exporters. Ministry of Trade and Industry-September 1995.

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II. International Framework

A. Namibia is a party to the following multilateral and regional instruments:

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

[Southern Africa Development Community \(SADC\), signed on 17 August, 1992.](#)

Source: http://www.sadc.int/about_sadc/history.php.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Germany 1994, Malaysia 1994, Switzerland 1994, Cuba 1997, France 1998, Finland 2002, Netherlands 2002, Austria 2003, Spain 2003, Vietnam 2003, Italy 2004, China 2005.

2. Bilateral treaties for the avoidance of double taxation: South Africa 1959, United Kingdom 1962, Germany 1993, Sweden 1993, Mauritius 1995, Portugal 1995, Malaysia 1998.

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Niger

A. Definitions and sources of data

The Investment Code of 1989 of the Government of the Republic of Niger does not give an explicit definition of foreign direct investment (FDI). In the code, investment is denoted as the supply to Niger of capital of any nature, and the reinvestment of funds originating from previously effected investments intended for use in creation of new enterprises; the extension, diversification, modification or modernization of existing units; the supply of capital to a newly created business or the extension, diversification, reconversion, or modernization of an existing unit; the participation consistent with the supply of capital or benefits to all enterprises established in Niger in exchange for grants of business title or the right given to participate in the benefits and the products of a liquidation; investment in the country for at least ten years who have funds available for investment and have obtained the required permission to investment in the country. Data on FDI inflows to Niger were gathered from the Banque Centrale des Etats de l'Afrique de l'Ouest (BCEAO). The International Monetary Fund also provides FDI data on the country in its balance-of-payment statistics.

The investment code guarantees equal treatment to foreign investors regardless of nationality. Total foreign ownership of businesses is permitted in all sectors except those few restricted for national security purposes, such as arms and munitions and private security forces, which require special arrangements. Residents and non-residents may hold foreign exchange accounts with the approval of BCEAO. Payments and transfers to countries other than France, Monaco, members of the Central African Economic and Monetary Community, members of the West African Economic and Monetary Union (WAEMU), and Comoros are subject to quantitative limits and approval in some cases. Real estate purchases by non-residents must be declared to the Government before purchase.

Niger signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 23 August 1965 and has membership in integration schemes which provide it with wide access to regional and international markets. It is a member of WAEMU, Economic Community of West African States, Union Economique et Monétaire Ouest-Africaine, Franc Zone, World Trade Organization and is party to the Cotonou agreement for renegotiating the African, Caribbean and Pacific countries' preferential trade and aid links with the EU under the Lomé Convention, Comité permanent inter-Etats de Lutte Contre la Sécheresse dans le Sahel, the Africa Union, New Partnership for Africa's Development and is eligible for the Everything But Arms initiative by the European Union and the United States' market access initiative for African countries - the African Growth and Opportunity Act.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	20.5	1.1
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	4.2	0.2
3. FDI stocks, 2006	120	116
4. FDI stocks as a percentage of GDP, 2006	3.4	3.3

Source: Based on tables 3a and 4a and UNCTAD, FDI/TNC database.

Table 3a. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	2.4	17.2	29.6	49.1	1.0	..	- 5.2	- 4.2
1981	..	- 3.5	- 2.6	- 6.1	..	..	- 0.6	- 0.6
1982	18.6	0.7	8.9	28.2	..	..	3.3	3.3
1983	1.1	1.2	- 1.2	1.2	2.8	..	- 1.0	1.8
1984	1.8	- 0.0	- 0.3	1.5	2.8	..	- 2.5	0.3
1985	- 0.2	0.5	- 9.7	- 9.4	2.1	..	- 0.2	1.9
1986	-	0.5	17.1	17.6	..	0.1	29.3	29.4
1987	-	4.9	9.9	14.8	..	..	10.2	10.2
1988	-	1.3	5.6	6.9	..	..	4.7	4.7
1989	-	- 0.5	1.2	0.8	..	..	1.6	1.6
1990	-	-	40.8	40.8	..	..	0.0	0.0
1991	-	- 25.2	40.4	15.2	..	..	2.6	2.6
1992	-	4.3	52.1	56.4	..	..	40.7	40.7
1993	-	- 19.5	- 14.9	- 34.4	..	..	5.8	5.8
1994	-	- 4.2	- 7.1	- 11.3	..	9.8	- 11.6	- 1.8
1995	-	- 0.5	7.6	14.4	-	-	7.2	7.1
1996	3.7	3.8	2.4	2.3	-	-	-	7.5
1997	13.9	2.0	2.2	16.6	-	-	-	1.6
1998	1.2	- 2.5	0.4	- 1.2	-	-	-	0.2
1999	3.3	- 3.3	0.3	0.3	0.4	0.0	- 0.6	- 0.2
2000	- 0.8	1.5	7.7	8.4	0.7	- 0.6	- 0.7	- 0.6
2001	19.8	- 3.4	6.5	22.9	1.0	0.0	- 4.6	- 3.6
2002	2.3	- 0.1	2.4	2.4	0.5	0.0	- 2.2	- 1.7
2003	4.9	4.1	2.4	11.5	3.8	0.0	- 3.8	0.0
2004	12.8	6.4	0.6	19.7	2.3	- 0.0	4.8	7.1
2005	6.1	2.8	21.3	30.3	0.9	0.0	- 5.3	- 4.4
2006	..	..	..	20.5	..	..	..	1.6

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the IMF for 1980-1994, the Banque Centrale de l'Afrique de l'Ouest (BCEAO) for 1995-2005 and estimate for 2006. Data on outflows are from the IMF for 1980-1998, the BCEAO for 1999-2005 and estimate for 2006.

Table 3b. FDI flows, by type of investment, 1999-2005
(Millions of Franc de la Communauté financière africaine)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1999	2 004	- 2 049	215	170	250	0.01	- 397	- 147
2000	- 565	1 077	5 495	6 007	487	- 397	- 532	- 442
2001	14 498	- 2 463	4 748	16 783	725	0.01	- 3 381	- 2 656
2002	1 604	- 100	1 704	1 676	315	0.01	- 1 513	- 1 198
2003	2 856	2 389	1 422	6 667	2 222	0.01	- 2 220	2
2004	6 746	3 366	303	10 415	1 209	- 25	2 554	3 738
2005	3 241	1 497	11 241	15 979	489	0.01	- 2 821	- 2 332

Source: UNCTAD, FDI/TNC database based on the Banque Centrale de l'Afrique de l'Ouest (BCEAO), unpublished.

Table 4a. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1980	..	..	..	190.1	..	..	..	1.8
1981	..	..	..	184.0	..	..	..	1.2
1982	..	..	..	212.2	..	..	..	4.5
1983	..	..	..	213.4	..	..	..	6.2
1984	..	..	..	214.9	..	..	..	6.5
1985	..	..	..	205.5	..	..	..	8.4
1986	..	..	..	223.1	..	..	..	37.8
1987	..	..	..	237.9	..	..	..	48.0
1988	..	..	..	244.8	..	..	..	52.7
1989	..	..	..	245.6	..	..	..	54.3
1990	..	..	..	286.4	..	..	..	54.3
1991	..	..	..	301.6	..	..	..	56.9
1992	..	..	..	358.0	..	..	..	97.6
1993	..	..	..	323.6	..	..	..	103.4
1994	..	..	..	312.3	..	..	..	101.6
1995	..	..	..	326.8	..	..	..	108.7
1996	..	..	..	329.1	..	..	..	116.2
1997	..	..	..	345.7	..	..	..	117.8
1998	..	..	..	344.5	..	..	..	118.0
1999	37.4	..	1.1	38.5	2.7	..	- 0.8	117.7
2000	37.2	..	8.2	45.4	3.2	..	- 2.2	117.1
2001	54.3	..	7.1	61.5	3.7	..	- 5.4	113.5
2002	60.9	..	9.1	70.0	4.6	..	- 8.5	111.8
2003	74.6	..	4.3	78.8	9.6	..	- 14.3	111.8
2004	110.4	..	4.8	115.2	9.5	..	- 1.3	118.8
2005	76.3	..	23.7	100.0	7.6	..	- 5.7	114.4
2006	..	..	..	120.5	..	..	..	116.0

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock prior to 1999 are estimated by accumulating inflows since 1970. 1999-2005 are based on the Banque Centrale de l'Afrique de l'Ouest (BCEAO). 2006 is estimated by adding flows to the 2005 stock. Outward stock data are estimated by accumulating inflows since 1974.

Table 4b. FDI stocks, by type of investment, 1999-2005
(Millions of Franc de la Communauté financière africaine)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1999	24 424	..	699	25 123	1 779	..	- 554	1 225
2000	26 249	..	5 772	32 021	2 266	..	- 1 573	693
2001	40 443	..	5 303	45 746	2 747	..	- 4 031	- 1 284
2002	38 077	..	5 683	43 760	2 865	..	- 5 293	- 2 428
2003	38 723	..	2 213	40 936	5 011	..	- 7 417	- 2 406
2004	53 158	..	2 300	55 458	4 588	..	- 646	3 942
2005	42 422	..	13 162	55 584	4 236	..	- 3 171	1 065

Source: UNCTAD, FDI/TNC database based on the Banque Centrale de l'Afrique de l'Ouest (BCEAO), unpublished.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	-	-	-	-	-	0.9	-	-	-	-	-	-
China	-	-	-	-	-	-	-	-	-	1.5	5.8	-
France	-	10.3	- 3.4	2.2	2.1	27.6	1.8	5.6	4.5	- 8.7	- 5.0	- 5.0
Germany	-	-	-	-	-	-	-	- 0.9	-	-	-	-
Japan	-	-	-	-	-	-	-	-	-	-	0.6	- 0.1
Sweden	-	-	-	-	0.8	- 3.9	-	-	-	-	-	-
United States	-	- 5.0	- 4.0	- 5.0	- 2.0	- 1.0	- 1.0	- 1.0	- 1.0	-	- 3.0	- 1.0

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	-	-	-	-	-	9.2	-	-	-	-	-	-
France	1.3	1.3	- 4.5	-	2.1	0.9	- 49.2	-	1.1	- 1.2	2.5	3.8

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	-	-	-	-	-	12.5	14.0	20.4	-
United States	6.0	1.0	- 3.0	- 8.0	- 10.0	- 12.0	- 14.0	- 15.0	- 16.0	- 29.0	- 32.0	- 33.0

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 23, 30, 45 and 50. The number, assets, sales and value added of foreign affiliates of United States' TNCs in Niger, 1995-2006
(Number and millions of dollars)

Table no./Variable	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
23. Number	2	2	2	2	2	2	2	2	2	1	..	..
30. Assets	16.0	18.0	19.0	19.0	..	..	..	..	..	..	..	..
45. Sales	13.0	14.0	15.0	13.0	..	..	..	..	..	..	..	..
50. Value added ^a	..	..	..	1.0	..	..	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Majority-owned affiliates only.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars)

Company	Industry	Sales
A. Industrial		
Sté Nigérienne de Produits Pétroliers	Petroleum expl./ref./distr.	0.14
Compagnie Minière d'Akouta	Mining	0.09 ^a
B. Tertiary		
..
C. Finance and insurance		
..	..	Assets ..

Source: Jeune Afrique Hors-serie No. 14, 2007.
^a 2004.

Table 87. Largest affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company Name	Host Economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
Industrielle et Commerciale du Sahel	France	Wholesale trade	..	..
C. Finance and insurance				
..	..	..	Assets ..	Employees ..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home Economy	Industry	Sales	Employees
A. Industrial				
Edocement Ltd	Norway	Mining and quarrying	..	..
B. Tertiary				
Total Niger S A	France	Wholesale trade	248.1	55
DHL Express	Germany	Air transport	41.6	..
Société Maersk Niger Sa	Denmark	Supporting transport activities	0.9	4
Centralpharm	France	Automotive trade and repair	..	..
Impresit Bakolori Plc	Italy	Other services	..	..
Ashaka Cem Plc	Nigeria	Other services	..	..
Niger Afrique Sa	Netherlands	Wholesale trade	..	..
Société Nigerienne De Cimenterie	Norway	Wholesale trade	..	..
C. Finance and insurance			Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

In Niger, there are a large number of legal instruments for regulating the activities of transnational corporations and foreign direct investors. The following key instruments are applicable in the country:

I. National framework

The General Tax Code (Code General des Impôts) Articles 1-31, as amended by Finance Law 1976 and Finance Law 1993.

Source: FIDAfrica, Fiscalite Africame, 1994.

The Investment Code, Decree No. 89-19 of 8 December 1989. Repeals Investment Code of 1974. Source: Official copy, Ministry of Industry of Niger, 1990.

Ordinance No. 93-027, March 1993 on Protection of Copyright, Neighboring Rights and Expressions of Folklore.

Source: WIPO (<http://www.wipo.org>).

Privatisation, Oct 2006

Source: www.eiu.com, EIU Country report Main report May 2006.

II. International Framework**A. Niger is a party to the following multilateral and regional instruments:**

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958, which entered into force on 7th June 1959.

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Patents: Bangui Agreement, March 1977 (Annex I), as last amended in February 1999.

Source: WIPO (<http://www.wipo.org>).

Industrial Designs: Bangui Agreement, March 1977 (Annexes II and IV), as last amended in February 1999.

Source: WIPO (<http://www.wipo.org>).

Trade Marks: Bangui Agreement, March 1977 (Annex III), as last amended in February 1999.

Source: WIPO (<http://www.wipo.org>).

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Agreement for the Promotion, Protection and Guarantee of Investment Among Member States of the Organization of Islamic Conference, of 1 June 1981; entered into force on 23 September 1986.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Revised Treaty of the Economic Community of West African States (ECOWAS) 1993.

Articles of Agreement of the Islamic Corporation for the Insurance of Investment and Export Credit of 19 February 1992. Entered into force on 1 August 1994.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Switzerland 1962, Germany 1964, Tunisia 1992, Algeria 1998, Egypt 1998.

2. Bilateral treaties for the avoidance of double taxation: France 1965.

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World Bank/International Finance Corporation (2007). *Doing Business 2008 Niger* (Washington D.C.: The World Bank Group).

Nigeria

A. Definitions and sources of data

In the Federal Republic of Nigeria, foreign direct investment (FDI) is defined as investment undertaken by an enterprise that is either wholly or partly foreign-owned. The Investment Code that created the Nigerian Investment Promotion Commission (Decree No. 16 of 16 January 1995) and the Foreign Exchange (Monitoring and Miscellaneous Provision) also enacted in 1995 gives full legal backing for FDI in the country. Data on FDI were collected by the Central Bank of Nigeria and were based on company surveys. Enterprises covered by the surveys are those in which foreigners hold at least 75% of total equity. The data encompass foreign share capital, unremitted profits, liabilities to head offices and other foreign liabilities. The International Monetary Fund (IMF) also provides data on FDI in the country in its balance-of-payment statistics.

Nigerian Government promotes FDI into the country. Particularly, the government implemented IMF monitored-liberalization of its economy, welcomes foreign investors in the manufacturing sector, offers incentives for ownership of equity in all industries, except for petroleum and key industries such as military equipment, created some Export Processing Zones and participates in regional integration schemes. The incentives that are available to investors include tax relief and legislative provisions for repatriation of foreign capital investment at any time of capital appreciation of investment. No import or export licenses are required and up to 100% foreign ownership of enterprises is allowed in many industries. Also, concessions are available for local raw material development, local value-added, labor-intensive or export-oriented activities that involve significant training. Nigeria's investment law has provisions for capital assets depreciation allowance, and provides against nationalization, expropriation and compulsory purchase of company assets. Disputes between investors and entities of the Government of the Federal Republic of Nigeria, which cannot be amicably settled, may be submitted by an aggrieved party to arbitration under Nigeria's Arbitration and Conciliation Decree 1988 or in the framework of any bilateral or multilateral agreement on investment protection to which the Government and the investor's country are parties or by other national or international machinery for the settlement of investment disputes as agreed to by the parties. Nigeria's general legal environment, which is based on English common law further upholds the sanctity of contracts and the rule of law.

In line with its economic reforms, starting from the 1980s, Nigeria undertook a far-reaching privatization programme. Public enterprises in several sectors have been privatized and most of the remaining ones are up for sale. Nigeria has equally established Export Processing Free Zones' Scheme (EPFZS). This scheme allows interested persons to set up industries and businesses in demarcated zones known as Export Processing Zones (EPZs), with the aim of exporting the goods and services manufactured or produced in the zones. The scheme is to diversify the export base of the country by accelerating export business with attendant incentives. It includes industrial production, offshore banking, insurance and re-insurance, international stock, commodities and mercantile exchanges, commercial industrial research, agriculture and agro-allied industry, mineral processing, international tourist resort development and operations. Provisions had been put in place to cut off the bureaucracy in investment approval, by allowing the Nigerian Export Processing Zones Authority (NEPZA) to administer, manage, control and coordinate the quick approvals for participating foreign investors. These include issuing application forms and approval, company registration and construction licensing.

Nigeria's natural resource balance is dominated by petroleum and to a much smaller extent, natural gas. The country has sizeable coal reserves but production is substantially lower than the proven potential. Known oil reserves could last for another 35 years of output. But, diversification of the economy has led to de-emphasizing the role of oil production and exports in the country's economy.

Much needed focus has thus been devoted to other sectors like solid minerals, tourism, telecommunication, commerce and industry.

As a way of boosting size of market for manufactured good and other processed items, Nigeria joined some African regional integration schemes. Nigeria also signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 13 July 1965 and is a member of the Economic Community of West African States (ECOWAS), the African Union (AU) and New Partnership for Africa's Development. ECOWAS has as its aim to establish a customs union and a common market to promote the free movement of goods and people in West Africa. AU treaty included plans to create an African Economic Community, under the Lagos Plan of Action drawn up in 1980. In 2000, Nigeria and five other countries, The Gambia, Ghana, Guinea, Liberia and Sierra Leone, signed an agreement to create a second monetary union in the region. Nigeria is eligible for the African Growth and Opportunity Act, by the United States and the Cotonou Agreement for renegotiating the trade partnership links between African, Caribbean and Pacific countries with the European Union. It is also a member of the Multilateral Investment Guarantee Agency and the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	3 286.8	213.9
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	53.7	3.5
3. FDI stocks, 2006	40 251	5 254
4. FDI stocks as a percentage of GDP, 2006	34.9	4.6

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	..	..	- 738.9	- 738.9	..	..	..	3.0
1981	..	..	542.3	542.3	..	..	..	7.0
1982	..	..	430.6	430.6	..	..	..	- 29.0
1983	..	..	364.4	364.4	..	..	..	..
1984	..	..	189.2	189.2	..	..	..	..
1985	..	..	485.6	485.6	..	..	..	0.4
1986	..	..	193.2	193.2	..	..	..	14.4
1987	..	..	610.6	610.6	..	..	..	- 10.1
1988	..	..	378.7	378.7	..	..	..	3.9
1989	..	..	1 884.3	1 884.3	..	..	..	797.7
1990	65.9	475.8	460.8	1 002.5	1.6	56.6	356.4	414.6
1991	68.2	565.8	489.9	1 123.9	0.6	30.9	380.0	411.5
1992	94.4	570.2	492.1	1 156.7	1.2	50.3	208.6	260.1
1993	230.6	890.7	756.8	1 878.1	3.4	97.5	431.8	532.7
1994	319.6	979.9	987.9	2 287.4	-	128.5	199.7	328.2
1995	154.3	537.9	578.8	1 271.1	0.0	87.5	104.2	191.8
1996	10.5	984.7	1 195.5	2 190.7	0.4	55.6	541.2	597.2
1997	8.1	491.9	1 142.5	1 642.5	0.2	35.4	67.4	103.0
1998	91.5	478.8	639.8	1 210.1	34.4	50.2	74.2	158.8
1999	5.2	412.0	760.5	1 177.7	1.1	48.0	123.7	172.8
2000	1.6	432.7	875.4	1 309.7	0.2	40.0	128.8	168.9
2001	4.1	1 088.3	185.0	1 277.4	4.6	50.0	39.3	93.9
2002	7.8	1 704.4	328.0	2 040.2	1.4	77.8	93.0	172.2
2003	10.2	1 873.2	288.0	2 171.4	0.1	68.3	98.9	167.3
2004	18.9	1 707.6	400.7	2 127.1	0.1	99.8	160.8	260.8
2005	30.2	2 732.1	641.0	3 403.3	0.1	70.1	129.9	200.1
2006	48.3	4 371.3	1 025.7	5 445.3	0.3	85.0	142.3	227.6

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Inflows are based on information from the IMF for 1980-1989 and the Central Bank of Nigeria thereafter. Outflow data for 1980-1982 and 1985-1989 are proxy data based on investments reported by the following economies: United States for 1980-1982; Belgium and Luxembourg for 1985; Belgium and Luxembourg, France and the United States for 1986-1988. After 1989, data are from the Central Bank of Nigeria. Data for 2005 and 2006 are preliminary.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	2 457.3	..	..	..	8.0
1981	2 999.6	..	..	..	15.0
1982	3 430.2	..	..	..	- 14.0
1983	3 794.7	..	..	..	- 14.0
1984	3 983.8	..	..	..	- 14.0
1985	4 469.4	..	..	..	- 13.6
1986	4 662.6	..	..	..	0.8
1987	5 273.2	..	..	..	- 9.3
1988	5 651.9	..	..	..	- 5.4
1989	7 536.1	..	..	..	792.4
1990	8 538.6	..	..	..	1 207.0
1991	9 662.5	..	..	..	1 618.5
1992	10 819.2	..	..	..	1 878.6
1993	12 697.3	..	..	..	2 411.3
1994	14 984.7	..	..	..	2 739.5
1995	16 255.8	..	..	..	2 931.2
1996	18 446.4	..	..	..	3 528.4
1997	20 088.9	..	..	..	3 631.4
1998	21 299.0	..	..	..	3 790.2
1999	22 476.7	..	..	..	3 963.0
2000	23 786.4	..	..	..	4 132.0
2001	25 063.8	..	..	..	4 225.8
2002	27 104.0	..	..	..	4 398.0
2003	29 275.4	..	..	..	4 565.3
2004	31 402.5	..	..	..	4 826.1
2005	34 805.8	..	..	..	5 026.2
2006	40 251.2	..	..	..	5 253.8

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock are estimated by accumulating inflows since 1970. Data on outward stock are estimated by accumulating inflows since 1978.

Table 5. FDI flows in the host economy, by industry, 1994-2005
(Millions of dollars)

Sector / industry	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Total	1 003	1 124	1 157	1 878	2 287	1 271	2 191	1 642	1 210	1 178	1 310	1 277	2 040	2 171	2 127	3 403
Primary	543	558	479	835	850	475	2 109	1 548	788	1 134	1 148	1 233	1 966	2 067	1 977	2 675
Petroleum	543	558	479	835	850	475	2 109	1 548	788	1 134	1 148	1 233	1 966	2 067	1 977	2 675
Unspecified	460	566	678	1 043	1 437	796	81	94	422	44	162	44	74	105	150	728

Source: UNCTAD, FDI/TNC database based on the Central Bank of Nigeria, unpublished.

Note: Petroleum refer to petroleum-related industries and "Unspecified" refers to all other industries that are not petroleum related.

Table 6. FDI flows in the host economy, by geographical origin, 1994-2005
(Millions of dollars)

Region / economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Total world	1 651	764	742	-	356	2 558	259	457	1 482	..	..	..	..	..	..	..
Developed countries	1 234	394	661	-	232	2 454	215	436	965	..	..	..	..	..	..	..
Europe	488	276	101	-	116	2 135	189	135	931	..	..	..	..	..	..	..
European Union	350	198	64	-	58	238	84	65	825	..	..	..	..	..	..	..
United Kingdom	350	198	64	-	58	238	84	65	825	..	..	..	..	..	..	..
North America	747	118	559	-	116	319	25	301	34	..	..	..	..	..	..	..
United States	747	118	559	-	116	319	25	301	34	..	..	..	..	..	..	..
Developing economies	-	-	-	-	105	36	30	12	18	..	..	..	..	..	..	..
Asia	-	-	-	-	105	36	30	12	18	..	..	..	..	..	..	..
Unspecified	416	370	82	-	19	68	15	9	499	..	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database based on the Central Bank of Nigeria, unpublished.

Table 8. FDI flows abroad, by industry, 1994-2005
(Millions of dollars)

Sector / industry	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Total	415	412	260	533	328	192	597	103	159	173	169	94	172	167	261	199
Primary	57	28	60	96	149	88	555	55	50	148	40	80	166	164	260	198
Petroleum	57	28	60	96	149	88	555	55	50	148	40	80	166	164	260	198
Unspecified	358	384	200	437	179	104	42	48	109	24	129	14	6	4	1	1

Source: UNCTAD, FDI/TNC database based on the Central Bank of Nigeria, unpublished.

Note: Petroleum refer to petroleum-related industries and "Unspecified" refers to all other industries that are not petroleum related.

Table 9. FDI flows abroad, by geographical destination, 1994-2005
(Millions of dollars)

Region / economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Total world	1 824	447	221	-	178	334	134	195	382	..	..	..	..	..	..	..
Developed countries	1 333	322	190	-	129	329	116	187	261	..	..	..	..	..	..	..
Europe	532	100	26	-	77	240	78	58	187	..	..	..	..	..	..	..
European Union	466	63	21	-	6	91	30	55	178	..	..	..	..	..	..	..
United Kingdom	466	63	21	-	6	91	30	55	178	..	..	..	..	..	..	..
North America	801	222	164	-	52	89	38	129	74	..	..	..	..	..	..	..
United States	801	222	164	-	52	89	38	129	74	..	..	..	..	..	..	..
Developing economies	-	-	-	-	41	5	18	7	0	..	..	..	..	..	..	..
Asia	-	-	-	-	41	5	18	7	0	..	..	..	..	..	..	..
Unspecified	491	125	31	-	8	0	0	1	121	..	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database based on the Central Bank of Nigeria, unpublished.

Table 11. FDI stocks in the host economy, by industry, 1994-2005
(Millions of dollars)

Sector / industry	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Total	1 003	2 126	3 283	5 161	7 449	8 720	10 910	12 553	13 763	14 941	16 250	17 528	19 568	21 739	23 866	27 270
Primary	543	1 100	1 579	2 414	3 264	3 739	5 848	7 397	8 185	9 319	10 466	11 700	13 666	15 732	17 709	20 384
Petroleum	543	1 100	1 579	2 414	3 264	3 739	5 848	7 397	8 185	9 319	10 466	11 700	13 666	15 732	17 709	20 384
Unspecified	460	1 026	1 704	2 747	4 185	4 981	5 062	5 156	5 578	5 622	5 784	5 828	5 902	6 007	6 157	6 885

Source: UNCTAD, FDI/TNC database based on the Central Bank of Nigeria, unpublished.

Note: Petroleum refer to petroleum-related industries and "Unspecified" refers to all other industries that are not petroleum related.

Table 14. FDI stocks abroad, by industry, 1994-2005
(Millions of dollars)

Sector / industry	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Total	415	826	1 086	1 619	1 947	2 139	2 736	2 839	2 998	3 171	3 340	3 433	3 606	3 773	4 034	4 233
Primary	57	85	145	240	390	477	1 032	1 087	1 137	1 286	1 326	1 406	1 571	1 735	1 994	2 192
Petroleum	57	85	145	240	390	477	1 032	1 087	1 137	1 286	1 326	1 406	1 571	1 735	1 994	2 192
Unspecified	358	742	942	1 379	1 558	1 662	1 704	1 752	1 861	1 885	2 014	2 028	2 034	2 038	2 039	2 041

Source: UNCTAD, FDI/TNC database based on the Central Bank of Nigeria, unpublished.

Note: Petroleum refer to petroleum-related industries and "Unspecified" refers to all other industries that are not petroleum related.

Table 15. FDI stocks abroad, by geographical destination, 1994-2005
(Millions of dollars)

Reporting countries	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Brazil	0.0	-	-	-	-	-	-	-	-	-	-	-	-	-
Bulgaria	-	-	-	-	-	-	-	0.0	0.0	0.0	0.0	0.0	0.0	0.4
France	35.7	2.2	46.6	58.9	71.4	75.6	105.0	121.6	141.4	100.5	130.0	142.7	475.4	94.4
Indonesia	0.6	-	0.6	0.6	0.6	-	-	-	-	-	-	-	-	-
Portugal	-	-	-	-	-	-	-	-	-	0.2	0.2	0.2	-	-
Korea, Rep. of	-	-	-	-	-	-	0.0	1.1	3.8	9.7	11.9	15.8	19.6	23.3
United States	5.0	-	-	10.0	13.0	-	-	-	-	39.0	42.0	63.0	-	-

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 21. The number of foreign affiliates of home-based transnational corporations, by geographical location abroad, 1994-2005

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Armenia	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..
Indonesia	..	..	2	..	2	2	2	..	..	..	..	..	..	..	..	..
United States	1	1	1	1	1	2	2	..	..	..	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database. Note: Data are based on information reported by the economies listed above.

Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	37	35	37	25	24	20	15	14	15	13	16	17	16	14	14	13
India	..	..	..	..	..	..	18	..	..	..	..	..	..	..	..	..
Italy	..	8	..	6	..	6	..	5	..	..	..	..	..	..	..	..
Republic of Korea	..	..	..	..	..	..	4	5	5	5	5	6	6	6	6	6
United States	44	46	45	44	52	51	52	55	57	48	48	58	61	64	64	..

Source: UNCTAD, FDI/TNC database. Note: Data are based on information reported by the economies listed above.

Tables 28 and 43. Assets and sales of foreign affiliates of Nigerian TNCs in the United States, 1994-2005

(Millions of dollars)

Table no./Variable	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
28. Assets	6	5	7	7	1	1	1	..	..	..	..	3	..
43. Sales	3	3	..	..	..	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database. Note: Data are based on information reported by the United States.

Table 30. Assets of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005

(Millions of dollars)

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	468.5	593.7	309.8	289.6	387	209	257	335	359	1 909	1 861	1 851	..	..	..	..
United States ^a	3138.0	2744.0	3155.0	3672.0	4 096	4 579	5 750	6 380	8 519	7 292	8 425	8 775	9 232	12 307	15 629	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above. ^a Majority-owned affiliates only.

Table 35. Employment of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005

(Thousands of employees)

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Belgium	..	..	..	..	..	..	..	..	..	..	..	0.6	1.3	0.9	..	..
Germany	13.0	13.0	13.0	12.0	19.0	20.0	21.0	27.0	30.0	27.0	28.0	30.0	24.0	20.0	20.0	22.0
Italy	..	2.7	..	2.4	..	2.4	..	2.3	..	..	..	..	..	..	..	..
Switzerland	..	..	..	5.4	4.5	5.3	8.0	7.8	6.0	5.5	6.8	3.9	6.3	6.4	5.8	6.0
United States	7.6	10.1	8.8	9.0	8.4	8.8	9.3	9.8	9.4	9.7	9.9	9.7	9.2	8.7	..	..

Source: UNCTAD, FDI/TNC database. Note: Data are based on information reported by the economies listed above.

Tables 40, 50, 60, 65 and 85. Wages and salaries, value added, exports, imports and royalty payments of affiliates of United States TNCs in Nigeria, 1994-2005

(Millions of dollars)

Table no./Variable	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
40. Wages and salaries	59	69	96	114	149	122	144	155	169	181	228	211	200	232	276 ^a	..
50. Value added ^a	..	..	..	..	1738	2024	2977	2951	1822	2838	4882	4254	3671	5012	5883	..
60. Exports	66	42	48	36	116	46	132	130	176	53	84	..	..	..	..	..
65. Imports	2221	1964	1402	1452	1527	823	1023	..	..	..	..	..	..	..	..	..
85. Royalty payments ^a	..	..	..	..	1	..	..	..	..	3	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States. ^a Majority-owned affiliates only.

Table 45. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005

(Millions of dollars)

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	309.5	421.8	448.2	423.4	246	209	266	346	455	426	461	537	471	451	497	482
Italy	..	1034.4	..	688.3	..	619	..	731	..	..	..	..	..	..	..	..
United States	3128.0	2943.0	3029.0	3057.0	3 223	3 255	4 353	4 595	3 407	4 318	6 220	5 961	5 391	6 716	..	..

Source: UNCTAD, FDI/TNC database. Note: Data are based on information reported by the economies listed above.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars)

Company	Industry	Sales
A. Industrial		
Total Nigeria	Petroleum expl./ref./distr.	0.97
Nestle Nigeria	Food products, beverages and tobacco	0.70
Flour Mills Nigeria	Food products, beverages and tobacco	0.66
Nigerian Breweries	Consumer goods/brewers	0.62
National Petroleum Company	Petroleum expl./ref./distr.	0.46 ^a
Nigerian Bottling Company	Food products, beverages and tobacco	0.43
Texaco Nigeria	Petroleum expl./ref./distr.	0.40
Mobil Oil Nigeria	Petroleum expl./ref./distr.	0.39
Guinness Nigeria	Consumer goods/brewers	0.37 ^a
Paterson Zochonis Industries	Pharmaceuticals	0.33
Unilever Nigeria	Chemicals and chemical products	0.26
West African Portland Cement Company	Building materials	0.20
United Nigeria Textiles	Clothing and textiles	0.14
Seven-Up Bottling Company	Food products, beverages and tobacco	0.13 ^a
Cadbury Nigeria	Food products, beverages and tobacco	0.13
Ashaka Cement	Building materials	0.12
B. Tertiary		
MTN Nigeria	Telecommunications	1.43
Oando	Petroleum expl./ref./distr.	1.38
Conoil	Petroleum expl./ref./distr.	0.58
African Petroleum	Petroleum expl./ref./distr.	0.45 ^a
Olam Nigeria	Import-Export	0.30
Julius Berger Nigeria	Construction	0.23 ^a
UAC of Nigeria	Diversified group	0.21
Groupe CFAO Nigeria	Diversified group	0.16
John Holt	Diversified group	0.13 ^a
C. Finance and insurance		Assets
African Reinsurance Corporation	Insurance	0.33
NICON Insurance Corporation	Insurance	0.10

Source: Jeune Afrique Hors-serie No. 14, 2007

^a 2004.

Table 87. Largest affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company Name	Host Economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
Energio Management Group D.O.O.	Serbia & Montenegro	Research and development	1.77	3
Kuramo Usa Inc	United States	Research and development	0.06	1
The Wattle Company Limited	Zimbabwe	Forestry and fishing	..	3000
Ashaka Cem Plc	Niger	Other services	..	..
Summit Oil And Gas Worldwide Ltd.	Bahamas	Holding	..	..
Wg Nigeria Holdings Limited	Cayman Islands	Holding	..	..
C. Finance and insurance			Assets	Employees
FBN Bank (Uk) Ltd	England	Finance	..	31

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home Economy	Industry	Sales	Employees
A. Industrial				
Nigerian Breweries Plc	Switzerland	Food, beverages and tobacco	412.5	2 939
Nestlé Nigeria Plc	Switzerland	Food, beverages and tobacco	261.0	1 202
Unilever Nigeria Plc	Netherlands	Chemicals and chemical products	214.3	1 931
Ashakacem Plc	France	Non-metallic mineral products	171.2	1 861
Glaxosmithkline Consumer Nigeria Plc	United Kingdom	Chemicals and chemical products	51.5	489
Cement Company Of Northern Nigeria Plc	Norway	Non-metallic mineral products	45.0	297
Air Liquide Nigeria Plc	France	Chemicals and chemical products	9.1	200
Boc Gases Nigeria Plc	United Kingdom	Chemicals and chemical products	8.5	140
Mobil Producing Nigeria Unlimited	United States	Chemicals and chemical products	..	1 927
Paterson Zochonis Industries Plc	United Kingdom	Chemicals and chemical products	..	4 983
Thermocool Engineering Company Ltd	United Kingdom	Machinery and equipment	..	966
Elf Petroleum Nigeria Limited	France	Petroleum	..	814
Nampak Nigeria Plc	United States	Wood and wood products	..	350
Crittall-Hope Nigeria Ltd	United Kingdom	Metal and metal products	..	235
Halliburton Energy Services Nigeria Ltd	United States	Petroleum	..	223
Nigerian Agip Exploration Ltd	Italy	Petroleum	..	200
Halliburton Energy Services Nigeria Ltd	United Kingdom	Petroleum	..	184
Reckitt Benckiser Nigeria Limited	United Kingdom	Chemicals and chemical products	..	170
Giwarite Ltd	Belgium	Manufacture of petroleum	..	140
Haco Ltd	United Kingdom	Chemicals and chemical products	..	133
B. Tertiary				
Vee Networks Ltd	Kuwait	Telecommunications	290.5	1 523
CFAO Nigeria Plc	France	Holding	92.6	1 161
John Holt Plc	United Kingdom	Wholesale trade	66.9	..
Longman Nigeria Plc	United Kingdom	Publishing, printing	7.9	320
Btc Nigeria Limited	Germany	Wholesale trade	0.2	30
Daewoo Nigeria Ltd	Rep. Of Korea	Construction	..	6 000
Volkswagen Of Nigeria Ltd	Germany	Wholesale trade	..	1 238
Panalpina World Transport (Nigeria) Ltd	Switzerland	Air transport	..	1 000
Trevi Foundations Nigeria Limited	Italy	Construction	..	800
Siemens Ltd	Germany	Wholesale trade	..	700
Nigerian Westminster Dredging & Marine Ltd	Netherlands	Construction	..	410
Globestar Engineering Company Nigeria Ltd	Luxembourg	Construction	..	400
Ppc Limited	Netherlands	Research and development	..	330
Sgs Inspection Service Nigeria Ltd	Switzerland	Other business activities	..	321
Michelin (Nigeria) Ltd	France	Rubber and plastic products	..	300
Swiss Nigerian Chemical Company Ltd	Switzerland	Public administration	..	290
Dizengoff West Africa (Nigeria) Ltd	United Kingdom	Wholesale trade	..	263
Embassy Of The United States Of America	United States	Public administration	..	250
Araromi Rubber Estates Ltd	France	Forestry and fishing	..	200
Abb Ng Ltd	Switzerland	Other business activities	..	180
C. Finance and insurance			Assets	Employees
First Stockbrokers Ltd	India	Finance	..	8
Soji Commodities WA Ltd	United Kingdom	Finance	..	..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

In Nigeria, a number of legal instruments, national, bilateral and multilateral are geared toward regulating the activities of transnational corporations and foreign direct investors. In the country, the following key instruments are applicable:

I. National framework

Petroleum Profits Tax Ordinance No. 15 of 1959, effective: 1 January 1958.

Source: International Center for Settlement of Investment Disputes, Release 2, issued October 1981, p. 151 (OS).

Trade Marks Act No. 29 of 1965, in force since June 1967.

Source: WIPO (<http://www.wipo.org>).

Petroleum Profits Tax (Amendment) Decree No. 1 of 5 January 1967, effective: 5 January 1967.

Source: International Center for Settlement of Investment Disputes, Release 2, issued October 1981, p. 189 (OS).

Trade Marks Act of 1965 (Commencement) Order, L.N. 60 of 1967.

Source: WIPO (<http://www.wipo.org>).

Trade Marks Regulations of 1967, L.N. 70 of 1967.

Source: WIPO (<http://www.wipo.org>).

Industrial Designs: Patents and Designs Decree No. 60 of 1970.

Source: WIPO (<http://www.wipo.org>).

Patents: Patents and Designs Decree No. 60 of 1970, (F) IP 1973, 147; PI 1973, 151.

Source: WIPO (<http://www.wipo.org>).

Patents and Designs (Convention Countries) Order of 1971, L.N. 95 of 1971.

Source: WIPO (<http://www.wipo.org>).

Industrial Development (Income Tax Relief) Decree No. 22 of 3 May 1971, effective: 1 April 1970.

Source: International Center for Settlement of Investment Disputes, Release 2, issued October 1981, p. 71 (OS).

Patents and Designs (Additional Transitional and Saving Provisions) Order of 1972, L.N. 74 of 1972 (F) IP 1973, 158; PI 1973, 163.

Source: WIPO (<http://www.wipo.org>).

Industrial Development (Income Tax Relief) (Amendment) Decree No. 42 of 31 October 1972, effective: 31 October 1972.

Petroleum Profit Tax (Amendment) Decree No. 15 of 13 April 1973, effective: 20 March 1971.

Source: International Center for Settlement of Investment Disputes, Release 2, issued October 1981, p. 193 (OS).

Nigerian Tourist Board Decree No. 54 of 8 November 1976, effective: upon notification in the Gazette.

Source: International Center for Settlement of Investment Disputes, Release 2, issued October 1989, p. 213 (OS).

Petroleum Profit Tax (Amendment') Decree No. 55 of 28 July 1977, effective: 1 October 1974, resp. 1 December 1974, resp. 1 April 1975 (percentage of assessable tax for accounting period) (OS).

Source: International Center for Settlement of Investment Disputes, Release 2, issued October 1981, p. 199 (OS).

Petroleum Profit Tax (Amendment) Decree No. 4 of 9 February 1979, effective: 1 April 1975.

Source: International Center for Settlement of Investment Disputes, Release 2, issued October 1981, p. 201 (OS)

Companies Income Tax Decree No. 28 of 12 July 1979, effective: 1 April 1977.

Source: International Center for Settlement of Investment Disputes, Release 2, issued October 1981, p. 91 (OS).

Petroleum Profit Tax (Amendment) No. 2 Decree No. 24 of 26 June 1979, effective: 1 April 1977.

Source: International Center for Settlement of Investment Disputes, Release 2, issued October 1981, p. 203 (OS).

Industrial Promotion Decree No. 40 of 3 August 1979, effective: 3 August 1979.

Source: Federal Republic of Nigeria, Official Gazette No. 37, vol. 66 of 9 August 1979, part A, p. 325 (OS), and International Center for Settlement of Investment Disputes, Release 2, issued October 1981, p. 65 (OS).

National Office of Industrial Property Decree No. 70, September 1979 Sections 1 to 9: (F) IP/PI, January 1981.

Source: WIPO (<http://www.wipo.org>).

Petroleum Profits Tax (Amendment No. 3) Decree No. 95 of 28 September 1979, effective: 1 April 1977 (sec. 3, 4,5); 1 January 1978.

Source: International Center for Settlement of Investment Disputes, Release 2, issued October 1981, p. 207 (Other sections).

Guidelines on the granting of business permits and expatriate quota to companies and other organizations.

Source: Business Department, Federal Ministry of Internal Affairs, Federal Secretariat Complex, Lagos, January 1985 (OS).

Export (Incentives and Miscellaneous Provisions) Decree No. 18 of 11 July 1986, effective: 11 July 1986.

Source: Supplement to Official Gazette No. 36, vol. 73 of 24 July 1986, p. A105 (OS).

Decree No. 25 on Privatisation and Commercialization of 5 July 1988.

Source: World Bank, Technical Paper No. 186. "Divestiture of State Enterprises". An overview of the legal framework.

Copyright Decree No. 47, December 1988 (Codified as chapter 68, Laws of the Federation of Nigeria, 1990).

Source: WIPO (<http://www.wipo.org>).

Decree No. 54 of 30 December 1989 entitled "Nigerian Enterprises Promotion Decree 1989". Repeals Nigerian Enterprises Promotion Decree 1977 and Nigerian Enterprises Promotion (Amendment) Decree No. 27 of 5 July 1976.

Source: Official Gazette No. 76 of 31 December 1989. Repealed by Nigerian Enterprises Promotion.

Decree Repeal of December 1994; effective on 1 January 1995.

Sources: Official Gazette No. 1 of January 1995. Also in International Bureau of Fiscal Documentation ATS, supplement No. 94, March 1995.

Companies and Allied Matters Decree 1990. Repeals Companies Act of 1968 and Companies (Special Provisions) Decree No. 19 of 13 April 1973.

Source: Official Gazette No. 2 of 9 January 1990.

Nigeria Export Processing Zones Decree 1991.

Source: International Bureau of Fiscal Documentation ATS, Suppl. No. 94, March 1995.

Copyright (Amendment) Decree No. 98, December 1992.

Source: WIPO (<http://www.wipo.org>).

Nigerian Investment Promotion Commission Decree 1995. Decree No. 16 of 15 July 1995; entered into force on 16 July 1995. Repeals the Industrial Development Co-ordination Committee Decree No. 36 of 1989.

Source: Supplement to the Official Gazette of the Federal Republic of Nigeria-Extraordinary No. 14, vol. 82 of 21st July 1995.

Foreign Exchange (Monitoring and Miscellaneous Provisions) Decree 1995. Decree No. 17 of 15 July 1995; entered into force on 16 July 1995. Repeals Decree No. 7 of 1984, Decree No. 18 of 1985 and Decree No. 23 of 1986. Modifies Cap. 35 of Bill of Exchange Act, Central Bank of Nigeria Decree 1991 and the Banks and Other Financial Institutions Decree 1991.

Source: Supplement to the Official Gazette of the Federal Republic of Nigeria-Extraordinary No. 14, vol. 82 of 21st July 1995.

Petroleum (Amendment) Decree 23 of 1996.

Source: Laws of the Federation of Nigeria (<http://www.nigeria-law.org>).

Finance (Miscellaneous Taxation Provisions) Decree No. 30 1996.

Source: Laws of the Federation of Nigeria (<http://www.nigeria-law.org>).

Finance (Miscellaneous Taxation Provisions) (No. 2) Decree No. 31 1996.

Source: Laws of the Federation of Nigeria (<http://www.nigeria-law.org>).

Finance (Miscellaneous Taxation Provisions) (No. 3) Decree No. 32 1996.

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Minerals and Mining Decree No 34 of 1999.

Source: Laws of the Federation of Nigeria (<http://www.nigeria-law.org>).

Investments and Securities Decree No 45 of 1999.

Source: Laws of the Federation of Nigeria (<http://www.nigeria-law.org>).

Trade Disputes (Essential Services Deregulation, Proscription and Prohibition from Participation in Trade Union Activities) (Repeal) Decree 12.

Source: Laws of the Federation of Nigeria (<http://www.nigeria-law.org>).

Finance (Miscellaneous Taxation Provisions) decree No. 18 1998.

Source: Laws of the Federation of Nigeria (<http://www.nigeria-law.org>).

Finance (Miscellaneous Taxation Provisions) (No. 2) Decree No. 19 1998.

Source: Laws of the Federation of Nigeria (<http://www.nigeria-law.org>).

Customs, Excise Tariff, etc. (Consolidation) (Amendment) Decree 20 of 1998.

Source: Laws of the Federation of Nigeria (<http://www.nigeria-law.org>).

Taxes and Levies (Approved list for collection) Decree 21 of 1998.

Source: Laws of the Federation of Nigeria (<http://www.nigeria-law.org>).

Petroleum (Amendment) Decree 22 of 1998.

Source: Laws of the Federation of Nigeria (<http://www.nigeria-law.org>).

Petroleum Control (Repeal) Decree 23 of 1998.

Source: Laws of the Federation of Nigeria (<http://www.nigeria-law.org>).

Nigerian Mining Corporation (Amendment) Decree 25 of 1998.

Source: Laws of the Federation of Nigeria (<http://www.nigeria-law.org>).

Nigerian Coal Corporation (Amendment) Decree 26 of 1998.

Source: Laws of the Federation of Nigeria (<http://www.nigeria-law.org>).

National Steel Raw Materials Exploration Agency (Amendment) Decree 27 of 1998.

Source: Laws of the Federation of Nigeria (<http://www.nigeria-law.org>).

Electricity (Amendment) Decree 28 of 1998.

Source: Laws of the Federation of Nigeria (<http://www.nigeria-law.org>).

Wireless Telegraphy (Amendment) Decree 31 of 1998.

Source: Laws of the Federation of Nigeria (<http://www.nigeria-law.org>).

Nigerian Investment Promotion Commission (Amendment) Decree 32 of 1998.

Source: Laws of the Federation of Nigeria (<http://www.nigeria-law.org>).

Central Bank of Nigeria (Amendment) Decree 37 of 1998.

Source: Laws of the Federation of Nigeria (<http://www.nigeria-law.org>).

Banks and other Financial Institutions (Amendment) Decree 38 of 1998.

Source: Laws of the Federation of Nigeria (<http://www.nigeria-law.org>).

Banks and Other Financial Institutions (Amendment) Decree 40 of 1998.

Source: Laws of the Federation of Nigeria (<http://www.nigeria-law.org>).

Central Bank of Nigeria (Amendment) Decree 41 of 1998.

Source: Laws of the Federation of Nigeria (<http://www.nigeria-law.org>).

Copyright (Amendment) Decree No. 42, May 1999.

Source: WIPO (<http://www.wipo.org>).

Guidelines for Management of External Reserves Through Partnership Arrangement Between Local and Foreign Banks, June 2006.

Source: www.viewswire.com Nigeria regulations Aug 23rd 2006.

Liberalisation of the Foreign Exchange System, Feb 2006.

Source: www.viewswire.com Nigeria regulations May 24th 2006

II. International Framework

A. Nigeria is a party to the following multilateral and regional instruments:

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958, which entered into force on 7th June 1959.

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Agreement for the Promotion, Protection and Guarantee of Investment Among Member States of the Organization of Islamic Conference of 1 June 1981; entered into force on 23 September 1986.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Articles of Agreement of the Islamic Corporation for the Insurance of Investment Export Credit of 19 February 1992; entered into force on 1 August 1994.

Revised Treaty of the Economic Community of West African States (ECOWAS) 1993.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: France 1990, Italy 1990, United Kingdom 1990, Netherlands 1992, Taiwan Province of China 1994, Turkey 1996, Bulgaria 1998, Romania 1998, Korea, Republic of 1998, Egypt 2000, Germany 2000, China 2001, Switzerland 2001, Jamaica 2002, Serbia and Montenegro 2002, Spain 2002, Sweden 2002, Uganda 2003, Finland 2005.

2. Bilateral treaties for the avoidance of double taxation: Denmark 1954, Norway 1955, United Kingdom 1987, Belgium 1989, Czech Republic 1989, Pakistan 1989, Slovakia 1989, France 1990, Netherlands 1991, Canada 1992, Romania 1992, Philippines 1997, Poland 1999, Sweden 2004, Korea, Republic of 2006.

C. Other treaties:

Agreement with the government of the United States of America concerning the development of trade and investment relations (2000).

D. Sources of information

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Rwanda

A. Definitions and sources of data

The Rwanda National Assembly approved an investment code in 1998 (Law No. 14/98 of 18/12/1998) that defines all foreign investment in the country, including foreign direct investment (FDI). In this code, foreign investment is defined as any investment by a non-national with a minimum in fixed assets of \$100,000. FDI data were collected by the National Bank of Rwanda. The International Monetary Fund also provides data on FDI in Rwanda in its balance-of-payments statistics.

The Government of Rwanda pursues a liberal economic policy. The balance of natural resource reserves includes cassiterite, columbo-tantalite (coltan), wolfram, gold and sapphires which are mined in small quantities. Cassiterite is the largest mineral deposit. Rwanda also has considerable tourist potential. The country's main attractions are the North-western Birunga volcanoes and wildlife. The forests in the South-west of the country are suitable for hiking and bird watching. Lake Kivu is equally a main tourist destination, particularly the beautiful lakeside town of Kibuye. Rwanda produces fine highland Arabica coffee and tea. Kigali has several good quality hotels.

Rwanda signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 21 April 1978 and is active in the regional integration schemes in Africa. It is host to the sub-regional development center of the Economic Commission for Africa. Rwanda is also eligible for some trade and investment initiatives, including under the African Union, New Partnership for Africa's Development, the Community Investment Code of the Economic Community of the Great Lakes Countries, the Cotonou Agreement for renegotiating the trade partnership treaty between the African, Caribbean and Pacific countries with the European Union, the Economic Community of Central African States, and the Common Market for Eastern and Southern Africa. The country belongs to multilateral agreements including the Convention establishing the Multilateral Investment Guarantee Agency, the Paris Convention for protecting Industrial Property and the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	9.5	-
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	2.3	-
3. FDI stocks, 2006	297	3
4. FDI stocks as a percentage of GDP, 2006	12.4	0.1

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	6.3	8.7	2.7	16.4	-	-	-	-
1981	2.0	9.1	8.2	18.0	-	-	-	-
1982	0.7	9.0	11.0	20.7	-	-	-	-
1983	1.1	7.6	2.2	11.1	-	-	-	-
1984	2.7	6.8	5.6	15.1	-	-	-	-
1985	1.1	6.7	6.8	14.6	-	-	-	0.0
1986	1.9	8.0	7.7	17.6	-	-	-	0.5
1987	2.4	8.5	6.7	17.6	-	-	-	-0.0
1988	3.8	8.8	8.5	21.1	-	-	-	1.3
1989	0.6	7.6	7.3	15.5	-	-	-	0.3
1990	0.2	5.4	1.9	7.7	-	-	-	0.0
1991	0.0	3.6	0.9	4.6	-	-	-	-0.2
1992	-	-	2.2	5.5	-	-	-	-0.2
1993	-	-	5.9	5.8	-	-	-	0.0
1994	-	-	..	0.0	-	-	-	-0.5
1995	-	-	2.2	2.0	-	-	-	-0.2
1996	-	-	2.2	2.2	-	-	-	1.3
1997	-	-	-	2.6	-	-	-	1.1
1998	-	-	-	7.1	-	-	-	-
1999	-	-	-	1.7	-	-	-	-
2000	-	-	-	8.1	-	-	-	-
2001	16.2	1.9	0.5	18.5	-	-	-	-
2002	1.3	0.2	-	1.5	-	-	-	-
2003	1.8	0.8	-	2.6	-	-	-	-
2004	7.9	3.0	-	10.9	-	-	-	-
2005	9.2	5.1	-	14.3	-	-	-	-
2006	7.6	7.8	0.1	15.5	-	-	-	-

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Inflows are based on information from the IMF for 1980-1989 and the Banque Nationale du Rwanda thereafter. 2001-2006 data are according to the survey conducted by the National Bank of Rwanda (NBR) and Rwanda Investment and Export Promotion Agency (RIEPA) in April 2007. Outflow data are proxy data based on investments reported by the following economies: Belgium and Luxembourg for 1985-1992 and 1994-1997 and Belgium and Luxembourg and France for 1993.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1980	54.0	..	..	..	..
1981	72.0	..	..	..	..
1982	92.7	..	..	..	..
1983	103.8	..	..	..	..
1984	118.9	..	..	..	..
1985	133.5	..	..	..	0.0
1986	151.1	..	..	..	0.5
1987	168.6	..	..	..	0.5
1988	189.7	..	..	..	1.8
1989	205.2	..	..	..	2.0
1990	212.9	..	..	..	2.0
1991	217.5	..	..	..	1.8
1992	223.0	..	..	..	1.6
1993	228.8	..	..	..	1.7
1994	228.8	..	..	..	1.2
1995	230.8	..	..	..	0.9
1996	233.0	..	..	..	2.2
1997	235.6	..	..	..	3.4
1998	242.7	..	..	..	3.4
1999	244.4	..	..	..	3.4
2000	252.5	..	..	..	3.4
2001	271.1	..	..	..	3.4
2002	272.6	..	..	..	3.4
2003	275.2	..	..	..	3.4
2004	286.1	..	..	..	3.4
2005	300.4	..	..	..	3.4
2006	315.9	..	..	..	3.4

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock are estimated by accumulating inflows since 1970. Data on outward stock are estimated by accumulating inflows since 1985.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Reporting countries	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	2.7	-	-	-	-	0.9	0.9	-	-	-	-	-
China	-	-	-	-	-	-	-	-	-	-	1.4	-
Germany	-	0.7	0.6	-	-	-	-	-	2.3	1.2	- 1.2	-

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Reporting country	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	-	1.3	1.1	-	-	-	-	-	-	-	-	-

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by Belgium/Luxembourg.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Reporting country	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	-	-	-	-	-	3.3	3.3	4.7	-

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by China.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Reporting country	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Estonia	-	-	-	-	-	-	-	-	0.002	0.002	-	-

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by Estonia.

Tables 30, 45 and 50. Assets, sales and value added of foreign affiliates of United States' TNCs in Rwanda, 1995-2006

(Number and millions of dollars)

Table no./Variable	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
30. Assets	1	..	..
45. Sales	3	..	..
50. Value added ^a	1	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Table 35. Employment of foreign affiliates of Belgian TNCs in Rwanda, 1995-2006
(Thousands of employees)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium	0.8	0.4	0.4	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by Belgium.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company Name	Home economy	Industry	Sales	Employees
A. Industrial				
Brasseries Et Limonaderies Du Rwanda SA	Switzerland	Food, beverages and tobacco	34.4	539
Rwandex Sa	Switzerland	Food, beverages and tobacco	..	..
B. Tertiary				
Arab Contractors (Rwanda) Ltd	Egypt	Construction	..	45
Maersk Rwanda Limited	Denmark	Public administration	..	..
C. Finance and Insurance				
			Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

In the effort to improve the effectiveness of regulation of transnational corporations and foreign investment in the country, the government of Rwanda had adopted the following national, bilateral and multilateral legal instruments.

I. National framework

Patents: Loi de février 1963, relative aux brevets.

Arrêté ministériel no 5/10/67 de mai 1967 portant mesures d'exécution de la Loi du 25 février 1963 sur les brevets.

Source: WIPO (<http://www.wipo.org>).

Trade Marks: Loi de février 1963 relative aux marques de fabrique et de commerce.

Arrêté ministériel no 10/63 de mai 1963 portant mesures d'exécution de la Loi du 25 février 1963 sur les marques de fabrique et de commerce.

Arrêté ministériel no 3/10/67 de mai 1967 portant mesures d'exécution de la Loi de février 1963 sur les marques de fabrique et de commerce.

Source: WIPO (<http://www.wipo.org>).

Industrial Designs: Loi de février 1963 sur les dessins et modèles industriels.

Arrêté ministériel no 4/10/67 de mai 1967 portant mesures d'exécution de la Loi de février 1963 sur les dessins et modèles industriels.

Source: WIPO (<http://www.wipo.org>).

Copyright: Loi no 27/1983 de novembre 1983 régissant le droit d'auteur.

Source: WIPO (<http://www.wipo.org>).

Investment Law. Law 21/1987 of 5 August 1987, as amended by Law No. 07/90 of 31 January 1990.

Source: Official Journal of the Republic of Rwanda, No. 3, 1 February 1990.

The Rwandan Investment Code (Law No. 14/98 of 18/12/1998), December 1998.

Source: US Mission to Rwanda (http://www.usembkigali.net/rwanda/investment_climate.htm).

II. International Framework**A. Rwanda is a party to the following multilateral and regional instruments:**

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Community Investment Code of the Economic Community of the Great Lakes Countries of 31 January 1982; entered into force on: 4 October 1987.

Treaty for the Establishment of the Economic Community of Central African States of 18 October 1983; entered into force in December 1984.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Charter on a Regime of Multinational Industrial Enterprises (MIEs) in the Preferential Trade Area for Eastern and Southern African States (PTA), signed on 21 November 1990, entered into force August 1995.

Source: Preferential Trade Area for Eastern and Southern African States: Report of the Sixteenth Meeting of the Council of Ministers, 17-19 November, 1990, Mbabane, Swaziland (PTA/CM/XVI/2)

Southern Africa Development Community (SADC), signed on 17 August, 1992.

Source: http://www.sadc.int/about_sadc/history.php.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Treaty for the Establishment of the East African Community, 30 November 1999.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Switzerland 1963, Germany 1967, Belgium / Luxembourg 1983.

2. Bilateral treaties for the avoidance of double taxation: ...

C. Other treaties:

Trade and investment framework agreement with the United States of America (2006).

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São Tomé and Príncipe

A. Definitions and sources of data

The Investment Code of São Tomé and Príncipe (Lei no. 13/92) of 1995 does not contain a specific definition of foreign direct investment (FDI). The Government of São Tomé and Príncipe does not provide data on FDI. Data on the annual FDI were mainly from the International Monetary Fund (IMF) and the Organization for Economic Co-operation and Development.

The prospect of oil resources being developed has greatly increased western strategic interest in São Tomé and Príncipe, particularly from the United States. São Tomé and Príncipe in the Gulf of Guinea is considered as an attractive location to the Middle East for United States companies. After independence, São Tomé and Príncipe developed close links with several countries, particularly Cuba, Germany, China and Angola. As the former colonial power, Portugal has an influence, while France and Brazil have also become important partners. The decision to recognize Taiwan Province of China in 1997 has resulted in significant FDI inflows.

São Tomé and Príncipe signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 1 October 1999 and is a member of the African Union, New Partnership for Africa's Development, the Cotonou Agreement for renegotiating the African, Caribbean and Pacific trade links with the European Union and was a founding member of the Communauté Economique des Etats de l'Afrique Centrale, in 1983. It is also a member the community of Francophone countries and Organization de la Francophonie. Given the size of the country, international representation on the islands is limited. Portugal, France, Nigeria, Angola, Cape Verde and Gabon maintain Diplomatic representation in São Tomé and Príncipe. Of the United Nations' agencies, only the United Nation Development Programme and World Health Organization have full representation. The main offices for other United Nations' agencies, IMF and World Bank responsible for São Tomé are in Gabon or Angola. São Tomé and Príncipe has an observer status at the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	- 0.4	-
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	- 1.9	-
3. FDI stocks, 2006	16	-
4. FDI stocks as a percentage of GDP, 2006	20.6	-

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1987-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1987	..	..	..	0.2	..	..	..	-
1988	..	..	..	0.2	..	..	..	-
1989	..	..	..	- 0.1	..	..	..	-
1990	..	..	..	-	..	..	..	-
1991	..	..	..	-	..	..	..	-
1992	..	..	..	-	..	..	..	-
1993	..	..	..	- 0.5	..	..	..	-
1994	..	..	..	-	..	..	..	-
1995	..	..	..	0.0	..	..	..	-
1996	..	..	..	0.3	..	..	..	-
1997	..	..	..	0.1	..	..	..	-
1998	4.2	..	..	4.2	..	..	..	-
1999	3.0	..	..	3.0	..	..	..	-
2000	3.8	..	..	3.8	..	..	..	-
2001	3.5	..	..	3.5	..	..	..	-
2002	3.0	..	..	3.0	..	..	..	-
2003	..	..	..	0.9	..	..	..	-
2004	..	..	..	- 1.6	..	..	..	-
2005	-	-	-	- 0.6	-	-	-	-
2006	-	-	-	- 0.4	-	-	-	-

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics). Data are based on OECD for 1987, 1989, 1993, 1995-1997 and 2003-2005, IMF on the basis of net direct investment for 1988, IMF for 1998-2002, and estimate for 2006.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980
1981
1982
1983
1984
1985
1986
1987	0.2	..	..	..	..
1988	0.4	..	..	..	..
1989	0.4	..	..	..	..
1990	0.4	..	..	..	..
1991	0.4	..	..	..	..
1992	0.4	..	..	..	..
1993	-0.1	..	..	..	..
1994	-0.1	..	..	..	..
1995	-0.1	..	..	..	..
1996	0.3	..	..	..	..
1997	0.4	..	..	..	..
1998	4.6	..	..	..	..
1999	7.6	..	..	..	..
2000	11.4	..	..	..	..
2001	14.9	..	..	..	..
2002	18.0	..	..	..	..
2003	18.8	..	..	..	..
2004	17.3	..	..	..	..
2005	16.7	..	..	..	..
2006	16.2	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Note: Data are estimated by accumulating flows since 1987.

Table 6. FDI flows in the host economy, by geographical origin, 1996-2006
(Millions of dollars)

Reporting countries	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Germany	-	-	-	-	0.7	-	0.6	-	-	-	-	-	-	-	-
Portugal	-	-	-	-	- 1.1	0.6	0.6	0.1	0.7	0.9	0.3	- 2.4	2.7	0.9	0.9

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1996-2006
(Millions of dollars)

Reporting country	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Portugal	-	-	-	-	0.0	-	-	-	0.0	0.5	- 0.6	-	0.0	0.2	0.6

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by Portugal.

Table 12. FDI stocks in the host economy, by geographical origin, 1996-2006
(Millions of dollars)

Reporting country	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Portugal	-	-	-	-	2.0	1.4	3.5	3.0	2.8	2.6	6.3	16.4	4.1	-	-

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by Portugal.

Table 15. FDI stocks abroad, by geographical destination, 1996-2006
(Millions of dollars)

Reporting countries	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Czech Republic	-	-	-	-	-	-	10.5	-	-	-	-	-	-	-	-
Portugal	-	-	-	-	0.2	-	-	-	-	0.9	-	-	-	-	-

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Tables 23. The number of affiliates of United States TNCs in São Tomé and Príncipe, 1996-2006

Reporting country	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
United States	2	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
Companhia Sao Tomense de Telecomunicacoes	Portugal	Telecommunication	11	89
C. Finance and Insurance			Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

In São Tomé and Príncipe, instruments to regulate the activities of transnational corporations and foreign direct investors include, among others, the following:

I. National framework

II. International Framework

A. São Tomé and Príncipe is a party to the following multilateral and regional instruments:

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958, which entered into force on 7 June 1959.

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Charter on a Regime of Multinational Industrial Enterprises (MIEs) in the Preferential Trade Area for Eastern and Southern African States (PTA), signed on 21 November 1990, entered into force August 1995.

Source: Preferential Trade Area for Eastern and Southern African States: Report of the Sixteenth Meeting of the Council of Ministers, 17-19 november, 1990, Mbabane, Swaziland (PTA/CM/XVI/2)

Southern Africa Development Community (SADC), signed on 17 August, 1992.

Source: http://www.sadc.int/about_sadc/history.php.

Treaty Establishing the Market for Eastern and Southern Africa (COMESA), 1993.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Treaty for the Establishment of the East African Community, 30 November 1999.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. **Bilateral investment treaties for the protection and promotion of investments:** Portugal 1997.

2. **Bilateral treaties for the avoidance of double taxation:** ..

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_____ (2005c). *FDI in least developed countries at a glance: 2005/2006* (UNCTAD/ITE/IIA/2005/17).

United States Trade Representative (2006). *2006 Comprehensive Report on U.S. Trade and Investment Policy Toward Sub-Saharan Africa and Implementation of the Africa Growth and Opportunity Act: The Sixth of Eight Annual Reports, May 2006*. (Washington D.C.: US Government).

World Bank/International Finance Corporation (2007). *Doing Business 2008 Sao Tome and Principe* (Washington D.C.: The World Bank Group).

Senegal

A. Definitions and sources of data

Foreign direct investment (FDI) in Senegal is defined to meet certain minimum criteria. It comprises an invested capital of at least 5 million FCFA or its equivalent in United States dollars, must provide employment for at least three Senegalese nationals and must keep regular accounts in the standard Senegalese format (Loi no. 87-25 du 18 aout 1987, portant Code des Investissements). The Banque Centrale des Etats de l'Afrique de l'Ouest (BCEAO) provided FDI data in Senegal. The International Monetary Fund also provides FDI data on Senegal in its balance-of-payment statistics.

The Senegalese Investment Code provides equitable treatment of foreign firms and grants special incentives to companies willing to locate outside the Dakar region. Also, the code offers tax holidays and tax-free export processing zones; no barriers to ownership of businesses by foreigners and exonerates foreign investment from the Minimum Personal Income Tax and the Business License Tax.

Senegal created a one-stop window ("Guichet Unique") at the Ministry of Finance to reduce delays in assessing and approving private investment programs. Applications for authorization are processed within a one-month period, and absent of objections in that period, projects are considered approved.

Senegal is eligible for a wide market access. It is a member of the Economic Community of West African States, the West African Economic and Monetary Union, New Partnership for Africa's Development and the African Union. Further, Senegal benefits from the United States' market access initiative - the Africa Growth and Opportunity Act and the Cotonou agreement for renegotiating the trade links between the African, Caribbean and Pacific countries with the European Union, under the Lomé Convention. It is also a member of the World Trade Organization.

Senegal signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 26 September 1966 and is involved in several international investment related organizations. Senegal established an investment arbitration center in 1998, which is administered by the Dakar Chamber of Commerce. It has bilateral investment treaties with Australia, Denmark, Finland, France, Italy, Japan, the Netherlands, Romania, Republic of Korea, Spain, Switzerland and the United States. Senegal has also concluded tax treaties with France, Mali and the French-speaking African states of the "Organisation Commune Africaine et Malgache".

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	58.0	3.2
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	3.2	0.2
3. FDI stocks, 2006	416	157
4. FDI stocks as a percentage of GDP, 2006	4.5	1.7

Source: Based on tables 3a and 4a and UNCTAD, FDI/TNC database.

Table 3a. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	- 6.8	8.0	13.3	14.5	0.2	..	1.3	1.6
1981	4.7	8.7	20.9	34.4	- 2.5	..	17.3	14.8
1982	- 0.3	11.6	16.8	28.1	3.1	0.1	14.8	18.0
1983	0.4	5.5	- 40.5	- 34.7	2.8	..	- 4.4	- 1.6
1984	1.3	8.0	19.8	29.1	1.1	..	0.7	1.9
1985	4.5	5.0	- 25.3	- 18.9	- 0.1	..	3.3	3.1
1986	1.2	3.5	- 13.1	- 3.8	1.9	..	- 6.6	- 4.7
1987	3.4	5.3	- 12.6	- 2.1	0.6	..	- 2.5	- 1.9
1988	1.7	12.0	1.3	1.2	1.3	..	12.4	13.8
1989	2.8	14.3	9.7	18.2	8.9	..	- 0.3	8.6
1990	5.4	43.4	8.0	56.9	3.2	..	- 12.7	- 9.5
1991	4.0	- 10.4	- 1.2	- 7.4	- 8.9	..	- 10.2	- 19.1
1992	2.1	- 12.8	32.1	21.5	12.1	..	39.3	51.4
1993	2.4	- 2.0	- 1.2	- 0.7	- 0.1	..	0.4	0.4
1994	- 0.4	19.1	48.3	66.8	5.9	..	11.5	17.5
1995	- 0.2	14.3	17.6	35.1	- 12.5	..	9.2	- 3.4
1996	1.0	0.3	7.1	5.5	- 0.2	1.0	2.2	2.0
1997	156.7	4.4	15.3	176.8	0.5	0.4	- 1.3	- 0.9
1998	63.8	6.2	0.9	60.3	7.3	0.2	3.0	10.3
1999	124.4	21.5	7.4	153.2	8.1	0.1	2.9	11.1
2000	16.2	23.6	23.1	62.9	1.0	- 0.0	- 0.4	0.6
2001	- 28.7	35.2	25.4	31.9	- 0.2	- 0.0	- 7.3	- 7.0
2002	43.7	41.6	- 7.3	78.1	33.4	- 0.0	0.6	34.0
2003	72.6	- 8.5	- 11.5	52.5	- 5.6	2.9	5.4	2.7
2004	90.2	- 10.2	- 3.0	77.0	1.8	5.4	5.9	13.1
2005	96.1	- 55.0	3.5	44.6	2.6	0.1	- 10.4	- 7.7
2006	..	..	..	58.0	..	..	..	4.8

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the IMF for 1980-1984, the Banque Centrale de l'Afrique de l'Ouest (BCEAO) for 1985-2005 and estimate for 2006. Outflow data are from the IMF for 1980-1989, the BCEAO for 1990-2005 and estimate for 2006.

Table 3b. FDI flows, by type of investment, 1999-2005
(Millions of Franc de la Communauté financière africaine)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1999	76 583	13 240	4 531	94 354	4 965	77	1 765	6 807
2000	11 534	16 834	16 442	44 810	713	- 0.01	- 251	462
2001	- 21 043	25 837	18 621	23 415	- 177	- 0.01	- 5 337	- 5 160
2002	30 442	29 027	- 5 067	54 402	23 271	- 0.01	438	23 709
2003	42 178	- 4 963	- 6 705	30 510	- 3 279	1 695	3 129	1 545
2004	47 667	- 5 371	- 1 603	40 693	951	2 836	3 114	6 901
2005	50 683	- 29 021	1 857	23 519	1 350	56	- 5 479	- 4 073

Source: UNCTAD, FDI/TNC database based on the Banque Centrale de l'Afrique de l'Ouest (BCEAO), unpublished.

Table 4a. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment		
	Equity	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Other	Total
1980	..	..	..	149.9	..	..	4.9
1981	..	..	..	184.3	..	..	19.7
1982	..	..	..	212.4	..	..	37.6
1983	..	..	..	177.7	..	..	36.0
1984	..	..	..	206.8	..	..	37.9
1985	..	..	..	187.9	..	..	41.0
1986	..	..	..	184.1	..	..	36.3
1987	..	..	..	182.0	..	..	34.5
1988	..	..	..	183.2	..	..	48.2
1989	..	..	..	201.4	..	..	56.8
1990	..	..	..	258.3	..	..	47.3
1991	..	..	..	250.9	..	..	28.1
1992	..	..	..	272.4	..	..	79.5
1993	..	..	..	271.7	..	..	79.9
1994	..	..	..	338.5	..	..	97.3
1995	..	..	..	373.6	..	..	93.9
1996	..	..	..	379.0	..	..	95.9
1997	..	..	..	555.9	..	..	95.0
1998	..	..	..	616.2	..	..	105.4
1999	302.0	1.0	27.4	329.4	20.3	- 2.0	116.4
2000	254.7	2.0	39.9	294.6	20.6	1.2	117.1
2001	155.3	3.0	38.9	194.3	16.4	- 21.6	110.0
2002	196.6	4.0	45.0	241.6	55.7	- 0.5	144.0
2003	296.6	5.0	49.9	346.6	55.6	19.9	146.7
2004	362.5	6.0	78.7	441.2	61.9	16.6	159.8
2005	272.6	7.0	85.6	358.2	52.2	5.9	152.0
2006	..	..	..	416.2	..	..	156.8

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock prior to 1999 are estimated by accumulating inflows since 1970. 1999-2005 are based on the Banque Centrale de l'Afrique de l'Ouest (BCEAO). 2006 is estimated by adding flows to the 2005 stock. Outward stock data are estimated by accumulating inflows since 1974.

Table 4b. FDI stocks, by type of investment, 1999-2005
(Millions of Franc de la Communauté financière africaine)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1999	197 193	..	17 918	215 111	13 282	..	- 1 335	11 947
2000	179 556	..	28 111	207 667	14 552	..	866	15 418
2001	115 598	..	28 986	144 584	12 235	..	- 16 107	- 3 872
2002	122 980	..	28 152	151 132	34 831	..	- 343	34 488
2003	154 056	..	25 942	179 998	28 885	..	10 332	39 217
2004	174 578	..	37 883	212 461	29 833	..	7 979	37 812
2005	151 600	..	47 585	199 175	29 039	..	3 301	32 410

Source: UNCTAD, FDI/TNC database based on the Banque Centrale de l'Afrique de l'Ouest (BCEAO), unpublished.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium	-	-	-	-	-	-	-	0.9	-	-	-	-
Belgium/Luxembourg	-	1.3	-	-	1.1	1.8	0.9	0.9	-	-	-	-
China	-	-	-	-	-	-	-	-	0.7	-	-	-
Denmark	-	-	-	-	-	-	-	-	-	-	1.3	-0.3
France	31.5	26.9	128.1	23.3	94.8	20.3	28.6	35.8	65.5	13.7	52.2	22.6
Germany	0.7	-	-	0.6	-	-	-	6.6	1.1	8.7	-6.2	-12.5
Portugal	-	0.2	0.0	0.2	1.5	1.3	0.7	0.0	0.1	0.1	-	-
United States	4.0	6.0	8.0	5.0	9.0	-	3.0	1.0	-11.0	-4.0	-13.0	-60.0

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
France	15.8	7.7	10.1	4.4	2.1	5.5	-0.9	5.6	33.9	28.6	12.4	43.9
Germany	-	-	-	-	-	-	2.7	-	-	1.2	-	-
Portugal	-	-0.0	-	-	0.0	-	-	0.1	-	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Canada	-	-	-	-	-	-	-	-	-	13.3	-	-
China	-	-	-	-	-	-	-	-	2.5	2.6	2.4	-
Denmark	-	-	-	-	-	-	-	-	-	5.5	4.6	5.7
Morocco	-	-	-	-	-	-	-	10.0	12.5	16.1	14.1	26.8
Portugal	-	0.0	0.0	0.6	2.0	2.9	3.4	1.7	2.6	-	-	-
Korea, Republic of	0.4	0.4	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	-
United States	36.0	50.0	58.0	67.0	67.0	30.0	33.0	39.0	38.0	38.0	25.0	-33.0

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
France	53.5	58.9	55.9	64.2	57.3	58.6	51.1	45.1	113.7	130.8	97.9	-
Portugal	-	-	-	-	0.0	0.0	0.0	0.1	0.2	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Republic of Korea	..	..	2	3	3	3	3	3	3	3	3	3
United States	8	8	7	7	7	6	5	5	5	5	2	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 30, 35, 40, 45 and 50. Assets, employees, wages and salaries, sales and value added of foreign affiliates of United States' TNCs in Senegal, 1994-2005

(Thousands of employees and millions of dollars)

Table no./Variable	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
30. Assets	..	..	218	271	273	..	119	124	121	116	..	..
35. Employees	0.8	0.9	0.6	0.8	0.8	0.7	0.5	0.5	0.5	0.5	..	..
40. Wages and salaries	8	9	8	13	12	12	9	9	10	6	..	..
45. Sales	..	..	285	315	265	..	167	173	170	159	..	..
50. Value added ^a	27	29	22	29	31	37	39	38	38	32	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Table 86. Largest home-based TNCs, 2007

(Billions of dollars)

Company Name	Industry	Sales
A. Industrial		
Société Africaine de Raffinage	Petroleum expl./ref./distr.	0.76
Total Sénégal	Petroleum expl./ref./distr.	0.39
Shell Sénégal	Petroleum expl./ref./distr.	0.30
Société Nationale d'Électricité	Electricity/gas/water	0.25
International Trading Oil and Commodities Corporation	Petroleum expl./ref./distr.	0.25
Industries Chimiques du Sénégal	Mining	0.23
Sococim Industries	Building Materials	0.13
Sonacos	Agro-Industry	0.11
Mobil Oil Sénégal	Petroleum expl./ref./distr.	0.11
Les Grands Moulins de Dakar	Flour Mills	0.10
Les Ciments du Sahel	Building materials	0.08
B. Tertiary		
		Assets
Sté Nationale de Telecom du Sénégal	Telecommunication	0.61
Sonatel Mobiles	Telecommunication	0.17
Air Sénégal International	Air Transportation	0.12
Groupe CFAO Senegal	Diversified group	0.11
Sénégalaise des Eaux(Saur International)	Electricity/gas/water	0.08
C. Finance and Insurance		
..

Source: Jeune Afrique Hors-serie No. 14, 2007.

^a 2004.

Table 87. Largest foreign affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company Name	Host economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
Associates Business Machines Guinee SA	Guinea	Wholesale trade	2	10 ^a
C. Finance and Insurance			Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

^a2003.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Laboratoire Canonne Valdafrique S A	France	Chemicals and chemical products	..	74
Nord Electricite S A	France	Electricity, gas and water	..	54
Les Specialistes De L' Energie Sa	France	Electricity, gas and water	..	9
B. Tertiary				
Total Senegal Sa	France	Distributive trade	2 120	196
Shell Senegal Sa	United Kingdom	Wholesale trade	1 607	161
Scac Delmas Vieljeux Senegal	France	Wholesale trade	289	1 100
Compagnie Francaise De L Afrique Occidentale Du Senegal Sa	France	Wholesale trade	262	158
Cfao Technologies Senegal	France	Telecommunications	75	88
Equant Integration Service	France	Computer and related activities	..	30
Dakar Catering Sa	France	Distributive trade	..	215
Saga Senegal Sa	France	Supporting transport activities	..	202
Laborex S A	France	Wholesale trade	..	122
Société Africaine De Sondage Injections Et Forages	France	Construction	..	90
Sociétéropicale De Distribution De Produits Pharmaceutiques	France	Wholesale trade	..	80
A B B Herlicq S A	India	Construction	..	79
Société De Developement De La Industrie, Du Tourisme Et De L'Habitat S A	France	Wholesale trade	..	50
Mccann-Erickson Senegal	United States	Research and development	..	40
Getma Senegal	France	Supporting transport activities	..	28
Areva T&D	France	Other services	..	..
Bt Senegal Limited	United Kingdom	Telecommunications	..	..
Egl, Inc	United Kingdom	Water Transport	..	..
Geodis Senegal	France	Wholesale trade	..	..
C. Finance and Insurance			Assets	Employees
Société Generale De Banques Au Senegal	France	Finance	..	..
Agf Senegal Assurances	Germany	Insurance	..	..
Agf Senegal Assurances Vie	Germany	Insurance	..	..
Cabinet Pierre Michaux Fidafrica	United States	Petroleum	..	..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

In Senegal, many national, bilateral and multilateral legal instruments exist to regulate the activities of the transnational corporations and foreign direct investors. The key applicable legal instruments include the following:

I. National framework

Law No. 73-52, December 1973.

Source: WIPO (<http://www.wipo.org>).

Law No. 74-06 of 22 April 1974 establishing the Industrial Free Zone of Dakar.

Source: Journal Officiel de la Republique du Senegal No. 4356 of 18 May 1974, p. 740.

Decree No. 75-543 of 20 May 1975 Regulating the Operation of the "Comite d'Agrement" of the Industrial Free Zone of Dakar.

Source: International Center for Settlement of Investment Disputes (ICSID), Laws of the World, Release 88-1, August 1988, p. 55.

Law No. 84-64 setting the modalities for the liquidation of public establishments, national companies and joint ventures, 16 August 1984

Source: World Bank, Technical Paper No. 186, "Divestiture of State Enterprises". An overview of the legal framework.

Law No. 86-05 of 24 January 1986 which Amends Law No. 73-52 of 4 December 1973 on Copyright.

Source: World Intellectual Property Organisation. Copyright Laws and Treaties, No. 1, January 1989

Presidential order No. 86-1370/MEF/DGT/DP establishing a special commission on the disengagement of the state, 8 November 1986.

Source: World Bank, Technical Paper No. 186, "Divestiture of State Enterprises". An overview of the legal framework.

Law No. 87/23 on the privatisation of enterprises, 18 August 1987.

Source: World Bank, Technical Paper No. 186, "Divestiture of State Enterprises". An overview of the legal framework.

Law No. 87-24 of 18 August 1987 setting forth the Investment Code, repeals the Investment Code of 1981 and the special provisions relating to small and medium-sized enterprises of Law No. 81-51 of 10 July 1981.

Source: Journal Officiel de la Republique du Senegal (Official Journal) No. 5190 of 29 August 1987.

Decree No. 87-1476 on the organisation and operations of the special commission for monitoring the disengagement of the state, 27 November 1987.

Source: World Bank, Technical Paper No. 186, "Divestiture of State Enterprises". An overview of the legal framework.

Decree No. 87-1581 of 30 December 1987 Creating a Special Section within the Ministry of Economy and Finance for the Implementation of Law No. 87-25 of 18 August 1987.

Source: Journal Officiel de la Republique du Senegal No. 5222 of 5 March 1988, p. 145.

Decrees No. 88-194 and 88-197 of 18 February 1988, and Decree No. 88-256 of 11 March 1988, Implementing Art. 20, 19 and 16 of Law No. 87-25 of 18 August 1987.

Source: Journal Officiel de la Republique du Senegal No. 5226 of 26 March 1988, pp. 184-185, and No. 5230 of 23 April, 1988, p. 265.

Arrete No. 2089 M.E.F. of 19 February 1988 Implementing Art. 5 of Decree No. 87-1581 of 30 December 1987.

Source: Journal Officiel de la Republique du senegal No. 5230 of 23 April 1988, p. 268.

Decree No. 88-232 organising the procedure for the public offering of shares held by the state, 4 March 1988.
Source: World Bank, Technical Paper No. 186, "Divestiture of State Enterprises". An overview of the legal framework.

Decree No. 88-233 setting the conditions for tenders for the divestiture of shares held by the state in public enterprises to be privatised, 4 March 1988.

Source: World Bank, Technical Paper No. 186, "Divestiture of State Enterprises". An overview of the legal framework.

Law No. 89-31 of 12 October 1989.

Source: Journal Officiel de la Republique du Senegal No. 5314 of 21 October 1989, p. 409.

Law No. 89-32 of 12 October 1989.

Source: Journal Officiel de la Republique du Senegal No. 5314 of 21 October 1989, p. 410.

Regulations Concerning the Establishment of Companies in the Industrial Free Zone of Dakar.

Source: International Center for Settlement of Investment Disputes (ICSID), Laws of the World, p. 57.

Code des investissements Loi n°2004-06 du 6 février 2004

Source: <http://www.droit-afrique.com/images/textes/Senegal/Senegal%20-20Code%20des%20investissements.pdf>.

II. International Framework

A. Senegal is a party to the following multilateral and regional instruments:

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958, which entered into force on 7th June 1959.

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Patents: Bangui Agreement, March 1977 (Annex I), as last amended in February 1999.

Source: WIPO (<http://www.wipo.org>).

Industrial Designs: Bangui Agreement, March 1977 (Annexes II and IV), as last amended in February 1999.

Source: WIPO (<http://www.wipo.org>).

Trade Marks: Bangui Agreement, March 1977 (Annex III), as last amended in February 1999.

Source: WIPO (<http://www.wipo.org>).

Agreement for the Promotion, Protection and Guarantee of Investment Among Member States of the Organization of Islamic Conference, of 1 June 1981; entered into force on 23 September 1986.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Articles of Agreement of the Islamic Corporation for the Insurance of Investment and Export Credit of 19 February 1992. Entered into force on 1 August 1994.

Revised Treaty of the Economic Community of West African States. ECOWAS 1993.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Switzerland 1962, Germany 1964, Sweden 1967, France 1974, Syrian Arab Republic 1975, Netherlands 1979, Romania 1980, United Kingdom 1980, United States of America 1983, Korea, Republic of 1984, Tunisia 1984, Argentina 1993, Taiwan Province of China 1997, Egypt 1998, Qatar 1998, South Africa 1998, Malaysia 1999, Italy 2000, Mauritius 2002, Mali 2005, Morocco 2006.

2. Bilateral treaties for the avoidance of double taxation: Mauritania 1971, France 1974, Tunisia 1984, Belgium 1987, Norway 1994, Qatar 1998, Taiwan Province of China 1999, Canada 2001, Egypt 2001, Lebanon 2002, Mauritius 2002, Morocco 2002.

D. Sources of Information

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Seychelles

A. Definitions and sources of data

Foreign direct investment (FDI) in the Seychelles is defined by the standards adopted by the International Monetary Fund (IMF). This definition includes investments by a non-resident entity in the Seychelles where the direct investor acquires a long-term interest in an enterprise with a significant degree of influence on the management of the enterprise. An acquisition of 10% or more of the ordinary shares or voting power of a resident enterprise by a non-resident individual enterprise is considered to be FDI. The Central Bank of Seychelles collects data on FDI for compiling balance-of-payment (BOP) statistics. The data collection is based on a combination of company surveys and transactions of foreign currency. The data are highly aggregated. The IMF also provides data on FDI in the country in its BOP statistics.

The Government of the Seychelles only restricts foreign control or ownership of immobile property such as land. Such acquisition by foreign investors requires government approval. Also, due to a foreign exchange shortage in the Seychelles, certain transfers (example, remittance of dividends, transfer of management fees and proceeds for sale of assets) are subject to the approval of the Central Bank. As part of its effort to increase FDI in the economy, the Government had created the Seychelles International Business Authority to ease development of the offshore sector. The Seychelles international trade zone was also established to boost foreign investment. Seychelles committed to the Organization for Economic Co-operation and Development's requirements for ending harmful tax competition.

The services sector, including transport, communications, commerce and tourism, dominates the Seychelles economy. Some privatization schemes in the 1990s reduced the role of the state in the economy, particularly in telecommunications and tourism industries. To advance the strategy of low-volume-high-value tourism, the Government has encouraged investment in luxury facilities by offering a range of incentives including, exemptions from taxes and labour regulations for investors.

As part of the effort to deepen its participation in the global economy, Seychelles signed to the Convention on Settlement of Investment Disputes between State and Nationals of other States on 16 February 1978 and is a member of regional integration and co-operation arrangements, such as the Indian Ocean Commission, initiative to form the Indian Ocean Rim Association for Regional Co-operation, the Common Market for Eastern and Southern Africa and the Southern African Development Community. Seychelles is also a member of the African Union, New Partnership for Africa's Development and a signatory to the Cotonou Agreement for renegotiating the trade links between the African, Caribbean and Pacific countries with the European Union, under the Lomé Convention and has an observer status at the World Trade Organization. It is an eligible member of the United States market access initiative for African countries - the African Growth and Opportunity Act.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	82.0	7.8
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	105.7	10.1
3. FDI stocks, 2006	906	169
4. FDI stocks as a percentage of GDP, 2006	121.0	22.6

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	..	..	..	9.5	..	..	..	3.8
1981	..	..	..	10.1	..	..	..	7.2
1982	..	..	..	10.0	..	..	..	4.9
1983	..	..	..	9.1	..	..	..	3.2
1984	..	..	..	9.8	..	..	..	3.9
1985	..	..	..	11.7	..	..	..	10.6
1986	..	..	..	14.2	..	..	..	5.8
1987	..	..	..	19.4	..	..	..	5.4
1988	..	..	..	23.2	..	..	..	4.3
1989	17.8	..	..	22.4	..	..	..	0.9
1990	0.3	-	-	0.3	0.6	0.6	-	1.1
1991	17.7	3.8	-	21.5	0.5	0.5	-	0.9
1992	- 1.5	3.1	-	1.6	0.7	0.7	-	1.4
1993	11.7	4.0	3.1	18.8	0.5	0.5	-	1.0
1994	9.0	6.1	15.7	30.8	6.7	6.7	-	13.3
1995	15.7	11.6	18.5	45.8	8.5	8.5	-	16.9
1996	17.6	6.6	4.6	28.8	6.2	6.2	-	12.5
1997	49.3	4.0	0.1	53.4	4.9	4.9	-	9.9
1998	49.4	3.8	0.0	53.2	1.5	1.5	-	3.0
1999	51.5	3.7	0.0	55.2	4.5	4.5	-	9.0
2000	20.0	4.4	0.0	24.3	4.2	3.5	-	7.7
2001	56.6	8.1	0.0	64.7	6.0	2.6	-	8.5
2002	37.5	10.1	0.0	47.6	6.7	2.0	-	8.7
2003	33.6	9.0	15.7	58.4	5.3	2.9	-	8.1
2004	32.0	6.0	0.0	38.0	5.2	2.4	-	7.6
2005	74.6	10.9	0.4	85.9	5.1	2.3	-	7.4
2006	127.8	16.9	0.9	145.6	5.3	2.7	-	8.0

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics). Data are based on IMF for 1980-1989 and the Central Bank of Seychelles thereafter.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	82.8	..	..	..	16.5
1981	92.9	..	..	..	23.7
1982	102.9	..	..	..	28.6
1983	112.0	..	..	..	31.9
1984	121.8	..	..	..	35.8
1985	133.4	..	..	..	46.4
1986	147.6	..	..	..	52.1
1987	167.0	..	..	..	57.5
1988	190.2	..	..	..	61.8
1989	212.7	..	..	..	62.7
1990	212.9	..	..	..	63.9
1991	237.8	..	..	..	65.6
1992	230.7	..	..	..	64.5
1993	249.1	..	..	..	65.4
1994	294.9	..	..	..	82.8
1995	346.2	..	..	..	101.2
1996	365.8	..	..	..	111.0
1997	408.9	..	..	..	117.9
1998	435.7	..	..	..	113.7
1999	497.5	..	..	..	124.4
2000	448.1	..	..	..	113.6
2001	554.3	..	..	..	132.5
2002	682.5	..	..	..	160.2
2003	684.7	..	..	..	155.3
2004	722.7	..	..	..	162.9
2005	808.5	..	..	..	170.3
2006	906.0	..	..	..	169.3

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics). Data prior to 1990 are estimated by subtracting inflows from the stock of 1990. 1990-2006 are based on the Central Bank of Seychelles.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Reporting countries	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium	-	-	-	-	-	-	-	-	-	-	-	-2.3	-	0.0	-
China	-	-	-	-	-	-	-	-	-	-	-	-	-	0.1	-
Czech Republic	-	-	-	-	-	-	-	-2.6	-	-	-	0.0	-	-	-
Denmark	-	-	-	-	-	-	-	-	-	-	-	-	-	-0.2	-
Germany	-	-	-	1.4	6.0	0.6	0.6	-	-	-	-	-	-	-	-
Japan	-	-	-	-	-	-	-	-	-	-	-	-	-	5.1	-
Kazakhstan	-	-	-	-	-	-	-	-	-	-	-	-	-1.0	-1.1	-
Malaysia	-	-	-	-	-	0.4	-	-	-	-	-	-	-	-	-
Mauritius	-	-	-	-	-	-	1.3	0.4	2.6	-	-	20.4	2.7	3.0	5.9
United States	-	-	-	-	-	-	-	-	-	-	20.0	-	-	-	-

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Reporting countries	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Brazil	-	-	-	-	-	-	-	-	-	-	0.1	0.2	0.9	0.1	-
Bulgaria	-	-	-	-	-	-	-	-	-	0.0	0.0	0.3	1.5	1.8	2.0
Cyprus	-	-	-	-	-	-	-	-	-	-	0.1	0.1	0.0	0.1	-
Czech Republic	-	-	-	-	-	-	-	0.6	0.3	-0.5	-	-	45.7	-12.8	-16.8
Denmark	-	-	-	-	-	-	-	-	-	-	-	-	-	2.8	1.8
Estonia	-	-	-	-	-	-	-	-	-	-	-	-	-	0.5	-0.1
France	-	-	-	-	-	-	-	-	0.9	0.9	-	-	-	-	-
Kazakhstan	-	-	-	-	-	-	0.3	0.8	0.9	0.0	0.3	0.0	1.1	8.3	1.3
Kyrgyzstan	-	-	-	-	-	0.1	0.3	0.6	-	-	-	-	-	-	-
Latvia	-	-	-	-	-	-	-	-	-	-	0.3	-	-	-0.2	-
Lithuania	-	-	-	-	-	0.0	-0.0	0.0	-0.0	0.1	0.1	-0.2	1.6	0.2	-1.7
Malaysia	-	-	-	-	-	-	0.9	-	-	-	-	-	-	-	-
Portugal	-	-	-	-	-	-	-	0.1	-	-	-	-	-	-	-

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Reporting countries	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	-	-	-	-	-	-	-	-	0.4	0.4	4.2	-
Czech Republic	-	-	-	-	-	-	45.0	-	-	-	-	-	-	-	-
Denmark	-	-	-	-	-	-	-	-	-	-	-	-	0.5	0.2	0.5
Kazakhstan	-	-	-	-	-	-	-	-	-	-	-	-	1.2	0.0	0.0
Malaysia	-	-	-	-	-	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	-
United States	-	-	-	-	-	-	-	-	-	-	4.0	-	-	-	-

Source: UNCTAD, FDI/TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Reporting countries	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Brazil	-	-	-	-	-	-	-	-	0.1	-	-	-	-	-	-
Bulgaria	-	-	-	-	-	-	-	-	0.1	0.2	0.1	0.3	1.8	3.6	6.1
Croatia	-	-	-	-	-	-	-	-	-	-	0.2	0.2	0.2	0.2	0.3
Czech Republic	-	-	-	-	-	-	0.1	1.0	3.0	2.8	2.2	18.4	81.7	29.1	-
Denmark	-	-	-	-	-	-	-	-	-	-	-	-	12.6	13.4	17.0
Estonia	-	-	-	-	-	-	-	0.1	1.4	0.1	0.1	0.2	0.1	0.5	0.7
Kazakhstan	-	-	-	-	-	-	0.3	1.1	1.2	0.2	0.6	0.6	1.7	9.3	4.1
Latvia	-	-	-	-	-	-	-	-	-	-	0.3	0.3	-	0.2	-
Lithuania	-	-	-	-	0.1	0.1	0.1	0.1	0.1	0.2	0.1	0.0	1.7	1.5	0.1
Portugal	-	-	-	-	-	-	-	0.1	0.1	0.1	0.1	0.1	-	-	-
Macedonia, TFYR	-	-	-	-	-	-	-	-	0.0	0.1	0.1	-0.2	2.8	-0.0	-
United Republic of Tanzania	-	-	-	-	-	-	1.7	-	-	-	-	-	-	-	-

Source: UNCTAD, FDI/TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 23. The number of affiliates of United States TNCs in Seychelles, 1995-2006

Reporting country	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
United States	1	1	1	1	1	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

Tables 35 and 45. Employees and Sales of foreign affiliates of Czech Republic TNCs in Seychelles, 1995-2006
(Thousands of employees and millions of dollars)

Table no./Variable	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
35. Employment	1.7	1.5	..
45. Sales	154.4	217.6	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the Czech Republic.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars and number)

Company	Industry	Sales	Employees
A. Industrial			
..
B. Tertiary			
Air Seychelles	Air Transportation	0.13 ^a	..
C. Finance and insurance		Assets	Employees
..

Source: Jeune Afrique Hors-serie No. 14, 2007. ^a 2004.

Table 87. Largest affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company Name	Host Economy	Industry	Sales	Employees
A. Industrial				
Fendon Audio Technology Ltd	United Kingdom	Electrical & electronic equipments	..	1
Q Glazing Ltd.	United Kingdom	Machinery and equipment	..	6
B. Tertiary				
Atrium Computers Ltd	United Kingdom	Education	6.53	106
4 Business Ltd	United Kingdom	Other business activities	1.60	..
Hodsdon & Bancroft, Lda	Portugal	Distributive trade	1.04	12
Pivotal Developments Ltd	United Kingdom	Computer and related activities	0.92	..
Base4Business Ltd	United Kingdom	Other business activities	0.64	..
Consulco (Uk) Ltd	United Kingdom	Research and development	0.07	3
Business & Professional Management Ltd	United Kingdom	Research and development	0.07	..
Temple Systems Ltd	United Kingdom	Computer and related activities	0.05	..
Sti Management Ltd	United Kingdom	Real estate	0.05	..
Malvern Court Management Ltd	United Kingdom	Health and social services	0.05	3
F.T.Z. Ltd	United Kingdom	Real estate	0.03	..
Frameco Ltd	United Kingdom	Distributive trade	0.02	..
Bestlead Ltd.(Korea)	Rep. of Korea	Research and development	..	316
Telewise Group Limited	Hong Kong	Telecommunications	..	10
Temple Technologies Ltd	United Kingdom	Computer and related activities	..	2
C. Finance and insurance			Assets	Employees
Gatnom Capital & Finance Ltd	United Kingdom	Finance	..	..
Private Funding & Securities Ltd	United Kingdom	Finance	..	..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home Economy	Industry	Sales	Employees
A. Industrial				
Indian Ocean Tuna Limited	United States	Food, beverages and tobacco	28.5	..
B. Tertiary				
Skychef Ltd	France	Distributive trade	6.1	150
Cable And Wireless Seychelles Ltd	United Kingdom	Telecommunications	0.001	..
Laxmanbhai & Co (Pty) Ltd	Kenya	Construction	..	200
Ocra (Seychelles) Ltd	United Kingdom	Research and development	..	51
Bodco Limited	Switzerland	Wholesale trade	..	26
A Cement Company (Seychelles) Ltd	Switzerland	Wholesale trade	..	12
C. Finance and insurance			Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

Seychelles has adopted a number of national, bilateral and multilateral legal instruments for regulating the activities of transnational corporations and foreign direct investors. Some of the principal instruments that apply in the country include the following:

I. National framework

Companies Law 1942.

Source: Country Profile Of Seychelles (<http://www.iornet.org/newiornet/cp/seychelles10.htm>).

Income Tax Ordinance, Chapter 104; effective on 1 January 1948.

Source: The Laws of Seychelles, 1971, Revised edition, vol. 3, p. 417.

Hotels Ordinance No. 27 of 1960, Chapter 247, of 14 November 1960; effective on 1 January 1961. *Source:* Supplement to Seychelles Gazette, 14 November 1960.

The Industrial Development Ordinance, Chapter 248, of 24 November 1967; effective on 1 March 1968.

Source: Supplement to Seychelles Gazette of 4 December 1967.

Industrial Court Ordinance 1971.

Source: Seychelles Government Gazette, 1971-03-22.

The Industrial Development Regulation (Amendment), 5.1. 69 of 8 July 1971; effective on 8 July 1971.

Source: Supplement to Seychelles Gazette, 12 July 1971.

Hotels Ordinance (Amendment) No. 22 of 1971; effective on 1 January 1972.

Source: Supplement to Seychelles Gazette, 27 December 1971.

The Companies Ordinance, No. 4 of 10 March 1972; effective on 27 March 1972.

Source: Supplement to Seychelles Gazette, 27 March 1972.

Petroleum Mining Ordinance No. 3 of 6 April 1976.

Source: Supplement to Seychelles Gazette, 7 April 1976.

Trademark Decree, No. 18 of 1977; effective on 4 January 1978.

Source: Supplement to Seychelles Gazette, 16 August 1977.

Immigration Decree of 23 April 1979; effective on 30 April 1979.

Source: Supplement to Seychelles Gazette, 30 April 1979.

Petroleum Mining (Pollution Control) Amendment Act, of 30 January 1980; effective on 31 January 1980.

Source: Supplement to Seychelles Gazette, 31 January 1980.

Trade Licenses Act, No. 2 of 1981; effective on 3 March 1981.

Source: Supplement to Seychelles Gazette, 3 March 1981.

Copyright Act., No. 25 of 14 February 1984; effective on 1 April 1984.

Source: Supplement to Seychelles Gazette, 27 February 1984.

The Income Tax (Amendment) Act No. 12 of 24 August 1984; effective on 1 January 1984.

Source: Supplement to Seychelles Gazette of 31 August 1984.

Business Tax Act, No. 10 of 31 December 1987.

Source: Supplement to Seychelles Gazette, 1 January 1988.

Employment Act, No. 7 of 1 September 1990: effective on 16 November 1990.

Source: Supplement to Seychelles Gazette, 15 October 1990.

Immigration (Amendment) Bill of 7 December 1990.

Source: Supplement to Seychelles Gazette, 10 December 1990.

Merchant Shipping Act (1992)

Source: Country Profile Of Seychelles (<http://www.iornet.org/newiornet/cp/seychelles11.htm>).

International Business Companies Act 1994.

Source: Country Profile Of Seychelles (<http://www.iornet.org/newiornet/cp/seychelles10.htm>).

[Investment Promotion Act, 1994 \(No. 21 of 1994\)](#)

source: Official Gazette, Supplement, 1994-12-27, pp. 143-150.

International Business Companies Act, Act 24 of 23 December 1994.

Source: Republic of Seychelles. "Seychelles's Commercial Legislation", vol. II, edition 1995, Ministry of Finance and Communications, p. B-5 to B-57.

International Trusts Act, Act 26 of 23 December 1994.

Source: Republic of Seychelles. "Seychelles's Commercial Legislation", vol. II, edition 1995, Ministry of Finance and Communications, p. C-4 to C- 29.

Seychelles International Business Authority Act, Act 27 of 1994.

Source: Republic of Seychelles, "Seychelles's Commercial Legislation", vol. 11, edition 1995, Ministry of Finance and Communications, p. A-1 to A-6.

Investment Promotion Act (IPA), 1994, effective January 1995.

Source: (<http://www.afdb.org>).

[Investment Promotion \(Concessions and Incentives\) Regulations, 1995 \(S.I. No. 1 of 1995\)](#)

Source: Official Gazette, Supplement, 1995-01-09, pp. 1-8

International Trade Zone Act, Act 8 of June 1995.

Source: Republic of Seychelles, "Seychelles's Commercial Legislation", vol. II, edition 1995, Ministry of Finance and Communications, p. D-2 to D-10.

S.I. 88 of 1995 International Trust Act, 1994 Regulation. International Trust (Fees) Regulations, 1995 of 18 August 1995.

Source: Republic of Seychelles, "Seychelles's Commercial Legislation", vol. 11, edition 1995, Ministry of Finance and Communications, p. C-30.

S.I. of 1995 International Trade Zone Regulations of 8 November 1995.

Source: Republic of Seychelles. "Seychelles's Commercial Legislation", vol. 11, edition 1995, Ministry of Finance and Communications, p. E-1 to E-7.

Foreign Earnings (Regulation) Act, 1996, effective 1 January 1997.

Source: (<http://www.afdb.org>).

[International Trade Zone \(Employment\) Regulations, 1997 \(S.I. 13 of 1997\).](#)

Source: Official Gazette, Supplement, p. 429-461.

Investment Code of Seychelles Act 13 of 2005.

Source: <http://www.sib.gov.sc/download/Investment%20Code%20of%20Seychelles.pdf>.

II. International Framework

A. Seychelles is a party to the following multilateral and regional instruments:

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

[Southern Africa Development Community \(SADC\), signed on 17 August, 1992.](#)

Source: http://www.sadc.int/about_sadc/history.php.

Treaty Establishing the Market for Eastern and Southern Africa (COMESA), 1993.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. **Bilateral investment treaties for the protection and promotion of investments:** Cyprus 1998, Egypt 2002.

2. **Bilateral treaties for the avoidance of double taxation:** Norway 1955, Switzerland 1963, Japan 1970, South Africa 1998, China 1999, Indonesia 1999, Thailand 2001, Malaysia 2003, Oman 2003, Mauritius 2005, Viet Nam 2005, United Arab Emirates 2006.

C. Other treaties:

Investment agreement for the COMESA Common Investment Area (2007).

D. Sources of information

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United States Trade Representative (2006). *2006 Comprehensive Report on U.S. Trade and Investment Policy Toward Sub-Saharan Africa and Implementation of the Africa Growth and Opportunity Act: The Sixth of Eight Annual Reports, May 2006*. (Washington D.C.: US Government).

World Bank/International Finance Corporation (2007). *Doing Business 2008 Seychelles* (Washington D.C.: The World Bank Group).

Sierra Leone

A. Definitions and sources of data

The Bank of Sierra Leone and the International Monetary Fund (IMF) collect foreign direct investment (FDI) data in Sierra Leone. The data provided by the Bank of Sierra Leone are based on the guidelines of the IMF 4th edition balance-of-payment (BOP) manual. Efforts are under way in Sierra Leone for adopting the guidelines of the 5th edition BOP manual for compiling statistics for BOP and international investment positions. FDI in the country is concentrated in the country's extractive industries.

The Government of Sierra Leone is working to revive the interest of private investment in the country, after recent major civil conflicts. As a result, the Government in 1994 established the Sierra Leone Export Development and Investment Corporation and enacted the Income Tax Amendment Act of 1994. Other legislation that are supposed to ease private sector activities and investment are also in place. These include the Tourism Act 1990, Mines and Minerals Decree 1998, and the Fisheries Management and Development Decree 1994. These Acts revise the legal framework and regulate the activities and procedures of the private sector.

Sierra Leone signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 27 September 1965, made effort to integrate into the global production system and has a wide export market access. It is a member of the Mano River Union (MRU). The main aim of the MRU is economic and trade cooperation, through:

- eliminating obstacles to the movement of people and goods.
- a common policy for developing fishing and forestry.
- a common programme for developing transport, communications and energy.
- promoting good relations between the member states.
- a common investment policy.
- a common monetary policy.
- common policies on health, arts, sport, culture and international trade.

Sierra Leone also belongs to the Economic Community of West African States, the African Union, the New Partnership for Africa's Development and the Multilateral Investment Guarantee Agency. Its trade policies are harmonized with the countries of the wider world while its membership of the organizations provides non-commercial risk coverage for foreign investors in the country. The country is also eligible for the generalized system of preferences for the least developed countries, the Everything But Arms initiative by the European Union, the Cotonou Agreement for renegotiating the African, Caribbean and Pacific countries' partnership treaty with the EU, the United States' market access initiative for African countries - the African Growth and Opportunity Act and a member of the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	42.8	- 0.9
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	20.0	- 0.4
3. FDI stocks, 2006	343	-
4. FDI stocks as a percentage of GDP, 2006	24.1	0.0

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	- 5.8	0.1	- 13.0	- 18.7	..	..	..	..
1981	7.5	-	..	7.5	..	..	..	..
1982	1.5	20.6	- 17.4	4.7	..	..	..	..
1983	0.2	5.6	- 4.1	1.7	..	..	..	..
1984	-	7.1	- 1.2	5.9	..	..	..	..
1985	-	- 27.2	- 3.8	- 31.0	..	..	..	..
1986	- 0.0	- 133.9	- 6.4	- 140.3	..	..	..	..
1987	- 1.9	39.8	1.4	39.4	..	..	..	..
1988	-	- 20.4	- 2.7	- 23.1	..	..	..	- 0.2
1989	-	21.1	1.3	22.4	..	..	..	- 0.1
1990	-	32.5	- 0.0	32.4	..	..	..	0.1
1991	-	11.4	- 3.9	7.5	..	..	..	-
1992	-	- 5.4	- 0.2	- 5.6	..	..	..	0.3
1993	-	- 7.4	- 0.0	- 7.5	..	..	..	0.1
1994	-	- 3.2	0.3	- 2.9	..	..	..	0.2
1995	-	4.3	3.0	7.3	..	..	..	0.6
1996	-	0.7	- 0.1	0.7	..	..	..	-
1997	-	1.9	- 0.1	1.8	..	..	..	-
1998	-	0.1	0.0	0.1	..	..	..	-
1999	-	1.5	- 1.0	0.5	..	..	..	0.1
2000	-	1.4	37.6	38.9	..	..	..	-
2001	..	0.4	9.4	9.8	..	..	..	-
2002	6.8	1.6	2.1	10.4	..	..	..	-
2003	13.0	3.1	- 7.5	8.6	..	..	..	1.1
2004	24.5	9.3	27.4	61.2	..	..	..	-
2005	28.5	24.7	5.3	58.6	..	..	..	- 7.5
2006	-	-	-	42.8	..	..	..	2.7

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Note: Data on inflows are from IMF for 1980-1989 and the Bank of Sierra Leone for 1990-2005. 2006 is estimated. Data for outflows in 2005 are from IMF and the rest are proxy data based on investments reported by the following economies:

1988 France.

1989 Belgium and Luxembourg and France.

1990 and 1992 Belgium and Luxembourg.

1993-1995 China.

1999 Czech Republic.

2003 Romania.

2006 Sweden.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1980	305.2	..	..	..	..
1981	312.7	..	..	..	..
1982	317.4	..	..	..	..
1983	319.1	..	..	..	..
1984	325.0	..	..	..	..
1985	294.0	..	..	..	..
1986	153.7	..	..	..	..
1987	193.1	..	..	..	..
1988	170.0	..	..	..	..
1989	192.4	..	..	..	..
1990	224.8	..	..	..	..
1991	232.3	..	..	..	..
1992	226.7	..	..	..	..
1993	219.3	..	..	..	..
1994	216.4	..	..	..	..
1995	223.7	..	..	..	..
1996	224.3	..	..	..	..
1997	226.1	..	..	..	..
1998	226.3	..	..	..	..
1999	226.8	..	..	..	..
2000	265.7	..	..	..	..
2001	275.5	..	..	..	..
2002	285.9	..	..	..	..
2003	294.5	..	..	..	..
2004	167.4	..	188.3	355.7	..	..	..	..
2005	52.6	..	247.3	299.9	..	..	..	..
2006	342.7	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics). Data prior to 2004 are estimated by subtracting inflows from the stock of 2004. 2004-2005 are based on the IMF. 2006 is estimated by adding flows to the stock of 2005.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Reporting countries	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	-	-	-	..	..	..	-	-	2.8	-	-	-	-	-	-
China	-	-	-	..	..	..	-	-	-	-	-	-	5.9	0.5	-
Czech Republic	-	-	-	..	..	..	-	-	-	-	-	0.2	-	-	-
Denmark	-	-	-	..	..	..	-	-	-	-	-	-	-	-0.3	0.7
Germany	1.3	-	-	..	..	..	-	-	-	-	-1.9	-	-	-	-
Sweden	0.2	0.0	0.1	..	..	..	-	0.8	-0.9	0.1	0.4	0.2	-	-29.6	-13.9
United States	-	-	-	..	..	..	-1.0	1.0	4.0	1.0	1.0	2.0	-2.0	-1.0	-

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Reporting countries	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	0.1	0.2	0.6	..	..	..	-	..	..	..	-	..	..	..
Czech Republic	-	-	-	-	-	0.1	..	..	..	-	..	..	..
Korea, Republic of	-	-	-	-	0.1	..	..	..	..	..	..	..
Romania	-	-	-	-	-	1.1	..	..	..

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Reporting countries	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	..	..	..	-	-	-	-	-	-	5.7	18.5	-
Czech Republic	-	-	-	..	..	..	-	-	-	-	-	3.2	-	-	-
Denmark	-	-	-	..	..	..	-	-	-	-	-	-	1.5	0.5	0.7
United Kingdom	1.5	-	3.1	..	..	..	-	-	-	-	-	-	-	-	-
United States	-	-	4.0	..	..	32.0	2.0	6.0	10.0	11.0	12.0	15.0	13.0	3.0	3.0

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Reporting countries	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Korea, Republic of	-	-	-	-	-	-	-	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the Republic of Korea.

Tables 23, 30, 35, 40, 45 and 50. The number, assets, employees, wages and salaries, sales and value added of foreign affiliates of United States' TNCs in Sierra Leone, 1995-2006
(Number, thousands of employees and millions of dollars)

Table no./Variable	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
23. Number	3	2	2	2	2	2	2	1	..	..	..	1	1	..	..
30. Assets	180	164	..	..	..	..	..	..	8	9	9	..	..	..	..
35. Employees	..	2.2	..	0.1	0.1	0.1	0.1	..	0.2	0.2	0.2	..	..	..	..
40. Wages and Salaries	..	6.0	..	1.0	1.0	1.0	..	..	2.0	2.0	2.0	..	..	..	..
45. Sales	108.0	81.0	..	9.0	11.0	11.0	9.0	..	7.0	7.0	7.0	..	..	..	..
50. Value added ^a	..	..	..	7.0	8.0	9.0	7.0	..	1.0	1.0	1.0	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
Marz Chemicals (SI) Ltd	United Kingdom	Wholesale trade	..	20
Interwest Trading Ltd	United Arab Emirates	Supporting transport activities	..	5
Bt (SI) Limited	United Kingdom	Telecommunications	..	..
Maersk Sierra Leone Ltd	Denmark	Other services	..	..
Peterson Zochonis Sierra Leone Ltd	United Kingdom	Public administration	..	..
Sierra Leone Plastics Ltd	United Kingdom	Public administration	..	..
C. Finance and Insurance			Assets	Employees
Standard Chartered Bank Sierra Leone Ltd	United Kingdom	Finance	..	..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

Sierra Leone has adopted and signed on to a number of national, bilateral and multilateral legal instruments to enable an efficient regulation of transnational corporations and foreign direct investors. The following key instruments are applicable in the country:

I. National framework

Trade Marks: Merchandise Marks Act No. 7, Chapter 245, of 1889, 12 of 1889, 2 of 1908, 32 of 1908, 39 of 1908, 24 of 1955, as amended by the Laws (Adaptation) Act No. 29 of 1972.

Source: WIPO (<http://www.wipo.org>).

Merchandise Marks Act No. 7, chapter 245, of 1889, 2 of 1908, 32 of 1908, 39 of 1908, 24 of 1955, as amended by the Laws (Adaptation) Act No. 29 of 1972.

Source: WIPO (<http://www.wipo.org>).

Trade Marks Act No. 17, Chapter 244, of 1913, Sec. 30 of No. 12 of 1924, 10 of 1940, as amended by the Laws (Adaptation) Act No. 29 of 1972.

Source: WIPO (<http://www.wipo.org>).

Trade Marks (Certificate of Registration) Order, O. in C. No. 1 of 1915, as last amended by the Laws (Adaptation) Act No. 29 of 1972.

Source: WIPO (<http://www.wipo.org>).

Patents: Patents Act No. 21, Chapter 247, of 1924, 10 of 1932, 31 of 1932, 9 of 1957, as amended by the Laws (Adaptation) Act No. 29 of 1972.

Source: WIPO (<http://www.wipo.org>).

Diamond Industry Profit Tax Ordinance No. 23 of 1935; effective on 25 November 1935.

Source: The Laws of Sierra Leone, cap. 200, vol. IV, Revised Edition 1961, p. 2097.

Industrial Designs: United Kingdom Designs (Protection) Act No. 17 of 1936, as amended by the Laws (Adaptation) Act No. 29 of 1972.

Source: WIPO (<http://www.wipo.org>).

Companies Act No. 18 of 1937, as amended by Act No. 6 of 1978.

Source: The Laws of Sierra Leone, cap. 249, vol. V, Revised Edition 1960, p. 2676.

Diamond Protection Act No. 28 of 1956; effective on 22 November 1956.

Source: The Laws of Sierra Leone, cap. 199, vol. IV, Revised Edition 1961, p. 2094.

Mining (Mineral Oil) Regulation No. 8 of 1958.

Source: Sierra Leone Gazette, No. 3 of 14 January 1960.

Copyright Act No. 28 of 1965; effective: 6 August 1965.

Source: Sierra Leone Gazette, No. 62 of 12 August 1965 (Supplement).

Tourist and Hotel Development Act No. 61, effective on 14 January 1965. As amended by Development of Tourism Act, 1990.

Source: Sierra Leone Gazette, No. 4 of 14 January 1965.

Non-Citizens (Interest in Land) Act No. 30 of 1966.

Source: Sierra Leone Gazette, No. 27 of 22 September 1966

Non-Citizens (Interest in Land) Amendment Decree No. 7 of 1968 (N.I.C.); effective on 8 February 1968.

Source: Legislation of Sierra Leone 1968, Chronological Index of Acts and Public Notices of 1968, p. A15.

Non-Citizens (Trade and Business) Act No. 9 of 1969; effective on 21 August 1969.

Source: Legislation of Sierra Leone 1969, Chronological Index of Acts and Public Notices of 1969, p. A35.

Non-Citizens (Trade and Business) Amendments Act No. 5 and 6 of 1970, effective on 20 March and 24 September 1970, respectively.

Source: Legislation of Sierra Leone 1970, Chronological Index of Acts and Public Notices of 1970, pp. A9 and A93.

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Source: Sierra Leone Gazette, No. 10 of 12 February 1972

Regulations of Wages and Industrial Relations Act No. 18 of 1971; effective on 15 December 1971. *Source:* Sierra Leone Gazette, No. 76 of 10 December 1971.

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Source: Legislation of Sierra Leone 1972, Chronological Index of Acts and Public Notices of 1972, p. A67.

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Source: WIPO (<http://www.wipo.org>).

Patent Fees, Design Fees and Trade Mark Fees, December 1979.

Source: WIPO (<http://www.wipo.org>).

Patent Fees, Design Fees and Trade Mark Fees, December 1979.

Source: WIPO (<http://www.wipo.org>).

Development of Industries Act No. 6 of 23 September 1983; effective on 17 November 1983. Repealed by Development of Industries (Repeal) Decree 1993

Source: Sierra Leone Gazette of 17 November 1993.

Business Registration (Amendment) Act No. 13 of 1983.

Source: Sierra Leone Gazette, No. 76 of 22 December 1983.

Supplemented by Mines and Minerals Decree, 1994.

Source: Ministry of Industry and Mines, 1994.

Appellations of Origin / Geographical Indications / Indications of Source:

Source: WIPO (<http://www.wipo.org>).

II. International Framework

A. Sierra Leone is a party to the following multilateral and regional instruments:

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Convention Establishing the Inter-Arab Investment Guarantee Corporation of May 1971; entered into force in April 1974.

Agreement for the Promotion, Protection and Guarantee of Investment Among Member States of the Organization of Islamic Conference, of 1 June 1981; entered into force on 23 September 1986.

Unified Agreement for the Investment of Arab Capital in the Arab States of 1982.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Articles of Agreement of the Islamic Corporation for the Insurance of Investment and Export Credit of 19 February 1992. Entered into force on 1 August 1994.

Revised Treaty of the Economic Community of West African States (ECOWAS) 1993.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

 General Agreement on Trade in Services.

 Agreement on Trade Related Aspects of Intellectual Property Rights.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Germany 1965, United Kingdom 2000, China 2001.

2. Bilateral treaties for the avoidance of double taxation: United Kingdom 1947, Denmark 1954, Norway 1955, India 1956.

D. Sources of Information

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United States Trade Representative (2006). *2006 Comprehensive Report on U.S. Trade and Investment Policy Toward Sub-Saharan Africa and Implementation of the Africa Growth and Opportunity Act: The Sixth of Eight Annual Reports, May 2006*. (Washington D.C.: US Government).

World Bank/International Finance Corporation (2007). *Doing Business 2008 Sierra Leone* (Washington D.C.: The World Bank Group).

Somalia

A. Definitions and sources of data

In Somalia, Foreign Investment Law No. 19 of 1987 governs all foreign investment in the country, including foreign direct investment (FDI). In this law, foreign investment includes convertible currency specified by the Central Bank of Somalia and transferred to Somalia; machinery, equipment, spare parts, installations and current production inputs, whose importation is permitted under the prevailing import legislation; patent rights, trade marks and licenses registered in Somalia, provided they are for the activities to be pursued under the approved investment; foreign currency spent on studies and technical documentation, prepared in line with the approved investment and; profits reinvested from foreign investment approved in accordance with this law. The International Monetary Fund provides data on FDI in Somalia in its balance-of-payment statistics. The Mining Code, law No. 7 of 1984, governs mining activities.

The foreign investment law provides several incentives, such as exemption from taxes and customs duties for foreign investors. It aims at channeling FDI inflows to certain industries of the national economy, particularly agriculture, industry, fishing and forestry. The Committee on Foreign Investment which was set up to centralize investment matters in one authority and facilitate the investment approval process in conjunction with the State Planning Commission is responsible for authorizing investment projects. There are no restrictions on profit transfer and repatriation of invested capital is allowed on approval by the Committee on Foreign Investment.

Infrastructure is improving in the country. Small private companies linked to overseas satellite operators provide telecommunications in major towns. Three telecommunication companies, serve Mogadishu. Four firms serve Hargeisa, offering cellular phones and direct international calls at cheap rates. A local internet service provider operates in Mogadishu. In 2005, Somalia's largest mobile-phone operator, Telsom Mobile, started to upgrade its system. The country's energy provision is also being upgraded. In Somaliland, an agreement to upgrade the Hargeisa power infrastructure has started and the management of oil storage facilities at Berbera was put in the hands of Total Red Sea, a local subsidiary of a French oil company, TotalFinaElf. The Danish Government also gave a grant of \$3 million to finance renovation of the power plant at Bossasso.

There has been some exploration of Somalia's mineral resources. A British firm, Rovagold, was permitted to prospect for oil off the Somaliland coast in collaboration with two Chinese firms in 2001. A technical evaluation agreement was also signed by the Transitional National Assembly and TotalFinaElf for the company to determine the oil reserves. Most of Somalia's proven reserves lie off the Somaliland coast and an agreement on drilling and extraction exist between the Seminal Copenhagen Group and the Somaliland Government. Commercially exploitable deposits of gold, silver, tungsten, manganese, titanium, chromium and nickel were discovered at Jezira, Mogadishu in 1989 but were not developed. Local non-metallic mineral deposits were used in a cement factory and a gypsum plant at Berbera before the civil war, but both plants are defunct.

Somalia signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 27 September 1965 and is a member of several regional integration schemes such as the African Union, New Partnership for Africa's Development, the Inter-governmental Authority on Development and the League of Arab States. Somalia is also eligible for the generalized system of preferential market access schemes and the Cotonou Agreement for renegotiating the African, Caribbean and Pacific, European Union (ACP-EU) partnership agreement. The Cotonou Agreement builds on the achievements of the former Lomé Conventions, as the basis of cooperation between the EU and ACP countries.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	28.6	-
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	6.4	-
3. FDI stocks, 2006	118	-
4. FDI stocks as a percentage of GDP, 2006	5.1	0.0

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1980-2006

(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	- 0.0	..	..	..	..
1981	0.1	..	..	..	..
1982	- 0.8	- 0.8	..	..	..	..
1983	- 8.2	- 8.2	..	..	..	..
1984	- 14.9	- 14.9	..	..	..	..
1985	- 0.7	- 0.7	..	..	..	..
1986	3.1	..	..	..	..
1987	64.3	..	..	..	..
1988	- 43.4	..	..	..	..
1989	- 41.2	..	..	..	..
1990	5.6	..	..	..	..
1991	- 0.2	..	..	..	..
1992	- 0.1	..	..	..	..
1993	2.0	..	..	..	..
1994	1.0	..	..	..	..
1995	1.0	..	..	..	..
1996	1.3	..	..	..	..
1997	1.1	..	..	..	..
1998	0.0	..	..	..	..
1999	- 0.8	..	..	..	..
2000	0.3	..	..	..	..
2001	0.0	..	..	..	..
2002	0.1	..	..	..	..
2003	- 0.9	..	..	..	..
2004	- 4.8	..	..	..	..
2005	24.0	..	..	..	..
2006	96.0	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics). Data are based on OECD for 1980-1981, 1986-1992 and 1998-2004, IMF for 1982-1985, World Bank for 1993-1997 and estimate for 2005-2006. . Data are based on OECD for 1980-1981, 1986-1992 and 1998-2004, IMF for 1982-1985, World Bank for 1993-1997 and estimate for 2005-2006.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	34.1	..	..	..	..
1981	34.2	..	..	..	..
1982	33.4	..	..	..	..
1983	25.2	..	..	..	..
1984	10.2	..	..	..	..
1985	9.5	..	..	..	..
1986	12.6	..	..	..	..
1987	76.9	..	..	..	..
1988	33.5	..	..	..	..
1989	- 7.6	..	..	..	..
1990	- 2.0	..	..	..	..
1991	- 2.2	..	..	..	..
1992	- 2.3	..	..	..	..
1993	- 0.2	..	..	..	..
1994	0.8	..	..	..	..
1995	1.8	..	..	..	..
1996	3.1	..	..	..	..
1997	4.2	..	..	..	..
1998	4.2	..	..	..	..
1999	3.4	..	..	..	..
2000	3.7	..	..	..	..
2001	3.7	..	..	..	..
2002	3.8	..	..	..	..
2003	3.0	..	..	..	..
2004	- 1.8	..	..	..	..
2005	22.2	..	..	..	..
2006	118.2	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Note: Data are estimated by accumulating inflows since 1970.

Table 6. FDI flows in the host economy, by geographical origin, 1992 - 2006
(Millions of dollars)

Reporting country	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
United States	-	-	-	-	-	-	-	-	29.0	-	-	-	-	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the United States.

Table 9. FDI flows abroad, by geographical destination, 1992 - 2006
(Millions of dollars)

Reporting countries	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Estonia	-	-	-	-	-	-	-	-	-	-	-	-	0.03	-	-

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by Estonia.

Table 12. FDI stocks in the host economy, by geographical origin, 1992 - 2006
(Millions of dollars)

Reporting countries	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
United States	-	-	- 1.0	- 1.0	- 1.0	- 1.0	-	29.0	29.0	29.0	29.0	29.0	29.0	29.0	29.0

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the United States.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Reporting countries	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Bulgaria	-	-	-	-	-	-	-	-	0.003	-	-	-	-	-	-
Estonia	-	-	-	-	-	-	-	-	-	-	-	-	0.04	0.03	0.03

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Tables 23 and 30. The number and assets of foreign affiliates of the United States TNCs in Somalia, 1995-2006
(Number and millions of dollars)

Table no./Variable	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
23. Number	5	2	1	1	1	1	1	..	..	..	..	..	..	..	..
30. Assets	18	8	5	5	6	6	..	..	8	8	9	10	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on the information reported by the United States.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars)

Company	Industry	Sales
A. Industrial		
..
B. Tertiary		
Somali Airlines	Transportation and storage	..
C. Finance and insurance		Assets
..

Source: Jeune Afrique Hors-serie No. 14, 2007

Table 87. Largest affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company Name	Host economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
Somali Airlines	Italy	Transport and storage	..	..
C. Finance and insurance			Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
German Agro Action Office	Germany	Agriculture	..	20
B. Tertiary				
..
C. Finance and Insurance			Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

A number of regulatory national, bilateral and multilateral legal instrument apply in Somalia to regulate the activities of transnational corporations and foreign direct investors. In the absence of new instruments, the following are supposed to guide investment activities in the country:

I. National framework

Ordinance No. 1 of 22 January 1955, concerning Patents on Industrial Design; effective on 1 January 1955.
Source: Faafin Rasmiah (Official Gazette), Supplement No. 2 to No. 1 of 25 January 1955, p. 67.

Ordinance No. 3 of 22 January 1955, concerning Trademarks; effective on 1 January 1955.
Source: Faafin Rasmiah (Official Gazette), Supplement No. 2 to No. 1 of 25 January 1955, p. 97.

Legislative Decree No. 5 of 5 November 1966, concerning the body of Laws on Direct Taxation (Income Tax); effective: 1 January 1967.
Source: Faafin Rasmiah (Official Gazette), Supplement No. 3 to No. 12 of 14 December 1966, p. 2.

Law No. 65 of 18 October 1972, enacting the Labour Code. Effective 21 October 1972.
Source: Faafin Rasmiah (Official Gazette) No. 10, 25 October 1972, p. 1, 114.

The Civil Code (Chapter 2), containing Company Regulations, of 2 June 1973; effective on 1 July 1973.
Source: Faafin Rasmiah (Official Gazette) No. 6, 2 June 1973, p. 570.

Law No. 7 of 9 January 1984, regarding the Mining Code; effective on 9 January 1984.
Source: Faafin Rasmiah (Official Gazette) No. 2, 28 January 1984, p. 73.

Decree No. 22 of 9 January 1984, concerning the Mining Regulations. Effective 9 January 1984. *Source:* Faafin Rasmiah (Official Gazette) No. 2, 28 January 1984, p. 74.

Law No. 19 of 10 July 1986. on Tariff Reduction within the Preferential Trade Area. Effective 15 September 1986.
Source: Faafin Rasmiah (Official Gazette) No. 8, 1 August 1986, p. 540.

The Foreign Investment Law No. 19 of 9 May 1987; effective on 1 September 1987.
Source: Faafin Rasmiah (Official Gazette) No. 9, 1 September 1987, p. 761.

II. International Framework**A. Somalia is a party to the following multilateral and regional instruments:**

Agreement on Arab Economic Unity of 3 June 1957; entered into force on 30 April 1964.

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Agreement for the Promotion, Protection and Guarantee of Investment Among Member States of the Organization of Islamic Conference, of 1 June 1981; entered into force on 23 September 1986.

Charter on a Regime of Multinational Industrial Enterprises (MIEs) in the Preferential Trade Area for Eastern and Southern African States (PTA), signed on 21 November 1990, entered into force August 1995.

Source: Preferential Trade Area for Eastern and Southern African States: Report of the Sixteenth Meeting of the Council of Ministers, 17-19 November, 1990, Mbabane, Swaziland (PTA/CM/XVI/2)

Articles of Agreement of the Islamic Corporation for the Insurance of Investment and Export Credit of 19 February 1992. Entered into force on 1 August 1994.

Treaty Establishing the Market for Eastern and Southern Africa (COMESA), 1993.

B. Bilateral treaties

1. **Bilateral investment treaties for the protection and promotion of investments:** Germany 1981.
2. **Bilateral treaties for the avoidance of double taxation: ...**

D. Sources of information

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South Africa

A. Definitions and sources of data

Foreign direct investment (FDI) in South Africa is defined as investment by foreigners/South African residents in undertakings in South Africa/abroad in which they have individually or collectively, in the case of affiliated organizations or persons, at least 10% of the voting rights. In compiling South Africa's balance-of-payment, the principle followed is that an effective voice is only possible if the investment involves control in the organization. In all cases, the ownership of 25% or more of total issued voting stock or comparable ownership or voting rights is regarded as involving control. Data on the geographic location of the origin of inward stock, and inward and outward flows and on the sectoral distribution of FDI flows are calculated on foreign liabilities and assets values reported by the Reserve Bank of South Africa. The International Monetary Fund also provides data on FDI in the country in its balance-of-payment statistics.

The Government of South Africa is eager to attract FDI and has put policies in place to achieve this goal. The Government does not require approval for investment and foreign investors in most cases are subject to the same laws as domestic investors. Non-residents may invest directly through a resident company, branch or partnership. The 1973 Companies Act permits the establishment of a private or public limited-liability company. Most foreign firms setting up South African subsidiaries are private companies. The Close Corporation Act of 1984 (Act 69) created a third legal form for corporations, which is well suited to small businesses.

The rights of foreign owners are not legally restricted except in banking and there is no limit to the foreign ownership of investments. Foreigners are free to acquire freehold title to land anywhere in the country. Certain industrial sites offer land for long-term lease only. In many parts of the country land rights are separated from mineral rights. Firms should investigate title deeds which are public documents in local registries to check the ownership of mineral rights. These rights are the focus of a new policy that calls for transferring ownership of all domestic mineral rights to the state. The Department of Trade and Industry has recently completed a process of restructuring and started programs such as the skills support program for investors. The new investment promotion agency, Trade and Investment of South Africa, is now operational.

South Africa has been revising its competition laws in recent years. An important statute that took effect in 1999 established new standards to reduce market dominance, curb restrictive practices and more closely regulate mergers. Foreign businesses can expect the business-operating environment to become increasingly competitive. The legal system is an unusual mixture of English law and the Dutch-Roman law. The Roman-Dutch law tends to predominate in matters of property, succession and the law of sale and lease. To avoid unpleasant surprises, investors have to consult counsel on matters on establishment or expansion of business in South Africa. Acquisitions and takeovers are subject to the provisions of chapter 13 of the reconstituted 1973 Companies Act, whether the company making the take-over bid is foreign or local. The amended law contains strict provisions governing disclosure and take-over procedures. Under Competition Act 89 of 1998, parties must notify the Competition Commission within seven days of a proposed merger that qualifies as an intermediate or as a larger merger, as defined by law. Antitrust rules empower the government to prohibit mergers deemed contrary to the public interest.

South Africa has double taxation treaty agreements with several foreign countries. These include Botswana, Denmark, Finland, France, Germany, Israel, the Republic of Korea, Lesotho, Malawi, Namibia, the Netherlands, Romania, Swaziland, Sweden, Switzerland, Tanzania, Uganda, the United

Kingdom, Zambia and Zimbabwe. The treaty with the United Kingdom extends also to Grenada, Mauritius, the Seychelles and Sierra Leone. Limited sea and air transport agreements exist with Belgium, Brazil, Greece, Ireland, Italy, Japan, Norway, Portugal, the Republic of China and Spain. Comprehensive agreements have been ratified in South Africa with Belgium, Hungary and Poland. Comprehensive agreements have been signed but not ratified with Austria, Canada, Italy, Lesotho, China and the Russian Federation. Comprehensive agreements have been negotiated, or renegotiated but not signed, with Botswana, Croatia, the Czech Republic, Malaysia, Malta, Mauritius, Namibia, Norway, Singapore, Slovakia, Thailand, Turkey and Uganda. Comprehensive agreements are being negotiated or renegotiated but have not been finalized with Argentina, India, Japan, Luxembourg, Portugal, Tunisia, the United States and Zimbabwe. In terms of these agreements, the foreign resident undertaking will only be taxable in South Africa if it conducts business in South Africa through a permanent establishment. The Government provides export subsidy that is payable under the General Export Incentive Scheme.

South Africa is party to international conventions for protecting intellectual property. Patents, trademarks, copyrights and industrial designs, and models are all legally recognized in South Africa which was one of the first signatories to the Trademarks Laws Treaty at the World Intellectual Property Organization in 1994. The current legal regime ensures compliance with the Trade-Related Aspects of Intellectual Property agreement (TRIPs) of the World Trade Organization to which South Africa is a member.

Most African countries seek close relationship with South Africa as an outlet and source of materials products. South Africa, on the other hand, had intensified their effort to integrate into the global economy, starting with the region. The country has warm relations with almost all the countries of the world. South Africa engages its African neighbours at the political and commercial level, both bilaterally and is a big-time player in regional bodies such as the African Union, Southern African Customs Union and the Southern African Development Community. The Government won the approval of the African Union conference in Lusaka to present Millennium Africa Plan which was later renamed the New Partnership for Africa's Development. South Africa also has strong ties with the United States and is eligible for the United States' market access for African countries - African Growth and Opportunity Act.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	1 912.1	2 392.7
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	5.1	6.4
3. FDI stocks, 2006	87 765	50 826
4. FDI stocks as a percentage of GDP, 2006	34.4	19.9

Source: Based on tables 3a and 4a and UNCTAD, FDI/TNC database.

Table 3a. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	..	..	..	- 10.3	..	..	..	755.0
1981	..	..	..	65.0	..	..	..	643.9
1982	..	..	..	329.7	..	..	..	- 5.5
1983	..	..	..	70.9	..	..	..	156.2
1984	..	..	..	419.5	..	..	..	193.1
1985	82.0	..	- 534.7	- 448.0	27.8	..	19.5	51.2
1986	13.3	..	- 63.8	- 49.9	73.7	..	- 2.7	70.5
1987	- 17.5	..	- 174.2	- 190.1	11.5	..	100.6	110.0
1988	108.7	..	49.7	161.5	50.0	..	14.6	68.2
1989	102.1	..	- 303.3	- 206.7	126.9	..	35.8	168.2
1990	67.6	..	- 146.1	- 78.4	39.0	..	- 11.6	27.4
1991	16.3	..	231.8	248.1	146.7	..	61.2	207.9
1992	33.3	..	- 29.8	3.5	360.9	..	1 576.3	1 937.2
1993	2.8	..	7.3	10.1	72.9	..	225.3	298.2
1994	5.1	..	374.7	379.8	1 368.6	..	- 132.4	1 236.2
1995	289.5	..	951.8	1 241.3	2 306.3	..	191.3	2 497.7
1996	570.2	..	247.9	818.1	1 278.5	..	- 234.6	1 043.9
1997	3 601.2	..	216.0	3 817.2	2 205.8	..	145.0	2 350.8
1998	506.9	..	54.2	561.1	1 697.5	..	81.5	1 779.0
1999	1 075.7	..	426.6	1 503.2	833.5	..	746.6	1 581.0
2000	841.8	..	46.1	887.3	- 165.5	..	436.3	270.6
2001	6 561.8	..	226.9	6 783.9	-4 111.1	..	930.9	-3 177.9
2002	457.6	..	299.1	1 569.2	163.2	..	- 562.1	- 398.0
2003	554.5	..	179.1	733.7	796.9	..	- 231.7	565.1
2004	245.7	..	553.5	798.0	1 413.7	..	- 61.6	1 350.1
2005	6 326.8	..	317.0	6 643.8	674.8	..	255.1	930.3
2006	-1 512.7	..	985.6	- 527.1	2 733.9	..	3 991.3	6 725.2

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics) based on the South African Reserve Bank, unpublished.

Table 3b. FDI flows, by type of investment, 1980-2006
(Millions of Rand)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	..	..	..	- 8.0	..	..	..	588.0
1981	..	..	..	57.0	..	..	..	565.0
1982	..	..	..	358.0	..	..	..	- 6.0
1983	..	..	..	79.0	..	..	..	174.0
1984	..	..	..	619.1	..	..	..	285.0
1985	..	..	..	- 998.1	..	..	..	114.1
1986	..	..	..	- 113.9	..	..	..	161.0
1987	..	..	..	- 387.0	..	..	..	223.9
1988	..	..	..	367.0	..	..	..	155.0
1989	..	..	..	- 542.0	..	..	..	441.1
1990	..	..	..	- 202.9	..	..	..	70.9
1991	..	..	..	685.0	..	..	..	574.0
1992	..	..	..	10.0	..	..	..	5 524.1
1993	..	..	..	33.0	..	..	..	974.1
1994	..	..	..	1 348.2	..	..	..	4 388.1
1995	..	..	..	4 502.2	..	..	..	9 059.1
1996	..	..	..	3 514.9	..	..	..	4 485.1
1997	16 592.0	..	995.0	17 587.0	10 163.0	..	668.0	10 831.0
1998	2 804.0	..	300.0	3 104.0	9 390.0	..	451.0	9 841.0
1999	6 576.0	..	2 608.0	9 184.0	5 095.0	..	4 564.0	9 659.0
2000	5 838.0	..	320.0	6 158.0	-1 148.0	..	3 026.0	1 878.0
2001	56 452.0	..	1 952.0	58 404.0	-35 368.0	..	8 009.0	-27 359.0
2002	4 812.0	..	3 146.0	16 540.0	1 716.0	..	-5 911.0	-4 195.0
2003	4 195.0	..	1 355.0	5 550.0	6 028.0	..	-1 753.0	4 275.0
2004	1 585.0	..	3 570.0	5 155.0	9 118.0	..	- 397.0	8 721.0
2005	40 253.0	..	- 483.0	42 270.0	4 293.0	..	1 623.0	5 916.0
2006	-10 985.0	..	8 796.0	-3 567.0	18 480.0	..	26 681.0	45 511.0

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics) based on the South African Reserve Bank, unpublished.

Table 4a. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment					Outward investment				
	Equity & Reinvested earnings	Equity	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Equity	Reinvested earnings	Other	Total
1980	13 137.4	..	..	3 322.1	16 459.5	4 148.0	..	..	1 393.4	5 541.4
1981	11 551.2	..	..	3 271.1	14 822.3	4 761.7	..	..	1 297.6	6 059.3
1982	10 965.8	..	..	4 012.7	14 978.4	6 328.5	..	..	1 008.9	7 337.4
1983	10 112.2	..	..	3 933.7	14 045.9	6 659.8	..	..	861.3	7 521.1
1984	6 963.7	..	..	4 032.1	10 995.8	7 820.9	..	..	698.1	8 519.1
1985	5 744.4	..	..	3 138.8	8 883.2	8 224.4	..	..	665.1	8 889.5
1986	6 843.6	..	..	2 944.5	9 788.1	10 190.5	..	..	705.5	10 896.0
1987	7 067.6	..	..	2 959.2	10 026.8	12 718.9	..	..	718.5	13 437.4
1988	5 775.9	..	..	1 968.7	7 744.6	11 549.6	..	..	501.5	12 051.1
1989	6 477.3	..	..	1 540.5	8 017.9	12 573.3	..	..	505.4	13 078.6
1990	7 724.8	..	..	1 482.4	9 207.2	14 516.0	..	..	488.4	15 004.4
1991	8 505.6	..	..	1 701.9	10 207.5	15 607.5	..	..	492.9	16 100.4
1992	9 091.9	..	..	1 565.6	10 657.5	16 746.8	..	..	1 040.4	17 787.3
1993	8 751.0	..	..	1 938.5	10 689.5	16 659.7	..	..	1 292.4	17 952.1
1994	9 908.5	..	..	2 701.7	12 610.2	17 030.7	..	..	2 066.9	19 097.6
1995	11 841.7	..	..	3 163.6	15 005.4	21 093.3	..	..	2 194.2	23 287.5
1996	10 594.9	..	..	2 637.0	13 231.9	22 893.6	..	..	1 448.2	24 341.8
1997	13 637.9	..	..	3 094.6	16 732.5	22 131.9	..	..	1 113.3	23 245.1
1998	12 744.8	..	..	2 926.8	15 671.7	26 283.1	..	..	566.7	26 849.9
1999	48 468.4	..	..	3 309.0	51 777.4	31 935.6	..	..	1 057.7	32 993.4
2000	40 288.6	24 058.8	16 229.8	3 162.4	43 451.0	31 078.2	9 415.3	21 662.8	1 247.0	32 325.2
2001	27 665.8	17 730.3	9 935.5	2 903.2	30 569.0	16 321.4	5 735.8	10 585.7	1 258.6	17 580.0
2002	25 973.3	18 379.7	7 593.5	4 630.8	30 604.1	20 033.8	6 686.3	13 347.5	1 946.6	21 980.4
2003	40 787.8	26 874.7	13 913.1	6 080.9	46 868.7	25 169.9	9 276.4	15 893.5	2 014.9	27 184.8
2004	56 513.1	33 767.3	22 745.8	7 937.7	64 450.8	36 304.8	13 822.9	22 481.9	2 778.0	39 082.8
2005	71 460.9	35 960.0	35 500.9	7 525.1	78 985.9	34 980.2	13 218.8	21 761.4	2 725.7	37 705.9
2006	79 450.9	35 119.5	44 331.4	8 314.1	87 765.0	44 280.8	17 603.9	26 676.9	6 544.8	50 825.5

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics) based on the South African Reserve Bank, unpublished.

Table 4b. FDI stocks, by type of investment, 1980-2006
(Millions of Rand)

Year	Inward investment					Outward investment				
	Equity & Reinvested earnings	Equity	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Equity	Reinvested earnings	Other	Total
1980	9 796.0	..	..	2 477.1	12 273.1	3 093.0	..	..	1 039.0	4 132.0
1981	11 057.0	..	..	3 131.1	14 188.1	4 558.0	..	..	1 242.1	5 800.1
1982	11 781.0	..	..	4 311.0	16 092.0	6 799.0	..	..	1 083.9	7 882.9
1983	12 293.0	..	..	4 782.0	17 075.0	8 096.0	..	..	1 047.0	9 143.0
1984	13 825.0	..	..	8 005.0	21 830.0	15 527.0	..	..	1 386.0	16 913.0
1985	14 718.0	..	..	8 041.9	22 759.9	21 072.0	..	..	1 704.0	22 776.0
1986	14 998.0	..	..	6 453.0	21 451.0	22 333.0	..	..	1 546.0	23 879.0
1987	13 623.0	..	..	5 703.9	19 326.9	24 516.0	..	..	1 385.0	25 901.0
1988	13 739.0	..	..	4 683.0	18 422.0	27 473.0	..	..	1 192.9	28 665.9
1989	16 507.0	..	..	3 925.9	20 432.9	32 042.0	..	..	1 287.9	33 329.9
1990	19 802.0	..	..	3 800.0	23 602.0	37 211.0	..	..	1 252.0	38 463.0
1991	23 335.0	..	..	4 669.1	28 004.1	42 819.0	..	..	1 352.2	44 171.2
1992	27 770.0	..	..	4 781.9	32 551.9	51 151.0	..	..	3 177.9	54 328.9
1993	29 745.0	..	..	6 589.0	36 334.0	56 627.0	..	..	4 392.9	61 019.9
1994	35 124.0	..	..	9 577.1	44 701.1	60 371.0	..	..	7 326.9	67 697.9
1995	43 218.0	..	..	11 546.1	54 764.1	76 983.0	..	..	8 008.0	84 991.0
1996	49 625.0	..	..	12 351.1	61 976.1	107 230.0	..	..	6 782.9	114 012.9
1997	66 397.0	..	..	15 066.0	81 463.0	107 750.0	..	..	5 420.0	113 170.0
1998	74 706.0	..	..	17 156.0	91 862.0	154 063.0	..	..	3 322.0	157 385.0
1999	298 267.0	..	..	20 363.0	318 630.0	196 527.0	..	..	6 509.0	203 036.0
2000	304 924.0	182 089.0	122 835.0	23 935.0	328 859.0	235 215.0	71 260.0	163 955.0	9 438.0	244 653.0
2001	335 489.0	215 006.0	120 483.0	35 206.0	370 695.0	197 922.0	69 555.0	128 367.0	15 262.0	213 184.0
2002	224 409.0	158 801.0	65 608.0	40 010.0	264 419.0	173 092.0	57 770.0	115 322.0	16 819.0	189 911.0
2003	270 831.0	178 448.0	92 383.0	40 377.0	311 208.0	167 128.0	61 595.0	105 533.0	13 379.0	180 507.0
2004	318 169.0	190 110.0	128 059.0	44 689.0	362 858.0	204 396.0	77 823.0	126 573.0	15 640.0	220 036.0
2005	451 990.0	227 447.0	224 543.0	47 596.0	499 586.0	221 250.0	83 609.0	137 641.0	17 240.0	238 490.0
2006	553 773.0	244 783.0	308 990.0	57 949.0	611 722.0	308 637.0	122 699.0	185 938.0	45 617.0	354 254.0

Source: UNCTAD, FDI/TNC database based on the South African Reserve Bank, unpublished.

Table 6. FDI flows in the host economy, by geographical origin, 1993-2006
(Millions of Rand)

Region / economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total world	1 331	3 172	1 764	2 436	6 862	..	..	..	..	..	..	..	..	..	..	..	..
Developed countries	1 130	3 082	1 793	1 973	6 702	..	..	..	..	..	..	..	..	..	..	..	..
Europe	-	-	-	1 047	5 374	..	..	..	..	..	..	..	..	..	..	..	..
European Union	-	-	-	815	4 321	..	..	..	..	..	..	..	..	..	..	..	..
Austria	-	-	-	-	10	..	..	..	..	..	..	..	..	..	..	..	..
Belgium	-	-	-	-	-1	..	..	..	..	..	..	..	..	..	..	..	..
France	-	-	-	-	1 031	..	..	..	..	..	..	..	..	..	..	..	..
Germany	-	-	-	-	907	..	..	..	..	..	..	..	..	..	..	..	..
Italy	-	-	-	-	26	..	..	..	..	..	..	..	..	..	..	..	..
Luxembourg	-	-	-	-	-79	..	..	..	..	..	..	..	..	..	..	..	..
Netherlands	-	-	-	-	1 754	..	..	..	..	..	..	..	..	..	..	..	..
United Kingdom	-	-	-	-	673	..	..	..	..	..	..	..	..	..	..	..	..
Other developed Europe	-	-	-	-	1 053	..	..	..	..	..	..	..	..	..	..	..	..
Liechtenstein	-	-	-	-	102	..	..	..	..	..	..	..	..	..	..	..	..
Switzerland	-	-	-	-	560	..	..	..	..	..	..	..	..	..	..	..	..
North America	-	-	-	825	1 104	..	..	..	..	..	..	..	..	..	..	..	..
United States	-	-	-	-	1 104	..	..	..	..	..	..	..	..	..	..	..	..
Other developed countries	-	-	-	-	224	..	..	..	..	..	..	..	..	..	..	..	..
Australia	-	-	-	-	132	..	..	..	..	..	..	..	..	..	..	..	..
Japan	-	-	-	-	92	..	..	..	..	..	..	..	..	..	..	..	..
Developing economies	201	90	-29	463	164	..	..	..	..	..	..	..	..	..	..	..	..
Africa	-	-	-	26	8	..	..	..	..	..	..	..	..	..	..	..	..
Botswana	-	-	-	-	-25	..	..	..	..	..	..	..	..	..	..	..	..
Swaziland	-	-	-	-	3	..	..	..	..	..	..	..	..	..	..	..	..
Latin America and the Caribbean	-	-	-	4	326	..	..	..	..	..	..	..	..	..	..	..	..
Asia	-	-	-	433	-170	..	..	..	..	..	..	..	..	..	..	..	..
Hong Kong, China	-	-	-	-	-195	..	..	..	..	..	..	..	..	..	..	..	..
Taiwan Province of China	-	-	-	-	28	..	..	..	..	..	..	..	..	..	..	..	..
Unspecified	-	-	-	-	-4	..	..	..	..	..	..	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database based on the South African Reserve Bank, unpublished.

Table 11. FDI stocks in the host economy, by industry, 1996-2006
(Millions of Rand)

Sector / industry	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total	36 024	..	61 976	81 463	91 862	318 630	328 859	370 695	255 837	303 545	355 088	489 317	611 722
Primary	2 274	..	3 239	4 029	7 656	114 501	91 997	124 716	81 272	103 593	112 358	169 005	251 249
Agriculture, hunting, forestry and fishing	315	..	356	387	387	406	457	653	655	500	719	734	888
Mining, quarrying and petroleum	1 959	..	2 883	3 642	7 269	114 095	91 540	124 063	80 617	103 093	111 639	168 271	250 361
Mining and quarrying	1 959	..	2 883	3 642	7 269	114 095	91 540	124 063	80 617	103 093	111 639	168 271	250 361
Secondary	14 884	..	24 867	34 688	40 429	79 486	86 783	89 443	67 248	75 427	111 354	136 028	165 432
Tertiary	18 866	..	33 870	42 746	43 777	124 643	150 079	156 536	107 317	124 525	131 376	184 284	195 041
Electricity, gas and water	-	..	-	-	-	-	-	30	30	28	28	28	29
Construction	562	..	158	209	304	506	314	1 761	1 858	1 938	1 986	1 977	1 983
Trade	6 696	..	7 335	8 007	8 237	10 596	11 895	15 141	13 312	13 425	14 517	14 722	16 172
Hotels and restaurants	-	..	-	-	-	-	-	-	-	-	-	-	-
Transport, storage and communications	467	..	534	5 373	5 779	8 411	8 521	8 825	10 131	22 043	14 112	9 449	13 809
Finance	11 097	..	25 743	29 057	29 357	104 992	129 162	130 562	81 634	86 733	100 215	157 590	162 521
Community, social and personal service activities	44	..	100	100	100	138	187	217	352	358	518	518	527

Source: South African Reserve Bank, Quarterly Bulletin, various issues.

Note: Trade includes hotels and restaurants. Finance includes business activities.

Table 12. FDI stocks in the host economy, by geographical origin, 1996-2006
(Millions of Rand)

Region / economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total world	23 602	28 004	32 552	36 334	44 701	54 764	61 976	81 463	91 862	318 630	328 859	370 695	255 837	303 545	355 088	489 317	611 722
Developed countries	22 845	27 088	31 364	34 885	43 051	52 638	58 856	74 960	81 620	308 001	317 545	355 467	238 968	284 372	341 809	479 322	588 806
Europe	19 739	23 584	26 952	29 014	35 201	43 735	47 442	61 070	65 659	288 042	292 632	332 336	211 208	245 823	301 045	436 338	535 607
European Union	0	0	0	0	..	..	..	..	..	..	279 018	324 217	203 633	238 272	285 410	411 420	515 927
Austria	260	96	86	147	136	623	647
Belgium	922	875	545	782	937	1 691	1 336
France	2 531	3 094	3 644	4 069	6 515	7 699	9 157
Germany	19 090	22 397	22 045	22 858	25 755	29 903	34 121
Greece	1 072	1 078	1 083	2 867	1 325	1 331
Ireland	157	93	218	158	1 218	1 220
Italy	1 517	1 408	1 416	1 979	2 062	1 215	2 909
Luxembourg	766	2 487	2 964	1 840	1 943	2 170	1 883
Netherlands	11 006	10 728	12 752	16 066	16 211	14 120	22 106
Sweden	640	842	819	854	997	960
United Kingdom	242 926	281 263	158 168	188 411	227 972	350 459	440 257
Other developed	10 699	6 976	6 328	6 249	6 604	10 854	12 761
Europe	436	196	325	147	206	218	498
Liechtenstein	10 263	6 780	6 003	6 102	6 398	10 636	12 263
Switzerland
North America	2 901	3 274	4 082	5 592	7 404	8 404	10 824	13 391	15 452	19 052	22 832	20 991	24 175	30 993	32 838	32 268	37 510
Canada	2 069	292	1 472	1 622	129	132
United States	19 625	18 922	23 883	29 521	31 216	32 139	37 378
Other developed countries	205	230	330	279	446	499	590	499	509	907	2 081	2 140	3 585	7 556	7 926	10 716	15 689
Australia	538	148	142	420	528	811	948
Japan	1 533	1 984	3 435	7 127	7 382	9 887	14 725
Developing economies	757	915	1 187	1 443	1 649	1 939	2 974	6 374	10 115	10 515	10 920	15 228	16 869	19 066	13 279	9 994	22 805
Africa	471	575	623	699	775	559	612	908	794	1 769	2 279	5 049	5 468	4 659	4 167	3 989	4 074
Botswana	79	758	693	172	211	203	182
Lesotho	19	52	70	74	74	75	75
Mauritius	1 525	2 289	1 966	1 160	1 265	1 376
Namibia	40	45	22	22	22	22
Swaziland	172	531	151	156	335	119	122
Zimbabwe	2 090	2 134	2 138	2 138	2 138	2 138
Latin America and the Caribbean	20	1 423	964	1 054	1 294	1 549	13 658
Bahamas	20	..	..	..	..	..	..
Bermuda	302	383	390	627	752	3 417
Asia	286	340	564	744	874	1 380	2 362	5 466	9 321	8 746	8 621	8 756	10 437	13 353	7 818	4 456	5 073
West Asia	1 227	2 233	2 042	3 489	-546	-991
Saudi Arabia	1 227	2 233	2 042	3 489	-546	-991
South, East and South-East Asia	7 471	6 939	7 612	10 631	3 600	3 601	3 892
China	169	219	209	319	340	486
Hong Kong, China	242	28	28	37	36	36	36
Malaysia	6 816	6 458	7 066	10 043	2 371	2 348	2 407
Singapore	22	28	42	238	234	318
Taiwan Province of China	413	262	271	300	636	643	645
Unspecified	..	1	1	6	1	187	146	129	127	114	394	..	..	107	..	1	111

Source: South African Reserve Bank, Quarterly Bulletin, various issues.

Table 13. FDI stocks in the host economy, by industry and geographical origin, 2001
(Millions of Rand)

Sector/industry / Region/economy	Total world	Developed countries	European Union	North America	Other developed countries	Australia	Developing economies	Africa	Asia
Total	370 695	354 906	325 009	22 414	156	156	15 789	5 049	10 740
Primary	124 716	121 571	120 389	1 101	..	-	3 145	701	2 444
Agriculture, hunting, forestry and fishing	653	600	521	20	..	-	53	19	34
Mining, quarrying and petroleum	124 063	120 971	119 868	1 081	..	-	3 092	682	2 410
Mining and quarrying	124 063	120 971	119 868	1 081	..	-	3 092	682	2 410
Secondary	89 443	83 815	71 061	10 459	121	121	5 628	1 857	3 771
Tertiary	156 536	149 520	133 559	10 854	35	35	7 016	2 491	4 525
Electricity, gas and water	30	30	30	-	-	-	-	-	-
Construction	1 761	1 701	1 615	55	-	-	60	60	-
Trade	15 141	11 445	9 520	1 547	26	26	3 696	2 322	1 374
Transport, storage and communications	8 825	5 741	3 284	2 428	-1	-1	3 084	7	3 077
Finance	130 562	130 386	118 933	6 788	10	10	176	102	74
Community, social and personal service activities	217	217	177	36	-	-	..	-	-
Unspecified	-	-	-	-	-	-	-	-	-

Source: South Africa Reserve Bank, Sixth Census of foreign transactions, supplement to quarterly bulletin.

Notes: North America includes Latin America. Asia includes Japan. Australia includes New Zealand and the Pacific. Trade includes hotels and restaurants. Finance includes business activities.

Table 15. FDI stocks abroad, by geographical destination, 1996-2006
(Millions of Rand)

Region / economy	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total world	114 013	113 170	157 385	203 036	244 653	213 184	189 911	180 507	216 660	232 925	354 254
Developed countries	109 022	106 081	146 446	191 790	230 652	191 957	170 870	159 743	188 328	211 032	268 039
Europe	103 085	99 170	138 842	176 621	208 937	177 628	142 819	137 356	165 503	189 121	238 768
European Union	-	-	-	-	135 594	175 084	141 330	135 151	162 906	186 578	234 246
Austria	-	-	-	-	-	17 598	27 036	11 183	16 728	18 036	22 262
Belgium	-	-	-	-	-	15 716	18 141	23 080	16 459	10 247	12 964
France	-	-	-	-	-	526	553	536	609	697	753
Germany	-	-	-	-	-	61 241	47 798	43 704	51 066	4 324	5 099
Ireland	-	-	-	-	-	3 619	77	80	432	432	440
Luxembourg	-	-	-	-	58 308	7 354	5 607	6 559	4 314	74 839	106 433
Netherlands	-	-	-	-	-	8 634	6 091	5 925	8 300	7 141	6 485
United Kingdom	-	-	-	-	77 286	60 396	36 027	44 084	64 998	70 862	79 810
Other developed Europe	-	-	-	-	48 717	576	232	237	354	467	2 316
Switzerland	-	-	-	-	48 717	576	232	237	354	467	2 316
North America	5 338	5 507	6 466	10 937	16 474	10 142	20 878	14 996	15 369	14 498	21 821
Canada	-	-	-	-	-	49	64	60	60	82	84
United States	-	-	-	-	11 215	10 093	20 814	14 936	15 309	14 416	21 737
Other developed countries	599	1 404	1 138	4 232	5 241	4 187	7 173	7 391	7 456	7 413	7 450
Australia	-	-	-	-	-	3 853	6 793	6 804	6 804	6 806	6 807
Japan	-	-	-	-	-	331	377	584	649	604	640
Developing economies	4 983	7 080	10 939	11 243	13 936	21 227	19 011	20 733	28 211	21 774	86 082
Africa	4 482	6 147	9 386	9 971	12 265	14 722	13 340	15 837	23 601	19 083	59 118
Botswana	-	-	-	-	-	511	307	551	619	572	859
Lesotho	-	-	-	-	-	188	162	204	256	227	239
Mauritius	-	-	-	-	-	6 625	2 649	4 106	8 116	3 440	33 893
Mozambique	-	-	-	-	-	4 117	6 896	5 071	4 396	4 584	5 331
Namibia	-	-	-	-	-	1 405	1 095	1 151	840	834	872
Swaziland	-	-	-	-	-	153	232	937	841	423	810
Zambia	-	-	-	-	-	89	146	415	412	586	413
Zimbabwe	-	-	-	-	-	587	603	2 033	645	671	1 253
Latin America and the Caribbean	-	-	-	-	-	2 267	1 747	1 970	2 085	1 806	1 834
Bermuda	-	-	-	-	-	30	30	35	37	37	37
Asia	501	933	1 553	1 272	1 671	4 238	3 924	2 926	2 525	885	25 130
Hong Kong, China	-	-	-	-	-	3 457	3 489	2 504	2 198	624	868
Singapore	-	-	-	-	-	442	174	195	100	26	27
Unspecified	8	9	-	3	65	-	30	31	121	119	133

Source: South African Reserve Bank, Quarterly Bulletin, various issues.

Table 21. The number of foreign affiliates of home-based TNCs, by geographical location abroad, 1995-2006

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Finland	..	..	..	..	..	2	2	1	..	..	..	..	..	..	..	..	..
Germany	9	8	8	9	9	11	11	11	11	20	17	20	15	12	11	13	..
Ireland	..	..	..	..	..	..	..	..	3	..	2	3	6	..	..	..	..
Italy	..	..	..	1	..	2	..	2	..	..	..	..	..	..	..	..	..
Poland	..	..	..	..	..	..	..	1	1	1	2	2	..	..	..	..	..
Sweden ^a	..	..	..	..	..	..	..	4	..	4	11	8	..	12	9	9	..
United States	26	22	18	20	22	26	31	19	20	18	22	26	20	17	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above. ^a Majority-owned affiliates.**Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1995-2006**

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Germany	302	315	333	304	294	315	317	334	338	360	387	381	224	313	364	309	..
Italy	..	3	..	2	..	3	..	7	..	..	..	..	..	..	..	..	..
Republic of Korea	..	..	..	..	..	..	10	12	13	16	19	19	21	22	22	29	..
United States	106	104	104	108	129	140	151	160	169	191	197	200	204	196	202	..	..

Source: UNCTAD, FDI/TNC database. Note: Data are based on information reported by the economies listed above.

Table 28. Assets of foreign affiliates of home-based TNCs, by geographical location abroad, 1995-2006

(Millions of dollars)

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Germany	267.7	329.8	247.8	231.7	193.7	279	129	112	120	301	93	1 234	..	..	..	..	..
United States	4585.0	3937.0	3391.0	3167.0	4371.0	7 040	8 261	8 157	8 483	3 692	10 449	6 160	..	..	..	..	..

Source: UNCTAD, FDI/TNC database. Note: Data are based on information reported by the economies listed above.

Table 30. Assets of affiliates of foreign TNCs in the host economy, by geographical origin, 1995-2006

(Millions of dollars)

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Austria ^a	..	..	..	..	..	..	..	..	..	..	10	..	..	..	..	..	..
Germany	3882	4024	4089	4055	4584	5720	4952	5245	5021	5425	5769	4759	..	..	..	..	..
United States	2674	2703	2928	2925	3901	5819	5940	12923	13646	15532	17855	14912	14046	18203	22111	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above. ^a Majority-owned affiliates.**Table 33. Employment of foreign affiliates of home-based TNCs, by geographical location abroad, 1995-2006**

(Thousands of employees)

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Germany	2.0	3.0	2.0	2.0	2.0	1.0	1.0	1.0	1.0	2.0	2.0	2.0	4.0	3.0	3.0	3.0	..
Ireland	..	..	..	..	..	..	..	..	0.04	..	0.1	0.02	0.05	..	..	..	..
Italy	..	..	..	0.4	..	0.6	..	0.5	..	..	..	..	..	..	..	..	..
Sweden	..	..	..	..	..	..	..	0.1	..	0.1	0.3	0.3	..	0.3	0.3	0.3	..
United States	14.5	12.9	13.4	13.1	12.9	18.6	20.6	20.4	18.3	8.5	9.4	9.8	..	..	..	8.3	..

Source: UNCTAD, FDI/TNC database. Note: Data are based on information reported by the economies listed above.

Table 35. Employment of affiliates of foreign TNCs in the host economy, by geographical origin, 1995-2006

(Thousands of employees)

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Austria	..	..	..	..	..	..	..	..	..	..	..	..	0.5	..	..	..	..
Belgium	..	..	..	..	..	..	..	..	..	..	..	0.8	1.1	3.1	..	..	..
Finland ^a	..	..	..	..	..	..	..	..	..	2.1	1.7	1.0	2.4	2.1	2.2	1.9	1.5
Germany	53.0	50.0	52.0	49.0	52.0	56.0	56.0	56.0	51.0	69.0	65.0	66.0	54.0	70.0	73.0	70.0	..
Italy	..	1.5	..	0.8	..	0.1	..	0.4	..	..	..	..	..	..	..	..	..
Sweden ^a	1.6	..	..	1.1	..	..	2.8	3.1	3.5	3.5	..	7.0	13.0	..	..	..	..
Switzerland	..	..	..	20.7	21.6	25.6	25.3	31.2	20.4	20.9	19.7	21.3	25.9	28.1	29.1	29.6	..
United States	40.6	39.7	39.0	38.2	47.8	53.4	54.3	103.7	115.3	137.8	139.0	138.0	116.0	116.7	112.6	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above. ^a Majority-owned affiliates.

Tables 38, 48, 58, 63 and 73. Wages and salaries, value added, exports, imports and employment in research and development (R&D) of foreign affiliates of South African TNCs in the United States, 1995-2006

(Millions of dollars and thousands of employees)

Table no./Variable	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
38. Wages and salaries	597.0	571.0	557.0	597.0	639.0	924	1 098	1 182	1 126	575	627	727	741 ^a	703 ^a	684 ^a	684	..
48. Value added	877.0	897.0	1012.0	1 867	2 011	2 218	2 027	874	1 045	971	926 ^a	864 ^a	1032 ^a	990 ^a	..
58. Exports	501.0	395	552	..	..	..	484	535	..	..	..	..	..
63. Imports	661.0	699.0	..	519	..	..	..	..	239	..	..	280	329	313	..
73. Employment in R&D	0.4	0.3	0.3	0.6	0.7	0.5	0.6	0.1	0.2	0.2	..	..	..	..	..

Source: UNCTAD, FDI/TNC database. Note: Data are based on information reported by the United States.

Tables 40, 50, 60 and 65. Wages and salaries, value added, exports and imports of affiliates of United States TNCs in South Africa, 1995-2006

(Millions of dollars)

Table no./Variable	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
40. Wages and salaries	492.0	521.0	645.0	588.0	674.0	1 032	1 014	1 780	1 911	2 598	2 798	2 597	2 174	2 231	2 856	..	..
50. Value added ^a	..	..	..	..	908.0	1 097	1 322	1 449	1 638	1 687	2 311	1 949	2 187	2 721	4 149	..	..
60. Exports ^a	242.0	313.0	262.0	269.0	321.0	331	464	645	543	909	782	1 423	1 373	..	..	..	..
65. Imports ^a	59.0	17.0	19.0	25.0	14.0	35	27	30	38	72	81	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States. ^a Majority-owned affiliates only.**Table 43. Sales of foreign affiliates of home-based TNCs, by geographical location abroad, 1995-2006**

(Millions of dollars)

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Austria ^a	..	..	..	..	..	7.9	7.6	..	..	..	..	..	..	..	..	..	..
Germany	309.5	421.8	..	241.9	246.5	209	266	173	170	320	184	537	1 223	1 467	1 614	1 287	..
Italy	..	..	..	186.1	..	185.5	..	152.1	..	..	..	..	..	..	..	..	..
United States	5151.0	3903.0	3910.0	4399.0	5643.0	9 400	10 016	10 243	11 560	3 475	4 852	5 152	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above. ^a Majority-owned affiliates only.**Table 45. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1990-2006**

(Millions of dollars)

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Austria	..	..	..	..	..	..	..	..	35.6	51.1	58.0	54.6	72.5	97.1	..	..	..
Belgium	..	..	..	..	..	..	71.7	124.0	138.9	126.8	297.4	128.0	134.6	387.1	..	..	..
France	..	..	..	..	..	228.7	257.7	388.9	309.1	467.7	362.1	..	446.1	..	..	..	..
Germany	6003.5	6447.6	6979.8	6713.8	7271.4	9 420	8 174	9 515	8 695	9 163	8 937	8 948	9 223	13 543	17 259	12 544	..
Finland ^a	..	..	..	..	..	..	..	..	..	138.2	115.0	77.0	374.6	279.9	370.0	165.6	184.1
Italy	..	91.1	..	9.8	..	9.8	..	21.0	..	..	..	..	..	..	..	..	..
Portugal ^a	..	..	..	..	..	..	..	9.7	3.4	3.5	..	..	50.8	54.6	..	..	..
United States	4159.0	4269.0	4290.0	4216.0	5050.0	6 819	7 364	11 543	12 163	13 805	17 243	16 053	16 225	18 773	23 657	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above. ^a Majority-owned affiliates only.**Table 78. Royalty receipts of foreign affiliates of South African TNCs in Germany, 1995-2006**

(Millions of dollars)

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Germany	9.8	4.0	3.2	..	14.3	33.9	14.7	16.1	8.7	6.3

Source: UNCTAD, FDI/TNC database. Note: Data are based on information reported by Germany.

Tables 80 and 85. Royalty receipts and payments of affiliates of German TNCs in South Africa, 1995-2006

(Millions of dollars)

Economy	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
80. Royalty receipts	1.2	0.6	1.1	..	0.9	0.9	..	1.2	1.2	2.5
85. Royalty payments	16.6	29.3	31.2	27.7	18.8	23.4	..	24.2	30.1	67.7	78.2	83.3	95.3

Source: UNCTAD, FDI/TNC database. Note: Data are based on information reported by Germany.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars)

Company	Industry	Sales
A. Industrial		
SASOL	Chemicals and chemical products	10.9
Imperial Holdings	Automobile	6.7
De Beers Consolidated Mines	Mining	6.5
ESKOM	Electricity/gas/water	5.8
SAPPI	Paper and paper products	5.0
Mittal Steel South Africa	Metal and metal products	3.8
SAB Miller South Africa	Food products, beverages and tobacco	3.8
Anglo Platinum Corporation	Mining	3.7
Ashanti Goldfields Co.	Mining	2.7
Tiger Brands	Agro-Industry	2.4
Impala Platinum Holdings	Mining	2.0
Super Group	Automobile	1.9
Gold Fields	Mining	1.9
B. Tertiary		
The Bidvest group	Retail trade	9.9
Metro Cash and Carry	Retail trade	9.1 ^a
TELKOM	Telecommunications	7.6
Barloworld	Diversified Group	6.2
Pick 'N' Pay Stores Holdings	Retail trade	5.8
Vodacom	Telecommunication	5.4
Shoprite Holdings	Retail trade	4.8
MTN Group	Telecommunication	4.3
Massmart Holdings	Retail trade	4.2
Transnet	Transportation	4.2
South African Airways	Air transportation	3.1
Metro Cash & Carry	Distributive trade	9 081.0 ^a
Steinhoff International Holdings	Furnishing	3.0
Datatec	Computer and related activities	3.0
Edgars Consolidated Stores	Retail trade	2.6
Naspers	Media	2.5
Nampak	Paper and packaging	2.5
C. Finance and insurance		
		Assets
Old Mutual	Insurance	12.7
SANLAM	Insurance	10.0
Liberty Group	Insurance	3.6 ^a
Kumba Resources	Financial services	1.9
Santam	Insurance	1.8
Mutual and Federal Insurance	Insurance	1.3
Momentum Life Assurers	Insurance	1.2 ^a
Alexander Forbes	Financial services	0.8

Source: Jeune Afrique Hors-serie No. 14, 2007.

^a 2004.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home Economy	Industry	Sales	Employees
A. Industrial				
Billiton Aluminium Sa Ltd	Australia	Metal and metal products	6 084	1 017
Carson Midrand Manufacturing Pty Ltd	France	Chemicals and chemical products	2 069	..
Trw Occupant Restraints South Africa Inc	United States	Other manufacturing	1 722	422
Highveld Steel And Vanadium Corporation Ltd	United Kingdom	Metal and metal products	1 067	3 842
Arvinmeritor Investments Sa (Pty) Ltd	United States	Motor vehicles and trailers	1 048	420
Distell Ltd	United Kingdom	Food, beverages and tobacco	1 045	4 400
Heraeus Chemicals Sa (Pty) Ltd	Germany	Chemicals and chemical products	944	45
Afrox Ltd	United Kingdom	Chemicals and chemical products	896	..
Johnson Matthey (Pty) Ltd	United Kingdom	Metal and metal products	786	800
Metso Minerals (Johannesburg) (Pty) Ltd	Finland	Machinery and equipment	658	1 200
Metso Minerals Sa (Pty) Ltd	Finland	Machinery and equipment	649	1 200
Siemens Telecommunications (Pty) Ltd	Germany	Electrical and electronic equipments	612	..
Everite Ltd	United States	Non-metallic mineral products	558	800
Behr South Africa (Pty) Ltd	Germany	Machinery and equipment	455	..
Plessey Tellumat South Africa Ltd	United Kingdom	Electrical and electronic equipments	297	369
Abb South Africa (Pty) Ltd	Switzerland	Electrical and electronic equipments	295	..
B. Tertiary				
Ibm South Africa (Pty) Ltd	United States	Computer and related activities	..	..
Shell South Africa Marketing (Pty) Ltd	United Kingdom	Wholesale trade	..	3 000
Ford Motor Company Of Southern Africa (Manufacturing) (Pty)	United States	Distributive trade	..	4 000
Tfd Network Africa (Pty) Ltd	Namibia	Land transport	..	540
Mol South Africa (Pty) Ltd	Japan	Water Transport	..	160
Imperial Cargo (Pty) Ltd	Lesotho	Land transport	6 773	..
Carrier South Africa (Pty) Ltd	United States	Wholesale trade	4 569	..
Anglo American Corporation Of South Africa Ltd	United Kingdom	Holding	4 389	..
Mondi Limited Ltd	United Kingdom	Public administration	4 389	..
Mondi Packaging South Africa (Pty) Ltd	United Kingdom	Public administration	4 332	..
Honeywell Southern Africa (Pty) Ltd	United States	Wholesale trade	4 123	365
Alfa Laval (Pty) Ltd	Sweden	Wholesale trade	2 435	38
Kimberly Clark Of South Africa (Pty) Ltd	United States	Wholesale trade	2 371	..
Sabsa Holdings (Pty) Ltd	United Kingdom	Public administration	2 331	..
Anglogold Ashanti Health (Pty) Ltd	Malta	Public administration	2 296	..
Expo Liquor Ltd	United Kingdom	Wholesale trade	1 910	..
Kellogg Company Of South Africa (Pty) Ltd	United States	Wholesale trade	1 517	..
Distell Group Ltd	United Kingdom	Wholesale trade	855	..
Liebherr-Africa (Pty) Ltd	Switzerland	Construction	848	250
Ciba Specialty Chemicals (Pty) Ltd	Switzerland	Wholesale trade	832	23
C. Finance and insurance			Assets	Employees
Hsbc Bank Plc (Incorporated In The United Kingdom)	United Kingdom	Finance	5 138	200
S A Eagle Risk Financing Ltd	Switzerland	Insurance	273	100
Pinnacle Micro (Pty) Ltd	Germany	Finance	104	350
Crawford And Company (Sa) (Pty) Ltd	United States	Insurance	6	..
Old Mutual Life Assurance Company (South Africa) Ltd	United Kingdom	Insurance	..	..
South African Eagle Insurance Company Ltd	Switzerland	Insurance	..	1 000
Aon Consulting South Africa (Pty) Ltd	United States	Insurance	..	250
Bmw Financial Services South Africa (Pty) Ltd	Germany	Finance	..	150
J P Morgan Equities Ltd	United States	Finance	..	90

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

In South Africa, a large number of national, bilateral and multilateral legal instruments exist to regulate the activities of transnational corporations and foreign direct investors. The key instruments applicable in the country include:

I. National framework

Industrial Development Act No. 22 of 15 May 1940; effective 20 May 1940.

Source: "Trade and Industry", Statutes of the Republic of South Africa (classified and annotated looseleaf edition 1910 to present) p. 151.

Merchandise Marks Act No. 17 of 1941 as amended by the Merchandise Marks Amendment Act No. 55 of 1967.

Source: WIPO (<http://www.wipo.org>).

Export Credit and Foreign Investments Re-Insurance Act No. 78 of 24 June 1957; effective 12 July 1957.

Source: "Trade and Industry", Statutes of the Republic of South Africa (classified and annotated looseleaf edition 1910 to present) p. 351.

Business Names Act No. 27 of 1960, as amended by the Business Names Amendment Act No. 84 of 1972, and the Business Names Amendment Act No. 31 of 1979.

Source: WIPO (<http://www.wipo.org>).

Income Tax Act No. 58 of 25 May 1962: effective 1 July 1962.

Source: "Trade and Industry", Statutes of the Republic of South Africa (classified and annotated looseleaf edition, 1910 to present), "Income Tax". p. 101.

Amendment, No. R.1615, of Schedule 1 of the Regulations proclaimed in terms of the Trade Marks Act No. 62 of 1963, August 1984.

Source: WIPO (<http://www.wipo.org>).

Trade Marks Act of 1963, Regulations, No. R. 2313, December 1971.

Source: WIPO (<http://www.wipo.org>).

Atomic Energy Act No. 90 of 1967 (as amended) (Sections 21 and 21A: Patents).

Source: WIPO (<http://www.wipo.org>).

Proclamation by the Acting State President of the Republic of South Africa

No. R. 360 of 1967 (commencement of the Designs Act).

Source: WIPO (<http://www.wipo.org>).

Designs Regulations No. R. 361 of 1968, as amended by Designs Amending Regulations No. R. 3755 of 1969.

Source: WIPO (<http://www.wipo.org>).

Companies Act No. 61 of 19 June 1973; effective 1 January 1975. "Companies", p. 489.

Source: "Trade and Industry", Statutes of the Republic of South Africa (classified and annotated looseleaf edition, 1910 to present).

Amendments, Nos R.1110 and R.1613 of the Regulations published by virtue of the Patents Patents Act No. 57 of 1978, as amended by the Patents Amendment Act No. 14 of 1979.

Source: WIPO (<http://www.wipo.org>).

Copyright Act No. 98 of 1978, as amended by the respective Copyright Amendments Acts, No. 56 of 1980, No. 66 of 1983, No. 52 of 1984, No. 39 of 1986, No. 13 of 1988, No. 61 of 1989 and No. 1125 of 1992.

Source: WIPO (<http://www.wipo.org>).

Patents Regulations of 1978, effective January 1979.

Source: WIPO (<http://www.wipo.org>).

Maintenance and Promotion of Competition Act No. 96 of 21 June 1979; effective 1 January 1980.

Source: "Trade and Industry", Statutes of the Republic of South Africa (classified and annotated looseleaf edition, 1910 to present), "Trade and Industry", p. 695.

Financial Institution (Investment Funds) Act No. 39 of 20 March 1984; effective 11 April 1984.

Source: "Trade and Industry", Statutes of the Republic of South Africa (classified and annotated looseleaf edition, 1910 to present), "Banking and Currency", p. 621.

Close Corporations Act No. 69 of 19 June 1984; effective 1 January 1985.

Source: "Trade and Industry", Statutes of the Republic of South Africa (classified and annotated looseleaf edition, 1910 to present), p. 1,201.

Diamonds Act No. 56 of 11 June 1986; effective 1 October 1986.

Source: "Trade and Industry", Statutes of the Republic of South Africa (classified and annotated looseleaf edition, 1910 to present), "Mining and Minerals", p. 155.

Temporary Removal of Restriction on Economic Activities Act No. 87 of 3 September 1986; effective 10 September 1986.

Source: "Trade and Industry", Statutes of the Republic of South Africa (classified and annotated looseleaf edition, 1910 to present), p. 913.

Amendment of regulation under section 95 of the Diamonds Act 1986.

Source: Government Communication Information Services

Temporary Removal of Restriction on Economic Activities Amendment Act No. 67 of 29 June 1988; effective on 29 June 1988.

Source: "Trade and Industry", Statutes of the Republic of South Africa (classified and annotated looseleaf edition, 1910 to present), p. 922.

Trade Marks Act No. 194 of 1993, assented to December 1993.

Source: WIPO (<http://www.wipo.org>).

Designs Act [No. 195 of 1993].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/95index.html>).

Maritime Zones Act [No. 15 of 1994].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/94index.html>).

Taxation Laws Amendment Act [No. 20 of 1994].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/94index.html>).

Income Tax Act [No. 21 of 1994].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/94index.html>).

Mutual Banks Amendment Act [No. 25 of 1994].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/94index.html>).

Banks Amendment Act [No. 26 of 1994].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/94index.html>).

Electricity Amendment Act [No. 46 of 1994].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/94index.html>).

Mineral and Energy Laws Amendment Act [No. 47 of 1994].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/94index.html>).

Insurance Amendment Act [No. 54 of 1996].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/96index.html>).

Telecommunications Act [No. 103 of 1996].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/96index.html>).

Tourism Amendment Act [No. 105 of 1996].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/96index.html>).

Intellectual Property Laws Rationalisation Act [No. 107 of 1996].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/96index.html>).

Financial Institution (Investment Funds) Amendment Act No. 22 of 1997; effective July 1997.

Source: Government Communication Information Services

Close Corporations Amendment Act [No. 26 of 1997] - 18 July.

Source: South Africa Government: Legislation (<http://www.gov.za/acts/97index.html>).

Insurance Amendment Act [No. 31 of 1997] - 5 September 1997.

Source: South Africa Government: Legislation (<http://www.gov.za/acts/97index.html>).

Intellectual Property Laws Amendment Act [No.38 of 1997] - 1 October.

Source: South Africa Government: Legislation (<http://www.gov.za/acts/97index.html>).

Taxation Laws Amendment Act [No. 30 of 1998].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/98index.html>).

Companies Third Amendment Act [No. 125 of 1998].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/98index.html>).

Maintenance and Promotion of Competition Amendment Act No. 35 of 1999; effective on April 1999.

Source: Government Communication Information Services

Tourism Amendment Act [No. 8 of 2000].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/00index.html>).

Taxation Laws Amendment Act [No. 30 of 2000].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/00index.html>).

Banks Amendment Act [No. 36 of 2000].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/00index.html>).

Tourism Second Amendment Act [No. 70 of 2000].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/00index.html>).

Industrial development zone programme (Gazette 21803, Regulation Gazette 6936), 1 December 2000.

Source: South Africa Government: Regulations (<http://www.gov.za/regulations/index.html>).

Companies Amendment Act No. 35 of 2001; effective December 2001.

Source: Government Communication Information Services

Industrial Development Amendment Act [No. 49 of 2001].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/95index.html>).

Merchandise Marks Amendment Act no 50 of 2001.

Source: Government Communication Information Services.

Regulations relating to representative offices of foreign banking institutions, (Gazette 22939, Regulation Gazette 7227), 13 December 2001.

Source: South Africa Government: Regulations (<http://www.gov.za/regulations/index.html>).

Performers' Protection Amendment Act [No. 8 of 2002].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/02index.html>).

Copyright Amendment Act [No. 9 of 2002].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/02index.html>).

Mineral and Petroleum Resources Development Act [No. 28 of 2002].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/02index.html>).

Export Credit and Foreign Investment Re-Insurance Amendment Act No. 34 of 2002, effective October 2002.

Source: Government Communication Information Services.

Corporate Laws Amendment Act [No. 39 of 2002].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/02index.html>).

Finance Act [No. 48 of 2002].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/02index.html>).

Patents Amendment Act [No. 58 of 2002].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/02index.html>).

Revenue Laws Amendment Act [No. 74 of 2002].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/02index.html>).

Gas Regulator Levies Act [No. 75 of 2002].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/02index.html>).

Exchange Control Amnesty and Amendment of Taxation Laws Act [No. 12 of 2003].

Source: South Africa Government: Legislation (<http://www.gov.za/acts/index.html>).

Insurance Amendment Act [No. 17 of 2003].

Source: South Africa Government Web-site: Legislation (<http://www.gov.za/acts/index.html>).

Banks Amendment Act [No. 19 of 2003].

Source: South Africa Government Web-site: Legislation (<http://www.gov.za/acts/index.html>).

Exchange control regulations: Appointment of an authorised dealer in foreign exchange (Gazette 24967, Regulation Gazette 7590), 7 March 2003.

Source: South Africa Government: Regulations (<http://www.gov.za/regulations/index.html>).

Exchange control regulations: Cancellation of appointment of authorised dealers in foreign exchange (Gazette 24967, Regulation Gazette 7590), 7 March 2003.

Source: South Africa Government: Regulations (<http://www.gov.za/regulations/index.html>).

Exchange control regulations: Cancellation of appointment of authorised dealers in foreign exchange (Gazette 24697, Regulation Gazette 7627), 11 April 2003.

Source: South Africa Government: Regulations (<http://www.gov.za/regulations/index.html>).

Exchange control regulations: Cancellation and appointment of an authorised dealer in foreign exchange (Gazette 24697, Regulation Gazette 7627), 11 April 2003.

Source: South Africa Government: Regulations (<http://www.gov.za/regulations/index.html>).

Income Tax Act: Strategic Industrial Project (Gazette 25137, Regulation Gazette 7701), 4 July 2003.

Source: South Africa Government: Regulations (<http://www.gov.za/regulations/index.html>).

Telecommunications Act: Regulations (Gazette 25519, Regulation Gazette 7783), 1 October 2003.

Source: South Africa Government: Regulations (<http://www.gov.za/regulations/index.html>).

Telecommunications Act: Regulations: Applications for Value Added Network Service (VANS) licences (Gazette 25519, Regulation Gazette 7783), 1 October 2003.

Source: South Africa Government: Regulations (<http://www.gov.za/regulations/index.html>).

Telecommunications Act: Regulations: Applications for Private Telecommunication Network (PTN) licences (Gazette 25519, Regulation Gazette 7783), 1 October 2003.

Source: South Africa Government: Regulations (<http://www.gov.za/regulations/index.html>).

Exchange Control Regulations: Appointment of authorised dealer in foreign exchange (Gazette 25527, Regulation Gazette 7784), 10 October 2003.

Source: South Africa Government: Regulations (<http://www.gov.za/regulations/index.html>).

Private Security Industry Regulation Act: Exemption: De Beers Consolidated Mines Limited (Gazette 25565, Regulation Gazette 7791), 17 October 2003.

Source: South Africa Government: Regulations (<http://www.gov.za/regulations/index.html>).

Broad-based Black Economic Empowerment Act No. 53 of 2003.

Source: <http://www.thedti.gov.za/bee/BEEAct-2003-2004.pdf>.

Petroleum Pipelines Act No. 60, 2003.

Source: <http://www.info.gov.za/gazette/acts/2003/a60-03.pdf>.

Taxation Laws Amendment Act No 16, 2004.

Source: <http://www.info.gov.za/gazette/acts/2004/a16-04.pdf>.

Companies Amendment Act No 20, 2004.

Source: <http://www.info.gov.za/gazette/acts/2004/a20-04.pdf>.

II. International Framework

A. South Africa is a party to the following bi-lateral, multilateral, unilateral and regional instruments:

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958, which entered into force on 7th June 1959.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Southern Africa Development Community (SADC), signed on 17 August, 1992.

Source: http://www.sadc.int/about_sadc/history.php.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Trade, Development & Cooperation Agreement between South Africa and the European Union that became effective 1 January 2000.

African Growth and Opportunity Act (AGOA) that was signed on 18 May 2000 between the United States and sub-Saharan African countries

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: United Kingdom 1994, Canada 1995, Cuba 1995, France 1995, Germany 1995, Korea, Republic of 1995, Netherlands 1995, Switzerland 1995, Austria 1996, Denmark 1996, China 1997, Iran, Islamic Republic of 1997, Italy 1997, Mozambique 1997, Argentina 1998, Belgium / Luxembourg 1998, Chile 1998, Czech Republic 1998, Egypt 1998, Finland 1998, Ghana 1998, Greece 1998, Mauritius 1998, Russian Federation 1998, Senegal 1998, Spain 1998, Sweden 1998, Algeria 2000, Brunei Darussalam 2000, Turkey 2000, Uganda 2000, Tunisia 2002, Libya 2002, Qatar 2003, Yemen 2003, Canada 2004, Israel 2004, Congo, Democratic Republic of 2004, Equatorial Guinea 2004, Angola 2005, Congo 2005, Madagascar 2006, .

2. Bilateral treaties for the avoidance of double taxation: United States 1947, Sweden 1955, Zambia 1956, Ireland 1958, Lesotho 1959, Namibia 1959, Tanzania, United Republic of 1959 and 2005, Uganda 1959, Sweden 1961 and 1995, Zimbabwe 1965, Switzerland 1967, United Kingdom 1968 and 1978, Malawi 1971, Netherlands 1971, Swaziland 1972 and 2004, Spain 1973, Botswana 1977, Israel 1978, China 1980 and 2000, Taiwan Province of China 1980 and 1994, France 1993, Poland 1993, Romania 1993, Hungary 1994, Mauritius 1994, Belgium 1995, Canada 1995, Denmark 1995, Finland 1995, Italy 1995, Korea, Republic of 1995, Lesotho 1995, Austria 1996, Croatia 1996, Czech Republic 1996, Mauritius 1996, Norway 1996, Thailand 1996, Ireland 1997, Japan 1997, Malta 1997, United States of America 1997, Germany 1998 and 2003, Netherlands 1998, Seychelles 1998, Slovakia 1998, Australia 1999, Tunisia 1999, New Zealand 2002, Rwanda 2002, Belarus 2002, Oman 2003, Belarus 2003, Botswana 2003, Ukraine 2003,

Bulgaria 2004, Ethiopia 2004, Ghana 2004, Kuwait 2004, Congo, Democratic Republic of 2005, Gabon 2005, Malaysia 2005, Netherlands 2005, Turkey 2005, .

C. Other treaties:

Agreement on Trade, Development and Cooperation with the European Community and Its Member States (1994 and 1999).

Arrangement on trade and investment cooperation with Canada (1998).

Agreement with the United States of American government concerning the development of trade and investment relations (1999).

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Sudan

A. Definitions and sources of data

In Sudan, the Encouragement of Investment Act of 1990 (1990 Act No. 64) defines foreign direct investment (FDI) as "invested capital" in the form of foreign exchange transferred through one of the banks, registered with the Bank of Sudan and used in the establishment, operation, modernization, rehabilitation or expansion of the project; the local exchange which is discharged with on the approval of the bodies concerned to meet obligations in foreign exchange due for payment to the investor, where it is used to establish, operate, modernize, rehabilitate or expand a project; machinery, equipment, apparatuses, materials and other requirements, imported or local means of transport for the establishment operation, modernization, rehabilitation or expansion of the project in line with the provisions of section 23 (4)(g); intangible rights, used in the projects, such as patents, studies, and otherwise, provided that such rights shall be registered in accordance with the provisions of the law pertaining to each and owned by the investor or he is licensed to use the same by the person who owns the same; profits realized by the project, including those liable to transfer abroad, if used to complete or augment the capital of the project, or invested in any other project.

The Bank of Sudan collects data on FDI in the country. Data were also provided by the International Monetary Fund and the Organization for Economic Co-operation and Development. In 1974, the Government of Sudan implemented the Development and Promotion of Industrial Investment to attract investors with concessions such as tax incentives of up to 15 years. The policy was extended in May 1980 into the Encouragement of Investment Act which provides customs tax and other benefits to the investors with the agricultural, petroleum and mining industries.

To support growth, reduce the drain on public finances and fund infrastructure development projects that remain beyond the reach of its own resources, the Government of Sudan has sought to draw local and foreign capital into areas of the economy that were previously reserved for the state and has committed to privatizing State-owned enterprises. The divestment programme began in the early 1990s with the passage of the Privatization of State Corporations Act in 1992 which earmarked 190 public corporations for sale. Although public corporations were sold during Phase 1 (1993-95), the privatization programme failed to build momentum and the planned high-profile sale of several key assets, including the National Electricity Company and Sudan Airways, is yet to be completed. Other smaller sales have taken place in recent years such as the divestment of the Atbara cement factory and privatization of the Sudan Duty-Free Zone Company and the Bridges and Road Corporation.

Foreigners have played a leading role in developing Sudan's oil industry, funding the building of upstream resources, constructing industry infrastructure including the export pipeline and downstream facilities such as the new al-Jeili refinery. As the success of these projects has become apparent, the Government has sought private partners to boost investment in other sectors with the same level of success. This includes the power sector where the country's first build-operate-transfer power plant came on line in 2004. In the early 1980s, the United States' firm Chevron discovered large deposits of oil in fields near Bentiu in Unity state and Melut in Blue Nile. In March 1997, Arakis signed a consortium agreement with the China National Petroleum Corporation (CNPC), the Malaysian State-owned oil company, Petronas, and the Sudanese State-owned firm, SudaPet, forming the Greater Nile Petroleum Operating Company (GNPOC).

The Sudanese Government signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 15 March 1967 and had traditionally participated in the regional integration schemes at the sub-regional and regional levels. At the end of 2005, the country belonged to several bodies such as the Intergovernmental Authority on Development, League of Arab States, Common Market for Eastern and Southern African countries, African Union and the New Partnership for Africa's Development. Sudan is party to the Cotonou Agreement for renegotiating the trade links between the African, Caribbean and Pacific countries with the European Union, under the Lomé Convention and has an observer status at the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	176.6	2.2
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	50.3	0.1
3. FDI stocks, 2006	391	-
4. FDI stocks as a percentage of GDP, 2006	30.3	0.0

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	8.9	..	..	..	..
1981	19.3	..	..	..	..
1982	16.8	..	..	..	..
1983	6.3	..	..	..	..
1984	9.1	..	..	..	..
1985	- 3.0	..	..	..	..
1986	- 8.2	..	..	..	..
1987	11.7	..	..	..	..
1988	2.0	..	..	..	..
1989	3.5	..	..	..	..
1990	- 31.1	..	..	..	..
1991	- 0.6	..	..	..	..
1992	0.1	..	..	..	..
1993	- 0.2	..	..	..	..
1994	99.2	..	..	..	..
1995	12.0	..	..	..	..
1996	0.4	..	..	..	..
1997	97.9	..	..	..	..
1998	370.7	..	..	..	..
1999	370.8	..	..	..	..
2000	392.2	..	..	..	..
2001	574.0	..	..	..	..
2002	713.2	..	..	..	..
2003	1 349.2	..	..	..	..
2004	1 511.1	..	..	..	..
2005	2 304.6	..	..	2 304.6	..	..	..	..
2006	3 541.4	..	..	..	8.8

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from OECD for 1980-1983, 1986-1988 and 1990-1995, IMF for 1984-1985 and 1989 and the Central Bank of Sudan for 1996-2006. Data for outflows are from the Central Bank of Sudan.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	29.0	..	..	..	..
1981	48.3	..	..	..	..
1982	65.1	..	..	..	..
1983	71.4	..	..	..	..
1984	80.5	..	..	..	..
1985	77.4	..	..	..	..
1986	69.3	..	..	..	..
1987	80.9	..	..	..	..
1988	82.9	..	..	..	..
1989	86.4	..	..	..	..
1990	55.3	..	..	..	..
1991	54.7	..	..	..	..
1992	54.8	..	..	..	..
1993	54.6	..	..	..	..
1994	153.8	..	..	..	..
1995	165.8	..	..	..	..
1996	166.2	..	..	..	..
1997	264.1	..	..	..	..
1998	634.8	..	..	..	..
1999	1 005.6	..	..	..	..
2000	1 397.8	..	..	..	..
2001	1 971.8	..	..	..	..
2002	2 685.0	..	..	..	..
2003	4 034.2	..	..	..	..
2004	5 545.2	..	..	..	..
2005	7 849.9	..	..	..	..
2006	11 391.2	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics). Data are estimated by accumulating inflows since 1970.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Reporting countries	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	..	-	-	-	-	-	146.7	91.1	-
France	-	- 2.6	-	..	-	-	-	-	-	1.2	14.9	13.8
Germany	-	-	-	..	-	-	- 5.4	- 11.3	14.7	1.2	1.2	1.3
Malaysia	-	6.4	76.1	..	-	-	3.9	33.0	157.8	65.6	-	-
Korea, Republic of	12.0	-	- 7.7	..	-	-	0.3	- 7.8	-	-	0.0	-
United States	-	6.0	-	..	43.0	1.0	1.0	1.0	- 2.0	1.0	1.0	1.0

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Reporting countries	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Cyprus	..	-	-	..	-	-	0.3	-	0.0	-
Malaysia	..	-	-	..	-	-	0.2	-	-	-
Korea, Republic of	..	-	-	..	0.1	0.2	0.3	0.4	1.1	0.4
Saudi Arabia	..	-	-	..	1.0	9.0	3.0	-	2.0	-

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Reporting countries	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	-	-	-	-	-	0.6	171.6	351.5	-
Czech Republic	-	-	-	4.8	-	-	-	-	-	-	-	-
Malaysia	-	6.3	59.1	60.5	60.5	60.5	64.4	97.4	255.2	320.8	463.2	-
Korea, Republic of	119.7	119.7	112.0	112.0	112.0	112.0	112.3	104.5	104.5	104.5	104.5	-
United Kingdom	-	-	-	-	-	-	-	-	-	-	-	-
United States	13.0	21.0	-	15.0	13.0	13.0	14.0	14.0	3.0	3.0	3.0	3.0

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Reporting countries	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Korea, Republic of	-	-	-	0.1	0.3	0.6	1.0	2.2	2.6
Saudi Arabia	-	-	5.0	-	-	-	-	20.0	-
Syrian Arab Republic	-	-	-	-	-	4.3	-	-	-
United Rep. of Tanzania	0.1	-	-	-	-	-	-	-	-

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Italy	..	2	..	2	..	..	..	..	..	..	..	..
Republic of Korea	..	..	6	6	6	6	6	7	6	6	6	7
United States	2	2	2	1	1	1	1	1	1	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 35. Employment of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005
(Thousands of employees)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Italy	..	0.3	..	0.3	..	..	..	..	..	..	..	..
United States	0.1	0.1	0.1	0.1	0.1	..	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 30 and 50. Assets and value added of affiliates of United States TNCs in Sudan , 1994-2005
(Millions of dollars)

Table no./Variable	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
30. Assets	4	..	..
50. Value added ^a	..	-1	2	2	3	..	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Table 45. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005
(Millions of dollars)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Italy	..	92.3	..	88.3	..	..	..	..	..	..	..	..
United States	2.0	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars)

Company	Industry	Sales
A. Industrial		
..
B. Tertiary		
Sudanese Telecom Company	Telecommunications	0.5 ^a
C. Finance and Insurance		Assets
..

Source: Jeune Afrique Hors-serie No. 14, 2007.

^a 2004.

Table 87. Largest affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company Name	Host Economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
Silver Crest Enterprises Limited	United Kingdom	Holding	..	..
C. Finance and insurance			Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Savola Edible Oils (Sudan) Ltd	Saudi Arabia	Food products, beverages and tobacco	..	4 500
Sudanese Liquid Air Limited	France	Chemicals and chemical products	..	1 000
Sudapak Corporation Limited	Pakistan	Petroleum	..	100
China Petroleum Engineering and Construction Group Corp Sudan Branch	China	Petroleum	..	20
B. Tertiary				
Shell Company Of Sudan Ltd	United Kingdom	Wholesale trade	..	..
Daihatsu Motors Ltd	Saudi Arabia	Wholesale trade	..	6 000
Sdv Transintra Sudan Ltd	France	Supporting transport activities	..	75
Sudanese Mobile Telephone Company Limited	Kuwait	Telecommunications	..	50
Yasarya International Trading	United States	Distributive trade	..	5
C. Finance and Insurance			Assets	Employees
Saudi Sudanese Bank	Saudi Arabia	Finance	..	300 ^a

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

^a 2003.

C. Legal frameworks for transnational corporations

Sudan has adopted a number of national, bilateral and multilateral legal instruments to regulated the activities of transnational corporations and foreign direct investors. The key instruments that apply in the country include the following:

I. National framework

Companies Act of 1925.

Source: International Bureau of Fiscal Documentation, suppl. No. 75, March 1990.

Registration of Business Names Act, 1931

Source: International Bureau of Fiscal Documentation, suppl. No. 75, March 1990.

Bank of Sudan Act (1959)

Source: Bank of Sudan (<http://www.bankofsudan.org/english/circule.htm>).

Trade Marks: Law No. 8 of 1969.

Source: WIPO (<http://www.wipo.org>).

Patents: Law No. 58 of 1971.

Source: WIPO (<http://www.wipo.org>).

Act for Licensing Commercial Agents of 1972.

Source: International Bureau of Fiscal Documentation, suppl. No. 75, March 1990.

Mining and Quarries Law, 1972

Source: Embassy of the Sudan in South Africa (<http://www.sudani.co.za>)

Petroleum Resources Act, 1972; amended in 1975.

Source: MBendi Information for Africa (<http://www.mbendi.co.za/indy/oilg/govo/af/su/p0005.htm>).

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Source: MBendi Information for Africa (<http://www.mbendi.co.za/indy/oilg/govo/af/su/p0005.htm>).

Manpower Act, 1974 (Regulation for employment of aliens).

Source: Official Gazette No. 1163 of 15 July 1974.

Copyright Law No. 49, May 1974, as amended.

Source: WIPO (<http://www.wipo.org>).

Income Tax Act, 1986, as amended in various years.

Source: Economics File Number 14, Main Aspects of the Tax Laws and Regulations in Sudan, Prepared by the Taxation Chamber of the Ministry of Finance and Economy of the Republic of Sudan, Edited with an Introduction, by Sean Gabb, An occasional paper published by The Sudan Foundation: <http://www.sufo.demon.co.uk/econ014.htm>.

Banking Regulation Act (1991).

Source: Bank of Sudan (<http://www.bankofsudan.org/english/circule.htm>).

Policy Measures for the Rectification of the Sudanese Economy. Adopted by the Joint Meeting of the Revolutionary Command Council and the Council of Ministers of 2 February 1992.

Source: Information Bulletin of the PEE. French Embassy in Khartoum of 14 September 1992

Copyright and Related Rights Law, December 1996.

Source: WIPO (<http://www.wipo.org>).

Investment Act, 1999, repealing the 1996 Investment Law and its amendments.

Source: Sudan Home (<http://sudanhome.com/info/investact.htm>).

Amended 2000,

Source: Sudan Investment Authority (<http://www.sudaninvest.org>).

Provisional Decree, The value Added Act, 1999

Source: Republic of the Sudan Chamber of Commerce (<http://www.sudatax.com/eng/vat/laws/index.htm>).

Circulars Issued by The Bank of Sudan: Regulation Organization Dealing in Foreign Currency1999, circular No 9/2002 dated 11/6/2002 (Import Regulations); Regulation Organization Dealing in Foreign Currency1999, circular No10/2002 dated 17/6/2002 (Regulation Organization daily in Foreign Exchange Accounts Restricted With Local currency); Regulation Organization Dealing in Foreign Currency1999, circular No 11/2002 dated 17/6/2002 (Regulation Organization Exchange Bureaus2000); Regulation Organization Dealing in Foreign Currency1999,circular No 12/2002 dated 17/6/2002 (Utilization of Resources of Foreign Currency dealing room); Regulation Organization Dealing in Foreign Currency1999,circular No 13/2002 dated 20/6/2002(Conditions Determining and issuing License for the Exchange Bureau); Regulation Organization Dealing in Foreign Currency1999,circular No 14/2002 dated 26/6/2002(Exchange Bureaus FUNDS Uses); Regulation Organization Dealing in Foreign Currency1999,circular No 15/2002 dated 26/6/2002 (Utilization of Resources of Foreign Currency dealing room).

Value Added Tax Regulation (2000)

Source: Sudan Chamber of Commerce (<http://www.sudatax.com/eng/vat/laws/index.htm>).

Communications Law, 2001.

Source: Arab Communication Consult: (<http://www.arabcomconsult.com/sudan2002/telecom.htm>).

II. International Framework

A. Sudan is a party to the following multilateral and regional instruments:

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Convention Establishing the Inter-Arab Investment Guarantee Corporation of May 1971; entered into force in April 1974.

Agreement for the Promotion, Protection and Guarantee of Investment Among Member States of the Organization of Islamic Conference, of 1 June 1981; entered into force on 23 September 1986.

Unified Agreement for the Investment of Arab Capital in the Arab States of 1982.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Charter on a Regime of Multinational Industrial Enterprises (MIEs) in the Preferential Trade Area for Eastern and Southern African States (PTA), signed on 21 November 1990, entered into force August 1995.

Source: Preferential Trade Area for Eastern and Southern African States: Report of the Sixteenth Meeting of the Council of Ministers, 17-19 november, 1990, Mbabane, Swaziland (PTA/CM/XVI/2)

Articles of Agreement of the Islamic Corporation for the Insurance of Investment and Export Credit of 19 February 1992. Entered into force on 1 August 1994.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Germany 1963, Netherlands 1970, Switzerland 1974, Egypt 1977, France 1978, Romania 1978, Libyan Arab Jamahiriya 1990, China 1997, Indonesia 1998, Malaysia 1998, Qatar 1998, Iran, Islamic Republic of 1999, Morocco 1999, Oman 1999, Turkey 1999, Yemen 1999, Bahrain 2000, Djibouti 2000, Ethiopia 2000, Jordan 2000, Syrian Arab Republic 2000, Algeria 2001, Egypt 2001, Kuwait 2001, United Arab Emirates 2001, Viet Nam 2001, Bulgaria 2002, Chad 2002, Switzerland 2002, India 2003, Netherlands 2003, Tunisia 2003, Lebanon 2004, Belgium and Luxembourg 2005, Italy 2005.

2. Bilateral treaties for the avoidance of double taxation: Egypt 1970, United Kingdom 1975, Malaysia 1993, China 1997, Qatar 1998, Syrian Arab Republic 2001, Turkey 2001, United Arab Emirates 2001, Oman 2003, Tunisia 2003, Korea, Republic of 2004, Lebanon 2004, Bahrain 2006.

C. Other treaties:

Investment agreement for the COMESA Common Investment Area (2007).

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United Nations Conference on Trade and Development (UNCTAD) (2002). *FDI in Least Developed Countries at a Glance* (Geneva: UNCTAD) (www.unctad.org/en/subsites/dite/LDCs/pdfs/Countries/Sudan.pdf).

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World Bank/International Finance Corporation (2007). *Doing Business 2008 Sudan* (Washington D.C.: The World Bank Group).

Swaziland

A. Definitions and sources of data

The Companies Act and the Registration of Business Act of 1993 govern establishment and operation of foreign direct investment (FDI) in Swaziland. But these Acts do not provide specific definitions of FDI. Data on FDI in the country were gathered from the Central Bank of Swaziland. The International Monetary Fund also provides data on FDI in Swaziland in its balance-of-payment statistics. The Government of Swaziland established the Swaziland Industrial Development Company Limited (SIDC) to promote and protect FDI. SIDC functions as the investment center. The Act provides incentives for foreign companies operating in the country. FDI projects have to receive the approval of the Ministry of Commerce and Industry.

The main incentives granted to foreign investors in Swaziland are fiscal in nature. The use of foreign currency is controlled. Capital repatriation, remittances of dividends and royalties are subject to the approval of the Central Bank of Swaziland. Some opportunities remain untapped in many sectors. In an attempt to make Swaziland the preferred destination for FDI, continuous improvements to create an enabling environment have been fruitful. Some of these achievements to date, among many, include centralizing vital business processes such as business registration, trading licenses, work permits, factory shells identification, all under the Swaziland Investment Promotion Authority. The business environment and infrastructure in Swaziland also lends itself to a wide and varied range of businesses. In particular, manufacturing and agriculture are most suited to a Swaziland environment mainly because of the preferential entry to markets of the United States and European Union countries.

The Companies Act legislation distinguishes between partnerships, foreign companies, public and private companies. Public and private companies are limited by their share capital. Public companies have the word "Limited" after their name whereas private companies have the words "Proprietary Limited". The most common type of investment is through private companies. The Articles of Association of such companies include the following clauses:

- a restriction of the right to transfer shares
- membership limited to a maximum of 50, excluding employees of the company
- any offer for subscriptions of any shares or debentures to the public is not allowed. Instead of operating through a subsidiary, a foreign company may operate through a branch in Swaziland and is classified as an external company. It is obligatory to register with the Registrar of Companies; and companies must comply with the provisions of the Companies Act.

Swaziland prohibits nationalization of foreign-owned property and foreign firms receive national treatment. The economy depends largely on export production run by foreign majority-owned firms in such industries as wood pulp, sugar and soft drink concentrate. Residents and non-residents may hold foreign exchange accounts, but residents face quantitative limits. Payments and transfers are subject to controls but are not usually restricted. Except for equity investments by non-residents, the Central Bank of Swaziland must approve all inward capital transfers. Most other capital transactions that require documentation are controlled, prohibited or face quantitative limits.

Swaziland has concluded double taxation agreements with many countries. The most significant are with South Africa and the United Kingdom. The agreements concern dividends, interest, royalties and fees. The Government had traditionally participated in the regional integration schemes at the sub-regional and regional levels. Swaziland signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 3 November 1970. It is eligible for the Cotonou Agreement for renegotiating the African, Caribbean and Pacific countries' partnership treaty with the EU and belonged to the African Union, the New Partnership for Africa's Development, South African Development Community, Southern African Customs Union and is eligible for the United States' market access initiative for African countries - the African Growth and Opportunity Act, the Everything But Arms initiative and the generalized system of preferences. It is also a member of the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	- 0.9	- 1.7
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	- 0.2	- 0.4
3. FDI stocks, 2006	748	69
4. FDI stocks as a percentage of GDP, 2006	28.4	2.6

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	1.7	3.3	21.4	26.5	-	0.5	8.5	9.0
1981	2.5	12.3	22.3	37.1	- 1.6	1.0	5.9	5.4
1982	2.4	13.5	- 29.5	- 13.6	- 0.8	0.6	- 2.6	- 2.9
1983	0.9	- 1.5	- 5.0	- 5.7	- 0.7	0.8	- 0.2	- 0.1
1984	0.1	3.6	1.3	5.0	1.5	1.8	1.7	5.0
1985	- 0.6	8.4	3.9	11.7	- 1.5	3.2	1.0	2.7
1986	1.9	21.2	7.0	34.2	- 0.0	3.3	1.4	1.5
1987	5.3	45.8	6.3	57.5	4.9	3.5	4.3	9.3
1988	13.6	9.4	33.8	56.9	2.4	4.6	3.8	6.3
1989	19.4	50.2	2.9	72.5	2.8	1.6	11.0	13.8
1990	- 0.2	32.8	- 3.0	28.5	0.0	4.4	3.2	3.1
1991	15.0	27.4	43.0	85.4	0.2	9.3	15.5	15.7
1992	15.1	28.3	40.9	84.4	- 0.7	30.1	3.8	3.1
1993	8.8	61.6	1.5	71.9	- 0.9	19.1	9.7	8.7
1994	10.3	57.7	- 4.7	63.3	0.9	6.5	57.4	58.3
1995	31.6	- 1.1	13.0	43.5	3.4	1.6	26.6	30.0
1996	27.1	- 8.0	2.7	21.8	4.3	4.7	- 15.4	- 11.1
1997	4.2	- 25.0	5.8	- 15.1	6.6	1.1	3.4	10.0
1998	9.3	73.0	26.5	108.8	- 0.8	0.9	- 22.2	- 23.0
1999	1.4	34.4	62.4	98.3	- 1.4	0.8	- 13.8	13.2
2000	- 21.9	64.5	48.1	90.7	0.7	0.7	- 17.0	17.1
2001	37.4	1.3	- 9.4	29.3	- 0.0	0.6	- 18.3	- 17.7
2002	- 9.4	73.5	28.0	92.1	- 0.4	0.9	- 0.2	- 0.6
2003	- 3.8	- 25.7	- 31.4	- 60.9	- 0.4	0.7	16.7	16.4
2004	- 4.8	37.1	38.3	70.6	- 0.0	-	- 1.4	- 1.4
2005	6.6	- 26.8	- 29.4	- 49.6	0.1	-	- 24.4	- 24.3
2006	0.9	34.6	0.9	36.3	- 0.3	-	2.7	2.4

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: IMF for 1980-1985 and the Central Bank of Swaziland, unpublished, thereafter.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1980	..	..	..	243.4	..	..	..	19.0
1981	..	..	..	280.5	..	..	..	24.4
1982	..	..	..	228.7	..	..	..	18.3
1983	..	..	..	199.0	..	..	..	15.3
1984	..	..	..	126.5	..	..	..	11.8
1985	..	..	..	104.2	..	..	..	8.8
1986	47.9	-	37.2	157.6	6.3	-	7.8	13.9
1987	59.7	-	48.8	241.3	6.9	-	13.4	20.4
1988	61.5	-	71.8	249.3	7.9	-	14.5	22.4
1989	77.7	-	70.4	308.1	10.3	-	25.1	35.3
1990	268.8	-	66.6	335.7	10.2	-	28.1	38.3
1991	293.8	-	105.5	399.1	9.8	-	41.8	51.6
1992	304.6	-	133.1	437.3	8.1	-	41.1	49.2
1993	341.4	-	121.1	462.2	6.4	-	46.3	52.6
1994	395.4	-	111.4	506.1	6.9	-	101.8	108.6
1995	414.4	-	121.1	535.4	10.2	-	125.4	135.5
1996	340.4	-	96.8	437.6	11.9	-	83.5	95.5
1997	307.8	-	98.6	406.6	5.2	-	77.2	82.4
1998	333.3	-	148.3	480.8	5.0	-	85.0	89.9
1999	44.0	-	54.3	557.9	1.4	-	13.8	88.4
2000	14.8	-	105.4	536.9	0.7	-	17.0	87.3
2001	196.1	-	305.1	355.8	1.9	-	57.4	42.1
2002	125.3	-	376.1	611.7	1.2	-	46.7	58.4
2003	186.8	-	451.0	726.6	1.3	-	81.8	94.7
2004	233.3	-	584.1	790.8	1.5	-	94.4	110.0
2005	249.4	-	531.4	785.0	1.6	-	71.4	73.5
2006	225.6	-	544.0	747.6	1.2	-	69.8	69.0

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: 1980 is estimated by subtracting flows from the stock of 1981. 1981-1985 are based on the IMF. 1986-2006 data are based on the Central Bank of Swaziland, *unpublished*.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Reporting countries	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	-	-	-	- 1.1	-	12.0	-	..	..	-	-	-
Cyprus	-	-	-	-	-	-	-	..	..	-	0.0	-
Denmark	-	-	-	-	-	-	-	..	..	-	- 2.5	-
Germany	- 0.7	-	-	-	-	-	-	..	..	-	-	-
Korea, Republic of	-	- 0.2	-	0.0	-	-	-	..	..	-	-	-
United States	-	-	-	- 28.0	24.0	21.0	- 10.0	..	..	11.0	13.0	- 14.0

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Reporting countries	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Australia	-	-	-	0.1	-	-	-	-
Mozambique	-	-	-	-	-	-	1.3	2.1
Portugal	-	-	-	-	0.1	-	-	-
United Rep. of Tanzania	8.1	1.2	2.8	-	-	-	-	-
United States	-	-	-	-	-	- 3.0	1.0	2.0

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 11. FDI stocks in the host economy, by industry, 1993-2006
(Millions of dollars)

Sector / industry	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total	456	..	..	..	..	..	..	536	356	612	727	938	785	748
Primary	58	..	..	..	..	..	..	75	88	111	129	159	170	151
Agriculture, hunting, forestry and fishing	52	..	..	..	..	..	..	70	75	94	120	129	158	140
Agriculture and hunting	52	..	..	..	..	..	..	70	75	94	120	129	158	140
Mining, quarrying and petroleum	6	..	..	..	..	..	..	5	13	17	8	30	12	11
Secondary	275	..	..	..	..	..	..	378	217	399	470	611	487	464
Tertiary	123	..	..	..	..	..	..	65	51	101	128	168	128	133
Finance	12	..	..	..	..	..	..	23	20	38	63	84	75	78
Financial Intermediation	-	..	..	..	..	..	..	-	9	14	21	32	20	25
Other services	111	..	..	..	..	..	..	-	-	-	-	-	-	-
Unspecified	-	..	..	..	..	..	..	18	-	-	-	-	-	-

Source: Central Bank of Swaziland, Annual Report 2006/2007.

Note: Other financial intermediation refers to the Investment sector.

Table 12. FDI stocks in the host economy, by geographical origin, 1993-2006
(Millions of dollars)

Region / economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total world	63	..	..	..	..	..	..	..	..	..	..	..	..	..
Developed countries	63	..	..	..	..	..	..	..	..	..	..	..	..	..
European Union	59	..	..	..	..	..	..	..	..	..	..	..	..	..
Belgium	1	..	..	..	..	..	..	..	..	..	..	..	..	..
Denmark	-2	..	..	..	..	..	..	..	..	..	..	..	..	..
Germany	-1	..	..	..	..	..	..	..	..	..	..	..	..	..
Netherlands	8	..	..	..	..	..	..	..	..	..	..	..	..	..
United Kingdom	53	..	..	..	..	..	..	..	..	..	..	..	..	..
Other developed countries	4	..	..	..	..	..	..	..	..	..	..	..	..	..
Japan	4	..	..	..	..	..	..	..	..	..	..	..	..	..

Source: Central Bank of Swaziland, unpublished.

Table 14. FDI stocks abroad, by industry, 1993-2006
(Millions of dollars)

Sector / industry	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total	94	..	..	..	..	..	..	..	..	..	..	..	..	..
Primary	3	..	..	..	..	..	..	..	..	..	..	..	..	..
Agriculture, hunting, forestry and fishing	1	..	..	..	..	..	..	..	..	..	..	..	..	..
Mining, quarrying and petroleum	2	..	..	..	..	..	..	..	..	..	..	..	..	..
Secondary	76	..	..	..	..	..	..	..	..	..	..	..	..	..
Tertiary	16	..	..	..	..	..	..	..	..	..	..	..	..	..
Other services	16	..	..	..	..	..	..	..	..	..	..	..	..	..

Source: Central Bank of Swaziland, unpublished.

Table 15. FDI stocks abroad, by geographical destination, 1993-2006
(Millions of dollars)

Reporting countries	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Portugal	-	-	-	-	-	0.1	-	-	-
South Africa	-	-	22.7	43.8	17.5	23.5	59.5	18.8	17.5
United Rep. of Tanzania	0.2	-	-	-	-	-	-	-	-
United States	-	-	-	-	-	-	- 3.0	- 2.0	-

Source: UNCTAD, FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2006

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Republic of Korea	3	3	3	3	3	3	3	3	3	3	..
United States	..	2	2	2	2	2	2	2	2	2	2	2	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 35, 40 and 50. Employment, wages and salaries and value added of affiliates of United States TNCs in Swaziland, 1993-2006
(Thousands of employees and millions of dollars)

Table no./Variable	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
35. Employees	0.1	0.1	0.1	0.1	0.1	0.1	..	..	..	..	..	..	..	..
40. Wages and salaries	1.0	2.0	2.0	2.0	2.0	3.0	..	..	..	..	..	..	..	..
50. Value added ^a	..	81.0	82.0	40.0	52.0	88.0	..	..	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home Economy	Industry	Sales	Employees
A. Industrial				
Ubombo Sugar Ltd	South Africa	Food, beverages and tobacco	906.2	2 500
Steel & Wire International	South Africa	Machinery and equipment	..	15
B. Tertiary				
Swazispa Holdings Ltd	South Africa	Hotels and Restaurants	818.2	441
Usutu Pulp Co Ltd	South Africa	Wood and wood products	..	2 500
United Plantations Swaziland Pty Ltd	South Africa	Agriculture and hunting	..	250
Castrol Swaziland (Pty) Ltd	United Kingdom	Public administration	..	..
Handigas (Swaziland) (Pty) Ltd	Germany	Public administration	..	..
Home & Hospital Dispensaries (Pty) Ltd	Germany	Public administration	..	..
C. Finance and insurance			Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

In Swaziland, a number of national, bilateral and multilateral legal instruments exist to regulate the activities of transnational corporations and foreign direct investors. The key instruments in the country include the following:

I. National framework

Companies Act of 1912.

Source: Globe Africa: Swaziland Investment Policy (<http://www.globeafrica.com/Swazi/swazi2.htm>).

Registration of United Kingdom Trade Marks Rules No. 72 of 1936.

Source: WIPO (<http://www.wipo.org>).

Patents, Designs and Trade Marks Act No. 72 of 1936, as amended by L. 5/1969 (no longer applicable to Trademarks).

Source: WIPO (<http://www.wipo.org>).

Merchandise Marks Regulations No. 24 of 1937.

Source: WIPO (<http://www.wipo.org>).

Merchandise Marks Act No. 24 of 1937.

Source: WIPO (<http://www.wipo.org>).

[Industrial Conciliation and Settlement \(Amendment\) Act 1967. No. 6.](#)

Source: Government Gazette, 1967-08-25, Supplement

Trade Marks Act of 1981.

Source: WIPO (<http://www.wipo.org>).

[Employment \(Amendment\) Act 1985. No. 4.](#)

Source: Government Gazette, 1985-02-01, N. 336, p. S17-S18

Trade Marks Regulations (Legal Notice No. 47) of 1989.

Source: WIPO (<http://www.wipo.org>).

Trade Marks Act (Date of Commencement) Notice No. 101 of 1994.

Source: WIPO (<http://www.wipo.org>).

[The Employment \(Amendment\) Act, 1997 \(No. 5 of 1997\).](#)

Source: Government Gazette Extraordinary, 1997-09-05, Vol. XXXV, No. 291, pp. S1-S4.

[Swaziland Investment Promotion Act, 1998 \(No. 1 of 1998\).](#)

Source: Swaziland Government Gazette, 1998-02-13, Vol. 36, No. 330, pp. S1-S12

Income Tax Act of 2000.

Source: SADC Review: <http://www.sadcreview.com>).

Industrial Relations Act 2000.

Source: SADC Review: <http://www.sadcreview.com>).

Competition Act, 2002.

Source: http://www.tralac.org/pdf/Swaziland's_competition_bill_august_2003.doc

The Industrial Relations (Amendment) Act, 2005 (Act No. 3 of 2005).

Source: Government Gazette Extraordinary, 2005-09-01, Vol. XLIII, No. 86

II. International Framework

A. Swaziland is a party to the following multilateral and regional instruments:

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Southern Africa Development Community (SADC), signed on 17 August, 1992.

Source: http://www.sadc.int/about_sadc/history.php.

Treaty Establishing the Market for Eastern and Southern Africa (COMESA), 1993.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. **Bilateral investment treaties for the protection and promotion of investments:** United Kingdom 1968, South Africa 1972, Sweden 1972, Germany 1990, United Kingdom 1995, Mauritius 1994, Taiwan, Province of China 1998, Egypt 2000, Mauritius 2000.

2. **Bilateral treaties for the avoidance of double taxation:** United Kingdom 1968, South Africa 1972, Sweden 1972, Mauritius 1994.

C. Other treaties:

Investment agreement for the COMESA Common Investment Area (2007).

D. Sources of information

Official

Central Bank of Swaziland (www.centralbank.sz).

Swaziland Industrial Development Company (www.sidc.co.sz).

Secondary

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World Bank/International Finance Corporation (2007). *Doing Business 2008 Swaziland* (Washington D.C.: The World Bank Group).

Togo

A. Definitions and sources of data

The data on foreign direct investment (FDI) in Togo were collected by the Banque Centrale des Etats de l'Afrique de l'Ouest (BCEAO). The Bank receives data on outflows by addressing questionnaires to national companies investing abroad. The information is supplemented by the Direction de l'Economie of the Ministère de l'Economie et des Finances which receives FDI related data from national enterprises abroad through the authorization procedure. In Togo, FDI is defined in line with the 4th and 5th editions of the balance-of-payments (BOP) manual published by the International Monetary Fund (IMF). The IMF also reports FDI data in Togo in its BOP statistics.

Togo's economy is organized around three main activities: agriculture, phosphate mining, and trade and transport. Togo has been an important trans-shipment centre because of the deep-water port at Lomé and its good road links to neighbouring countries of the Economic Community for West African States (ECOWAS). There is also a small but dynamic export-processing zone in Togo.

The Government of Togo started privatizing publicly-owned enterprises, with FDI options, in 1983. In 2001, a consortium led by the United States-based Sterling Merchant Finance, was appointed to privatize Togo Télécom. As in most African countries, the expansion of mobile telecommunications has been more rapid than that of fixed line telecoms. Some companies such as Togocel, a subsidiary of Togo Télécom, Telecel Holding International and Orascom (Egypt) which acquired Telecel in 2000, operate mobile telecommunication services in Togo. Domestic power production and distribution are the responsibility of Togo Electricité, formerly known as Compagnie d'énergie électrique du Togo. In September 2000, a joint venture between Elyo, a subsidiary of the French firm, Suez-Lyonnaise des eaux, and a Canadian firm, Hydro-Québec International, was awarded a 20-year concession to manage Togo Electricité.

The Government of Togo signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 24 January 1966 and had traditionally participated in integration schemes, at the sub-regional and regional levels. As of the end of the 2003, the country belonged to several of the existing bodies, such as the ECOWAS, African Union and New Partnership for Africa's Development. Togo is party to the Cotonou Agreement for renegotiating the trade link between the African, Caribbean and Pacific countries with the European Union (EU), and Everything But Arms initiative, also by the EU. It is a member of the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	56.7	- 13.5
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	13.2	- 3.1
3. FDI stocks, 2006	771	17
4. FDI stocks as a percentage of GDP, 2006	34.9	0.8

Source: Based on tables 3a and 4a and UNCTAD, FDI/TNC database.

Table 3a. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	1.3	- 14.7	56.1	42.7	-	-	-	-
1981	5.5	- 19.7	24.4	10.2	-	-	-	-
1982	1.4	- 6.0	20.7	16.1	-	-	-	-
1983	0.9	- 8.1	8.6	1.4	-	-	-	-
1984	0.9	- 1.0	- 9.9	- 9.9	-	-	-	-
1985	1.9	3.7	10.6	16.3	-	-	-	-
1986	3.1	3.8	- 0.8	6.1	-	-	-	-
1987	3.3	0.7	3.1	7.2	-	-	-	-
1988	9.4	- 1.4	4.9	13.0	-	-	-	-
1989	5.1	0.7	3.3	9.2	-	-	-	-
1990	10.2	4.8	3.3	22.7	..	..	..	4.6
1991	5.5	0.0	1.0	5.7	..	..	..	5.1
1992	..	..	..	- 13.1	..	..	..	12.6
1993	11.6	- 12.3	- 11.2	- 7.0	..	..	..	4.9
1994	4.7	0.0	10.7	15.5	..	..	..	0.1
1995	23.0	0.0	3.2	32.1	..	..	- 5.8	5.6
1996	20.0	1.0	- 3.7	14.5	0.1	4.5	- 1.8	12.9
1997	8.9	10.3	1.8	18.5	1.8	4.0	- 3.4	4.4
1998	15.4	13.9	0.9	19.5	1.5	11.9	- 2.8	22.4
1999	20.8	- 3.7	14.6	31.7	- 3.6	0.6	5.9	2.9
2000	19.2	8.4	14.4	41.5	- 2.9	2.1	1.2	0.4
2001	25.8	17.6	20.2	63.6	- 0.0	- 0.0	- 7.3	- 7.3
2002	22.7	9.6	21.0	53.4	3.1	- 0.0	- 0.8	2.4
2003	31.1	3.3	- 0.7	33.7	0.2	0.2	- 6.7	- 6.3
2004	21.7	16.1	21.6	59.4	1.1	- 0.0	- 13.6	- 12.6
2005	26.4	25.9	24.7	77.0	0.5	0.8	- 16.1	- 14.9
2006	..	..	..	56.7	..	..	..	- 20.3

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inflows are from the IMF for 1980-1989, the Banque Centrale de l'Afrique de l'Ouest (BCEAO) for 1990-2005 and estimate for 2006. Outflow data are from the BCEAO for 1990-2005 and estimate for 2006.

Table 3b. FDI flows, by type of investment, 1999-2005
(Millions of Franc de la Communauté financière africaine)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1999	12 795	- 2 306	9 018	19 507	- 2 217	340	3 654	1 777
2000	13 639	5 967	10 241	29 527	- 2 030	1 476	874	320
2001	18 928	12 880	14 802	46 610	- 0.01	- 0.01	- 5 316	- 5 316
2002	15 831	6 704	14 659	37 194	2 174	- 0.01	- 525	1 649
2003	18 095	1 932	- 421	19 606	94	95	- 3 871	- 3 682
2004	11 444	8 516	11 398	31 358	556	- 0.01	- 7 200	- 6 644
2005	13 935	13 664	13 012	40 611	245	406	- 8 495	- 7 844

Source: UNCTAD, FDI/TNC database based on the Banque Centrale de l'Afrique de l'Ouest (BCEAO), unpublished.

Table 4a. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1980	..	..	..	175.8	-	-	-	-
1981	..	..	..	186.0	-	-	-	-
1982	..	..	..	202.1	-	-	-	-
1983	..	..	..	203.5	-	-	-	-
1984	..	..	..	193.6	-	-	-	-
1985	..	..	..	209.9	-	-	-	-
1986	..	..	..	216.0	-	-	-	-
1987	..	..	..	223.1	-	-	-	-
1988	..	..	..	236.1	-	-	-	-
1989	..	..	..	245.3	-	-	-	-
1990	..	..	..	268.0	..	..	..	4.6
1991	..	..	..	273.6	..	..	..	9.7
1992	..	..	..	260.5	..	..	..	22.3
1993	..	..	..	253.6	..	..	..	27.2
1994	..	..	..	269.1	..	..	..	27.3
1995	..	..	..	301.2	..	..	..	32.9
1996	..	..	..	315.6	..	..	..	45.8
1997	..	..	..	334.1	..	..	..	50.2
1998	..	..	..	353.6	..	..	..	72.6
1999	45.2	..	2.3	385.3	5.3	..	- 15.4	75.5
2000	62.3	..	24.5	426.8	3.8	..	- 13.7	75.9
2001	99.0	..	42.1	490.4	2.5	..	- 15.1	68.7
2002	150.3	..	73.3	543.7	6.7	..	- 18.8	71.1
2003	..	..	..	577.5	..	..	..	64.7
2004	157.0	..	29.7	636.8	14.0	..	- 19.8	52.2
2005	188.8	..	49.1	713.8	13.8	..	- 36.4	37.3
2006	..	..	..	770.5	..	..	..	17.0

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data on inward stock are estimated by accumulating inflows since 1970. Outward stock data are estimated by accumulating inflows since 1990.

Table 4b. FDI stocks, by type of investment, 1999-2005
(Millions of Franc de la Communauté financière africaine)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1999	29 509	..	1 493	31 002	3 493	..	- 10 057	- 6 564
2000	43 942	..	17 282	61 224	2 657	..	- 9 643	- 6 986
2001	73 653	..	31 365	105 018	1 843	..	- 11 264	- 9 421
2002	93 988	..	45 868	139 856	4 202	..	- 11 789	- 7 587
2003	..	..	..	68 759	..	..	..	1 443
2004	75 595	..	14 310	89 905	6 741	..	- 9 558	- 2 817
2005	104 953	..	27 322	132 275	7 671	..	- 20 265	- 12 594

Source: UNCTAD, FDI/TNC database based on the Banque Centrale de l'Afrique de l'Ouest (BCEAO), unpublished.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	-	2.6	-	-	-	0.9	-	-	-	-	-	-
China	-	-	-	-	-	-	-	-	0.0	1.9	0.3	-
Denmark	-	-	-	-	-	-	-	-	-	-	-0.3	-
France	2.6	1.3	4.5	6.7	5.3	2.8	-3.6	10.4	15.8	16.1	105.7	126.7
Germany	-	0.7	-1.2	-	-	-	0.9	-0.9	-	-	-	-
United States	-2.0	1.0	1.0	1.0	1.0	1.0	1.0	-	-	10.0	3.0	-12.0

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	0.7	-	-	-	-	-	-	-	-	-	-	-
France	-	1.3	1.1	-	-	-3.7	3.6	-	3.4	-1.2	-	2.5

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
China	-	-	-	-	-	-	-	-	4.7	6.2	4.8	-
Denmark	-	-	-	-	-	-	-	-	-	0.7	0.8	1.2
United States	8.0	8.0	9.0	10.0	6.0	7.0	7.0	8.0	3.0	13.0	15.0	3.0

Source: UNCTAD, FDI / TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 23, 30, 35, 40, 45 and 50. Number, assets, employment, wages and salaries, sales and value added of affiliates of United States TNCs in Togo, 1995-2006
(Number, thousands of employees and millions of dollars)

Table no./Variable	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
23. Number	3	3	3	3	2	2	2	2	2	3	..	..
30. Assets	21	23	23	24	..	..	..	..	..	60	..	..
35. Employees	0.1	0.1	0.1	0.1	..	..	..	..	..	0.2	..	..
40. Wages and salaries	..	..	..	..	..	..	..	..	..	2	..	..
45. Sales	23	25	27	23	..	..	..	..	..	75	..	..
50. Value added ^a	8	9	9	8	..	..	..	..	..	21	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States. ^a Majority-owned affiliates only.

Table 87. Largest foreign affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company	Host economy	Industry	Sales	Employees
A. Industrial				
Société Camerounaise De Transformation De L' Aluminium SA	Cameroon	Metal and metal products	..	152
B. Tertiary				
..
C. Finance and Insurance			Assets	Employees
Ecobank Ghana Ltd	Ghana	Insurance	..	235
Ecobank Côte d'Ivoire Sa	Côte d'Ivoire	Finance	..	80

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Togolaise Des Gaz Industriels	France	Petroleum	1	18 ^a
B. Tertiary				
Compagnie Francaise De L'Afrique De L'Ouest	France	Wholesale trade	116.55	99
Togo Et Shell SA	United Kingdom	Wholesale trade	25.2	96
Togo Representation	India	Wholesale trade	..	25
Embassy Of The United States Of America	United States	Public administration	..	20
Saga Togo	France	Supporting transport activities	..	20
Bt Togo	United Kingdom	Telecommunications	..	..
Lome Catering	France	Air transport	..	..
Maersk Togo SA	Denmark	Supporting transport activities	..	..
Nouvelles Frontieres Togo	Germany	Public administration	..	..
Uac - Togo SA	Netherlands	Wholesale trade	..	..
C. Finance and Insurance			Assets	Employees
Agf Togo Assurances	Germany	Insurance	..	..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

^a 2006.

C. Legal frameworks for transnational corporations

Togo has adopted national, bilateral and national legal instruments for regulating the activities of the transnational corporations and foreign direct investors. The key instruments applicable in the country include:

I. National framework

Patents: Bangui Agreement, March 1977 (Annex I), as last amended in February 1999.

Source: WIPO (<http://www.wipo.org>).

General Code of Direct and Indirect Taxes (CGI) - Law No. 83-22 of 30 December 1983 together with Finance Law for 1988.

Source: FIDAFRICA-Fiscalite Africaine, 1988.

Law No. 89-14 of 18 September 1989 and Decree No. 90-40 Adopted in application of Law No. 89-14 of 18 September 1989 Governing the Status of Export Processing Zones.

Source: Official publication by: Ministry of Industry and State Companies -Republique Togolaise- SAZOF Societe d'Administration des Zones Franches -LOME- TOGO.

Investment Code of 31 October 1989, repeals Investment Code- Law No. 85/02 and 85/03 of 29 January 1985 and Decree 87-02 of 17 February 1987 on the Implementation of the Investment Code.

Source: Official publication by: Ministry of Industry and State Companies -Republique Togolaise- SAZOF Societe d'Administration des Zones Franches -LOME- TOGO.

Loi No. 91-12 portant protection du droit d'auteur, du folklore et des droits voisins, juin 1991. Law No. 91-12 on the Protection of Copyright, Folklore and Neighbouring Rights, June 1991.

Source: WIPO (<http://www.wipo.org>).

II. International Framework**A. Togo is a party to the following multilateral and regional instruments:**

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Industrial Designs: Bangui Agreement, March 1977 (Annexes II and IV), as last amended in February 1999.

Source: WIPO (<http://www.wipo.org>).

Trade Marks: Bangui Agreement, March 1977 (Annex III), as last amended in February 1999.

Source: WIPO (<http://www.wipo.org>).

Bangui Agreement, March 1977.

Source: WIPO (<http://www.wipo.org>).

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Revised Treaty of the Economic Community of West African States (ECOWAS) 1993.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Germany 1961, Switzerland 1964, Tunisia 1987.

2. Bilateral treaties for the avoidance of double taxation: France 1971, Tunisia 1987.

D. Sources of information

Official

Banque Centrale des Etats de l'Afrique de l'Ouest (www.bceao.int).

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Secondary

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World Bank/International Finance Corporation (2007). *Doing Business 2008 Togo* (Washington D.C.: The World Bank Group).

Tunisia

A. Definitions and sources of data

Foreign direct investment (FDI) in Tunisia is defined as foreign money brought into an investment project, undertaken in partnership with a Tunisian shareholder or financed fully by foreign investor, (Investment Encouragement Code, Law No. 93-120). The Central Bank of Tunisia collects data for compiling balance-of-payments statistics based on transactions of foreign currency transactions. Several other government agencies collect additional data on investments in certain sectors according to their field of responsibility. The Agricultural Investment Promotion Agency collects data on agricultural investment; the Export Promotion Center gathers data on investment in trade sector; the Tunisian National Tourism Office on investment in the tourism sector; and the Industry Promotion Agency on industry investment. These data are based on company surveys. The Foreign Investment Promotion Agency started its activity in 1995 to give more effectiveness to promoting FDI in Tunisia.

The Government of Tunisia has been keen to encourage foreign investors to set up manufacturing plants in the country to serve the European market by offering attractive incentives to export-oriented investments. Exporting companies can import all capital goods and production inputs custom duty-free. They are also fully exempt from income tax for the first ten years of activity followed by a 50% reduction in income tax. Foreign investors can hold up to 100% of the project capital without prior authorization, except for exporting service industries which are subject to authorization if the foreign participation exceeds 50% of the capital (Investment Encouragement Code, Law No. 93-120).

The Tunisian tax rate on profits is about the same as that of other Mediterranean countries. The projects in industry, tourism and industry-related services which are set up in regional development areas, receive an investment grant of 7% of the project cost, a state participation in the infrastructural expenses and a five-year full payment of the employers contribution to social security schemes. Export-oriented projects are also fully exempt from income tax for the first ten years of activity and benefit from a 50% reduction on income tax for an additional ten years. Bureaucratic formalities have also been streamlined into one office, the "guichet unique" in Tunisia.

From 1995, privatization was sped up and by 2005 the government had disposed of large businesses. About 160 public enterprises had been fully or partially privatized or been shut down and their assets sold off, with FDI options. Foreign investors benefit from the off-shore status of wholly exporting companies: this applies to factories which can be set up anywhere in Tunisia, or within a free zone. Two free trade zones are set up in Tunisia, one in Bizerta and the other in Zarzis. The incentives offered by these free trade zones strengthen the interest already shown by foreign investors in Tunisia.

Oil has played a large role in attracting FDI to Tunisia and exploration remains buoyant. The law on exploration activities was revised in early 2000 to give the government greater flexibility in fixing terms with operators, taking into account exploration costs, field size and changing world oil and gas prices. This cleared the way for an expansion of petroleum activities. About 43 exploration permits were in operation in 2002. The British Gas investment in the Miskar gasfield in the early 1990s is still Tunisia's largest single foreign investment.

Non-energy foreign investment did not rise much until 1998, despite many initiatives to encourage it. But, since 1998, the main focus of FDI has been on manufacturing. After the cement sector, the textiles industry has attracted the most foreign investment, followed by shoes and leather, vehicle parts, electronics, pharmaceuticals, food, and computer software. The tourism sector is also

growing in importance. The main investors are European companies from France, the United Kingdom, Germany and Italy, but there are others from the United States and Libyan Arab Jamahiriya.

Tunisia has good infrastructure, a reasonably well-trained and adaptable workforce, enjoys proximity to Europe and is working on its integration into the world economy. Tunisia signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 5 May 1965 and provides free access for industrial goods to European markets through its Association Agreement with the European Union (EU), and reduced customs duties for exports to the United States, Canada, Switzerland, Australia and Japan. It is the first country of the southern shore of the Mediterranean to have signed an association agreement with the EU. This agreement, signed on 17 July 1995 extends cooperation to culture, education, economy, scientific research and political and social dialogue. It provides for the gradual establishment, over a period of 12 years, of a free-trade zone for industrial products. Another agreement on agricultural trade with the EU came into force on 1 January 2001. The agreement raised Tunisia's annual quota for duty-free exports to the EU and fixed other quotas for other agricultural items. In return, Tunisia agreed to remove import duties on European wheat and vegetable oil imports over five years.

Tunisia also signed free-trade agreements with Egypt, Morocco, Jordan and Libyan Arab Jamahiriya. In 2001, Tunisia signed a declaration with Egypt, Morocco and Jordan calling for a free-trade zone among the Arab states of the Mediterranean which is to become a precursor to the proposed Arab free-trade area. At the end of 2005, Tunisia belonged to the Arab Maghreb Union, African Union, New Partnership for Africa's Development and World Trade Organization. Tunisia also supports the "Eizenstat plan" to develop trade links between the United States and Tunisia, Morocco, Algeria and Egypt. Out of all pending initiatives, only the EU partnership has so far become a reality.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	1 329.3	13.8
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	20.9	0.2
3. FDI stocks, 2006	21 779	88
4. FDI stocks as a percentage of GDP, 2006	71.0	0.3

Source: Based on tables 3a and 4a and UNCTAD, FDI/TNC database.

Table 3a. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	244.0	..	2.5	246.5	-	..	..	..
1981	316.7	..	10.5	327.2	2.0	..	..	1.4
1982	356.5	..	14.2	370.7	1.7	..	..	3.9
1983	206.6	..	2.6	209.2	- 1.5	..	..	0.4
1984	139.8	..	1.7	141.5	- 1.3	..	..	0.5
1985	138.6	..	0.3	138.9	- 6.0	..	..	1.2
1986	85.8	..	0.1	85.9	1.3	..	..	2.4
1987	99.1	..	3.7	102.8	1.2	..	..	2.8
1988	74.2	..	2.0	76.2	1.2	..	..	0.5
1989	87.6	..	4.2	91.8	4.2	..	..	4.8
1990	83.9	..	4.8	88.7	0.3	..	..	0.3
1991	168.2	..	4.6	172.8	3.8	..	..	3.8
1992	404.1	..	179.5	583.6	4.7	..	..	4.7
1993	654.4	..	1.8	656.2	1.8	..	..	1.8
1994	530.9	..	35.5	566.4	7.7	..	..	7.7
1995	317.7	..	59.8	377.5	3.4	..	..	3.4
1996	282.3	..	68.8	351.1	2.4	..	..	2.4
1997	359.8	..	5.5	365.3	9.2	..	..	9.2
1998	665.8	..	2.3	668.1	1.8	..	..	1.8
1999	363.9	..	4.0	367.9	2.5	..	..	2.5
2000	778.0	..	0.8	778.8	1.7	..	..	0.4
2001	483.7	..	2.7	486.4	0.3	..	..	5.8
2002	818.2	..	3.2	821.3	2.3	..	..	6.5
2003	581.4	..	2.5	583.9	5.4	..	..	5.4
2004	637.7	..	1.2	638.9	4.2	..	..	4.2
2005	781.5	..	0.9	782.4	12.6	..	..	12.6
2006	3 310.5	..	1.4	3 311.8	33.1	..	..	33.1

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics) based on the Banque Centrale de Tunisie, unpublished.

Table 3b. FDI flows, by type of investment, 2004-2006
(Millions of Dinars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
2004	794.4	..	1.5	795.9	5.2	..	..	5.2
2005	1 014.5	..	1.2	1 015.7	16.4	..	..	16.4
2006	4 401.1	..	1.8	4 402.9	44.0	..	..	44.0

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics) based on the Banque Centrale de Tunisie, unpublished.

Table 4a. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	3 340.6	..	..	..	5.8
1981	3 345.6	..	..	..	6.6
1982	3 603.7	..	..	..	8.5
1983	3 691.0	..	..	..	7.5
1984	3 589.4	..	..	..	5.8
1985	4 917.0	..	..	..	6.1
1986	4 909.2	..	..	..	7.2
1987	6 218.5	..	..	..	10.3
1988	5 947.0	..	..	..	8.4
1989	5 888.1	..	..	..	12.6
1990	7 614.8	..	..	..	15.3
1991	8 067.4	..	..	..	19.6
1992	8 447.9	..	..	..	23.4
1993	8 724.5	..	..	..	22.5
1994	9 918.0	..	..	..	30.7
1995	10 967.0	..	..	..	30.1
1996	11 180.6	..	..	..	28.6
1997	10 629.0	..	..	..	32.4
1998	12 237.1	..	..	..	34.2
1999	11 431.5	..	..	..	33.3
2000	11 545.0	..	..	..	33.4
2001	11 519.6	..	..	..	31.9
2002	13 860.7	..	..	..	36.6
2003	16 239.0	..	..	..	42.8
2004	17 780.0	..	..	..	47.0
2005	16 924.0	..	..	..	53.0
2006	21 779.0	..	..	..	88.0

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics) based on the Banque Centrale de Tunisie, unpublished.

Table 4b. FDI stocks, by type of investment, 2001-2006
(Millions of Dinars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
2001	16 914.2	..	..	..	46.9
2002	18 491.5	..	..	..	48.8
2003	19 609.0	..	..	..	51.7
2004	21 140.4	..	..	..	56.2
2005	23 073.5	..	..	..	71.7
2006	28 249.7	..	..	..	114.7

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics) based on the Banque Centrale de Tunisie, unpublished.

Table 5. FDI flows in the host economy, by industry, 1995-2006
(Millions of Dinars)

Sector / industry	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total	437	1 068	700	1 167	752	796	1 016	4 403
Primary	198	327	336	438	320	284	393	954
Agriculture, hunting, forestry and fishing	3	4	9	11	4	10	7	14
Mining, quarrying and petroleum	195	323	327	428	316	274	386	940
Secondary	198	688	251	255	283	312	327	347
Food, beverages and tobacco	13	30	18	26	28	13	14	18
Food products and beverages	13	30	18	26	28	13	14	18
Textiles, clothing and leather	101	107	97	74	70	76	74	119
Leather and leather products	14	13	17	10	10	7	13	48
Chemicals and chemical products	7	120	7	13	11	18	11	36
Non-metallic mineral products	13	376	25	44	69	89	63	47
Electrical and electronic equipment	58	36	75	76	77	82	142	94
Other manufacturing	6	20	29	24	28	34	23	35
Tertiary	41	53	113	474	149	200	296	3 101
Hotels and restaurants	37	42	97	22	19	22	17	18
Transport, storage and communications	-	-	-	333	105	121	99	3 056
Post and communications	-	-	-	333	105	121	99	3 056
Telecommunications	-	-	-	333	105	121	99	3 056
Finance	-	-	-	103	10	38	120	22
Other services	-	-	-	16	16	19	60	5

Source: Foreign Investment Promotion Agency.

Note: Mining, quarrying and petroleum refer to energy. Food products and beverages refer to agri-business. Manufacture of cement, lime and plaster refers to building materials. Chemicals and chemical products include rubber. Electrical and electronic equipment refer to mechanics and electric. Hotels and restaurants refer to tourism and real estate.

Table 6. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of Dinars)

Region / economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total world	403	760	437	1 068	700	1 167	752	796	1 016	4 403
Developed countries	387	704	357	991	596	921	674	684	812	1 199
Europe	258	621	267	797	433	805	593	568	653	1 057
European Union	253	611	256	785	399	788	586	566	623	1 036
Austria	3	0.2	0.3	0.1	2	0.2	55	43	48	99
Belgium	9	9	16	10	11	11	11	6	14	19
France	39	50	77	86	136	177	80	134	97	153
Germany	27	28	34	21	47	62	16	20	15	20
Hungary	1	19	5	-	-	-	-	-	-	-
Italy	102	48	68	163	84	86	89	125	114	132
Luxembourg	-	1	2	2	13	6	14	1	10	6
Netherlands	7	9	10	132	20	26	25	26	32	126
Poland	-	-	0.1	-	-	-	0.1	-	-	-
Portugal	-	241	-	311	11	9	35	33	24	12
Spain	-	168	1	7	13	26	32	13	112	24
Sweden	-	0.1	2	1	7	9	6	8	9	173
United Kingdom	64	35	26	43	49	365	218	154	147	270
Other developed Europe	5	9	11	12	34	17	6	2	30	21
Gibraltar	-	-	-	-	-	-	-	-	-	2
Switzerland	5	8	9	8	11	12	6	2	5	16
North America	117	76	67	144	132	100	68	106	147	138
Canada	41	24	11	21	29	29	14	19	57	57
United States	76	52	56	123	103	71	54	87	90	81
Other developed countries	11	7	23	50	32	15	12	10	11	5
Australia	11	7	8	3	0.3	8	9	-	11	1
Japan	-	-	15	46	31	8	3	10	-	4
Developing economies	16	55	80	73	104	246	78	112	204	3 204
Africa	-	6	10	15	73	11	7	44	87	17
North Africa	-	6	10	15	73	11	7	44	87	16
Algeria	-	0.3	-	1	1	1	1	3	5	1
Egypt	-	-	0.1	-	-	1	-	32	24	8
Libyan Arab Jamahiriya	-	6	10	14	72	9	5	8	8	4
Morocco	-	0.2	-	0.4	0.2	1	1	1	49	3
Latin America and the Caribbean	4	2	1	10	0.2	0.2	0.1	1	0.2	32
Bahamas	-	-	-	0.1	-	-	-	-	-	32
Asia	12	47	69	48	31	235	71	68	117	3 155
West Asia	12	36	51	45	27	214	63	65	113	3 054
Jordan	-	-	0.4	-	1	0.4	0.2	0.4	-	0.2
Kuwait	4	9	18	22	17	184	58	63	61	38
Lebanon	-	-	-	0.3	1	1	-	-	-	-
Saudi Arabia	8	22	27	20	8	27	1	0.4	38	0.3
Syrian Arab Republic	-	-	0.1	1	0.3	1	0.3	-	0.3	-
Turkey	-	5	5	3	0.3	2	3	1	-	1
United Arab Emirates	-	-	-	-	0.2	-	-	-	13	3 015
South, East and South-East	-	-	-	-	-	-	-	-	-	-
Asia	-	11	18	3	4	21	8	2	4	101
China	-	-	-	-	0.2	0.3	1	0.3	2	99
Malaysia	-	11	18	2	4	20	-	-	-	-
Singapore	-	-	-	-	-	-	7	2	2	2
South-East Europe and the CIS	-	1	0.3	4	-	-	0.4	0.2	-	-
South-East Europe	-	1	0.3	4	-	-	0.4	0.2	-	-

Source: Foreign Investment Promotion Agency.

Table 7. FDI flows in the host economy, by industry and geographical origin, 2006
(Millions of Dinars)

Region/economy / Industry	Total	Primary	Agriculture, hunting, forestry and fishing	Mining, quarrying and petroleum	Secondary	Tertiary	Hotels and restaurants
Total world	4 402.9	954.5	14.2	940.3	347.3	3 101.1	18.3
Developed countries	1 199.0	841.7	12.9	828.8	305.8	51.5	4.7
Europe	1 056.8	707.7	11.9	695.8	298.5	50.6	4.7
European Union	1 036.3	704.6	11.4	693.2	289.9	41.8	4.7
Austria	98.7	98.3	0.1	98.2	0.4	-	-
Belgium	19.0	-	-	-	18.7	0.3	0.1
France	153.1	21.2	9.1	12.1	112.5	19.4	2.5
Germany	20.2	0.1	0.1	-	19.7	0.4	-
Italy	131.5	63.4	1.8	61.6	62.4	5.7	-
Luxembourg	6.4	-	-	-	3.7	2.7	2.1
Netherlands	126.4	99.1	0.1	99.0	27.3	-	-
Portugal	11.9	-	-	-	11.9	-	-
Spain	23.6	0.2	0.2	-	23.4	-	-
Sweden	172.7	172.7	-	171.6	1.1	-	-
United Kingdom	270.4	248.6	-	248.6	8.5	13.3	-
Other developed Europe	20.5	3.1	0.5	2.6	8.6	8.8	-
Switzerland	16.2	-	-	-	7.4	8.8	-
North America	137.5	133.0	1.0	132.0	3.6	0.9	-
Canada	56.5	56.3	-	56.3	-	0.2	-
United States	81.0	76.7	1.0	75.7	3.6	0.7	-
Other developed countries	4.7	1.0	-	1.0	3.7	-	-
Australia	1.0	1.0	-	1.0	-	-	-
Japan	3.7	-	-	-	3.7	-	-
Developing economies	3 203.9	112.8	1.3	111.5	41.5	3 049.6	13.6
Africa	16.7	2.3	1.1	1.2	6.4	8.0	-
North Africa	16.2	2.3	1.1	1.2	5.9	8.0	-
Egypt	8.0	-	-	-	-	8.0	-
Libyan Arab Jamahiriya	4.3	0.4	0.4	-	3.9	-	-
Latin America and the Caribbean	32.1	-	-	-	32.1	-	-
Bahamas	32.1	-	-	-	32.1	-	-
Asia	3 155.1	110.5	0.2	110.3	3.0	3 041.6	13.6
West Asia	3 054.4	13.2	0.2	13.0	1.6	3 039.6	11.6
Kuwait	38.1	3.8	-	3.8	-	34.3	11.6
Turkey	0.8	-	-	-	0.8	-	-
United Arab Emirates	3 014.5	9.2	-	9.2	-	3 005.3	-
South, East and South-East Asia	100.7	97.3	-	97.3	1.4	2.0	2.0
China	98.5	97.3	-	97.3	1.2	-	-
Singapore	2.0	-	-	-	-	2.0	2.0

Source: Foreign Investment Promotion Agency.

Notes: Mining, quarrying and petroleum refer to energy. Hotels and restaurants refer to tourism and real estate.

Table 9a. FDI flows abroad, by geographical destination, 1995-2006
(Millions of Dinars)

Region / economy	2005	2005	2005	2005	2005	2005	2005	2005	2005	2005	2005	2006	
Total world	16.4	16.4	44.0
Developed countries	7.6	7.6	11.7
Europe	7.6	7.6	11.6
European Union	7.6	7.6	11.6
France	2.5	2.5	1.4
United Kingdom	5.0	5.0	9.9
North America	0.1	0.1	0.2
United States	0.1	0.1	0.0
Developing economies	8.8	8.8	32.3
Africa	8.4	8.4	31.6
North Africa	8.1	8.1	31.3
Libyan Arab Jamahiriya	0.6	0.6	6.3
Morocco	0.2	0.2	0.4
Other Africa	0.3	0.3	0.3
Asia	0.4	0.4	0.7
West Asia	0.4	0.4	0.7
United Arab Emirates	0.1	0.1	0.1

Source: Foreign Investment Promotion Agency.

Table 9b. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Reporting countries	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Algeria	-	-	-	0.3	0.1	3.6	0.3	-	-	-	-	-
Australia	-	-	-	-	-	-	1.2	-	-	-	-	-
Belgium/Luxembourg	1.4	-	-	1.1	-	-	1.8	-	-	-	-	-
Czech Republic	-	-	-	-	-	-	-	-	-	0.8	-0.9	-
France	2.6	3.8	-	-	3.2	-	3.6	10.4	24.8	23.6	3.7	7.5
Germany	-	-10.6	9.2	-1.7	-	-	6.3	-7.5	1.1	8.7	-8.7	2.5
Kazakhstan	-	-	0.4	0.4	-	-	-	0.3	-	-0.0	-0.1	0.0
Morocco	-	-	-	-	2.0	0.3	6.2	4.8	15.9	0.5	3.1	4.5
Romania	-	-	-	-	-	-	-	-	-	1.2	-1.2	-
Sweden	-	-	-	-0.2	-	-1.2	-	-	-	-	-	-

Source: UNCTAD, FDI/TNC database. Note: Data are based on information reported by the economies listed above.

Table 12b. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Reporting countries	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Bulgaria	-	-	-	-	0.7	0.6	-	-	-	0.0	0.0	-
Canada	-	-	-	-	37.4	50.7	-	-	-	-	-	-
China	-	-	-	-	-	-	-	-	1.6	1.3	2.2	-
Denmark	-	-	-	-	-	-	-	-	-	2.9	1.9	1.9
Germany	81.6	80.4	88.7	119.5	176.8	159.1	195.6	213.9	213.4	125.3	122.7	-
Morocco	-	-	-	-	-	-	-	0.6	0.8	1.0	0.7	3.5
Portugal	-	0.1	0.8	226.5	191.9	379.7	359.7	157.9	179.3	-	-	-
Switzerland	-	-	-	-	-	27.3	21.8	17.3	16.0	26.0	27.2	23.3
United Kingdom	3.1	25.5	29.8	33.3	33.9	-	-	-	-	-	-	-
United States	70.0	89.0	149.0	150.0	92.0	47.0	32.0	99.0	115.0	214.0	253.0	240.0

Source: UNCTAD, FDI/TNC database. Note: Data are based on information reported by the economies listed above.

Table 15b. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Reporting countries	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Bulgaria	-	-	-	-	0.0	0.0	0.0	0.2	0.2	0.5	-0.2	0.1
Czech Republic	-	-	-	-	-	-	-	0.0	-0.0	0.9	-0.0	-
Kazakhstan	-	-	0.4	0.8	0.8	-	0.3	0.3	0.3	0.3	-0.1	-0.1
Morocco	-	-	-	-	-	-	-	-	-	44.3	40.4	49.3
Slovenia	0.3	0.1	0.1	-	-	-	-	-	-	-	-	-
United States	-	-	-4.0	-	-	1.0	1.0	-	-4.0	-	-	-1.0

Source: UNCTAD, FDI/TNC database. Note: Data are based on information reported by the economies listed above.

Table 12a. FDI stocks in the host economy, by geographical origin, 1994-2005
(Millions of Dinars)

Region / economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Total world	150	..	..	..	..	..	..	..	..	..	..	..
Developed countries	114	..	..	..	..	..	..	..	..	..	..	..
Europe	111	..	..	..	..	..	..	..	..	..	..	..
European Union	106	..	..	..	..	..	..	..	..	..	..	..
Belgium	1	..	..	..	..	..	..	..	..	..	..	..
Finland	7	..	..	..	..	..	..	..	..	..	..	..
France	35	..	..	..	..	..	..	..	..	..	..	..
Germany	6	..	..	..	..	..	..	..	..	..	..	..
Hungary	1	..	..	..	..	..	..	..	..	..	..	..
Italy	46	..	..	..	..	..	..	..	..	..	..	..
Portugal	1	..	..	..	..	..	..	..	..	..	..	..
Sweden	8	..	..	..	..	..	..	..	..	..	..	..
Other developed Europe	5	..	..	..	..	..	..	..	..	..	..	..
Norway	3	..	..	..	..	..	..	..	..	..	..	..
Switzerland	2	..	..	..	..	..	..	..	..	..	..	..
North America	1	..	..	..	..	..	..	..	..	..	..	..
United States	1	..	..	..	..	..	..	..	..	..	..	..
Other developed countries	2	..	..	..	..	..	..	..	..	..	..	..
Australia	2	..	..	..	..	..	..	..	..	..	..	..
Developing economies	33	..	..	..	..	..	..	..	..	..	..	..
Asia	33	..	..	..	..	..	..	..	..	..	..	..
West Asia	33	..	..	..	..	..	..	..	..	..	..	..
Kuwait	3	..	..	..	..	..	..	..	..	..	..	..
Saudi Arabia	15	..	..	..	..	..	..	..	..	..	..	..
Syrian Arab Republic	1	..	..	..	..	..	..	..	..	..	..	..
United Arab Emirates	15	..	..	..	..	..	..	..	..	..	..	..
South-East Europe and the CIS	3	..	..	..	..	..	..	..	..	..	..	..
CIS	3	..	..	..	..	..	..	..	..	..	..	..
Russian Federation	1	..	..	..	..	..	..	..	..	..	..	..
Ukraine	2	..	..	..	..	..	..	..	..	..	..	..

Source: Foreign Investment Promotion Agency.

Table 15a. FDI stocks abroad, by geographical destination, 1994-2006
(Millions of Dinars)

Region / economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Total world	271	..	..	..	..	..	..	..	..	..	..	..
Developing economies	271	..	..	..	..	..	..	..	..	..	..	..
Latin America and the Caribbean	63	..	..	..	..	..	..	..	..	..	..	..
South and Central America	63	..	..	..	..	..	..	..	..	..	..	..
Argentina	21	..	..	..	..	..	..	..	..	..	..	..
Mexico	41	..	..	..	..	..	..	..	..	..	..	..
Asia	208	..	..	..	..	..	..	..	..	..	..	..
South, East and South-East Asia	208	..	..	..	..	..	..	..	..	..	..	..
China	57	..	..	..	..	..	..	..	..	..	..	..
Hong Kong, China	18	..	..	..	..	..	..	..	..	..	..	..
Indonesia	44	..	..	..	..	..	..	..	..	..	..	..
Malaysia	27	..	..	..	..	..	..	..	..	..	..	..
Singapore	50	..	..	..	..	..	..	..	..	..	..	..
Thailand	14	..	..	..	..	..	..	..	..	..	..	..

Source: Foreign Investment Promotion Agency.

Tables 22 and 34. Number and employment of affiliates of foreign TNCs in the host economy, 1980-2002
(Number)

Year	Number of foreign affiliates	Number of employees
1980	242	36 678
1981	257	38 449
1982	277	42 297
1983	303	46 688
1984	334	49 311
1985	374	54 141
1986	402	55 818
1987	455	59 932
1988	539	66 569
1989	676	77 117
1990	887	85 672
1991	1 011	95 447
1992	1 134	108 237
1993	1 270	118 111
1994	1 426	132 355
1995	1 520	143 031
1996	1 604	153 268
1997	1 841	166 315
1998	1 995	178 745
1999	2 105	189 903
2000	2 230	204 555
2001	2 339	215 299
2002	2 503	222 905

Source: Central Bank of Tunisia, unpublished data.

Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	57	62	64	63	66	55	59	56	25	18	19	21
Italy	..	27	..	26	..	..	..	..	..	..	..	..
Republic of Korea	..	..	2	2	2	2	2	2	2	2	2	2
United States	20	20	19	23	19	14	12	11	10	11	16	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 30. Assets of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005
(Millions of dollars)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	193.7	279.0	257.3	279.0	298.9	301.4	372.2	352.5	..	..	..	..
United States	..	302.0	292.0	491.0	371.0	390.0	292.0	268.0	259.0	604.0	763.0	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 35. Employment of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005
(Thousands of employees)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Belgium	..	..	..	..	..	..	..	2.6	2.8	2.4	..	..
Germany	11.0	11.0	13.0	15.0	14.0	12.0	15.0	15.0	8.0	7.0	10.0	13.0
Italy	..	2.6	..	2.8	..	..	..	..	..	..	..	..
Switzerland	..	..	..	..	..	..	1.4	1.4	1.8	1.9	2.4	2.6
United States	0.8	0.7	0.7	0.8	0.5	..	..	..	..	3.1	6.1	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 40 and 50. Wages and salaries and value added of affiliates of United States TNCs in Tunisia, 1994-2005
(Millions of dollars)

Table no./Variable	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
40. Wages and salaries	18	19	17	19	16	14	13	12	11	17	27	..
50. Value added	109	84	71	82	63	169	95	94	107	159	112	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States and refer to majority-owned affiliates only.

Table 45. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005
(Millions of dollars)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	246.5	279.1	332.3	288.3	341.0	319.6	368.5	357.9	282.3	338.6	372.5	241.2
Italy	..	235.1	..	242.7	..	..	..	..	..	..	..	..
United States	..	352.0	333.0	353.0	310.0	310 ^a	333 ^a	295 ^a	271 ^a	467.0	643.0	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

^a Data refer to majority-owned affiliates only.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars)

Company	Industry	Sales
A. Industrial		
Sté Tunisienne des Industries de Raffinage	Petroleum expl./ref./distr.	1.287
Sté Tunisienne de l'Electricité et du Gaz	Electricity/gas/water	0.843
Groupe Chimique Tunisien	Chemicals and chemical products	0.720
Sté National de Distributions Petroles Agil	Petroleum expl./ref./distr.	0.676
Ent. Tunisienne d'Activités Pétrolières	Petroleum expl./ref./distr.	0.310 ^a
Groupe Abdennadher	Food products, beverages and tobacco	0.180 ^a
Régie National des Tabacs et des Allumettes	Food products, beverages and tobacco	0.119
Société Frigorifique Brasserie de Tunis	Food products, beverages and tobacco	0.105
Société de Nutrition Animale	Agro-Industry	0.101 ^a
Sté Tunisienne des Indus. Pneumatiques	Rubber and rubber products	0.084
B. Tertiary		Assets
Tunisie Telecom	Telecommunications	0.885
Société Tunisienne de l'Air	Air Transport	0.659
Groupe TTS	Leisure	0.587 ^a
Nouvelair Tunisie	Air Transport	0.205
Compagnie Tunisienne de Navigation	Maritime transportation	0.170
Office de l'Aviation Civil et des Aeroports	Air Transport	0.154
SNMVT-Monoprix	Diversified	0.132
La Poste Tunisienne	Posts	0.097
Sté National des Chemins de Fer Tunisiens	Transportation	0.097 ^a
Tunisie Leasing	Business services	0.094 ^a
C. Finance and Insurance		
Sté Tunisienne d'Assurances et de Reassurances	Insurance	0.153

Source: Jeune Afrique Hors-série No. 14, 2007. ^a 2004.

Table 87. Largest foreign affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company	Host Economy	Industry	Sales	Employees
A. Industrial				
Coficab Portugal - Companhia De Fios E Cabos, Lda	Portugal	Electrical and electronic equipment	56.6	209
Gepa Elektronische Bauelemente Vertriebsges. Mbh	Germany	Electrical and electronic equipment	2.4	3 ^a
B. Tertiary				
Think Tank Business Solutions Ag	Germany	Computer and related activities	1.9	10
Sarl Mecaways	France	Wholesale trade	1.1	9
Vital Center International Espagne S.A.	Spain	Health and social services	0.5	7
Piccadilly Associates Ltd	United Kingdom	Other business activities	0.1	..
Doru Basim Sanayi Ve Ticaret A S	Turkey	Other services	..	70
Simdex Ehf	Iceland	Computer and related activities	..	6
Larkstone Construction Ltd	United Kingdom	Construction	..	..
Mandatium Ltd.	United Kingdom	Public administration	..	..
Maritime Petroservice Contractors Ltd	Scotland	Other business activities	..	..
Sinebrychoff Uk Ltd.	United Kingdom	Public administration	..	..
C. Finance and Insurance				
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008. ^a 2004.

Table 88. Largest affiliates of foreign TNCs in the host economy 2007
(Millions of dollars and number)

Company	Home Economy	Industry	Sales	Employees
A. Industrial				
Sagem Tunisie	France	Electrical and electronic equipment	90.8	2 900
Cablea Tunisie Sa	France	Textiles and clothing	76.6	1 450
Henkel Alki Sa	Germany	Chemicals and chemical products	45.6	512
Sylea Tunisie	France	Metal and metal products	36.8	1 000
Nestle Tunisie Sa	Switzerland	Food products, beverages and tobacco	31.4	230
Société De Cosmetiques Detergents & Parfumeries Sa	Netherlands	Chemicals and chemical products	29.4	186
Société Filature Italienne	Italy	Textiles and clothing	23.2	110
Philips Tunisienne D Eclairage Sa	Netherlands	Electrical and electronic equipment	8.1	100
Société Henkel Extra Colle Sa	Germany	Chemicals and chemical products	4.7	..
Société De Fabrication De Beton Du Sud	Portugal	Non-metallic mineral products	4.6	84
Mgi Coutier Tunisie Sa	France	Machinery and equipment	3.7	500
Société Tunisienne De Vetements De Sports S A	Germany	Textiles and clothing	3.5	112
Compagnie Industrielle Du Tricot Tunisien Sarl	Italy	Textiles and clothing	2.3	150
A.A.F Electronique Sarl	Germany	Textiles and clothing	1.3	210
Coudon Wash System	Italy	Textiles and clothing	0.9	446
B. Tertiary				
Société Shell Tunisia Sa	United Kingdom	Wholesale trade	292.9	172
Orascom Telecom Tunisia	Egypt	Telecommunications	81.5	100
Service De Transport Combine Tunisie Sarl	Italy	Supporting transport activities	81.5	100
Société Des Ciments De Jebel Oust Sa	Portugal	Public administration	79.1	250
Société Des Ciments De Gabes	Portugal	Public administration	47.0	448
Air Liquide Tunisie Sa	France	Public administration	29.2	224
Siemens Information And Communications Sa	Germany	Wholesale trade	24.4	100
Tunisian Business Machines Sa	United States	Distributive trade	19.8	60
Eads Sogerma Tunisie Sa	Netherlands	Air transport	6.9	130
Bonna Beton Materiaux Prefabriques	France	Public administration	4.7	1 167
Orthorea	United States	Wholesale trade	4.1	12
Sofanou Tunisie Sarl	France	Wholesale trade	4.0	30
Horizonte Tunisie S A R L	Switzerland	Hotels and Restaurants	3.7	160
Société Ncr Tunisie Sa	United States	Wholesale trade	3.4	90
Service De Transport Combine Tunisie Sarl	Italy	Supporting transport activities	2.0	50
Uray Teknik Turizm Hizmetleri Sanayi Ve Ticaret As	Turkey	Supporting transport activities	2.0	50
Cie Tunisienne De Tout Appareillage Mecanique	United Kingdom	Wholesale trade	2.4	30
Basf Tunisie Sa	Germany	Wholesale trade	1.7	18
Tunera Suarl	Germany	Construction	..	740
Ste De Service Du Gasoduc Transtunisien Sa	Italy	Road Transport	..	160
C. Finance and insurance				
Arab Tunisian Bank Sa	Jordan	Finance	52.1	986
Citibank Na Onshore	United States	Finance	19.1	20
Union Internationale De Banques Sa	France	Finance	53.7	1 461
Union Tunisienne De Leasing	France	Finance	..	12
Citibank Na Sa	United States	Finance	..	60

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

In Tunisia, several national, bilateral and multilateral legal instruments regulate the activities of the transnational corporations and foreign direct investors. The key instruments applicable in the country include the following:

I. National framework

Trademarks Law dated 4/6/1889 on Trademarks and Trade Names.

Source: Abu-Ghazaleh Intellectual Property, (<http://www.agip.com>).

Law No. 87-47 on Restructuring of Public Entreprises of 2 August 1987.

Source: World Bank, Technical Paper No. 186, "Divestiture of State Entreprises". An overview of the Legal Framework.

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Source: World Bank, Technical Paper No. 186, "Divestiture of State Entreprises". An overview of the Legal Framework

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Taxation of Business Income Law No. 89-114 of 30 December 1989.

Source: Journal Officiel de la Republique Tunisienne (Official Gazette) of 2 January 1990.

Law No. 92-81 of 3 August 1992 on Free Zones as amended by Law No. 94-14 of 31 January 1994.

Source: Republique Tunisienne, "Incitations aux Investissements", Dispositions legales et reglementaires, Ministere du Plan, Aout 1994.

Loi no 93-42 du 26 avril 1993 portant promulgation du code de l'arbitrage.

Source: Journal officiel, 1993-05-04, No 33, pp. 580-587.

Law No. 93-120 of 27 December 1993 promulgating the Investment Encouragement Code. Repeals Law No. 69-35 of 26 June 1969 concerning the Investment Code, Law No. 87-51 of 2 August 1987 concerning the Industrial Investment Code, Law No. 90-21 of March 1990 concerning the Tourist Investment Code, Law No. 89-100 concerning Encouragement of Investments in Services, Law No. 90-17 of 26 February 1990 concerning the Promotion of Investment in Real Estate Property, Law No. 88-18 of 2 April 1988 concerning the Agriculture and Fisheries Investment Code and Law No. 85-48 of 25 April 1985 concerning Encouragement of the Research of Production and Commercialization of Renewable Energies.

Source: Journal Officiel de la Republique Tunisienne (Official Gazette) of 8 February 1994.

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Law No. (36) of 1994 issued on February 24, 1994 in respect of Literary & Artistic Property.

Source: Abu-Ghazaleh Intellectual Property, (<http://www.agip.com>).

Law No. 94-41 of 7 March 1994 on foreign trade.

Source: Republique Tunisienne, "Incitations aux Investissements", Dispositions legales et reglementaires, Ministere du Plan, Aout 1994.

Law No. 94-42 of 7 March 1994 on the activities of international trading companies.

Source: Republique Tunisienne, "Incitations aux Investissements", Dispositions legales et reglementaires, Ministere du Plan, Aout 1994.

Law No. 84 for 2000 dated August 24, 2000, in respect of patents of inventions.

Source: Abu-Ghazaleh Intellectual Property, (<http://www.agip.com>).

Protection of Integrated Circuits, Law No. 20 of 2001.

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Protection of Industrial Drawings and Designs, Law No. 21 of 2001.

Source: Abu-Ghazaleh Intellectual Property, (<http://www.agip.com>).

Protection of Designs and Industrial Models, Law No. 21 of 2001.

Source: Abu-Ghazaleh Intellectual Property, (<http://www.agip.com>).

Trademark Law No. 36, 17/4/2001.

Source: Abu-Ghazaleh Intellectual Property, (<http://www.agip.com>).

II. International framework

A. Tunisia is a party to the following multilateral and regional instruments:

Agreement on Arab Economic Unity of 3 June 1957; entered into force on 30 April 1964. Together with Agreement on Investment and Free Movement of Arab Capital Among Arab Countries of 29 August 1970 and the Unified Agreement for the Investment of Arab Capital in the Arab States of 26 November 1980.

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 10 June 1958, Entered into force on 7 June 1959.

Convention on the Settlement of Investment Disputes Between States and Nationals of Other States of 18 March 1965; entered into force on 14 October 1966.

Convention Establishing the Inter-Arab Investment Guarantee Corporation of May 1971; entered into force in April 1974.

Agreement for the Promotion, Protection and Guarantee of Investment Among Member States of the Organization of Islamic Conference, of 1 June 1981; entered into force on 23 September 1986.

Unified Agreement for the Investment of Arab Capital in the Arab States of 1982.

Paris Convention for Protection of Industrial Property of 20 March 1883, (revised at Brussels on 14 December 1900, Washington on 2 June 1911, the Hague on 6 November 1925, London on 2 June 1934,

Lisbon on 31 October 1958, Stockholm on 14 July 1967, and as amended on 2 October 1979), signed in 1984.

Convention Establishing the Multilateral Investment Guarantee Agency of 11 October 1985; entered into force on 12 April 1988.

Articles of Agreement of the Islamic Corporation for the Insurance of Investment and Export Credit of 19 February 1992. Entered into force on 1 August 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Switzerland 1961, Germany 1963, Netherlands 1963, Belgium/Luxembourg 1964, Kuwait 1973, Korea, Republic of 1975, Senegal 1984, Sweden 1984, Italy 1985, Mali 1986, Mauritania 1986, Romania 1987, Togo 1987, United Kingdom 1989, Egypt 1989, Guinea 1990, United States 1990, Oman 1991, Spain 1991, Turkey 1991, Argentina 1992, Greece 1992, Indonesia 1992, Niger 1992, Portugal 1992, Albania 1993, Burkina Faso 1993, Poland 1993, Morocco 1994, Austria 1995, Côte d'Ivoire 1995, Jordan 1995, Romania 1995, Denmark 1996, Pakistan 1996, United Arab Emirates 1996, Qatar 1996, Belgium/Luxembourg 1997, Czech Republic 1997, France 1997, Chile 1998, Lebanon 1998, Netherlands 1998, Bulgaria 2000, Ethiopia 2000, Malta 2000, Finland 2001, Iran, Islamic Republic of 2001, Syrian Arab Republic 2001, Portugal 2002, Hungary 2003, China 2004, Congo 2005, Libyan, Arab Jamahiriya 2005, Algeria 2006.

2. Bilateral treaties for the avoidance of double taxation: France 1973, Morocco 1974, Belgium 1975, Germany 1975, Austria 1977, Norway 1978, Italy 1979, Denmark 1981, Sweden 1981, Canada 1982, Spain 1982, United Kingdom 1982, Senegal 1984, Algeria 1985, United States 1985 and 1989, Turkey 1986, Romania 1987, Togo 1987, Korea, Republic of 1988, Saudi Arabia 1988, Egypt 1989, United States 1989, Czech Republic 1990, Slovakia 1990, Greece 1992, Hungary 1992, Indonesia 1992, Poland 1993, Switzerland 1994, Netherlands 1995, Luxembourg 1996, Pakistan 1996, United Arab Emirates 1996, Oman 1997, Lebanon 1998, Syrian Arab Republic 1998, Yemen 1998, Cameroon 1999, Côte d'Ivoire 1999, Portugal 1999, South Africa 1999, China 2002, Burkina Faso 2003, Ethiopia 2003, Sudan 2003, Belgium 2004.

C. Other treaties:

Euro-Mediterranean Agreement establishing association with the European Communities and their member states (1976 and 1995).

Free Trade Agreement with the European Free Trade Association (EFTA) states (2004).

Free Trade Agreement with Turkey (2004).

D. Sources of information

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Uganda

A. Definitions and sources of data

The Bank of Uganda provided the data on foreign direct investment (FDI) in the country. According to the Bank, FDI reflects the aim of a lasting interest by a resident entity in one economy (direct investor) in an entity resident in another economy (the direct entity). It comprises of three components; new equity investment, re-invested earnings and inter-company loans. The International Monetary Fund also provides FDI data on Uganda in its balance-of-payments statistics.

A new Investment Code that was introduced in 1991, in conjunction with previous implementation of a structural adjustment programme in 1987, brought a substantive change to the then foreign investment policies in Uganda. The code introduced general investment incentives, guaranteed profit repatriation and provided protection against expropriation of assets. It also created the Uganda Investment Authority (UIA) which acts under the supervision of the Ministry of Finance and Economic Planning, as a one-stop-shop to process investment proposals, offer assistance and advice to potential investors.

The UIA licenses all foreign investments with a required minimum threshold of \$100,000, if the application is in line with the Investment Code, and the envisaged activity is not unlawful or contrary of the interests of Uganda. Licensed investors are eligible for duty and tax exemptions. Investment licensing goes hand in hand with the granting of certificate of incentives, given that the investment meets the required threshold value and contributes to the objectives specified in the Investment Code. Investments in priority areas, in contrast to the ones in non-priority areas, are eligible for incentives of tax holidays. Foreign investors are exempted from corporate tax, withholding tax and taxes on dividends for a period of between 3 to 6 years. A harmonized commodity code was established for tax exemption for importing plants and machinery. Investor interest in Uganda remains high and is particularly strong from continental Europe and South Africa. Foreign investors range from small agricultural and agro-processing companies to TNCs. The South African companies are engaged in telecommunication business. The areas that the UIA has promoted more aggressively are horticulture, food processing, textiles and packaging.

Uganda is pursuing a network of international relations as a means of attracting FDI. Uganda, Kenya and United Republic of Tanzania recognized the advantages of cooperation and launched a new initiative in 1996, leading to a new East African Community treaty in 1999. Uganda signed to the Convention on the Settlement of Investment Disputes between State and National of other States on June 7 1966 and is a member of the African Union, New Partnership for Africa's Development and Common Market for Eastern. Uganda is also party to the African, Caribbean and Pacific countries partnership agreement, the Cotonou Agreement for renegotiating the preferential trade and aid links with the European Union (EU) and is eligible for the EU's Everything But Arms initiative and the United States' market access initiative for sub-Saharan Africa - the African Growth and Opportunity Act. Uganda has also acceded to the World Trade Organization and Multilateral Investment Guarantee Agency.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	247.0	-
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	13.4	-
3. FDI stocks, 2006	2 362	-
4. FDI stocks as a percentage of GDP, 2006	25.0	0.0

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	..	..	..	4.0	..	..	..	..
1981	..	..	..	..	..	..	..	..
1982	..	..	..	2.0	..	..	..	..
1983	..	..	..	..	..	..	..	..
1984	..	..	..	..	..	..	..	..
1985	..	..	..	- 4.0	..	..	..	..
1986	..	..	..	..	..	..	..	..
1987	..	..	..	..	..	..	..	..
1988	..	..	..	4.7	..	..	..	..
1989	..	..	..	- 1.8	..	..	..	..
1990	..	..	..	- 5.9	..	..	..	..
1991	1.0	..	..	1.0	..	..	..	..
1992	3.0	..	..	3.0	..	..	..	..
1993	49.6	5.0	0.0	54.6	..	..	..	..
1994	78.2	10.0	0.0	88.2	..	..	..	..
1995	89.5	35.0	0.0	124.5	..	..	..	..
1996	30.0	10.0	-	40.0	..	..	..	..
1997	110.8	8.6	22.1	141.5	..	..	..	..
1998	68.0	15.8	48.8	132.6	..	..	..	..
1999	71.9	16.7	51.6	140.2	..	..	..	..
2000	105.1	16.6	59.2	180.8	..	..	..	..
2001	86.5	42.1	22.9	151.5	..	..	..	..
2002	99.6	42.1	42.9	184.6	..	..	..	..
2003	102.1	51.9	48.2	202.2	..	..	..	..
2004	126.6	60.2	35.4	222.2	..	..	..	..
2005	155.1	70.3	31.6	257.1	..	..	..	..
2006	184.3	83.4	39.1	306.7	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: OECD for 1980, 1982, 1985 and 1988-1990 and the Bank of Uganda, *unpublished*, thereafter.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1980	..	..	..	10.9	..	..	..	..
1981	..	..	..	10.9	..	..	..	..
1982	..	..	..	12.9	..	..	..	..
1983	..	..	..	12.9	..	..	..	..
1984	..	..	..	12.9	..	..	..	..
1985	..	..	..	8.9	..	..	..	..
1986	..	..	..	8.9	..	..	..	..
1987	..	..	..	8.9	..	..	..	..
1988	..	..	..	13.6	..	..	..	..
1989	..	..	..	11.9	..	..	..	..
1990	..	..	..	6.0	..	..	..	..
1991	..	..	..	7.0	..	..	..	..
1992	..	..	..	10.0	..	..	..	..
1993	..	..	..	64.5	..	..	..	..
1994	..	..	..	152.7	..	..	..	..
1995	..	..	..	277.2	..	..	..	..
1996	..	..	..	317.2	..	..	..	..
1997	..	..	..	458.7	..	..	..	..
1998	..	..	..	591.3	..	..	..	..
1999	451.3	..	215.6	666.9	..	..	..	..
2000	539.9	..	267.2	807.1	..	..	..	..
2001	700.3	..	262.0	962.3	..	..	..	..
2002	887.1	..	297.4	1 184.5	..	..	..	..
2003	1 112.5	..	329.1	1 441.6	..	..	..	..
2004	1 380.2	..	368.1	1 748.3	..	..	..	..
2005	1 607.7	..	401.3	2 009.0	..	..	..	..
2006	1 915.4	..	446.2	2 361.7	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Notes: Data prior to 1999 are estimated accumulating inflows since 1970. 1999-2006 are based on the Bank of Uganda, unpublished.

Table 5. FDI flows in the host economy, by industry, fiscal year 1992/1993 to 2001/2002
(Millions of dollars)

Sector/industry	1992 / 1993	1993 / 1994	1994 / 1995	1995 / 1996	1996 / 1997	1997 / 1998	1998 / 1999	1999 / 2000	2000 / 2001	2001 / 2002
Total	43.5	87.4	110.0	115.6	163.0	190.0	230.0	267.8	227.6	230.7
Primary	1.9	3.9	4.9	5.1	7.2	8.4	10.2	11.8	10.0	10.2
Agriculture, hunting, forestry and fishing	0.0	0.0	0.0	0.0	0.1	0.1	0.1	0.1	0.1	0.1
Mining, quarrying and petroleum	1.9	3.8	4.8	5.1	7.1	8.3	10.1	11.7	10.0	10.1
Secondary	24.1	48.3	60.8	63.9	90.1	105.0	127.2	148.0	125.8	127.5
Tertiary	17.5	35.1	44.2	46.5	65.5	76.3	92.4	107.6	91.4	92.7
Electricity, gas and water	0.5	1.0	1.2	1.3	1.8	2.1	2.6	3.0	2.6	2.6
Construction	0.6	1.3	1.6	1.7	2.4	2.8	3.4	4.0	3.4	3.4
Wholesale trade, retail and catering, accommodation and tourism	5.6	11.2	14.1	14.9	21.0	24.4	29.6	34.4	29.3	29.7
Transport, storage and communications	5.0	10.1	12.7	13.4	18.9	22.0	26.6	31.0	26.3	26.7
Finance and business activities, excluding real estate	5.1	10.3	13.0	13.7	19.2	22.4	27.2	31.6	26.9	27.2
Real estate	0.2	0.4	0.4	0.5	0.7	0.8	0.9	1.1	0.9	0.9
Community, social and personal service activities	0.4	0.8	1.0	1.1	1.5	1.7	2.1	2.5	2.1	2.1
Unspecified	0.1	0.1	0.1	0.1	0.2	0.2	0.3	0.3	0.3	0.3

Source: Bank of Uganda, *Private Capital Flows Survey 2001 Report*, 19 July 2002 (fiscal year).

Note: Data represent equity investment and are based on a survey of 326 companies.

Table 6a. FDI flows in the host economy, by geographical origin, fiscal year 1992/1993 to 2001/2002
(Millions of dollars)

Region/economy	1992 / 1993	1993 / 1994	1994 / 1995	1995 / 1996	1996 / 1997	1997 / 1998	1998 / 1999	1999 / 2000	2000 / 2001	2001 / 2002
Total World	43.5	87.4	110.0	115.6	163.0	190.0	230.0	267.8	227.6	230.7
Unspecified	5.2	10.5	13.2	13.9	19.6	22.8	27.6	32.2	27.3	27.7
Developed countries	26.0	52.2	65.7	69.1	97.4	113.5	137.4	160.0	136.0	137.8
Europe	13.7	27.5	34.6	36.4	51.3	59.8	72.4	84.3	71.6	72.6
European Union	13.7	27.5	34.6	36.4	51.3	59.8	72.4	84.3	71.6	72.6
Belgium	0.6	1.2	1.5	1.6	2.2	2.6	3.1	3.6	3.1	3.1
France	0.6	1.1	1.4	1.5	2.1	2.5	3.0	3.5	3.0	3.0
Netherlands	1.6	3.1	4.0	4.2	5.9	6.8	8.3	9.6	8.2	8.3
Sweden	0.8	1.5	1.9	2.0	2.8	3.3	4.0	4.7	4.0	4.0
United Kingdom	10.2	20.5	25.8	27.2	38.3	44.6	54.0	62.9	53.5	54.2
North America	3.2	6.3	8.0	8.4	11.8	13.8	16.6	19.4	16.5	16.7
Canada	2.1	4.2	5.3	5.6	7.9	9.2	11.1	12.9	11.0	11.1
United States	1.0	2.1	2.7	2.8	3.9	4.6	5.5	6.5	5.5	5.6
Other developed countries	9.2	18.4	23.1	24.3	34.3	40.0	48.4	56.3	47.9	48.5
Bermuda	9.2	18.4	23.1	24.3	34.3	40.0	48.4	56.3	47.9	48.5
Developing economies	12.3	24.7	31.1	32.7	46.0	53.7	65.0	75.6	64.3	65.2
Africa	10.9	21.8	27.5	28.9	40.7	47.5	57.5	66.9	56.9	57.6
Kenya	4.2	8.4	10.6	11.1	15.7	18.3	22.2	25.8	21.9	22.2
Mauritius	1.6	3.2	4.0	4.2	5.9	6.9	8.3	9.7	8.2	8.3
South Africa	5.1	10.3	12.9	13.6	19.1	22.3	27.0	31.5	26.7	27.1
Asia	1.4	2.9	3.6	3.8	5.3	6.2	7.5	8.7	7.4	7.5
India	0.7	1.4	1.8	1.9	2.7	3.1	3.8	4.4	3.7	3.8
Singapore	0.7	1.4	1.8	1.9	2.7	3.1	3.8	4.4	3.7	3.8

Source: Bank of Uganda, *Private Capital Flows Survey 2001 Report*, 19 July 2002 (fiscal year).

Note: Data represent equity investment and are based on a survey of 326 companies.

Table 6b. FDI flows in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Reporting countries	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	-	-	-	-	-	1.8	-	-	-	-	-	-
China	-	-	-	-	-	-	-	-	1.0	0.2	0.2	-
Denmark	-	-	-	-	-	-	-	-	-	-	-0.3	-0.8
France	-	1.3	1.1	-	-4.3	5.5	0.9	0.9	-	1.2	2.5	1.3
Germany	1.4	-2.7	8.1	-2.3	-	-	-	-1.9	-10.2	-5.0	-1.2	-
Israel	-	-	-	-	-	-	-	-	0.2	0.1	-	-
Japan	-	-	-	-	-	-	-	-	-	-	2.3	-
Portugal	-	-	-0.0	-0.1	-0.4	-0.2	-0.1	-0.2	-	-	-	-
Sweden	-	-	-	-	4.1	-	1.0	-	-	-	-	-
United States	-	-	-	-	8.0	-5.0	-1.0	2.0	-	-5.0	1.0	-

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1995-2006
(Millions of dollars)

Reporting countries	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Belgium/Luxembourg	-	-	-	-	-	-	-	-	-	-	-	-
France	-	-	-	-	-	-	- 106.5	- 1.9	1.1	1.2	-	3.8
Germany	-	-	4.0	- 3.4	-	-	0.9	- 0.9	-	-	-	-
Japan	-	-	-	-	-	-	-	-	-	-	0.7	-
Portugal	-	-	-	-	-	-	0.0	-	0.8	0.1	-	-
United Rep. of Tanzania	-	-	-	-	1.8	0.3	-	-	-	-	-	-

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 12b. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Reporting countries	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Brazil	-	-	-	-	-	-	-	-	0.0	-	-	-
China	-	-	-	-	-	-	-	-	1.3	0.2	5.0	-
Denmark	-	-	-	-	-	-	-	-	-	3.8	4.1	4.4
Israel	-	-	-	-	-	-	-	-	0.2	0.3	0.3	-
Portugal	-	-	0.4	0.3	0.3	0.3	0.3	0.3	0.3	-	-	-
United Kingdom	-	-	-	-	-	-	-	-	-	-	-	-
United States	-	-	-	-	23.0	3.0	2.0	4.0	4.0	10.0	12.0	14.0

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995-2006
(Millions of dollars)

Reporting countries	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Malawi	-	-	-	-	-	-	-	-	-	1.2	-	-
Portugal	-	-	-	-	-	-	0.0	0.0	1.0	-	-	-
United Rep. of Tanzania	-	-	-	0.8	5.4	1.5	1.6	-	-	-	-	-
United States	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 11. FDI stocks in the host economy, by industry, 1995-2006
(Millions of dollars)

Sector / industry	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total	540	642	753	724	..	..	..
Primary	26	-3	0	5	..	..	..
Agriculture, hunting, forestry and fishing	24	-3	0	5	..	..	..
Mining, quarrying and petroleum	2	-	-	-	..	..	..
Mining and quarrying	2	-	-	-	..	..	..
Secondary	194	205	271	193	..	..	..
Tertiary	305	398	434	468	..	..	..
Electricity, gas and water	9	-	-	-	..	..	..
Construction	13	6	12	15	..	..	..
Trade	89	155	155	153	..	..	..
Transport, storage and communications	94	96	92	99	..	..	..
Transport and storage	94	96	92	99	..	..	..
Finance	96	139	172	200	..	..	..
Community, social and personal service activities	4	2	3	1	..	..	..
Unspecified	14	41	49	58	..	..	..

Source: Bank of Uganda, unpublished.

Table 12a. FDI stocks in the host economy, by geographical origin, 1995-2006
(Millions of dollars)

Region / economy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total world	667	807	962	165	359	..	..	..
Developed countries	391	490	562	676	786	..	..	..
Europe	198	266	320	360	395	..	..	..
European Union	198	266	320	360	395	..	..	..
Belgium	-	20	21	21	21	..	..	..
France	-	19	21	21	21	..	..	..
Netherlands	18	35	43	54	63	..	..	..
Sweden	10	15	21	27	33	..	..	..
United Kingdom	170	176	214	237	258	..	..	..
North America	53	54	44	113	184	..	..	..
Canada	35	36	46	54	61	..	..	..
United States	18	18	-2	59	123	..	..	..
Other developed countries	140	170	198	203	206	..	..	..
Bermuda	140	170	198	203	206	..	..	..
Developing economies	183	234	269	275	282	..	..	..
Africa	159	209	241	245	249	..	..	..
Kenya	67	75	66	63	61	..	..	..
Mauritius	19	35	50	58	66	..	..	..
South Africa	74	100	124	124	123	..	..	..
Asia	23	25	28	30	32	..	..	..
India	12	12	13	16	18	..	..	..
Singapore	12	13	14	14	14	..	..	..
Unspecified	93	84	132	214	291	..	..	..

Source: Bank of Uganda, unpublished.

Note: Totals are not comparable to those shown in table 11 due to double counting in the case of joint ventures.

Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Italy	..	..	..	..	1	..	..	..	..	..	..	..
United States	2	1	1	1	1	1	2	2	1	1	1	1

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 40 and 50. Wages and salaries and value added of affiliates of United States TNCs in Uganda, 1993-2004

(Millions of dollars)

Table no./Variable	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
40. Wages and salaries	1.0	1.0	1.0	1.0	1.0	1.0	..	..	..	..	..	..
50. Value added ^a	..	4.0	10.0	32.0	34.0	32.0	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Table 35. Employment of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004

(Thousands of employees)

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Italy	0.1	..	0.1	..	0.1	..	..	..	..	..	..	..
United States	0.1	0.1	0.1	..	0.1	0.1	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 45. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004

(Millions of dollars)

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Italy	13.2	..	12.8	..	12.2	..	..	..	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by Italy.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars)

Company	Industry	Sales
A. Industrial		
..
B. Tertiary		
MTN Uganda	Telecommunications	0.14
C. Finance and Insurance		Assets
..

Source: Jeune Afrique Hors-serie No. 14, 2007.

^a 2004.

Table 87. Largest foreign affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company	Host economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
..
C. Finance and Insurance			Assets	Employees
East African Development Bank	Kenya	Finance	..	..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Economy	Industry	Sales	Employees
A. Industrial				
Nile Breweries Ltd	United Kingdom	Food, beverages and tobacco	..	634
Uganda Grain Milling Co Ltd	Kenya	Food, beverages and tobacco	..	500
Unilever Uganda Ltd	United Kingdom	Food, beverages and tobacco	..	160
Boc Uganda Ltd	United Kingdom	Petroleum	..	..
Henkel Polmer Company Uganda Limited	Kenya	Chemicals and chemical products	..	..
Kinyara Sugar Works Ltd	Kenya	Food, beverages and tobacco	..	..
Macnaughton Ltd	United Kingdom	Chemicals and chemical products	..	..
Pricewaterhousecoopers	United States	Petroleum	..	..
The Coopers Motors Corporation (Uganda) Ltd	Kenya	Motor vehicles and trailers	..	..
B. Tertiary				
Interfreight Forwarders (U) Ltd	Switzerland	Supporting transport activities	..	8000
Monitor Publications Ltd	Kenya	Publishing, printing	..	300
Shell (U) Limited	United Kingdom	Wholesale trade	..	103
Directel Uganda -Telephone Directories Limited	Portugal	Other business activities	..	100
Farm Engineering Industries Ltd	Kenya	Wholesale trade	..	40
Transpaper (U) Ltd	Kenya	Wholesale trade	..	40
Agro Machinery (Uganda) Ltd	India	Wholesale trade	..	24
Cal Uganda Ltd	United Kingdom	Wholesale trade	..	23
Car & General (U) Ltd	Kenya	Wholesale trade	..	18
Uniworld Uganda Limited	United Arab Emirates	Wholesale trade	..	15
Henkel Uganda Ltd	Germany	Wholesale trade	..	3
C. Finance and Insurance			Assets	Employees
Standard Chartered Bank Uganda Ltd	United Kingdom	Finance	269	262 ^a
Barclays Bank Uganda Limited	United Kingdom	Finance	104	146 ^a

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

^a 2006.

C. Legal frameworks for transnational corporations

Uganda has adopted a number of national, bilateral and multilateral legal instruments to regulate the activities of transnational corporations and foreign direct investors. The key among the applicable instruments in the country include the following:

I. National framework

The United Kingdom Designs (Protection) Act, cap. 84 (Ord. 6, June 1937, L.N.261 of 1962).

Source: The Government of Uganda.

The Trade Marks Act, cap. 83 (Ord. 14 of 1952, L.Ns. 281 of 1952, 161 of 1962, 261 of 1962, Act 3 of 1965), January 1933, amended by Act 3 of 1965, (see in brackets above).

Source: The Government of Uganda.

Copyright Act (cap. 81), July 1964.

Source: The Government of Uganda.

Companies Act, 1964.

Source: The Government of Uganda.

Trade Marks (Amendment) Rules, S.I. 1982 No. 142 of 1982, as last amended by Trade Marks (Amendment) Rule, SI No. 11/89 of 1988.

Source: The Government of Uganda.

The Investment Code (1991), enacted into Law by the Parliament on 25 January 1991, repeals the Foreign Investment Promotion Act of 1964, the Foreign Investments (Protection) Regulations, 1965 and the Foreign Investment Decree of 1977.

Source: The Government of Uganda.

The Patents Statute No. 10, December 1991, amended by the Patents Act No.7 of 2002.

Source: The Government of Uganda.

Public Enterprises Reform and Divestiture (PERD) Statute No 9 of 1993; amended by The Public Enterprises Reform and Divestiture Act No.1 of 2000.

Source: The Government of Uganda.

Schedule to the Patents Act: The Patents Rules No. 22, December 1993.

Source: The Government of Uganda.

[National Enterprise Corporation Statute 1995 \(No. 1 of 1995\).](#)

Source: Official Gazette, Statute Supplements, 1995-04-29, Vol. 88, No. 18, pp. 1-15

Income Tax Act 1997, amended by the Income Tax Act No. 10 of 2000

Source: The Government of Uganda.

[The Employment Act, 2006 \(Act No. 6\).](#)

Source: Uganda Gazette - Acts Supplement No. 5, 2006-06-08, Vol. XCVIX, No. 36, pp. 1- 74

II. International Framework**A. Uganda is a party to the following multilateral and regional instruments:**

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958, which entered into force on 7th June 1959.

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Charter on a Regime of Multinational Industrial Enterprises (MIEs) in the Preferential Trade Area for Eastern and Southern African States (PTA), signed on 21 November 1990, entered into force August 1995.

Source: Preferential Trade Area for Eastern and Southern African States: Report of the Sixteenth Meeting of the Council of Ministers, 17-19 November, 1990, Mbabane, Swaziland (PTA/CM/XVI/2)

Treaty Establishing the Market for Eastern and Southern Africa (COMESA), 1993.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Treaty for the Establishment of the East African Community, 30 November 1999.

Banjul Protocol as last amended in November 1999, effective November 2000.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

Bilateral treaties with its major partners were part of the effort made by the Ugandan government to reduce difficulties facing foreign investors operating in the economy. The focus of these treaties was to protect and promote investment, at the same time that it helps to reduce the chances of double taxation on return from investments. The existing bilateral treaties with various countries include:

1. Bilateral investment treaties for the protection and promotion of investments: Germany 1966, Netherlands 1970, Switzerland 1971, Egypt 1995, Italy 1997, United Kingdom 1998, Netherlands 2000, South Africa 2000, Denmark 2001, Eritrea 2001, Cuba 2002, France 2002, Nigeria 2003, Zimbabwe 2003, China 2004.

2. Bilateral treaties for the avoidance of double taxation: South Africa 1959, Zambia 1968, United Kingdom 1992, Kenya 1999, Norway 1999, Tanzania 1999, Denmark 2000, Italy 2000, Netherlands 2000, Mauritius 2003, India 2004.

C. Other treaties:

Investment agreement for the COMESA Common Investment Area (2007).

D. Sources of information

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Bank of Uganda (www.bou.or.ug).

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United Republic of Tanzania

A. Definitions and sources of data

The National Investment (Promotion and Protection) Act, passed in April 1990, defines foreign investment as contribution of foreign capital by a foreign national (i.e. a person who is not a citizen of the United Republic or a company or other body incorporated outside the United Republic). Foreign capital is defined to include plant, machinery, buildings, spare parts, raw material, and other business assets obtained by the expenditure of foreign convertible currency or negotiable instruments in foreign convertible currency, retained earnings and unremitted dividends. The Act provides the foundation for Investment Promotion Center of the United Republic of Tanzania which is in charge of the implementation of the national investment policy. The work of the center applies to all matters on promotion, coordination, regulation and monitoring of local and foreign investment in the country.

Investment in United Republic of Tanzania, domestic and foreign, is classified according to four different categories: the first category with priority for private investment; the second category comprises activities which are reserved for the public sector; the third group of businesses is reserved for local entrepreneurs; and in the fourth category, a minimum investment of at least £250,000 is required from foreign investors. The Act offers three incentives for potential investors: tax holidays, permission to retain a certain foreign exchange earnings in external account and access to land. Foreign investors are guaranteed to have ownership rights and the right to transfer foreign exchange currency. Data on FDI are collected by the Bank of Tanzania and reported to the International Monetary Fund (IMF). Such data are compiled from exchange control approval forms in the capital account of the balance-of-payments (BOP). Data on reinvested earnings are not collected, nor are data by the country of origin or industry; rather, the data are consolidated and categorized according to the standard BOP format. The IMF also reports FDI data in Tanzania in its BOP statistics.

Considerable progress has been made in privatization of state assets and liberalization of the economy. As a result, most of the public enterprises are going up for privatization. For example, the Government has already privatized the Dar-es-Salaam Airport Handling Company (Dahco), which provides ground-handling facilities at the Dar-es-Salaam and Kilimanjaro airports. Following the removal of Air Tanzania Corporation's (ATC) monopoly on domestic flights, carriers has grown in recent years. The ATC itself is being privatized as part of the transport reform programme. In 2002, South African Airways took a 49% stake in the company. The Government is selling its remaining shares in Tanzania Telecommunications Company Limited to international and local investors. Tanzania possesses significant deposits of a range of minerals including nickel, iron and coal, gold, diamonds and various gemstones. Except for gold, these are largely unexploited, although some coal is mined in the south-west of the country, and large soda ash deposits in Lake Natron are used for producing caustic soda. Gold and diamonds together accounted for about 63% of mineral exports, with gemstones contributing 36%.

Tanzania signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 10 January 1992 and is a member to some economic cooperation and regional integration schemes such as the African Union, East African Community, the Southern African Development Community and is an eligible member of the United States' market access initiative for African countries - the Africa Growth and Opportunity Act and Cotonou Agreement for renegotiating the trade and aid links between the African, Caribbean and Pacific countries with the European Union. Tanzania is also a member of the World Trade Organization and the Multilateral Investment Guarantee Agency.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	365.8	0.5
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	14.3	0.0
3. FDI stocks, 2006	6 109	-
4. FDI stocks as a percentage of GDP, 2006	47.8	0.0

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	-	-	-	4.6	..	..	..	..
1981	-	-	-	18.9	..	..	..	..
1982	-	-	-	17.3	..	..	..	..
1983	-	-	-	1.5	..	..	..	..
1984	-	-	-	- 8.4	..	..	..	..
1985	-	-	-	14.5	..	..	..	..
1986	-	-	-	- 7.5	..	..	..	..
1987	-	-	-	- 0.5	..	..	..	..
1988	-	-	-	3.8	..	..	..	..
1989	-	-	-	5.8	..	..	..	..
1990	-	-	-	0.0	..	..	..	..
1991	-	-	-	0.0	..	..	..	..
1992	12.2	-	-	12.0	..	..	..	..
1993	20.5	-	-	20.0	..	..	..	..
1994	50.0	-	-	50.0	..	..	..	1.0
1995	119.9	-	-	150.0	..	..	..	-
1996	150.1	-	-	148.5	..	..	..	- 1.3
1997	157.9	-	-	157.8	..	..	..	5.8
1998	172.3	-	-	172.2	..	..	..	- 4.4
1999	167.6	0.6	328.4	496.6	..	..	..	-
2000	85.0	0.7	175.9	216.0	..	..	..	-
2001	170.2	- 0.6	121.1	388.8	..	..	..	0.8
2002	34.1	0.1	63.9	387.6	..	..	..	0.2
2003	121.1	2.1	87.2	308.2	..	..	..	2.3
2004	110.8	0.1	82.7	330.6	..	..	..	-
2005	184.7	3.7	109.0	447.6	..	..	..	-
2006	272.2	7.0	97.8	376.9	..	..	..	- 0.1

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Note: Data on inflows are based on OECD for 1980-1989 and the Bank of Tanzania thereafter. Data on outflows are proxy data based on investments reported by the following economies:

1994 Belgium and Luxembourg and China.

1996 Belgium and Luxembourg.

1997 France and Germany.

1998 Germany.

2001 Australia and Germany.

2002 Sweden.

2003 Germany.

2006 Bulgaria and Sweden.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity & Reinvested earnings	Reinvested earnings	Other	Total	Equity & Reinvested earnings	Reinvested earnings	Other	Total
1980	-	..	-	342.3	..	..	..	..
1981	-	..	-	361.2	..	..	..	..
1982	-	..	-	378.5	..	..	..	..
1983	-	..	-	380.1	..	..	..	..
1984	-	..	-	371.6	..	..	..	..
1985	-	..	-	386.1	..	..	..	..
1986	-	..	-	378.7	..	..	..	..
1987	-	..	-	378.2	..	..	..	..
1988	-	..	-	381.9	..	..	..	..
1989	-	..	-	387.8	..	..	..	..
1990	-	..	-	387.8	..	..	..	..
1991	-	..	-	387.8	..	..	..	..
1992	-	..	-	399.8	..	..	..	..
1993	-	..	-	419.8	..	..	..	..
1994	-	..	-	469.8	..	..	..	..
1995	573.2	..	44.3	619.8	..	..	..	..
1996	618.9	..	57.7	681.4	..	..	..	..
1997	661.2	..	91.6	760.0	..	..	..	..
1998	1 246.7	..	468.0	1 714.7	..	..	..	..
1999	1 236.2	..	752.9	1 989.0	..	..	..	..
2000	1 834.9	..	946.0	2 777.8	..	..	..	..
2001	1 921.3	..	1 038.4	2 959.7	..	..	..	..
2002	2 434.2	..	808.4	3 242.7	..	..	..	..
2003	2 992.4	..	1 146.2	4 138.6	..	..	..	..
2004	3 475.6	..	1 282.9	4 758.5	..	..	..	..
2005	3 712.5	..	1 429.3	5 141.8	..	..	..	..
2006	4 492.1	..	1 616.5	6 108.7	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Note: Data on inward stock prior to 1995 are estimated by subtracting inflows from the stock of 1995. Data for 1995-2006 are based on the Bank of Tanzania.

Table 5. FDI flows in the host economy, by industry, 1996-2006
(Millions of dollars)

Sector / industry	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total	541.5	282.0	467.2	..	..	..	..	..
Primary	319.9	56.0	89.3	..	..	..	..	..
Agriculture, hunting, forestry and fishing	23.4	50.4	47.7	..	..	..	..	..
Agriculture and hunting	21.4	50.3	47.1	..	..	..	..	..
Growing of crops	21.2	49.9	46.5	..	..	..	..	..
Farming of animals	0.2	0.4	0.6	..	..	..	..	..
Forestry and Fishing	0.7	0.0	0.7	..	..	..	..	..
Fishing, operation of fish hatcheries and fish farms	0.7	0.0	0.7	..	..	..	..	..
Mining, quarrying and petroleum	296.5	5.6	41.6	..	..	..	..	..
Mining and quarrying	296.5	5.6	41.6	..	..	..	..	..
Secondary	94.9	50.4	57.5	..	..	..	..	..
Food, beverages and tobacco	59.5	26.1	33.7	..	..	..	..	..
Food products and beverages	43.1	6.7	18.1	..	..	..	..	..
Chemicals and chemical products	14.3	4.2	16.0	..	..	..	..	..
Machinery and equipment	2.4	0.1	0.5	..	..	..	..	..
Other manufacturing	18.7	20.0	7.3	..	..	..	..	..
Tertiary	126.7	175.7	320.5	..	..	..	..	..
Electricity, gas and water	-	0.2	83.0	..	..	..	..	..
Construction	28.4	8.7	8.9	..	..	..	..	..
Trade	44.3	47.7	33.1	..	..	..	..	..
Hotels and restaurants	21.0	11.5	26.0	..	..	..	..	..
Transport, storage and communications	15.8	100.6	158.3	..	..	..	..	..
Transport and storage	6.4	0.6	1.5	..	..	..	..	..
Post and communications	9.4	100.0	156.8	..	..	..	..	..
Finance	7.2	3.0	7.0	..	..	..	..	..
Business activities	7.9	0.5	2.0	..	..	..	..	..
Real estate	3.6	0.1	1.2	..	..	..	..	..
Other business activities	4.3	0.4	0.8	..	..	..	..	..
Education	-	0.1	-	..	..	..	..	..
Health and social services	0.5	0.6	0.8	..	..	..	..	..
Human health activities	0.5	0.6	0.8	..	..	..	..	..
Community, social and personal service activities	1.6	2.8	1.4	..	..	..	..	..
Unspecified	-	- 0.1	- 0.1	..	..	..	..	..

Source: Bank of Tanzania, unpublished.

Table 6. FDI flows in the host economy, by geographical origin, 1996-2006
(Millions of dollars)

Region / economy	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total world	058.3	282.0	467.0	..	..	..	..	..
Developed countries	441.6	128.1	245.4	..	..	..	..	..
Europe	91.2	65.4	187.1	..	..	..	..	..
European Union	76.5	32.9	157.0	..	..	..	..	..
France	13.2	2.3	2.2	..	..	..	..	..
Luxembourg	0.6	- 0.1	5.7	..	..	..	..	..
Netherlands	8.9	1.6	58.5	..	..	..	..	..
Sweden	3.5	4.1	5.4	..	..	..	..	..
United Kingdom	50.3	25.0	82.8	..	..	..	..	..
Other developed Europe	14.7	32.5	30.1	..	..	..	..	..
Isle of Man	0.1	-	1.6	..	..	..	..	..
Norway	5.6	1.7	4.7	..	..	..	..	..
Switzerland	9.0	30.8	23.8	..	..	..	..	..
North America	188.4	27.8	49.3	..	..	..	..	..
Canada	155.8	-	21.5	..	..	..	..	..
United States	32.6	27.8	27.8	..	..	..	..	..
Other developed countries	138.1	4.0	3.9	..	..	..	..	..
Australia	138.1	4.0	3.9	..	..	..	..	..
Developing economies	324.6	151.1	211.5	..	..	..	..	..
Africa	298.2	145.0	201.4	..	..	..	..	..
Ghana	164.3	-	1.5	..	..	..	..	..
Kenya	35.4	6.5	14.2	..	..	..	..	..
Mauritius	30.6	4.6	3.7	..	..	..	..	..
South Africa	53.3	132.4	179.3	..	..	..	..	..
Swaziland	8.1	1.2	2.8	..	..	..	..	..
Uganda	1.8	0.3	-	..	..	..	..	..
Latin America and the Caribbean	14.1	-	-	..	..	..	..	..
Panama	14.1	-	-	..	..	..	..	..
Asia	12.3	6.1	10.1	..	..	..	..	..
West Asia	10.9	2.7	5.0	..	..	..	..	..
Kuwait	-	2.7	2.7	..	..	..	..	..
Lebanon	10.9	-	1.0	..	..	..	..	..
Oman	-	-	1.3	..	..	..	..	..
South, East and South-East Asia	1.4	3.4	5.1	..	..	..	..	..
China	0.9	1.9	1.8	..	..	..	..	..
India	0.5	1.5	1.9	..	..	..	..	..
Taiwan Province of China	-	-	1.4	..	..	..	..	..
Unspecified	292.1	2.8	10.1	..	..	..	..	..

Source: Bank of Tanzania, unpublished.

Table 9. FDI flows abroad, by geographical destination, 1995 - 2006
(Millions of dollars)

Reporting countries	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Australia	-	-	-	-	-	-	- 1.0	-	-	-	-	-
Belgium/Luxembourg	-	- 1.3	-	-	-	-	-	-	-	-	-	-
Bulgaria	-	0.0	-	-	-	-	-	-	-	0.0	-	0.1
China	-	-	-	-	-	-	-	-	-	-	-	-
Germany	-	-	2.9	- 2.3	-	-	1.8	-	1.1	-	-	1.3
Sweden	-	-	-	-	-	-	-	0.2	-	-	-	- 0.2

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 15. FDI stocks abroad, by geographical destination, 1995 - 2006
(Millions of dollars)

Reporting countries	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Bulgaria	-	-	-	-	-	-	0.0	-	-	0.0	- 0.0	0.1
Malawi	-	-	-	-	-	0.6	-	-	-	0.6	-	-

Source: UNCTAD. FDI / TNC database.

Note: Data is based on the information reported by the economies listed above.

Table 11. FDI stocks in the host economy, by industry, 1996-2006
(Millions of dollars)

Sector / industry	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total	3 386	2 419	3 038	3 777	..	..	..	..	..
Primary	1 347	972	1 087	1 309	..	..	..	..	..
Agriculture, hunting, forestry and fishing	211	154	273	252	..	..	..	..	..
Agriculture and hunting	-	141	233	225	..	..	..	..	..
Growing of crops	-	141	223	217	..	..	..	..	..
Farming of animals	-	0	10	9	..	..	..	..	..
Forestry and Fishing	-	8	3	4	..	..	..	..	..
Fishing, operation of fish hatcheries and fish farms	-	8	3	4	..	..	..	..	..
Mining, quarrying and petroleum	1 136	818	814	1 057	..	..	..	..	..
Mining and quarrying	1 136	818	814	1 057	..	..	..	..	..
Secondary	814	502	1 032	1 265	..	..	..	..	..
Food, beverages and tobacco	-	302	424	524	..	..	..	..	..
Food products and beverages	-	169	299	413	..	..	..	..	..
Chemicals and chemical products	-	32	154	163	..	..	..	..	..
Machinery and equipment	-	17	3	4	..	..	..	..	..
Other manufacturing	-	151	450	574	..	..	..	..	..
Tertiary	1 123	945	920	1 202	..	..	..	..	..
Electricity, gas and water	71	37	37	127	..	..	..	..	..
Construction	186	137	79	101	..	..	..	..	..
Trade	503	166	103	93	..	..	..	..	..
Hotels and restaurants	-	352	275	307	..	..	..	..	..
Transport, storage and communications	96	50	145	285	..	..	..	..	..
Transport and storage	-	23	53	46	..	..	..	..	..
Post and communications	-	27	92	239	..	..	..	..	..
Finance	133	173	177	180	..	..	..	..	..
Business activities	133	25	42	45	..	..	..	..	..
Real estate	-	3	20	21	..	..	..	..	..
Other business activities	-	22	22	25	..	..	..	..	..
Education	-	0	1	1	..	..	..	..	..
Health and social services	-	1	54	54	..	..	..	..	..
Human health activities	-	1	54	54	..	..	..	..	..
Community, social and personal service activities	3	4	7	8	..	..	..	..	..
Unspecified	102	-0	0	1	..	..	..	..	..

Source: Bank of Tanzania, unpublished.

Table 12. FDI stocks in the host economy, by geographical origin, 1998-2001
(Millions of dollars)

Region / economy	1998	1999	2000	2001	Region / economy	1998	1999	2000	2001
Total world	3 353	2 419	3 038	3 777	Ghana	543	419	150	175
Developed countries	2 073	1 487	1 847	2 162	Kenya	110	56	114	276
Europe	1 395	945	1 000	1 305	Malawi	11	-	-	-
European Union	1 257	878	841	1 163	Mauritius	144	89	176	171
Austria	1	-	-	-	Seychelles	2	-	-	-
Belgium	2	-	-	-	South Africa	66	140	529	749
Cyprus	0.1	-	-	-	Swaziland	0	-	-	-
Denmark	49	48	36	36	Uganda	1	5	2	2
Finland	0.3	-	-	-	Zambia	9	-	-	-
France	62	47	21	34	Zimbabwe	1	-	-	-
Germany	72	51	22	53	Latin America and the Caribbean	66	-	-	-
Greece	2	-	-	-	Central America	1	-	-	-
Ireland	3	-	-	-	Panama	1	-	-	-
Italy	139	58	58	64	Caribbean and other America	65	-	-	-
Luxembourg	17	27	49	80	Bahamas	2	-	-	-
Netherlands	218	117	47	105	Bermuda	61	-	-	-
Sweden	50	34	25	30	Dominica	0.1	-	-	-
United Kingdom	642	495	569	615	US Virgin Islands	2	-	-	-
Other developed Europe	138	67	159	142	Asia	129	68	124	128
Gibraltar	0.1	-	-	-	West Asia	12	3	18	17
Liechtenstein	1	-	-	-	Kuwait	4	-	-	-
Isle of Man	13	-	-	-	Lebanon	0.1	-	-	-
Norway	65	37	32	26	Qatar	0.1	-	-	-
Switzerland	58	30	128	116	Saudi Arabia	4	-	-	-
North America	448	346	589	605	United Arab Emirates	5	3	18	17
Canada	198	184	407	431	South, East and South-East				
United States	250	162	182	174	Asia	116	65	106	111
Other developed countries	231	181	234	222	China	20	11	23	24
Australia	218	178	43	50	India	10	6	11	15
Japan	13	4	191	172	Korea, Republic of	2	-	-	-
Developing economies	1 200	805	1 113	1 514	Malaysia	83	49	72	72
Africa	924	738	989	1 386	Pakistan	1	-	-	-
North Africa	7	-	-	-	Singapore	0.2	-	-	-
Egypt	3	-	-	-	Sri Lanka	0.1	-	-	-
Libyan Arab Jamahiriya	5	-	-	-	Thailand	1	-	-	-
Sudan	0.1	-	-	-	South-East Europe and the CIS	2	2	17	14
Other Africa	886	709	970	1 373	Russian Federation	1	2	17	14
Côte d'Ivoire	1	-	-	-	Yugoslavia (former)	0.4	-	-	-
					Unspecified	77	124	61	87

Source: Bank of Tanzania, unpublished.

Tables 22 and 34. The number and employees of affiliates of foreign TNCs in the host economy, by industry, 1990-2000
(Number of affiliates and thousands of employees)

Sector/industry	Number	Employees
Total	492	80.554
Primary	73	30.646
Agriculture, hunting, forestry and fishing	60	29.766
Mining, quarrying and petroleum	13	0.88
Secondary	238	32.039
Food, beverages and tobacco	75	10.091
Textiles, clothing and leather	14	4.038
Wood and wood products	12	0.78
Publishing, printing and reproduction of recorded media	3	0.283
Coke, petroleum products and nuclear fuel	1	0.11
Chemicals and chemical products	13	1.626
Rubber and plastic products	23	3.268
Non-metallic mineral products	5	0.492
Metal and metal products	18	2.175
Machinery and equipment	4	0.138
Electrical and electronic equipment	10	0.886
Motor vehicles and other transport equipment	6	0.792
Other manufacturing	54	7.36
Tertiary	181	17.869
Electricity, gas and water	2	0.11
Construction	29	2.989
Trade	1	0.017
Hotels and restaurants	38	4.066
Transport, storage and communications	41	3.842
Finance	19	0.807
Business activities	23	4.38
Education	3	0.162
Health and social services	2	0.016
Community, social and personal service activities	3	0.153
Other services	20	1.327

Source: Tanzania Investment Centre, unpublished data.

Note: The data refer to the number of projects and number of employees in projects approved during the period September 1990 until June 2000.

Table 23a. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1990-2000

Region/economy	1990-2000	Region/economy	1990-2000
Total world	603	Rwanda	2
Developed countries	316	Sierra Leone	1
Europe	242	Somalia	2
European Union	220	South Africa	32
Austria	5	Uganda	5
Belgium	2	United Republic of Tanzania	1
Cyprus	1	Zimbabwe	4
Denmark	2	Latin America and the Caribbean	3
Finland	2	Central America	1
France	9	Panama	1
Germany	23	Caribbean and other America	2
Greece	7	Bahamas	1
Ireland	2	Virgin Islands	1
Italy	13	Asia	142
Netherlands	19	West Asia	32
Portugal	1	Iran, Islamic Republic of	2
Spain	4	Kuwait	2
Sweden	9	Lebanon	17
United Kingdom	121	Oman	4
Other developed Europe	22	Saudi Arabia	2
Isle of Man	2	United Arab Emirates	1
Norway	6	Yemen	3
Switzerland	14	Unspecified West Asia	1
North America	58	South, East and South-East Asia	110
Canada	26	Bangladesh	1
United States	32	China	28
Other developed countries	16	Hong Kong, China	5
Australia	7	India	38
Israel	2	Indonesia	1
Japan	6	Malaysia	2
New Zealand	1	Pakistan	14
Developing economies	274	Philippines	1
Africa	129	Korea, Republic of	11
North Africa	4	Singapore	5
Egypt	2	Sri Lanka	3
Libyan Arab Jamahiriya	2	Thailand	1
Other Africa	125	South-East Europe and the CIS	10
Ethiopia	3	South-East Europe	3
Ghana	3	Bulgaria	2
Kenya	62	TFYR of Macedonia	1
Mauritania	3	CIS	7
Mauritius	6	Russian Federation	7
Mozambique	1	Unspecified	3

Source: Tanzania Investment Centre, unpublished data.

Notes: The data refer to the number of projects approved during the period September 1990 until June 2000. Figures are not comparable to those in Table 22 due to double-counting in the case of joint ventures.

Table 23b. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Germany	5	9	11	11	9	6	7	7	3	..	..	..
Italy	..	2	..	2	..	..	..	..	..	..	..	..
Republic of Korea	..	..	1	4	4	5	5	5	5	5	7	8
United States	6	4	5	5	5	4	4	4	5	5	2	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 30, 40 and 50. Assets, wages and salaries and value added of affiliates of United States TNCs in the United Republic of Tanzania, 1994-2005
(Millions of dollars)

Table no./Variable	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
30. Assets	..	35.0	158.0	167.0	175.0	86.0	105.0	68.0	90.0	93.0	..	..
40. Wages and salaries	2.0	2.0	9.0	9.0	6.0	..	4.0	4.0	5.0	6.0	..	..
50. Value added ^a	4.0	..	75.0	72.0	64.0	..	..	2.0	6.0	5.0	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Table 35. Employment of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005
(Thousands of employees)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Italy	..	0.9	..	0.9	..	..	..	..	..	..	..	..
Sweden ^a	..	..	1.4	0.2	..	..	..	..	..	..	..	..
United States	1.0	0.8	1.9	1.8	1.5	..	0.7	0.7	0.9	0.9	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

^a Data refer to majority-owned affiliates only.

Table 45. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1994-2005
(Millions of dollars)

Economy	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Italy	..	49.4	..	47.2	..	..	..	..	..	..	..	..
United States	88.0	21.0	77.0	85.0	75.0	..	48.0	45.0	89.0	99.0	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 86. The largest home-based TNCs, 2007
(Billions of dollars)

Company	Industry	Sales
A. Industrial		
Tanzania Breweries	Consumer goods/brewers	0.22 ^a
B. Tertiary		
Vodacom Tanzania	Telecommunications	0.21
..
C. Finance and Insurance		
..	..	Assets
..

Source: Jeune Afrique Hors-serie No. 14, 2007.

^a 2004.

Table 87. Largest affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company Name	Host Economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
Radhe-Shyam Enterprises Ltd	United Kingdom	Wholesale trade	..	..
C. Finance and insurance				
..	..	..	Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Unilever Tea Tanzania Ltd	United Kingdom	Food, beverages and tobacco	14.4	5 500
Body Care Ltd	United States	Chemicals and chemical products	..	1 000
City Water Services Ltd	United Kingdom	Electricity, gas and water	..	750
Karibu Textile Mills Limited	Mauritius	Textiles and clothing	..	250
Kibo Breweries Ltd	Kenya	Food, beverages and tobacco	..	250
Matsushita Electric Company (E A) Ltd	Japan	Electrical and electronic equipments	..	184
Brooke Bond Tanzania Ltd	United Kingdom	Food, beverages and tobacco	..	150
Treadsetters Tyres (T) Ltd	Kenya	Rubber and plastic products	..	125
Sadolin Paints Tanzania Limited	Oman	Chemicals and chemical products	..	65
Tri Clover Industries (T) Limited	Kenya	Chemicals and chemical products	..	65
Geita Gold Mine (T) Ltd	Ghana	Mining and quarrying	..	20
B. Tertiary				
Regional Air Services	Kenya	Air transport	2.2	31
Tri Telecommunications Ltd	Malaysia	Telecommunications	..	215
D T Dobie & Company (Tanzania) Ltd	France	Wholesale trade	..	150
Mic Tanzania Ltd	Luxembourg	Wholesale trade	..	150
Pricewaterhousecoopers	United States	Other services	..	150
T P C Ltd	Mauritius	Agriculture and hunting	..	120
Gailley & Roberts (T) Ltd	United Kingdom	Wholesale trade	..	60
Rentokil Initial Tanzania Ltd	United Kingdom	Other business activities	..	45
Desbro Tanzania Ltd	Kenya	Wholesale trade	..	30
Service And Computer Industries Ltd	Kenya	Wholesale trade	..	30
Alliance Ginneries Ltd	Kenya	Agriculture and hunting	..	7
Glaxo Wellcome Tanzania Ltd	United Kingdom	Wholesale trade	..	4
C. Finance and Insurance			Asset	Employees
Citibank Tanzania Ltd	United States	Finance	13.4	104
Barclays Bank (T) Ltd	United Kingdom	Finance	2.1	42
Standard Chartered Bank Tanzania Ltd	United Kingdom	Finance	14.1	224
National Bank Of Commerce Limited	South Africa	Finance	..	470
Aon Tanzania Limited	United States	Insurance	..	20

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

C. Legal frameworks for transnational corporations

The United Republic of Tanzania has adopted quite a number of national, bilateral and multilateral legal instruments to regulate the activities of transnational corporations and foreign direct investors. The following key instruments are applicable in the country:

I. National framework

Patents Rules (Schedule to Decree No. 11 of 1930, as amended by Decree No. 27 of 1937, s.5) (in The Laws of Zanzibar).

Source: WIPO (<http://www.wipo.org>).

Zanzibar: Patents Decree, cap. 157 (11 of 1930, cap. 90, 1934, 27 of 1935, s.5, 11 of 1958) (in The Laws of Zanzibar).

Source: WIPO (<http://www.wipo.org>).

Zanzibar Trade Marks Decree, cap. 159 (15 of 1930, cap. 89, 1934, G.N. 47 of 1955, 123 of 1955, 74 of 1956) (in The Laws of Zanzibar);

Source: WIPO (<http://www.wipo.org>).

Zanzibar Trade Marks Rules (G.N. 52 of 1932, 47 of 1955) (in The Laws of Zanzibar).

Source: WIPO (<http://www.wipo.org>).

Tanzania (Protection) Ordinance of 1936, cap. 219, Ord. 1936 No. 2 (F) PI 1938, 46; In the process of drafting new Industrial Designs Legislation for 2002.

Source: WIPO (<http://www.wipo.org>).

Zanzibar: United Kingdom Designs (Protection) Decree, cap. 158 (27 of 1937) (in The Laws of Zanzibar).

Source: WIPO (<http://www.wipo.org>).

Severance Allowance Act: Cap 487 (No. 57 of 1962) (under review).

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

Business Licensing Act (No. 25 of 1972) (under review).

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

Income Tax Act, 1973.

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

Income Tax Act No. 33 of 22 November 1973.

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

The Standards Act of 1975.

Source: WIPO (<http://www.wipo.org>).

Customs Tariff Act 1976.

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

Sales Tax Act, 1976.

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

Customs Tariff (Amendment) Act (No. 1 of 1976).

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

Constitution of the United Republic of Tanzania, 1977.

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

Exploration and Production Act, 1980.

Source: Tanzania Investment Centre, <http://www.tic.co.tz>.

Petroleum (Exploration and Production) Act, 1980 (Act No.27 of 1980).

Source: Tanzania Investment Centre, <http://www.tic.co.tz>.

National Environment Act, 1983 (Act No.19 of 1983).

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

Tanzania Trade and Service Marks Act No. 12 of 1986.

Source: WIPO (<http://www.wipo.org>).

Zanzibar Investment Promotion Act, 1986 (Act No.3 of 1986).

Source: Tanzania Investment Centre, <http://www.tic.co.tz>.

The Tanzania Commission for Science and Technology Act of 1986.

Source: WIPO (<http://www.wipo.org>).

The Patents Act No. 1 of 1987 as amended by Acts Nos. 13 and 18 of 1991.

Source: WIPO (<http://www.wipo.org>).

Trade and Services Marks Act, 1987 (Act No.2 of 1987).

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

Banking and Financial Institutions Act 1991 (No. 12 of 1991).

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

Foreign Exchange Act, 1992 (No. 1 of 1992).

Source: Tanzania Investment Centre, <http://www.tic.co.tz>.

Public Corporations Act, 1992 (Act No.2 of 1992).

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

Capital Markets and Securities Act, 1994 (No. 5 of 1994).

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

The Patents Regulations G.N. 190 of 1994.

Source: WIPO (<http://www.wipo.org>).

Immigration Act, 1995 (No. 7 of 1995).

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

Bank of Tanzania (BOT) Act 1995.

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

Value Added Tax Act, 1997 (No. 24 of 1997).

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

Tanzania Investment Act, 1997 (No. 26 of 1997).

Source: Tanzania Investment Centre, <http://www.tic.co.tz>.

Financial Laws (Miscellaneous Amendments) Act, 1997 (Act No. 27 of 1997).

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

Mining Act, 1998 (No. 5 of 1998).

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

The Land Act, 1999 (No. 4 of 1999).

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

The Village Land Act, 1999 (No. 5 of 1999).

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

Copyright and Neighbouring Rights Act No. 7 of December 1999.

Source: WIPO (<http://www.wipo.org>).

The copyright and Neighbouring Rights Act, 1999.

Source: Government of Tanzania.

Tanzania Trade and Service Marks Regulations G.N. 40 of March 2000.

Source: WIPO (<http://www.wipo.org>).

Copyright and Neighbouring Rights Regulations G.N. No. 214 A, June 2000.

Source: WIPO (<http://www.wipo.org>).

The Sugar Industry Act, 2001. Intended to regulate the sugar industry.

Source: Government of Tanzania.

Companies Act, 2002.

Source: Government of Tanzania.

The Gaming Act, 2003. This law regulates the Gaming business.

Source: Government of Tanzania.

Special Economic Zones Act, 2006 (Act No. 2/06).

Source: http://www.parliament.go.tz/bunge/PAMS_LS.asp?Menu=3&page=2&fqry=&docyear=All

Business Names (Registration) Ordinance, Cap. 213.

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

Arbitration Ordinance, Cap. 15.

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

Law of Contract Ordinance, Cap 433.

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

Employment Ordinance Act: Cap 366 (under review).

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

Security of Employment Act: Cap 574, No. 62 (under review).

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

Workmen's Compensation Ordinance: Cap 263 (under review).

Source: Tanzania Investment Centre, <http://www.tic.co.tz>

II. International Framework

A. The United Republic of Tanzania is a party to the following multilateral and regional instruments:

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958, which entered into force on 7th June 1959.

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Charter on a Regime of Multinational Industrial Enterprises (MIEs) in the Preferential Trade Area for Eastern and Southern African States (PTA), signed on 21 November 1990, entered into force August 1995.
Source: Preferential Trade Area for Eastern and Southern African States: Report of the Sixteenth Meeting of the Council of Ministers, 17-19 November, 1990, Mbabane, Swaziland (PTA/CM/XVI/2)

Southern Africa Development Community (SADC), signed on 17 August, 1992.
Source: http://www.sadc.int/about_sadc/history.php.

Treaty Establishing the Market for Eastern and Southern Africa (COMESA), 1993.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Treaty for the Establishment of the East African Community, 30 November 1999.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Germany 1965, Switzerland 1965, Netherlands 1970, United Kingdom 1994, Egypt 1997, Korea, Republic of 1998, Denmark 1999, Sweden 1999, Finland 2001, Italy 2001, Netherlands 2001, Zimbabwe 2004, Switzerland 2004.

2. Bilateral treaties for the avoidance of double taxation: South Africa 1959, Zambia 1968, Italy 1973, Denmark 1976, Finland 1976, Norway 1976, Sweden 1976, India 1979, Canada 1995.

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Zambia

A. Definitions and sources of data

In Zambia, the Investment Act of 1993 (Act No. 39 of 26 August 1993) defines investment generally. The act does not distinguish between foreign direct investment (FDI) and the other types of investment. The Act defines investment as "the contribution of capital, in cash or in kind, by an investor to a new business enterprise, to the expansion or rehabilitation of an existing enterprise or purchase of an existing enterprise from the state". The Bank of Zambia collects data on FDI in Zambia. The International Monetary Fund also provides FDI data in its balance-of-payments statistics. The institution responsible for promoting and facilitating investment in the country is the Zambian Investment Center. The center was established under the Investment Act of 1991, which was replaced by the Investment Act of 1993. The center is designed to be a one-stop agency. All foreign investments have to be approved by the center.

Zambia's natural resource balance includes copper and some deposits of cobalt, both of which are open to foreign investors. Since the early 1920s copper has been mined commercially. Alongside these base metals, precious and semi-precious gems (emeralds, amethyst, aquamarine, tourmaline, among others) have been mined in around four hundred operations. Zambia is also privatizing a large part of its State-owned enterprises without much restriction on foreign participation. The Government plans to break the State-owned Zambia Electricity Supply Company (Zesco) into separate energy generation, distribution and transmission utilities, and place them all under private management. Other privatization plans include the state telecoms company, Zambia Telecom (Zamtel), the Zambia National Commercial Bank (Zanaco) and the Kafue Textiles and Nitrogen Chemicals, Zambia. The Government has also begun liberalizing energy and transport sectors.

Zambia signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 17 June 1970 and aims at furthering its integration into the global economy and so has joined many market access schemes. It is a member of the Southern Africa Development Community, Common Market for Eastern and Southern Africa, the African Union and New Partnership for Africa's Development. It is also eligible for the Cotonou Agreement for renegotiating the partnership agreement between the European Union and the African, Caribbean and Pacific countries, and the United States' market access arrangement for African countries - the African Growth and Opportunity Act. Zambia is a member of the World Trade Organization.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	316.6	-
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	20.8	-
3. FDI stocks, 2006	3 780	-
4. FDI stocks as a percentage of GDP, 2006	34.5	0.0

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1980-2006

(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	-	61.8	-	61.8	..	..	..	..
1981	-	- 38.4	-	- 38.4	..	..	..	..
1982	-	39.0	-	39.0	..	..	..	..
1983	-	25.7	-	25.7	..	..	..	..
1984	-	17.2	-	17.2	..	..	..	..
1985	-	51.5	-	51.5	..	..	..	..
1986	-	28.3	-	28.3	..	..	..	..
1987	-	74.5	-	74.5	..	..	..	..
1988	-	93.3	-	93.3	..	..	..	..
1989	-	15.2	135.1	163.6	..	..	..	..
1990	-	102.5	88.0	202.8	..	..	..	..
1991	-	20.4	3.2	34.3	..	..	..	..
1992	-	-	-	45.0	..	..	..	..
1993	-	-	-	314.4	..	..	..	..
1994	-	-	-	40.0	..	..	..	..
1995	-	-	-	97.0	..	..	..	..
1996	-	-	-	117.1	..	..	..	..
1997	197.4	-	10.0	207.4	..	..	..	..
1998	198.0	-	-	198.0	..	..	..	..
1999	162.0	-	-	162.8	..	..	..	..
2000	121.7	-	-	121.7	..	..	..	..
2001	..	..	..	71.7	..	..	..	..
2002	..	..	..	82.0	..	..	..	..
2003	..	..	..	172.0	..	..	..	..
2004	..	..	..	364.0	..	..	..	..
2005	..	..	..	380.0	..	..	..	..
2006	..	..	..	350.4	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Note: Data for inflows are based on information provided by the IMF for 1980-1989, Zambia Investment Center for 1990-1991 and 1993-2006, and World Bank for 1992.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	364.4	..	..	..	..
1981	326.0	..	..	..	..
1982	365.0	..	..	..	..
1983	390.7	..	..	..	..
1984	407.9	..	..	..	..
1985	459.4	..	..	..	..
1986	487.7	..	..	..	..
1987	562.2	..	..	..	..
1988	655.5	..	..	..	..
1989	819.1	..	..	..	..
1990	1 021.9	..	..	..	..
1991	1 056.2	..	..	..	..
1992	1 101.2	..	..	..	..
1993	1 415.6	..	..	..	..
1994	1 455.6	..	..	..	..
1995	1 552.6	..	..	..	..
1996	1 669.7	..	..	..	..
1997	1 877.1	..	..	..	..
1998	2 075.1	..	..	..	..
1999	2 237.9	..	..	..	..
2000	2 359.6	..	..	..	..
2001	2 431.3	..	..	..	..
2002	2 513.3	..	..	..	..
2003	2 685.3	..	..	..	..
2004	3 049.3	..	..	..	..
2005	3 429.3	..	..	..	..
2006	3 779.7	..	..	..	..

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics). Data are estimated by accumulating inflows since 1970.

Table 5. FDI flows in the host economy, by industry, 1993-2004
(Millions of dollars)

Sector / industry	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Total	314	159	194	..	..	..	..	..	..	..	..	..
Primary	89	72	53	..	..	..	..	..	..	..	..	..
Agriculture, hunting, forestry and fishing	78	54	51	..	..	..	..	..	..	..	..	..
Mining, quarrying and petroleum	11	18	1	..	..	..	..	..	..	..	..	..
Secondary	133	60	100	..	..	..	..	..	..	..	..	..
Tertiary	93	27	42	..	..	..	..	..	..	..	..	..
Construction	10	2	4	..	..	..	..	..	..	..	..	..
Transport, storage and communications	75	19	13	..	..	..	..	..	..	..	..	..
Transport and storage	75	19	13	..	..	..	..	..	..	..	..	..
Supporting and auxiliary transport activities	16	7	6	..	..	..	..	..	..	..	..	..
Other services	8	6	25	..	..	..	..	..	..	..	..	..

Source: Zambia Investment Center, unpublished.

Table 11. FDI stocks in the host economy, by industry, 1993-2004
(Millions of dollars)

Sector / industry	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Total	851	1 085	..	..	..
Primary	288	367	..	..	..
Agriculture, hunting, forestry and fishing	58	127	..	..	..
Mining, quarrying and petroleum	231	241	..	..	..
Mining and quarrying	231	241	..	..	..
Secondary	87	144	..	..	..
Tertiary	442	560	..	..	..
Electricity, gas and water	123	109	..	..	..
Construction	2	2	..	..	..
Trade	76	110	..	..	..
Hotels and restaurants	19	45	..	..	..
Transport, storage and communications	12	15	..	..	..
Finance	211	280	..	..	..
Unspecified	33	14	..	..	..

Source: Zambia Investment Center, unpublished.

Table 6. FDI flows in the host economy, by geographical origin, 1993-2004
(Millions of dollars)

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
France	..	..	0.4	..	0.3	..	..	..	..	..	..	..
Germany	..	..	..	2.6	..	..	..	..	-2.7	9.4	..	11.2
Sweden	..	..	..	..	..	..	..	..	..	..	0.9	14.4
United States	11.0	1.0	2.0	3.0	..	..	6.0	5.0	2.0	-5.0	-4.0	-8.0

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 9. FDI flows abroad, by geographical destination, 1993-2004
(Millions of dollars)

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
China	0.03	..	..	..	..	..	..	..	..	..	..	..
United States	..	..	..	..	..	..	..	-1.0	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 12. FDI stocks in the host economy, by geographical origin, 1993-2004
(Millions of dollars)

Region / economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Total world	851	1 085	..	..	..
Developed countries	664	857	..	..	..
European Union	528	710	..	..	..
France	16	28	..	..	..
Luxembourg	42	44	..	..	..
Netherlands	225	231	..	..	..
United Kingdom	246	407	..	..	..
Other developed Europe	32	23	..	..	..
Switzerland	32	23	..	..	..
North America	61	79	..	..	..
Canada	43	53	..	..	..
United States	18	26	..	..	..
Other developed countries	29	21	..	..	..
Australia	29	21	..	..	..
Developing economies	180	220	..	..	..
Africa	134	143	..	..	..
Mauritius	2	4	..	..	..
South Africa	104	111	..	..	..
Zimbabwe	27	28	..	..	..
Latin America and the Caribbean	6	25	..	..	..
Panama	1	20	..	..	..
Turks and Caicos	6	5	..	..	..
Asia	39	51	..	..	..
China	37	48	..	..	..
India	3	4	..	..	..
Unspecified	7	8	..	..	..

Source: Zambia Investment Center, unpublished.

Table 15. FDI stock abroad, by geographical destination, 1993-2004
(Millions of dollars)

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
United Rep. of Tanzania	8.7	..	..	..	..	..	..
United States	-1.0	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Italy	1	..	1	..	1	..	..	..	..	..	..	..
United States	8	9	9	9	10	9	6	6	6	7	6	6

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 30, 40 and 50. Assets, wages and salaries and value added of affiliates of United States TNCs in Zambia, 1993-2004

(Millions of dollars)

Table no./Variable	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
30. Assets	57	60	78	84	266	304	..	..	..	..	..	..
40. Wages and salaries	6	8	7	7	7	12	21	18	19	24	21	14
50. Value added ^a	..	10	20	17	19	13	15	20	13	19	18	46

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Table 35. Employment of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004

(Thousands of employees)

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Italy	0.4	..	0.4	..	0.4	..	..	..	..	..	..	..
United States	1.6	1.7	1.1	1.2	2.0	1.7	2.1	2.1	2.0	2.3	2.0	1.4

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 45. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004

(Millions of dollars)

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Italy	7.9	..	7.7	..	7.3	..	..	..	..	..	..	..
United States	118.0	113.0	126.0	128.0	153.0	267.0	119 ^a	161 ^a	154 ^a	201 ^a	195 ^a	210 ^a

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

^a Data refer to majority-owned affiliates only.

Table 86. Largest home-based TNCs, 2007
(Billions of dollars)

Company	Industry	Sales
A. Industrial		
BP Zambia	Petroleum exploration/refining/distribution	0.250
Zambian Breweries	Consumer goods/brewers	0.168
Zambia Sugar	Food products, beverages and tobacco	0.142
Zesco	Electricity/gas/water	0.087 ^a
Chilanga Cement	Building materials	0.085
B. Tertiary		
..
C. Finance and Insurance		
..	..	Assets
..

Source: Jeune Afrique Hors-serie No. 14, 2007.

^a 2004.

Table 87. Largest foreign affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company	Host economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
..
C. Finance and Insurance				
			Assets	Employees
Africa Inter-Continental Insurance Services Ltd	United Kingdom	Insurance	0.407	3

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company	Home economy	Industry	Sales	Employees
A. Industrial				
Northern Breweries	South Africa	Food, beverages and tobacco	3 717	..
Mopani Copper Mines Plc	Switzerland	Mining and quarrying	820	8 200
Metal Fabricators Of Zambia Plc	United States	Metal and metal products	70	..
Dunavant Zambia Ltd	United States	Textiles and clothing	20	900
National Breweries P L C	United Kingdom	Food, beverages and tobacco	14.1	400
Colgate Palmolive (Zambia) Ltd	United States	Other manufacturing	6.4	150
Barloworld Plascon	South Africa	Chemicals and chemical products	0.4	50
National Milling Corporation Limited	United States	Food, beverages and tobacco	..	400
Reckitt And Colman (Zambia) Ltd	United Kingdom	Chemicals and chemical products	..	200
Cheetah Zambia Ltd	Netherlands	Food, beverages and tobacco	..	50
Exide Zambia Ltd	United Kingdom	Motor vehicles and trailers	..	45
Austral Services Ltd	United Kingdom	Rubber and plastic products	..	8
B. Tertiary				
Tata Zambia Limited	India	Wholesale trade	15 000	70
Philips Electrical Zambia Ltd	Netherlands	Wholesale trade	3 500	135
Caltex Oil Zambia Ltd	United States	Wholesale trade	104	60
Amiran Ltd	United Kingdom	Wholesale trade	26	50
CFAO Zambia Limited	France	Wholesale trade	26	100
Mpongwe Development Company	United Kingdom	Agriculture	16	4 000
Chibuluma Mines Plc	South Africa	Wholesale trade	11	550
Crown Cork Company (Zambia) Ltd	United States	Other business activities	2.2	70
Norconsult Z Ltd	Norway	Research and development	1.2	15
Commins Diesel Services Zambia Ltd	United Kingdom	Wholesale trade	1	165
Khal Amazi Ltd	United Kingdom	Agriculture and hunting	0.001	1 000
Consolidated Contractors Company (Kuwait)	Kuwait	Construction	..	..
Sandvik Mining & Construction Zambia Limited	Sweden	Wholesale trade	..	..
Sandvik Tamrock Zambia Ltd	Sweden	Wholesale trade	..	..
Securicor (Zambia) Ltd	United Kingdom	Other business activities	..	2 300
Galaun Holdings Ltd	India	Holding	..	2 000
Celtel Zambia Ltd	United Kingdom	Telecommunications	..	350
Dimon Zambia Limited	United States	Agriculture and hunting	..	350
Tredcor Zambia Limited	Mauritius	Wholesale trade	..	170
Data Care Ltd	United Kingdom	Wholesale trade	..	20
C. Finance and Insurance			Assets	Employees
Barclays Bank Of Zambia Limited	United Kingdom	Finance	..	1 000
Standard Chartered Bank Zambia Ltd	United Kingdom	Finance	154	500 ^a
Citibank Zambia Limited	United States	Finance	92	85 ^a
Aon Zambia Ltd.	United States	Insurance	..	..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

^a 2006.

C. Legal frameworks for transnational corporations

Zambia has adopted quite a number of national, bilateral and multilateral legal instruments, as well as acceded to many international agreements to regulate the activities of transnational corporations and foreign direct investors. Among the instruments applicable in the country are:

I. National framework

Companies Act No. 18 of 20 October 1921.

Source: Laws of Zambia, chapter 686, vol.)III, 1973 edition.

The Registration of Business Names Act, Cap. 687, Nos. 29 of 1931, 13 of 1932, 2 of 1938, 19 of 1954, 24 of 1955, Government Notices Nos. 279 of 1964, 497 of 1964, Statutory Instrument No. 5 of 1965.

Source: WIPO (<http://www.wipo.org>).

Registration of Business Names Act No. 29 of 1931; effective on 1 January 1932.

Source: Laws of Zambia, chapter 687, vol)UII, 1973 edition.

The Trade Marks Act, Cap. 693, Federal Acts Nos. 14 of 1957, 37 of 1960, 2 of 1962, Government Notices Nos. 186 of 1964, 497 of 1964, Statutory Instrument No. 175 of 1965, as amended by The Trade Marks (Amendment) Act No. 17 of 1980.

Source: WIPO (<http://www.wipo.org>).

The Protection of Names, Uniforms and Badges Act, Cap. 540, Nos. 38 of 1957, 19 of 1959, Government Notice No. 497 of 1964.

Source: WIPO (<http://www.wipo.org>).

The Merchandise Marks Act, Cap. 694 of 1957.

Source: WIPO (<http://www.wipo.org>).

The Trade Marks Regulations, Federal Government Notices Nos. 260 of 1957, 57 of 1960, 11 of 1961, 267 of 1962, Act 57 of 1964, Government Notices Nos. 497 of 1964 and Statutory Instruments Nos. 223 of 1965, 307 of 1965, as amended by The Trade Marks (Amendment) Regulations of 1981 and 1990 (S.I. No. 148 of 1990) (fees).

Source: WIPO (<http://www.wipo.org>).

The Trade Marks Act, Cap. 401 of the Laws of Zambia, April 1958, as amended up to 1994.

Source: WIPO (<http://www.wipo.org>).

The Merchandise Marks Act, Cap. 694, Notices Nos. 153 of 1964, 497 of 1964, Statutory Instrument No. 175 of 1965, Act No. 23 of 1965.

Source: WIPO (<http://www.wipo.org>).

The Merchandise Marks (Section 7 Suspension) Notice, Government Notices Nos. 154 of 1964, 497 of 1964, Statutory Instrument No. 47 of 1965.

Source: WIPO (<http://www.wipo.org>).

The Trade Marks Office (Establishment) Order of 1968, Statutory Instrument No. 326 of 1968.

Source: WIPO (<http://www.wipo.org>).

The Registered Designs Act, Cap. 696, Federal Act 12 of 1958, Government Notices Nos. 187 of 1964, 497 of 1964, Statutory Instrument No. 175 of 1965, as amended by The Registered Designs (Amendment) Acts Nos. 16 of 1980 and 25 of 1987.

Source: WIPO (<http://www.wipo.org>).

The Patents Act, Cap. 692, Federal Acts Nos. 13 of 1957, 12 of 1959, 36 of 1960, 1 of 1962, Government Notices Nos. 185 of 1964, 497 of 1964, Statutory Instrument No. 175 of 1965, as amended by The Patents (Amendment) Acts Nos. 18 of 1980 and 26 of 1987.

Source: WIPO (<http://www.wipo.org>).

The Patents Act, Cap. 400 of the Laws of Zambia, April 1958, as amended up to 1965.

Source: WIPO (<http://www.wipo.org>).

The Patents (Convention Countries) Notice of 1963, Federal Government Notice No. 374 of 1963.

Source: WIPO (<http://www.wipo.org>).

The Patent Office (Establishment) Order, Statutory Instrument no. 325 of 1968.

Source: WIPO (<http://www.wipo.org>).

The Patents Regulations of 1964, Federal Government Notices Nos. 251 of 1957, 206 of 1959, 55 of 1960, 363 of 1960, 203 of 1962, Act 57 of 1964, Government Notice No. 497 of 1964, as amended by The Patents (Amendment) Regulations of 1981 (S.I. No. 38 of 1981) and The Patents (Amendment) Regulations of 1990 (S.I. No. 147 of 1990) (fees).

Source: WIPO (<http://www.wipo.org>).

The Protection of Names, Uniforms and Badges (Scale of Registration Fees), Government Notice No. 332 of 1959.

Source: WIPO (<http://www.wipo.org>).

Factories Act No. 2 of 11 January 1966.

Source: Official Gazette of 21 January 1966, p. 23.

Income Tax Act No. 32 of 20 May 1967. Effective: 1 April 1966.

Source: Official Gazette of 26 May 1967, p. 243.

Copper Export Tax Act No. 26 of 16 September 1966.

Source: Laws of Zambia, chap. 667, vol) III, 1973 edition.

Trades Licensing Act No. 41 of 27 September 1968; effective on 4 October 1968.

Source: Official Gazette of October 1968, p. 281.

Companies Act No. 29 of 5 August 1969; effective on 8 August 1969.

Source: Official Gazette of 8 August 1969, p. 153.

Copper Export Tax Amendment Act No. 14 of 24 March 1970.

Source: Supplement A, to the Government Gazette of the Republic of Zambia, of 26 March 1970. p. 83.

Art. 18 of the Constitution of Zambia. concerning protection from deprivation of property; effective: 25 August. 1973.

Source: Laws of Zambia, chapt. 1. vol. 1, 1973 edition.

Factories Amendment Act, of 9 August 1974; effective on 16 August 1974.

Source: Official Gazette of 16 August 1974. p. 105.

The Prescribed Minerals and Materials Act No. 28 of 11 August 1976; effective on 1 May 1977. *Source:* Official Gazette of 11 August 1976, p. 167.

The Mines and Minerals Act No. 32 of 30 December 1976; effective on 1 March 1977.
Source: Official Gazette 7 January 1977. p. 193.

The Small Industries Development Act No. 18 of 16 December 1981; effective on 18 December 1981.
Source: Official Gazette of 18 December 1981, p. 83.

The Registered Designs (Amendment) Regulations No. 40 of 1981.
Source: WIPO (<http://www.wipo.org>).

Mineral Export Tax Act No. 5 of 8 April 1983; effective on 1 April 1983.
Source: Official Gazette of 15 April 1983, p. 25.

Petroleum (Exploration and Production) Act No. 13 of 2 April 1985.
Source: Supplement A, to Government Gazette of the Republic of Zambia of 12 April 1985. p. 47.

The Mines and Minerals Amendment: Act No. 18 of 22 August 1985.
Source: Official Gazette of 26 August 1976, p. 167.

Mineral Export Tax Amendment Act No. 20 of 22 August 1985; effective on 25 August 1985.
Source: Official Gazette of 26 August 1985, p. 93.

Registration of Business Names Amendment Act No. 3 of 1987 of 31 December 1986; effective on 9 January 1987.
Source: Supplement A. to the Government Gazette of the Republic of Zambia of 9 January 1987, p. 7.

Trades Licensing Amendment Act No. 4 of 1988.
Source: Laws of Zambia, vol. XXIV, p. 9.

Companies Amendment Act No. 12 of 1988.
Source: Laws of Zambia, vol XXIV. p. 37, 1973 edition.

Income Tax Amendment Act No. 15 of 20 July 1990, effective 1 July 1990.
Source: Official Gazette of 23 July 1990. p. 87.

Investment Act 1993. Act No. 39 of 26 August 1993, enacted by the Parliament of Zambia on 8 September 1993; effective on 15 September 1993. Repeals Investment Act No. 5 of 17 April 1986 and Investment Center Act of 1991.
Source: Government Gazette of the Republic of Zambia, (Official Gazette), Act Supplement of 15 September 1993. As amended by Budget Address of the Minister of Finance of 29 January 1993 permitting repatriation of 100 per cent of after tax profit.

[The Copyright and Performance Rights Act \(No. 13 and 44 of 1994\).](#)
Source: The Laws of Zambia, Vol. 23, 1996 Edition (Revised)

The Registered Designs (Amendment) Regulations of 1990 (S.I. No. 145 of 1990) (fees).
Source: WIPO (<http://www.wipo.org>).

Copyright and Performance Rights Act No. 44, December 1994.
Source: WIPO (<http://www.wipo.org>).

II. International Framework

A. Zambia is a party to the following multilateral and regional instruments:

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958, which entered into force on 7th June 1959.

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Charter on a Regime of Multinational Industrial Enterprises (MIEs) in the Preferential Trade Area for Eastern and Southern African States (PTA), signed on 21 November 1990, entered into force August 1995.
Source: Preferential Trade Area for Eastern and Southern African States: Report of the Sixteenth Meeting of the Council of Ministers, 17-19 November, 1990, Mbabane, Swaziland (PTA/CM/XVI/2).

Southern Africa Development Community (SADC), signed on 17 August, 1992.
Source: http://www.sadc.int/about_sadc/history.php.

Treaty Establishing the Market for Eastern and Southern Africa (COMESA), 1993.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Germany 1966, Switzerland 1994, China 1996, Croatia 2000, Cuba 2000, Egypt 2000, Belgium / Luxembourg 2001, Ghana 2001, France 2002, Italy 2003, Netherlands 2003, Finland 2005.

2. Bilateral treaties for the avoidance of double taxation: South Africa 1956, Switzerland 1961, France 1963, Kenya 1968, Tanzania, United Republic of 1968, Uganda 1968, Japan 1970, Ireland 1971, Norway 1971, Italy 1972, United Kingdom 1972, Denmark 1973, Germany 1973, Sweden 1974, Netherlands 1977, Finland 1978, India 1981, Canada 1984, Poland 1995.

C. Other treaties:

Investment agreement for the COMESA Common Investment Area (2007).

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Zimbabwe

A. Definitions and Sources of data

In Zimbabwe, foreign direct investment (FDI) is defined in the general concept of foreign investment. In this definition a foreign investor is any company at least 25% of whose shares are owned by non-Zimbabwe; or any partnership at least 25% of whose is owned by non-Zimbabwe; or as defined under Exchange Control Regulations (Zimbabwe: the promotion of investment: policy and regulations (1989)). Permissible foreign shareholding includes shareholding for manufacturing, mining, quarrying, mineral exploitation and infrastructure development for tourism; service sectors such as management consultancy and construction. Data on FDI has been obtained from the Bank of Zimbabwe.

The Acts of the Zimbabwe Investment Center contain rules guiding such investment issues as capital flows and repatriation of dividends and profits. The Government allows 100% repatriation of original invested capital and the remitting of 100% dividends after tax. There are no restrictions on sourcing funds either locally or internationally. The Zimbabwe Investment Center is a Government agency, charged with the responsibility to encourage, promote and facilitate investment in the essential sectors of the Zimbabwean economy.

Zimbabwe provides significant protection and security to investors. The government has signed Bilateral International Protection Agreements with China, Germany, India, Italy, the Netherlands, Switzerland and the United Kingdom. It is also signatory to the Overseas Private Investment Corporation, the Multilateral Investment Guarantee Agency, the International Convention for the Settlement of Investment Disputes and the United Nations Convention on International Trade Law.

Zimbabwe signed to the Convention on the Settlement of Investment Disputes between State and Nationals of other States on 25 March 1991 and has access to world markets because of its membership in certain organizations. It is a member of the Southern African Development Community, the Common Market for East and Southern Africa, the Africa Union, New Partnership for Africa's Development and the World Trade Organization. Zimbabwe is signatory to the Cotonou Agreement for renegotiating the African, Caribbean and Pacific countries trade and aid links with the European Union - the Lomé Convention.

B. Statistics on FDI and the operations of TNCs

Table 1. Summary of FDI
(Millions of dollars)

Variable	Inward	Outward
1. FDI flows, 2003-2006 (annual average)	38.8	0.3
2. FDI flows as a percentage of GFCF, 2003-2006 (annual average)	43.2	0.4
3. FDI stocks, 2006	1 423	242
4. FDI stocks as a percentage of GDP, 2006	25.7	4.4

Source: Based on tables 3 and 4 and UNCTAD, FDI/TNC database.

Table 3. FDI flows, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	23.4	..	- 21.9	1.6	..	-	-	-
1981	8.6	..	- 5.1	3.6	..	-	-	-
1982	14.5	..	- 15.3	0.8	..	-	-	-
1983	4.7	- 6.8	..	2.1	..	-	-	6.7
1984	7.9	- 10.4	..	2.5	..	-	-	1.9
1985	4.3	-	- 1.4	2.9	..	-	-	1.4
1986	7.5	-	- 0.1	7.5	..	-	-	0.1
1987	- 30.5	-	-	30.5	..	-	-	29.8
1988	- 18.1	-	-	18.5	- 22.2	-	-	22.8
1989	- 10.2	-	-	10.2	..	-	-	0.0
1990	- 12.2	-	-	12.2	..	-	-	17.3
1991	2.8	-	-	2.8	..	-	-	11.8
1992	15.0	-	-	19.0	..	-	-	4.4
1993	28.0	-	-	38.0	..	-	-	6.7
1994	34.7	-	-	41.0	4.7	-	-	13.0
1995	-	-	-	117.7	-	-	-	13.4
1996	-	-	-	80.9	-	-	-	51.0
1997	-	-	-	135.1	-	-	-	28.2
1998	-	-	-	444.3	-	-	-	8.6
1999	-	-	-	59.0	-	-	-	9.0
2000	-	-	-	23.2	-	-	-	7.5
2001	-	-	-	3.8	-	-	-	4.1
2002	-	-	-	25.9	-	-	-	3.2
2003	-	-	-	3.8	-	-	-	0.2
2004	-	-	-	8.7	-	-	-	0.0
2005	-	-	-	102.8	-	-	-	1.1
2006	-	-	-	40.0	-	-	-	0.0

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics), based on the Reserve Bank of Zimbabwe, unpublished.

Table 4. FDI stocks, by type of investment, 1980-2006
(Millions of dollars)

Year	Inward investment				Outward investment			
	Equity	Reinvested earnings	Other	Total	Equity	Reinvested earnings	Other	Total
1980	186.3	..	..	..	..
1981	189.9	..	..	..	..
1982	190.7	..	..	..	..
1983	192.8	..	..	..	6.7
1984	195.3	..	..	..	8.6
1985	198.2	..	..	..	10.0
1986	205.7	..	..	..	10.1
1987	236.2	..	..	..	39.9
1988	254.7	..	..	..	62.7
1989	264.9	..	..	..	62.7
1990	277.1	..	..	..	80.0
1991	279.9	..	..	..	91.8
1992	298.9	..	..	..	96.2
1993	336.9	..	..	..	102.9
1994	377.9	..	..	..	115.9
1995	495.6	..	..	..	129.3
1996	576.5	..	..	..	180.3
1997	711.6	..	..	..	208.5
1998	1 155.9	..	..	..	217.1
1999	1 214.9	..	..	..	226.1
2000	1 238.1	..	..	..	233.6
2001	1 241.9	..	..	..	237.7
2002	1 267.8	..	..	..	240.9
2003	1 271.6	..	..	..	241.1
2004	1 280.3	..	..	..	241.1
2005	1 383.1	..	..	..	242.2
2006	1 423.1	..	..	..	242.2

Source: UNCTAD, FDI/TNC database (www.unctad.org/statistics).

Note: Data on inward stock are estimated by accumulating inflows since 1970. Data on outward stock are estimated by accumulating outflows since 1983.

Table 5. Approved FDI flows in the host economy, by industry, 1993-1995
(Millions of Zimbabwe dollars)

Sector / industry	1993	1994	1995
Total	1 323.9	3 265.3	2 037.3
Primary	529.7	1 985.8	653.0
Agriculture, hunting, forestry and fishing	22.9	17.2	221.8
Agriculture and hunting	22.9	17.2	221.8
Mining, quarrying and petroleum	506.8	1 968.6	431.2
Secondary	269.1	884.1	693.7
Tertiary	525.1	395.4	690.6
Construction	-	-	1.9
Trade	525.1	395.4	513.9
Transport, storage and communications	-	-	174.8
Transport and storage	-	-	174.8
Supporting and auxiliary transport activities	-	-	174.8
Activities of travel agencies and tour operators	-	-	174.8

Source: Zimbabwe Investment Centre, unpublished data.

Note: Data are on an approval basis.

Table 6. Approved FDI flows in the host economy, by geographical origin, 1993-1995
(Millions of Zimbabwe dollars)

Region / economy	1993	1994	1995	Region / economy	1993	1994	1995
Total world	1 324.0	3 265.3	2 037.3	Côte d'Ivoire	5.0	-	-
Developed countries	739.7	2 685.4	1 264.7	Ethiopia	-	0.5	-
Europe	530.7	738.0	1 070.2	Ghana	-	-	9.6
European Union	519.6	438.3	1 028.0	Kenya	-	0.7	-
Austria	2.4	3.2	3.3	Malawi	0.0	1.4	-
Belgium	11.9	1.3	2.8	Mauritius	21.5	19.8	16.9
Cyprus	-	-	0.9	Namibia	-	1.5	1.1
Czech Republic	-	3.8	-	Nigeria	-	1.0	2.9
Denmark	-	22.2	185.4	Senegal	-	-	0.6
Finland	-	-	2.6	Somalia	-	-	0.8
France	2.0	0.6	100.2	South Africa	16.4	154.2	356.2
Germany	9.1	288.0	48.6	Swaziland	-	1.2	-
Greece	-	0.8	-	Tanzania, United Republic of	-	-	2.2
Ireland	0.9	6.1	4.0	Uganda	-	-	0.3
Italy	-	18.6	3.4	Zambia	0.1	-	3.0
Luxembourg	-	22.8	163.5	Latin America and the Caribbean	0.5	25.5	0.2
Malta	-	9.5	-	Central America	-	2.7	-
Netherlands	43.0	56.9	92.5	Panama	-	2.7	-
Portugal	0.2	3.3	34.9	Caribbean and other America	0.5	22.8	0.2
Spain	-	-	222.3	Bahamas	-	0.1	-
Sweden	0.0	1.2	1.6	British Virgin Islands	-	22.7	-
United Kingdom	450.1	-	162.0	Cayman Islands	-	-	0.2
Other developed Europe	11.1	299.7	42.2	Asia	496.3	342.7	91.8
Liechtenstein	4.6	48.7	18.4	West Asia	-	6.9	16.3
Isle of Man	0.7	0.6	-	Lebanon	-	5.3	10.0
Norway	-	3.7	0.6	Saudi Arabia	-	-	5.7
Switzerland	5.2	201.5	6.3	South, East and South-East	496.3	335.8	75.5
North America	193.6	13.2	118.0	Afghanistan	-	0.4	-
Canada	54.6	13.2	-	Bangladesh	-	0.9	-
United States	139.0	-	118.0	China	6.9	320.6	20.6
Other developed countries	15.4	1 934.2	76.5	Hong Kong, China	488.0	6.7	-
Australia	15.1	1 891.7	46.4	India	-	2.9	1.9
Bermuda	0.5	-	-	Korea, Republic of	-	3.0	8.8
Israel	0.3	41.0	0.2	Malaysia	-	0.6	27.0
Japan	-	1.1	27.1	Pakistan	0.4	0.4	4.8
New Zealand	-	0.4	2.8	Singapore	1.0	-	1.2
Developing economies	539.8	561.1	491.6	Taiwan Province of China	-	0.3	11.2
Africa	43.0	192.9	399.6	South-East Europe and the CIS	44.5	18.8	281.0
North Africa	-	0.5	-	South-East Europe	8.6	-	8.0
Egypt	-	0.5	-	Bulgaria	6.3	-	1.0
Other Africa	43.0	192.4	399.6	Croatia	-	-	0.3
Angola	-	5.4	-	Yugoslavia (former)	2.3	-	6.7
Botswana	-	1.7	6.0	CIS	35.9	18.8	273.0
Burkina Faso	-	5.0	-	Russian Federation	35.9	18.8	273.0

Source: Zimbabwe Investment Centre, unpublished data.

Note: Data are on an approval basis.

Table 9. FDI flows abroad, by geographical destination, 1993-2004
(Millions of dollars)

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Belgium / Luxembourg	..	-0.2	2.7	..	..	..	..	..	..	..	..	..
China	0.2	0.6	..	..	..	..
Germany	1.1	..	..	0.9	..	..	..
United States	-3.0	3.0	..	..	-2.0	2.0	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 12. FDI stock in the host economy, by geographical origin, 1993-2004
(Millions of dollars)

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Canada	12.1	17.8	14.6	16.8	21.7	24.2	12.5	18.0	17.0	17.1	20.9	..
Germany	9.3	6.5	4.2	4.5	5.6	9.6	12.1	15.8	16.7	13.6	..	..
Malaysia	..	0.4	0.4	0.4	0.3	0.3	0.3	0.3	0.3	0.3	..	..
South Africa	..	..	..	..	..	..	..	..	48.4	69.8	306.2	..
United Kingdom	367.3	517.2	406.1	339.6	317.5	189.6	276.4	194.0	240.8	99.9	85.7	..
United States	127.0	117.0	100.0	169.0	130.0	99.0	77.0	93.0	117.0	146.0	146.0	150.0

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 15. FDI stock abroad, by geographical destination, 1993-2004
(Millions of dollars)

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Brazil	0.0	..	..	..	..	..	..	..	..	..
South Africa	172.3	247.0	322.0	..
United Rep. of Tanzania	0.5	..	..	..	..	..	..
United States	-3.0	..	..	..	-2.0	..	..	..	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 23. The number of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Germany	6	6	5	7	8	9	9	9	10	4	..	..
United States	22	23	24	23	24	23	17	17	17	17	12	8

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 30. Assets of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004
(Millions of dollars)

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Germany	..	..	..	..	..	60	..	93	88	..	..	..
United States	329	..	416	430	543	532	455	484	554	550	456	349

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Table 35. Employment of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004
(Thousands of employees)

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Germany	1.0	1.0	1.0	1.0	1.0	2.0	1.0	1.0	1.0	1.0	..	..
Sweden ^a	0.3	..	..	1.0	0.2	1.4	..	..	..	..	..	..
United States	7.0	7.4	9.1	9.2	10.3	9.9	8.6	7.6	6.3	6.2	4.5	2.9

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

^a Data refer to majority-owned affiliates only.

Table 45. Sales of affiliates of foreign TNCs in the host economy, by geographical origin, 1993-2004
(Millions of dollars)

Economy	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Germany	..	..	..	..	..	57	..	..	89	..	..	..
United States	596	..	798	846	1 102	881	824	957	1 173	1 053	1 052	..

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the economies listed above.

Tables 40 and 50. Wages and salaries and value added of affiliates of United States TNCs in Zimbabwe, 1993-2004

(Number, thousands of employees and millions of dollars)

Table no./ Variable	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
40. Wages and salaries	26	36	44	41	39	41	40	45	47	56	69	26
50. Value added ^a	..	120	137	156	172	153	117	132	169	156	191	46

Source: UNCTAD, FDI/TNC database.

Note: Data are based on information reported by the United States.

^a Data refer to majority-owned affiliates only.

Table 87. Largest foreign affiliates of home-based TNCs, 2007
(Millions of dollars and number)

Company	Host economy	Industry	Sales	Employees
A. Industrial				
..
B. Tertiary				
Case Tarsus Ltd	Zambia	Wholesale trade	..	10
The Cold Chain (Pvt) Limited	Malawi	Wholesale trade	..	2
St Cellular Sa	Burundi	Telecommunications	..	..
C. Finance and Insurance				
..	..	..	Assets	Employees
..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

Table 88. Largest affiliates of foreign TNCs in the host economy, 2007
(Millions of dollars and number)

Company Name	Home economy	Industry	Sales	Employees
A. Industrial				
Kuzocm Co	Russian Federation	Machinery and equipment	..	2 000
Olivine Industries (Pvt) Ltd	United States	Food, beverages and tobacco	..	1 900
Hunyani Paper & Packaging (1997) (Pvt) Ltd	Georgia	Wood and wood products	..	1 445
Unilever South East Africa	United Kingdom	Chemicals and chemical products	..	430
BOC Zimbabwe	United Kingdom	Manufacture of petroleum	..	370
Circle Cement Ltd	France	Non-metallic mineral products	..	200
Nestle Zimbabwe (Pvt) Ltd	Switzerland	Food, beverages and tobacco	..	182
Cluff Mining Zimbabwe Ltd	United Kingdom	Mining and quarrying	..	4
Hertz Corporation	United States	Automobile Trade and repair	..	..
B. Tertiary				
Zimbabwe Bata Shoe Company Limited	Netherlands	Wholesale trade	..	3 200
The Wattle Company Limited	Nigeria	Forestry and Fishing	..	3 000
Zimbabwe Leaf Tobacco Company (Private)	United States	Other business activities	..	350
Abb (Private) Ltd	Switzerland	Electricity, gas and water	..	..
Allied Manufacturing Industries (Private) Limited	France	Other business activities	..	..
Atlas Copco Zimbabwe (Private) Ltd	Sweden	Other business activities	..	..
Bp + Shell Marketing Services (Pte) Limited	United Kingdom	Other business activities	..	..
Casalee-Transtobac (Pvt) Ltd	United States	Other business activities	..	..
Chegutu Cannery (Pvt) Ltd.	United States	Other business activities	..	..
Chep	Australia	Other business activities	..	..
Coats Zimbabwe (Private) Ltd	United Kingdom	Other business activities	..	..
Costain (Africa) Ltd	United Kingdom	Other business activities	..	..
Croda Chemicals (Zimbabwe) Pvt Ltd	United Kingdom	Other business activities	..	..
Egl, Inc	United Kingdom	Other business activities	..	..
Energo (Pvt) Ltd	Serbia and Montenegro	Research and Development	..	..
Glaxosmithkline (Private) Ltd	United Kingdom	Other business activities	..	..
Gypsum Industries (Private) Ltd	France	Other business activities	..	..
Handigas (Pvt) Ltd	United Kingdom	Other business activities	..	..
Industrial Gases (Pvt) Ltd	United Kingdom	Other business activities	..	..
Kuehne + Nagel Zimbabwe Pvt Ltd	Switzerland	Other business activities	..	..
C. Finance and Insurance				
Standard Chartered Bank	United Kingdom	Finance	294	850 ^a
Efacec Southern Africa (Pvt) Ltd	Portugal	Finance	..	4
Aon Zimbabwe (Private) Limited	United States	Insurance	..	..

Source: Who Owns Whom database (<https://solutions.dnb.com/wow>), retrieved January 2008.

^a 2002.

C. Legal frameworks for transnational corporations

The principal national, bilateral and multilateral legal instruments adopted by Zimbabwe to regulate of the activities of transnational corporations and foreign direct investors in the country include the following:

I. National framework

Base Minerals Export Control Act 4/1949, Cap 21:01 of 30th May 1949.

Source: <http://faolex.fao.org/docs/texts/zim60550.doc>.

Companies Act (No. 47 of 1951)(Chapter 24), as consolidated at March 2000.

Source: www.ilo.org.

The Companies Act, chapter 190. Effective: 29 February 1952.

Source: Revised edition of the Statute Law of Zimbabwe/Rhodesia, 1974, chapter 190, p. 53.

Mines and Minerals Act, chap. 165; effective on 11 August 1961.

Source: Revised edition of the Statute Law of Zimbabwe/Rhodesia, 1974, chapter 165, p. 4.99.

Exchange Control Act [Cap 22:05] of 1, June 1965.

Source: <http://www.sadccitizen.net/regiondocs/12000208.pdf>

Finance Act. No. 30 of 1965. Effective: 5 July 1965.

Source: The Statute Law of Zimbabwe/Rhodesia, Act. No. 30, 1965, p. 215.

Integrated Circuits Layout-Designs Act, Chapter 26:07 of January 1967.

Source: WIPO (<http://www.wipo.org>).

Copyright Act Chapter 26:01, January 1967.

Copyright and Neighboring Rights Act Chapter 26:05, not yet in force, will replace

Copyright Act Chapter 26:01.

Source: WIPO (<http://www.wipo.org>).

Income Tax, chapter 181; effective on 1 April 1967.

Source: The Statute Law of Zimbabwe/Rhodesia, 1979, chapter 181, p. 1.

Industrial Designs Act Chapter 26:02, January 1967.

Source: WIPO (<http://www.wipo.org>).

Armorial Bearings, Names, Uniforms and Badges Act Chapter 10:01, November 1971.

Source: WIPO (<http://www.wipo.org>).

Geographical Indications Act Chapter 26:06.

Source: WIPO (<http://www.wipo.org>).

Patents Act, chap. 202. Effective: 1 February 1972.

Source: Statute Law of Zimbabwe/Rhodesia, 1971. Act No. 26, p. 515.

The Industrial Design Regulations No. 211 of 1972.

Source: WIPO (<http://www.wipo.org>).

Trademarks Act Chapter 26:04, January 1975.

Source: WIPO (<http://www.wipo.org>).

Merchandise Marks Act Chapter 14:13, January 1975.

Source: WIPO (<http://www.wipo.org>).

Trademarks Act, cap. 203; effective on 1 January 1975.

Source: Statute Law of Zimbabwe/Rhodesia, Act No. 2, 1974, p. 3. II. International framework

Intellectual Property Tribunal Act, Chapter 26:08, put in place as a specialist court for the enforcement of intellectual property rights.

Source: WIPO (<http://www.wipo.org>).

Mining (Management and Safety) Regulation, S.I. 61 of 1981.

Source: Supplement to the Zimbabwean Government Gazette of 13 February 1981.

Companies (Amendment) Act. 1981

Source: The Statute Law of Zimbabwe, Act No. 20, 1981, p. 151.

Copyright Order, S.I. No. 126 of 1982; effective on 26 February 1982.

Source: Supplement to the Zimbabwean Government Gazette of 26 February 1982.

Patent Amendment Act, 1983; effective on 25 April 1984.

Source: Statute Law of Zimbabwe/Rhodesia, Act No. 41, 1983, p. 277. As amended by Statutory

Companies Regulation, Statutory Instruction (S.I.) 178 of 1984. Effective: 22 June 1984.

Source: Supplement to the Zimbabwean Government Gazette of 22 June 1984.

Development Corporation Act No. 37 of 1984.

Source: International Bureau of Fiscal Documentation ATS, Act No. 37, p. 313.

Labour Relations Act of 16 December 1985; effective on 25 January 1985.

Source: The Zimbabwean Government Gazette of 25 January 1986.

Amendment: Mines and Minerals Act, 1987.

Source: Revised edition of the Statute Law of Zimbabwe/Rhodesia, Act. No. 26, 1987.

Amendment: Finance Act, 1987. Effective: 1 April 1988.

Source: The Statute Law of Zimbabwe/Rhodesia, Act No. 17, 1987, p. 365.

The Promotion of Investment: Policy and Regulations, April 1989. Effective: 9 May 1989.

Sources: Government of Zimbabwe, Zimbabwe Investment Center, Ministry of Finance, Economic Planning and development, Harare, April 1989. Investment Laws of the World; vol 10, Zimbabwe, June 1990.

Zimbabwe Investment Centre Act, 1992 (No. 16 of 1992).

Source: www.ilo.org.

Ministry of Finance Measures of April 1993; effective on 1 May 1993 on unrestricted remittance of after tax profits.

Source: Quarterly Economic and Statistical Review, vol. 14, No. 1 and 2 of March /June 1993.

Private Business Corporations Act (No. 15 of 1993)(Chapter 24), 1996 Revision.

Source: www.ilo.org.

The Zimbabwe Export Processing Zones Act 1994.

Source: International Bureau of Fiscal Documentation ATS, suppl. No. 94, March 1995.

Arbitration (International Investment Disputes Act) No. 16 of 1995.

Source: Official Gazette, Acts, pp. 193-222 (Printed separately).

Instrument No. 128 of 1996 – Table of Fees.

Source: WIPO (<http://www.wipo.org>).

Arbitration Act, 1996 (No. 6 of 1996).

Source: Official Gazette, Acts, pp. 59-80.

Export Processing Zones (General) Regulations, 1997 (S.I. 60 of 1997).

Source: Government Gazette, Supplement, 1997-02-28, pp. 217-222.

Private Business Corporations Regulations, 1997 (S.I. No. 101 of 1997).

Source: Official Gazette, Supplement, 1997-05-02, pp. 587-608.

Export Processing Zones (Employment) Rules, 1998 (S.I. No. 372 of 1998).

Source: Government Gazette, Supplement, 1998-12-11, pp. 2473-2488.

Industrial Designs Amendment Bill 2000, passed by Parliament, awaiting Presidential assent.

Source: WIPO (<http://www.wipo.org>).

Patents Amendment Bill, 2001, before Parliament for debate.

Source: WIPO (<http://www.wipo.org>).

Brands Act 22[Cap 19:03] Amendment of 2001, with effect from the 10th September, 2002.

Source: <http://faolex.fao.org/docs/texts/zim60552.doc>.

Trade Marks Amendment Act No. 10 of 2001, not yet in force.

Source: WIPO (<http://www.wipo.org>).

Capital Gains Act Tax [23:01].

Source: Compiled by Calvin Maduna, Researcher, tralac, February 2003.

Companies and Associations Trustees Act [Cap 24:04].

Source: Compiled by Calvin Maduna, Researcher, tralac, February 2003.

Procurement Act [Cap 22:14].

Source: Compiled by Calvin Maduna, Researcher, tralac, February 2003.

Zimbabwe Investment Centre Act No 16 of 1992 [Cap24:16].

Source: Official Gazette, Acts, 19 p. (Printed separately).

II. International Framework

A. Zimbabwe is a party to the following multilateral and regional instruments:

Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958, which entered into force on 7th June 1959.

Convention on the Settlement of Investment Disputes between States and Nationals of other States of 1965. Entered into force on 14 October 1966.

Convention Establishing the Multilateral Investment Guarantee Agency of 1985, entered into force on 12 April 1988.

Fourth ACP - EEC Convention (Lome IV) of 1989, entered into force on 1st March 1990.

Charter on a Regime of Multinational Industrial Enterprises (MIEs) in the Preferential Trade Area for Eastern and Southern African States (PTA), signed on 21 November 1990, entered into force August 1995.

Source: Preferential Trade Area for Eastern and Southern African States: Report of the Sixteenth Meeting of the Council of Ministers, 17-19 November, 1990, Mbabane, Swaziland (PTA/CM/XVI/2).

Southern Africa Development Community (SADC), signed on 17 August, 1992.

Source: http://www.sadc.int/about_sadc/history.php.

Paris Convention for the Protection of Industrial Property of 1883 (Revised at Brussels in 1900, Washington in 1911, The Hague in 1925, London in 1934, Lisbon in 1958 and Stockholm in 1967, and as amended in 1979). Signed in 1994.

Marrakesh Agreement Establishing the World Trade Organisation of 15 April 1994. Entered into force on 1 January 1995.

Agreement on Trade-Related Investment Measures.

General Agreement on Trade in Services.

Agreement on Trade Related Aspects of Intellectual Property Rights.

Partnership Agreement between the Members of The African, Caribbean and Pacific Group of States, of the one part and the European Community and its member states, of the other part signed in Cotonou, Benin on 23 June 2000.

B. Bilateral treaties

1. Bilateral investment treaties for the protection and promotion of investments: Mozambique 1990, Malaysia 1994, Portugal 1994, Germany 1995, United Kingdom 1995, China 1996, Denmark 1996, Iran, Islamic Republic of 1996, Netherlands 1996, Switzerland 1996, Serbia and Montenegro 1996, Sweden 1997, Czech Republic 1999, Egypt 1999, India 1999, Indonesia 1999, Iran, Islamic Republic of 1999, Italy 1999, Jamaica 1999, Austria 2000, Croatia 2000, Mauritius 2000, Singapore 2000, Thailand 2000, France 2001, Belgium and Luxembourg 2003, Botswana 2003, Ghana 2003, Malawi 2003, Tanzania 2003, Uganda 2003.

2. Bilateral treaties for the avoidance of double taxation: Switzerland 1961, South Africa 1965, United Kingdom 1982, Bulgaria 1988, Germany 1988, Netherlands 1989, Norway 1989, Sweden 1989, Canada 1992, Mauritius 1992, France 1993, Poland 1993, Malaysia 1994, Serbia and Montenegro 1996.

C. Other treaties:

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D. Sources of Information

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Willem Dirk te Velde and Oliver Morrissey (2002). "Foreign ownership and wages: evidence from five African countries (Cameroon, Ghana, Kenya, Zambia and Zimbabwe) (Nottingham: Center for Research in Economic Development and International Trade, University of Nottingham; Research paper No. 01/19).

World Bank/International Finance Corporation (2007). *Doing Business 2008 Zimbabwe* (Washington D.C.: The World Bank Group).

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