

## **Chapter 9 Investment Cooperation**

### **Article 9.1 Promotion of Investment**

1. The Parties recognize the importance of promoting cross-border investment flows as a means for achieving economic growth and development. Subject to their laws and regulations, the Parties shall cooperate to promote investments between China and Ecuador through, among others:

- (a) identifying investment opportunities;
- (b) intensifying investment promotion campaign;
- (c) sharing information on measures to promote investment abroad;
- (d) exchanging of information on investment laws, regulations and policies;
- (e) assisting investors to understand the investment regulations and the investment environment in both Parties;
- (f) improving environment conducive to increased investment flows; and
- (g) promoting linkages between China and Ecuador's agencies with a view to promoting bilateral investment.

2. Recognizing that facilitating the "Go Global" efforts of Chinese enterprises is a key pillar of bilateral cooperation, the Parties shall intensify their collaboration in this area. To this effect, the Parties shall endeavour to identify and share information on potential outgoing investment sectors and activities and encourage such enterprises to invest in the other Party.

### **Article 9.2 Facilitation of Investment**

1. Subject to its laws and regulations, each Party shall facilitate investments from the other Party through, among others:

- (a) improving transparency and efficiency of their domestic investment environment, with the aim of facilitating quality investment between the Parties.
- (b) creating the necessary environment for all forms of investment including but not limited to the creation of favorable condition for money transfer for any investment project;
- (c) simplifying procedures for investment applications and approvals;
- (d) promoting the dissemination of investment information, including, but not limited to, investment rules, regulations, policies, other bilateral and multilateral trade agreements, and procedures; and

(e) enhancing one-stop investment arrangement in the respective host Parties to provide assistance and advisory services to the business sectors including facilitation of operating licences and permits.

2. Subject to its domestic laws and regulations, the Party shall make available the measures prescribing the formalities of establishing an investment to investors and their investments of the other Party. The Party shall protect any confidential business information from any disclosure that would prejudice the competitive position of the investor or the investment. Nothing in this paragraph shall be construed to prevent a Party from otherwise obtaining or disclosing information in connection with the equitable and good-faith application of its domestic law.

3. Parties shall facilitate investors and their investments to comply with required standards on environmental impact assessment and social impact assessment and assessment processes applicable to their proposed investments prior to their establishment, as required by the laws of the host Party for such an investment.

### **Article 9.3 Environmental Measures**

Recognizing the importance of promoting investment for green growth, the Parties shall refrain from encouraging investment by investors of the other Party by relaxing environmental measures. To this effect, each Party should not waive or otherwise derogate from such environmental measures as an encouragement for the establishment, acquisition, or expansion of investments in its territory.

### **Article 9.4 Corporate Social Responsibility**

1. The Parties reaffirm that investors and their investments shall comply with domestic laws and regulations of the host State on corporate social responsibility or responsible business conduct.

2. Each Party confirms the importance of internationally recognized standards, guidelines, and principles of corporate social responsibility or responsible business conduct that have been endorsed by that Party.

3. Each Party agrees to encourage investors and enterprises operating within its territory or subject to its jurisdiction to incorporate these standards, guidelines, and principles provided for under paragraph 2 into their business practices and internal policies in a voluntary manner.

4. The Parties shall cooperate on and facilitate joint initiatives, through the Commission provided for in Article 14.1 (The Free Trade Commission), to promote corporate social responsibility or responsible business conduct.

**Article 9.5      Non-Application of Dispute Settlement**

No Parties shall have recourse to Chapter 13 (Dispute Settlement) for any issue arising from or relating to this Chapter.