

DIS40 LONDON: BREXIT SPOTLIGHT

THE PROTECTION OF UK-EU INVESTMENTS: PAST, PRESENT AND FUTURE

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Protection of UK-EU investments: pre-Brexit

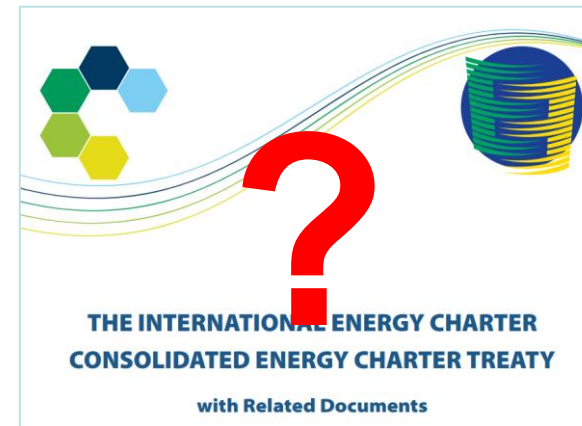
- EU law



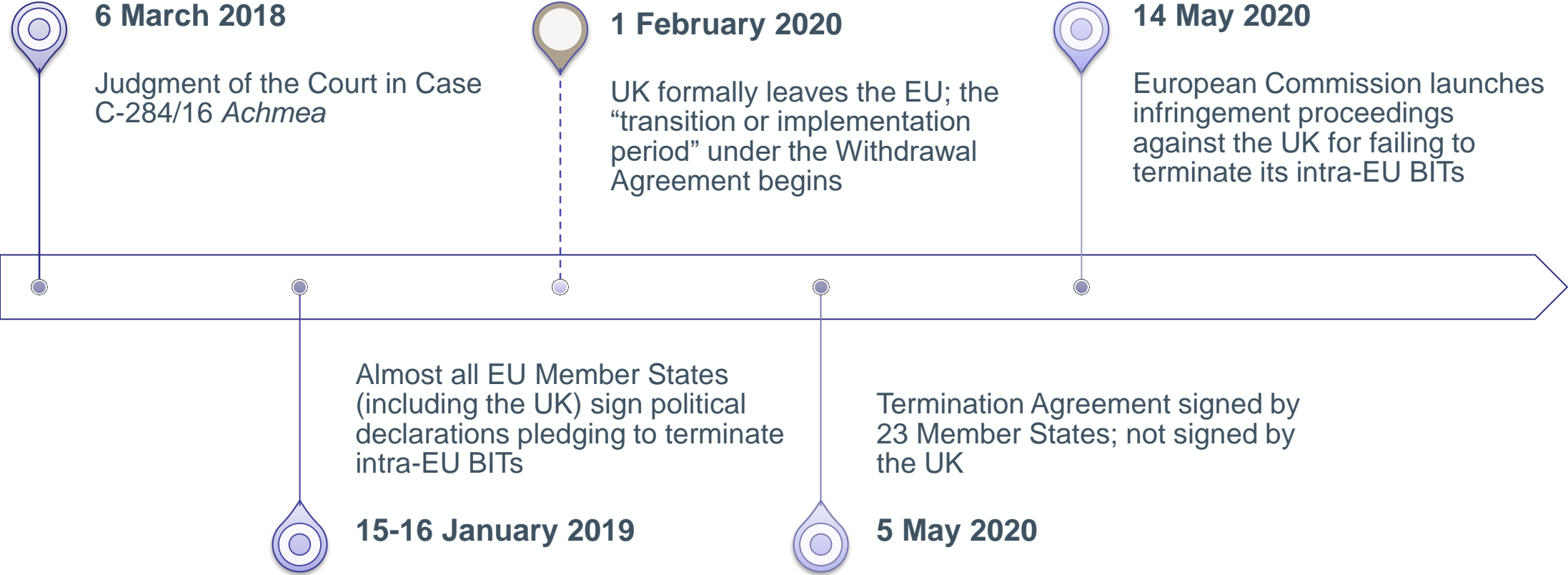
- ECHR



- International investment agreements



Developments on intra-EU investment protection before the end of the Brexit transition period



Protection of UK-EU investments after the end of the transition period

- EU law



- ECHR



- International investment agreements



- Trade and Cooperation Agreement (TCA)

TRADE AND COOPERATION AGREEMENT BETWEEN THE EUROPEAN UNION AND THE EUROPEAN ATOMIC ENERGY COMMUNITY, OF THE ONE PART, AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, OF THE OTHER PART



What protections do UK-EU cross-border investors enjoy today?

Investment protection	UK-EU TCA	CETA	Singapore IPA	Vietnam IPA
Expropriation	x	✓	✓	✓
FET	x	✓	✓	✓
FPS	x	✓	✓	✓
MFN	✓	✓	x	✓
National treatment	✓	✓	✓	✓
ISDS	x	✓	✓	✓

What protections do UK-EU cross-border investors enjoy today?

Investment protection	UK-EU TCA	UK's intra-EU BITs	ECT
Expropriation	x	✓	✓
FET	x	✓	✓
FPS	x	✓	✓
MFN	✓	✓	✓
National treatment	✓	✓	✓
ISDS	x	✓	✓

What is the status of the UK's formerly intra-EU BITs now, and of the ECT?

What does the future hold?