4 July 2023

# Twenty-ninth Report on G20 Investment Measures[1]

When the Global Financial Crisis broke out in 2008, G20 members committed to refrain from introducing new barriers to investment and trade.[2] They complemented this commitment by a request that WTO, OECD and UNCTAD monitor and report publicly on their new trade and investment policy measures. So far, 28 reports have been issued under this mandate.[3]

Two more global crises – the COVID-19 pandemic and the war in Ukraine – have since prolonged the strain on the global economy and have shaped investment policymaking in G20 members and beyond. While the direct economic impact of the COVID pandemic on investment policy in G20 members has subsided, the overall economic environment remains challenging, and concerns about the security implications of FDI continue shaping policymaking in G20 members.

Several G20 members maintain and keep expanding selective restrictions on international investment and capital flows in the context of the war in Ukraine. These restrictions do not constitute a deviation from the overall stance vis-à-vis international investment. To enhance transparency about these measures, this edition again lists measures that have been taken in response to the war in Ukraine since October 2022. They are included in separate Annexes 3 and 4 to underscore their differing and potentially temporary nature.

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1 This report on investment measures is issued under the responsibility of the Secretary-General of the OECD and the Secretary-General of UNCTAD. It has no legal effect on the rights and obligations of member States of the OECD or UNCTAD. Nothing in this report implies any judgment, either direct or indirect, as to the consistency of any measure referred to in the report with the provisions of any OECD or UNCTAD agreement or any provisions thereof. As in previous reports, this document distinguishes between measures related to foreign direct investment (prepared jointly by the OECD and UNCTAD) and measures related to other international capital flows (prepared solely by the OECD). As the preceding 27th and 28th report, this report contains annexes that list measures affecting FDI adopted by G20 members in the context of the war in Ukraine.

2 G20 Leaders "Declaration of the Summit on Financial Markets and the World Economy", Washington, 15 November 2008.

3 Earlier reports on investment measures by OECD and UNCTAD to G20 Leaders are available on the websites of the OECD and UNCTAD.

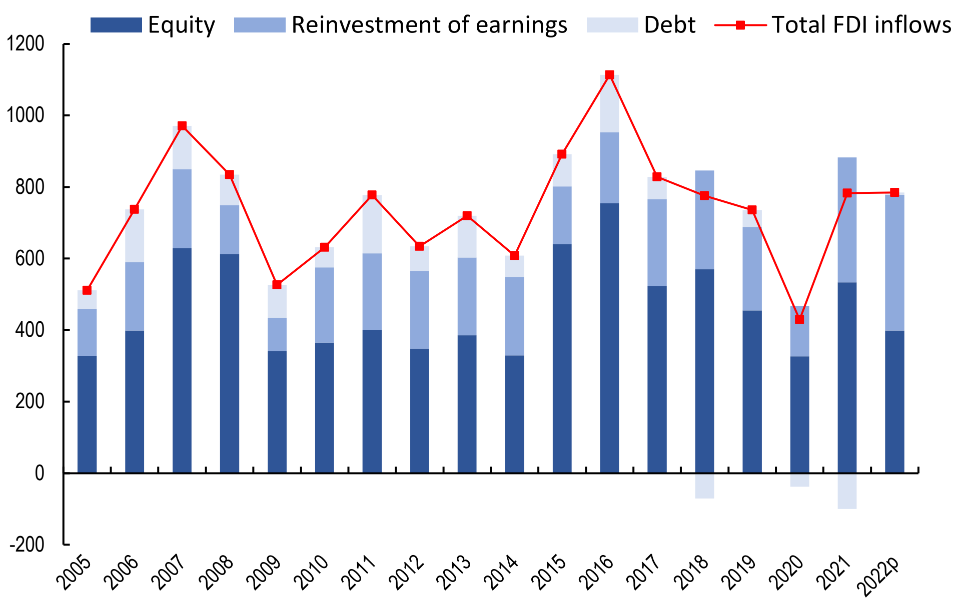
The report as a whole documents measures that G20 governments have taken between 16 October 2022 to 15 May 2023. As all previous reports in this series, it was jointly prepared by the OECD and UNCTAD Secretariats.

## I. Development of Foreign Direct Investment (FDI) flows

Global FDI fell back in 2022, after plummeting in 2020 and rebounding in 2021. Fluctuations in major conduit economies as well as a single large transaction in Luxembourg also contributed to shaping FDI totals.[4]

Lower equity inflows contributed to the decline of FDI in G20 economies, although they were partly offset by an increase in reinvested earning (Figure 1), particularly in OECD countries. Germany, the Russian Federation and the United States saw large declines in total FDI inflows. However, flows to most other G20 countries remained stable or increased. Australia, in particular, experienced a record-high increase in FDI, reflecting intensified M&A activity in the first quarter of 2022. Brazil also reached a ten-year record high in FDI inflows, due to increased reinvested earnings. Intra-company loans turned to positive levels in G20 economies, but their impact on total FDI flows remained limited.

**Figure 1: G20 FDI inflows by instrument, 2005-2022 (USD billions)**




Note: p data for 2022 are preliminary. G20 aggregate excludes data for P.R. China and Saudi Arabia who do not report on FDI components. Reinvestment of earnings for Indonesia, the Russian Federation (for 2021-2022 only) and South Africa are included in the category "equity".
Source: OECD//UNCTAD.

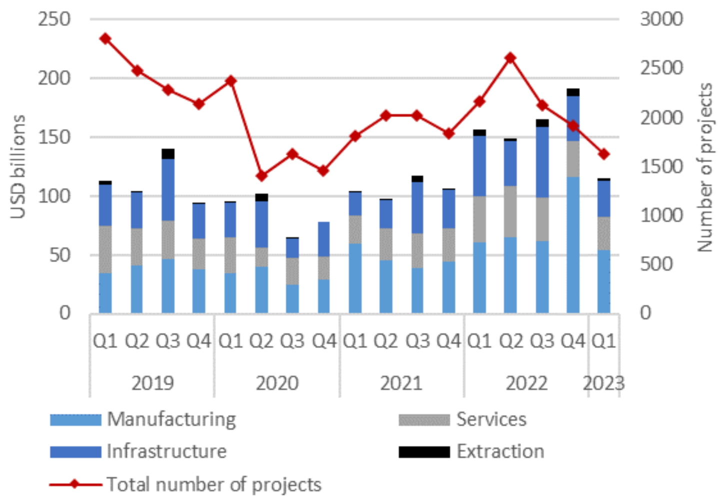
Cross-border M&A activity slowed down with fewer deals being concluded in 2022, possibly in response to a tighter financial environment, continued geopolitical challenges and concerns about a looming recession. The outlook for greenfield investment activity remained positive in 2022: total capital expenditure implied in announced projects increased by 57% in G20 economies compared to 2021, while the number of projects grew by 14%, although it remained below pre-pandemic levels (Figure 2). On a sectoral level, planned capital expenditure increased in all sectors: manufacturing (62%), services (39%) and infrastructure (57%). Nevertheless, prospects for 2023 remain uncertain: in the first quarter of 2023,

[4] The most recent figures are available in *OECD FDI in Figures*, April 2023 and UNCTAD, forthcoming, *World Investment Report 2023, Investing in sustainable energy for all*, July 2023.

the value of new announced investment projects dropped by 40% and the number of projects declined by 15% compared to the previous quarter.[5]

**Figure 2. Cross-border investment activity in G20 economies**

Capital expenditure from announced greenfield projects, USD billion (left) and number of projects (right) by sector




Source: FT FDI Markets database, OECD/UNCTAD calculations.

## II. G20 members' investment policy measures

### *1. Investment policy measures specific to FDI and measures related to national security*

During the reporting period, G20 members made few adjustments to their investment policies, confirming a longer-time trend to less frequent adjustments in this area that was only interrupted in response to the COVID-19 pandemic, which saw more frequent changes.[6] Where measures were taken, their nature and scope does not suggest that they are likely to have a major impact on FDI flows or allocation (see Annex 1 for a description of the individual measures).

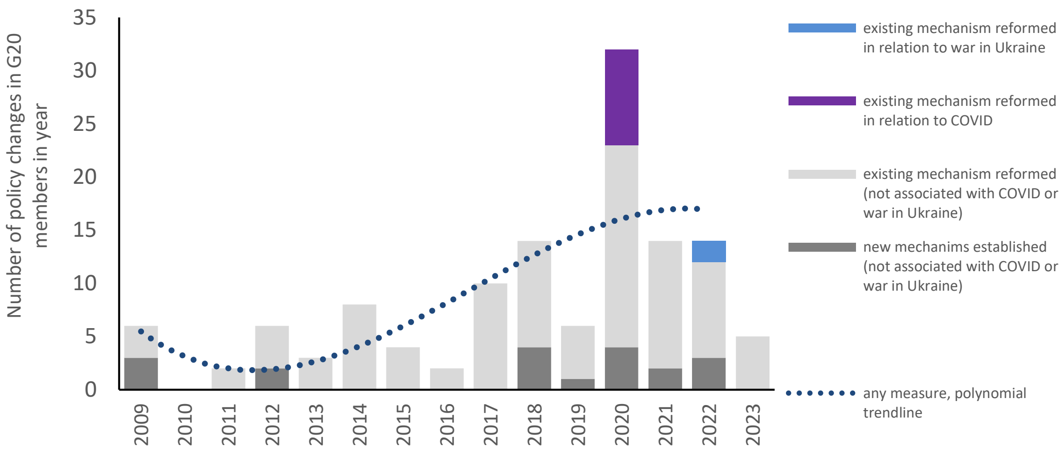
Measures to manage the potential security implications of FDI constitute again a significant share of the policy changes taken in the reporting period. Seven G20 members adopted measures of this kind in the reporting period (Canada, France, Italy, Japan, Russian Federation, United Kingdom, and United States). Only five G20 members took FDI-specific measures that were *not* related to the management of security implications of FDI.

5 In Q1 2023 an important increase was recorded compared to the previous quarter in the "communications" sector, where the value of greenfield investment projects almost doubled and for the sector "software and IT services", with an increase of 61%. The value of new announced investment in the healthcare sector also grew in G20 economies, with an increase of 32% in the first quarter of 2023 relative to the previous period.

6 See for example the findings of the 22nd OECD/UNCTAD investment policy monitoring report, which was released in November 2019 and noted that only three G20 members had taken FDI-specific measures in the reporting period. The reports that covered the onset of the COVID-19 pandemic and the subsequent semesters, found that G20 Members had taken an unusually high number of investment policy measures in these reporting periods (see the 23rd OECD/UNCTAD Report on G20 Investment Measures, covering the period from 16 October 2019 to 15 May 2020, 24th OECD/UNCTAD Report on G20 Investment Measures (16 May to 15 October 2020), and the 25th OECD/UNCTAD Report on G20 Investment Measures (16 October 2020 and 15 May 2021).

The attention to the security implications of FDI in G20 economies – and beyond – has been increasing since 2017 and shows no sign of abating.[7] Specific concerns about such implications in the context of the COVID-19 pandemic and its associated economic disruption and in the context of the war in Ukraine have motivated some of the policy adjustments, but were not the cause of the surge in policy attention to the issue (Figure 3).

**Figure 3. Policy changes to manage security implications of FDI in G20 members (2009-2023)**




Source: OECD/UNCTAD calculations based on monitoring reports prepared for the G20. Data for 2023 until 15 May 2023. Association with COVID pandemic or war in Ukraine based on official justification of the measures.

In parallel, the number of G20 members concerned about the security implications of FDI is increasing. Policy measures to manage security implications of FDI are not limited to a few jurisdictions among the G20 members. Since 2009, 17 G20 members have taken measures in this category (grey columns in Figure 4).[8]

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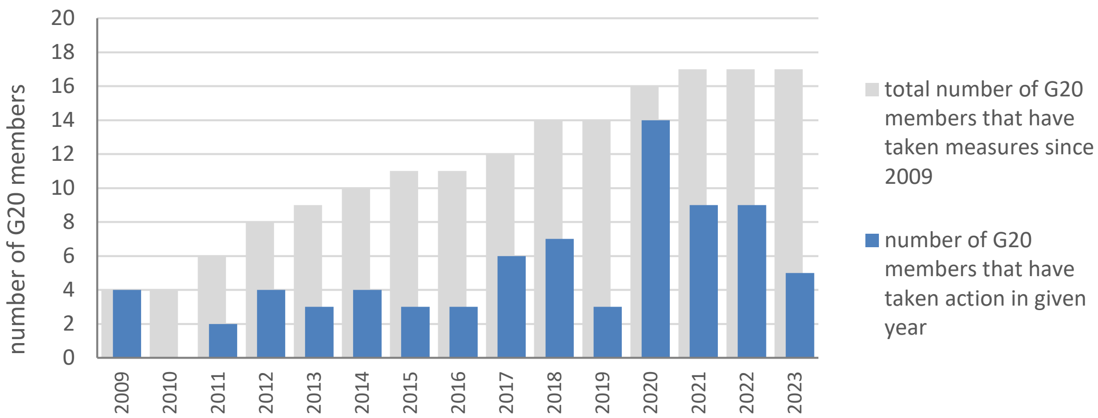
[7] See for a broader set of 62 economies, OECD (2023), "*Investment policy developments in 61 economies between Investment policy developments in 61 economies between 16 October 2021 and 15 March 2023*", and UNCTAD (2020), "*Investment Policy Monitor: Special Issue – Investment Policy Responses to the COVID-19 Pandemic*". For an analysis of the drivers of this trend, see UNCTAD (2019), "*Investment Policy Monitor: National Security-Related Screening Mechanisms For Foreign Investment. An Analysis of Recent Policy Developments*" as well as OECD (2020), "*Acquisition- and ownership-related policies to safeguard essential security interests – current and emerging trends, observed designs, and policy practice in 62 economies*". For analysis of the key features of FDI screening regimes adopted in recent years, see: UNCTAD (2023), "*The Evolution of FDI screening mechanisms – key trends and features*".

[8] The three G20 members that have not brought measures into force that were explicitly geared towards protecting essential security interests since 2009 are Brazil, Indonesia, and South Africa. South Africa has adopted legislation in this area (the Competition Amendment Act 2018, section 14), but this legislation had not come into force at the end of the reporting period on 15 May 2023.

**Figure 4. Policy changes to manage security implications of FDI in G20 members (2009-2023)**




Source: OECD/UNCTAD calculations based on monitoring reports prepared for the G20. Data for 2023 until 15 May 2023.

### *2. Measures adopted in relation to the Russian Federation and to Belarus in the context of the war in Ukraine and measures taken by the Russian Federation in this context*

During the reporting period, nine G20 members adopted new measures in light of the continued war in Ukraine. Immediately after 24 February 2022, several G20 members and many other countries had already adopted a series of such measures.[9] These measures sought to stifle access to the benefits of international investment by the Russian Federation and designated individuals and entities close to the Russian Government.[10]

New measures adopted during the reporting period continue to target primarily the Russian Federation. These measures can be categorised in three broad categories:[11] First, measures that specifically target designated individuals and/or entities, subjecting them to financial and economic sanctions such as asset freezes. Second, investment-specific measures which ban or restrict investments related to the Russian Federation. And third, financial measures not specific to FDI (e.g., measures related to capital controls, access to capital markets, selling of securities, among others). These measures continue to have considerable implications for cross-border capital flows and transactions to and from the Russian Federation. In response to these sanctions, the Russian Federation has continued to adopt new measures, including investment-specific measures and measures related to cross-border capital flows.

Detailed information on the measures is available in Annex 3 for measures specific to FDI, and Annex 4 for measures not specific to FDI.

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9 See the findings of the 27th OECD/UNCTAD report on G20 investment measures, released in July 2022, and of the 28th OECD/UNCTAD report on G20 investment measures, released in November 2022.

10 In addition to government measures, a considerable number of companies from a wide array of industries suspended their operations in the Russian Federation or withdrew and divested their operations from the country for various reasons, including reputational and liability risks, human rights considerations, volatile market conditions, and practical challenges to doing business as a result of the sanctions. These measures are not covered by this report as they are not attributable to G20 governments. For details on these measures see OECD (2022), *International investment implications of Russia's war against Ukraine*.

11 These categories have already been used for the 27th and 28th OECD/UNCTAD report on G20 investment measures.

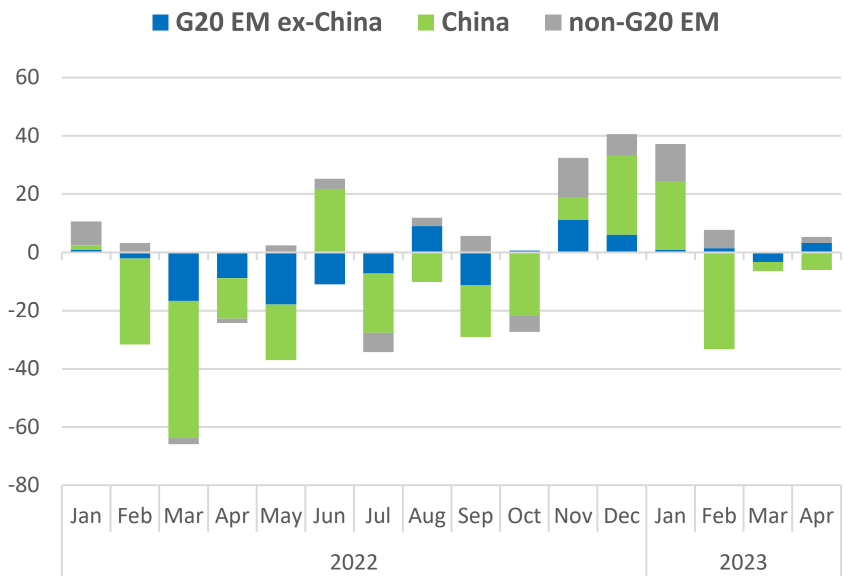
### 3. *Capital flows and investment policy measures not specific to FDI*[12]

Financial conditions eased significantly across the globe in the last months of 2022 and at the beginning of 2023 on the back of lower inflation, better growth prospects, some pause in interest rate hikes, lower uncertainty, and a depreciating U.S. dollar.

These factors taken together halted the 2022 bleeding of emerging markets (EM) portfolio flows described in the OECD/UNCTAD report covering the previous reporting period. The March update of the OECD Monthly Capital Flow Dataset[13] highlights a substantial rebound of portfolio flows to EMEs, with more than USD 110 billion inflows in the three months from November to January 2023 (Figure 5).

These inflows were mainly to EMs excluding P.R. China (e.g., Mexico and Brazil), which is notable as Chinese flows typically make up the largest share. On the back of ending its zero-COVID policy, P.R. China saw a return to inflows over November to January 2023, albeit concentrated in equities. China has again experienced significant outflows in February 2023 continuing in March and April in both equity and bond markets.

**Figure 5. Portfolio inflows to emerging markets (USD billion)**




Source: OECD Monthly Capital Flow Dataset. Note: Sample of 23 emerging market economies (16 non-G20 and 7 G20). See dataset for detailed data and coverage description. China data for Apr 23 covers only portfolio debt inflows.

During the reporting period, seven G20 members took policy measures concerning international capital flows that are not specific to FDI. Detailed information on the measures by country is available in Annex 2.

12 This section on "Investment policy measures not specific to FDI" has been prepared by the OECD Secretariat under the responsibility of the Secretary-General of the OECD. Annex 2 provides information on the coverage, definitions and sources of the information contained in this section.

13 The dataset is publicly available on the OECD website and updated quarterly at the following link: https://www.oecd.org/daf/inv/investment-policy/oecd-monthly-capital-flow-dataset.xlsx.

### 4. *International Investment Agreements*

Between 16 October 2022 and 15 May 2023, G20 Members concluded one new "other IIA":[14] the Türkiye-United Arab Emirates Comprehensive Economic Partnership Agreements (CEPA).[15] During this reporting period, two BITs recently concluded by G20 Members entered into force, replacing two treaties that previously existed between the parties.[16] Four "other IIAs" concluded by G20 Members also entered into force.[17] As of 15 May 2023, the total number of IIAs worldwide stood at 2,829 BITs and 435 "other IIAs".[18] Aggregate data on G20 members' IIAs is available in Annex 5.

## III. Overall policy implications

G20 members have made only limited changes to their investment policies in the reporting period – with the notable exception of adjustments to manage security implications of foreign investment. They have also taken further measures in relation to the continuing war in Ukraine.

The appreciation of the significance of international investment is critical to address the current and future crises and to achieve the Sustainable Development Goals (SDGs).

This is particularly important in the context of a growing SDG investment gap in developing countries. As we approach the midpoint of the 2030 Agenda for Sustainable Development, countries need to intensify their efforts to promote and facilitate investment across all SDG-relevant sectors. They also need investment to ensure a swift and just transition to carbon neutrality, and to overcome the continued and deepening poverty across and within societies.

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[14] "Other IIAs" encompass a variety of international agreements with investment protection, promotion and/or cooperation provisions – other than BITs. They include free trade agreements (FTAs), regional trade and investment agreements (RTIAs), comprehensive economic partnership agreements (CEPAs), cooperation agreements, association agreements, economic complementation agreements, closer economic partnership arrangements, agreements establishing free trade areas, and trade and investment framework agreements (TIFAs). Unlike BITs, "other IIAs" may also include plurilateral agreements.

[15] The Türkiye-United Arab Emirates CEPA was signed on 3 March 2023.

[16] The Belarus-Türkiye BIT (2018) entered into force on 13 December 2022, replacing the Belarus-Türkiye BIT concluded in 1995; the Republic of Korea-Uzbekistan BIT (2019) entered into force on 5 April 2023, replacing the Republic of Korea-Uzbekistan BIT concluded in 1992.

[17] The Australia-European Union Framework Agreement (2017) entered in force on 21 October 2022; the Cambodia-Republic of Korea FTA (2021) entered in force on 1 December 2022; the Australia-India Economic Cooperation and Trade Agreement (ECTA) (2022) entered in force on 29 December 2022; the Indonesia-Republic of Korea CEPA (2020) entered in force on 1 January 2023.

[18] The total number of IIAs is revised in an ongoing manner as a result of retroactive adjustments to UNCTAD's IIA Navigator (https://investmentpolicy.unctad.org/international-investment-agreements).

## Annex 1: Recent investment policy measures related to FDI (16 October 2022 to 15 May 2023) – Reports on individual economies

| | Description of Measure | Date | Source |
|---|---|---|---|
| **Argentina** | | | |
| *Investment policy measures* | None during reporting period. | | |
| *Investment measures relating to national security* | None during reporting period. | | |
| **Australia** | | | |
| *Investment policy measures* | On 1 January 2023, the maximum financial penalties for contraventions of the Foreign Acquisitions and Takeovers Act 1975's provisions that relate solely to residential land were doubled. The changes are laid down in Schedule 1 to the Treasury Laws Amendment (2022 Measures No.3) Act 2022 and Schedule 1 to the Foreign Acquisitions and Takeovers Fees Imposition Amendment Act 2022. | 1 January 2023 | Treasury Laws Amendment (2022 Measures No.3) Act 2022, Australian Government, Federal Register of Legislation, 6 December 2022;<br>Foreign Acquisitions and Takeovers Fees Imposition Amendment Act 2022, Australian Government, Federal Register of Legislation, 6 December 2022. |
| *Investment measures relating to national security* | None during reporting period. | | |
| **Brazil** | | | |
| *Investment policy measures* | None during reporting period. | | |
| *Investment measures relating to national security* | None during reporting period. | | |
| **Canada** | | | |
| *Investment policy measures* | On 1 January 2023 the Prohibition on the Purchase of Residential Property by Non-Canadians Act entered into force. Unless an exception applies, the Act prohibits the purchase of residential property in Canada by non-Canadians for two years. A Regulation was issued on the definitions of the terms employed and the exception for persons and properties.<br>On 27 March 2023, Regulations Amending the Prohibition on the Purchase of Residential Property by Non-Canadians Regulations entered into force. These amendments expand exceptions to allow non-Canadians to purchase a home in certain circumstances. Announced by the Canadian Minister of Housing and Diversity and Inclusion, these amendments allow more work-permit holders to purchase residential property, exclude the prohibition from lands zoned for residential and mixed use, and introduce exceptions for development purposes. | 1 January 2023;<br>27 March 2023 | Prohibition on the Purchase of Residential Property by Non-Canadians Act, S.C. 2022, c.10, s.235, 6 March 2023;<br>Prohibition on the Purchase of Residential Property by non-Canadians Regulations, SOR/2022-250, Canada Gazette, Part 2, Vol.156, Number 26, 2 December 2022;<br>Regulations Amending the Prohibition on the Purchase of Residential Property by Non-Canadians Regulations, SOR/2023-66, Canada Gazette, Part II, Volume 157, Number 8, 27 March 2023.<br>"*Amendments to the Prohibition on the Purchase of Residential Property by Non-Canadians Act's accompanying Regulations*", Canada Mortgage and Housing Corporation media release, 27 March 2023. |

| | Description of Measure | Date | Source |
|---|---|---|---|
| *Investment measures relating to national security* | On 28 October 2022, the Government of Canada released a policy statement clarifying how the Investment Canada Act will be applied to investments in Canadian entities and assets in critical minerals sectors from foreign state-owned enterprises (SOEs). The policy recognizes the strategic importance of critical minerals, as per the list of critical minerals defined on 11 March 2021, and states that SOEs investment in these sectors "carry a greater inherent risk to Canada's growth, prosperity and security." The policy sets out a framework for the review of such investments under the two main review powers of the Investment Canada Act: the net benefit and the national security reviews. The policy sets that net benefit approval of acquisitions of control of a Canadian business involving Critical Minerals by a foreign SOE "will only be approved on an exceptional basis". The policy also states that investment by SOEs in critical minerals sectors "will support a finding by the Minister that there are reasonable grounds to believe that the investment could be injurious to Canada's national security as set out in Part IV.1 of the Investment Canada Act". The policy applies to such investments regardless of value, whether direct or indirect, whether controlling or non-controlling, and across all stages of the value chain. | 28 October 2022 | Policy Regarding Foreign Investments from State-Owned Enterprises in Critical Minerals under the Investment Canada Act, 28 October 2022. |
| **P.R. China** | | | |
| *Investment policy measures* | On 1 January 2023, the 2022 list of sectors for foreign investment became effective. The list replaces the 2020 list and was issued on 25 October 2022 by the National Development and Reform Commission (NDRC) The new list expands the number of manufacturing activities open to investment from 480 to 519. Air ground support equipment and key components related to autonomous driving were added to the list. | 25 October 2022; 1 January 2023 | "*China unveils measures to promote manufacturing-focused foreign investment*", the National Development and Reform Commission (NDRC), 25 October 2022. |
| *Investment measures relating to national security* | None during reporting period. | | |
| **France** | | | |
| *Investment policy measures* | None during reporting period. | | |
| *Investment measures relating to national security* | On 24 December 2022, France extended for a third time the application of the temporary regime that lowers the trigger threshold for the French FDI review mechanism until 31 December 2023. The extension was enacted by Decree n° 2022-1622 of 23 December 2022. The temporary regime was initially adopted in response to the specific circumstances resulting from the COVID-19 pandemic and lowers the trigger threshold for the investment review mechanism to a 10% foreign shareholding, down from 25%, for FDI by non-EU and non-EEA investors in listed companies. It had initially come into effect on 23July 2020 based on Decree n° 2020-892 of 22 July 2020. | 23 December 2022 | Décret n° 2022-1622 du 23 décembre 2022 relatif à l'abaissement temporaire du seuil de contrôle des investissements étrangers dans les sociétés françaises dont les actions sont admises aux négociations sur un marché réglementé, JORF No. 0298, 24 December 2022. |
| **Germany** | | | |
| *Investment policy measures* | None during reporting period. | | |
| *Investment measures relating to national security* | None during reporting period. | | |
| **India** | | | |
| *Investment policy measures* | On 10 March 2023, the Ministry of Information and Broadcasting (MIB) issued a clarification that restrictions on FDI entities involved in uploading or streaming of news and current affairs through digital media do not apply to Over-the-Top (OTT) platforms that host digital feed of a TV news channel, provided | 10 March 2023 | "*Applicability of FDI Policy for OTT Platforms hosting TV News Channels*", Ministry of Information and Broadcasting |

| | Description of Measure | Date | Source |
|---|---|---|---|
| | they do so only as a medium and make the feed available to its subscribers and users. | | Release No.F-14012/3/2022-DM, 10 March 2023. |
| | On 13 March 2023, the Bar Council of India notified the "Bar Council of India Rules for Registration and Regulation of Foreign Lawyers and Foreign Law Firms in India, 2022". Foreign lawyers and firms can now practice foreign law, diverse international legal issues, and international arbitration matters in India on a reciprocity basis. While foreign lawyers and firms cannot appear in courts, they can set up offices in India and deliver transactional and corporate work. | 13 March 2023 | Bar Council of India Rules for Registration and Regulation of Foreign Lawyers and Foreign Law Firms in India, 2022 (egazette.nic.in), 13 March 2023, the Gazette of India. |
| *Investment measures relating to national security* | None during reporting period. | | |
| **Indonesia** | | | |
| *Investment policy measures* | None during reporting period. | | |
| *Investment measures relating to national security* | None during reporting period. | | |
| **Italy** | | | |
| *Investment policy measures* | None during reporting period. | | |
| *Investment measures relating to national security* | On 4 February 2023, Law No.10/2023 entered into effect. The law converts Decree Law No.187 of 5 December 2022 and introduces amendments. Art.2 of the Decree Law, as converted by Law No.10/2023, entitles the Ministry of Enterprises and Made in Italy to allow the recourse to measures to support the capitalisation and capital strengthening of companies that were subject to the exercise of *special powers*. | 4 February 2023; 5 December 2022 | Legge 1 febbraio 2023, n.10 (G.U. Serie Generale n.28, 3 February 2023); Decreto-Legge 5 dicembre n.187 (G.U. Serie Generale n.284, 5 December 2022). |
| **Japan** | | | |
| *Investment policy measures* | None during reporting period. | | |
| *Investment measures relating to national security* | Revised Foreign Exchange and Foreign Trade Act (FEFTA) Public Notices was promulgated on 24 April 2023 and applied to inward direct investment and equivalent actions to be made on or after 24 May 2023 to expand the sectors that require prior notification. These measures are taken in order to secure stable supply chains and address the risk of technology leakage and diversion of commercial technologies into military use. | 24 April 2023 | Amendment of Public Notice Specifying Designated Business Sectors pertaining to Inward Direct Investment, etc., Ministry of Finance, 24 April 2023; Amendment of Public Notice Specifying Core Business Sectors pertaining to Inward Direct Investment, etc., Ministry of Finance, 24 April 2023; Amendment of Public Notice Specifying Designated Business Sectors pertaining to Specified Acquisition, Ministry of Finance, 24 April 2023; Amendment of Public Notice Specifying Core Business Sectors pertaining to Specified Acquisition, Ministry of Finance, 24 April 2023; *"Publication of the amendment to the Public Notices adding the core business sectors of the Foreign Exchange and Foreign Trade Act to secure stable* |

| | Description of Measure | Date | Source |
|---|---|---|---|
| | | | supply chains", Ministry of Finance, 24 April 2023 |
| **Republic of Korea** | | | |
| *Investment policy measures* | None during reporting period. | | |
| *Investment measures relating to national security* | None during reporting period. | | |
| **Mexico** | | | |
| *Investment policy measures* | None during reporting period. | | |
| *Investment measures relating to national security* | None during reporting period. | | |
| **Russian Federation** | | | |
| *Investment policy measures* | None during reporting period. | | |
| *Investment measures relating to national security* | On 29 December 2022, the Government of the Russian Federation issued an Amendment to the Federal Law "On the Procedure for Foreign Investments in Economic Companies of Strategic Importance for Ensuring the Defense of the Country and the Security of the State" and Certain Legislative Acts of the Russian Federation. The amendment entered into force on 1 March 2023 (Article 5(1)(a) only) and 29 March 2023. The amendment applies to Federal Law No.57-FZ and expands the scope of domestic business entities for which preliminary approval is required in case a foreign investor wants to gain control over such entities. A preliminary approval is not required for foreign persons to acquire control over domestic enterprises in case an authorised government body does not see a need for obtaining one. | 29 March 2023 | Amendment to the Federal Law "On the Procedure for Foreign Investments in Economic Companies of Strategic Importance for Ensuring the Defense of the Country and the Security of the State" and Certain Legislative Acts of the Russian Federation. |
| **Saudi Arabia** | | | |
| *Investment policy measures* | None during reporting period. | | |
| *Investment measures relating to national security* | None during reporting period. | | |
| **South Africa** | | | |
| *Investment policy measures* | None during reporting period. | | |
| *Investment measures relating to national security* | None during reporting period. | | |
| **Türkiye** | | | |
| *Investment policy measures* | None during reporting period. | | |
| *Investment measures relating to national security* | None during reporting period. | | |

| | Description of Measure | Date | Source |
|---|---|---|---|
| **United Kingdom** | | | |
| *Investment policy measures* | None during reporting period. | | |
| *Investment measures relating to national security* | On 27 April 2023, the Government of the United Kingdom published the new "Market Guidance on the National Security and Investment Act 2021". The latest guidance provides more detailed information on various aspects of the National Security and Investment assessment process, such as the stages involved, when to notify, and the steps that companies in financial difficulty can take when notifying deals. Additionally, it includes practical guidance on completing the notification forms and the different stages of the process. The updated guidance aims to enhance the transparency and comprehensibility of the National Security and Investment regime. | 27 April 2023 | Guidance National Security and Investment, Government of the United Kingdom, 27 April 2023 |
| **United States** | | | |
| *Investment policy measures* | None during reporting period. | | |
| *Investment measures relating to security* | On 10 February 2023, a determination of the Office of Investment Security in the Department of the Treasury became effective. The determinations concerns the assessment that two foreign States, the United Kingdom and New Zealand, have established and are effectively utilizing a robust process to analyze foreign investments for national security risks and to facilitate coordination with the United States on matters relating to investment security. New Zealand and the United Kingdom thus remain "excepted foreign states" for the purpose of the application of certain rules under the United States' foreign investment review regime. | 10 February 2023 | Determination Regarding Excepted Foreign States, Federal Register, Vol.88, No.29, 13 February 2023. |
| | On 8 May 2023, the Florida Senate Bill 264 (CS/CS/SB 264) was signed into law. Among others, the law prohibits persons from "foreign countries of concern" from directly or indirectly owning, having a controlling interest in or acquiring by the aforementioned methods any interest in agricultural land, property near military installations or critical infrastructure facilities in Florida after 1 July 2023. | 8 May 2023 | Bill 264 (CS/CS/SB 264), Laws of Florida, 8 May 2023. |
| **European Union** | | | |
| *Investment policy measures* | On 12 January 2023, Regulation (EU) 2022/2560 of the European Parliament and the Council on foreign subsidies distorting the internal market entered into force. The Regulation will enter into full application on 12 July 2023 and seeks to address some of the internal market distortions caused by foreign subsidies. The text introduces (*i*) a mandatory *ex ante* notification-based procedure to investigate concentrations and bids in public procurements fully or partially financed through foreign subsidies; (*ii*) a general tool enabling the Commission to investigate certain market situations, such as greenfield investments, by initiating a review *ex officio* or requesting an *ad-hoc* notification. | 12 January 2023 | Regulation (EU) 2022/2560 of the European Parliament and the Council of 14 December 2022 on foreign subsidies distorting the internal market, Official Journal of the European Union, L 330/1, 23 December 2022. |
| *Investment measures relating to national security* | None during reporting period. | | |

### Methodology for the inventory presented in Annex 1 — Coverage, Definitions and Sources

*Reporting period*. The reporting period of the present document is from 16 October 2022 to 15 May 2023. An investment measure is counted as falling within the reporting period if new policies were adopted or entered into force during the period.

*Investment*. For the purpose of the inventory presented in Annex 1, international investment is understood to include only foreign *direct* investment. Investment policy measures not specific to FDI are not included in this inventory but shown in Annex 2 of this report.

*Investment measure*. For the purposes of this Annex, investment measures consist of any action that either: imposes or removes differential treatment of foreign or non-resident investors compared to the treatment of domestic investors in like situations. Reporting on such policy measures has no legal effect on the rights and obligations of member states of the WTO, OECD, or UNCTAD.

*National security.* International investment law, including the OECD investment instruments, recognises that governments may need to take measures to safeguard essential security interests and public order. For the purpose of this report, national security related measures are understood as including policies which relate to national security risks associated with the acquisition, ownership or control of assets. National security related measures are included irrespective of whether the measure applies to foreigners only or whether it also covers nationals of the country that takes the measure. The investment policy community at the OECD and UNCTAD monitors these measures to help governments adopt policies which are effective in safeguarding national security and to ensure that they are not disguised protectionism.

*Sources of information and verification.* The sources of the information presented in this report are:

- official notifications made by governments to various OECD processes (e.g. the Freedom of Investment Roundtable or as required under the OECD investment instruments);
- information contained in other international organisations' reports or otherwise made available to the OECD and UNCTAD Secretariats;
- other publicly available sources: specialised web sites, press clippings etc.

Investment measures included in this report have been verified by the respective G20 members.

# Annex 2: Recent investment policy measures not specific to FDI (16 October 2022 to 15 May 2023) – Reports on individual economies[19]

| Description of Measure | Date | Source |
|---|---|---|
| **Argentina** | | |
| None during reporting period. | | |
| **Australia** | | |
| None during reporting period. | | |
| **Brazil** | | |
| On 31 December 2022, Law 14286 of 29 December 2021 entered into force, The law regulates the Brazilian foreign exchange market, Brazilian capital abroad, foreign capital in Brazil, and information disclosure to the Central Bank of Brazil. The Law harmonizes and amends Brazilian foreign exchange regulations resulting in a number of liberalisation steps including among others the reinforcement of non-discriminatory treatment, the end of restriction for remittance of royalties between headquarters and branches, as well as the revocation of previous provisions imposing reciprocity in banking services. | 31 December 2022; 29 December 2021 | Law 14.286 of 29 December 2021. |
| Resolution 278 of 31 December 2022 details some of the provisions of Law 14286. Among others, it states that information must be provided to the Central Bank for FDI transactions equal to or greater than USD 100,000. | 31 December 2022 | Resolution BCB 278 of 31 December 2022. |
| **Canada** | | |
| Effective 25 October 2022, the Province of Ontario increased the Non-Resident Speculation Tax (NRST) from 20% to 25%. The NRST applies to the purchase or acquisition of interest by foreign nationals (including non-Canadian residents), foreign corporations or taxable trustees in residential property (between one and six single family residences) located in Ontario. | 25 October 2022 | "*Non-Resident Speculation Tax*", Government of Ontario website (updated 19 May 2023). |
| **P.R. China** | | |
| On 25 October 2022, People's Bank of China (PBoC) and the State Administration of Foreign Exchange (SAFE) raised the macro-prudential adjustment parameter for cross-border financing of enterprises and financial institutions from 1 to 1.25. The measure was taken "to further improve the unified macro-prudential management of cross-border financing, expand the source of cross-border funds for enterprises and financial institutions, and guide them to optimize their liability structure". | 25 October 2022 | "*The PBC and SAFE Raise Macro-prudential Adjustment Parameter for Cross-border Financing*", PBoC news release, 25 October 2022. |
| On 19 December 2022, the China Securities Regulatory Commission (CSRC) and the Hong Kong Securities and Futures Commission (SFC) agreed in principle that the Mainland and Hong Kong stock exchanges will further expand the scope of eligible stocks under Stock Connect for both the Northbound and Southbound Trading Links to include eligible foreign companies primary-listed in Hong Kong and additional A shares listed on the Shanghai Stock Exchange (SSE) and Shenzhen Stock Exchange (SZSE). | 19 December 2022 | "*Joint announcement of the China Securities Regulatory Commission and the Hong Kong Securities and Futures Commission*", China Securities Regulatory Commission news release, 19 December 2022. |
| On 1 January 2023, new Rules on Funds Invested by Overseas Institutional Investors (OII) in China's Bond Market entered into force. The Rules notably allow OIIs to complete spot purchase and sale of foreign currencies transactions through a third-party financial institution other than settlement agents; provide additional avenues through which OIIs can hedge against foreign exchange (FX) exposures and remove the existing limit on the number of counterparties in over-the-counter (OTC) transactions; streamline the outward remittance process, encouraging long-term | 1 January 2023 | "*Improving the Management of Funds Invested by Overseas Institutional Investors in China's Bond Market to Further Open Up the Market*", PBoC news release, 18 November 2022. |

[19] This inventory has been established by the OECD Secretariat under the responsibility of the Secretary-General of the OECD.

| Description of Measure | Date | Source |
|---|---|---|
| investment in China's bond market; and clarify the FX management requirements for sovereign investors. | | |
| Also on 1 January 2023, a Notice of the People's Bank of China and the State Administration of Foreign Exchange on Matters Concerning the Proceeds Management for Yuan-Denominated Bonds Issued by Overseas Issuers in China came into force. The new Regulations unify the rules of the interbank market and exchange-traded bond market regarding proceeds registration, account opening, transfer and use of proceeds, and statistics and monitoring of yuan-denominated bonds and standardise the registration and account opening procedures, requiring pre-issuance registration with banks. They also refine the management of FX risks for yuan-denominated bonds, allowing foreign issuers to manage exchange rate risks by trading in FX derivatives with domestic financial institutions. Proceeds from yuan-denominated bond issuance may be remitted overseas. | 1 January 2023 | "*Improving Proceeds Management for Panda Bonds to Further Open the Financial Market*", PBoC news release, 2 December 2022. |
| On 31 March 2023, *Trial Administrative Measures of Overseas Securities Offering and Listing by Domestic Companies* came into effect. Announced by the China Securities Regulatory Commission (CSRC) on 17 February 2023, the trial measures regulate the filing-based administration of overseas securities offering and listing by domestic companies. Among others, the rules relax investor eligibility restrictions when domestic companies directly list or offer securities in overseas markets under certain circumstances in order to facilitate "full circulation" arrangements and ease currency restriction for overseas fund raising and dividend payment, with a view to meeting demands to raise renminbi (RMB) funds overseas. | 17 February 2023 | "*CSRC Releases New Regulations for Filing-based Administration of Overseas Offering and Listing*", China Securities Regulatory Commission news release, 17 February 2023. |
| **France** | | |
| None during reporting period. | | |
| **Germany** | | |
| None during reporting period. | | |
| **India** | | |
| On 23 January 2023, the Reserve Bank of India (RBI) decided to designate all Sovereign Green Bonds issued by the government as fully opened for non-resident investors without any restrictions (the "fully accessible route"). | 23 January 2023 | "*'Fully Accessible Route' for Investment by Non-residents in Government Securities – Inclusion of Sovereign Green Bonds*", Reserve Bank of India notification RBI/2022-23/169 FMRD.FMID.No.07/14.01.006/2022-23, 23 January 2023. |
| **Indonesia** | | |
| None during reporting period. | | |
| **Italy** | | |
| None during reporting period. | | |
| **Japan** | | |
| None during reporting period. | | |
| **Republic of Korea** | | |
| On 25 January 2023, the Korean Financial Services Commission (FSC) announced measures to improve foreign investors' access to Korean capital markets. The measures include (a) abolishing the foreign investor registration requirement (foreign corporate entities and individual investors will be allowed to invest in Korean capital markets using their legal entity identifiers (LEIs) or passport numbers), (b) facilitating the use of omnibus account for foreign investors (Authorities will abolish the | 25 January 2023 | "*FSC announces measures to improve foreign investors' access to Korean capital markets*", Financial Services Commission Press release, 25 January 2023. |

| Description of Measure | Date | Source |
|---|---|---|
| investment reporting requirement under which the end-investor of omnibus account needs to instantly report completed investment transactions at the moment of settlement), (c) enabling more convenient OTC transactions by foreign investors and (d) expanding the scope of obligations to provide disclosures in English language. | | |
| **Mexico** | | |
| None during reporting period. | | |
| **Russian Federation** | | |
| On 29 September 2022, the Central Bank of the Russian Federation (CBR) allowed legal entities to buy securities of issuers from "unfriendly states" without restrictions, regardless of whether they have the status of a qualified investor or not. Non-qualified individual investors, in turn, were banned from purchasing additional foreign securities from "unfriendly states" from January 2023, following a period of gradually declining upper limits of such securities in individual investors' portfolios between 1 October 2022 and end-December 2022. | 29 September 2022 | "*Bank of Russia clarifies rules for selling foreign securities to non-qualified investors*", Bank of Russia media release, 29 September 2022. |
| Likewise on 29 September 2022, the CBR extended for another six months until March 2023 restrictions on money withdrawals abroad. | 29 September 2022 | "*Bank of Russia extends restrictions on money withdrawals abroad for another six months*", Bank of Russia media release, 29 September 2022. |
| Still on 29 September 2022, the CBR extended for six months the restrictions for non-residents (legal and natural persons) from "unfriendly states" to transfer money abroad from brokerage and trust management accounts. | 29 September 2022 | "*Bank of Russia extends restrictions for non-residents from unfriendly states to transfer money abroad from brokerage and trust management accounts*", Bank of Russia media release, 29 September 2022. |
| On 30 November 2022, the CBR extended, until 1 April 2023, the restriction on the circulation of certain foreign securities blocked by international depositories that were earlier transferred into non-trading accounts. | 30 November 2022 | "*Bank of Russia extends restrictions on exchange trade in blocked securities*", Bank of Russia media release, 30 November 2023. |
| On 22 December 2022, the CBR announced that it would extend until October 2023 the temporary moratorium on the delisting of foreign issuers' securities admitted to public trading in the Russian Federation upon the exchange's decision pursuant to Clause 4 of Article 51.1 of the Federal Law 'On the Securities Market' in the case of their delisting on a foreign exchange conforming to the criteria established by the CBR, as well as the temporary permit not to comply with the requirement for maintaining foreign issuers' securities on the quotation list stipulated by Appendix 2 or Appendix 5 to Bank of Russia Regulation No. 534-P.<br>The CBR also extended until September 2023 the temporary permit not to comply with the requirement for avoiding delayed fulfilment of a foreign issuer's obligations on its bonds, in order to keep such bonds on the Russian exchange's quotation list, as well as the permit not to disclose, in the list of securities admitted to on-exchange trading and in the registration card of a security, information on facts of a default and/or a technical default of a foreign bond issuer. | 22 December 2022 | "*Regulatory easing for securities issuers and exchanges in 2023*", Bank of Russia media release, 22 December 2022. |
| Effective 1 March 2023, the CBR raised reserve requirements on local currency liabilities by 1 percentage point to 4% and reserve requirements on foreign exchange liabilities by 2 percentage points to 7%. | 13 February 2023 | "*Bank of Russia to increase required reserve ratios from March*", Bank of Russia media release, 13 February 2023. |
| On 6 March 2023, the CBR extended until September 2023 foreign cash withdrawal restrictions that had been in place since March 2022, when resident individuals were prohibited from withdrawing more than USD 10,000 in cash. Also, foreign cash transferred without opening an account or via electronic wallets must be withdrawn in rubles. Resident legal entities can withdraw foreign cash to cover their business travel expenses, but no more than USD 5000. Non-resident legal entities may not withdraw cash in USD, EUR, GBP, or JPY. | 6 March 2023 | "*Bank of Russia extends restrictions on foreign cash withdrawals for another six months until 9 September 2023*", Bank of Russia media release, 6 March 2023. |
| On 20 March 2023, the CBR announced that, beginning on 1 October 2023, banks will be obliged to use only Russian platforms and financial infrastructure for financial messaging associated with money transfers in the territory of the Russian Federation. | 20 March 2023 | "*New financial messaging rules for Russia approved*", Bank of Russia media release, 20 March 2023. |

| Description of Measure | Date | Source |
|---|---|---|
| **Saudi Arabia** | | |
| None during reporting period. | | |
| **South Africa** | | |
| None during reporting period. | | |
| **Türkiye** | | |
| Effective 1 November 2022, the Turkish Banking regulator (BRSA) announced that non-financial Turkish legal entities, which are subject to independent audit and have FX assets exceeding TRY 10 million, are prohibited from utilizing commercial cash loans denominated in TRY in case their foreign exchange assets exceed 5% of their total assets according to the most up-to-date financial statements submitted to the tax authority, prepared in accordance with the Tax Procedure Law and related regulations, whichever is greater. Previously, the prohibition only applied to entities that had FX assets above TRY 15 million and the FX asset ratio exceeded 10%. | 1 November 2022 | Decision of the Banking Regulation and Supervision Board 10389, BRSA, 21 October 2022. |
| On 31 December 2022, the Central Bank of the Republic of Türkiye (CBRT) announced the extension of the security maintenance requirement to other financial institutions and expansion of the scope of assets and liabilities subject to it. In addition to banks, other financial institutions have been included in the scope of the securities maintenance regulation, and during the first phase, factoring companies have been required to maintain securities according to the interest rate they apply to Turkish lira (TRY)-denominated factoring receivables. The period of the implementation that stipulate banks to maintain securities according to loan interest rate and loan growth rate has been extended until 29 December 2023. From 23 June 2023, the facilities of maintaining gold for TRY reserve requirements will be terminated. The scope of assets and liabilities of banks subject to the securities maintenance practice has been expanded to cover, with regards to liabilities, funds obtained from FX-denominated repo transactions with domestic real persons and the real sector; and transactions to de-recognise FX liabilities subject to the securities maintenance via engaging in financial derivative transactions with FX funders; and with regard to securities on the assets side, issued by the real sector and the features of which are determined by the CBRT. | 31 December 2022 | "*Press Release on Macroprudential Measures (2022-56)*", Central Bank of the Republic of Türkiye, 31 December 2022. |
| Effective 20 January 2023, reserve requirement ratios for TRY deposit accounts with maturities longer than three months have been set at zero percent. Also, reserve requirement ratios are set at zero percent for the increase in FX liabilities with maturities longer than six months provided directly from abroad until the end of 2023. | 20 January 2023 | "*Press Release on Macroprudential Measures (2023-02)*", Central Bank of the Republic of Türkiye, 15 January 2023. |
| On 26 January 2023, when selling their FX obtained from abroad to the CBRT, firms will be provided with a FX conversion support corresponding to 2% of the amount converted into TRY, in return for their pledge. Once firms have sold at least 40% of the FX they have brought into the country from abroad to the CBRT, they will be able to deposit the remaining part of the FX they brought from abroad into FX-protected conversion accounts, and in return for their pledge, firms will be provided with a FX conversion support of 2% of the amount converted into TRY. | 26 January 2023 | "*Press Release on Supporting Conversion of Firms' Foreign Exchange Obtained From Abroad Into Turkish Liras (2023-05)*", Central Bank of the Republic of Türkiye, 26 January 2023. |
| As of 24 February 2023, the CBRT set the 'liraisation' target in deposits for the first half of 2023 at 60%. Accordingly, the securities maintenance ratio has been raised to 10% from 5%, whereas banks that exceed the 60% TRY share target in real and legal person deposits are subject to a discounted securities maintenance ratio (where the share is between 60 and 70 percent, the discount is 5-percentage points, and where the share is above 70%, a 7-percentage point discount is applied). For banks with TRY shares below the 60% target, the previously determined additional ratios will continue to be applied by adding them to the securities maintenance ratio. | 24 February 2023 | "Press Release on Macroprudential Measures (2023-01)", Central Bank of the Republic of Türkiye, 7 January 2023. |
| **United Kingdom** | | |
| None during reporting period. | | |
| **United States** | | |
| None during reporting period. | | |

| Description of Measure | Date | Source |
|---|---|---|
| **European Union** | | |
| None during reporting period. | | |

**Methodology for the inventory presented in Annex 2 — Coverage, Definitions and Sources**

*Reporting period.* The reporting period of the present document is from 16 October 2022 to 15 May 2023. An investment measure is counted as falling within the reporting period if new policies were adopted or entered into force during the period.

*Investment.* For the purpose of the inventory presented in Annex 2, international investment is understood to include all international capital movements; however, measures specifically concerning foreign direct investment are not reported in this Annex, but rather in Annex 1 of the present document.

*Investment measure.* For the purposes of this Annex 2, investment measures consist of any action that either (i) imposes or removes differential treatment of foreign or non-resident investors compared to the treatment of domestic investors in like situations; or (ii) imposes or removes restrictions on international capital movements.

Reporting on international capital movements has no legal effect on the rights and obligations of member states of the WTO, OECD, or UNCTAD.

*Sources of information and verification.* The sources of the information presented in this report are:

- official notifications made by governments to various OECD processes (e.g. the Freedom of Investment Roundtable or as required under the OECD investment instruments);
- information contained in other international organisations' reports or otherwise made available to the OECD Secretariat;
- other publicly available sources: specialised web sites, press clippings etc.

Investment measures included in this report have been verified by the respective G20 members.

## Annex 3: Measures specific to FDI adopted in relation to the Russian Federation and Belarus in the context of the war in Ukraine and measures taken by the Russian Federation in this context (16 October 2022 to 15 May 2023)

| Description of Measure | Date | Source |
|---|---|---|
| **Argentina** | | |
| None during reporting period. | | |
| **Australia** | | |
| None during reporting period. | | |
| **Brazil** | | |
| None during reporting period. | | |
| **Canada** | | |
| None during reporting period. | | |
| **P.R. China** | | |
| None during reporting period. | | |
| **France** | | |
| France implements and applies measures adopted by the EU. | | |
| **Germany** | | |
| Germany implements and applies measures adopted by the EU. | | |
| **India** | | |
| None during reporting period. | | |
| **Indonesia** | | |
| None during reporting period. | | |
| **Italy** | | |
| Italy implements and applies measures adopted by the EU. | | |
| **Japan** | | |
| None during reporting period. | | |
| **Republic of Korea** | | |
| None during reporting period. | | |

| Description of Measure | Date | Source |
|---|---|---|
| **Mexico** | | |
| None during reporting period. | | |
| **Russian Federation** | | |
| On 29 October 2022, Government Directive No. 3216 entered into force, with the aim of amending the list of "unfriendly countries" to which countersanctions apply, so as to provide the wording "Great Britain (including the British Crown Dependencies and British Overseas Territories)". | 29 October 2022 | Decree of the Government of the Russian Federation, No. 3216, Official Internet portal of legal information, 29 October 2022. |
| On 5 December 2022, Presidential Decree No.876 entered into force. The Decree extends the temporal application of Presidential Decree No.520 of 5 August 2022, which was initially due to expire on 31 December 2022, until 31 December 2023. The extended Decree contains a general prohibition of a series of transactions with regard to shares in Russian strategic companies, companies partaking in the oil and gas consortium "Sakhalin-1", and Russian companies active in specified sectors, e.g., production of equipment for fuel and energy sector companies, production of refined products of crude oil, credit institutions.<br>On 26 October 2022, by virtue of an Order of the President of the Russian Federation the list of credit institutions subject to the Decree was approved, while an Order of 9 November 2022 as provided for in the above-mentioned Decree, approved the list of manufacturers of equipment for organizations of the fuel and energy complex and companies that provide maintenance and repair services for such equipment, producers and suppliers of thermal and electric energy and companies that process oil, oil feedstock and produce their processed products. | 26 October 2022;<br>9 November 2022;<br>5 December 2022 | Order of the President of the Russian Federation, No. 357, Official Internet portal of legal information, 16 October 2022.<br>Order of the President of the Russian Federation, No. 372, Official Internet portal of legal information, 9 November 2022.<br>Presidential Decree No. 876, Official Internet portal of legal information, 5 December 2022. |
| On 17 January 2023, the President of the Russian Federation issued Decree No.16, which allows Russian companies operating in the energy, machinery manufacturing, and trade sectors to change their corporate decision-making to prevent minority shareholders and their appointed directors linked to foreign States that have imposed sanctions on the Russian Federation or controlled by such States from voting at shareholder meetings. The decree applies under certain conditions: (i) if a company's controlling shareholder or ultimate beneficial owner is sanctioned by a foreign State, and (ii) the shareholders from the mentioned foreign States hold less than 50% equity interest in the company, and (iii) the company's annual revenue exceeds 100 billion rubles. The decree is temporary and has an effect until 31 December 2023. | 17 January 2023 | Decree of the President of the Russian Federation No. 16 "On the temporary procedure for making decisions by the bodies of some Russian business entities, 17 January 2023. |
| **Saudi Arabia** | | |
| None during reporting period. | | |
| **South Africa** | | |
| None during reporting period. | | |
| **Türkiye** | | |
| None during reporting period. | | |
| **United Kingdom** | | |
| Between 5 December and 16 December 2022 the United Kingdom adopted two amendments to The Russia (Sanctions) (EU Exit) Regulations 2019. Among others, these amendments prohibit new investments in the Russian Federation via third countries and tightens existing regulations on investments, loans, securities and money market instruments. | 5 December 2022;<br>16 December 2022. | The Russia (Sanctions) (EU Exit) (Amendment) (No. 16) Regulations 2022, 5 December 2022;<br>The Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022, 16 December 2022;<br>The amending Regulations adopted with respect to The Russia (Sanctions) (EU Exit) Regulations 2019 are listed |

| Description of Measure | Date | Source |
|---|---|---|
| | | on the Government of the United Kingdom's Financial sanctions, Russia Guidance, as updated from time to time. |
| **United States** | | |
| None during reporting period. | | |
| **European Union** | | |
| On 16 December 2022, the European Union adopted the ninth package of sanctions against the Russian Federation. Among other sanction measures, it prohibits new investments in the mining sector, with the exception of mining and quarrying activities involving certain critical raw materials. | 16 December 2022 | Official Journal of the European Union, L 322I, 16 December 2022, 16 December 2022. |

**Methodology for the inventory presented in Annex 3 — Coverage, Definitions and Sources**

*Reporting period*. The reporting period of the present document is from 16 October 2022 to 15 May 2023. A measure specific to FDI adopted in relation to the Russian Federation and Belarus in the context of the war in Ukraine and measures taken by the Russian Federation in this context is counted as falling within the reporting period if new policies were adopted or entered into force during the period.

*Investment*. For the purpose of the inventory presented in Annex 3, international investment is understood to include only foreign *direct* investment. Investment policy measures not specific to FDI adopted in relation to the Russian Federation and Belarus in the context of the war in Ukraine and measures taken by the Russian Federation in this context are not reported in this Annex, but rather in Annex 4 of the present document.

*Investment measure specific to FDI adopted in relation to the Russian Federation or Belarus in the context of the war in Ukraine and measures taken by the Russian Federation in this context*. For the purposes of this Annex 3, investment measures specific to FDI are understood to encompass measures impacting foreign *direct* investment and international investment. These include investment-related measures as well as targeted financial measures and asset freezes, among others. Measures which *can also* affect international investment are not included, and neither are features of investment-related measures that fall within the scope of the report but which do not pertain to foreign *direct* investment. As such, trade measures such as import- (including tariffs) and export-measures are however excluded from the scope of this report. Are also excluded from the scope of this report exceptions to prohibitions as well as permits and/or licences which may authorise certain activities and transactions that are otherwise prohibited under the measures reported on. Reporting on such policy measures has no legal effect on the rights and obligations of member states of the WTO, OECD, or UNCTAD.

*Sources of information and verification*. The sources of the information presented in this report are:

- official government websites and sources on national sanctions' regimes;
- information contained in other international organisations' reports or otherwise made available to the OECD Secretariat;
- other publicly available sources: specialised web sites, press clippings etc.

Investment measures included in this report have been verified by the respective G20 members.

## Annex 4: Measures not specific to FDI adopted in relation to the Russian Federation and Belarus in the context of the war in Ukraine and measures taken by the Russian Federation in this context (16 October 2022 to 15 May 2023)[20]

| Description of Measure | Date | Source |
|---|---|---|
| **Argentina** | | |
| None during reporting period. | | |
| **Australia** | | |
| **Asset freezes**. Between 8 December 2022 and 30 March 2023, the Ministry of Foreign Affairs adopted five instruments that amend the Autonomous Sanctions (Designated Persons and Entities and Declared Persons – Russia and Ukraine) List 2014 under the Autonomous Sanctions Amendment (Russia) Regulations 2022. Among others, these designate new persons and/or entities for targeted financial measures and asset freeze. These are grouped and updated into a Consolidated List, as updated from time to time by the Department of Foreign Affairs and Trade. | 8 December 2022; 24 January 2023; 23 February 2023; 17 March 2023; 30 March 2023 | Autonomous Sanctions (Designated Persons and Entities and Declared Persons—Russia and Ukraine) Amendment (No. 22) Instrument 2022 of 8 December 2022;<br>Autonomous Sanctions (Designated Persons and Entities and Declared Persons–Russia and Ukraine) Amendment (No.1) Instrument 2023 of 24 January 2023; No.2 of 23 February 2023; No.3 of 17 March 2023; No.4 of 30 March 2023;<br>Consolidated List, Department of Foreign Affairs and Trade, as updated from time to time. |
| **Brazil** | | |
| None during reporting period. | | |
| **Canada** | | |
| **Investment-related measures and asset freezes**. Between 28 October 2022 and 5 April 2023, the Government of Canada adopted several amendments to the Special Economic Measures (Russia) Regulations (Russia Regulations), the last of which entered into force on 5 April 2023. Further, on 17 November 2022 and 5 April 2023, two amendments to the Special Economic Measures (Belarus) Regulations (Belarus Regulations) entered into force. Finally, on 10 and 29 November 2022, two amendments to the Special Economic Measures (Iran) Regulations (Iran Regulation) entered into force. These amendments add further individuals and entities to the list of designated persons and entities subject to targeted financial sanctions, including Russian persons either linked to energy, military and defence sector or held responsible for human rights violations, as well as Belarusian individuals and entities and Iranian companies held responsible for having supported in various capacities the invasion of Ukraine.<br>A consolidated list of all of the individuals and entities listed under the Russia, Ukraine and Belarus Regulations are grouped and updated under the Consolidated Canadian Autonomous Sanctions List, which is updated each time a Regulation is amended.<br>The Russia, Belarus and Iran Regulations were adopted under the Special Economic Measures Act (SEMA). | 28 October 2022; 10 November 2022; 17 November 2022; 7 December 2022; 2 February 2023; 23 February 2023; 5 April 2023. | Special Economic Measures (Russia) Regulations, Government of Canada, 17 March 2014, as amended and consolidated from time to time. The successive and separate amendments to the Russia Regulations are listed here;<br>Special Economic Measures (Belarus) Regulations, Government of Canada, 28 September 2020, as amended and consolidated from time to time. The successive and separate amendments to the Belarus Regulations are listed here;<br>Special Economic Measures (Iran) Regulations, Government of Canada, 22 July 2010, as amended from time to time. The successive and separate amendments to the Iran Regulation are listed here;<br>Consolidated Canadian Autonomous Sanctions List, as updated from time to time; |

20 This inventory has been established by the OECD Secretariat under the responsibility of the Secretary-General of the OECD.

| Description of Measure | Date | Source |
|---|---|---|
| | | Sanctions Economic Measures Act, Government of Canada, 4 June 1992, as amended from time to time. |
| **P.R. China** | | |
| None during reporting period. | | |
| **France** | | |
| France implements and applies measures adopted by the EU. | | |
| **Germany** | | |
| Germany implements and applies measures adopted by the EU. | | |
| **India** | | |
| None during reporting period. | | |
| **Indonesia** | | |
| None during reporting period. | | |
| **Italy** | | |
| Italy implements and applies measures adopted by the EU. | | |
| **Japan** | | |
| On 5 December 2022, the Government of Japan promulgated measures that ban the provision of services related to transaction of Russian-origin crude oil above a certain price ("price cap") in connection with maritime transport. | 5 December 2022 | Measures based on the Foreign Exchange and Foreign Trade Law on the situation in Ukraine, Ministry of Foreign Affairs, of 5 December 2022. |
| On 27 January and 28 February 2023, the Government of Japan announced and promulgated a series of measures that, among others, designate individuals and/or entities (including banks) from the Russian Federation as well as individuals from Ukraine's eastern and southern regions directly concerned with the Russian Federation's purported "incorporation" of these regions as subject to asset freeze. | 27 January 2023; 28 February 2023 | Measures based on the Foreign Exchange and Foreign Trade Law on the situation in Ukraine, Ministry of Foreign Affairs, of 27 January 2023 and 28 February 2023. |
| On 6 February 2023, the Government of Japan promulgated measures that ban the provision of services related to transaction of Russian-origin petroleum products above a certain price ("price cap") in connection with maritime transport. | 6 February 2023 | Measures based on the Foreign Exchange and Foreign Trade Law on the situation in Ukraine, Ministry of Foreign Affairs, of 6 February 2023. |
| **Republic of Korea** | | |
| None during reporting period. | | |
| **Mexico** | | |
| None during reporting period. | | |

| Description of Measure | Date | Source |
|---|---|---|
| **Russian Federation** | | |
| On 22 December 2022, the Subcommittee of the Government Commission for the Control of Foreign Investments introduced four additional requirements in order to obtain the issuance of permits for the execution of operations aimed at alienating securities in the share capital of Russian companies by "foreign persons associated with foreign states that commit unfriendly actions in relation to Russia, or persons under their control": (*i*) the submission of an independent assessment of the market value of assets; (*ii*) the reduction of the sale price of at least 50% of the estimated market value; (*iii*) the establishment of key performance indicators for the new owners; (*iv*) the presence of an instalment plan for 1-2 years or the voluntary transfer of funds to the federal budget of at least 10% of the value of the operation. To this end, on the Government Commission on 19 January 2023 has updated the application form. | 22 December 2022; 19 January 2023 | Extract from the minutes of the meeting of the subcommittee of the Government Commission for the Control of Foreign Investments in the Russian Federation dated December 22, 2022 No. 118/1, Ministry of Finance, 22 December 2022.<br>Extract from the minutes of the meeting of the subcommittee of the Government Commission for the Control of Foreign Investments in the Russian Federation dated January 19, 2023 No. 127/3, Ministry of Finance, 19 January 2023. |
| On 3 March 2023, the Decree of the President of the Russian Federation No. 138 entered into force. The Decree establishes the obligation to obtain a clearance for any transaction in securities of a Russian company or depositary receipts issued on Russian shares performed by persons from "unfriendly foreign States" after 1 March 2022. The clearance is issued by the Central Bank of the Russian Federation, if the proposed acquirer is a credit institution or a non-credit financial institution, or, for all other applicants, the Government Commission for Control over Foreign Investments. | 3 March 2023 | Decree of the President of the Russian Federation No. 138 "On additional temporary economic measures related to the circulation of securities", Official Internet portal of legal information, 3 March 2023. |
| On 27 March 2023, the Russian Ministry of Finance provided further details regarding the contribution by foreign individuals who sell shares in Russian companies. The contribution is applicable to foreign persons linked to foreign States that have imposed sanctions on the Russian Federation and its legal entities and citizens. The contribution can reach up to 10% of the proceeds from the sale and is payable to the federal budget. The amount of the contribution is either a minimum of 5% of the assets' market value as determined by an independent appraiser or a minimum of 10% of the assets' market value if they are sold at a discount of more than 90% of the market value. The contribution shall be assessed by the Commission for the Control of Foreign Investments, which in responsible for approving these type of sales. | 27 March 2023 | Extract from the minutes of the meeting of the subcommittee of the Government Commission for the Control of Foreign Investments in the Russian Federation dated March 2, 2023, Ministry of Finance, No. 143/4, 27 March 2023. |
| On 25 April 2023, by the Presidential Decree No. 302, the Russian Federation established a legal framework to authorize the Government to take control of Russian assets owned or managed by investors associated with "unfriendly" foreign States. The Decree is applicable under two circumstances: (i) when there are threats to Russian Federation's national security, or (ii) when Russian Federation or Russian individuals are deprived of their ownership rights to assets abroad. A list attached to the Decree identifies the specific properties subject to external administration, which may encompass both movable and immovable assets, securities, shares or stocks in Russian companies, and other property rights. According to the Decree, only the President can decide to terminate the temporary administration regime. | 25 April 2023 | Presidential Decree No. 302 "On the temporary management of certain property", Official Internet portal of legal information, 25 April 2023 |
| **Saudi Arabia** | | |
| None during reporting period. | | |
| **South Africa** | | |
| None during reporting period. | | |
| **Türkiye** | | |
| None during reporting period. | | |
| **United Kingdom** | | |
| Between 20 October and 21 April 2023, the Office of Financial Sanctions Implementation (OFSI) part of HM Treasury, published 21 notices relating to the Russia Financial Sanctions regime, on the Government of the United Kingdom's Financial sanctions, Russia GOV.UK page. These notices detailed new listings, | 20 October 2022; 21 April 2023. | New designations made under the sanctions lists as of 20 October 2022 to the end of the reporting period are listed on the |

| Description of Measure | Date | Source |
|---|---|---|
| amendments to listings and delisting's for designated persons (individuals and entities from several nationalities), who are or were subject to asset freezes under the Russia regime and published on the OFSI Consolidated List of Financial Sanctions Targets in the UK. | | Government of the United Kingdom's Financial sanctions, Russia Guidance, as updated from time to time;<br>The Consolidated List of Financial Sanctions Targets in the UK, HM Treasury, Office of Financial Sanctions Implementation, as updated from time to time. |
| **United States** | | |
| Between 5 December 2022 and 12 April 2023, the Office of Foreign Assets Control (OFAC) of the U.S. Department of the Treasury, and the U.S. Department of State designated a number of new individuals and/or entities from various nationalities whose assets are blocked and with whom U.S. nationals are generally prohibited from dealing, pursuant to Executive Order 14024 of 15 April 2021.<br>Designated individuals and entities are listed on consolidated lists, namely OFAC's Specially Designated Nationals (SDN) List and OFAC's Non-SDN Menu-Based Sanctions List, among others. | 5 December 2022; 12 April 2023. | Executive Order 14024 on Blocking Property With Respect To Specified Harmful Foreign Activities of the Government of the Russian Federation, Executive Office of the President, 15 April 2021;<br>Specially Designated Nationals (SDN) List, U.S. Department of the Treasury, OFAC, as updated from time to time;<br>Non-SDN Menu Based Sanctions List, U.S. Department of the Treasury, OFAC, as updated from time to time. |
| **European Union** | | |
| On 25 February 2023, the European Union adopted the tenth package of sanctions against the Russian Federation. It includes additional financial sanctions on 87 individuals and 34 entities, including banks. | 25 February 2023 | Official Journal of the European Union L 59 I, 25 February 2023. |

**Methodology for the inventory presented in Annex 4 — Coverage, Definitions and Sources**

*Reporting period*. The reporting period of the present document is from 16 October 2022 to 15 May 2023. A measure not specific to FDI adopted in relation to the Russian Federation and Belarus in the context of the war in Ukraine and measures taken by the Russian Federation in this context is counted as falling within the reporting period if new policies were adopted or entered into force during the period.

*Investment*. For the purpose of the inventory presented in Annex 4, international investment is understood to include all international capital movements; however, measures specifically concerning foreign direct investment are not reported in this Annex, but rather in Annex 3 of the present document.

*Investment measure*. For the purposes of this Annex 4, investment measures consist of any action that either (i) imposes or removes differential treatment of foreign or non-resident investors compared to the treatment of domestic investors in like situations; or (ii) imposes or removes restrictions on international capital movements.

Reporting on international capital movements has no legal effect on the rights and obligations of member states of the WTO, OECD, or UNCTAD.

*Sources of information and verification*. The sources of the information presented in this report are:

- official government websites and sources on national sanctions' regimes;
- information contained in other international organisations' reports or otherwise made available to the OECD Secretariat;

- other publicly available sources: specialised web sites, press clippings etc.

Investment measures included in this report have been verified by the respective G20 members.

## Annex 5: G20 members' International Investment Agreements[21]

| | BITs | | | Other IIAs | | | Total IIAs as of 15 May 2023 |
|---|---|---|---|---|---|---|---|
| | Concluded between 16 October 2022 and 15 May 2023 | Effectively terminated between 16 October 2022 and 15 May 2023 | As of 15 May 2023 | Concluded between 16 October 2022 and 15 May 2023 | Effectively terminated between 16 October 2022 and 15 May 2023 | As of 15 May 2023 | |
| Argentina | | | 54 | | | 19 | 73 |
| Australia | | | 15 | | | 25 | 40 |
| Brazil | | | 27 | | | 20 | 47 |
| Canada | | | 39 | | | 21 | 60 |
| China | | | 124 | | | 25 | 149 |
| France | | | 91 | | | 73 | 164 |
| Germany | | | 120 | | | 73 | 193 |
| India | | | 10 | | | 16 | 26 |
| Indonesia | | | 43 | | | 21 | 64 |
| Italy | | | 67 | | | 73 | 140 |
| Japan | | | 36 | | | 22 | 58 |
| Republic of Korea | | 1 | 88 | | | 26 | 114 |
| Mexico | | | 32 | | | 16 | 48 |
| Russian Federation | | | 80 | | | 6 | 86 |
| Saudi Arabia | | | 25 | | | 13 | 38 |
| South Africa | | | 38 | | | 11 | 49 |
| Türkiye | | 1 | 116 | 1 | | 23 | 139 |
| United Kingdom | | | 96 | | | 31 | 127 |
| United States | | | 45 | | | 69 | 114 |
| European Union | | | 0 | | | 73 | 73 |

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[21] The number of IIAs may be subject to revision as a result of retroactive adjustments to UNCTAD's database on BITs and "other IIAs" (https://investmentpolicy.unctad.org/international-investment-agreements).