

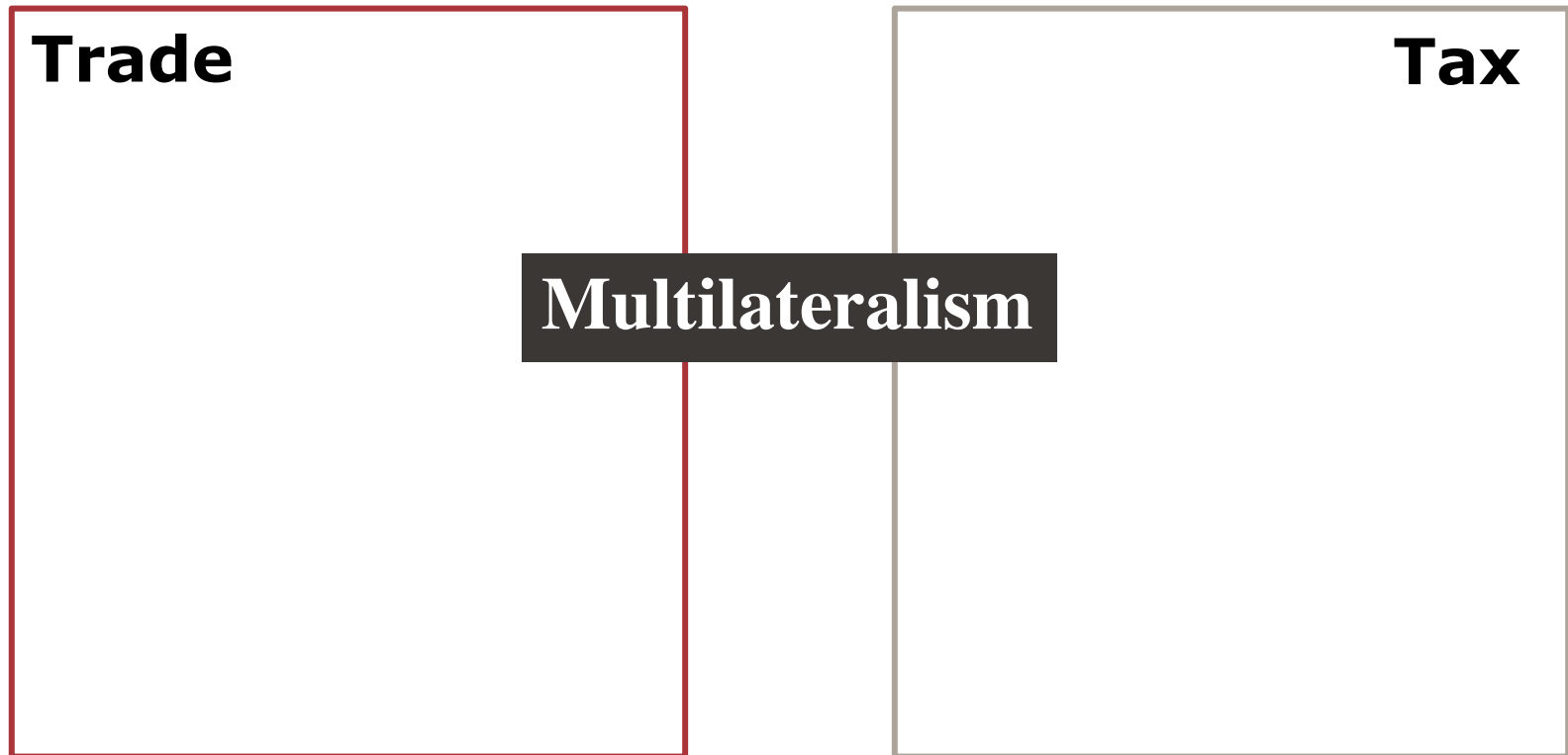
Navigating Reform Analogies

Comparative insights from the tax, trade and investment regimes

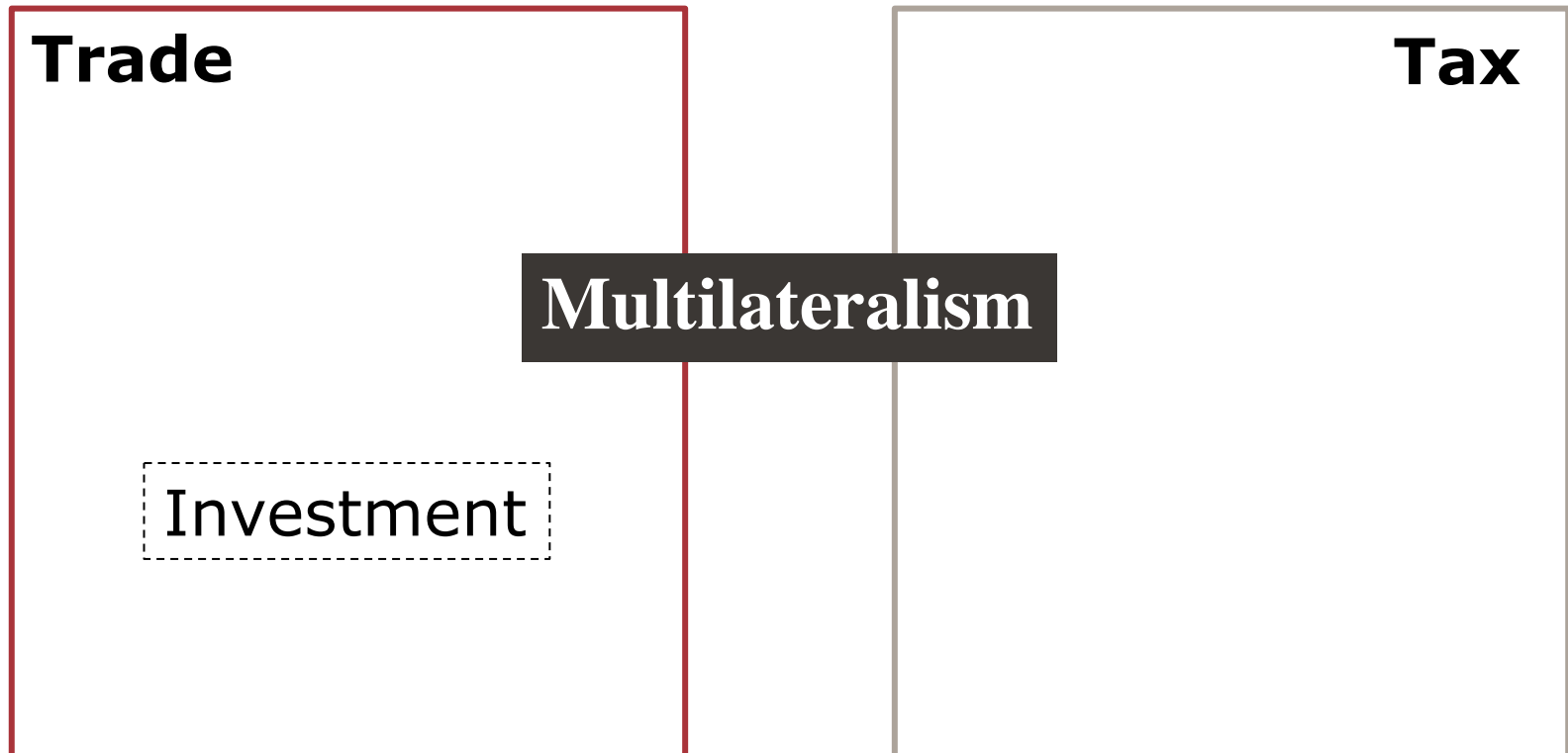
Wolfgang Alschner, 03 June 2021



Competing Frames



Competing Frames

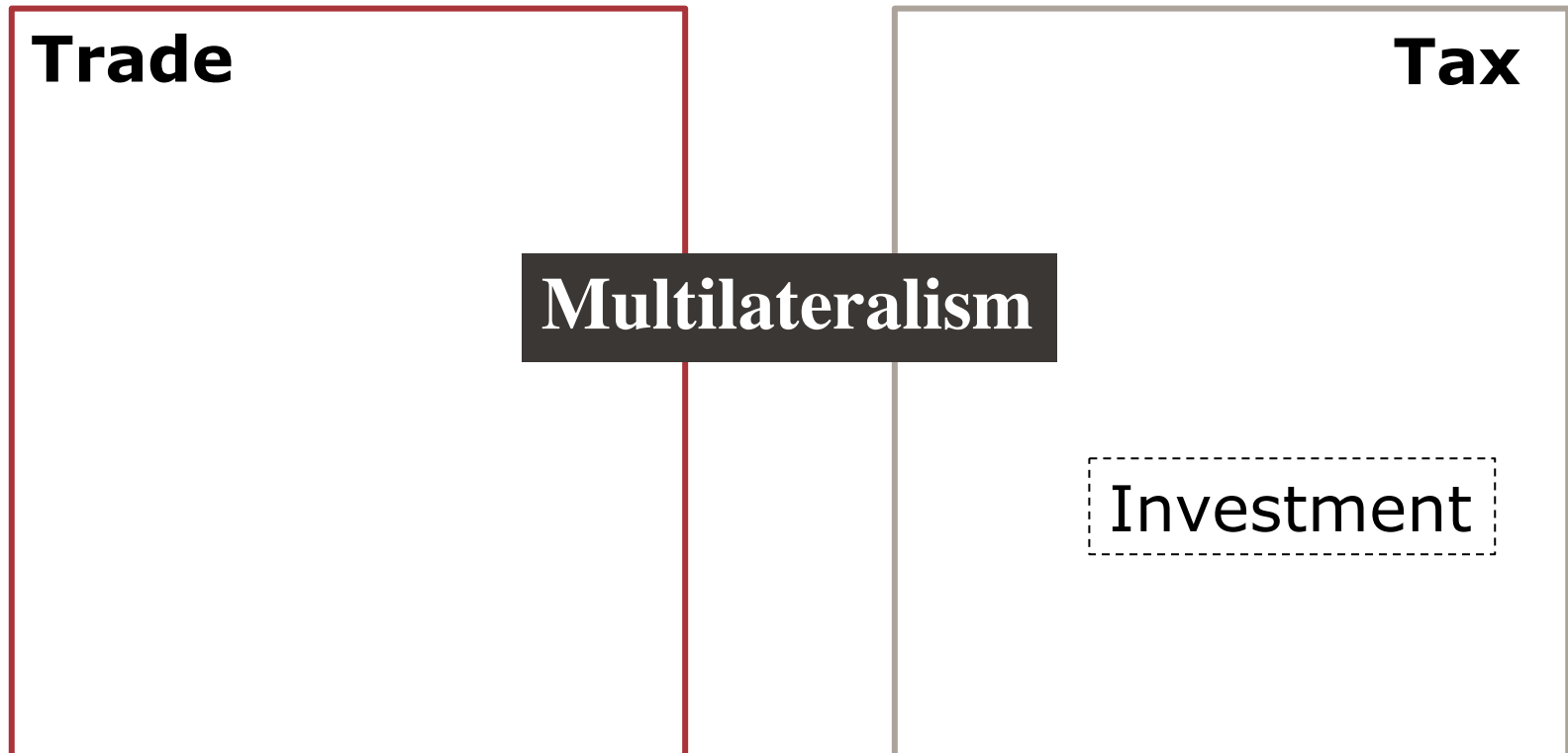


The Argument

WHEN
INVESTMENT
MET
TAX



Competing Frames



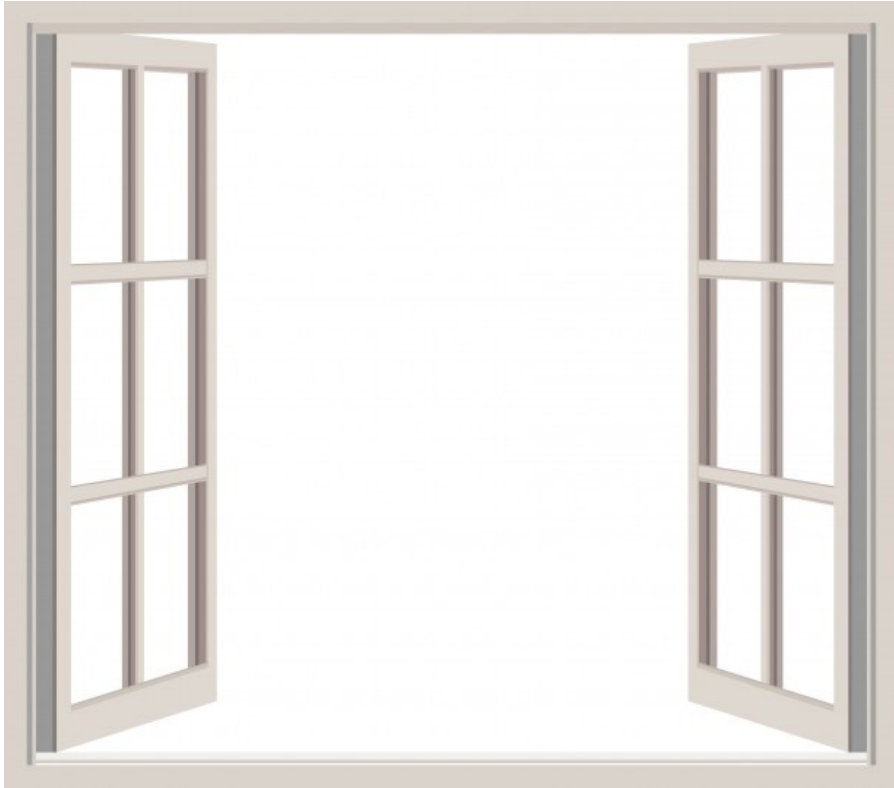
Agenda

1) Framing and reform analogies

2) Competing multilateralism frames in IEL

3) Reform analogies and investment law

Framing – What is it?



Frames are **conceptual windows** through which we see the world

Frames

- Organize ideas
- Identify what is important and what is not; what is "good" or "bad"
- Guide our actions

Framing – Why does it matter?

Looking at the same issue through different frames yields different problem diagnoses and suggests different policy solutions.

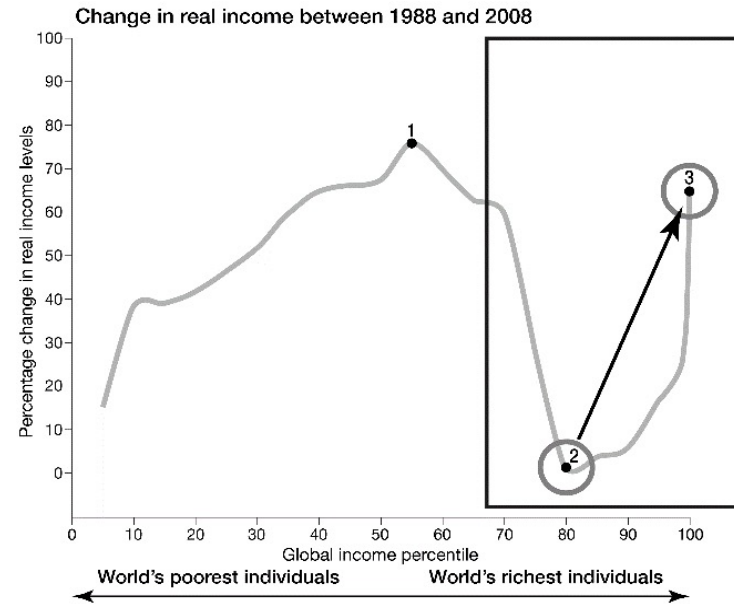
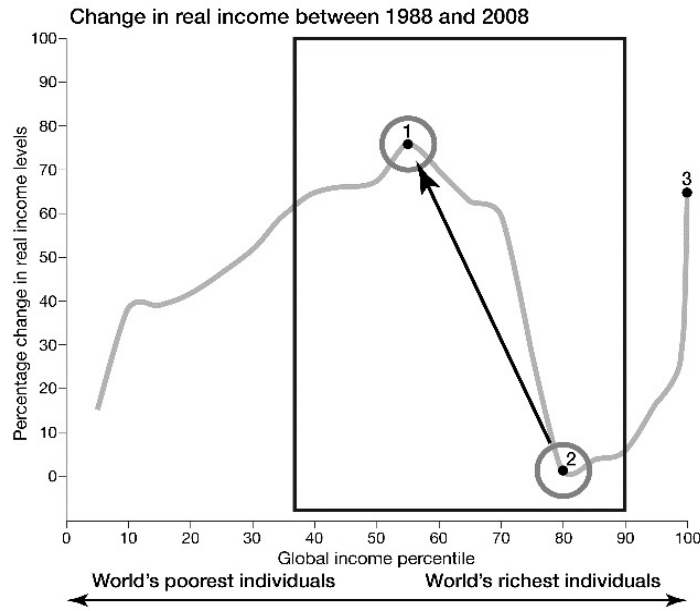
Opportunity

By **switching** frames we can assess a problem from different angles and detect new solutions

Challenge

We are often **stuck** in a frame without knowing it and talk past those with a different frame

Framing – Why does it matter?



Anthea Roberts & Nicolas Lamp. *Six Faces of Globalization: Who Wins, Who Loses, and Why It Matters*. Cambridge, Massachusetts: Harvard Univ Press, 2021.

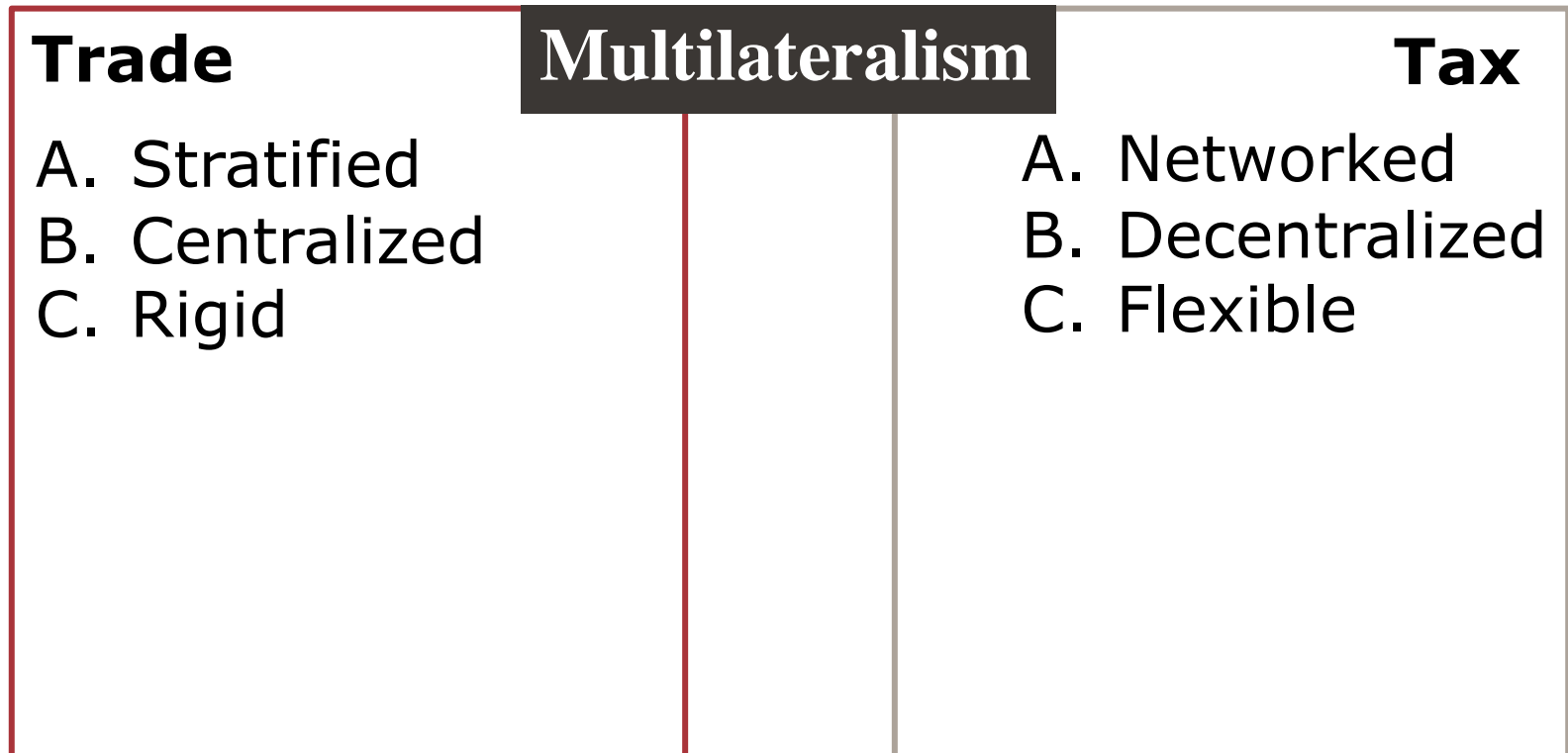
Agenda

1) Framing and reform analogies

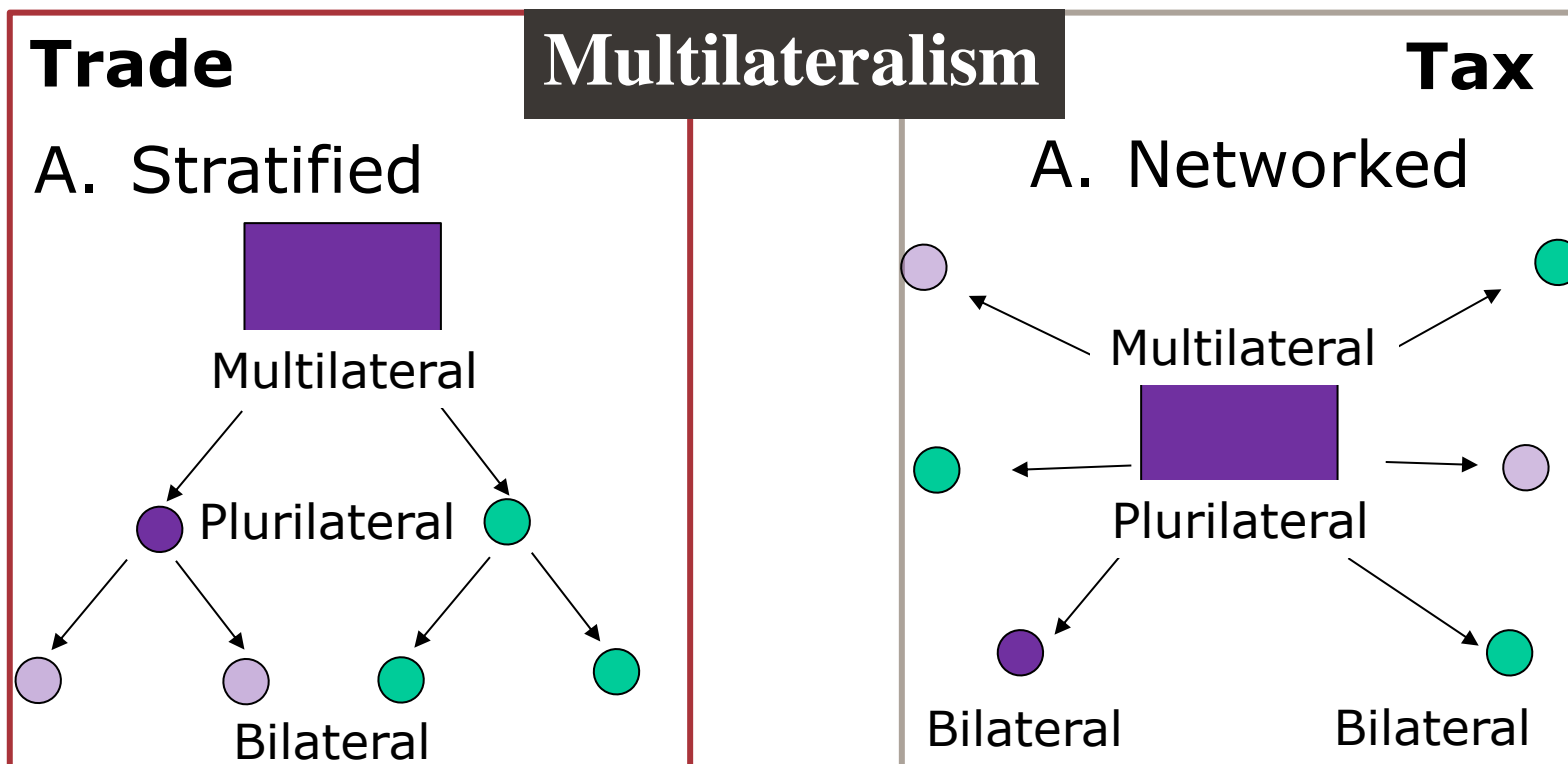
2) Competing multilateralism frames in IEL

3) Reform analogies and investment law

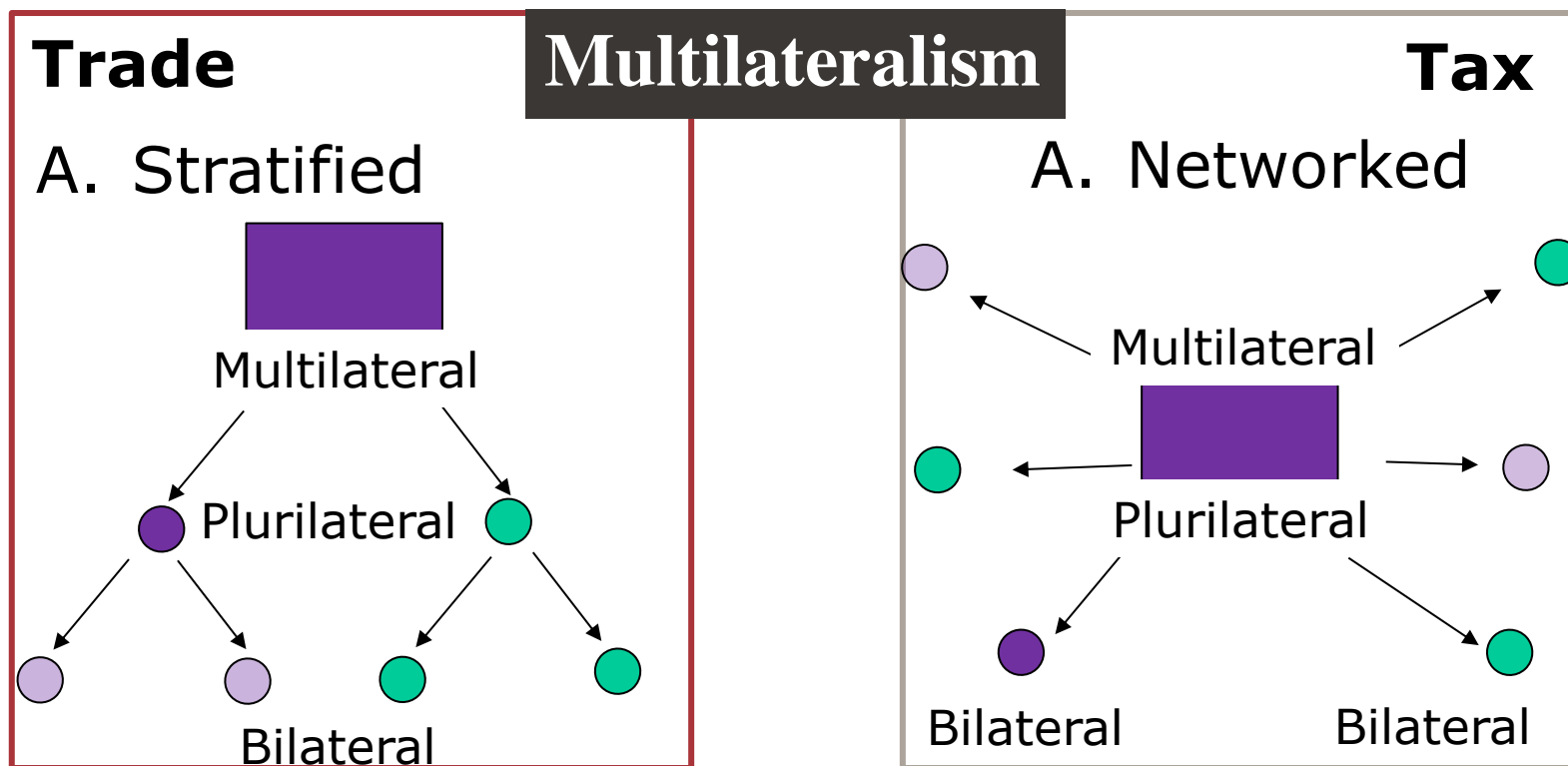
Competing Frames



Competing Frames



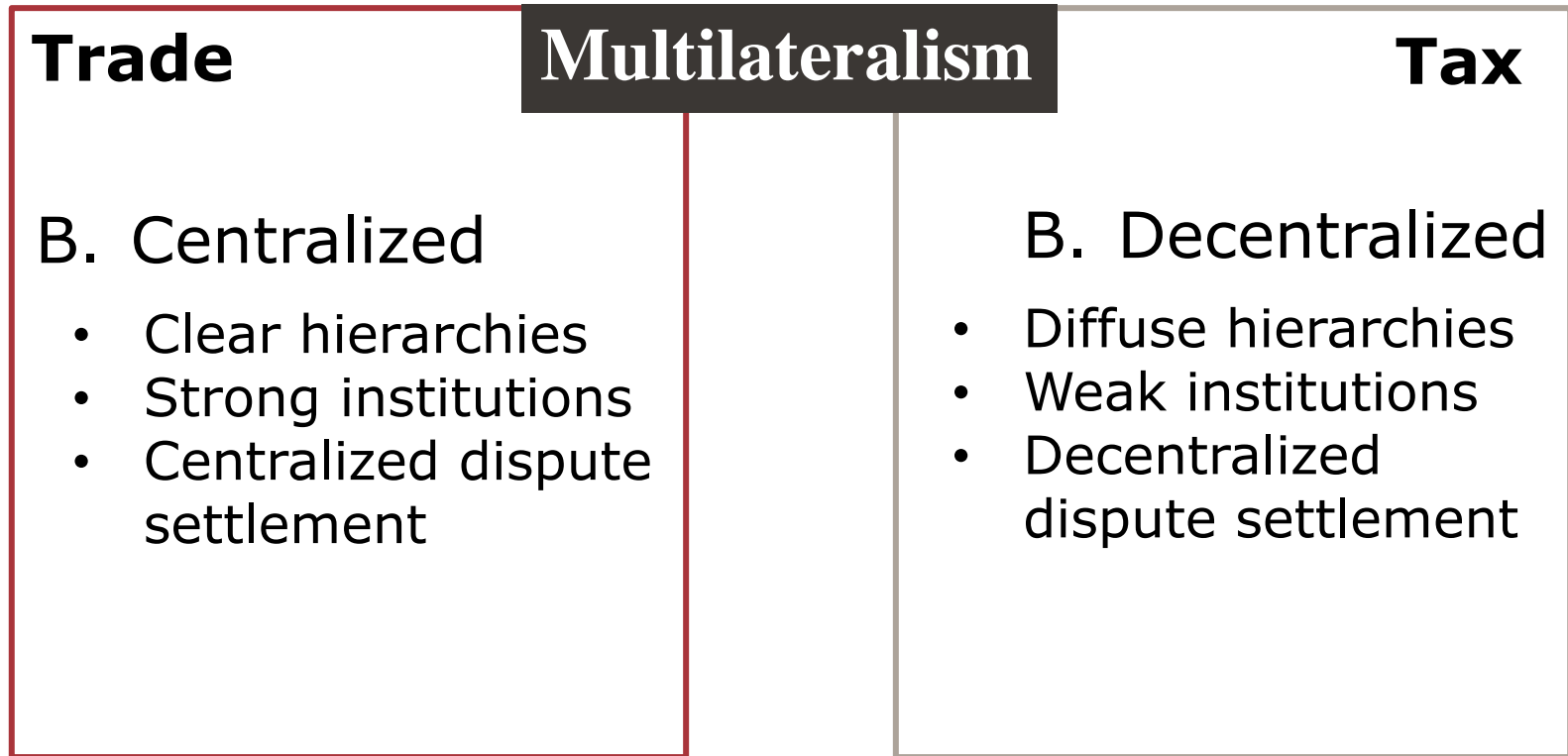
Competing Frames



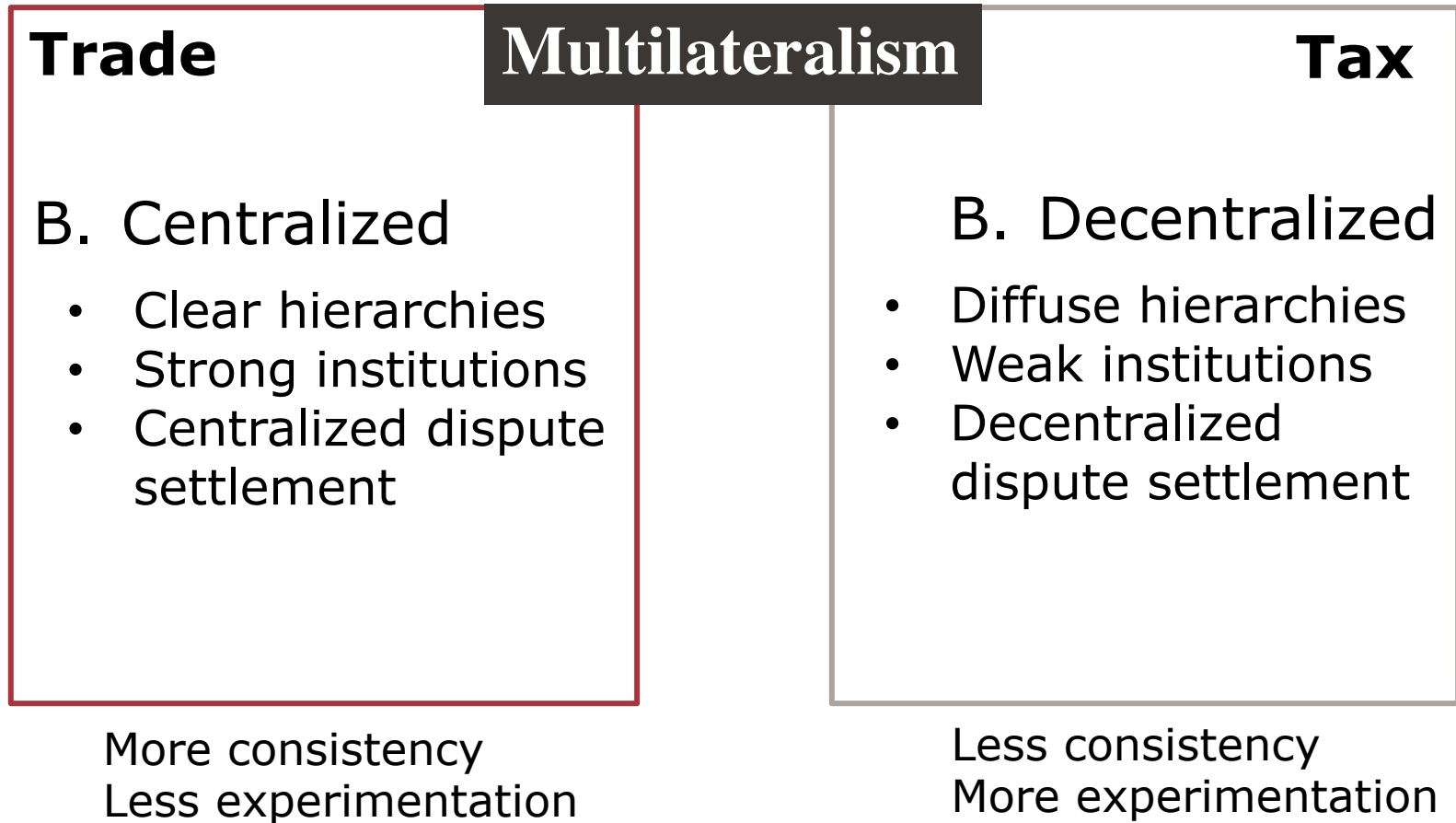
resilience through redundancy,
stable and clear ordering,
innovation diffuses slowly

innovation diffuses quickly,
dynamically adjustable,
complex to maintain

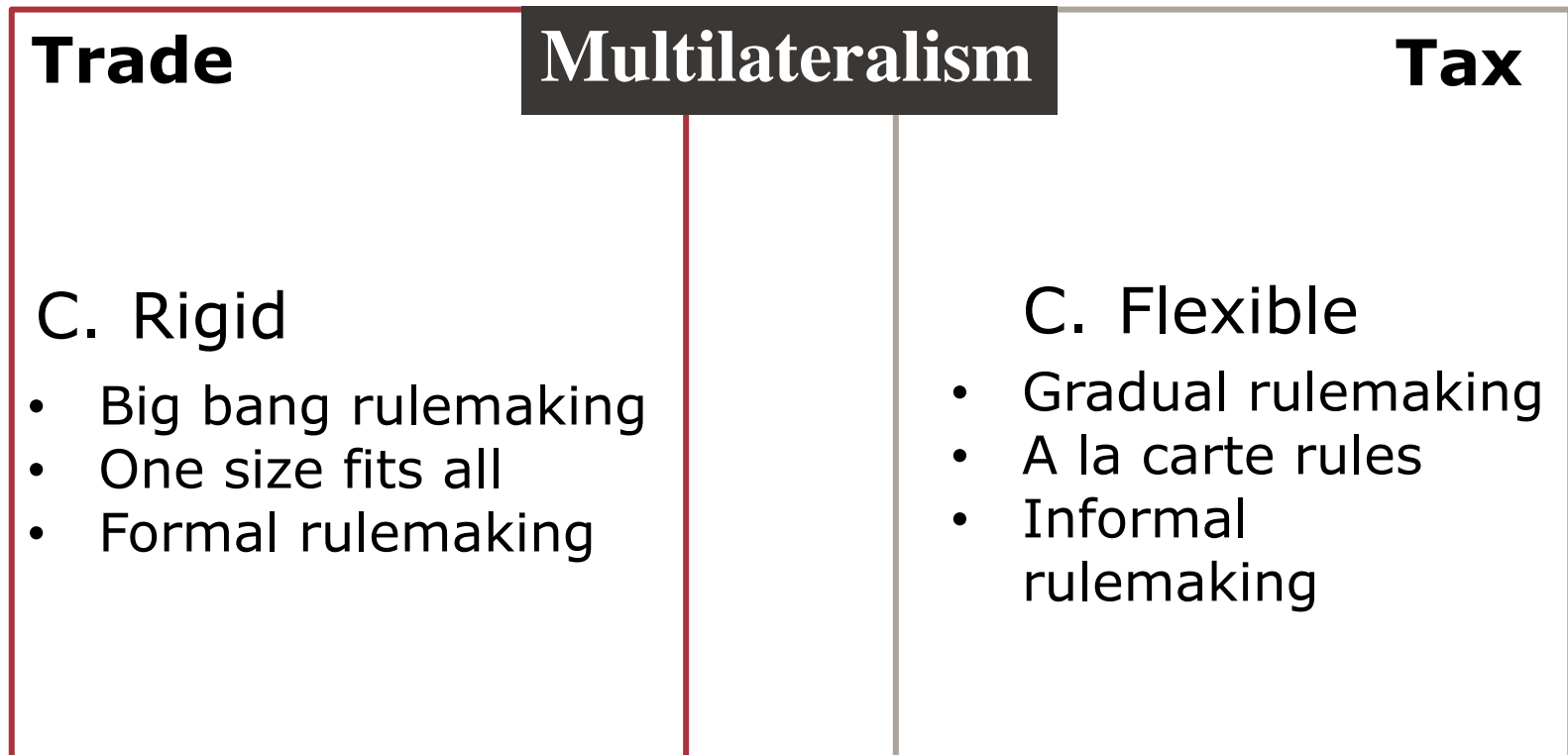
Competing Frames



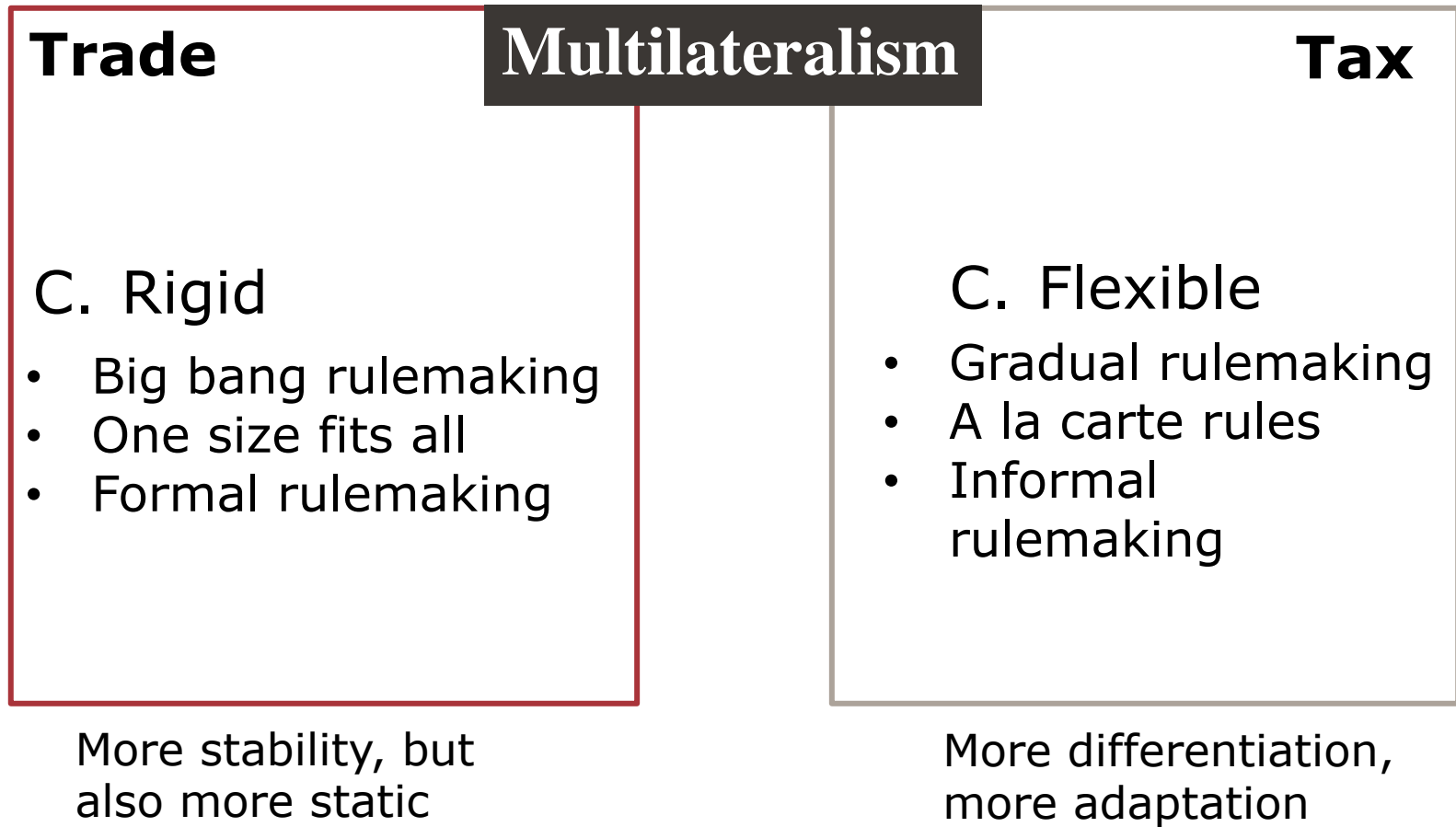
Competing Frames



Competing Frames



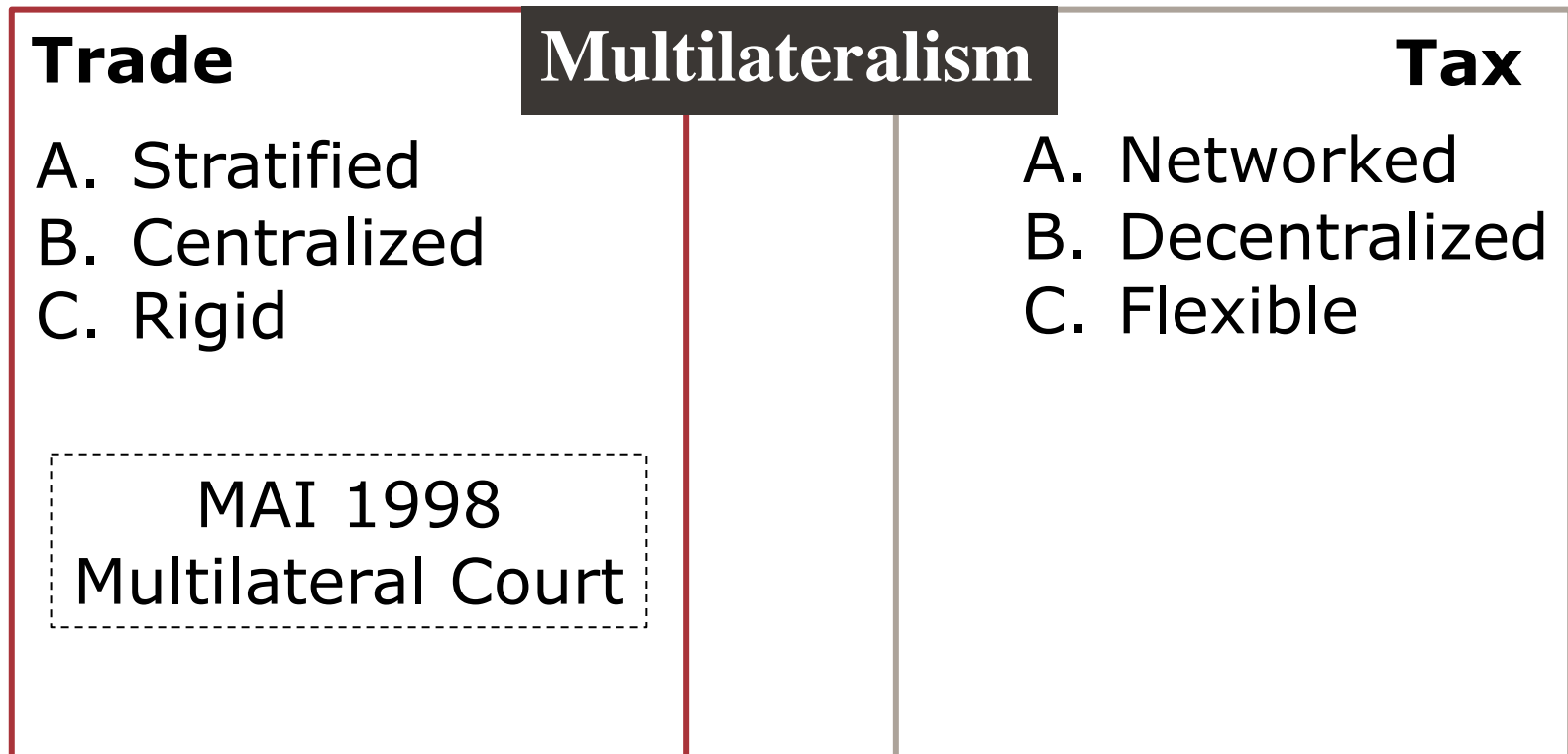
Competing Frames



Agenda

- 1) Framing and reform analogies
- 2) Competing multilateralism frames in IEL
- 3) **Reform analogies and investment law**

Competing Frames

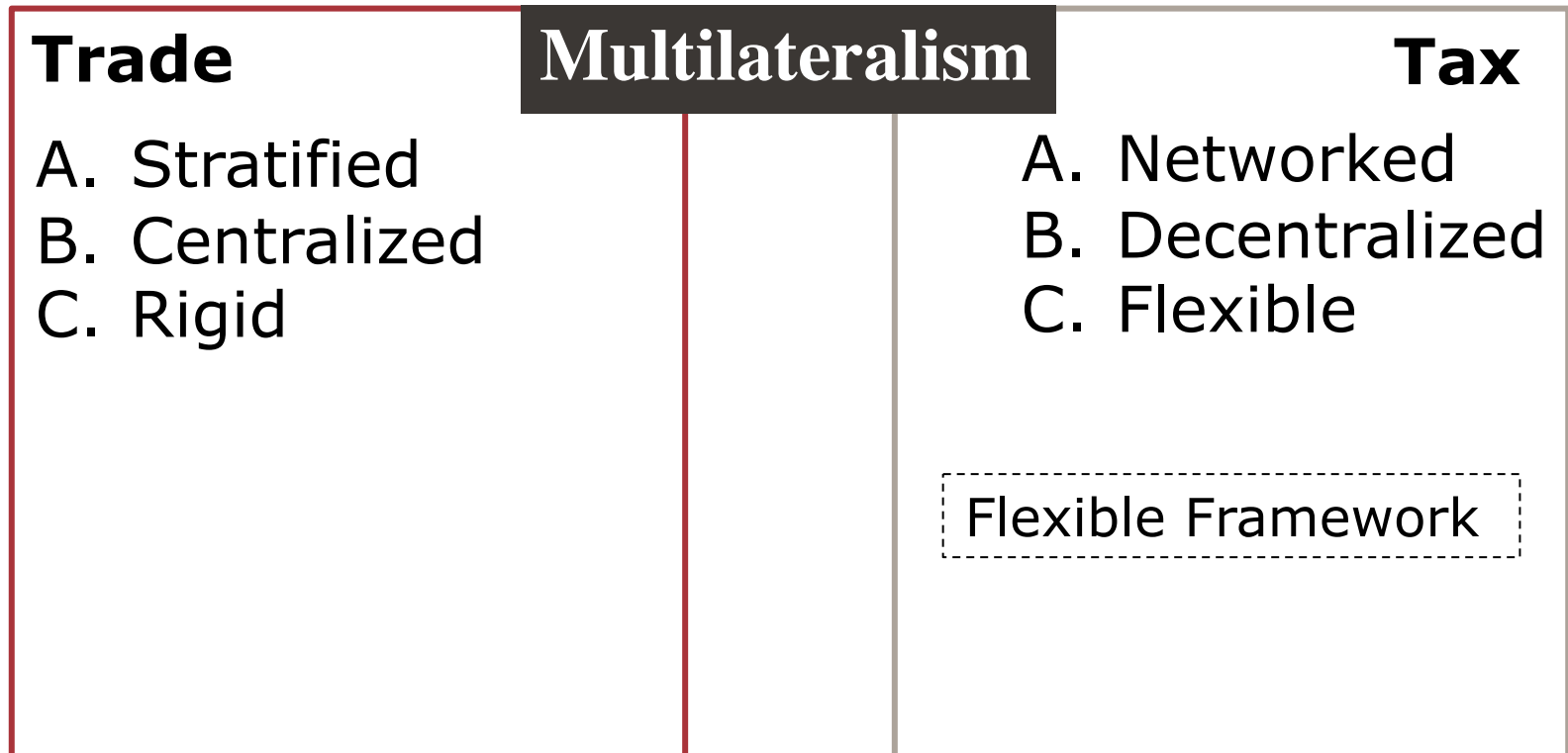


The Argument

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Competing Frames



Thank you!

Coming soon:

**Investment Arbitration and State-Driven Reform:
New Treaties, Old Outcomes**

Wolfgang Alschner
(forthcoming with OUP in 2022)