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November 2022

Locating Women in International Investment Law

Samarth Trigunayat

The University of Western Ontario, striguna@uwo.ca

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Citation of this paper:

Trigunayat, Samarth, "Locating Women in International Investment Law" (2022). *Inspiring Minds – A Digital Collection of Western's Graduate Research, Scholarship and Creative Activity*. 322.

<https://ir.lib.uwo.ca/inspiringminds/322>

Locating Women in International Investment Law

Foreign investments in third world countries often have adverse impacts on women, something which should be remedied through changes to the international investment law (IIL) regime. In June 2021, the Canadian Government published its model foreign investments protection and promotions agreement (FIPA), revising its 2004 model FIPA. This FIPA is significantly different from other IIL texts as it incorporates women centric provisions. While many have celebrated this gender sensitive approach, others describe it as a “missed opportunity” because it fails to adequately address the issues of inequality in the IIL regime. While the provisions *recognize* the importance of women in investments and *reaffirm* states and investors’ commitments to ensuring women’s empowerment, they are not backed by performance requirements and are only “best-efforts” provisions lacking enforceability. My research addresses the deficiencies in these women centric provisions in IIL and suggests frameworks to enhance gender equality through legal interventions.