

Toward Green Infrastructure Development: Dispute Prevention Mechanisms along the Belt and Road and Beyond

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Abstract : In the context of promoting green infrastructure development, new opportunities are emerging to re-examine sustainable development practices. This paper presents an initial exploration of the development of community-investor dispute prevention and facilitation mechanisms in the context of the Belt and Road Initiative (BRI) spanning Asia, Africa, and Europe. Given the widescale impact of China's multi-jurisdictional development initiative, learning how to coordinate with local communities is vital to realizing inclusive and sustainable growth. In the 20 years since the development of the first multilateral community-investor dispute resolution mechanism developed by the International Finance Centre/World Bank, much has been learned about public facilitation, community engagement, and dispute prevention during the early stages of major infrastructure development programs. This paper will explore initial findings as they relate to initiatives underway along the BRI within the Asian Infrastructure Investment Bank and the Asian Development Bank. Given the borderless nature of sustainability concerns, insights from diverse regions are critical to deepening insights into best practices. Drawing on a case-based methodology, this paper will explore the achievements, challenges, and lessons learned in community-investor dispute prevention and resolution for major infrastructure projects in the greater China region.

Keywords : law and development, dispute prevention, sustainable development, mitigation

Conference Title : ICGIICC 2022 : International Conference on Green Infrastructure and the Impacts of Climate Change

Conference Location : Rome, Italy

Conference Dates : December 15-16, 2022