Jingjing Zhang

张兢兢

Lecturer in Law

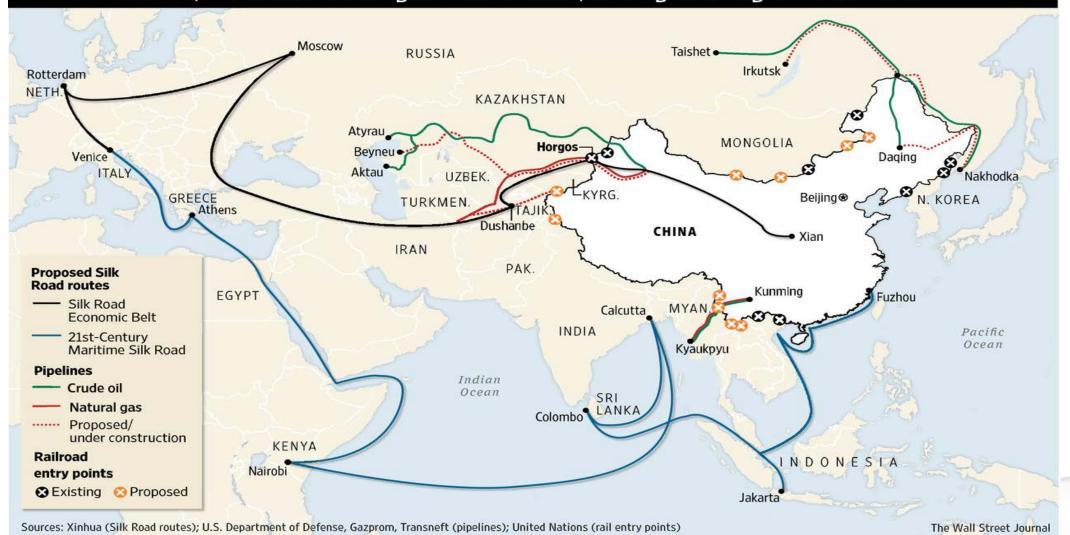
Transnational Environmental Accountability Project
University of Maryland School of Law

Environmental Accountability, from China to Around the World

- Outline
 - Some basics of Belt and Road Initiative
 - Three cases
 - Avenues for Accountability

China's Belt And Road Initiative(BRI)

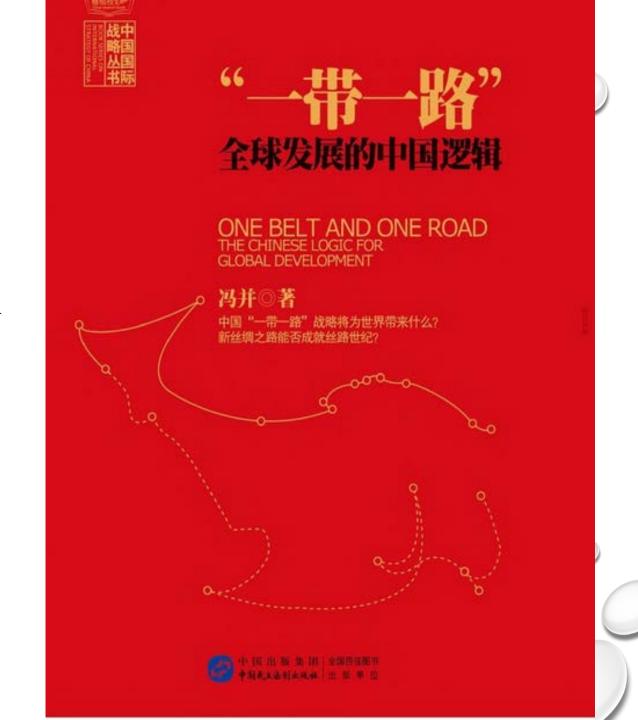
New Silk Roads | China is assembling new trade routes, binding other regions closer to it



Chinese Slogans on BRI

- China Keywords
- Chinese dream 中国梦
- Shared future for mankind
- An inclusive international order of a human community of shared destiny

人类命运共同体



Challenges facing China:

- Shared Future for Mankind v. Neocolonialism
- Non-interference Policy v. Extra-territorial Obligations to Protect Human Rights



Sierra Leone, 2017



Guandong Province, China 2007







Boke, Guinea 2018





A Lawsuit In Cuenca Ecuador 2018



China's Regulatory System on Outbound Investment

Regulations

- Measures for the Administration of Overseas Investment of Enterprises (2017)
- Measures for bad credit records in the fields of foreign investment cooperation and foreign trade (2013)
- Measures for the Administration of Overseas Investment (2014)

Government Agencies

- Ministry of Foreign Affairs
- National Development and Reform Commission (NDRC)
- Ministry of Commence (MofComm)
- International Cooperation and Development Agency
- State-owned Assets Supervision and Administration Commission(Sasarc)
- State Administration of Foreign Exchanges
- Ministry of Ecology and Environment
- China Banking and Insurance Regulatory Commission

Policies

- Guidance on Promoting Green Belt and Road (2017)
- Guidelines for Environmental Protection in Foreign Investment and Cooperation (2013)

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International Regulatory Regime

- International Environmental Treaties
 - Convention on Biodiversity
 - Recognizing the close and traditional dependence of many indigenous and local communities embodying traditional lifestyles on biological resources
- International Human Rights Treaties
 - International Covenant on Economic, Social and Cultural Rights (ICESCR)
 - UN Declaration on the Rights of Indigenous Peoples
 - UN Guiding Principle on Business and Human Rights
 - Transnational Corporations And Other Business Enterprises With Respect To Human Rights (drafting and negotiating)
- International Financial Institutes
 - IFC: The Compliance Advisor Ombudsman (CAO)

What do we need?

- Political will
- Better enforcement of laws
- Independent judiciary on both sides
- Active and knowledgeable NGOs, and effective collaborations between Chinese NGOs and their counterparts in the Global South