

Investment Law Reform in Asia: China's Evolving Approach to International Investment

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Key questions

- Is there an identifiable approach that China adopts in international investment particularly in the context of the Belt and Road Initiative (BRI)?
- How can we understand this new approach by China toward international economic governance?
 - For instance, numerous BRI agreements (e.g., MOUs) and secondary agreements (e.g., performance agreements)...

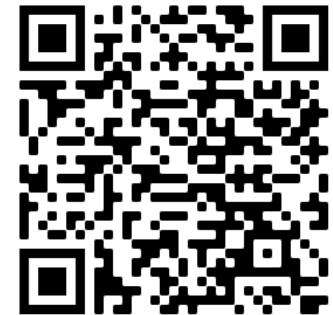
Heng Wang, [*The Belt and Road Initiative Agreements: Characteristics, Rationale and Challenges*](#), World Trade Review *FirstView*, 1-24 (2021).



China's approach: Maximised flexibility?

- The key characteristic underpinning China's approach: [maximised flexibility](#) regarding institutions and norms to address uncertainties and challenges in the BRI?
- Such flexibility will likely assist the BRI practice by enabling trial-and-error, if properly managed.
- Possible challenges: Predictability, coherence, and transparency
- The future of such flexibility remains to be seen.

Heng Wang, [*China's Approach to the Belt and Road Initiative: Scope, Character and Sustainability*](#), 22(1) Journal of International Economic Law 29-55 (2019).



China's paradigm shift in international economic governance

- In contrast with the selective adaptation approach toward external norms seen in its WTO accession (Pitman B. Potter), China is shifting toward the [selective reshaping](#) of institutions and rules within the global economic order.
 - The uploading of China-style practices to the extra-regional level?
- Perception and conception, complementarity and legitimacy are influencing components that affect selective reshaping.
 - They manifest substantially differently in this context, when compared with selective adaptation.
- Selective reshaping is likely to transform the institutions and rules within the international economic order, and carry long-term implications.
- Factors that may affect the future: COVID-19 outbreak, the dynamics of international relations...

Heng Wang, [Selective Reshaping: China's Paradigm Shift in International Economic Governance](#) 23(3)Journal of International Economic Law 583-606 (2020).

