



CHINA AND LATIN AMERICAN

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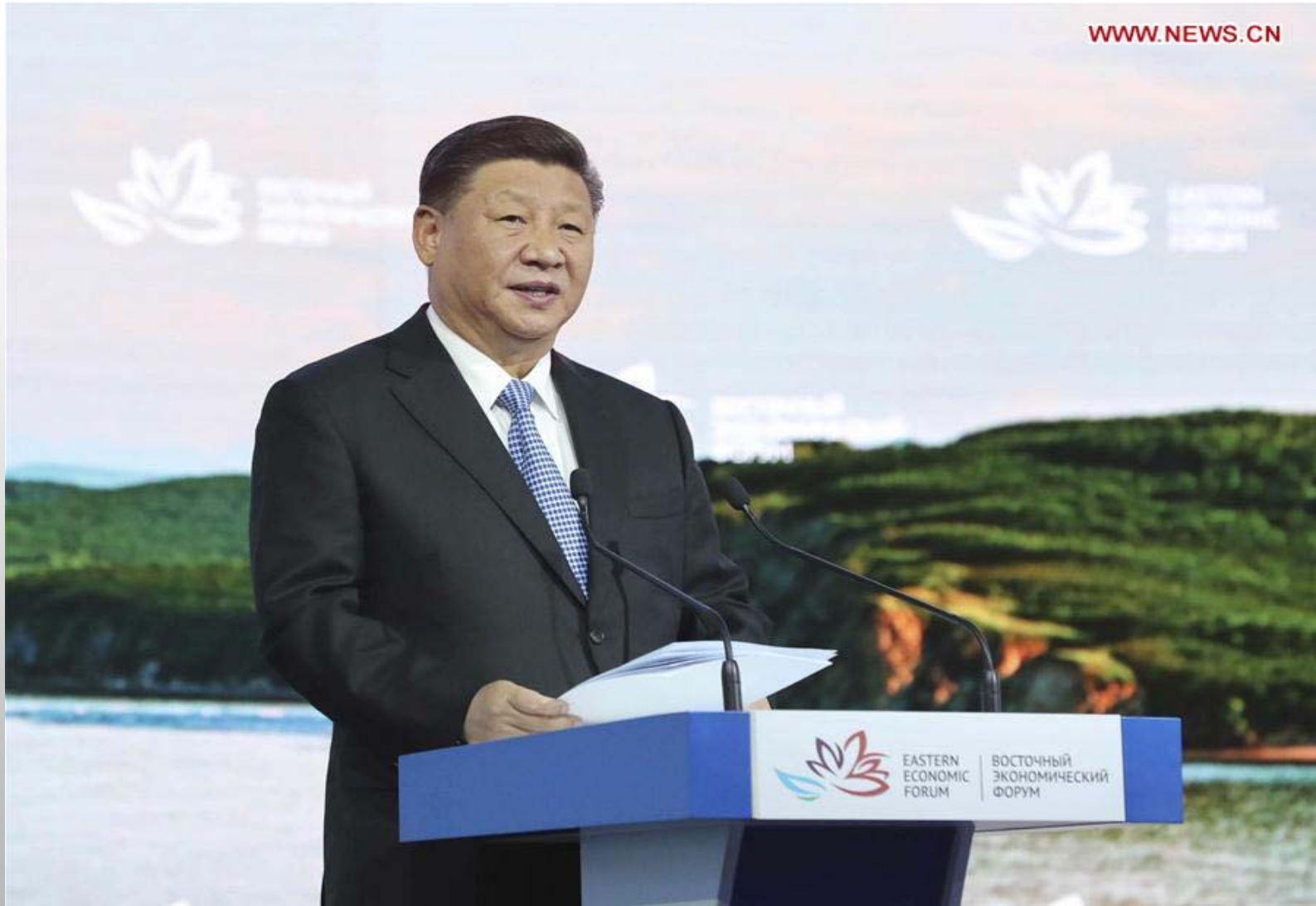
China Accountability Project



China's Political System

- A Communism Regime
 - An One-party State
 - Lands and Natural Resources publicly owned.
 - State-owned Enterprises(SOEs): CNPC,CRBC, PowerChina, Three Gorges Corporation,
- China Communist Party(CCP)
 - Politburo Standing Committee Of The Communist Party Of China
 - The life-long President Xi Jinping since Mar 2018
- The Power Structure
 - China Communist Party
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 - State Council +National People's Congress +Supreme People's Court + Supreme People's Procuratorate
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 - Provinces, cities and counties
- The Open-Door Policy and Economic Reform since 1980s; Going-out Policy since 2000

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BELT & ROAD INITIATIVE(BRI): CHINA'S "PROJECT OF CENTURY"

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





Belt And Road Countries in LAC

- Jamaica, Barbados, Grenada, the Dominican Republic, Antigua And Barbuda, Trinidad and Tobago, Costa Rica, El Salvador
 - Ecuador, Suriname, Chile, Venezuela, Uruguay, Guyana, Bolivia
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CHINA-CELAC

- Forum Of China And Community Of Latin American And Caribbean States
 - The Main Platform To Promote China-lac Overall Cooperation.
 - 2014
 - 33 country members: Antigua And Barbuda, Argentina, Bahamas, Barbados, Belize, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Dominica, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts And Nevis, Santa Lucia, Saint Vincent And The Grenadines, Suriname, Trinidad And Tobago, Uruguay, and Venezuela
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China's Governance Structure on BRI

- Government:

- Ministry of Foreign Affairs
- National Development and Reform Commission (NDRC)
- Ministry of Commerce (MofCom)
- **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

- China's main Business Associations

- China Chamber of Commerce
- China National Textile and Apparel Council
- China Mining Association China Mining Association, affiliated with Ministry of Natural Resources
- China Nonferrous Metal Industry Association, affiliated with State-owned Assets Supervision and Administration Commission
- China Chamber of Commerce of Metals Minerals & Chemicals Importers & Exporters (CCCMC) : Ministry of Commerce

Other Governmental Entities

- Chinese Banks
 - Asian infrastructure investment bank(AIIB): 97 members, Argentina, Chile, Ecuador, Bolivia, Peru and Venezuela
 - China Development Bank
 - China Exim Bank
 - Chinese Commercial Banks : ICBC, CCB
- Governmental Equity Investment Funds
 - Silk Road Fund Ltd 2014
 - China-ASEAN investment cooperation fund (“CAF”) 2010
 - An offshore quasi-sovereign equity fund
 - China-Africa development fund 2007
 - An Africa-focused equity investment fund launched by the Chinese government. Under the government-guided, company-centered, market-oriented and win-win cooperation principles...
- GNGOs
 - China-ASEAN environmental cooperation center
 - Lancang-Mekong environmental cooperation center
 - China center for SCO(shanghai cooperation organization) environmental cooperation
 - China foundation for poverty alleviation
 - China chamber of commerce of metals minerals & chemicals importers & exporters(CCCMC))

Understanding Chinese Companies

- SOE: State-owned Enterprises
 - Central government-owned (Ying Qi) :
 - CNPC: China National Petroleum Corporation
 - Provincial government owned: Tongling Nonferrous Metals Group Holdings Co, Ltd
 - City governmental owned
- Private Enterprises : Junefield Mining(Ecuagold Mining), Zijin Mining (Rio Blanco Copper S.A, Peru)
- Public Listed Companies:
 - Shanghai Stock Exchange
 - Shenzhen Stock Exchange

China's Regulatory System On Outbound Investment: International Treaties

- **International Covenant On Economic, Social And Culture Rights(ICESCR)**

- Extra-territory obligations
- Maastricht principles on extraterritorial obligations of states in the area of economic, social and cultural rights 2011
Committee on economic, social and cultural rights general comment: No. 24 on state obligations under the ICESCR in the context of business activities (July 2017).

“The covenant establishes specific obligations of states parties at three levels -- to respect, to protect and to fulfil. These obligations apply both with respect to situations on the state's national territory, and outside the national territory in situations over which states parties may exercise control”

- **Convention of Bio Diversity :COP 15(conference of the parties) in Kunming, China Nov 2020**

- **UN Guiding Principle of Business and Human Rights 2011: endorsed**

“for States and companies to prevent, address and remedy human rights abuses committed in business operations”.

- **Goal Pact Of The Environment Under UNEP 2018**

China's Official Statements on Indigenous People

- **ILO 169**: didn't sign
- **UN Declaration Of Indigenous People: supported**
 - Although China has no indigenous people, it firmly supports the promotion and protection of the basic rights and freedom of indigenous peoples.
 - China would like to reiterate that currently, there is no international consensus on the definition of "indigenous people", and that not all countries have indigenous people, still less should native residents be equated to indigenous people.
 - The specific arrangements for enhancing the participation of indigenous peoples in UN meetings must be in line with the purposes and principles of the UN Charter, respect **the sovereignty, territorial integrity** and political unity of member states and effectively maintain the inter-governmental nature of the United Nations.

China's Regulatory System On Outbound Investment: Laws And Regulations

- **Laws**

- Measures for the administration of overseas investment of enterprises by NDRC Dec 2017 《企业境外投资管理办法》
- List of sensitive sectors for outbound investment (2018) by NDRC

- **Policies**

- Guide To Environmental Protection In Foreign Investment Cooperation 2013
- Green Belt and Road Guidance 2017
- Guidelines for social responsibility in Chinese outbound mining investment 2016
- Due diligence guidelines for responsible mineral supply chains 2015
 - By Chinese chamber of commerce for minerals, metals and chemicals importers and exporters (CCCMC)

The Appellant Court Hearing In Cuenca Ecuador







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