

CONTENTS

<i>List of Figures</i>	<i>page</i>	xi
<i>List of Tables</i>		xii
<i>Acknowledgments</i>		xiii
<i>List of Abbreviations</i>		xv
PART I	Global Principles of Community Engagement in Infrastructure Development	1
1	Introduction: Is an Ounce of Prevention Worth a Pound of Cure? Assessing the Development of Dispute Prevention Mechanisms in Infrastructure Financing	3
	Public Facilitation for Major Infrastructure Projects	4
	Research Approach	5
	Key Findings of the Study	11
	Structure of the Book	12
	Future Directions and Recommendations	17
2	Emerging Global Principles of Community Engagement in Infrastructure Projects	19
	Forging MDB Accountability through Crises in the 1980s	21
	Emergence of Global Principles of Community Engagement	25
	Transnational Innovation of Investor–Community Dispute Resolution Principles	28

Contributions and Limits of Soft Law-Derived Community Grievance Mechanism	30
Conclusion	32
3 Dispute Mitigation in Global Multilateral Development Banks	33
Emergence of Community–Investor Facilitation and Dispute Resolution Mechanisms	35
CAO of the IFC/World Bank	36
ADB Independent AMs	46
AIIB’s Accountability Mechanism	55
Why Might Expanded Grievance Channels Reduce Grievances?	61
MDBs’ Adoption of FPIC and GMs	64
Evolution of Engagement, Monitoring and Evaluation Mechanisms in MDBs	65
Selected MDB Bank Policies	66
Stakeholder Engagement	71
Free, Prior and Informed Consent	73
Grievance Mechanisms	79
A Closer Look at MDB GMs	81
Do Expanded Grievance Channels Lead to Fewer Disputes? Statistical Analysis	90
Conclusion	91
PART II Towards Greater Community Oversight in Practice	95
4 Practitioners’ Insights into the Efficacy of Mitigation Measures	97
Introduction	97
Survey Data Collection Method	99
What Is Your Region of Practice?	100

CONTENTS

ix

How Would You Describe Your Institution of Practice?	101
How Long Have You Worked in the Field of Dispute Prevention?	102
What Are the Key Mechanisms Used in Preventing Community–Investor Disputes (Check All That Apply)	103
Effectiveness of Dispute Prevention Mechanisms	104
Best Practice Experiences, Lessons Learned and Suggestions for Improvement	108
Practitioners’ Insights	109
Conclusion	117
5 Discretionary Pre-project Community Engagement Cases in the Asia Pacific	119
Introduction	119
Phase 1 (Pre-2013) Case Overview	125
Overview of the Role of the CAO in Case Handling	126
Case 1: IFC/World Bank Cambodia Airport II Project	128
Case 2: IFC/World Bank Mongolian Oyu Tolgoi Community–Investor Dispute	137
Case 3: World Bank Indonesia PT WBN Project	146
Case 4: ADB/IFC/EIB Bangladesh LSC	153
Case 5: IFC Philippines: Mindoro Resources Project	160
Case 6: IFC/World Bank PNG SEZ Project	174
Conclusion	183
6 Mandated Pre-project Community Engagement Cases in the Asia Pacific	185
Overview	185
Case 1: IFC-Funded Adjaristsqali Georgia Power Plant Project	189

Case 2: IFC-Funded Azerbaijan TANAP Natural Gas Pipeline Project	194
Case 3: Amaravati Project	201
Case 4: Karot Hydropower Project in Pakistan	211
Case 5: Nubian Suns Project in BSP, Egypt	216
Case 6: Ulaanbaatar Urban Services Case	222
Conclusion	228
PART III Community Engagement Developments in the BRI Region and Beyond	231
7 Dispute Prevention and Resolution Regimes in the Belt and Road Initiative and Beyond in the Context of Sustainable Development Goals	233
Introduction	233
Insights from Practitioners on BRI Dispute Prevention and Resolution Mechanisms	241
Mediation and Consultation Mechanism for the Mining Industry	242
Belt and Road Dispute Resolution Regimes in Greater China	244
China-Related Global ISDS Investment Arbitration Cases	252
Conclusion	255
8 Conclusions and Policy Recommendations	256
Future Directions and Recommendations	261
<i>Select Bibliography</i>	263
<i>Index</i>	272