

# **BELT AND SILK ROAD INITIATIVE: A NEW GAME CHANGER OF TRANSNATIONAL INVESTMENT IN ASIA**

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## **Abstract:**

The advent of globalisation in this modern age and highly diversified world paves way for a new era of economic alliance of states in Asia through the establishment of China's Belt and Silk Roads Initiative (BRI), comprising the Silk Road Economic Belt (SREB) and the 21st Century Maritime Silk Road (MSR), which connects the East and the West in order to promote and sustain leverage in the transition of the world from western hegemony to a policy of peace, mutual respect, and coordination under China's helm. In this pursuit, China continues to use BRI not only as an economic but as a geo-political strategy to broaden its sphere of land and maritime control against the opposing hegemony among its neighbouring countries, the East and the West. This paper delves into the theories and praxis of investor state arbitration as well as issues on transparency of the Bilateral Investment Treaties (BIT) and international investment agreements (IIAs) as tools for governance of investor-state dispute settlement (ISDS) in the light of the accelerating transnational investments under the BRI in Asia and the member-economies within the APEC belt. It is theorised in this paper that complexities in ISDS mechanisms can be remedied by establishing a multilateral investment court in order to foster legitimacy and transparency on arbitral tribunals and therefore, address the issues on the malleable and amorphous nature of public policy to promote not only the economic interest of the State parties and foreign investors but also the sustainable development of the people.