Date: August 08, 2024

LETTER OF ACCEPTANCE Paper Number #5094

Dear Zhang Jing, Rizkan Zulyadi & M. Citra Ramadhan,

This is to inform you that the manuscript entitled: "Environmental and Green Investment Regulations: The Impact of China's Belt and Green Road Initiative in Southeast Asia", which was sent on August 07 2024, has been ACCEPTED.

We are keep to ensuring a high standard of articles published in Arbiter: Jurnal Ilmiah Magister Hukum, and the manuscript that is being sent to you has been submitted after a first selection process based on the agreement of the Associate Editors. In general, the standard of manuscripts forwarded to me after the vetting is **good.**

This paper is well organized and follows the manuscript guidelines of the journal to a large extent. The introduction section is good and shows the importance of the study. The literature review is adequate. Outcomes of the study are consistent with the findings. The approach used is praiseworthy. In my opinion, it should be published with no revision again.

Based on the review results, this manuscript is **ACCEPTED** for publication in **Arbiter: Jurnal** Ilmiah Magister Hukum, Volume 6, No. 2, November 2024.

We thank you very much for your contribution. Congratulations on a wonderful job.

Warmest Regards, Edito**/** *i*n Chief

Agung Suharyant, S.Sn., M.Si

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Environmental and Green Investment Regulations: The Impact of China's Belt and Green Road Initiative in Southeast Asia

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Abstrak

The Green Belt and Road Initiative (BRI), China's international development strategy, aims to improve regional connectivity while addressing the environmental challenges of major infrastructure projects. This study explores the impact of BRI on environmental regulations and green investment in Southeast Asia, given the importance of sustainable development in the global economy. Research methods include document analysis, project reports, academic literature, and interviews with stakeholders, as well as case studies. The results show that BRI is driving the transformation of environmental regulations in countries such as Viet Nam, Indonesia, and Thailand, and facilitating the shift towards green investment. Investments in renewable energy, sustainable urban planning, and green technology are growing. Despite challenges such as high costs and alignment of interests, BRI opens up opportunities for international cooperation and green market development. This research emphasizes the need for a multifaceted approach to balance economic growth and environmental protection.

Kata Kunci: Green Belt and Road Initiative (BRI); Green Investment; Environmental Regulations

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INTRODUCTION

The Green Belt and Road Initiative (BRI), a significant and ambitious international development strategy proposed by China, aims to improve regional connectivity and embrace a brighter shared future. This aspect of the initiative is essential, given the environmental challenges that accompany large-scale infrastructure projects. BRI Hijau aims to balance economic growth with environmental sustainability, address concerns about climate change and ecological conservation (Lestari, 2014; Susanto & Wahyu Mulyono, 2022; Syukron, 2018).

In the contemporary global economy, green investment and strict environmental regulations play an important role in directing sustainable development. (Darmayanti et al., 2023; Fitria et al., 2020). The urgency of addressing climate change and environmental degradation has increased the importance of integrating environmental considerations into investment decisions. Green investments, characterized by their focus on environmental benefits, are essential for transitioning to a low-carbon and sustainable economy. Green investment includes a wide range of activities, including renewable energy projects, energy-efficient technologies, sustainable transportation, and green infrastructure. This investment is not only beneficial to the environment but also economically feasible. (Susanto & Wahyu Mulyono, 2022; Syukron, 2018). They offer opportunities for long-term growth, job creation, and innovation. The shift towards green investment is increasingly recognized as a key driver for sustainable economic development and is integral to achieving the United Nations Sustainable Development Goals (SDGs).

Environmental regulations, on the other hand, provide the necessary framework and incentives for businesses and investors to adopt greener practices. Strict regulations encourage companies to innovate and develop more sustainable production and service methods. (Hasibuan et al., 2019; Oktavian et al., 2023). These regulations can take many forms, including emission targets, pollution control measures, and requirements for sustainable use of resources. Effective environmental regulations are essential to ensure that economic activities do not incur excessive costs to the environment. (Indonesia, n.d.; Naldo & Purba, 2018; Sukabumi Regency Regional Regulation Number 6, 2014)

The challenges in harmonizing environmental regulations and green investment in Southeast Asia are diverse. Policy inconsistencies between countries, lack of enforcement mechanisms, and competing economic priorities often hinder the effective implementation of environmental regulations. In addition, the financial aspect of green investment is a significant hurdle. High initial costs for sustainable technologies and projects can be a barrier, especially for developing countries in the region. (Fauziana, 2014; Investment, 2021; Rokhmatussa'dyah & Suratman, 2010). Addressing these challenges requires a collaborative approach, involving not only national governments but also regional bodies, international organizations, and the private sector. (Anwar, 2005; Leasiwal, 2016). Overcoming these challenges also opens up opportunities for innovation and cooperation. For example, BRI can facilitate the transfer of green technologies and best practices across borders. This transfer can be a catalyst for regional cooperation in environmental governance, leading to more uniform and effective regulation. In addition, BRI's focus on connectivity could extend to building green supply chains, promoting sustainable trade practices, and enhancing regional integration in environmental efforts. The main objective of this study is to explore and analyze the impact of China's Green Belt and Road Initiative (BRI) on environmental regulations and green investment in Southeast Asia. The study aims to provide a comprehensive understanding of how the BRI, as a major international development project, influences environmental policies and practices in the region, and how it contributes to the promotion of green investment.

In exploring the multifaceted dimensions of China's Green Belt and Road Initiative (BRI) in Southeast Asia, this study delves deeply into the environmental implications, regulatory influences, investment trends, and the dualistic nature of its challenges and opportunities. At the heart of this research is an attempt to understand and explain how these monumental initiatives are not only reshaping the region's infrastructure and economic landscape but also significantly influencing its environmental and regulatory paradigm. The environmental aspects of the BRI Green project in Southeast Asia are an important part of this investigation.

RESEARCH METHODE

This research will use a combination of qualitative and quantitative research methods. The study uses analysis of policy documents, project reports, and academic literature, as well as interviews with key stakeholders involved in BRI projects in Southeast Asia. The use of case studies will also be integral to providing in-depth insights into specific BRI projects and their environmental and investment impacts.

To provide a comprehensive perspective, this study will adopt a multi-dimensional approach, analyzing the impact of BRI from various angles. This includes examining environmental policies and regulations that have been influenced or introduced in Southeast Asian countries as a direct or indirect result of the BRI. The study will also look at how green investment has been encouraged or hampered by these policies and BRI projects. This will involve assessing the quantity and quality of green investments in the region, including investments in renewable energy, sustainable infrastructure, and green technology.

RESULTS AND DISCUSSION

The Impact of Green Belt and Road on Environmental Regulations

The Green Belt and Road Initiative (BRI), a global development strategy spearheaded by the Chinese government, has ushered in a transformative era of infrastructure development and investment in various countries. Inevitably, this monumental initiative has reverberated through the environmental policymaking corridor, triggering noteworthy shifts and adaptations in environmental regulations. This section explores nuanced policy changes and regulatory adjustments catalyzed by the BRI, with a primary focus on the Southeast Asian countries involved.

The Green Belt and Road Initiative (BRI) has triggered an important transformation in the realm of environmental governance across the country that is shaping its expansive route. This section delves into a complex web of policy adaptation, emphasizing these countries' strong commitment to integrating strong environmental governance and sustainable practices into their evolving development strategies. Southeast Asian countries, including Vietnam, Indonesia, and Thailand, have emerged as proactive actors in reshaping their environmental policies to effectively address the challenges posed by BRI's diverse development projects.

Viet Nam stands as a compelling example of a country that has meticulously adjusted its environmental regulations to accommodate the BRI's ambitious projects while vigilantly maintaining its ecological balance. The country has made substantial revisions to its Environmental Impact Assessment (EIA) regulations, demanding a more comprehensive assessment of BRI-related efforts. This strategic step underscores Viet Nam's unwavering commitment to monitoring potential environmental impacts and ensuring the implementation of effective mitigation measures.

Indonesia has also made substantial policy adaptations within its environmental framework in response to the transformative influence of the BRI. The island nation has strengthened its regulations on natural resource management and pollution control. This regulatory adjustment is

anchored in the imperative to preserve Indonesia's unparalleled biodiversity and natural landscape, even amid the rapid expansion of infrastructure projects that determine the trajectory of the BRI.

In Thailand, joint efforts have been directed to increase the role of community involvement in the decision-making process governing the environmental aspects of BRI projects. The Government of Thailand has introduced an innovative mechanism aimed at ensuring the active participation of local communities in the Environmental Impact Analysis (EIA) process. This participatory approach signals an important step to align development goals with the overarching goal of safeguarding the environmental and social well-being of communities directly affected by these projects. In addition, the adaptation within the framework of the environmental policies of these Southeast Asian countries underscores a broader trend—countries along the BRI route have been built on the awareness that environmental sustainability is an inseparable aspect of any comprehensive development strategy. The BRI has acted as a catalyst, forcing countries to reassess and recalibrate their environmental policies in a way that aligns with the imperatives of economic growth and environmental responsibility.

The Green Belt and Road Initiative (BRI) has ushered in a remarkable shift towards more sustainable environmental governance in participating countries. As they adjust their policies to accommodate the BRI's ambitious projects, these countries embark on a journey marked by positive policy changes. However, this journey is not without its challenges, and several critical issues need to be addressed for the effective implementation of these new environmental regulations.

The Green Belt and Road Initiative (BRI) has undeniably acted as a catalyst for significant policy changes and adaptations in environmental regulations across Southeast Asia. As participating countries continue to adapt their policies to accommodate the BRI's ambitious projects, it is crucial to look ahead and consider the way forward to ensure the effective implementation and long-term success of these policies. One important aspect of this forward-looking approach is the commitment to align environmental regulations with international standards. As the BRI encourages countries to strengthen their environmental policies, these policies must adhere to global best practices. This alignment not only enhances the credibility of these policies but also facilitates international collaboration and cooperation. By aligning regulations with international norms, countries can attract foreign investment that aligns with global sustainability goals, while promoting their reputation as responsible actors on the international stage.

The approach forward must also prioritize sustainable investment and green technology as core pillars of the growing environmental policies in BRI countries. The major infrastructure projects spawned by BRI present an unprecedented opportunity to adopt innovative solutions that minimize environmental impact. Investments in green technologies, renewable energy, and green infrastructure initiatives can significantly reduce the ecological footprint of these projects. Countries should actively seek opportunities to collaborate with industry leaders and technology providers to leverage their expertise in developing and implementing sustainable solutions that are in line with BRI Green principles.

Effective community engagement remains an important cornerstone in designing and implementing successful environmental policies. Engaging local communities in decision-making, facilitating transparent dialogue, and addressing their concerns is essential for fostering a sense of shared ownership and responsibility. Green BRI must serve as a platform to empower communities, allowing them to actively participate in shaping their environmental and social future. Mechanisms that encourage meaningful feedback and ensure that community voices are

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respected in project planning and implementation are essential elements of a community-centered approach.

Regional cooperation must also be an important pillar of future efforts to improve environmental governance under the BRI Green. Countries along the BRI route must harness their collective strength through regional platforms and alliances to address shared environmental challenges. A collaborative approach can facilitate knowledge sharing, best practice sharing, and the implementation of cross-border initiatives that address cross-border environmental issues. This integrated approach not only strengthens the effectiveness of environmental policies but also promotes a sense of solidarity and common purpose among participating countries.

A forward-looking approach should include a commitment to continuous monitoring and evaluation. The dynamic policy environment driven by the BRI requires regular impact assessments and adjustments. Countries must establish a framework to monitor the effectiveness of their environmental policies, identify emerging challenges, and implement corrective actions. This iteration process ensures that these policies remain relevant, responsive, and aligned with the evolving dynamics and needs of BRI projects and global environmental priorities.

The Green Belt and Road Initiative (BRI) has catalyzed a new era of policy and regulatory adjustment across Southeast Asia, leading countries towards a stronger path to environmental sustainability. While challenges remain, a commitment to alignment with international standards, investment in green technologies, effective community engagement, regional cooperation, and continuous monitoring will be guiding principles in this journey. By adopting this forward-looking approach, BRI countries can harness the full potential of Green BRI, achieve a balance between economic growth and environmental conservation, and contribute to a more sustainable and prosperous future for future generations.

The Impact of the Green Belt and Road Initiative (BRI) on Green Investment Trends

The impact of the Green Belt and Road Initiative (BRI) on green investment trends is an important aspect of the discourse around sustainable development. These global infrastructure and investment efforts have not only accelerated infrastructure development across participating countries but have also catalyzed a deep re-evaluation and recalibration of investment strategies towards more sustainable and environmentally responsible practices. The initiation of BRI marks a definitive departure from the traditional investment paradigm that prioritizes economic growth and conventional infrastructure development. Rather, it signals a paradigm shift towards a more sustainable and green investment model. This transformation is rooted in a growing awareness of the adverse environmental consequences often associated with large-scale infrastructure projects and the growing global demand for sustainable development.

One of the main drivers of this shift is the growing recognition of the environmental impact that comes from conventional investment approaches. Large-scale infrastructure projects, while essential for economic development, are often associated with adverse consequences for the environment. These include deforestation, habitat disturbance, air and water pollution, and increased greenhouse gas emissions. As the global community grapples with the pressing challenges posed by climate change and ecological degradation, there is an ever-greater imperative to mitigate these negative impacts. In response to these challenges, BRI has emerged as a transformative force that integrates sustainability into its core purpose. It recognizes the intrinsic link between economic growth and environmental protection, emphasizing the need for economically viable and ecologically responsible development. This shift has led to a comprehensive re-examination of investment strategies across the spectrum of sectors, which include energy, infrastructure, technology, and more.

The green investment trend inspired by BRI covers various dimensions. In the energy sector, there is a visible shift towards renewable energy sources, including solar, wind, and hydropower. These projects play an important role in reducing the region's dependence on fossil fuels, reducing greenhouse gas emissions, and promoting energy security. In addition, investments in sustainable urban planning and eco-friendly transportation systems shape the infrastructure sector, emphasizing the importance of minimizing the environmental footprint of urbanization. BRI has also encouraged investment in green technologies, such as waste recycling and water purification systems. These technologies are an essential component of sustainable environmental management, ensuring responsible use of resources and minimizing pollution. In addition, the agricultural sector in the BRI region has witnessed a transformation towards more sustainable practices. This includes the adoption of eco-friendly farming techniques and the promotion of organic farming, which is essential for preserving biodiversity and ensuring food security in the region.

BRI's influence extends beyond national borders, as it encourages collaboration in renewable energy projects and the joint development of green technologies. This cooperative approach underscores the growing recognition of the interdependence between economic progress and environmental sustainability in the realm of international investment. Investment strategies within the scope of the Green Belt and Road Initiative (BRI) are undergoing an important transformation as they progressively integrate environmental, social, and governance (ESG) criteria into their decision-making processes. This profound change reflects a broader global paradigm shift in the investment community towards responsible investment practices that prioritize long-term environmental sustainability and social responsibility alongside traditional financial returns.

An important aspect of the evolution of this investment strategy is the increasing emphasis on green finance. Green finance, which includes financial instruments such as green bonds and green loans, is increasingly prominent as an important mechanism for funding green projects. These projects cover a wide range of sectors and initiatives, from the development of renewable energy to sustainable transportation systems and green urban development projects. The integration of ESG criteria in investment decisions signals recognition of the link between financial success and the well-being of society and the wider environment. The report recognizes that investments have far-reaching impacts that go beyond financial returns to include environmental and social consequences. As the global community grapples with increasing environmental challenges, including climate change, biodiversity loss, and resource depletion, investors are increasingly recognizing their role in shaping a sustainable future.

In the context of BRI, this shift towards green investment is very relevant. The scale and scope of the BRI include many infrastructure and development projects, making it a substantial driver of economic growth across participating countries. However, this scale also magnifies the potential environmental and social impacts of these projects. As a result, there is a growing recognition that investment decisions must be aligned with sustainability goals to ensure that economic development does not come at the expense of environmental degradation.

The development of renewable energy is a prime example of how green finance is reshaping investment strategies under BRI. Wind and solar power plants, in particular, have garnered significant attention and investment. These projects are essential not only to diversify energy sources but also to reduce greenhouse gas emissions and improve energy security (Ramdani & Febriasari, 2018; Ulina et al., 2022). BRI's commitment to green finance underscores the importance of transitioning to a cleaner and more sustainable energy system in the region. Sustainable transportation systems represent another focus area in green investment trends.

Investments in green transportation, including electric vehicles and public transport systems, are essential to reduce carbon emissions and reduce the environmental impact of urbanization, which often accompanies large-scale infrastructure projects (Darwis et al., 2021; Nugroho et al., 2023). In addition, environmentally friendly urban development projects are gaining momentum under BRI. These projects emphasize sustainable urban planning, green building practices, and the preservation of green spaces in emerging cities. By prioritizing environmentally responsible urbanization, these initiatives contribute to improving the quality of life of urban residents while minimizing the ecological footprint of urban expansion.

The long-term implications of the green investment trend under the BRI are profound and diverse. While these trends present significant opportunities for sustainable growth and development, the challenges that exist require collaborative, strategic, and innovative approaches. Sustained commitments from governments and the private sector, as well as an effective policy framework, are critical to realizing the full potential of green investments. Thus, BRI can not only make a great contribution to economic development but also to global efforts to overcome climate change and advance sustainable development.

The importance of long-term commitment to sustainability cannot be overstated. Green investments within the BRI offer a range of long-term benefits, including improved energy security, higher competitiveness in the green sector, and increased resilience to environmental and global economic shocks. Through the development of renewable energy projects, participating countries can reduce their dependence on imported fossil fuels and increase their energy independence. In addition, green investments contribute to improved air and water quality, as well as more sustainable management of natural resources.

Challenges and Opportunities

Balancing economic growth with environmental protection is a major challenge in the context of the Green Belt and Road Initiative (BRI). This complex interaction between development and sustainability requires nuanced and innovative strategies to ensure that economic benefits do not come at the expense of the environment. In this discussion, we explore various challenges and opportunities in achieving this balance.

The main goal of the BRI is to encourage economic growth through infrastructure development and investment in participating countries. While important for raising living standards and reducing poverty, this growth often raises concerns about environmental impacts. Rapid industrialization and infrastructure development can lead to pollution, resource depletion, and ecological disruption. Therefore, finding a sustainable path that aligns economic goals with environmental preservation is essential. One approach is the adoption of sustainable development practices, which integrate environmental considerations into economic planning and projects. Practices such as green building, the use of renewable energy, and efficient waste management can reduce the environmental footprint of development projects.

Another strategy is to take advantage of technological innovations. Advances in green technologies, including renewable energy, energy-efficient processes, and sustainable materials, offer opportunities for economic growth while minimizing environmental damage. Investment in research and development in this area is important to drive sustainable economic models. Effective policy frameworks and institutional arrangements are essential for balancing economic growth and environmental protection. Environmental regulations, standards, and guidelines must be robust and enforceable, which requires institutional capacity to oversee and implement these regulations as well as accountability and transparency mechanisms.

Implementing a sustainable economic growth strategy is not without challenges (Aydil & Zuhri, 2023; Cahya, 2014; Lumi et al., 2022). One of the main obstacles is the economic costs associated with sustainable practices. In many BRI countries, there is a trade-off between economic development and environmental protection, with sustainability often seen as a secondary priority. Another challenge is aligning the interests and priorities of various stakeholders, including governments, private sector investors, local communities, and international organizations. Each stakeholder has different expectations and goals, making consensus a complex task. Despite these challenges, there are significant opportunities for collaborative growth. BRI presents a platform for international cooperation in sustainable development. By working together, countries can share best practices, technologies, and resources to achieve shared economic and environmental goals.

In addition, sustainable economic growth has the potential to open up new markets and create jobs in green industries. This can result in a diversified economy that is more resilient to environmental and economic shocks. International cooperation and multilateralism play an important role in overcoming the challenges of balancing economic growth and environmental protection. Through collective efforts, countries can develop standard approaches to sustainability, provide mutual support, and mobilize resources for sustainable development initiatives.

Balancing economic growth with environmental protection in the context of BRI is a complex but important undertaking. This requires a multifaceted approach, encompassing sustainable development practices, technological innovation, effective policy frameworks, and international cooperation. While there are challenges to be overcome, opportunities for sustainable and collaborative growth present a promising path for countries involved in the BRI. The broader discussion on the Green Belt and Road Initiative (BRI) included the prospects for regional green development cooperation, which has significant potential to shape a more sustainable and collaborative future. This prospective examination requires an exploration of collaborative frameworks, potential regional partnerships in sustainable development, and challenges and opportunities in such cooperation efforts.

BRI presents a unique opportunity to reshape regional cooperation in sustainable development. To capitalize on these opportunities, a strategic approach that includes an inclusive and equitable framework, transparency, mutual trust, and multi-stakeholder engagement is needed. Effective approaches such as the establishment of regional centers of excellence for sustainable development can serve as centers for research, innovation, and capacity building, supporting BRI countries in their sustainable development goals.

CONCLUSION

The impact of the Green Belt and Road Initiative (BRI) on environmental regulations in Southeast Asian countries has led to a significant transformation in environmental governance, marking a new era of policy adjustment to address the challenges of ambitious infrastructure development. The BRI has forced countries such as Vietnam, Indonesia, and Thailand to update and adjust their environmental regulations to better align with international standards and sustainable practices. Viet Nam substantially revised its Environmental Impact Assessment (EIA) regulations, Indonesia strengthened regulations related to resource management and pollution control, and Thailand increased public involvement in environmental decision-making processes.

The Green Belt and Road Initiative (BRI) has profoundly transformed the green investment landscape, driving a significant shift from the conventional investment paradigm to a more sustainable and environmentally responsible model. BRI not only accelerates global infrastructure

development but also inspires a re-evaluation of investment strategies with a focus on sustainable practices. In this context, the energy sector is undergoing a significant shift towards renewable energy sources, such as solar and wind power, which reduce dependence on fossil fuels and lower greenhouse gas emissions. In addition, investments in sustainable urban planning, green transportation systems, and green technologies are growing, reflecting the integration of environmental, social, and governance (ESG) criteria in investment decisions.

Balancing economic growth with environmental protection in the context of the Green Belt and Road Initiative (BRI) is a complex challenge that requires a multifaceted approach. The BRI, with its main goal of encouraging infrastructure development and economic growth, is often faced with environmental impacts such as pollution and resource depletion. To address this, it is important to adopt sustainable development practices that integrate environmental considerations, such as green buildings, the use of renewable energy, and efficient waste management. Technological innovation also offers a great opportunity to reduce environmental damage while supporting economic growth, with investment in green technology research and development being key. In addition, a strong policy framework and institutional capacity to enforce regulations are essential. Although economic costs and alignment of the interests of various stakeholders are challenges, BRI also opens up opportunities for international cooperation, creating jobs in green industries, and developing new markets. Regional cooperation in sustainable development can strengthen these efforts, with strategic approaches such as the establishment of regional centers of excellence for innovation and research being potential steps to effectively capitalize on these opportunities.

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