

Green Hydrogen in Latin America: Opportunities, Challenges and Effective Dispute Settlement Through International Arbitration

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This article delves into the burgeoning field of green hydrogen in Latin America, focusing on three key jurisdictions: Chile, Brazil, and Argentina. As the world intensifies its fight against climate change, green hydrogen stands at the forefront, poised to revolutionize not just the realm of electricity but also heavy industries. Our exploration seeks to understand how hydrogen can ignite an economic revolution, serving as both an exportable commodity and a pivotal element in national energy infrastructures.

Central to our discourse is the detailed examination of the intricate disputes that green hydrogen's integration might incite, encompassing both governmental and commercial perspectives. We investigate the potential conflicts in supply contracts, joint ventures and construction and engineering contracts, as well as changes to regulatory incentivised frameworks and geopolitical events which are the root of arbitration disputes.

Our analysis is grounded in the complex landscape of infrastructure and investment requirements, highlighting the strategic approaches necessary for implementing a green hydrogen economy. Drawing on lessons from past energy disputes in Latin America, this article offers an overview of the protections and resolutions available to investors and stakeholders.

We aim to provide a rich, insightful perspective on resolving disputes and safeguarding investments in the transformative journey of green hydrogen, making it a linchpin in Latin America's energy transformation.

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