



Max Planck Institute for
Comparative and International
Private Law | Hamburg

HAMBURG LECTURE SERIES ON CHINESE LAW

DR. YUANYUAN LIU

Southwest University of Political Science and Law

“Recent Developments in the Recognition and Enforcement
of Foreign Judgments in China:
The Impact of the Belt and Road Initiative”

Monday, 18 November 2019 – 5 pm

Conference Room 1, 1st floor

All employees and guests of the institute as well as
other interested parties are cordially invited to the lecture.

Knut Benjamin Pißler

About the Speaker:

Dr. Yuanyuan Liu is a Lecturer at the School of International Law at the Southwest University of Political Science and Law (SWUPL). Her main research areas are private international law and international civil procedural law. She was awarded her LLM and PhD at Wuhan University.

About the Topic:

There are three schemes for the recognition and enforcement of foreign judgments in Chinese courts: international conventions, bilateral treaties and Chinese civil procedure law (CPL). Due to the absence of international conventions on recognition and enforcement in China and the lack of enough countries which have concluded bilateral treaties containing an agreement on recognition and enforcement, CPL is the basic way to recognize and enforce foreign judgments in civil and commercial matters.

With the intensifying operation of the Belt and Road Initiative (BRI), sound international dispute resolution mechanisms should be instituted in China. The Supreme People's Court of the PRC (SPC) has issued many rules that look to establish the Chinese International Commercial Court (CICC) as a body capable of resolving disputes in a timely and cost-efficient manner and thereby promote the aim of the BRI. The free movement of CICC judgments has come to be one of the key aspects attracting international litigants. Further, the 2005 Hague Convention on Choice of Court Agreement entered into force in 2015, and the Hague Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters was recently concluded on 2 July 2019. The unification of international civil procedure law creates a great opportunity and a "round way" for China.

The talk will examine defects in CPL as regards recognition and enforcement, challenges the CICC has faced and concerns surrounding ratification of the Hague Convention; possible solutions will be suggested.

About the Hamburg Lecture Series on Chinese Law:

The "[Hamburg Lecture Series on Chinese Law](#)" was established in 2002 as a series of guest lectures from notable legal scholars and legal practitioners, who engage in research stays at the Hamburg Institute. It aims to provide insight into legal fields under development in the People's Republic of China and which are thus attracting great international interest.