



EUPLANT Policy Roundtable on EU-China Legal and Judicial Cooperation

23 September 2019

University Foundation

Egmontstraat 11B, 1000 Brussels, Belgium

Abstract

The EUPLANT Policy Roundtable takes place in the context of the Jean Monnet Network 'EU-China Legal and Judicial Cooperation' (EUPLANT). The network investigates the interactions between the Chinese and the European Union (EU) legal and judicial systems and promotes excellence in teaching and research on EU-China legal and judicial cooperation. Through a set of research, policy and outreach activities, EUPLANT creates new avenues for enhanced academic and policy cooperation between the EU and China and engenders a better understanding of each other's legal systems.

The roundtable will discuss two highly topical themes for the EU-China Legal Affairs Dialogue: the negotiation of the EU-China Comprehensive Agreement on Investment and the rising importance of alternative dispute resolution mechanisms. It will bring together EUPLANT experts, officials from EU institutions, as well as representatives from the civil society. The Roundtable will hence enhance the relevance on policy of EUPLANT research and allow EU institutions to directly benefit from the expertise of EUPLANT in a way that should inform the future of the EU-China Strategic Partnership in general, and the Legal Affairs Dialogue in particular.

The roundtable is by invitation only and not open to the public. Debate will be held under Chatham House Rule.

13:00-13:30	Registration
13:30-13:45	Welcome by Professor Yuwen Li, Erasmus University Rotterdam Welcome by Dr Matthieu Burnay, Queen Mary University of London
13:45-14:00	'EU-China Legal Affairs Dialogue' by Dr Irmgard Adam, European External Action Service

14:00-15:40

Roundtable on ‘Prospects and Challenges for the EU-China Comprehensive Agreement on Investment’

It is at the occasion of the 15th EU-China Summit (2012) that the EU and China decided to launch negotiations for a Comprehensive Agreement on Investment (CAI). It is against the background of a number of political and legal challenges to the EU Foreign Trade and Investment Policy as well as rising Chinese investments driven by the Belt and Road Initiative that this roundtable aims to address some of the key aspects of the CAI negotiations. The discussion will focus on (1) China’s new Foreign Investment Law and the Belt and Road Initiative; (2) investor-state dispute settlement; and (3) sustainability and human rights provisions.

Chair: Professor Yuwen Li (Erasmus University Rotterdam)

Speakers:

14:00-14:20

Sylvia Baule (European Commission): Key Aspects of the CAI Negotiation

14:20-14:30

Qin Xiaojing (Beijing Normal University): China’s Foreign Investment Law and the Belt and Road Initiative

14:30-14:40

Matthieu Burnay (Queen Mary University of London): Sustainability and Human Rights Provisions

14:40-15:40

Roundtable discussion

15:40-16:10

Coffee Break

16:10-18:00

Roundtable on ‘Alternative Dispute Resolution Mechanisms’

Alternative Dispute Resolution (ADR) Mechanisms have become increasingly important in both China and the European Union. On the one hand, the European Union actively promotes the use of agreement-based ADR (such as mediation) and adjudicative ADR (such as arbitration) even if actual practices do vary extensively across sectors and Member States. On the other hand, the promotion of ‘diversified dispute resolution’ constitutes an important aspect of the ongoing process of judicial reforms in China. This roundtable aims to discuss (1) the extent to which ADR in China and the European Union can offer effective, fair, independent and transparent decisions; (2) the importance of ADR in the context of transnational disputes; and (3) the impact of digital transformation on ADR.

Chair: Dr Matthieu Burnay (Queen Mary University of London)

Speakers:

16:10-16:20

Jacques Henri Herbots (University of Leuven): Chinese and European Law of Arbitration: Resemblances and Dissimilarities

16:20-16:30	Lin Feng (City University of Hong Kong): How to construct an effective mediation regime in the Guangdong-Hong Kong-Macau Bay Area?
16:30-16:40	Cui Guobin (Tsinghua University): Digital transformation and ADR
16:40-16:50	Jacques de Waart (De Waart): Mediation in the Netherlands
16:50-17:50	Roundtable Discussion
17:50-18:00	Closing remarks: Professor Yuwen Li and Dr Matthieu Burnay

Participants:

Irmgard Adam

European External Action Service

Sylvia Baule

European Commission DG trade

Cheng Bian

Erasmus University Rotterdam

Matthieu Burnay

Queen Mary University of London

Samuel Cantell

European Parliament

Min Chen

China Chamber of International Commerce
EU office

Guobin Cui, tbc

Tsinghua University

Alexandru Circiumaru

Queen Mary University of London

Stijn Deklerck

Amnesty International Netherlands

Bernard Dewit

Belgian-Chinese Chamber of Commerce

Duncan Freeman

College of Europe

Weiyuan Gao

University of Leuven

Jacques Henri Herbots

The Belgian Centre for Arbitration and Mediation
(CEPANI)

Yuwen Li

Erasmus University Rotterdam

Hosuk Lee-Makiyama, tbc

European Centre for International Political
Economy (ECIPE)

Henrique Choer Moraes

Mission of Brazil to the European Union

Feng Lin

City University of Hong Kong

Michele Angelo Lupoi

University of Bologna

Jing Men

College of Europe

Rémi Pierot

European Parliament Committee of
International Trade

Eva Pils

King's College London

Xiaojing Qin

Beijing Normal University

Philipp Renninger

University of Lucerne and King's College
London

Velyana Topalova

European Parliament AFET Committee

Jacques de Waart

De Waart

Arnoud R. Willems

Sidley Austin LLP

Jan Wouters

University of Leuven