CKN China Kennisnetwerk

UNIVERSITY OF COLOGNE

EAI EAST ASIAN INSTITUTE NATIONAL UNIVERSITY OF SINGAPORE

China's Foreign-related Rule of Law:

Significance, Development and Prospects

Frank N. Pieke, Daniel Sprick and Björn Ahl
With contributions from Chia Shimin, Huang Jia'nan, Li Yao and Shan Wei

June 2026

About the authors

Frank N. Pieke is Visiting Professor at the East Asian Institute, National University of Singapore and Senior Research Fellow at the Leiden Asian Centre.

Daniel Sprick is Senior Lecturer at the Institute of East Asian Studies, University of Cologne.

Björn Ahl is Professor and Chair of Chinese Legal Culture at the Institute of East Asian Studies, University of Cologne.

With contributions from **Chia Shimin**, **Huang Jia'nan**, **Li Yao** and **Shan Wei**.

This report is published under the framework agreement for the China Knowledge Network (CKN) funded by the Dutch Ministry of Foreign Affairs, for knowledge exchange with all Dutch ministries regarding policy challenges and opportunities related to China. The responsibility for the content and expressed opinions lies solely with the authors. The network is managed by the Dutch Ministry of Foreign Affairs, the Netherlands Institute of International Relations 'Clingendael' and the Leiden Asia Centre. The Netherlands Institute of International Relations 'Clingendael' is a leading independent think tank and academy on international relations. The Leiden Asia Centre is an independent research centre affiliated with Leiden University. It serves as a hub for applied academic knowledge on modern Asia. The report is a joint publication of the East Asian Institute of the National University of Singapore, the Institute of East Asian Studies of the University of Cologne and the Dutch China Knowledge Network. Research at the Leiden Asia Centre was funded by the Dutch government's China Knowledge Network. Research at the University of Cologne was funded by the Federal Ministry of Research, Technology and Space of the Federal Republic of Germany under grant reference number 01DO25011. Parts of the report have appeared previously in Frank N. Pieke, *China's Foreign-related Rule of Law: Development, Policies and Institutions*, East Asian Institute Background Brief (2025); Frank N. Pieke, Simon Menet, Shan Wei and Chia Shimin, *Chinese Transnational Law Enforcement and Foreign-related Rule of Law in Southeast Asia*, East Asian Institute Background Brief (2025); Frank N. Pieke, Chia Shimin, Li Yao and Daniel Sprick, *Practising the Foreign-related Rule of Law: Courts, Lawyers, and Government*, EAI Background Brief (2026); and Daniel Sprick and Frank N. Pieke, *China's Foreign-related Rule of Law: Main Legislation and Regulation*, East Asian Institute Background Brief (2026).

Table of Contents

The Foreign-related Rule of Law: Relevance and Urgency

The extraterritorial impact of China's laws, regulations and judicial system is increasingly felt by foreign governments, firms and individuals. This growing use of legal tools is not ad hoc but part of a **long-term strategy** to build a comprehensive legal framework with extraterritorial reach. Known as the **foreign-related rule of law** (FRROL), this approach extends domestic law into foreign-related matters while also engaging with international law.

FRROL supports, structures and controls foreign engagements of Chinese persons and entities. It extends beyond **national security** legislation – such as anti-espionage, intelligence, cyber, and data security laws – to include tools of **economic and legal statecraft** designed to counter sanctions, tariffs, foreign investment restrictions, export controls and other measures used primarily by the United States and, to a lesser extent, the European Union, Japan, Australia and India.

Moreover, China is also increasingly using legal instruments **proactively to assert power** and influence abroad. Recent examples illustrate this trend. In April 2026, China introduced sweeping **regulations on industrial and supply chain security**, as well as measures targeting what it considers **improper extraterritorial jurisdiction** by foreign states. Moreover, the 2026 **Ethnic Unity and Progress Law** extends to organizations and individuals outside China, including non-Chinese actors, that are considered to undermine China's unity or foster ethnic division, potentially facing prosecution under China's National Security Law.

The expanding reach of the foreign-related rule of law reflects China's evolving self-perception as a major global power with expanding interests to protect. As a **"semi-permeable membrane"** between China and the world, the foreign-related rule of law intends to filter out external influence and to enable Chinese firms and institutions to operate globally on Chinese rather than alien terms. It aims to govern an **"overseas China"** consisting of Chinese people, investments and organizations abroad, and to create a **"legal security chain"** for China's sovereignty, security and development.

In the longer term, FRROL serves China's rising international leadership and selective closure. For China – just as it has been for the US for a long time – the law also serves as an instrument of strategic competition. As part of China's Global Governance, Global Security and Belt and Road

Initiatives, FRROL seeks to reform the international system so that Chinese-style **global governance** and **"the international rule of law"** will reinforce each other.

Foreign governments and other entities should prepare for the foreign-related rule of law to deepen and spread across a range of issue areas and instruments. These include I) **Extraterritorial court orders and law enforcement**; II) **extension of Chinese law and use of foreign law in litigation, arbitration and mediation**; and III) **inclusion of Chinese legal concepts, approaches and agendas** in international agreements, international law and international organizations. For foreign governments, the emergence of a parallel legal and political logic reaching beyond China's borders demands **selective engagement and setting clear boundaries**, as well as strengthening the resilience and competitiveness of their own legal systems.

1. The Rule of Law in Xi Jinping's New Era

China's rule of law has established a comprehensive, rule-based order for the conduct of private and public persons and entities. As the institutionalization and legal codification of the party's will, the rule of law serves the Communist Party's "absolute" control over society. However, once laws, rules, regulations and procedures have been established, the party and government themselves are also subordinate to the rule of law. China's rule of law provides an elaborate, predictable and rules-based environment, but the possibility of party interference can never be excluded, particularly in politically sensitive or vital areas or cases.

Starting in 1978, building the rule of law became a cornerstone of the reforms aimed at overcoming the revolutionary lawlessness and arbitrary use of power during the Cultural Revolution. The socialist rule of law built during the reform period sought to provide impartial rules, procedures and sanctions to regulate the behaviour and interaction between individuals, firms, organizations and the state, but it left the Communist Party's rule unchecked. Both in the West and in debates among Chinese legal scholars, such a procedural or "thin" rule of law was criticized for falling short of a substantive, "thick" rule of law that supports the universal norms and values of a liberal democratic order.[1]

In Xi Jinping's New Era that started in 2012, China's "thin" rule of law has morphed into something much more substantial. The tension that had always existed between the rule of law and the rule of the Communist Party is no longer swept under the carpet but has been resolved – celebrated even – by making the rule of law not a contradiction with, but a part of absolute party rule.

In his speech at the 2020 party's Central Conference on the Work of Comprehensive Law-based National Governance, Xi Jinping linked party rule and the rule of law, saying that "the leadership of the party is the soul of our country's socialist rule of law and the biggest difference between our country's rule of law and the rule of law in western capitalist countries."[2] The absolute leadership of the party not only makes the substantive values to which the socialist legal system's operations are tied more explicit, but also limits the scope for alternative, more liberal interpretations of the law even further. However, it remains far from clear whether the Xi era's attempts to introduce substantive standards to which the law is bound, such as socialist core values and the rhetoric of the rule of virtue, have had any significant impact on legal practice.

Xi's thought on the rule of law revolves around the concepts of "the socialist rule of law with Chinese characteristics" (中国特色社会主义法治) and "comprehensive law-based governance" (全面依法治国, also translated as the "comprehensive rule of law"). In Xi's conceptualization, China's rule of law entails the institutionalization and legal codification of the party's will.[3] China's socialist rule of law rejects the imposition of western ideas; instead, it is based on norms, values and methods that suit China's conditions. Central to these conditions is the Communist Party whose rule is absolute and should be put under its own legal and institutional order, complementary to the order governing the state and society.[4]

Practically, this entails incorporating in the rule of law the parallel normative and regulatory system of rules and regulations governing the activities and life of the party, blurring the line that separates the party's regulations from state law. Matters which were previously regulated by state law may now be governed by intra-party regulations; conversely, intra-party regulations may be transformed into state law.[5] Moreover, many of the party's rules and regulations are kept outside the public domain and can therefore only be scrutinized and implemented by the party itself. In other words, even more than previously, Xi's socialist rule of law is fundamentally non-transparent and designed to uphold the Leninist nature and secrecy of the party's rule. In the final analysis, the party remains beyond outside scrutiny, while the law, legal institutions and law enforcement serve rather than constrain the party's will.[6]

Moreover, the party leads the legislative process.[7] First of all, the CCP Central Committee and lower-level party committees and their committees for comprehensive law-based governance (全面依法治国委员会) conduct research for, draft and propose new bills and regulations. Subsequently, the party takes charge of the further legislative process through its comprehensive network of party committees within the people's congresses, people's consultative conferences and the government.

Finally, through its political and legal commissions (政法委员会) the party also coordinates and directs the application and enforcement of the law through courts, procuratorates, the administrative organs of the judiciary, and the public security and national security organs. In 2018 this was formalized by inscribing in the constitution the superiority of the party's decision-making and normative system over that of the state.[8]

Under Xi, the CCP has thus countered western criticism of China's "'thin' rule by law" by elevating the party's absolute rule and system to the normative basis of its own, alternative "thick" rule of law. These norms include inscribing the core socialist values and "the rule of virtue" into the rule of law, the "organic unity" of the rule of law and the rule of the party, and the "people-centredness" of rule. Despite the many inconsistencies and problems that remain in China's rule of law, China therefore has not simply failed to live up to western expectations, merely having a rule by law rather than a rule of law. China rejects the explicit claim that a true, "thick" rule of law must be grounded in a liberal democratic order and the purportedly universal values that serve as external constraints on the state. Instead, China's rule of law is as "thick" as the rule of law in democratic countries, but is specific to China's conditions with uniform rules that are derived from the party's will. These rules are binding for everyone, including the party's own organizations, cadres and members, establishing a foundation of impartiality, institutionalization and legality for the party's leadership, albeit strictly on the party's own terms.[9]

China's socialist rule of law does not merely set impartial rules and constraints for the interaction between legal subjects in society, including the state. China's rule of law is inherently political, serving and directing the party's will across society. The party's explicit goal to build a country ruled by law, a government ruled by law, and a society ruled by law by 2035 is thus not intended to restrain the party's grip, but seeks to achieve the exact opposite. The rule of law with Chinese characteristics is synonymous with full control and steerage by rule-bound but absolute party leadership. Moreover, the party's rule of law is forward-looking and often programmatic rather than just prescriptive. Laws and regulations are promulgated to change or set the direction and goals for one or more specific institutions as part of the CCP's general vision of China's future, stating how things should become rather than how they ought to be right now. As this report will show, the development of the foreign-related rule of law closely conforms to this party-led and future-orientated rule of law of reform-era China.

2. Development and Scope of the Foreign-related Rule of Law

Since 2014, FRROL has developed to encompass a broad range of issues, initially focusing on national security and transnational enforcement of the law and party discipline. Subsequently, international anti-terrorism cooperation in Central Asia and transnational policing and police cooperation in Southeast Asia added to the urgency of the further development of FRROL. After 2017, the emphasis shifted to creating a "legal sword and shield" against the extraterritorial application of US law targeting China. In the 2020s, the scope has further expanded to include the "security interests abroad" and the "overseas China," and international investment, trade and finance. Despite rapid growth, FRROL's remit is only imperfectly reflected in its institutional framework that continues to be dominated by the security establishment. Nevertheless, as China's global influence and interests continue to rise, FRROL is expected to play an increasingly significant role in China's foreign policy, security and economic strategies.

China's interactions with the outside world span a wide range of disparate issues that reach far deeper than the country's formal international and diplomatic relations. They involve not just foreign national and sub-national governments and international organizations, but also businesses, NGOs and individuals abroad or active in China itself. On China's part, a large number of state, Communist Party and army institutions at all levels of the administration are involved, often with conflicting interests and agendas. China's own businesses and other non-state organizations often also have a very substantial foreign footprint and routinely deal with foreign entities, both in China and abroad.

The foreign-related rule of law (FRROL, 涉外法治) has rapidly become a fundamental building block of party-led law-based governance. According to Huang Huikang (黄惠康), former diplomat, leading legal thinker on China's foreign-related rule of law and the main speaker at a November 2023 collective study session of the Politburo on FRROL, the foreign-related rule of law belongs to the general sphere of domestic law. It is seen as a set of laws that aims to protect Chinese interests as the country modernizes and expands its trade with the world, especially through the Belt and Road Initiative.[10]

From the onset, the Xi administration realized that China's deep and diverse engagement with the outside world was having major implications both inside and outside China, requiring a

fundamental rethink of China's national interests and national security. With the rule of law undergirding all aspects of CCP rule, China's large global footprint quite naturally also requires the extension of China's rule of law to a wide and diverse range of affairs, whose sole common denominator is that they involve both Chinese and foreign actors.

As a key plank of the CCP's leadership's domestic rule and global ambitions, FRROL is conceptualized as the extension of China's domestic law to foreign-related matters and as an interface with international law. In principle, this includes:

1. The extraterritorial application of Chinese domestic law
2. The application of Chinese law to international actors in China
3. The domestic application of international law
4. Enhancing China's influence on international laws and norms

China's behaviour in relation to international norms has been studied primarily from a political science perspective, often focusing on whether China behaves as a revisionist or as a status quo power.[11] The literature has also shown how China's political system influences its positions on the further development of the international order.[12]

China's positions with regard to international law and the effects of domestic Chinese law on international law, foreign legal systems and law enforcement have not been comprehensively examined so far. With FRROL, China now explicitly formulates a legal will to shape the international legal order and other national legal systems. Chinese legal scholars interpret FRROL primarily as a counterweight to Western-dominated international law.[13] However, they also emphasize the validity of the basic principles of the current international legal order which China is striving to reform from within.[14]

First steps: foreign-related legal work and extraterritorial law enforcement

The thinking behind many of the policies of what has come to be referred to as the foreign-related rule of law can be traced back to 2014. At its Fourth Plenary Session in 2014, the 18th CPC Central Committee adopted the Decision of the Central Committee of the Communist Party of China on Several Major Issues in Promoting Overall Law-Based Governance.[15] The Decision stated that the

party must strengthen “foreign-related legal work” (涉外法律工作). The party should also improve the “foreign-related legal system” (涉外法制), participate in the formulation of international rules, promote the handling of foreign-related economic and social affairs according to the law, enhance China’s voice and influence in international legal affairs, and use legal means to safeguard China’s sovereignty, security, and development interests. Foreign-related legal work should include strengthening foreign-related legal services, safeguarding the legitimate rights and interests of Chinese citizens and legal persons overseas as well as foreign citizens and legal persons in China, and safeguarding the rights and interests of overseas Chinese.

Initially, foreign-related legal work focused on the transnational enforcement of Chinese law and CCP party discipline, which has continued to be a prominent aspect of China’s rapidly growing global reach, later also including the much-publicized “overseas Chinese police stations” among overseas Chinese communities.[16] Much more prominently and importantly, the “Operation Fox Hunt” (猎狐专项行动), led by the Ministry of Public Security since 2014, seeks to bring corrupt officials and suspects of “economic crime” back to China.[17] Launched in 2015, the “Sky Net” operation (天网, not to be confused with the domestic CCTV surveillance project of the same name) targets illegal gains and assets taken out of China. Both operations are still ongoing, despite the fact that at least some of their work abroad constitutes a violation of international law and the law of a host state.

A general legal framework for both operations is provided by Article 52 of the 2018 National Supervision Law (amended in 2024) and Chapter 6 of its 2021 Implementation Regulations (amended in 2025).[18] Much more information on their practical execution of these two operations is provided in an interpretation of the Supervision Law published in 2019 by the CCP Central Discipline Inspection Department.[19] According to this interpretation, extradition is the ideal way to pursue international fugitives. Alternatives include repatriation, prosecution elsewhere, persuasion and “unconventional methods”. The latter either refers to kidnapping fugitives or entrapment to lure the fugitive to a cooperating country, the international high seas, international airspace or a third country with an extradition treaty.

Confronting American "long-arm jurisdiction"

In the late 2010s, China started to confront a starkly changing international environment. While triumphalist tropes of national rejuvenation and strength still predominated at the CCP's 20th Congress in 2017, a year later a more combative view started to take hold. At the 2018 Central Foreign Affairs Work Conference, Xi for the first time adopted the phrase "great changes unseen in a century" (百年未来之大变局, literally "big changes in the next hundred years"), pointing to the fact that China's rise as a great power increasingly meets pushback and hostility, particularly from the United States, the world's declining hegemon fearful and jealous of China's achievements. New policies and approaches were required beyond "wolf-warrior" diplomacy and stepping up national defence and national security work.

The extraterritorial use of American law had long been contested. America was seen to be using its "hegemonic" power in the world to force other countries to comply with American wishes. As the competition between the US and China intensified, China decided to counter US "lawfare" with the extraterritorial application of its own law. Instead of relying solely on (unenforceable) international law, China turned to its own, domestic legal framework to create a "legal sword and shield" (法律剑盾).

In January 2021, the Ministry of Commerce issued the *Rules on Blocking Improper Extraterritorial Application of Foreign Legislation and Other Measures* in accordance with the National Security Law and other laws to counteract the impact on China caused by "unjustified extra-territorial application of foreign legislation and other measures, to safeguard national sovereignty, security and development interests, and to protect the legitimate rights and interests of citizens, legal persons and other organizations of China" (Article 1).[20]

In 2023, the Ministry of Foreign Affairs stepped up the confrontation with a much-publicized report that "lays bare the severe harm [...] done to the international political and economic order and the international rule of law" by American abuse of "long-arm jurisdiction" and its domination of the international order.[21] Legal scholars have criticized the Foreign Ministry's report for misrepresenting American extraterritorial jurisdiction and have pointed out that mirroring American hegemonic behaviour will also expose China to accusations of its own offensive use of foreign-related legislation.[22] Nevertheless, the early 2020s saw a flurry of Chinese legislation with

at its core the 2023 Foreign Relations Law intended to counter American laws (to be discussed more fully in Chapter 3 of this report).

Developing a comprehensive foreign-related rule of law

Countering the United States lent further urgency to the development of China's foreign-related legal capacity. At the second session of the Commission for Overall Law-Based Governance of the CCP Central Committee in 2019, Xi Jinping for the first time used the term "foreign-related rule of law" as an integral part of the overall rule of law:

> *We must accelerate the development of a legal system applicable outside the territory of our country, strengthen the training of foreign-related legal professionals, actively develop foreign-related legal services, enhance corporate compliance awareness, and safeguard and serve high-level opening up to the outside world.*[23]

Noteworthy is that already at its first occurrence, the foreign-related rule of law refers as much to fighting foreign hostile action and expanding the extraterritorial reach of Chinese law, as to domestic capacity building and legal service provision.[24]

Using the metaphor of FRROL as a "weapon in international disputes", the Chinese president in 2019 also made clear that China will develop and use legal instruments to assert its interests in the face of foreign challenges.[25] Despite these unambiguous words, the importance and effects of FRROL have yet to be realized among foreign audiences. There is, in fact, very little awareness of FRROL and its implications among governments and international organizations outside of China, the main exception being the US Congress's 2023 hearing of the U.S.-China Economic and Security Review Commission.[26] Almost all of the few currently existing academic studies of FRROL outside China have focused on some of the more tangible aspects of China's external behaviour, such as sanctions and anti-sanctions, export control and banned foreign entity lists.[27] However, in our research we have found that the focus, relevance and impact of FRROL are much broader and run much deeper, both domestically and abroad.

In 2023, after the lifting of the Covid-19 lockdowns, a new, more targeted and selective view of China's globalization has taken hold among the Chinese leadership. In the words of leading FRROL scholar Huang Huikang:

> *The integration of China's interests with those of the external world is deepening and its overseas interests are rapidly expanding in all directions and at multiple levels. From the perspective of national interests, an 'overseas China' (**without territorial attributes**) is taking shape and protection of Chinese interests abroad has become a priority for diplomacy (emphasis added).*[28]

In this new political context, FRROL has become a much broader and higher-profile policy area for the facilitation and regulation of the interaction of Chinese actors with foreign entities in a challenging international environment, including Chinese citizens and the "security of interests abroad" (海外利益安全), international cooperation and exchanges, trade and investments. FRROL has furthermore come to explicitly include governing the presence of foreigners and foreign businesses in China, as well as strengthening China's international judicial capacity, including training and educating legal practitioners.

Institutional embedding of the foreign-related rule of law

The foreign-related rule of law is more than a distinct policy area. It is one, and very prominent, aspect of the extension of China's specific, CCP-dominated approach to the rule of law across all aspects of society, both in China and abroad. This diversity puts the foreign-related rule of law at the crossroads of several powerful institutions and their associated policy interests. These include all institutions more generally involved in the rule of law, order and security, and national security. Moreover, like so often in Chinese politics and governance, many aspects of the foreign-related rule of law are left to sub-national levels of government where specific priorities and preferences colour their implementation.

The 2018 Plan for Deepening the Reform of Party and State Institutions mandated the establishment of the CCP's Central Commission for the Comprehensive Rule of Law (中央全面依法治国委员会). This new commission was intended to be Xi Jinping's main instrument to drive the party-led legislative process, oversight and capacity building that would complete the full and

comprehensive rule of law across the party, the government, the legislature and the judiciary, transcending the vested interests and turf wars of established institutions.

In practice, this has not worked out as planned. The secretariat of the commission was not stationed at a powerful central party organization (for instance the Secretariat of the CCP's Central Committee), but was incorporated as a department in the State Ministry of Justice. No doubt, this was directly connected to the merger of the Ministry of Justice with the State Council's Legal Affairs Office in the same year, making the Ministry rather than the State Council responsible for the legal aspects of administration, including the law-making process and foreign legal cooperation.

According to legal scholar He Zhipeng, the commission has failed to grasp the leading position in the development of the comprehensive rule of law. The commission's membership includes Xi Jinping as chairman and representative leaders from the full range of organizations responsible for security, supervision, law enforcement, judicial persecution and even the army. Although it should be a powerful platform for Xi to roll out his rule-of-law agenda, the commission is poorly resourced and meets only a few times a year, while its connection with a state ministry puts it at a disadvantage to other, independently institutionalized party commissions whose remit also touches on the rule of law. These include the Comprehensive National Security Commission, the joint party Central Commission for Discipline Inspection and state National Supervisory Commission, and especially the Central Commission for Politics and Law. The latter directly coordinates and supervises powerful state ministries and the judiciary. They have in common that their main focus is on safety and stability, security, national security and law enforcement rather than the development and implementation of a rule-bound and impersonal socialist rule of law. This is corroborated by He's analysis of the main leadership of these commissions and those of the Politburo and Secretariat of the Central Committee. He shows that only a few of these leaders are directly involved in the rule of law. He concludes that the rule of law may be an important concern of the CCP leadership but still plays second fiddle to the powerful interests surrounding security, discipline inspection and national security.[29]

The work of the Ministry of Justice and the Central Commission for the Comprehensive Rule of Law includes the coordination of the foreign-related rule of law. Reportedly, the Ministry added a dedicated Bureau for the Foreign-related Rule of law, although this may simply be an additional reference to the Ministry's long-established Department for International Cooperation.[30] In

principle, the FRROL-related responsibilities include the full range of foreign-related legislation, law enforcement and judicial work. However, in practice the ministry and commission seem largely to be limited to preparing legislation for further consideration by the CCP Central Committee and the National People's Congress, and to more technical aspects like developing foreign-related legal services, training and research.

FRROL does not seem to be any different than other aspects of the development of the socialist rule of law, where enforcement, security and order, and national security remain firmly in the hands of other, well-resourced and deeply entrenched party organizations and state ministries. In this regard, it is very relevant that the Annual Conference on Political and Legal Work, being the main avenue for the discussion, development and dissemination of rule of law work, continues to be organized by the Commission for Politics and Law rather than the Commission for the Comprehensive Rule of Law.[31]

The embedding of key aspects of FRROL in the Chinese security apparatus shows that more generally the rule of law is beholden to powerful interests within the administration. Institutionally there is a considerable lack of connection between the foreign-related rule of law and the foreign policy and foreign relations establishment (Central Foreign Affairs Commission, Central Foreign Liaison Department, Ministry of Foreign Affairs, Ministry of Commerce), despite the fact that the urgency of countering American "long-arm jurisdiction" drove the sudden acceleration of FRROL legislation in the early 2020s. Although the four full members of the Central Commission for the Comprehensive Rule of Law are all Politburo Standing Committee members (Secretary General Xi Jinping, Premier Li Qiang (李强), Chair of the National People's Congress Zhao Leji (赵乐际) and Secretary of the Secretariat of the Central Committee Cai Qi (蔡奇)),[32] the secretariat of the commission is entirely made up of leaders from the legislatures, and security, justice and national security organizations.[33]

In addition, the role of the Ministry of Commerce should be highlighted. Although the ministry's involvement in the design and political focus of FRROL laws and regulations remains unclear, it is the main agency to apply specific regulations regarding (anti-)sanctions, export controls, blocking rules and entity lists, which have become prominent since the start of the trade war with the United States in 2018.

The institutional setup for the foreign-related rule of law is not simply a product of bureaucratic turf wars but reflects the deliberate separation of foreign-related affairs from foreign affairs. FRROL is not about China's relations with other countries. FRROL is part of China's general inward turn and move towards a China-centric view of the world. FRROL is principally about regulating and controlling the interactions and impact of foreign entities and connections on China's national security and governance, both domestically and across global China, and about safeguarding China's security and development interests.

At present, prioritizing the development of China's leadership in the global economy, world order and international law is only imperfectly reflected in FRROL's domestic institutional framework, which continues to be dominated by the security establishment. As a result, actions that make sense from a security perspective may sometimes interfere with China's foreign policy strategy and objectives, for instance when other countries see Chinese "overseas police stations" or forcing Chinese criminals and corrupt cadres to return to China as unacceptable interference in their affairs.

However, we may expect this to change in the future as FRROL will focus more on strengthening China's footprint in international law and institutions and on shaping the international order to suit China's needs and preferences. The impact of FRROL on international law and China's role in international organizations and treaties is only beginning. With FRROL, China has explicitly formulated a legal will to shape the international legal order that goes much further than countering threats from the United States or cementing China's territorial claims over disputed areas.

3. Foreign-related Rule of Law: Main Legislation and Regulation

The foreign-related rule of law has developed a comprehensive legislative agenda to align its legal system with China's security interests, growing global economic weight and role as a major international power. Under pressure from the trade war with US, the development of FRROL since 2018 has focused on regulatory tools to counter foreign regulation and measures. In the 2020s, the scope was expanded to China's "security interests abroad," and international investment, trade, finance, data and people. Overall, FRROL represents both a regulatory risk and a structured legal environment for international actors.

Principally, FRROL is outward-looking, guiding and facilitating China's active involvement in the world as a global power with the long-term aim to use China's legal system to build a more China-centric order. From the perspective of the CCP, all the issues targeted by FRROL have in common that they require an interface between China and the outside world. This interface serves as a "semi-permeable membrane" that should not simply block undesirable or dangerous foreign influences but actively set Chinese terms for the facilitation, shaping and controlling of the interaction between China and the outside world.

The trade war with the United States that started in 2018 shifted the attention to creating a "legal sword and "shield" (法律剑盾) to fight the extraterritorial application of US law against China, and more generally against unwanted foreign interference and espionage. In the 2020s, the scope was further expanded to include China's "security interests abroad", safeguarding the interests of "overseas China" (companies, investments, people) and shaping a Chinese legal infrastructure for international investment, trade and finance, thereby embedding FRROL more deeply into China's security and development strategies.[34]

There are now over 50 standalone laws and regulations on foreign-related issues, as well as more than 150 laws and regulations on broader legal fields that include provisions on foreign-related matters.[35] We will in particular discuss those laws and regulations that have the closest link to the risks posed to foreign businesses, persons and governments. After a brief discussion of the Law on Foreign Relations, we will address the impact of FRROL in the following areas: 1. Sanctions, export controls and unreliable entities lists; 2. Screening and regulating foreign

investment; 3. Mergers and acquisitions control; 4. Cybersecurity; 5. Litigation and enforcement. In the final parts of this chapter we will turn to the relevance of FRROL legislation and regulation specifically for foreign governments, and provide an assessment of the risks and opportunities of FRROL legislation and regulation. The field of criminal law is omitted from this Brief, as it warrants closer attention than can be given here and has in part already been dealt with in an earlier EAI brief on FRROL.[36]

FRROL's basic law: the law on foreign relations

While there is no legislative masterplan to establish a comprehensive system for FRROL legislation, China's 2023 *Law on Foreign Relations*[37] sets the tone for all FRROL-related laws and regulations. The Law establishes a domestic legal framework for China's international affairs and mandates the development of a comprehensive system of legal instruments to advance Chinese interests in international matters.[38]

The Law sometimes simply reiterates already established aspects of FRROL. For instance, it empowers the state to deploy appropriate countermeasures or restricting measures against acts that endanger its sovereignty or national security.[39] Such countermeasures, discussed in detail below, had already been part of the Chinese arsenal since the trade conflict during the first Trump administration. However, the Law on Foreign Relations clarifies that decisions on countermeasures are final and cannot be reviewed before Chinese courts.[40] This had already been stipulated in the Anti-Foreign Sanctions Law[41] but importantly not in the Blocking Rules (see below).

One contentious aspect is the application of international treaties by Chinese courts. Current practice shows that the Chinese judiciary is not shying away from applying provisions from international treaties in their decision-making.[42] The Law on Foreign Relations now clarifies that "the implementation and application of treaties and agreements shall not undermine the sovereignty of the State, national security and public interests".[43] This provision comes close to a blanket exemption to upholding any international treaty, which is highly problematic under the Vienna Conventions on the Law of Treaties[44] and should be considered in future treaty-making with China.

The Law on Foreign Relations is largely a programmatic law, which sets a legal and policy framework for future legislation and regulation. This becomes clear in its provisions that mandate the state to build, strengthen or improve capabilities, regulations and work mechanisms.[45] For the development of FRROL, Art. 32 is particularly important as it tasks the state to "strengthen the implementation and application of its laws and regulations in foreign-related fields." The rationale of future FRROL measures is summarized in Art. 37, which prescribes the obligation of the state to "protect the safety, security, and legitimate rights and interests of Chinese citizens and organizations overseas and safeguard China's overseas interests against any threat or infringement."

Besides focusing on restrictive measures and the interests of Chinese nationals, the Law on Foreign Relations also reiterates the commitment to opening-up,[46] the legal protection of the rights of foreign entities in China[47] and the importance of international cooperation,[48] and states explicitly that China adheres to the principles of equality and reciprocity.[49]

The Law on Foreign Relations encompasses core elements of FRROL. However, as a programmatic law, it is focused on prescribing or confirming legislative and regulatory undertakings for advancing FRROL without establishing any specific legal consequences, mechanisms of enforcement, or basis for legal claims.

Sanctions and anti-sanctions

China remains an advocate of the principle of free trade and encourages foreign investment in China as well as Chinese investment abroad. It positions itself as being opposed to protectionism and committed to a rule-based international economic order, including its bilateral and multilateral obligations within various trade and investment regimes.[50] At the same time, under the foreign-related rule of law, China has effectively stepped up its ability to navigate and shape a global system that remains formally rule-based but is increasingly shaped by transactionalism, industrial policy, trade conflicts and geopolitics.

The Anti-Foreign Sanctions Law sets out the circumstances under which China may adopt countermeasures against sanctions imposed on China.[51] The Law defines hegemonic, coercive and interventionist measures adopted by foreign states against China as constituting discriminatory restrictive measures. It provides that acts of containment or suppression directed

at China by foreign states, when carried out in violation of international law and the basic norms governing international relations, likewise amount to discriminatory conduct.

The Law specifies that the subjects of countermeasures may include either organizations or individuals and extends the scope of such subjects beyond those directly or indirectly involved in the formulation, decision-making, or implementation of discriminatory restrictive measures.[52]

The Law prohibits both foreign and Chinese organizations and individuals from enforcing or assisting in enforcing discriminatory restrictive measures employed by foreign nations against Chinese citizens or organizations. The *Implementation Provisions of the Anti-Sanctions Law* clarify that organs of the State Council can impose sanctions and lists the National Reform and Development Commission (NDRC) and the Ministries of Foreign Affairs, Commerce and Justice as competent departments in this field.[53]

In 2022, the Ministry of Foreign Affairs started to issue (counter-)sanctions under the Anti-foreign Sanctions Law. Target of these sanctions were predominantly US politicians, political institutions and US defence industry enterprises, but lately also Canadian advocacy groups and Japanese politicians.[54]

The Ministry of Commerce started using the same instrument in August 2025, when it sanctioned two Lithuanian banks in 2025 in response to the European Union's sanctioning of Chinese financial institutions in the context of Russia's war against Ukraine.[55] In October 2025, after the Dutch Minister of Economic Affairs issued an exceptional emergency order against chips manufacturer Nexperia, the Chinese Ministry of Commerce retaliated with an export control order prohibiting Nexperia China and its subcontractors from exporting finished components, a case which will be discussed more fully in Chapter 5 of this report.[56]

The field of maritime industry appears to be at the centre of China's counter-sanctions, as illustrated by the latest amendment to the *Maritime Law* that explicitly stipulates that China may take corresponding measures if any country adopts discriminatory prohibitions, restrictions, or other measures against China in maritime transport and shipbuilding.[57] In October 2025, after the US had put Chinese shipyards on its sanctions list, the Ministry of Commerce sanctioned the US Hanwha (former Daewoo) maritime industry conglomerate.[58] These countersanctions were subsequently put on ice for one year after direct China-US consultations.[59]

Earlier in September 2021, the Ministry of Commerce had promulgated the *Rules on Counteracting Unjustified Extra-Territorial Application of Foreign Legislation and Other Measures (Blocking Rules)*,[60] which apply to cases where the extraterritorial application of foreign legislation or other measures imposes "unjustifiable" restrictions on Chinese persons or entities. Affected Chinese companies and individuals have an obligation to report such measures[61] and organs of the Chinese government may subsequently take unspecified countermeasures.[62]

The Blocking Rules prohibit compliance with such foreign legislation or measures and grant Chinese citizens and companies the right to seek compensation in cases where compliance would result in losses for those who are following the Chinese prohibition order.[63] Additionally, if a Chinese individual or enterprise suffers significant losses while following the prohibition order, unspecified government departments may grant support.[64]

On 2 May 2026, China for the first time used the Blocking Rules to counteract US sanctions imposed against five Chinese refineries for their use of Iranian oil. China's refusal to recognise the American sanctions was principally aimed at non-US entities affected by the extraterritorial effect on their business ("secondary sanctions"). The Chinese blocking order sought to prevent these entities from refusing to deal with the five Chinese refineries on the basis of U.S. sanctions, placing them before the very difficult choice between complying either with American or Chinese law.[65]

Export controls and unreliable entities list

The most immediate impact of FRROL on global trade is felt when China uses its *export control regime* overseen by the Ministry of Commerce. It is such controls that China imposes in the trade war with the United States. The legal basis for export control is the *Foreign Trade Law* (revised 2025)[66] and the *Export Control Law* (2020).[67] The latter allows for temporary export control measures of up to two years. Exemptions can be granted by the State Council.

The logic of FRROL informed China's latest amendment to the Foreign Trade Law, which took effect on 1 March 2026. In Article 1, this amendment echoes the Law on Foreign Relations[68] in broadening its purpose to protect "national sovereignty, security, and development interests."

This goal is achieved by revisions to Articles 18 and 29, which govern the legal grounds for restricting the trade in goods and services.

Until the amendment, these provisions closely followed the general exception rules of GATT XX[69] under the WTO trade regime, which only allows trade restrictions under specific conditions. In its amended version, the Chinese Foreign Trade Law added a catch-all provision for the restriction of trade "under other circumstances, if necessary." This unlimited and open authorization is not uncommon in Chinese laws and signals the state's intention to use legal means, but without being burdened by such legal vehicles if required to advance specific goals.

The export control regime provides for a tiered system of restrictive measures. The most common approach to use normative catalogues for goods and services, which are normally updated on a yearly basis. They establish different obligations or restrictions—ranging from automated licenses for imported items[70] to export control lists for dual-use items[71]—or prohibitions of the export of certain technologies.[72]

Another highly restrictive tool of China's foreign trade regime consists of *export control lists* that prohibit the transfer of Chinese dual-use technology to specific foreign entities.[73] In its first use of such prohibitions in 2024, China excluded the US military from receiving Chinese dual-use technology.[74] During the intensified trade conflict with the US in 2025, the scope of sanctioned US companies was broadened to even include a conservative think tank.[75] In July 2025, the Ministry of Commerce added eight Taiwanese (military) companies to this dual-use export ban register, the first time that non-US entities were targeted.[76] China's latest (February 2026) measure to prohibit the export of dual-use technology was to the Japanese military[77] after the Japanese prime minister took a stronger stance on her country's securities interests around Taiwan.[78]

A related trade sanction is based on China's *Provisions on the Unreliable Entity List* (2020).[79] Tailored after the US BIS Entity List, such restrictions may include a complete ban on engaging in import or export business with China, investment restrictions, entry bans or restricting or revoking work permits and resident status.

China has certainly tightened its export control regime in the last years, but it seems to follow a logic of retaliation (against US measures) while trying not to escalate matters or even abandon the general idea of free trade. It is noteworthy that China's export control regime does not include on-site end-user inspections abroad, although the Export Control Law does provide a legal basis for this.

Screening and regulating foreign investment and business

Attracting foreign investments has long been a centrepiece of China's opening-up policy. The recently reformed legal framework remains concerned with facilitating the influx of foreign capital, but the reformed investment guiding mechanism and investment screening may still pose substantial risks for foreign investors.

In 2020, the *Foreign Investment Law*[80] established a unified legal framework for foreign investment, no longer distinguishing between joint ventures, cooperative ventures, wholly foreign-owned enterprises, and other types. The Law stipulates that foreign investments shall receive the same treatment as domestic ones even in the pre-establishment stage.[81]

Previously, foreign investments could fall into one of the categories of encouraged, allowed, restricted, or prohibited.[82] The new Foreign Investment Law announced a shift in this approach toward a negative list for foreign investment, which specifies prohibited areas of investment.[83] The current list also provides for additional permissions under certain conditions.[84] In addition, China maintains a catalogue of encouraged fields of investment both nationally and for designated provinces.[85]

Beyond these investment catalogues, the Foreign Investment Law also established a review mechanism for foreign investments that may affect national security.[86] The *Measures for the Security Review of Foreign Investment* prescribe a reporting obligation for any investment into a field related to the Chinese defence industry and "important fields related to national security".[87] The Measures stipulate certain provisions to help foreign investors navigate the review process, which are clearly meant to walk the tightrope between encouraging investments and barring investment in sensitive fields.

Finally, the latest amendment to *Anti-Unfair Competition Law* includes a global scope of application.[88] Previous versions of this law applied only domestically. Now, the law also includes acts of unfair competition committed outside China that damage the rights and interests of domestic businesses or consumers.[89]

In March 2026, the State Administration for Market Regulation (SAMR) announced that it will actively explore extraterritorial enforcement measures in fields such as false advertising, online unfair competition, commercial defamation, and infringement of trade secrets to safeguard the security of China's industrial and supply chains and protect the interests of the nation and its enterprises.

This move could prove to be a highly consequential and far-reaching aspect of China's long-arm jurisdiction. In most major legal systems, competition law is mainly a vehicle for private enforcement between market participants. Its purpose is to protect market structure or consumer rights rather than state interests, and is institutionally constrained by courts and procedural due process rather than driven by administrative fiat. By inserting SAMR with an explicit mandate to protect Chinese supply chains and domestic enterprises, China is effectively converting an instrument of market ordering into one of economic statecraft, which other jurisdictions are structurally ill-equipped to reciprocate or counter.

Mergers and Acquisitions (M&A)

The application of the *Anti-Monopoly Law* precludes or restricts unfair competition in the domestic market.[90] This is not uncommon for competition regulation in other countries, and China is again following the US and European example here. However, within the context of FRROL, restrictions imposed on foreign undertakings may not only impede specific mergers or acquisitions but will also limit the regulatory scope of other jurisdictions.

The State Administration for Market Regulation's (SAMR) M&A control has a powerful global impact. Mergers and acquisitions need to be reported to SAMR beyond a certain revenue threshold globally and within China.[91] In addition, SAMR has the authority to proactively demand a merger report if the concentration of undertakings may hamper competition on the Chinese market.[92]

In its decisions, SAMR can add restrictive conditions to reduce the adverse effects of a merger or acquisition on competition in China.[93] These conditions are not confined to the Chinese market and can include maintaining certain pre-merger operations or divestment of certain businesses, making close coordination between competition regulators in other countries both essential and highly political.

The China National Medical Products Administration (NMPA) falls under the purview of the SAMR. Procedures in 2018 for overseas inspections allow Chinese regulators to enforce compliance with Chinese production and hygiene standards for medical products and devices before they can be sold on the Chinese market.[94] This approach mirrors the inspection programme of the European Directorate for the Quality of Medicines and Health Care (EDQM)[95] and the Current Good Manufacturing Practice (CGMP)[96] of the US Food and Drug Administration. China utilises its huge market for medical products to ensure that it is not only subject to foreign regulation, but that it can also exert regulatory pressure on foreign companies and achieve equal footing with other powerful global regulators.

Cybersecurity

The *Cybersecurity Law* (2016, amended 2025)[97] and *Measures for the Cybersecurity Review* (2021)[98] give the Cyberspace Administration of China (CAC) the authority to conduct a security review of data purchases and critical information infrastructure operators. Landmark cases like the DIDI investigations in 2021[99] and CNKI in 2022[100] triggered substantial shifts in compliance practices in data security and protection.

The "foreign-related" reach of this cybersecurity review became clear in 2023, when the CAC ruled that critical information infrastructure providers would not be allowed to procure products from the US company MICRON.[101] The 2025 amendment of the Cybersecurity Law substantially broadened its extra-territorial scope of application. Under the amended law, any activity that endangers China's cybersecurity triggers legal liability. If such activity results in serious damage, authorities may freeze the property of the infringer or take other unspecified actions.[102] Additionally, the corresponding administrative fines have been substantially increased and cover more aspects of non-compliance.[103]

China's rules on data sovereignty impose strict obligations for data processing and storage in China and conditions on data transfer abroad, as well as a broad scope of extraterritorial application. The *Data Security Law* provides the legal basis for China's extraterritorial jurisdiction over data-related activities.[104] It stipulates that data processing activities conducted outside the territory of China that harm national security, the public interest, or the lawful rights and interests of Chinese citizens or organizations shall be subject to legal liability.[105] In addition, the Law provides for countermeasures in the field of data-related activities if a foreign government imposes a discriminatory prohibition or restriction or other similar measures on Chinese persons or entities. [106]

The Law also stipulates the conditions under which data within China may be shared with foreign judicial or law enforcement authorities.[107] Most important for data exchange with China is the obligation to conduct a security assessment if transferred data is classified as "important" or "core", or if at least 100,000 records of personal data or 10,000 records of sensitive personal data are transferred.

Neither the Law nor departmental or local regulations provide clear normative guidance on the categorization of important or core data. Notably, such data is not limited to security issues or critical technologies but includes data that "reflects the characteristics of our nation's language, history, customs, and ethnic values, such as data documenting historical and cultural heritage".[108]

Similarly, the *Personal Information Protection Law* applies to processing Chinese personal data outside China.[109] This rule applies both to data processing to provide products or services within China, and analysing or assessing the conduct of natural persons located in China. Transfer of personal data abroad requires explicit and additional consent if this data transfer is not necessary for the execution of a contract.[110]

However, any other circumstances may also fall under this extra-territorial scope of application if provided by other laws or regulations.[111] China's data laws therefore not only strictly govern the flow of Chinese data, but are also equipped to impose heavy regulatory burdens on those who process Chinese data abroad.

Lately, China's draft *Cybercrime Prevention and Control Law*[112] has reignited trade concerns that were previously raised regarding China's existing cybersecurity framework. The law's extraterritorial scope requires foreign businesses to restructure their global operations in order to comply with distinctly Chinese regulatory standards.

By explicitly targeting foreign telecoms and financial tools as non-compliant with China's real-name registration system, the law creates *de facto* discrimination against foreign products and services. The provision bans tools that "evade supervision systems", which could potentially encompass VPNs that are commonly used by foreign enterprises, threatening to disrupt normal business connectivity. The vaguely defined categories of "controlled software", designated by provincial police without transparent criteria, replicate the unpredictability already criticised in the Cybersecurity Law. Sanctions against foreign entities spreading "fake information" that affects China's "development interests" introduce a new dimension of extraterritorial enforcement.

Litigation and Enforcement

The extraterritorial ambitions of China's legal and regulatory framework are only as effective as the domestic enforcement mechanisms that uphold them. This makes the role of Chinese courts and administrative bodies pivotal to compelling foreign entities to comply with Chinese regulatory standards.

In 2023, China's amended foreign-related provisions of the *Civil Procedure Law*[113] broadened the jurisdiction of Chinese courts over foreign-related civil and commercial cases. The scope of cases subject to special territorial jurisdiction by the courts has been expanded from the original category of "contractual or other property rights disputes" to encompass "all civil actions other than those concerning personal status." The amendment introduced the residual principle of "other appropriate connections" in addition to the factors specified in the Law's provision.[114] Finally, the amendment extended the categories of cases subject to the exclusive jurisdiction of Chinese courts, while invalidating jurisdiction agreements between the parties and excluding the jurisdiction of foreign courts over such matters.[115]

Under the *Anti-Sanctions Law*, Chinese citizens and organizations may bring actions before people's courts, requesting the cessation of infringing conduct and compensation for the

resulting losses.[116] International tensions and the war in Ukraine apparently made this provision spring to judicial life, when in late 2024 a Chinese shipyard that was under sanctions from a "third country" sought the support of the Nanjing Maritime Court in settling a dispute with a foreign customer who was unable to continue its dealings with the Chinese company. The court issued a temporary relief order and mediated an undisclosed agreement between the Chinese and foreign parties which allowed for continued business cooperation.[117]

A discussion on the People's Court Case Database for exemplary cases praised the court for "fully utilizing legal weaponry to resolutely counteract the unjustified suppression and pressure exerted by foreign governments on Chinese enterprises, while also implementing the principle of equal protection under the law to properly resolve foreign-related commercial disputes".[118] In this landmark case of applying the anti-sanctions legal framework, China showed that it could count on its judiciary to mitigate the effects of foreign sanctions on Chinese companies.

Information on the judicial application of the Blocking Rules by foreign entities in China is not publicly available. However, in a lawsuit in Hong Kong, a Russian bank under EU sanctions tried to invoke the Blocking Rules in its claim against a German bank. While the court in Hong Kong did not follow this reasoning, the possibility of applying the Blocking Rules in a Hong Kong court is not completely impossible if a Chinese party is involved. Moreover, this is a specific case of the use of Hong Kong's common law by China's legal system under the foreign-related rule of law.[119]

Expansion of the foreign impact of FRROL legislation and regulations

In a globalized world, the regulatory capacity of national states is increasingly constrained by the cross-border nature of economic activity. At the same time, economic interdependence creates an asymmetry of regulatory power, whereby governments with large domestic markets, significant shares of global supply chains, or control over critical resources and technologies can extend their regulatory reach beyond their territorial borders. China is increasingly able to use this asymmetry through foreign-related legislation that is either specifically aimed at limiting the reach of foreign regulation or extending its own demands abroad.

Most immediately, China has shown itself ready and willing to retaliate if a trade conflict arises, but it may also use its trade laws proactively to promote its political agenda. Prime examples are the use of anti-dumping rules in disputes with Australia over the origin of the COVID virus,[120] with

Lithuania regarding the opening of a Taiwanese representative office in Vilnius,[121] and more recently export bans of rare earths[122] and metals like tungsten[123] to the United States. Less commonly known is that China is also using restrictions on the export of strategic equipment, goods and materials against India.[124]

A further deepening of the foreign implications of FRROL occurred with three sets of regulations issued by the State Council in March and April 2026. The *Regulations on Industrial and Supply Chain Security (Decree No. 834)* establish a framework to monitor, identify and respond to risks threatening China's supply chains.[125] The *Regulations on Countering Improper Extraterritorial Jurisdiction (Decree No. 835)* significantly broaden and clarify the Blocking Rules' scope of application, procedures, competences and countermeasures. They target foreign laws and regulatory measures that "unjustifiably" impact Chinese entities, allowing the Chinese government to block compliance with foreign extra-territorial jurisdiction measures, impose countermeasures, and establish a "malicious entity list" for foreign organizations/individuals that drive or participate in implementing improper extra-territorial jurisdiction measures.[126]

Finally, the *Regulations on Outbound Investment (Decree No. 837)* not only seek to facilitate the international expansion of Chinese enterprises but are also an instrument to counter foreign countries' restrictive measures on Chinese investments. In addition, the Regulations further tighten control of Chinese overseas investments on national security grounds, including the authority to unwind completed overseas transactions. The regulations give the Chinese authorities direct and wide control over the operations of Chinese businesses in other countries and their overseas transfer of personnel, technology and data. These controls also apply to investments in Hong Kong, Macao and Taiwan, and may likely put an end to Singapore's role as a haven for Chinese companies and investors.[127]

As is so often the case with FRROL regulations and laws, the scope of application of these three sets of regulations is open-ended and undefined, and explicitly apply to foreign entities as well. For instance, the outbound investment regulations give the Chinese government the power to use the Anti-foreign Sanctions Law to retaliate against foreign governments and international organizations that have taken "discriminatory measures" against Chinese investments or business operations. Retaliation may also target foreign firms whose governments have restricted trade, investment or operations by Chinese firms. Punishment could include

restrictions on trading, investing or operating in China, including the cancellation of the work or entry visas of foreign employees in China.[128]

Another example of open-ended application is found in Articles 13-16 of the Supply Chain Regulations, which stipulate that any foreign regulatory measure with regard to China's supply chains can be treated as an unjustified sanction and trigger the Anti-foreign Sanctions Law. Any foreigner who "violates the normal principles of market transactions" to damage Chinese entities can be subject to investigation and severe trade and investment restrictions. Even research on supply chains in China could now be illegal, creating a legal basis to shut down the entire foreign due-diligence industry. The Supply Chain Regulations may force foreign businesses to choose between compliance with Chinese or their home country's law, making it much more difficult to engage with the Chinese economy and compete with Chinese businesses, potentially even in foreign markets.

4. The Foreign-related Rule of Law: Domestic Development and Foreign Extension

The implementation of FRROL has progressed further domestically rather than in foreign-affairs. Rather than exporting its legal system wholesale, China is building a layered, outward-facing legal architecture for its global economic expansion while retaining domestic control. At their core, FRROL's semi-permeable membrane creates a China-centric legal environment where Chinese actors can engage with the world on Chinese terms. The foreign-related rule of law's judicial implementation is radiating out from China itself to Hong Kong which acts as a bridge between Chinese and international legal systems, particularly in the Greater Bay Area. Beyond Hong Kong, the potential and limits of the reach of China's legal system and its selective integration with those of other jurisdictions is particularly in evidence in mainland Southeast Asia, where the first steps have been taken to create a China-centric legal environment where Chinese actors can engage with the world on Chinese terms.

Provinces expanding the reach of foreign-related affairs

Despite the development of the sophisticated toolkit of economic statecraft discussed in the previous chapter, the implementation of FRROL has progressed most domestically. At the central level, the implementation of FRROL is largely limited to policy statements, legislation and regulations. Given China's highly decentralized administrative system, the most tangible developments are taking place at subnational levels. Sub-national governments have been tasked with the implementation of FRROL, and they are principally concerned with trade, investment, foreign residence and their population overseas rather than international politics.

Reports published by the Ministry of Justice show that provincial inspections have been conducted to monitor progress on the subnational implementation of the comprehensive rule of law reforms, FRROL included. The inspections are intended to ensure that the implementation of law-based governance adheres to central directives and decisions.[129] The earliest such central inspection took place in "key minority" provinces in 2019: Hebei, Shaanxi, Shanxi, Zhejiang, Jiangxi, Guizhou, Yunnan and Gansu. The inspections usually include experts, lawyers and reporters.[130] Below, we review developments in Zhejiang and Shanghai as an example.

Zhejiang

Zhejiang's strong economy, many international businesses and role as a hub of the Belt and Road Initiative make it a natural focus for the foreign-related rule of law. In Zhejiang, most work on FRROL is led by the Department of Justice, which at lower levels often operates jointly with the party's Political and Legal Affairs Commission.

As one of the seven key-point provinces, Zhejiang has largely been propelled by central policies and pressure, with a focus on helping local businesses with overseas operations. Zhejiang created a foreign trade legal service team that has advised over 30,000 companies on international trade issues since 2009.[131]

The province established a foreign-related rule of law coordination group to coordinate and improve the FRROL's organizational system. This group works alongside the Office of the Provincial Party Commission for Law-based Governance to ensure policy coherence.[132] The Zhejiang High People's Court has organized training programmes and seminars on foreign-related issues.[133] The province also set up new institutions like the Hangzhou International Arbitration Commission and overseas legal service centres in 12 countries. These efforts aim to reduce risks for Zhejiang companies doing business abroad, aligning with Zhejiang's role as a major centre of foreign trade and investment and overseas Chinese connections.

Zhejiang has received praise from the central government for creating a "whole-chain working mechanism" (全链条工作机制) for the foreign-related rule of law. This mechanism integrates five factors, namely foreign-related legislation, law enforcement, the judiciary, law compliance, services, and talent cultivation, intended to support Zhejiang's role as a hub for international trade and investment, working with law firms and arbitration bodies to offer legal support to companies expanding abroad. By closely aligning with central priorities, Zhejiang has positioned itself as a model for other provinces and regions in advancing the foreign-related rule of law.[134]

At the sub-provincial level, Zhejiang's cities and districts have tailored FRROL initiatives to their own needs. *Xiaoshan district* in Hangzhou has built a "three-ecology" (三态) model, combining policy, services and legal training to create a supportive environment for enterprises with cross-border business.[135] Similarly, Binjiang district in Hangzhou, known for its high-tech industries, has

developed a comprehensive legal-service platform for the foreign-related rule of law to help companies navigate international legal issues.[136]

Building on its long-standing policies to accommodate and integrate its highly diverse foreign population, *Yiwu City* established a mediation committee for foreign-related disputes, hiring foreign businessmen as international mediators for what is dubbed "foreign-to-foreign mediation".[137] *Wenzhou City*, with its large population overseas and extensive international business ties, not only followed the lead of the province in setting up a foreign-related rule of law coordination group, but also established the Global Wenzhou Merchants and Overseas Chinese Legal Service Centre (全球温商华侨法务中心). In September 2025, the centre for example organized a meeting with a private law firm to discuss American intellectual property rights.[138]

Shanghai

Like with other aspects of FRROL, provincial governments in particular have been experimenting with further novel approaches to international commercial dispute resolution.

The Shanghai First Intermediate People's Court in 2024 established a division under the name of the Shanghai International Commercial Court. Catering to the needs of the Shanghai Pilot Free Trade Zone, the court has jurisdiction over foreign-related commercial cases as well as arbitration in judicial review cases.[139]

Shanghai's Pudong district in particular is a hub of foreign-related business activity and the resident foreigners and has been able to attract various international arbitration institutions and many of China's top 100 legal service institutions with foreign affairs expertise.[140] The 2026 New National Zone Framework for Pudong explicitly includes legal protection and legal services.[141] In 2025, Pudong saw fit to issue a full white paper on FRROL, simultaneously in Chinese and English.[142]

According to this white paper, the Pudong government has created a Foreign-related Rule of Law Department,[143] while the CCP's Law-based Governance Commission coordinates FRROL activities with five specialized coordination groups for governance, law enforcement, the judiciary, legal education and administrative prosecution.

In its bid to create a high-standard international legal services hub, Pudong has explored developing a coordinated institutional planning approach. Notably, its Foreign-Related Legal Services Station is fully dedicated to "Going Global" Enterprises. Additionally, Pudong established its first Hong Kong-Macau Joint Venture Law Firm in March 2025 to provide "one-stop cross-border legal services for clients in Chinese Mainland, Hong Kong and other countries."

As an area with an exceptional number of foreign enterprises and residents, Pudong has established a three-level "centre-station-point" system for foreign nationals. This comprehensive system offers a range of services, including temporary accommodation registration, visa pre-acceptance, legal consultation, and others. This initiative aims to help foreign nationals "arrive, stay, and integrate" into Pudong. Pudong also claims that it has improved the protection of intellectual property for foreign-invested enterprises, foreign trademarks, and in foreign-related exhibitions.

Local implementation of FRROL

The examples of Zhejiang and Shanghai show that the development and implementation of FRROL relies on close collaboration between local governments, legal-service providers and enterprises. These local efforts are driven by practical demands determined by the local governments' own rather than national priorities, such as protecting overseas investments, resolving trade disputes or serving the province's overseas population, and have little to do with the centre's concerns regarding security, national security and geo-politics.

New approaches have been developed to reflect the requirements and characteristics of specific foreign-related involvement. These provincial and sub-provincial projects illustrate how the province's ability to translate central policies into localised solutions has been a key driver of progress, balancing top-down guidance with bottom-up experimentation.

Expanding the jurisdiction of Chinese courts in foreign-related disputes

Under the foreign-related rule of law, commercial arbitration courts have been set up to create a fair and impartial international business environment, while international cooperation has been sought with arbitration and mediation courts and panels, for instance in Singapore.[144]

One of the most prominent instances where Chinese law and legal institutions dictated international business rules occurred in August 2020, when the Supreme People's Court issued an anti-suit injunction in an intellectual property case.[145] With its anti-suit injunction, the Supreme People's Court ensured that its pending decision in this case would not be outrun by a decision of the High Court in Düsseldorf, Germany.[146] With the injunction, the Supreme People's Court made itself the de-facto highest authority for certain patent cases.[147]

The international backlash was forceful and ultimately led to a WTO complaint by the European Union in February 2022, which sought a decision to deem the Supreme People's Court's anti-suit injunctions incompatible with the TRIPS agreement.[148] However, review under Article 25 of the WTO's Dispute Settlement Understanding (DSU) found that the Supreme People's Court action was not inconsistent with WTO rules, because the injunction was part of China's domestic legal order for the protection of intellectual property rights.[149] As the implementation of FRROL continues to progress, the 2020 injunction may very well serve as a precedent for future actions by Chinese courts that will strengthen the international legal footprint of the Chinese judiciary.

Another significant institution to advance China's global legal agenda is the *China International Commercial Court* (CICC), established in 2018, with seats set up in Shenzhen and Xi'an as divisions of the Supreme People's Court's 4th Civil Chamber. The CICC intends to provide dispute resolution for cases arising in the context of the Belt and Road Initiative. Its jurisdiction also allows them to hear other international commercial cases that the SPC considers appropriate.[150]

The establishment of the CICC reflects China's effort to institutionalize transnational dispute resolution, such as Article 277 of the 2023 Civil Procedure Law, which explicitly grants Chinese courts jurisdiction if parties choose them for cross-border civil disputes. The CICC was created to provide a "one-stop shop" for integrated cross-border commercial disputes, particularly those linked to Belt and Road Initiative (BRI) projects, combining mediation, arbitration and adjudication.[151]

The CICC serves as a hybrid mechanism that bridges domestic judicial sovereignty with international commercial norms. The CICC is supported by an international expert committee, but unlike other international commercial courts, all judges are Chinese and must use Chinese as the court language. However, judges are bilingual in Chinese and English and material can be

submitted in English without translation, while cases can be heard either under Chinese law or foreign law.

Nevertheless, the CICC and other Chinese courts give Chinese parties to a dispute a strong "home court" advantage similar to that given to firms from the developed world in American or British jurisdictions. This advantage has been a long-standing issue for firms from developing countries, including the very high costs involved that often only large firms from developed countries can afford. The CICC is a chamber of the Supreme People's Court whose decisions cannot be appealed. Like the Supreme Court's 2019 injunction, the CICC may in future mainly serve to extend the influence of China's judiciary .[152]

Expanding the judicial system for the implementation of FRROL is not limited to central initiatives. As with other aspects of FRROL, provincial governments in particular have been experimenting with further novel approaches to international commercial dispute resolution. The *Shanghai* First Intermediate People's Court in 2024 established a division under the name of the Shanghai International Commercial Court. Catering to the needs of the Shanghai Pilot Free Trade Zone, the court has jurisdiction over foreign-related commercial cases as well as arbitration in judicial review cases.[153]

The special role of Hong Kong

Celebrating the 25th anniversary of Hong Kong's return to China in 2022, Xi Jinping gave a speech where he emphasised the special place of Hong Kong as part of China, saying that the territory would serve as a "bridge and window connecting mainland China to different parts of the world".[154] Leading FRROL legal scholar Huang Huikang further refers to Hong Kong as occupying a unique position and serving an important function in China's construction of its foreign-related rule of law.[155]

With a comprehensive and strong legal infrastructure in place, Hong Kong's Department of Justice's *Vision 2030* gives Hong Kong's push for the rule of law not only a domestic but also an international role, especially along the Belt and Road.[156] The department has implemented measures to attract legal expertise from around the world, such as the introduction of streamlined entry arrangements for individuals taking part in international arbitration proceedings in Hong Kong.

The Department of Justice has also worked closely with other government bureaus to keep Hong Kong's legal framework up to date and responsive to global trends. This includes laws that facilitate the re-domiciliation of Chinese companies incorporated overseas back to Hong Kong, and regulatory measures to govern the use of cryptocurrencies.[157]

Hong Kong's FRROL implementation is increasingly intertwined with that of the mainland. In November 2015, the Hong Kong International Arbitration Centre (HKIAC) established a representative office in the China (Shanghai) Pilot Free Trade Zone of Pudong. After Seoul in 2013, the Shanghai office was HKIAC's second centre outside Hong Kong.[158] This move served to promote mutual learning and integration of mainland arbitration practices and international arbitration practice on mainland soil. Moreover, the HKIAC can be used by Chinese companies for their international operations.

Following the announcement in the 2023 Policy Address by Hong Kong's Chief Executive John Lee Ka-chiu, in June 2025 a key talent training organization was established, known as the *Hong Kong International Legal Talents Training Academy of the Department of Justice of the Hong Kong SAR*. This academy aims to leverage Hong Kong's bilingual common law system and international landscape to provide a platform for capacity building, knowledge and the sharing of experiences for legal professionals in Hong Kong, mainland China, and other jurisdictions, particularly those along the Belt and Road. Students will be trained in the field of foreign-related legal affairs, nurturing legal talents conversant with international law, common law, civil law and China's legal system.[159]

Another component of Hong Kong's contribution to FRROL is legal research. In May 2022, the HKSAR Department of Justice and the Hong Kong Academic Institute signed a framework arrangement for exchange and cooperation in FRROL research to continue to promote the construction of the Hong Kong Objective Rule of Law Information Database that was officially launched in 2022. In line with the Department of Justice's Vision 2030, this initiative involves collecting and collating data and research on the practice of the rule of law.[160]

China has encouraged Hong Kong to step up its role in international law organizations. In 2022, a regional arbitration centre was set up in Hong Kong with the Asian-African Legal Consultative Committee (AALCC) in order to provide more convenient and efficient dispute resolution services for Asian and African countries. The AALCC is currently the only international legal platform

spanning Asia and Africa that provides advice to member countries on international legal matters.[161]

To cultivate high-quality FRROL talent with an international outlook, the Department of Justice has established close partnerships with several international organizations. They include the Hague Conference on Private International Law (HCCH), the International Institute for the Unification of Private Law (UNIDROIT), and the Regional Centre for Asia and the Pacific of the United Nations Commission on International Trade Law (UNITC). The Department of Justice has also established collaborative relationships with the Preparatory Office of the International Mediation Institute in the hope of establishing a closer cooperative relationship with the International Mediation Institute (IMI) once it has been established in Hong Kong.[162]

Hong Kong also hosts meetings on international law. For instance, the third AALCO Annual Arbitration Forum was held in Hong Kong in December 2023. In October 2021, the UNITC Third Working Group Meeting was held in Hong Kong, promoting investment mediation as a solution for reforming the investor-state dispute settlement (ISDS) mechanism, which effectively promoted the formulation of international rules on investment mediation. In November of the same year, the Fourth UNITC Asia-Pacific Judicial Conference was held in Hong Kong co-organised by the Department of Justice and UNITC.[163]

The provisions of the Hong Kong Basic Law and National Security Law subject Hong Kong's legal system to the supervision of the legal system of the People's Republic of China, including Beijing's competence to transfer certain cases from Hong Kong to the mainland. The Chinese government can therefore potentially use its power over the legal system in Hong Kong to gain influence across the common law world. In future, Hong Kong's status as an international legal hub may therefore serve Chinese national interests as much as those of international businesses and Hong Kong itself.

However, the relationship between Hong Kong's and China's legal system is a two-way street. The Chinese government does not just impose its legal will on Hong Kong, but also sees Hong Kong's role as complementing and supporting China's own rule of law through its legal and linguistic expertise and global credentials as an international legal hub. Hong Kong may well advance China's political and economic agenda on the global stage, but is equally, if not more, important in China itself.

The Greater Bay Area: pillar of the development of the foreign-related rule of law

Integrating Hong Kong's legal system into that of the Mainland are nowhere more in evidence than in the Guangdong-Hong Kong-Macao Greater Bay Area, consisting of Guangzhou, Shenzhen, Zhuhai, Foshan, Dongguan, Zhongshan, Jiangmen, Huizhou and Zhaoqing as well as Hong Kong and Macao. In official discourse, the Greater Bay Area has been positioned as a FRROL testing ground under the unique institutional setting of "one country, two systems, three jurisdictions" (一国两制三法域).[164]

The earliest cross-border legal-service integration in the Greater Bay Area largely advanced by giving Hong Kong law firms restricted access to the mainland.[165] Originally, Hong Kong law firms' Mainland representative offices were expressly barred from providing legal services in mainland China; permitted activities were limited to advising on Hong Kong and foreign law, handling Hong Kong-law matters, and coordinating with mainland law firms for work on mainland law.

Starting in 2003, Hong Kong lawyers were gradually given more access to the mainland,[166] while maintaining the "one client, multiple jurisdictions, multiple licences" system. A major institutional innovation in cross-border legal services came with the establishment in 2020 of the Greater Bay Area legal professional examination.[167] Eligible Hong Kong legal practitioners can obtain practice qualification in the nine Pearl River Delta municipalities by passing a special examination. By 2025, the exam had already been held four times, with over 560 Hong Kong and Macao practitioners having passed and obtained the Greater Bay Area licence.[168]

This legal architecture operationalizes professional mobility while maintaining jurisdictional boundaries, thereby improving service continuity for cross-border business without collapsing the three jurisdictions structure which serves as a selectively porous boundary between the legal systems of China and the world.

Expanding the scope of legal practice by Hong Kong lawyers in the Greater Bay Area coincides with building internationally competitive dispute-resolution services in the Greater Bay Area with particular attention for international commercial dispute resolution through arbitration or mediation.[169] In addition, a broader push is made for coordinated talent cultivation and foreign-related rule-of-law capacity building.[170]

Hong Kong complements FRROL expertise in China, as competent FRROL lawyers with the necessary expertise and foreign language skills are scarce in the mainland. In April 2024 the HKSAR Department of Justice released the Action Plan on the Construction of Rule of Law in the Greater Bay Area to promote institutional coordination, regulatory alignment and talent mobility within the area.

The plan seeks the construction of a legal system supported by the training and circulation of legal talents between regions.[171] In addition to cooperation in the Greater Bay Area, Hong Kong experts are frequently involved in FRROL training programmes elsewhere in China, including provinces like Shaanxi and Zhejiang.[172] Lawyers from Hong Kong, Macao and Taiwan have also been given the power to work on civil cases in the Greater Bay Area.[173]

To sum up, the Greater Bay Area's cross-border legal services have developed through a layered pathway: 1. Hong Kong firm presence and association arrangements that support coordinated "two-law" services; 2. An individual licensing channel that grants Hong Kong practitioners limited mainland-law practice rights; and 3. Dispute resolution and foreign-related training.

The Greater Bay Area functions as a laboratory where professional mobility, jurisdictional boundaries and internationalized commercial legal services are co-developed. Leveraging Hong Kong's bilingual common law system and international orientation, the implementation of FRROL in the Greater Bay Area amounts to a controlled form of cross-border liberalization rather than an unconditional opening up.

China's expanding judicial cooperation in Southeast Asia

Chinese businesses are expanding their operations in many parts of the world, requiring them to work in foreign legal environments for arbitration, mediation and litigation. Foreign operations (trade, investment, raising capital) by businesses or private parties are usually not or only partly conducted under Chinese law. This is even more clearly the case when Chinese investors also want international status or migration options, which has exploded in recent years.

The choice of legal system depends in part on the relative bargaining power of the Chinese and foreign parties to a contract, which includes the governing law and dispute resolution location. If the Chinese party has a strong position, it may choose PRC law and a Chinese arbitral court for

dispute resolution. If the parties are equal, one may choose the governing law and the other the dispute resolution location.

This is especially common in bilingual jurisdictions. In Singapore, for instance, the Singapore International Arbitration Centre may conduct proceedings in Chinese. A tribunal may include a PRC law expert, and if needed, expert witnesses may provide opinions on PRC law issues.

Chinese law firms are actively following in the wake of Chinese capital, trade and people. Many have set up overseas offices to assist their clients with their operations either under Chinese or foreign law, providing them with a safety net in their overseas business. Conversely, foreign law firms are setting up China desks to service Chinese clients in their dealings with foreign law.

Under the umbrella of the foreign-related rule of law, the Chinese government is actively seeking to get a grip on these developments. As discussed earlier, in many places in China training courses in foreign and foreign-related law are organized for legal practitioners and businesses. This includes visits by delegations of lawyers, judges and scholars to foreign jurisdictions, where they usually also meet with Chinese lawyers or the offices of Chinese law firms.[174]

Equally, if not more importantly, is the international and foreign-relations aspect of FRROL in finance and business. China's legal cooperation with other countries is deepening, particularly in cross-border finance, investment regulation and dispute resolution. This is particularly visible in Southeast Asia where China's trade and financial ties are rapidly deepening under platforms like the China-ASEAN Free Trade Agreement (CAFTA) and the Regional Comprehensive Economic Partnership (RCEP). As a result, China has increasingly engaged Southeast Asia in legal affairs.

China's international legal cooperation with Southeast Asian countries in the financial domain can be broadly categorized into three key areas: 1. the regulation of cross-border capital flows; 2. the oversight of cross-border investment and financing activities, and 3. the resolution of cross-border commercial disputes.

The regulation of cross-border capital flows emphasizes anti-money laundering and counter-terrorist financing. China and the ASEAN member states of Singapore, Malaysia, Thailand and Indonesia are active participants in the Asia/Pacific Group on Money Laundering, a regional body under the global standards of the Financial Action Task Force.[175]

In addition to multilateral platforms, China has signed a series of bilateral memoranda of understanding with ASEAN central banks and financial regulators to coordinate on suspicious transaction reporting, joint AML investigations, and secure information exchange.[176] These arrangements play a key role in enhancing collective financial system integrity and in preventing illicit financial flows across borders.

The second major area of cooperation centres on cross-border investment and financing regulation, particularly securities supervision and investment protection. The China Securities Regulatory Commission (CSRC) has signed MOUs with counterparts in Singapore (Monetary Authority of Singapore), Malaysia (Securities Commission Malaysia) and others to strengthen cooperation on cross-border initial public offering supervision, insider trading enforcement, and investor protection mechanisms.[177]

On the investment protection front, China has signed bilateral investment treaties with most ASEAN countries. These treaties provide core legal guarantees such as national treatment, most-favoured-nation treatment, protection against expropriation, and access to investor-state dispute settlement mechanisms.[178] The more recent RCEP investment chapter, to which both China and ASEAN are parties, includes updated provisions that emphasize transparency, fair administrative treatment, and progressive liberalization of financial services.[179]

The third and increasingly vital domain involves cross-border commercial dispute resolution, which has become more institutionalized in recent years. Both China and ASEAN countries are signatories to the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards, which provides a legal foundation for the mutual enforcement of arbitral awards.[180]

Chinese arbitration institutions such as the China International Economic and Trade Arbitration Commission (CIETAC) maintain partnerships with regional counterparts like the Singapore International Arbitration Centre and the Asian International Arbitration Centre in Malaysia.[181] These arrangements contribute to greater predictability and harmonization in the resolution of cross-border financial disputes.

Beyond arbitration, there has been a growing emphasis on the recognition and enforcement of foreign court judgments. In 2016, a 2015 Singapore High Court civil ruling was recognized by the

Nanjing Intermediate People's Court, which established a precedent for enforcing Singaporean commercial judgments in China based on the principle of reciprocity, despite the lack of a formal treaty.[182]

In 2018, China and Singapore signed a memorandum of understanding on mutual recognition and enforcement of judgments in commercial cases.[183] These milestones are expected to pave the way for more comprehensive judgment enforcement mechanisms across the region.

Together, the three areas of capital flow regulation, investment oversight, and dispute settlement form the pillars of China-ASEAN judicial cooperation in cross-border finance. They reflect a broader regional trend toward institutional convergence and legal capacity-building in response to the increasing complexity of global financial integration. In this domain, the development of FRROL takes place by means of a combination of institutional exchange and cooperation and bilateral and international agreements.

However, the expansion of FRROL stops short of unilateral extraterritorial application of Chinese law and jurisdictions. Chinese business operations in foreign jurisdictions usually continue to be conducted under local law, even when a project or venture involves a Chinese state-owned enterprise under China's Belt and Road Initiative. The implementation of FRROL in this area therefore focuses on judicial cooperation, capacity building among courts, law firms and businesses in foreign law and foreign-Chinese business relations, rather than aggressively extending the reach of China's domestic law.

Domestic and judicial aspects of foreign-related rule of law: an assessment

China's foreign-related rule of law is not a marginal or technical component of legal reform, but a central instrument through which the Chinese party-state seeks to structure China's engagement with the global economy and international legal order.

The foreign-related rule of law's judicial implementation is still mainly focused on China itself, but also radiating out to Hong Kong and Southeast Asia. Across courts, legal services, provincial governance and Hong Kong's hybrid legal role, FRROL is being operationalized to support Chinese

commercial expansion, manage legal risk abroad, and gradually reshape the institutional environment in which cross-border disputes involving China are resolved.

A core finding is that FRROL does not primarily seek the wholesale extraterritorial application of Chinese law. Instead, it advances a more selective and strategic approach: expanding the jurisdictional reach and international visibility of Chinese courts; building networks of judicial cooperation, arbitration and mediation; and cultivating foreign-related legal capacity that advantages Chinese parties while remaining compatible with international legal norms and international agreements.

For businesses, the immediate relevance of FRROL lies in the gradual recalibration of legal risk and bargaining power in cross-border transactions involving Chinese counterparts. The expansion of Chinese court jurisdiction over foreign-related civil and commercial disputes, the precedents set by anti-suit injunctions, and the institutionalization of bodies such as the China International Commercial Court signal China's willingness to assert judicial authority in high-value disputes.

While these mechanisms are framed as improving predictability and dispute resolution capacity, they also generate a structural "home-court" advantage for Chinese firms. Foreign companies may find that governing-law and forum-selection clauses are increasingly contested, and that dispute resolution choices once considered neutral are now embedded in broader geopolitical and regulatory considerations.

At the same time, FRROL creates tangible opportunities for foreign businesses willing to adapt. Hong Kong's continuing role as a bilingual common-law hub, the growth of international arbitration and mediation institutions linked to the mainland, and expanding judicial cooperation with ASEAN provide multiple entry points for dispute resolution outside purely domestic Chinese courts.

For firms operating in Southeast Asia and the Greater Bay Area, the deepening recognition of arbitral awards and court judgments enhances legal enforceability, even as it binds them more closely into China's legal system. The key challenge for external actors is therefore not disengagement, but strategic legal positioning – understanding when and how Chinese forums are likely to be activated, and structuring transactions accordingly.

However, It should also be borne in mind that other aspects of FRROL (transnational law enforcement, national security legislation, shaping a China-centric international order) may have to be scrutinized much more for their potential undesirable impact on the interests and security of other countries, their businesses and people. Nevertheless, what all these different aspects of FRROL have in common is that they are grounded in the CCP's belief that it is necessary to emancipate China from an international order dominated by developed countries, principally the US. FRROL serves as a principal instrument to enable a Chinese globalization controlled by China and serving China's interests.

5. Foreign-related Rule of Law, Foreign Policy and International Law

FRROL is envisioned to extend beyond mere "foreign-related" affairs to become a foreign-policy instrument for the development of an international, rules-based order that serves Chinese norms and interests rather than those of established, mainly western powers. In part, this merely amounts to a restatement of China's long-standing foreign policy principles, but it also serves China's turn to "great power diplomacy." Several FRROL-enabled approaches to China's security and foreign-policy outreach have evolved to build strategic influence under the Belt and Road, Global Security and Global Governance Initiatives.

The international law and governance reform agenda is an extension of the domestic implementation of China's foreign-related legal work and rule of law, especially where they include international judicial cooperation, anti-corruption work, law enforcement and security, and combating "violent terrorist forces, ethnic separatist forces, religious extremist forces, drug trafficking, and transnational organized crime."[184]

FRROL is expected to create a favourable external environment for the extraterritorial application of Chinese law by coordinating domestic and international rules and national and international governance systems. Domestically, this includes the management of entry and exit, facilitation of trade and investment, the resolution of international commercial disputes, the protection of intellectual property rights, and the punishment of transnational crimes and terrorism. Internationally, FRROL is intended to be instrumental in changing the international governance and the "international rule of law." This revisionist agenda focuses in large part on the reform of existing United Nations organizations and other institutions, such as the IMF and the World Bank, to reflect changes in the international landscape, the G20 and the WTO.[185]

Nevertheless, the full development of FRROL's international dimension will not be straightforward. As we have seen in the previous section, "foreign-related affairs" (涉外事务) and "foreign affairs" (外事) remain institutionally weakly linked and largely distinct policy areas. As in other countries, foreign affairs are a conventional policy area that deals with China's formal interactions with foreign governments, international organizations and other entities outside China. Foreign-related affairs involve the impact that foreign actors have on China and Chinese

actors and their interests, either inside or outside China. Nevertheless, the role of FRROL in China's foreign policy is rapidly becoming more prominent and should be expected to rise very significantly in the near future. In this section, we will start with public and national security issues where most progress has been made. We then turn to the broader agenda of shaping the existing international order more along Chinese lines.

Security and national security

Currently, the most tangible progress with the international and transnational extension of FRROL has been made in areas where China's public and national security are at stake.[186] Following Xi's announcement of the Global Security Initiative in 2022, FRROL's international security outreach has been incorporated into this new Initiative. In 2022, for instance, the Chinese Minister of Public Security stated that China is creating a new framework for global public security cooperation "characterized by universal security and common prosperity" and embedded in China's own international institutional framework, particularly the Global Security Initiative, the Belt and Road Initiative and the Community with a Shared Future for Mankind.[187]

An example is provided by the Global Public Security Cooperation Forum (Lianyungang) (全球公共安全合作论坛（连云港）). In 2022, the Lianyungang Forum was revived and turned into China's main multilateral platform for international security matters. Lianyungang sets Chinese standards for international public security cooperation and outreach with currently 122 countries, and provides a platform for engagement with current or future security partners.[188]

Whilst the security establishment remains firmly in the lead, the Global Security Initiative serves to give more room to foreign affairs in international security-related matters. There are several foreign affairs domains where FRROL and the Global Security Initiative intersect directly with foreign policy and strengthen China's strategic influence, each in a different part of the world where China's footprint is already strong. These are:

- Police and policing cooperation in the South Pacific
- Extraterritorial enforcement of Chinese law in Mainland Southeast Asia
- Combating international terrorism in Central Asia

In Central Asia China seeks to counter the "three forces" (三股势力) of terrorism, separatism and religious extremism, principally in Xinjiang. In this region, China cooperates with Russia and the four Central Asian states through the Shanghai Cooperation Organization's Regional Anti-Terrorism Structure, and more recently – without Russia – the China-Central Asia C+C5 through the Global Security Initiative. These organizations provide a "solid legal basis" founded on "universally recognized norms of international law" for counterterrorism and transnational law enforcement, including extradition treaties, judicial assistance treaties, and anti-terrorism cooperation agreements.[189]

In *Mainland Southeast Asia*, police cooperation and the extraterritorial enforcement of Chinese law run deep. Transnational organized crime has long proliferated south of China's borders, including drug production, smuggling and trafficking. More recently, criminal telecom and online fraud compounds have sprung up, often operated by Chinese nationals or local Chinese and predominantly targeting Chinese citizens.

For several decades, China has expanded its security footprint and cooperation in Myanmar, Thailand, Cambodia and Laos with crackdowns on transnational crime.[190] These efforts were institutionalized in 2017 as the Lancang Mekong Integrated Law Enforcement Security Cooperation Centre (LM-LECC), based in Kunming, which is probably the first explicit international extension of FRROL.[191] In August 2023, Chinese and Myanmar police launched a decisive crackdown on scam centres in Northeast Burma, followed by further initiatives to strengthen international law enforcement cooperation in the area. In 2024, 600 telecom scam suspects were arrested through cross-border coordination.[192] In July 2025, China, Myanmar and Thailand established a joint anti-crime mechanism to combat telecom fraud and human trafficking.[193]

In this context, FRROL provides the policy and legal framework for international policing and extraterritorial enforcement of Chinese law in the Mekong River area. The 1997 *Criminal Law* (amended several times, most recently in 2024) already allows in general terms for extraterritorial application (Articles 7, 8 and 10), but remains short on the specifics needed for actual prosecution.[194] With FRROL, transnational law enforcement and extraterritorial application of Chinese domestic law, including in Southeast Asia, have been supported by a broad legislative effort against foreign and foreign-related crime, in particular the 2021 *Anti-Organized Crime Law*.[195]

The *South Pacific* illustrates how the international extension and implications of FRROL and the Global Security Initiative may impact regions that – unlike Southeast and Central Asia – do not directly border on China. In additional to the Pacific Islands, these regions include Africa, Latin America and even parts of Europe (in particular Serbia, Croatia, Hungary and, until a few years ago, Italy). In such countries, China's own security is less of a priority, and "great power" foreign policy considerations are more prominent. Through police cooperation, assistance and training with these countries, the foreign-related rule of law, foreign affairs and geo-political strategy are connected. China also holds an advantage here. While many of these countries may continue to depend on the US as an ally or partner for international (military) security, they may prefer working with China for domestic security, including regime stability. Since the end of the Cold War, the US has neglected internal security cooperation in its national security and military outreach. By contrast, China's own national security strategy remains primarily driven by domestic security, and has more to offer to law enforcement, surveillance and political control and other aspects of domestic security than the US.[196]

China has established bilateral police cooperation agreements with Pacific Island states like the Solomon Islands, Fiji, Kiribati, Vanuatu and Samoa.[197] These agreements include police training and the deployment of Chinese police and advisors. The most significant agreements are with the Solomon Islands and Fiji, although in 2024 the Fijian government decided to remove Chinese police from the island while keeping the agreement. A more ambitious multilateral and comprehensive agreement covering economic and security issues remains elusive, chiefly due to American, Australian and New Zealand concerns.

Nevertheless, China continues to work on a multilateral framework for law enforcement cooperation with Pacific countries. In 2022, China established the Ministerial Dialogue on Police Capacity Building and Cooperation with the Pacific. In 2023, the China-Pacific Island Countries Police Training Centre was established in the province of Fujian. Such foreign-related law enforcement cooperation is intended gradually to reshape the international strategic environment and to bring domestic security affairs of other countries in line with Chinese norms, standards and goals.[198]

For now, the role of FRROL in external and foreign affairs still focuses on security and China's development interests. In this domain, several different approaches or models of China's FRROL-

supported security and foreign-policy outreach have evolved. These include a *surreptitious model* among mainly western developed countries as illustrated by the Operations Fox Hunt and Sky Net and the Chinese police stations (discussed in Chapter 2), a *national security model* in Central Asia, a *domestic security model* in Mainland Southeast Asia and a *geo-strategic model* among island states in the Pacific. With the exception of the first, in these models FRROL is gradually building China's strategic influence in conjunction with the Belt and Road, the Global Security and, more recently, the Global Governance Initiatives. Together, FRROL and China's Global Initiatives legitimize international activities and cooperation by China's domestic security apparatus. This security cooperation supports China's foreign policy agenda of strengthening its foreign influence, serving China's economic interests and its competition with other great powers.

A further and very intrusive step in extending China's extraterritorial security reach was taken with the April 2026 *Ethnic Unity and Progress Law*. This law also applies to activities undertaken abroad that undermine China's unity or foster ethnic division, triggering prosecution under China's National Security Law.[199] On this point, the Ethnic Unity Law considerably expands the scope of the 2023 Foreign Relations Law, which substantially states the same but only in the case of "diplomatic activities".[200] The reach of the Ethnic Unity Law includes Chinese dissidents, activists and separatists working outside the Chinese mainland (i.e. foreign countries, Taiwan, Hong Kong and Macao), but also non-Chinese individuals, organizations, firms or governments supporting or assisting them.

Foreign-related Law and foreign policy: the impact of pushback

As we saw in Chapter 3 of this report, China has already shown itself willing and ready to use its trade laws against other states. FRROL serves a major role in China's pushback against the extraterritorial use of American law to contain China's development. In recent years, a qualitative shift has occurred in this regard. The Regulations on Countering Improper Extraterritorial Jurisdiction, Regulations on Industrial and Supply Chain Security and the Regulations on Outbound Investment establish an actionable framework to monitor, identify and respond to risks when foreign states violate international law and the norms of international relations.

For instance, Article 14 of the supply chain regulations explicitly states: "Where foreign states or regions, and international organizations violate international law and the basic norms of

international relations (...) that harm our nation's industrial and supply chain security, the relevant State Council departments have the authority to carry out industry and supply chain security investigations on the measures or acts."[201] Article 23 of the outbound investment regulations states that: "if an investor encounters trade-related investment barriers or other obstacles to investment and business operations (...) relevant departments of the State Council may take measures such as adjusting relevant country-specific investment policies, prohibiting or restricting the import and export of relevant goods or technologies, or international trade in services".[202]

The regulations on extraterritorial jurisdiction are the most explicit and far-reaching in providing China with foreign policy leverage. They specifically target "improper extraterritorial jurisdiction" or "violations of international law and basic norms of international relations" by foreign states, while all the same giving the Chinese government "the right to exercise extraterritorial jurisdiction measures over acts that are connected to China, in order to safeguard national sovereignty, security, and development interests, and to protect the legitimate rights and interests of Chinese citizens and organizations." Countermeasures can include "areas such as diplomatic affairs, entry and exit, trade, investment, international cooperation, and foreign aid."[203]

With these three regulations, any sanctions or other acts that China deems hostile may have to be defended in Chinese courts, which can take punitive action against foreign entities and their assets in China.[204] Moreover, the risk of litigation has materially increased through the expanded jurisdiction of the Civil Procedure Law and the anti-sanctions litigation framework.

The case of Nexperia serves as an important test. In October 2025, China imposed an export ban on chips made by Nexperia, a formerly Dutch firm which had come under Chinese ownership in 2016. The move responded to the Dutch government's seizure of Nexperia Netherlands after the company's Dutch management had accused the current Chinese owner Wingtech of moving Nexperia's intellectual property and semiconductor technology to China. The Dutch measures and Chinese export ban were later put on ice, but not before exposing the strategic price of European industry's deep dependence on China-made chips. After first initiating proceedings to seek international arbitration under the China-Netherlands Bilateral Investment Treaty, in May 2026 Wingtech filed a civil lawsuit in China seeking 8 billion yuan (US$1.18 billion) in damages from Nexperia Netherlands under China's Anti-Foreign Sanctions Law. [205]

This development marks a major step in turning China's economic clout into foreign policy leverage over other countries and international organizations. The legal action taken against Nexperia and the Dutch government amount to the implementation of the three sets of State Council Regulations (Supply Chain Security, Improper Extraterritorial Jurisdiction and Outbound Investments) discussed in Chapter 3.

Substantially, the three sets of regulations merely restate the principles, aims and practices from earlier FRROL-related legislation, rules, policies and academic writing. However, their true relevance is twofold. First, they turn FRROL legislation and principles into specific requirements from the State Council and the Chinese government, businesses, agencies and individuals to take legal action. Second, the three sets of regulations in effect constitute a major step in using China's economic clout as leverage over the governments and businesses of other countries and even over international organizations. FRROL has come to anyone's doorstep, both in China and abroad, becoming an instrument to exploit foreign countries' strategic exposure and vulnerability to China. Second, and potentially even more important, the three sets of regulations also target foreign governments. These can be held liable not just for their extraterritorial actions that damage Chinese interests, but also those that (may) harm China's national sovereignty, security and development. Possible examples of such punishable transgressions may include supporting Taiwan, harbouring or supporting Chinese refugees, dissidents or activists, and excluding China from an investment treaty or withholding most-favoured nation status.

In this regard, the two sets of Regulations should be read in conjunction with the 2023 *State Immunity Law*.[206] This law has opened a new avenue to Chinese enterprises and banks for litigation against foreign states before Chinese courts. According to Article 7, foreign states lose their immunity from the jurisdiction of PRC courts in litigation arising from "commercial activities",[207] a term that is deliberately broad and creates substantial interpretive uncertainty. Most critically, the law provides for a prominent and structurally embedded role for the Foreign Ministry, whose certifying documents must be admitted by Chinese courts on factual questions and whose opinions on foreign affairs and major national interests carry significant weight,[208] so that state immunity proceedings in China are likely to be governed as much by political and diplomatic considerations as by legal principle.

FRROL as an instrument of international strategic reform and contestation

Increasingly, FRROL's impact extends beyond mere "foreign-related" affairs to become a foreign-policy instrument. The aim is to reform the international, rules-based order along Chinese lines to serve Chinese norms and interests rather than those of established, mainly western powers.

In part, this merely amounts to a restatement of China's long-standing foreign policy framework that revolves around its Five Basic Principles of Peaceful Coexistence (mutual respect for sovereignty and territorial integrity, mutual non-aggression, non-interference in internal affairs, equality and mutual benefit, and peaceful coexistence) and the primacy of the rules-based order founded on international law and the United Nations and its charter. As such, China has long presented itself as the champion of the Global South's emancipation from western dominance and hegemony. In addition, many of China's long-standing foreign-policy achievements and contributions to the international order have been retrofitted into the foreign-related rule of law, such as China's international treaties and agreements or UN peacekeeping operations and even China's membership of the UN Security Council.[209]

A decisive impetus for the development of FRROL as a turning point for China's engagement with the international legal order happened in 2016 with the outcome of the South China Sea arbitration. The arbitral tribunal under the Permanent Court of Arbitration (PCA) in The Hague ruled in favour of the Philippines, declaring China's "nine-dash line" historic claims invalid, concluding that none of the Spratly Islands are legally capable of generating extended maritime zones, and affirming Philippine sovereign rights in its exclusive economic zone.[210]

Maintaining a stance of "not participating, not accepting, and not recognizing" the ruling (不参与、不接受、不承认),[211] China vehemently rejected the legal basis of the Philippines' claims and the PCA's jurisdiction. However, realizing the weakness of its legal strategy, China also attributed its defeat to the lack of domestic legal capacity.[212] This conclusion triggered a broad initiative to train international lawyers and build legal capacity, as well as strengthening the conviction that the international order had to be adapted to China's needs and interests.[213]

After the South China Sea ruling, China's will to increase its imprint on the existing international order (including the UN system and international treaties and agreements) has explicitly been

made a specific foreign-policy goal rather than just a lofty aspiration. In addition to reforming the rules-based order, FRROL also serves China's turn to "great power diplomacy" (大国外交), a concept first used in 2013. Great power diplomacy not only sees China play a role as a responsible major power, committed to maintaining the global free trade system and an open world economy. Great power diplomacy also actively participates in the reform and construction of the global governance system, which strives to build a new type of state-to-state relations. As such, great power diplomacy engages other great powers and does not shy away from imposing its will on other, smaller powers.

To achieve reform of the international system and realize China's role as a great power, the Belt and Road Initiative, Global Security, Global Civilization, Global Development and Global Governance Initiatives are gradually turned into operational and concrete planks of foreign policy. FRROL is an essential ingredient of this. According to FRROL's intellectual architect Huang Huikang, FRROL is part of China's graduation to a power that "balances participating in, adapting to, and guiding and shaping" the existing international system:

> *International law will increasingly become an important tool in external struggles. Strengthening the research and application of international law and enhancing China's discourse power in international law during diplomatic competition is an urgent need to guide the world's changes in a direction favourable to China.*

This requires China:

> *actively to participate in global governance reform and construction, enhancing China's voice and influence in global governance, firmly upholding international fairness and justice, promoting the transformation of the international order from "change" to "governance".*[214]

Issues include global challenges (trade, climate change, major infectious diseases, terrorism) and the governance of "new frontiers" like the deep sea, polar regions, outer space and the internet. These are areas where either China's development and security are most at stake, or new areas of global governance where Chinese initiatives are likely to make the most difference.[215]

What this entails exactly is becoming increasingly clear, albeit still stated in terms of general principles and ideas. In a May 2026 article, the President of the Chinese Society of International

Law, Huang Jin (黄进), discusses "the international rule of law" (国际法治) and China's Global Governance Initiative as connected and mutually constitutive aspects of China's reform of the international system. The aim is to break through the hegemony of the West, democratize the international system, and enhance China's discourse and institutional power in interpreting international law, setting the international legislative agenda and taking the lead in foreign-related legal systems and capabilities.[216]

This approach places the CCP's key *domestic* concepts of "the rule of law" and "governing the country according to the law" right at the centre of China's thrust to reform the international order. This will not just insert China's "fine traditional culture" and "Eastern wisdom" into the reform of the international order – a long-standing trope in Chinese international-relations thinking. More importantly, the focus in Chinese domestic law on "order" and "governance" will also take centre stage internationally in a new system where global governance and international law will reinforce each other. A unified international legal system will include legislation, law enforcement, the judiciary, compliance and legal services. Concrete examples where China claims to already play a constructive role include Trade and Maritime dispute settlement at the International Court of Justice, the International Tribunal for the Law of the Sea, the International Centre for the Settlement of Investment Disputes, the China International Commercial Court, and the International Mediation Centre in Hong Kong.[217]

China has in fact already made considerable progress in inserting its agenda and practices in the international legal realm. A recent study on Chinese "lawfare" in international trade, maritime security and technology governance shows that China is engaged in a long-term, systemic strategy to adjust the existing international legal order without seeking a fundamental overhaul. Individual legal actions, such as selective compliance, alternative legal interpretations or institutional initiatives, are components of a long-term strategy aimed at gradually reshaping expectations of legality and legitimacy. Nevertheless, Chinese international legal initiatives remain gradual, depending on the strength and resilience of existing law and legal practices in specific contexts. In trade governance, the PRC has developed a relatively advanced alternative legal environment, building on the Belt and Road Initiative and China's economic heft. In maritime security a more confrontational pattern prevails, centred on the delegitimization of existing norms and institutions, but with much less success. Technology governance reveals a more forward-looking strategy where China is actively seeking to shape emerging regulatory

frameworks. However, here too China has not yet succeeded in building firm and universally shared legal institutions.[218]

Beyond such gradual and to a certain extent opportunistic advances in specific domains, China is also seeking to make progress in more principled and generally procedural areas. Already before the advent of FRROL, China energetically advanced its interpretations of international human rights law.[219] Initially, China followed a path of formal participation in international human rights mechanisms by implying compliance with international standards through presenting its authoritarian practices in liberal human rights terminology. This rhetorical compliance was supplemented by claims that international standards ought to be interpreted in light of local conditions.

Since becoming a member of the UN Human Rights Council in 2013, China has gone a step further and is trying to change international human rights norms themselves. This effort continues until this day. For example, China asserts that the protection of human rights is conditioned by national realities and levels of development.[220] In China, the enjoyment of rights is conditional on submission to the collective interests of the state and society and the political interests of the CCP. This conditionality enables discriminatory and far-reaching limitations of rights. Another important element of the Chinese human rights perspective is the priority of maintaining overall stability and ensuring continued economic growth.[221]

More directly connected to FRROL is the question whether Chinese domestic courts will become active participants in the future development and interpretation of international law and treaties.[222] Despite a concerted effort, only limited headway has been made. The 2014 CPC Central Committee Decision concerning Several Major Issues in Comprehensively Advancing Governance According to Law (which also featured the first mention of "foreign-related legal work") encouraged Chinese state organs "to participate actively in the formulation of international norms".[223] In 2015, the Supreme People's Court called upon the courts to participate actively in international norm-making, in particular in formulating rules of international investment and trade law.[224] It is unclear what the prospects of accomplishing this ambitious aim are. As they reflect the practice of only one state, domestic court judgments are not a source of international law. They can only be a subsidiary and informal means for determining the rules of international law.[225]

Such influence depends on whether domestic court decisions are sufficiently persuasive beyond the court's jurisdiction to make their decisions noticed by other courts and other actors involved in international norm-making, including the international academic legal community. In order to become informal international norm-makers, the Supreme People's Court has adopted a wide range of measures aimed at improving the accessibility and quality of Chinese court decisions. For example, the court issued a notice to lower courts on the transparency of civil and commercial cases as well as a notice that instructed lower courts on how to improve legal reasoning.[226] Furthermore, the court established the Chinese International Commercial Court as an internal specialized tribunal for international commercial disputes.[227] Though Chinese domestic courts now quite often apply international treaties, the tools of the Supreme People's Court to promote certain court decisions fall short of international standards. Typically, the court publishes summaries of guiding or typical cases which may leave out important facts or legal reasoning.[228] As their authority derives from the status of the Supreme People's Court within the Chinese political-legal system rather than from legal reasoning, it is hard for Chinese courts to gain recognition beyond the domestic context.[229]

Conclusion

Although uneven and certainly not complete, the advent of FRROL is already making a real difference to China's foreign-policy agenda and international norms and governance. FRROL is currently at the inflection point of becoming a major foreign-policy instrument in China's relations with other countries and governments. This includes extraterritorial law enforcement, security cooperation and the inclusion of Chinese preferences in international treaties.

Chinese law can and will be used not merely to defend the interests of China and the "overseas China" of business, investments and people, but also serves as an instrument to leverage other countries' strategic exposure to China. Punitive actions under Chinese law principally target dependencies in trade, resources (including but not limited to critical minerals), investments, intellectual property, and finance. However, they could also be extended to litigation or arbitration for purported damages inflicted on Chinese actors, and could even restrict the civil and political freedom and rights of residents and citizens of other countries under threat of fines, damages or seizure of assets within China.

By contrast, the impact of Chinese legal norms, standards and practices on international law remains limited and highly uneven, particularly in more principled or judicial areas, or in domains where existing international law is firmly entrenched. Nevertheless, the international law side of FRROL is currently receiving much attention. It can be expected that building a Chinese-style "international rule of law" will be energetically promoted as China's instruments of global governance gain more traction in the years to come.

6. Risks, Challenges, Opportunities and Recommendations

The foreign-related rule of law signals that China's rise has entered a new phase. China is no longer just participating in a global order shaped by others; it is constructing tools to defend its interests, project power and reshape international norms. Although aspects of China's extraterritorial reach are beginning to resemble that of the US, it inverts the liberal assumptions of the West. For governments and businesses, the challenge goes beyond economics or rivalry. The emergence of a parallel legal and political logic reaching beyond China's borders demands selective engagement and clear boundaries on where in encroaches on sovereignty of other countries. China's legal system is becoming a powerful instrument of foreign policy that will increasingly affect how governments operate, how companies do business, and how international rules are written in the decades ahead.

Current risks, challenges and opportunities of FRROL legal instruments

In a globalized world, the regulatory capacity of national states is increasingly constrained by the cross-border nature of economic activity. At the same time, economic interdependence creates an asymmetry of regulatory power, whereby governments with large domestic markets, significant shares of global supply chains, or control over critical resources and technologies can extend their regulatory reach beyond their territorial borders.

China, as the world's second-largest economy and a dominant player in manufacturing, critical supply chains, as well as rare earths and other resources, is increasingly able to use this asymmetry through foreign-related legislation that is either specifically aimed at limiting the reach of foreign regulation or at extending China's demands abroad. Currently, the immediate risks and opportunities, in addition to the longer-term challenges, are the following:

Risks and opportunities

- Foreign governments and regulators must reckon with the fact that China's anti-sanctions framework, blocking rules, data sovereignty regime and M&A control practice are designed to *limit the efficacy of foreign regulation and bodies*. China is now not only able to enforce these instruments domestically but is also extending their extraterritorial reach.

- FRROL-related legislation creates significant risks for the *free flow of goods, services, capital and data* through an increasingly expansive export control regime, an unreliable entity list, and a foreign investment screening mechanism that is deliberately broad in scope, covering a wide range of sectors deemed relevant to national security, and whose decisions are explicitly insulated from judicial review.

- The recently amended Foreign Trade Law and other pieces of legislation are noteworthy as they implement the Law on Foreign Relations in protecting "national sovereignty, security, and development interests" by means of open-ended catch-all provisions that effectively uncouple China from international obligations.

- *China's data sovereignty framework* imposes substantial compliance burdens and risks, including the extraterritorial reach over cross-border data flows, especially because the categorization of certain data as "important" or "core" – and therefore subject to mandatory security assessments – remains insufficiently defined.

- *The risk of litigation* before Chinese courts has materially increased through the expanded jurisdiction of the Civil Procedure Law, the anti-sanctions litigation framework, and the State Immunity Law. Foreign states and enterprises would be well advised to factor this risk into their contractual and operational planning.

- The gradual integration of Chinese and Hong Kong legal practices in the Greater Bay Area and the use of international agreements in Southeast Asia show that China is willing to work with and selectively accept foreign legal practices. The result is a *layered legal environment* in which Chinese and foreign actors interact in the procedural and institutional terrain, albeit increasingly shaped by Chinese priorities.

- FRROL creates *tangible opportunities* for foreign actors – including governments – willing to take Chinese law seriously as a mechanism to engage with China. The key challenge for external actors is not wholesale disengagement, but strategic legal positioning – understanding when and how Chinese forums are likely to be activated, and structuring transactions accordingly.

Challenges

- FRROL is not a *monolithic instrument of confrontation*. Treating the foreign extension of China's legal system merely as "lawfare" to be resisted and countered underestimates the comprehensive and structural significance of FRROL and the depth of the policy response that is required. China has consistently reaffirmed its commitment to opening up, equal treatment of foreign investors, and a rule-based international order. Moreover, many FRROL instruments are deliberately calibrated to avoid escalation or the abandonment of existing trade and investment frameworks.

- FRROL *does not primarily aim at the wholesale export of Chinese law* but advances with a more selective and strategic approach. These efforts remain compatible with international law, and even selectively accept foreign legal practices. The result is a layered legal environment that will increasingly be shaped by Chinese approaches. While these aspects of FRROL will improve predictability and dispute resolution capacity, they also generate a structural "home-court" advantage for Chinese firms.

- *China seeks to adjust the existing international legal order* without seeking a fundamental overhaul. Chinese international legal initiatives remain gradual, depending on the strength and resilience of existing law and legal practices in specific contexts. An important limitation here is that Chinese domestic courts have only had limited success in shaping the development and interpretation of international law and treaties. The international trajectory of FRROL will ultimately depend on whether China's legal institutions develop the consistency and independence necessary to contribute to a predictable and legitimate legal order.

- In sum, the domestic and judicial implementation of FRROL should be understood neither as a coherent alternative legal order nor as a temporary policy response. It is a

long-term project aimed at *enabling a controlled, China-centric globalization*. For external actors, the immediate task is to recognize this aspect of FRROL as a structural condition of working with China; one that offers cooperation and predictability in some areas, while simultaneously narrowing legal and normative space in others. Ignoring this duality risks underestimating both the constraints and the opportunities that China's evolving foreign-related rule of law presents.

Risks and challenges of the future development of FRROL

FRROL should be expected to develop in multiple domains, presenting both risks and opportunities relevant to foreign governments, businesses and other actors. The most relevant areas of future development include:

- *Extraterritorial civil litigation, arbitration and court orders* will expand against Chinese or foreign citizens, companies or governments under the State Immunity Law or anti-sanctions litigation framework. Future cases will determine whether Chinese courts exercise restraint or become instruments of political expedience. In any event, specific cases are likely to involve steering by the Chinese government. China's industrial policy and development priorities can be expected to be the main targets, for instance in AI, semi-conductors, biomedicine, advanced aerospace, outer space, the low-altitude economy, or high-level business services.

- *Extraterritorial application of Chinese national security legislation* against Chinese dissidents and activists and their foreign and Chinese supporters or funders (governments, NGOs, universities, individuals). From the outset, enforcement of Chinese law and party discipline has been a prominent aspect of FRROL. The recent Ethnic Unity and Progress Law implies that this will increasingly include national security targets. As before, this may include extraterritorial law enforcement either with or without the cooperation of the government of the affected country.

- *Inclusion of Chinese legal concepts and approaches* in international treaties and organizations. This is the area where the development of FRROL is still largely uncertain, but also potentially the most impactful. A study of China's FRROL-related existing agreements in Central Asia, the Pacific, Africa and Southeast Asia would give indications

of what to expect. The IMF, World Bank, WTO and the ICJ, ICC and United Nations Convention on the Law of the Sea (UNCLOS) are likely to be prioritized. Catch-all national security or national interest phrases in Chinese laws may be used to selectively opt out of international obligations.

Recommendations

The measured retaliation that underpins much of export control and counter-sanctions practice suggests that China is attentive to the costs of regulatory overreach. De-escalation remains a realistic possibility and even a desired outcome. Foreign businesses and governments should therefore not treat FRROL as an impenetrable wall and hostile instrument, but rather as a structured negotiating environment in which legal compliance, proactive engagement with Chinese regulatory bodies, and the utilization of pre-filing consultations and diplomatic channels remain viable risk mitigation strategies. When designing and implementing countermeasures, foreign governments should:

- Refrain from weaponizing measures of economic or legal statecraft to serve larger political or strategic goals. Factor in the costs that China's countermeasures could inflict and who will have to pay the price. Governments should be mindful that China's foreign vulnerabilities are less than many foreign countries' vulnerabilities to China, and that China's ability to absorb costs might be much greater.

- Avoid a race to the bottom with ever stricter and more damaging measures and countermeasures succeeding each other. Instead, the desired outcome of measures and countermeasures should be a legal playing field that is negotiated *with* China and not against it, while holding firm to foreign countries' own principles and red lines.

Beyond countersanctions and export controls, China has also started to extend FRROL into the foreign policy domain, most immediately to develop and deploy legal instruments to counter foreign policies and acts that it believes are intended to harm its development and security interests. Recent examples of such antagonistic policies include the proposed EU Industrial Accelerator Act, the US MATCH Act (Multilateral Alignment of Technology Controls on Hardware) initiative, and Japan's statement that a Chinese attack on Taiwan would constitute an "existential threat" to Japan. These policy acts have directly or indirectly triggered Chinese actions on export

controls, blocking rules, entity lists and most likely also the supply chains, improper extraterritorial jurisdiction and outbound investment regulations in March and April 2026.

It must be realized and accepted that the law is a crucial domain of international politics. Chinese legal statecraft exploits vulnerabilities in foreign countries' exposure to China and connects legal, economic and diplomatic cooperation and competition. Many countries have been slow to act and find themselves exposed in ways they find hard to counter, a problem that requires more than quick fixes and solutions. For the longer term, to increase resilience and power in the international legal contestation with China and other major powers, governments could take the following actions:

- Develop a proactive rather than a reactive approach to Chinese legal statecraft and reform of international law. This requires building and using expertise on China's law and legal system to identify steps that China may be taking and incorporating these into one's own policies and negotiation position.

- Reduce the vulnerability of one's own society and economy to Chinese legal and economic statecraft. This importantly includes a proactive, future-oriented industrial policy, self-reliance in crucial national-security domains, trade diversification, and strengthening S&T and innovation.

- Many of these policies are costly, particularly if they may lead to further decoupling from China. It is vital to combine resilience and self-reliance in trade, investment and finance with a selective engagement with China to continue to benefit from China's advanced and low-cost productivity and technology.

China's larger ambition to extend FRROL into the international system and international law is currently only starting to take shape. Chinese statements about the failures and biases of the international system should not be disregarded as mere rhetoric. They point to a direction where future Chinese diplomatic and legal initiatives should be expected. Despite its systemic differences with the rule of law in democratic countries, China's legal system is real and consequential, and will increasingly be part of the international legal landscape. Unless other foreign countries choose for a full and comprehensive decoupling from China, their government, people and entities cannot be fully insulated from the impact of China's legal system in general

and FRROL-enabled legal statecraft in particular. Nevertheless, governments could help mitigate or limit FRROL's more adverse consequences, while engaging those elements that are less of a threat or even an advantage for foreign actors. The following steps could be taken:

- Strengthen one's own legal infrastructure on the following points:
    a. Furthering international legal cooperation and coordination with partner countries and within international organizations
    b. Improving the accessibility and relevance of one's own legal system which holds firm to the highest legal standards while avoiding regulatory hegemony
    c. Creating a framework for businesses and governments to manage regulatory conflicts with foreign legislation.

- Acknowledge that certain Chinese demands regarding reform of international law and institutions are reasonable, and work towards their multilateral implementation, especially when these demands are supported by a majority in the Global South. A selective approach but with clear red lines is advisable. A wholesale rejection of Chinese initiatives will further divide the world into separate spheres of influence, each with their own norms, systems and standards.

- Accommodate certain non-contentious aspects of China's legal system, for instance by enabling and supporting European courts to fulfil their obligation of *iura novit curia* (i.e. the principle that a court is responsible for identifying, interpreting and applying the correct laws to a dispute) in cases where Chinese law needs to be applied under a choice-of-law agreement and the rules of international private law, while maintaining a strict rejection for unacceptable elements of Chinese law. Foreign arbitration organs should maintain or establish exchange programmes with Chinese arbitration commissions to foster coordination and build best practices. This would facilitate business relations with China as well as help make Chinese law a more internationalized and thus trustworthy legal system.

The year 2026 marks the advent of China's foreign-related rule of law as evident, tangible and consequential. Foreign governments, entities and citizens are suddenly compelled to catch up with more than a decade of preparation, legislation and capacity building by China. But the arrival of the foreign-related rule of law also signals something bigger. China is no longer rising. It has

become a power second only to the United States that seeks to engage the world on its own terms. In the pursuit of its expanding interests and rivalry as well as partnership with other powers, China is building a China-centric order in which its legal power supports and leverages its economic weight, financial strength, soft and sharp power, diplomatic heft and military might.

Notes

[1] Randall Peerenboom, *China's Long March toward Rule of Law*, Cambridge: Cambridge University Press (2009).

[2] Xi Jinping, "Jianding bu yi zou zhongguo tese shehuizhuyi fazhi daolu wei quanmian jianshe shehuizhuyi xiandaihua guojia tigong youli fazhi baozhang" (Unswervingly follow the path of socialist rule of law with Chinese characteristics and provide strong legal guarantees for the comprehensive construction of a modern socialist country), *Xinhuawang*, 28 February 2021, online at http://www.xinhuanet.com/politics/leaders/2021-02/28/c_1127149742.htm, accessed 5 May 2025.

[3] Zeming Liu and Benjamin L. Liebman, "Redefining Law in China," Columbia Public Law Research Paper No. 5378993, online https://papers.ssrn.com/sol3/papers.cfm?abstract_id=5378993, accessed 27 April 2026.

[4] "Zhonggong zhongyang guanyu quanmian tuijin yifa zhiguo ruogan wenti de jueding" (Decision of the CCP Central Committee on relevant major issues regarding comprehensively governing the country according to the law), Government of the People's Republic of China, 23 October 2014, online at https://www.gov.cn/zhengce/2014-10/28/content_2771946.htm, accessed 1 May 2025.

[5] Yan Wenjia, "Party-Legislation of Legislating Party in the Chinese Socialist Rule of Law: The Role of the CCP in the Party-State Legislation Revisited," *German Law Journal* 25: 1545-1566 (2024).

[6] Frank N. Pieke, *Knowing China: A Twenty-first-Century Guide*, Cambridge: Cambridge University Press (2016).

[7] The leadership of the party of the legislative process has been formalized by Article 3 of the *Legislation Law of the People's Republic of China*, updated 15 December 2023, online http://en.moj.gov.cn/2023-12/15/c_948358.htm, accessed 8 September 2025, and more generally by inscribing the leadership of the party as the defining feature of socialism with Chinese characteristics in Article 1 of the *Constitution of People's Republic of China*, updated 20 November 2019, online https://english.www.gov.cn/archive/lawsregulations/201911/20/content_WS5ed8856ec6d0b3f0e9499913.html, accessed 8 September 2025.

[8] He Zhipeng (2025). "An Inquiry into the Implementing Mechanism of Xi Jinping Thought on Rule of Law," *Hague Journal on the Rule of Law*, online https://doi.org/10.1007/s40803-025-00254-7, accessed 27 April 2026; Jamie P. Horsley, "Party Leadership and Rule of Law in the Xi Jinping Era: What Does an Ascendant Chinese Communist Party Mean for China's Legal Development?," *Global China*, September 2019, online https://www.brookings.edu/articles/party-leadership-and-rule-of-law-in-the-xi-jinping-era/, accessed 27 April 2026; Randall Peerenboom, "The Transformation of State Socialist Rule of Law into Party-State Socialist Rule of Law in the Xi Jinping Era," *Hague Journal on the Rule of Law*, online https://doi.org/10.1007/s40803-025-00248-5, accessed 27 April 2026.

[9] Horsley 2019.

[10] Huang Huikang, "Correctly Understanding the Concept of 'Foreign-Related Rule of Law' to Promote the Domestic Rule of Law and Foreign-Related Rule of Law in a Coordinated Manner". *Wuhan University International Law Review* 1: 1-19 (2022a).

[11] Barry Buzan, "China in International Society: Is 'Peaceful Rise' Possible?," *Chinese Journal of International Politics* 3(1): 5-36 (2010); Courtney Fung, "Rhetorical Adaptation, Normative

Resistance and International Order-making: China's Advancement of the Responsibility to Protect," *Cooperation and Conflict* 55(2): 193-215 (2020); Catherine Jones, *China's Challenge to Liberal Norms: The Durability of International Order*, London: Palgrave Macmillan (2018).

[12] Björn Ahl, "Chinese Positions on Global Constitutionalism, Community of Common Destiny for Mankind and the Future of International Law". *Chinese Journal of Comparative Law* 9: 304-327 (2021); John Dugard, "The Choice before Us: International Law or a 'Rules-based International Order'?". *Leiden Journal of International Law* 36(2): 223-232 (2023); Leif-Eric Easley and Jonathan T. Chow, "Enabling Pariahs: China's Support of Myanmar, North Korea, and Russia for Geopolitical Advantage". *Asian Survey* 64 (3): 396-427 (2024); (Ahl 2021; Dugard 2023; Easley and Chow 2024); Tom Ginsburg, "Authoritarian International Law?," *American Journal of International Law* 114(2): 221-260 (2020).

[13] Zhang Yan, "Shewai fazhi de gainian yu tixi" (Concept and system of the foreign-related rule of law), *Zhongguo faxue* 2022(2): 264-282 (2022).

[14] Huang Huikang 2022a; Huang Huikang, *Shewai fazhi lungang* (, An introduction to rule of law), Beijing: Shehuikexue wenxian chubanshe (, Social Sciences Academic Press (China)) chapter 4 (2025).

[15] Zhonggong zhongyang guanyu quanmian tuijin yifa zhiguo ruogan zhongda wenti de jueding (Decision of the Central Committee of the Communist Party of China on Several Major Issues Concerning Comprehensively Promoting the Rule of Law), Government of the People's Republic of China, 28 October 2014, online at https://www.gov.cn/zhengce/2014-10/28/content_2771946.htm, accessed 14 July 2025, unofficial annotated English translation available at https://genius.com/Central-committee-of-the-chinese-communist-party-decision-of-the-fourth-plenum-of-the-18th-ccp-central-committee-english-annotated, accessed on 14 July 2025. Foreign related legal work was also mentioned in the general communiqué of the fourth plenary session, see "Zhongguo gongchandang dishibajie zhongyang weiyuanhui disici quanti huiyi gongbao**" (**Communiqué of the Fourth Plenary Session of the 18th Central Committee of the Communist Party of China (Adopted at the Fourth Plenary Session of the 18th Central Committee of the Communist Party of China on 23 October 2014)**,** Government of the People's Republic of China, 23 October 2014, online https://www.gov.cn/xinwen/2014-10/23/content_2769791.htm, accessed 1 September 2025.

[16] *Involuntary Returns: China's Covert Operation to Force "Fugitives" Overseas back Home*, Madrid: Safeguard Defenders (2022).

[17] Chasing Fox Hunt: Tracing the PRC's Forced Return Operations around the Globe, Madrid: Safeguard Defenders (2024); Chen Lei, "Jingwai bushi 'fawai zhi di'" (Abroad is not outside the law), Fazhi zhoumo (Legal Weekly), 23 September 2014, https://web.archive.org/web/20160305003459/http://legalweekly.cn/index.php/index/article/id/6069, accessed 14 September 2025; "Quanguo jiancha jiguan duiwai taotanguan zhankai 'guoji da zhuitao' qiangdiao zhongdian guojia ge'an tupo" (Procuratorial organs nationwide launched an "international pursuit" of corrupt officials who fled abroad, emphasising breakthroughs in individual cases in key countries), Xin lang (New Wave), 26 September 2014, http://news.xinhuanet.com/legal/2014-09/26/c_127040219.htm, no longer available from the internet; "'Tianwang 2022' xingdong zhengshi qidong" ("Skynet 2022" operation officially launched), Renmin wang (People's net), 4 March 2922, at http://cpc.people.com.cn/n1/2022/0304/c64387-32365619.html, accessed 4 July 2023.

[18] *Zhonghua renmin gongheguo jiancha fa*, promulgated 2 March 2018, http://dangjian.people.com.cn/n1/2018/0327/c117092-29890454.html and *Zhonghua renmin gongheguo jiancha fa shishi tiaoli*, effective 20 September 2021,

https://www.12371.cn/2021/09/20/ ARTI1632129321756718.shtml, both accessed 17 October 2025.

[19] "'Zhonghua renmin gongheguo jiancha fa' yiyi: diliu zhang fan fubai guoji hezuo diwushi'er tiao" (Interpretation of the "Supervision Law of the People's Republic of China" Article 52 of Chapter 6 on anti-corruption International Cooperation), 6 May 2019, http://www.qdxjw.gov.cn/page.aspx?Pt=2&Pn=53 &Pi=53995, accessed 3 July 2023.

[20] Ministry of Commerce, *Rules on Blocking Unjustified Extraterritorial Application of Foreign Legislation and Other Measures*, 9 January 2021, online https://english.mofcom.gov.cn/Policies/AnnouncementsOrders/art/2021/art_f47febb76da64411b8de1845aeba4af4.html, accessed 30 October 2025.

[21] Ministry of Foreign Affairs, *The U.S. Willful Practice of Long-arm Jurisdiction and its Perils*, 3 February 2023, online https://www.fmprc.gov.cn/mfa_eng/xw/wjbxw/202405/t20240530_11343236.html, accessed 30 October 2025.

[22] William S. Dodge, "How to Criticize U.S. Extraterritorial Jurisdiction", *Transnational Litigation Blog*, 20 November 2023, online https://tlblog.org/how-to-criticize-u-s-extraterritorial-jurisdiction-part-i/, accessed 30 October 2025; Matthew S. Erie, "Adversarial Comparativism: The Role of Emotion in United States–China Comparative Law Projects," *American Journal of Comparative Law* 73(4): 781-829 (2025).

[23] "Xi Jinping zhuchi zhaokai zhongyang yifa zhiguo weiyuanhui di'erci huiyi bing fabiao zhongyao jianghua" (Xi Jinping presided over the second meeting of the Central Committee for Comprehensively Promoting the Rule of Law and delivered an important speech), Government of the People's Republic of China, 25 February 2019, online https://www.gov.cn/xinwen/2019-02/25/content_5368422.htm, accessed 24 August 2025.

[24] This point is emphasized in another account of the meeting, see "Xi urges improvements to rule of law", the Ministry of Justice, 27 February 2019, online http://en.moj.gov.cn/2019-02/27/c_387859.htm, accessed 25 August 2025.

[25] Xi Jinping. 2019. "Jiaqiang dang dui quanmian yifa zhiguo de lingdao"(Strengthening the leadership of the party in overall governing the country by law), *Qiushi* (Seeking truth), 15 February 2019, online https://www.gov.cn/xinwen/2019-02/15/content_5365984.htm, accessed 19 September 2025; see also Erie 2023b; Rudolf 2023; Sprick 2024.

[26] U.S. Congress, *Hearing on Rule by Law: China's Increasingly Global Legal Reach*, Hearing before the U.S.-China Economic and Security Review Commission, One Hundred Eighteenth Congress, First Session, Thursday, May 4, 2023, online https://www.uscc.gov/hearings/rule-law-chinas-increasingly-global-legal-reach, accessed 19 September 2025.

[27] The main exception is June Zhiqiong Wang and Jianfu Chen, "China's Foreign-Related 'Rule of Law': The Evolution of an Idea," *Hague Journal on the Rule Law* 17: 453-482 (2025), https://doi.org/10.1007/s40803-025-00249-4. For studies on the foreign implication of the foreign related rule of law, see Matthew Erie, "Foreign Policy Implications for China's 'Foreign-Related Rule of Law'". *Orbis* Fall 2023: 565-578 (2023a); Matthew Erie, "Legal Systems Inside Out: American Legal Exceptionalism and China's Dream of Legal Cosmopolitanism," *University of Pennsylvania Journal of International Law* 44(3): 731-813 (2023b); Pu Lin and Graeme Smith, Why Invite a Law Enforcer from Abroad? The Security Implications of the Police Cooperation between China and the Pacific, Unpublished manuscript (2024); Liu and Liebman 2024; Peerenboom 2025; Moritz Rudolph, "Politburo Whisperer on Advancing "Foreign-Related Rule of Law," *NPC Observer* (2023), online https://npcobserver.com/2023/12/china-politburo-foreign-related-rule-of-law/, accessed 19 September 2025; Daniel Sprick Sprick, "Building a 'Foreign-

Related Rule of Law': China's State Immunity Law," *Practice of Private International Law and Procedural Law* 2024(6): 417-424 (2024).

[28] Huang Huikang, "Milestone of China's Foreign-Related Legislation – A Review of the Law of the People's Republic of China on Foreign Relations", *Chinese Journal of Transnational Law*1(2): 102 (2024).

[29] He Zhipeng, "An Inquiry into the Implementing Mechanism of Xi Jinping Thought on Rule of Law". *Hague Journal on the Rule of Law* 17: 331-357 (2025), https://doi.org/10.1007/s40803-025-00254-7.

[30] Huang Huikang, "Dali jiaqiang xin shidai shewai fazhi jiashe" (Vigorously strengthen the construction of foreign-related rule of law in the new era), *Hongqi wengao* (Red Flag manuscripts) 2025(16), online https://www.qstheory.cn/20250828/c0bad6c25276488ba12bee3235aaa72c/c.html; "Nation Boosts Foreign-related Rule of Law," *China Daily*, 7 December 2025, online https://en.spp.gov.cn/2025-12/07/c_1146221.htm#:~:text=The%20Ministry%20of%20Justice%20has,value%20compared%20with%20in%202020; both accessed 27 April 2026.

[31] He 2025.

[32] "*Zhongyang quanmian yifa zhiguo weiyuanhui*", *Baidu baike*, online https://zh.wikipedia.org/zh-sg/%E4%B8%AD%E5%A4%AE%E5%85%A8%E9%9D%A2%E4%BE%9D%E6%B3%95%E6%B2%BB%E5%9B%BD%E5%A7%94%E5%91%98%E4%BC%9A, accessed 9 September 2025.

[33] He 2025.

[34] Huang Huikang, "Milestone of China's Foreign-Related Legislation—A Review of the Law of the People's Republic of China on Foreign Relations," *Chinese Journal of Transnational Law* 1(2): 102 (2024).

[35] "China Sees Strides in Development of Foreign-related Legal System and Capacity," Ministry of Justice, 18 February 2024, online http://en.moj.gov.cn/2024-02/18/c_963095.htm, accessed 27 September 2025.

[36] Pieke et al., *Chinese Transnational Law Enforcement*.

[37] *Duiwai guanxi fa* (Law on Foreign Relations), 28 June 2023, online https://www.mfa.gov.cn/web/wjb_673085/zfxxgk_674865/zcfg/fl/202306/t20230628_11105189.shtml, accessed 19 March 2026.

[38] Moritz Rudolf, "China's Law on Foreign Relations: Balancing 'Struggle' with Beijing's 'Responsible Great Power' Narrative," *NPC Observer*, 3 July 2023, online https:/ / npcobserver. com/ 2023/ 07/ 03/ china- foreign- relations- law- struggle- responsible- great- power- narrative/ , accessed 19 March 2026.

[39] Article 33(1), Law on Foreign Relations.

[40] Article 33(1) and (3), Law on Foreign Relations.

[41] Article 7, *Fan waiguo zhicai fa* (Anti-Foreign Sanctions Law), 10 June 2021, online http://www.npc.gov.cn/npc/c2/c30834/202106/t20210610_311892.html, accessed 19 March 2026.

[42] Björn Ahl, "International Law in Chinese Courts," in Ignacio de la Rasilla and Congyan Cai (eds), *The Cambridge Handbook of China and International Law*, Cambridge University Press, pp. 113-130 (2024).

[43] Article 32, Law on Foreign Relations; Article 19 and 34 include similar references to the fundamental norms concept.

[44] Alain Pellet and William Schabas, "1969 Vienna Convention: Article 23 Procedure regarding reservations," in Olivier Corten et al. (eds*), The Vienna Conventions on the Law of Treaties: A Commentary*, 2nd Edition, Oxford University Press, pp. 594-625 (2025).

[45] Chapter V (Article 40-45), Law on Foreign Relations.

[46] Article 4 and 26, Law on Foreign Relations.

[47] Article 38, Law on Foreign Relations.

[48] Article 2,6, 7, 10, 13, 14, 16, 18, 20, 21, 22, 25, 26, 27, 28 and 39, Law on Foreign Relations.

[49] Article 39, Law on Foreign Relations.

[50] Kaiser Kuo, "China at Davos 2026: Scale, Stability, and Structural Questions," online https://www.weforum.org/stories/2026/01/china-at-davos-2026/; "Xi Jinping huijian guoji gongshangjie daibiao shi de jianghua" (Xi Jinping's remarks at a meeting with representatives of the international business community), 28 March 2025, online https://www.fmprc.gov.cn/zyxw/202503/t20250328_11584181.shtml; both accessed 20 February 2026.

[51] Article 3, Anti-Foreign Sanctions Law.

[52] Article 3(2), 4 and 5, Anti-Foreign Sanctions Law.

[53] Article 10, *Shishi (zhonghua renmin gongheguo fan waiguo zhicai fa) de guiding* (Provisions on the implementation of the anti-foreign sanctions law of the PRC), Ministry of Justice, 21 March 2025, online https://www.moj.gov.cn/pub/sfbgw/gwxw/xwyw/202503/t20250324_516274.html, accessed 20 March 2026.

[54] *Fan zhicai qingdan he cuoshi* (List of counter-sanctions and measures), Ministry of Foreign Affairs, online https://www.mfa.gov.cn/web/wjb_673085/zfxxgk_674865/gknrlb/fzcqdcs/, accessed 22 February 2026.

[55] *Shangwubu ling er ling er wunian di 5 hao guanyu dui oumeng liangjia jinrong jigou caiqu fanzhi cuoshi de jueding* (Ministry of Commerce order no. 2025(5): decision on taking countermeasures against two EU financial institutions), 13 August 2025, online https://www.mofcom.gov.cn/zwgk/zcfb/art/2025/art_c6ba669a96464aa28b34d1361982b3e0.html, accessed 22 February 2026.

[56] "Netherlands Should Not Underestimate China's Resolve, Capability to Protect Its Rights," *Global Times*, 14 October 2025, online https://www.globaltimes.cn/page/202510/1345566.shtml; Bart van der Heijden and Roeland Müller, "Overheid grijpt in bij chipfabrikant Nexperia, wat is er aan de hand?" (Government intervenes at chip producer Nexperia: what is happening?), *NOS*, 13 October 2025, online https://nos.nl/artikel/2586358-overheid-grijpt-in-bij-chipfabrikant-nexperia-wat-is-er-aan-de-hand; both accessed 17 March 2026.

[57] Article 308, *Haishang fa* (Maritime Law), 28 October 2025, online https://www.sz.msa.gov.cn/flfg/85319.jhtml, accessed 20 March 2026.

[58] *Shangwubu ling er ling er wunian di 6 hao guanyu dui han hua haiyang zhushi huishe 5 jia meiguo xiangguan zigongsi caiqu fanzhi cuoshi de jueding* (Ministry of Commerce order no. 2025(6): decision on taking countermeasures against five related US subsidiaries of Hanwha Marine Corporation), 14 October 2025, online https://www.mofcom.gov.cn/zwgk/zcfb/art/2025/art_001308ff9a6a474a997c644961c9b997.html, accessed 22 February 2026.

[59] *Shangwubu ling er ling er wunian di 7 hao guanyu zanting dui han hua haiyang zhushi huishe 5 jia meiguo xiangguan zigongsi shishi fanzhi cuoshi yinian de jueding* (Ministry of Commerce order no. 2025(7): decision on suspending countermeasures against five US subsidiaries of Hanwha Marine Corporation for one year), 10 November 2025, online https://www.mofcom.gov.cn/zwgk/zcfb/art/2025/art_6c39182947834183b260fe287d2c0792.html, accessed 22 February 2026.

[60] *Zuduan waiguo falu yu cuoshi budang yuwai shiyong banfa* (Measures to prevent the improper extraterritorial application of foreign laws and measures), Ministry of Commerce, 1 September 2021, https://www.mofcom.gov.cn/zcfb/zhzc/art/2021/art_bb49d4cdaae04eac9b309077c9dd63ed.html, accessed 20 March 2026.

[61] Article 5, Blocking Rules.

[62] Article 12, Blocking Rules.

[63] Article 9, Blocking Rules.

[64] Article 11, Blocking Rules.

[65] "China's First Use of Blocking Rules against U.S. Sanctions on Chinese Refineries," Stephenson Harwood, 5 May 2026, online https://www.stephensonharwood.com/insights/chinas-first-use-of-blocking-rules-against-us-sanctions-on-chinese-refineries/, accessed 12 May 2026.

[66] *Duiwai maoyi fa* (Foreign trade law), 27 December 2025, online https://www.mofcom.gov.cn/zwgk/zcfb/art/2025/art_03fbae1ec4bd48459099930e803bce5e.html, accessed 20 March 2026.

[67] *Chukou guanzhi fa* (Export control law), 17 October 2020, online https://exportcontrol.mofcom.gov.cn/article/zcfg/gnzcfg/flfg/202111/226.html, accessed 20 March 2026.

[68] Article 1, Law on Foreign Relations.

[69] *General Agreement on Tariffs and Trade,* 15 April 1994, online https://www.wto.org/english/docs_e/legal_e/gatt47_e.htm#art20, accessed 20 March 2026.

[70] *Zidong jinkou xuke guanli huowu mulu* (Automatic import licensing management goods catalogue), Ministry of Commerce, 1 January 2025, online https://wms.mofcom.gov.cn/zcfb/wmgl/art/2024/art_3da4cdbc3a7d49449c0b370d5daf93ce.html, accessed 15 March 2026.

[71] *Liang yong wu xiang chukou guanzhi qingdan* (Export control list of dual-use items), Ministry of Commerce, 1 December 2024, online https://www.gov.cn/zhengce/zhengceku/202411/P020241119387520616554.pdf, accessed 15 March 2026.

[72] *Jinzhi chukou xianzhi chukou jishu mulu* (Catalogue of technologies prohibited or restricted from export), Ministry of Commerce and Ministry of Science and Technology, 15 July 2025, online https://www.most.gov.cn/tztg/202312/W020231221620858841394.pdf, accessed 15 March 2026.

[73] *Bu kekao shiti qingdan guiding* (Provisions on the unreliable entity list), Ministry of Commerce, 19 September 2020, online https://www.gov.cn/gongbao/content/2020/content_5565829.htm, accessed 20 March 2026.

[74] *Shangwubu gonggao 2024 nian di 46 hao guanyu jiaqiang xiangguan liangyong wu xiang dui meiguo chukou guanzhi de gonggao* (Ministry of Commerce Announcement 2024(46):

Announcement on strengthening export controls on certain dual-use items to the US), 3 December 2024, online https://www.mofcom.gov.cn/zwgk/zcfb/art/2024/art_3d5e990b43424e60828030f58a547b60.html, accessed 20 March 2026.

[75] *Shangwubu gongao 2025 nian di 21 hao gongbu jiang 16 jia meiguo shiti lieru chukou guanzhi guankong mingdan hangwubu* (Ministry of Commerce announcement 2025(21): 16 US entities added to the export control list), 4 April 2025, online https://www.mofcom.gov.cn/zwgk/zcfb/art/2025/art_906685e3930048baa0fd95a651fd628d.html, accessed 20 March 2026.

[76] S*hangwubu gonggao 2025 nian di 35 hao gongbu jiang 8 jia taiwandiqu shiti lieru chukou guanzhi guankong mingdan* (Ministry of Commerce announcement 2025(35): eight entities from the Taiwan region added to the export control list), 9 July 2025, https://www.mofcom.gov.cn/zwgk/zcfb/art/2025/art_53c6b5ab958841dfb90b77c00f8602cf.html, accessed 20 March 2026.

[77] *Shangwubu gonggao 2026 nian di 1 hao guanyu jiaqiang liangyong wu xiang dui riben chukou guanzhi de gonggao* (Ministry of Commerce announcement 2026(1): announcement on strengthening export controls on dual-use items to Japan), 6 January 2026, online https://www.mofcom.gov.cn/zwgk/zcfb/art/2026/art_8990fedae8fa462eb02cc9bae5034e91.html, accessed 20 March 2026.

[78] Nathan Attrill, "Beijing Pressured Japan over Taiwan. It Only Strengthened Tokyo's Resolve," *The Strategist*, 17 February 2026, online https://www.aspistrategist.org.au/beijing-pressured-japan-over-taiwan-it-only-strengthened-tokyos-resolve/, accessed 20 February 2026.

[79] Provisions on the Unreliable Entity List.

[80] *Waishang touzi fa* (Foreign investment law), 15 March 2019. online http://www.npc.gov.cn/zgrdw/npc/xinwen/2019-03/15/content_2083532.htm, accessed 20 March 2026. Subsequently, the Regulations for the Implementation of the Foreign Investment Law, the Interpretation of the Supreme People's Court on Several Issues Concerning the Application of the Foreign Investment Law, and the Measures for Reporting Foreign Investment Information have been adopted to implement the Foreign Investment Law.

[81] Article 4, Foreign Investment Law.

[82] Article 4, *Zhidao waishang touzi fangxiang guiding* (Provisions for the guidance of foreign investments), 2 November 2002, online https://dcj.mofcom.gov.cn/article/zcfb/zcwgtz/200207/20020700031063.shtml, accessed 21 February 2026.

[83] Article 28, Foreign Investment Law.

[84] *Waishang touzi zhunru tebie guanli cuoshi (fumian qingdan) (2024 nian ban)* (Special administrative measures for foreign investment access (negative list) (2024 edition)), Ministry of Commerce, 8 April 2024, online https://www.ndrc.gov.cn/xxgk/zcfb/fzggwl/202409/t20240907_1392875.html, accessed 21 February 2026. Mostly, these conditions prescribe a joint investment (e.g. market information services) or a dominant Chinese investor (e.g. civilian airports) or additionally at least 50 percent of board member to be Chinese (e.g. education).

[85] *Guli waishang touzi chanye mulu (2025 nian ban)* (Catalogue of industries encouraging foreign investment (2025 edition)), National Development and Reform Commission and Ministry of Commerce, 25 December 2025, online https://www.ndrc.gov.cn/xxgk/zcfb/fzggwl/202512/t20251224_1402564.html, accessed 21 February 2026.

[86] Article 35, Foreign Investment Law.

[87] Article 4, *Waishang touzi anquan shencha banfa* (Measures for the security review of foreign investment), 27 November 2020. National Development and Reform Commission and Ministry of Commerce, online https://www.ndrc.gov.cn/xxgk/zcfb/fzggwl/202012/t20201219_1255025.html, accessed 20 March 2026.

[88] Article 40, *Fan buzhengdang jingzheng fa* (Anti-unfair competition law), 27 June 2025, online https://www.spp.gov.cn/spp/fl/202506/t20250627_699862.shtml, accessed 20 March 2026.

[89] Article 2, Anti-Unfair Competition Law.

[90] Article 2, *Fanlongduan fa* (Anti-monopoly law), 24 June 2022, online https://sjfg.samr.gov.cn/law/file//pdf/3235243/1663321853992.pdf, accessed 20 March 2026.

[91] *Guowuyuan guanyu jingyingzhe jizhong shenbao biaozhun de guiding* (Regulations of the State Council on criteria for filing business concentrations), 29 December 2023, online http://www.csrc.gov.cn/beijing/c105536/c7505995/content.shtml, accessed 20 March 2026.

[92] Article 8(2), Regulations on Criteria for Filing Business Concentrations.

[93] Article 35, Anti-Monopoly Law.

[94] *Yaopin yiliao qixie jingwai jiancha guanli guiding de gonggao* (Annoucement of the regulations on the administration of overseas inspections of drugs and medical devices), National Medical Products Administration, online https://www.nmpa.gov.cn/xxgk/ggtg/ylqxggtg/ylqxqtggtg/20181228214201582.html, accessed 29 September 2025.

[95] "The Inspection Programme," European Directorate for the Quality of Medicines and Healthcare, online https://www.edqm.eu/en/the-inspection-programme, accessed 2 October 2025.

[96] "Pharmaceutical Inspections and Compliance," U.S. Food and Drug Administration, online https://www.fda.gov/drugs/guidance-compliance-regulatory-information/pharmaceutical-inspections-and-compliance, accessed 2 October 2025.

[97] Article 37, *Wangluo anquan fa* (Cybersecurity law), 28 October 2025, online https://www.cac.gov.cn/2025-12/29/c_1768735112911946.htm, accessed 20 March 2026.

[98] *Wangluo anquan shencha banfa* (Measures for cybersecurity review), Central Cyberspace Affairs Commission et al., 16 November 2020, online https://www.cac.gov.cn/2022-01/04/c_1642894602182845.htm, accessed 20 March 2026.

[99] "Guojia hulianwang xinxi bangongshi youguan fuzeren jiu dui didi quanqiu gufen youxian gongsi yifa zuochu wangluo anquan shencha xiangguan xingzheng chufa de jueding dajizhewen" (Spokesperson for the Cyberspace Administration of China answers journalists' questions regarding the Decision to Impose Administrative Penalties on Didi Global, Inc. following a cybersecurity review in accordance with the law), Central Cyberspace Affairs Commission, 21 July 2021, online https://www.cac.gov.cn/2022-07/21/c_1660021534364976.htm, accessed 21 February 2026.

[100] "Guojia hulianwang xinxi bangongshi dui zhi wang (CNKI) yifa zuochu wangluo anquan shencha xiangguan xingzheng chufa" (The Cyberspace Administration of China imposes administrative penalties on CNKI in accordance with the law following a cybersecurity review), Central Cyberspace Affairs Commission, 6 September 2022, online https://www.cac.gov.cn/2023-09/06/c_1695654024248502.htm, accessed 21 February 2026.

[101] "Meiguang gongsi zai hua xiaoshou de chanpin wei tongguo wangluo anquan shencha (Micron's products sold in China have not passed cybersecurity reviews)", Central Cyberspace Affairs Commission, 21 May 2023, online https://www.cac.gov.cn/2023-05/21/c_1686348043518073.htm, accessed 21 February 2026.

[102] Article 77, Cybersecurity Law (2025).

[103] Sherry Gong, Nathan Salmines and Charmian Aw, "Key Updates on the Amended Cybersecurity Law of China," Hogan Lovells, 9 February 2026, online https://www.hoganlovells.com/en/publications/key-updates-on-the-amended-cybersecurity-law-of-china, accessed 22 February 2026.

[104] *Shuju anquan fa* (Data security law), 10 June 2021, online https://www.cac.gov.cn/2021-06/11/c_1624994566919140.htm, accessed 20 March 2026.

[105] Article 2(2), Data Security Law.

[106] Article 26, Data Security Law.

[107] Article 36, Data Security Law.

[108] "Dior Fined in China for Sending Data Overseas without Security Screening," *South China Morning Post*, 9 September 2025, online https://www.scmp.com/news/china/article/3324865/dior-fined-china-sending-data-overseas-without-security-screening, accessed 30 September 2025.

[109] *Geren xinxi baohu fa* (personal information protection law), 20 August 2021, online https://www.cac.gov.cn/2021-08/20/c_1631050028355286.htm, accessed 20 March 2026.

[110] Gabriela Kennedy, Juston W.J. Lai and Joanna Wong, "Guangzhou Internet Court Issues the First Decision on Cross-Border Transfer of Personal Data under PIPL," Mayer Brown, 19 December 2024, online https://www.mayerbrown.com/en/insights/publications/2024/12/guangzhou-internet-court-issues-the-first-decision-on-cross-border-transfer-of-personal-data-under-pipl, accessed 30 September 2025.

[111] Article 3, Personal Information Protection Law.

[112] *Wangluo fanzui fangzhi fa (zhengqiu yijian gao)*, 31 January 2026, https://www.mps.gov.cn/n2254536/n4904355/c10386242/content.html, accessed 12 May 2026.

[113] *Minshi susong fa* (Civil procedure law), 8 March 1982, amended on 1 September 2023, online http://gongbao.court.gov.cn/Details/886331ece0f6611a370642e89f08c6.html, accessed 20 March 2026.

[114] Article 276, Civil Procedure Law.

[115] Article 279, Civil Procedure Law.

[116] Article 12, Anti-Foreign Sanctions Law.

[117] Zhao Chan, "Mou haiyang gongcheng gongsi yu S shebei gongsi qinquan zeren jiufenan—yi "dongfang jingyan" huajie guoji shangshi jiufen" (A certain marine engineering company v. S equipment company: a tort liability dispute case—resolving international commercial disputes using "Eastern experience"), *Renmin fayuan anli ku* (People's Court database), 8 May 2025, online https://www.055110.com/fl/3/6269.html, accessed 22 February 2026.

[118] "Mou haiyang gongcheng gongsi."

[119] "Xianggang fayuan zai jin su ling shencha zhong dui waiguo zhicai cuoshi xingzhi de rending" (Hong Kong court's determination of the nature of foreign sanctions during review of

injunctions), JT&N, 28 November 2024, online https://www.jtn.com/EN/booksdetail.aspx?PageUrl=majorbook&keyid=0000000000000000848 1&type=06001, accessed 22 February 2026. On the integration of Hong Kong's and China's legal system, see Pieke, Chia, Li and Sprick, *Practising the Foreign-Related Rule of Law*.

[120] "China Punishes Australia for Promoting an Inquiry into Covid-19," *The Economist*, 21 May 2020, online https://www.economist.com/asia/2020/05/21/china-punishes-australia-for-promoting-an-inquiry-into-covid-19, accessed 20 February 2026.

[121] Jan Krikke, "China Gives Lithuania Punishing Silent Treatment over Taiwan," *Asia Times*, 18 February 2026, online https://asiatimes.com/2026/02/china-gives-lithuania-punishing-silent-treatment-over-taiwan/, accessed 20 February 2026.

[122] *Shangwu bu haiguan zong shu gonggao 2025 nian di 57 hao gongbu dui bufen zhong zhong xitu xiangguan wu xiang shishi chukou guanzhi de jueding* (Ministry of Commerce and general administration of customs announcement No. 57 of 2025: decision to impose export controls on certain medium and heavy rare earth items), Ministry of Commerce and General Administration of Customs, 4 April 2025, online https://www.mofcom.gov.cn/zwgk/zcfb/art/2025/art_59ec4f6bec0b459aa4a30c4bbd0a41c1.html, accessed 15 March 2026.

[123] *Shangwu bu haiguan zongshu gonggao 2025 nian di 10 hao gongbu dui wu, di, bi, mu, yin xiangguan wu xiang shishi chukou guanzhi de jueding* (Ministry of Commerce and General Administration of Customs Announcement 2025(10) announcement of the decision to impose export controls on items related to tungsten, tellurium, bismuth, molybdenum, and indium), Ministry of Commerce and General Administration of Customs, 4 February 2025, online https://www.mofcom.gov.cn/zwgk/zcfb/art/2025/art_e623090907fc4e1092f0a4db72f57b95.html, accessed 15 March 2026.

[124] P.S. Srinivas, Frank N. Pieke and Alfred Schipke, *India, China and the China+1 Strategy: Rebuilding Supply Chains in a More Fragmented World*, EAI Research Report (2026).

[125] *State Council Provisions on Industrial and Supply Chain Security*, 7 April 2026, English translation by China Law Translate, online https://www.chinalawtranslate.com/en/-State-Council-Provisions-on-Industrial-and-Supply-Chain-Security/, accessed 12 May 2026.

[126] *PRC Regulations on Countering Improper Extraterritorial Jurisdiction by Foreign States*, 13 April 2026, English translation by China Law Translate, online https://www.chinalawtranslate.com/en/counter-long-arm/, accessed 12 May 2026, articles 3, 7 and 8.

[127] Guowuyuan guanyu duiwai touzi de guiding (Zhonghua renmin gongheguo guowuyuan ling 837 hao) (State Council Regulations on Overseas Investment (PRC State Council Decree no. 837)) , 17 April 2026 (made public on 2 June 2026), online https://www.mee.gov.cn/zcwj/gwywj/202606/t20260602_1157822.shtml; Laurie Chen, "China Expands Curbs on Foreign Deals, Tech Transfer after Meta-Manus Block," Reuters 1 June 2026, online https://www.reuters.com/world/asia-pacific/china-toughens-rules-outbound-investment-after-meta-manus-contention-2026-06-01/, both accessed 7 June 2026.

[128] Regulations on Outbound Investment, articles 23-25.

[129] "Zhongyang yi ducha tuijin fazhi zhengfu jianshe, ba sheng kaojuan shuxie yi fazhi tuidong gaige dandang (The central government promotes the construction of a law-based government through inspections, eight provinces carry the responsibility of carrying out a reforms for a law-based government), Ministry of Justice, 9 April 2020, online https://www.moj.gov.cn/pub/sfbgw/qmyfzg/fzgzfzdc/202004/t20200409_153663.html, accessed 7 June 2025.

[130] "Zhongyang quanmian yifa zhiguo weiyuanhui bangongshi zhaokai dongyuan peixunhui bushu kaizhanfazhi zhengfu jianshe shi di ducha" (Office of the Commission for Overall Law-based Governance of the CPC held a training meeting to deploy on-site inspections of the construction of a law-based government), Ministry of Justice, 12 December 2019, online https://www.moj.gov.cn/pub/sfbgw/qmyfzg/qmyfzgjcbs/201912/t20191212_349425.html, accessed 7 June 2025.

[131] "Zhejiang jianchi zai fazhi guidao shang tuijin gao shuiping duiwai kaifang Goujian shewai fazhi gongzuo da xietong geju" (Zhejiang Province insists on promoting high-level opening up on the track of rule of law and building a coordinated framework for foreign-related legal work), originally published in *Fazhi ribao* 13 February 2025, online https://finance.sina.com.cn/jjxw/2025-02-13/doc-inekiriy0653899.shtml, accessed 5 September 2025.

[132] "Zhejiang jianchi zai fazhi guidao shang tuijin gaoshuiping duiwai kaifang".

[133] "Jiaqiang shewai fazhi jianshe | Zhejiang gaoyuan juban 2024 nian di san qi 'sixiang da jiangtang'" (Strengthening foreign-related rule of law: Zhejiang High Court holds the 2024 third "Ideological Lecture Hall"), *Zhejiang Tianping*, 26 November 2024, online https://mp.weixin.qq.com/s/_-K6tjhLMLiciyUSrzTmGw, accessed 20 May 2025.

[134] "2024 sifa xingzheng liangdian huimei | Yi gao shuiping shewai fazhi zhuli gaoneng ji kaifang qiang sheng jianshe" (A review of judicial administration highlights in 2024 | supporting the development of a highly open and powerful province with high-level foreign-related rule of law), originally published in *Zhejiang fazhi*, 21 January 2025, online https://mp.weixin.qq.com/s/NWUejMz4YFaZozHUMQiWIg, accessed 5 September 2025.

[135] " 'Zhengce + fuwu + rencai', xiaoshanqu dazao shewai fazhi ronghe fuwu shengtai" (Xiaoshan District builds an integrated service ecosystem), *Hangzhou fazhi*, 12 May 2025, online https://mp.weixin.qq.com/s/qS9I2KDvN-EWRD0YNV1RrA, accessed 20 May 2025.

[136] "Binjiang qu 'shuangxian fali' dazao quanliucheng shewai fazhi fuwu pingtai" (Binjiang District "works on two fronts" to build a full-process foreign-related rule of law service platform), *Hangzhou fazhi*, 6 May 2025, online https://mp.weixin.qq.com/s/qCmp48wH6iptsaQGY1_wzQ, accessed 20 May 2025.

[137] "Shewai fazhi xietiao xiaozu huiyi zhaokai Tuijin shewai fazhi maishang xin taijie" (Foreign-related rule of law coordination group meeting held to promote foreign-related rule of law to a new level), *Wenzhou ribao*, 3 September 2025, online file:///C:/Users/scro0/OneDrive%20-%20National%20University%20of%20Singapore/EAI%20Singapore/FRROL/Documents%20and%20sources/%E6%B8%A9%E5%B7%9E%E6%97%A5%E6%8A%A5%EF%BC%9A%E6%B6%89%E5%A4%96%E6%B3%95%E6%B2%BB%E5%8D%8F%E8%B0%83%E5%B0%8F%E7%BB%84%E4%BC%9A%E8%AE%AE%E5%8F%AC%E5%BC%80%20%E6%8E%A8%E5%8A%A8%E6%B6%89%E5%A4%96%E6%B3%95%E6%B2%BB%E8%BF%88%E4%B8%8A%E6%96%B0%E5%8F%B0%E9%98%B6.mhtml, accessed 4 September 2025.

[138] "Herui lüshi shiwu suo canyu quanqiu wenshang Huaqiao fawu zhongxin jiaoliuhui" (Conrad and Sage Law Firm participated in the Global Wenzhou Overseas Chinese Legal Center Exchange Meeting and shared its US intellectual property layout strategy), 4 March 2025, online file:///C:/Users/scro0/OneDrive%20-%20National%20University%20of%20Singapore/EAI%20Singapore/FRROL/Documents%20and%20sources/%E5%92%8C%E7%9D%BF%E5%BE%8B%E5%B8%88%E4%BA%8B%E5%8A%A1%E6%89%80%E5%8F%82%E4%B8%8E%E5%85%A8%E7%90%83%E6%B8%A9%E5%95%86%E5%8D%8E%E4%BE%A8%E6%B3%95%E5%8A%A1%E4%B8%AD%E5%BF%83%E4%BA%A4%E6%B5%81%E4%BC%9A%EF%BC%8C%E5%88%86%E4%BA%AB%E7%BE%8E%E5%9B%BD%E7%9F%A5%E8%AF%86%E4%BA%A7%E6%9D%83%E5%B8%83%E5%B1%80%E7%AD%96

%E7%95%A5_%E5%BE%8B%E6%89%80%E5%8A%A8%E6%80%81_C&S%20%E5%8A%A8%E6%80%81_Concord%20&%20Sage%20PC-%E7%BE%8E%E5%9B%BD%E5%92%8C%E7%9D%BF%E5%BE%8B%E5%B8%88%E4%BA%8B%E5%8A%A1%E6%89%80.mhtml, accessed 5 September 2025.

[139] "*Shanghai guoji shangshi fating fabu zhong-yingwen 'guichang (shixing)' 'xieyi guanxia shifan tiaokuan'* (The Shanghai International Commercial Court has released its "Procedures (Trial)" and "Model Clauses for Jurisdiction by Agreement" in both Chinese and English), 30 December 2024, online https://www.hshfy.sh.cn/shfy/web/xxnr.jsp?pa=aaWQ9MTAyMDQyNDA2MCZ4aD0xJmxtZG09bG0xNzEPdcssz, accessed 29 September 2025.

[140] These are the Shanghai Arbitration Commission, the China Maritime Arbitration Commission Shanghai Headquarters, the WIPO Shanghai Centre, and the Korean Commercial Arbitration Board (KCAB) Shanghai Centre. Additionally, some branches of the Shanghai International Trade Arbitration Commission are also located in Pudong. Well-known international arbitration institutions, such as the Hong Kong International Arbitration Centre, Singapore International Arbitration Centre, and the International Chamber of Commerce, have representative offices in Pudong.

[141] "Pudong Unveils Core Policies to Enhance Business Environment," *International Services Shanghai*, 9 January 2026, online https://english.shanghai.gov.cn/en-BusinessEnvironmentPudong%20/20260109/dfda55c8eb444160ad13e0dd3d3cb578.html, accessed 14 February 2026.

[142] Pudong New Area Office of Comprehensive Law-based Governance Commission and the Shanghai Pudong New Area Committee of the Communist Party of China, *White Paper on Foreign-related Rule of Law Development in Pudong New Area*, March 2025, online https://english.shanghai.gov.cn/en-Policies/20250331/15584d2adbe44b25bab7446da625bc20.html, accessed 5 February 2026.

[143] The department will explore the establishment of an integrated mechanism for advancing FRROL legislation, law enforcement, judiciary, education, legal services and talent development.

[144] China long before had arbitration commissions like the China International Economic and Trade Arbitration Commission, Beijing Arbitration Commission and Guangzhou Arbitration Committee, but the establishment of full courts is a much more recent development.

[145] *Zuigao fa zhi min zhong 732,733,734 hao zhi yi (2019) 732*、*733*、734 (2019) (Supreme People's Court Intellectual Property Civil Final Judgment Cases No. 732, 733, and 734-1), Zuigao renmin fayuan (Supreme People's Court), 28 August 2020. An anti-suit injunction is a court order against a litigant to stop legal proceedings in another jurisdiction. Such injunctions are used in international disputes to prevent parallel lawsuits, uphold arbitration agreements, or avoid inconsistent judgments. Parties to this particular case were Huawei and the global intellectual property management company Conversant, which were embroiled in competing legal battles in China and Germany about licence agreements under fair, reasonable and non-discriminatory terms (FRAND) for Standard Essential Patents (SEP).

[146] *Su 01 min chu 232, 233,234 (2018)* (Gansu Province No. 01 First Instance Judgment No. 232,233 and 234), 19 June 2019.

[147] Xiaomi v InterDigital - Wuhan Intermediate People's Court; ZTE v Conversant -Shenzhen Intermediate People's Court; OPPO v Sharp - Shenzhen Intermediate People's Court; Samsung v Ericsson - Wuhan Intermediate People's Court, online https://www.juve-patent.com/legal-commentary/china-wakes-up-in-global-sep-litigation/, accessed 30 September 2025.

[148] The TRIPS Agreement (Trade-Related Aspects of Intellectual Property Rights) is an international pact under the World Trade Organization that sets minimum standards for intellectual property protection for all member countries.

[149] World Trade Organization, DS611: China—Enforcement of Intellectual Property Rights, 25 July 2025, online https://www.wto.org/english/tratop_e/dispu_e/cases_e/ds611_e.htm, accessed 30 September 2025.

[150] Art. 2.5 *Zuigao renmin fayuan guanyu sheli guoji shangshi fating ruogan wenti de guiding*(Provisions of the Supreme People's Court on Several Issues Concerning the Establishment of International Commercial Courts), 27 July 2018; English translation by China Law Translate online at https://www.chinalawtranslate.com/en/provisions-of-the-supreme-peoples-court-on-several-issues-concerning-the-establishment-of-international-commercial-court/, accessed 20 January 2026.

[151] The CICC links the China International Economic and Trade Arbitration (CIETAC), Beijing Arbitration Commission (BAC), Shenzhen Court of International Arbitration (SCIA), Shanghai International Arbitration Centre (SHIAC), China Maritime Arbitration Commission (CMAC), and as commercial mediation institutions the China Council for the Promotion of International Trade (CCPIT) Mediation Centre and Shanghai Commercial Mediation Centre (SCMC).

[152] Supreme People's Court, Opinions of the Supreme People's Court on Further Providing Judicial Services and Guarantees by the People's Courts for the Belt and Road Initiative, online https://english.court.gov.cn/2021-10/23/c_761783.htm, accessed 9 February 2026.

[153] "*Shanghai guoji shangshi fating fabu zhong-yingwen 'guichang (shixing)' 'xieyi guanxia shifan tiaokuan'* (The Shanghai International Commercial Court has released its "Procedures (Trial)" and "Model Clauses for Jurisdiction by Agreement" in both Chinese and English), 30 December 2024, online https://www.hshfy.sh.cn/shfy/web/xxnr.jsp?pa=aaWQ9MTAyMDQyNDA2MCZ4aD0xJmxtZG09bG0xNzEPdcssz, accessed 29 September 2025.

[154] Huang Huikang, "Xianggang tebie xingzhengqu zai zhongguo shewai fazhi jianshe zhong de dute diwei he zhongyao zuoyong – jinian xianggang huigui zuguo dan 'Xianggang tebie xingzhengqu jibenfa' shishi 25 zhounian" (The Hong Kong Special Administrative Region's unique position and important role in China's foreign-related rule of law development – Commemorating the 25th anniversary of Hong Kong's return to the motherland and the implementation of the Basic Law of the Hong Kong Special Administrative Region), *Guojifa yanjiu* 2022(4): 3-17 (2022b).

[155] Huang 2022b.

[156] "Vision 2030 for Rule of Law," Hong Kong Department of Justice, June 2020, online chrome-extension: //efaidnbmnnnibpcajpcglclefindmkaj/https://www.doj.gov.hk/en/community_engagement/speeches/pdf/sj20200724e1.pdf, accessed 6 September 2025; Speech by the Secretary for Justice, Ms Teresa Cheng, SC, at the Vision 2030 for Rule of Law International Symposium, 26 May 2022, online https://www.info.gov.hk/gia/general/202205/26/P2022052600723.htm, accessed 6 September 2025; Opening remarks of Ms Teresa Cheng, SC, Secretary for Justice at the meeting of the Panel on Administration of Justice and Legal Services of the Legislative Council, 11 October 2021, online chrome-extension: //efaidnbmnnnibpcajpcglclefindmkaj/https://www.legco.gov.hk/yr20-21/english/panels/ajls/papers/ajls20211011cb4-1637-1-e.pdf, accessed 6 September 2025.

[157] See Secretary for Justice Mr Paul Lam, SC, "Rule of Law Anchors Hong Kong on Its Journey Ahead," 30 June 2025, online https://www.doj.gov.hk/en/community_engagement/speeches/20250630_sj1.html#:~:text=Ho

ng%20Kong's%20common%20law%20system%20is%20also,certainty%20and%20security%20*%20Promoting%20high%2Dquality%20development, accessed 27 April 2026; Cao Yin, "HK's Edge in Legal Services, Talent Training Highlighted," *China Daily* 10 June 20-22, online https://www.chinadaily.com.cn/a/202206/10/WS62a28ae8a310fd2b29e61d1d.html, accessed 27 April 2026.

[158] "HKIAC Achieves Breakthrough by Launching Office in Mainland China", 20 November 2015, Hong Kong International Arbitration Centre, online https://www.hkiac.org/news/hkiac-launches-office-mainland-china, accessed 7 September 2025.

[159] "*Fahui dute youshi fuwu guojia shewai fazhi jianshe: tanfang xianggang guoji falü rencai pexun xueyuan*" (Leveraging unique advantages to contribute to the development of the national rule of law in foreign affairs: Visiting the Hong Kong International Legal Talent Training Institute), originally in *Fazhi ribao*, 28 February 2025, online https://www.moj.gov.cn/pub/sfbgw/fzgz/fzgzggflfwx/fzgzggflfw/202502/t20250228_514953.html, accessed 7 September 2025; "Xianggang guoji falü rencai peixun xueyuan 香港國際法律人才培訓學院" (International Legal Talents Training Academy), n.d., online https://www.doj.gov.hk/tc/hkiltta/our_academy.html, accessed 7 September 2025. For John Lee's 2023 policy address, see "Full text: the chief executive's 2023 policy address", *China Daily*, 25 October 2023, online https://www.chinadailyhk.com/hk/article/357949, accessed 7 September 2025.

[160] Huang 2022b, p. 14.

[161] Huang 2022b.

[162] "*Lifahui wu ti: peixun shewai fazhi rencai*" (Legislative Council question 5: Training of legal professionals in foreign affairs), 24 February 2024, online https://www.info.gov.hk/gia/general/202404/24/P2024042400393.htm, accessed 7 September 2025.

[163] "*Lifahui wu ti*".

[164] "One country" refers to China, "two systems" to the socialist system in mainland China and the capitalist system in Hongkong/Macao, and "three jurisdictions" to those of mainland China, Hong Kong and Macao, see Wang Huiru and Lin Qiang, "*Tuijin dawanqu shewai fazhi jianshe Funeng gao shuiping duiwai kaifang*" (Advancing the foreign-related rule of law in the Greater Bay Area to empower high-level opening-up), *Jiancha ribao-lilun ban* (Procuratorial Daily - Theoretical Edition), 19 September 2024, online https://www.spp.gov.cn/spp/llyj/202409/t20240919_666311.shtml, accessed 30 January 2026.

[165] "Measures for the Administration of the Representative Offices Stationed in the Mainland of China by Law Firms of the Hong Kong Special Administrative Region and the Macao Special Administrative Region (2002)", online https://www.lawinfochina.com/display.aspx?lib=law&id=5784&CGid=, accessed 30 January 2026.

[166] Measures for the Management of Associations Formed by Law Firms of the Hong Kong Special Administrative Region or the Macao Special Administrative Region and Mainland Law Firms (2003), online https://www.lawinfochina.com/display.aspx?lib=law&id=3300&CGid=, accessed 30 January 2026.

[167] Pilot Measures for Hong Kong Legal Practitioners and Macao Practising Lawyers to Obtain Mainland Practice Qualifications and to Practise as Lawyers in the Nine Mainland Municipalities in the GBA), online http://www.gov.cn/zhengce/content/2020-10/22/content_5553309.htm, accessed 30 January 2026.

[168] "Community Engagement," press release of the Department of Justice of the Hong Kong SAR, 23 June 2025, online https://www.doj.gov.hk/en/community_engagement/press/20250623_pr1.html, accessed 30 January 2026.

[169] Wang and Lin 2024.

[170] "Mainland Civil and Commercial Legal Practice Training Course, 2025," press release by the Government of the Hong Kong SAR, 13 June 2025, online https://www.info.gov.hk/gia/general/202506/14/P2025061300636.htm, accessed 30 January 2026; "Hong Kong International Legal Talents Training Academy and Supreme People's Court co-organise first Hong Kong Common Law Practical Training Course," press release of the Government of Hong Kong SAR, 6 January 2025, online https://www.info.gov.hk/gia/general/202501/06/P2025010600405.htm, accessed 30 January 2026.

[171] The "two links" refers to 1) the connectivity of mechanisms and rules between domains in terms of the hardware of ROL construction and 2) the training and circulation of legal talents between regions in terms of legal system construction. The "three connections" refer to mechanisms, rules and talents.

[172] "*Gang-ao-tai jumin lüshi daily minshi anjian fanwei jin yi bu kuoda*" (The scope of civil cases represented by lawyers for Hong Kong, Macao and Taiwan residents has been further expanded), Ministry of Justice, 3 December 2026, online https://www.moj.gov.cn/pub/sfbgw/gwxw/xwyw/szywbnyw/202512/t20251203_528868.html, accessed 29 January 2026.

[173] "*Gang-ao-tai jumin lüshi daily minshi anjian fanwei jin yi bu kuoda*" (The scope of civil cases represented by lawyers for Hong Kong, Macao and Taiwan residents has been further expanded), Ministry of Justice, 3 December 2026, online https://www.moj.gov.cn/pub/sfbgw/gwxw/xwyw/szywbnyw/202512/t20251203_528868.html, accessed 29 January 2026.

[174] These first paragraphs of the section are based on project interviews with Chinese lawyers working for law firms in Southeast Asia and Africa, conducted in October 2025.

[175] Asia/Pacific Group on Money Laundering (APG), *Annual Typologies Report 2023: Trends in Cross-Border Financial Crime*, APG Secretariat, 2023, online https://apgml.org/methods-and-trends/news/details.aspx?pcPage=1&n=7211, accessed 17 March 2025.

[176] "*Jin yi bu tuijin zhongguo—Dongmeng jinrong hezuo yu fazhan*" (Further Promote China-ASEAN Financial Cooperation and Development), *Jinrong shibao-Zhongguo jinrong xinwen wang* (Financial Times-China Financial News Network), 26 September 2024, online http://sfqjr.cn/read.asp?id=18027, accessed 7 February 2026.

[177] China Securities Regulatory Commission, "List of MoUs Signed Between CSRC and Foreign Securities (Futures) Regulatory Authorities," online https://www.csrc.gov.cn/csrc_en/c102059/c1673703/content.shtml, accessed 9 February 2026.

[178] UNCTAD, International Investment Agreement Navigator: China Bilateral Investment Treaties, online https://investmentpolicy.unctad.org/international-investment-agreements/countries/42/china, accessed 9 February 2026.

[179] RCEP Secretariat, RCEP Investment Chapter Text, 2021, online https://www.dfat.gov.au/trade/agreements/in-force/rcep/rcep-text, accessed 9 February 2026.

[180] United Nations, *New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards*, 1958, online https://uncitral.un.org/sites/uncitral.un.org/files/media-documents/uncitral/en/new-york-convention-e.pdf, accessed 9 February 2026.

[181] "SIAC Signs Memorandum of Understanding with the China International Economic and Trade Arbitration Commission," press release by the Singapore Arbitration Centre, 12 October 2018, online https://siac.org.sg/wp-content/uploads/2023/04/Press-Release-SIAC-Signs-MOU-with-the-China-International-Economic-and-Trade-Arbitration-Commission.pdf, accessed 9 February 2026.

[182] Meng Yu and Li Haibin, "Again! Chinese Court Recognizes a Singapore Judgment," *China Justice* Observer, 8 March 2020, online https://www.chinajusticeobserver.com/a/again-chinese-court-recognizes-a-singapore-judgment, accessed February 2026.

[183] Supreme People's Court of China and Supreme Court of Singapore, *Memorandum Of Guidance Between the Supreme People's Court of The People's Republic of China and The Supreme Court of Singapore on Recognition and Enforcement of Money Judgments in Commercial Cases*, July 2021, online https://www.judiciary.gov.sg/docs/default-source/sicc-docs/money-judgments/spc-mog-english-version---signed.pdf, accessed 9 February 2026.

[184] Zhonggong zhongyang 2014.

[185] Huang Huikang 2025, Chapter 4.

[186] This includes chasing down criminals and corrupt officials as discussed earlier in this report, and key national security legislation, such as the Law on Countering Foreign Sanctions, Counterespionage Law and the Data Security Law, in addition to certain elements of the Foreign Relations Law and the Personal Information Protection Law.

[187] Keynote speech via video link by Minister of Public Security Wang Xiaohong at the First Global Public Security Cooperation Forum (Lianyungang) Conference, 29-30 November 2022, online https://www.lianyungangforum.org/en/Activity/55.html, accessed 16 September 2025. On the Global Security Initiative and international law, see Yip 2024.

[188] Sheena Chestnut Greitens, Isaac Kardon and Cameron Waltz, *A New World Cop on the Beat? China's Internal Security Outreach under the Global Security Initiative*. Carnegie Endowment (2025), pp. 22-25, https://carnegieendowment.org/research/2025/08/a-new-world-cop-on-the-beat-chinas-internal-security-outreach-under-the-global-security-initiative?lang=en, accessed 11 September 2025.

[189] Greitens, Kardon and Waltz 2025; Lin and Smith 2024.

[190] "The Geopolitics of Southeast Asia's Cyber-scamming Crisis," in: International Institute of Security Studies, *The Armed Conflict Survey* 2025, pp. 276-279, online https://www.iiss.org/publications/armed-conflict-survey/2025/armed-conflict-survey-2025/regional-spotlight-asia/, accessed 1 May 2026.

[191] "Lancang-Mekong Countries Set Up Joint Law Enforcement Center", *Xinhua*, 28 December 2017, http://www.xinhuanet.com/english/2017-12/28/c_136857992.htm, accessed 27 September 2025.

[192] "Over 900 telecom fraud suspects handed over by Myanmar to China", *Xinhua*, 24 April 2025, https://www.mps.gov.cn/n2255079/n6865805/n7355748/n7355823/c10057197/content.html, accessed 27 September 2025. Another article in the *Global Times* claims that Operation Seagull had led to the arrest of no less than 70,000 criminals and the rescue of 160 victims. Du Qiongfang, "China, Myanmar, Thailand officials discuss cooperation in eliminating telecom fraud in Myawaddy, Myanmar", *Global Times*, 21 January 2025, https://www.globaltimes.cn/page/202501/1327323.shtml, accessed 27 September 2025.

[193] "Zhong-mian-tai lianhe daji dianxin wangluo zhapian fanzui di'er ci buji huiyi zhaokai" (The Second Ministerial Meeting on Joint Efforts between China, Myanmar and Thailand to Combat Telecom Fraud was held), http://mm.china-embassy.gov.cn/sgxw/202507/t20250706_11666294.htm; "Zhong-mian-tai lianhe daji kuaguo dianxin wangluo zhapian fanzui buji xietiao huiyi zai taiguo mangu zhaokai" (The China-Myanmar-Thailand Joint Ministerial Coordination Meeting on Combating Transnational Telecom Network Fraud Crimes was held in Bangkok, Thailand), *Zhongguo renmin anquan daxue chubanshe* (China People's Public Security Press), 13 May 2025, http://www.phcppsu.com.cn/news/show.aspx?id=10348, both accessed 17 September 2025.

[194] *Criminal Law of the People's Republic of China*, 14 March 1997, https://www.asianlii.org/cn/legis/cen/laws/clotproc361/, accessed 17 October 2025.

[195] *Anti-organized Crime Law of the People's Republic of China*, 24 December 2021, https://en.spp.gov.cn/2021-12/24/c_948421.htm, accessed 17 October 2025.

[196] Sheena Chestnut Greitens and Isaac Kardon. 2024. "Playing Both Sides of the U.S.-Chinese Rivalry: Why Countries Get External Security From Washington – and Internal Security From Beijing". *Foreign Affairs*, 15 March 2024.

[197] The Cook Islands in July 2025 even struck a deal with China that included many economic aspects but did not mention security or military cooperation, see Prianka Srinivasan, "Caught in the Contest between China and the West, the Cook Islands Asks Where Its Future Lies", *The Guardian* 14 July 2025, online https://www.theguardian.com/world/2025/jul/14/caught-in-the-contest-between-china-and-the-west-the-cook-islands-asks-where-its-future-lies, accessed 18 September 2025.

[198] Lin and Smith 2024.

[199] Article 63**,** *Law on the Promotion of Ethnic Unity and Progress*, 12 March 2026, English translation by China Law Translate, online https://www.chinalawtranslate.com/en/ethnic-unity-and-progress-law/, accessed 21 May 2026.

[200] Article 8, Foreign Relations Law.

[201] *Provisions on Industrial and Supply Chain Security*.

[202] Regulations on Outbound Investment, articles 23-25.

[203] Regulations on Countering Improper Extraterritorial Jurisdiction, articles 3 and 7.

[204] Already in 2019, Huawei had lost its challenge in an American court of the US 2019 National Defense Authorization Act that bars US government agencies from buying from Huawei or working with third parties who buy from Huawei. Now FRROL legislation allows such action to be brought before Chinese courts; see "Huawei Sues the U.S. Government for Unconstitutional Sales Restrictions Imposed by Congress," Huawei, online https://www.huawei.com/en/news/2019/3/huawei-sues-the-us-government, accessed 28 May 2026.

[205] "Wingtech Seeks $1.2 Billion Damages in New Suit against Nexperia," *Reuters*, 22 May 2026, online https://www.reuters.com/legal/litigation/wingtech-seeks-12-billion-damages-new-suit-against-nexperia-2026-05-22/, accessed 26 May 2026.

[206] *Foreign State Immunity Law*, 1 September 2023, English translation by China Law Translate, online https://www.chinalawtranslate.com/en/foreign-immunities-law/, accessed 21 May 2026.

[207] Article 7, Foreign State Immunity Law.

[208] Article 19, Foreign State Immunity Law.

[209] Huang Huikang 2025, chapter 4.

[210] Raymond Ridderhof, "The South China Sea Arbitration (12 July 2016) PCA Case No. 2013-19," *Peace Palace Library,* 12 July 2016, online https://peacepalacelibrary.nl/blog/2016/south-china-sea-arbitration-12-july-2016-pca-case-no-2013-19, accessed 26 April 2026.

[211] "Statement by the Ministry of Foreign Affairs of the People's Republic of China on the Award Rendered by the Arbitral Tribunal Established at the Request of the Republic of the Philippines in the South China Sea Arbitration Case", 12 July 2016, online https://www.mfa.gov.cn/web/zyxw/201607/t20160712_338576.shtml, accessed 23 January 2026.

[212] Lorenz Langer, "The South China Sea as a Challenge to International Law and to International Legal Scholarship," *Berkeley Journal of International Law* 36(3): 392 (2018).

[213] "Opinions on the Development of the Foreign-Related Legal Services Industry," Ministry of Justice, 16 March 2017, online https://www.yidaiyilu.gov.cn/p/4759.html, accessed 23 January 2026.

[214] Huang Huikang 2025, chapter 4.

[215] Huang Huikang 2025, chapter 4.

[216] Reflecting Xi Jinping's repeated exhortations on international affairs, Huang Jin mentions as priorities maritime law, investment and trade law, pandemic responses and environmental law: not coincidentally areas in which China is heavily invested and that are seen as crucial for the integrity and development of the nation. Also mentioned are the formulation and improvement of international rules in new areas of international engagement, such as outer space, cyberspace, the polar regions, and the deep sea; see Huang Jin 黄进, "Quanqiu zhili changyi yu guoji fazhi: zhongguo yinling quanqiu zhili biange de shijian tansuo 全球治理倡议与国际法治：中国引领全球治理变革的实践探索" (Global Governance Initiative and international rule of law: China's practical exploration in leading global governance reform), *Xueshu qianyan* 学术前沿 (Academic frontier) 2026(5): 25-32 (2026).

[217] Huang Jin 2026.

[218] Benedetta Girardi, Anna Hoefnagels and Berend Kwak, *Reshaping the International Legal Order: China's Strategic Use of Lawfare and Lessons Learned for Europe*, The Hague Centre for Strategic Studies (2026), online https://hcss.nl/report/reshaping-the-international-legal-order-chinas-strategic-use-of-lawfare-and-lessons-learned-for-europe/, accessed 28 May 2028.

[219] Björn Ahl, "The Rise of China and International Human Rights Law," *Human Rights Quarterly* 37: 637-661 (2015).

[220] Pitman Potter, *Exporting Virtue? China's International Human Rights Activism in the Age of Xi Jinping*, Vancouver: University of British Columbia Press, pp. 20-32 (2021).

[221] Potter 2021, pp. 37-65.

[222] Björn Ahl, "International Law in Chinese Courts," in Ignacio de la Rasilla and Congyan Cai, eds, *The Cambridge Handbook of China and International Law*, Cambridge: Cambridge University Press 2024, pp. 113-130.

[223] Zhonggong zhongyang guanyu quanmian tuijin yifa zhiguo ruogan zhongda wenti de jueding (2014).

[224] Zui gao renmin fayuan guanyu quanmian tuijin shewai shangshi haishi shenpan jingpin zhanlüe wei goujian kaifangxing jingji tizhi he jianshe haiyang qiangguo tigong youli sifa baozhang de yijian(Supreme People's Court opinion on comprehensively promoting the strategy

of high-quality adjudication in foreign-related commercial and maritime matters and providing effective judicial safeguards for establishing an open economic system and a great maritime power), 14 July 2015, online https://www.waizi.org.cn/law/17605.html, accessed 28 May 2026.

[225] Antonios Tzanakopoulos and Christian Tams, "Introduction: Domestic Courts as Agents of Development of International Law," *Leiden Journal of International Law* 26: 531-540 (2013).

[226] Zuigao renmin fayuan guanyu gongkai minshangshi anjian xiangguan xinxi de tongzhi (Supreme People's Court notice on disclosing relevant information on civil and commercial cases), 3 February 2019, online http://qdzy.sdcourt.gov.cn/dzllfy/spyw52/flfg7/6264508/index.html, accessed 28 May 2026; Zuigao renmin fayuan yinfa "guanyu jiaqiang he guifan caipan wenshu shifa shuoli" de zhidao yijian (Supreme People's Court notice on issuing the guiding opinion on strengthening and standardizing the analysis and reasoning in adjudicative instruments), 13 June 2018, online http://gongbao.court.gov.cn/Details/25a9b4684d384ea16f78e276f14f13.html, accessed 28 May 2026.

[227] Zuigao renmin fayuan guanyu sheli guoji shang-shi fating ruogan wenti de guiding (Supreme People's Court regulations on several issues concerning the establishment of International Commercial Courts, 25 June 2018, online http://gongbao.court.gov.cn/Details/c854ac611efb056a2e982eca91803c.html. Accessed 29 May 2026.

[228] Qiao Liu, "The Use of Case Law in China's Belt and Road Initiative," *Asia Pacific Law Review* 29: 129-148 (201).

[229] Ahl 2024, p. 129.