



LEGAL DIALOGUE CHINA-EU SCHOOL OF LAW MAGAZINE

INSIDE THE CLASSROOM

How a law school increases mutual understanding

SHAPING COEXISTENCE

Scholars publish a joint Chinese-European book on human rights

AN EU LAW FIELD TRIP

Chinese practitioners meet counterparts from Spain

EDITORIAL



DEAR READERS,

Ten years of the China-EU School of Law — we are preparing to celebrate our jubilee in 2018. Since first opening our doors to students in 2008, we have witnessed China's ascent (or return) to a key global player as well as challenges to Europe's success story of peace and prosperity. What do these developments mean for a law school dedicated to China-EU legal dialogue? How can we further contribute to Chinese and Europeans interacting with each other in a productive and peaceful way?

At the China-EU School of Law, so far, over 10,000 Chinese and European students, scholars and practitioners have gained insight into each other's legal system and been exposed to the significance of the rule of law within each other's society and culture. Furthermore, they established personal relationships. The most important part became — this may not be a surprise, but that does not mean it's easy — transparent, face-to-face interactions.

With our study programmes, research and training, we address, in particular, today's decision-makers as well as the next generation of legal minds who can build bridges across cultural divides. The goal of our multilateral dialogue work is to both identify different perspectives and to recognise similarities that connect us. This is our contribution to China-EU dialogue.

This magazine takes you along for a look at some of the past decade's European-Chinese interactions — Chinese and Polish students reading each other's constitutions in the classroom, German professors exchanging ideas with Chinese colleagues at the E-Commerce Law Forum, Chinese lawyers discussing cross-border investment at a professional training with Spanish colleagues and a Dutch Co-Dean founding an English law library in China. We hope this magazine will add a few facets to your idea of Chinese-European legal relations and cooperation.

Thank you for reading,

PROF. DR HINRICH JULIUS
Project Coordinator

STUDY PROGRAMMES



2

THE CHINESE-EUROPEAN CLASSROOM

How a law school is helping increase mutual understanding

8

CREATING A BETTER REALITY

Guest professor Alain Laurent Verbeke speaks about responsible lawyering



10

WHY STUDY ABROAD?

Do European law professors teach in a different way than Chinese professors? Law student Que Linyao explores WU Vienna

12

WATCHING LAW IN ACTION

Students attend a Chinese criminal trial in Beijing

14

THE PINNACLE OF LEGAL EDUCATION

PhD programmes and scholarships support young researchers

RESEARCH

16

BUILDING BRIDGES FROM SCIENCE TO SOCIETY

Research projects focus on actively shaping a common future

TRAINING

20

EUROPEAN-CHINESE PROFESSIONAL EXCHANGE

Chinese practitioners meet counterparts from Spain, Belgium and Germany

ABOUT THE LAW SCHOOL

22

AN OUTSIDER'S INSIDE LOOK

Excerpts from former Co-Dean Aalt Willem Heringa's blog



24

WHAT MAKES A LAW SCHOOL GREAT?

An overview of what students consider most important

25

UNDERSTANDING CHINA, STEP BY STEP

Alumnus Rémi Rivoal is still eager to learn more about China

25

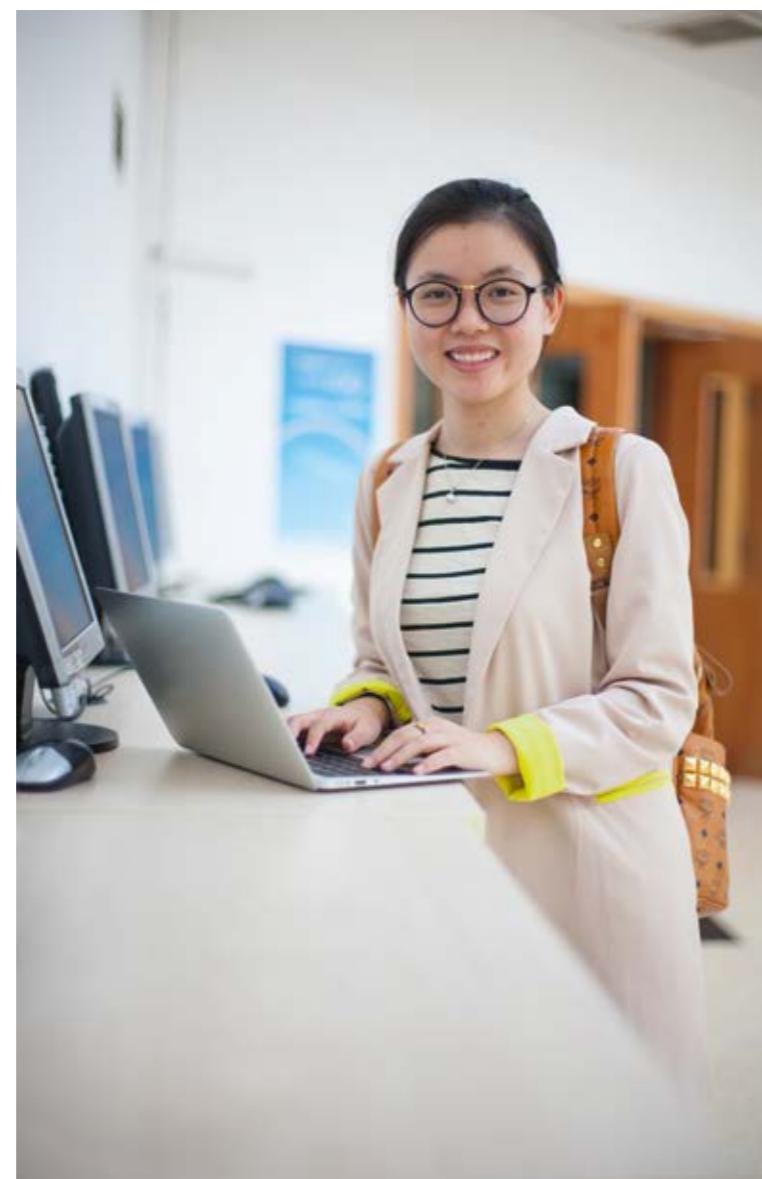
IMPRINT

THE CHINESE- EUROPEAN CLASSROOM

THEY DISCUSS BUSINESS LAW AND HUMAN RIGHTS, VISIT LAW FIRMS AND DRAFT PLEADINGS FOR TRIALS. AT THE CHINA-EU SCHOOL OF LAW, EUROPEAN AND CHINESE STUDENTS STUDY LAW TOGETHER. IN THIS WAY, THEY BECOME ACQUAINTED WITH EACH OTHER'S LEGAL SYSTEMS AND CULTURES.

What is more important? Political rights or social rights?" Professor Xie Libin asks. It is 2 p.m. at the China-EU School of Law in Beijing. "The fundamental rights and duties of Chinese citizens" are highlighted on a large screen: freedom of speech, of the press, of demonstration, the right and duty to work, the right to rest. "If you had to decide what matters more, what would you choose?" Professor Xie Libin continues to inquire. Student Yue Peng raises his hand. "Social rights," he says. The tall, young professor nods. "Most Chinese would say so," he replies. "For Westerners, this may be a strange preference, but China has long been a poor country. A job or pension often seems to be more existential than equality, suffrage or freedom of speech and religion."

Thirty law students from Europe and China are sitting in front of him. Yue Peng is one of the Chinese students in the China-EU School of Law's Double Master's programme. Graduates from this three-year programme will receive a dual degree of "Master of Chinese Law" and "Master of European and International Law" conferred by the China University of Political Science and Law and the University of Hamburg, respectively. Yue Peng takes several courses



together with 18 European students from the "Chinese Law Taught in English" exchange programme. Polish law student Bartosz Krysiak, sitting a few rows behind him, is one of them. For one semester, this 23-year-old student from the prestigious Jagiellonian University in Krakow delves into China's Constitutional Law, Business Law, Criminal Law and Administrative Law.

At first, European students often jumped to conclusions"

Today the class is all about fundamental rights. Professor Xie Libin jointly teaches

the course "Comparative Constitutional Law" with Professor Susan-Gale Wintermuth. He explains Chinese Constitutional Law, while she sheds light on EU Constitutional Law, and then the students compare. "I always emphasise that there is no right or wrong," Wintermuth explains her approach after class. "Each constitution can only be understood within its cultural and historical context." Wintermuth regularly experiences different cultural backgrounds as she teaches winter semesters in China and then spring semesters in Turkey and Latvia. In the China-EU School of Law's classrooms, this energetic legal scholar



always ensures that her students work in mixed Chinese-Western groups: "In direct interaction, students can best share their ideas." Polish student Bartosz recently discussed law with He Shuang from Hubei province in China and Katy from Hamburg in Germany.

"Debates in these working groups are very intense," student Yue Peng says. "Chinese and Western ideas differ a lot from each other." He adjusts his round glasses. "It was extremely interesting for me to hear questions like, do you really have fundamental rights in China? At the beginning, the European students

often jumped to conclusions, but now they actually check the facts before they judge Chinese law."

The goals: Rule of law in China and more China competence in Europe

Learning about each other's legal systems is a long process for both sides. However, it is exactly why the China-EU School of Law, which has existed for almost ten years now, was inaugurated by the European Union and the Chinese government in 2008. One initial aim was that Chinese students could learn about European and International Law,

CHINA-EU SCHOOL OF LAW

10,570

Chinese and Europeans have taken part in the law school's activities in almost 10 years.

670

students have graduated since 2008.

8,500

professionals have taken part in nearly 90 training courses.

1,400

scholars have taken part in research projects, conferences and workshops.

18

books and 75 articles in the China-EU Law Journal were published.

30.5

million euros is the total budget from 2008-2018, 17.5 million euros of which is funding from the European Union.

Figures as of 6/2017

and another purpose was to assist the Chinese government in developing a society based on the rule of law. Furthermore, European law students get the opportunity to expose themselves to Chinese legal thinking and culture and get a grasp of the People's Republic of China's constant evolution which helps enhance China competence in Europe.

The law school is still the only jointly run Sino-foreign law school in China. "As an intergovernmental project, the China-EU School of Law has obtained great achievements since its establishment in 2008," Yu Jihai said recently on a visit to the school. He is Deputy Director of the Department of International Cooperation and Exchange at the Chinese Ministry of Education, which licensed the China-EU School of Law as a cooperation project administered by the University of Hamburg and the China University of Political Science and Law. A consortium of 13 European and three Chinese partner universities backs the project as well as 28 associates, including research institutions such as three Max Planck Institutes and international law firms such as Clifford Chance and Taylor Wessing.

For students such as Yue Peng, this cooperation means that all major law traditions are introduced in one single study programme. Professors from the China University of Political Science and

Law teach Chinese Law, and in addition, professors from the European partner universities regularly fly to Beijing to give lectures on European and International Law. Chinese and European students study law together as well as visit law

firms and embassies. Each year, a team of six students takes part in the Vis East Moot, one of the most prestigious international student competitions. They also practice sports together with the wide range of facilities on the Changping campus: basketball, badminton, football, track and field.

Erasmus in Madrid? Not interesting enough.

And why do European students join the project? "I wanted to have a more meaningful semester abroad than six months of partying, as Erasmus students sometimes do, and I wanted to experience something more exotic than Europe," Polish student Bartosz says while the class takes a 15-minute-break in the middle of the three-and-a-half-hour lecture. Next to him his fellow classmate raises his tablet and photographs Professor Xie Libin's last



VERA JOUROVA

European Commissioner for Justice on a visit to the school in 2016

"Both the EU and China have a common interest in better understanding our respective legal systems. The ways our laws work underpin all other exchanges in sectors such as trade and investment, technology, agriculture, health and social issues, urbanisation and environmental protection."

LI KEQIANG

China's Premier, former Vice Premier in 2008

"We attach great strategic importance to the China-EU School of Law for Chinese-European relations. For the modernisation of China we need more legal talents. The China-EU School of Law is an important platform. Here, full of mutual respect, we become acquainted with the other legal system."



SHENG MING

Alumnus, Chinese Ministry of Commerce

"What I've learned about Chinese, European and international legislation provided me with the qualifications needed for my current position in the HR department at the People's Republic of China's Ministry of Commerce."

DR SOPHIA-ANTONIA BIR

Alumna, Freshfields Bruckhaus Deringer law firm

"After graduation I wrote my doctoral thesis on insider trading in China and Germany. Studying in Beijing has helped me to tackle issues from different perspectives and to understand matters in their full context."





IN A GUEST LECTURE, ALAIN LAURENT VERBEKE, PROFESSOR AT THE UNIVERSITY OF LEUVEN, GIVES STUDENTS GUIDELINES FOR SUCCESSFUL NEGOTIATION. LAWYERS CAN HELP CREATE VALUE BY REACHING AGREEMENTS THAT ALLOW BOTH SIDES TO GAIN, HE ARGUES.

Student Zang Wenbin is arm wrestling with his fellow student, Chen Huode. With their elbows placed on their wooden tables, they tightly clasp their palms together, so tight that their knuckles whiten. Zang Wenbin's face reflects the questions: "He or I? Who will win?" He takes a deep breath and pushes Chen Huode's hand down on the table. All around them, around 100 other law students from the China-EU School of Law and the Civil, Commercial and Economic Law School are also gripping each other's hands. It's Wednesday evening, and Professor Alain Laurent Verbeke is giving a guest lecture on the question "Can lawyers create value?" To start, he asked students to arm wrestle and to score as many points as possible in 15 seconds, getting one point for each time their opponent's hand lands on the table.

"Time's up," Prof. Verbeke shouts. "How many points did you score?" One point, most students answer, some say two, a few did not even finish. "So what has just happened here?" the professor asks. "You all fully went into combat mode, which means you tried to beat each other. However, I had asked you to score as many points as possible. So, on second thought, if you had cooperated and worked together as a team instead of trying to defeat each other, you easily would have reached a far better result." Zang Wenbin stares in surprise at the

Belgian professor, while Chen Huode and a few other students start to slightly nod their heads.

Rules of thumb in the day-to-day practice of any lawyer

Alain Laurent Verbeke's lecture is one of six guest lectures every year, with which international legal scholars and practitioners enhance the China-EU School of Law's regular teaching activities. He is a Professor of Private Law and Alternative Dispute Resolution at China-EU School of Law partner University of Leuven in Belgium and a Visiting Professor at Harvard Law School, USA. As a founding partner of the law firm Greenville, which merged in 2014 with one of Belgium's largest law firms Laga, he also knows what he is talking about. "Winning a lawsuit often does not optimise value," says Prof. Verbeke, while he walks slowly through the lecture hall. "In fact, most often, lawyers can achieve far more for their clients by abandoning this traditional attitude towards conflict." Lawsuits also tend to have an adverse effect on the relationship between the parties in conflict, making valuable future cooperation impossible. More-



over, litigants may also have an interest in protecting their reputations. Prof. Verbeke stops in front of the blackboard. "So, ideally, lawyers create value by reaching an agreement that allows both sides to gain."

A few rows away from Zang Wenbin and Chen Huode, student Wan Lu is carefully listening and taking notes. She is also a master's student in her first year. Even though she still has two years of study to go before graduating, the question of how working in different legal professions differ from each other is also of importance to her. Lawyering, in particular, in China, is a much younger profession than in the West. In 1957, a mere 3,000 lawyers practiced law in the whole of the People's Republic of China, but in 2017, according to the All China Lawyers Association, the number of lawyers has surpassed 300,000. Several of the students sitting around her will most likely become lawyers in a few years. In 2016, almost half of the China-EU School of Law's graduates found work in a law firm, as indicated by the annual graduate survey.



WHY STUDY ABROAD?

FOR LAW STUDENTS, ANALYSING OTHER LEGAL SYSTEMS IS ESSENTIAL, MASTER'S STUDENT QUE LINYAO IS CONVINCED. "WHAT YOU LEARN CAN HELP YOU CRITICALLY EXAMINE YOUR OWN LEGAL SYSTEM AND FURTHER DEVELOP IT," SHE SAYS. SHE IS ONE OF 90 CHINESE STUDENTS WHO SPENT UP TO TWO MONTHS AT A LAW SCHOOL IN EUROPE IN SPRING 2017.

About 100 years ago, Vienna was the world's intellectual centre, a hotspot where disruptive ideas were developed that dominated the entire 20th century. In Vienna, Sigmund Freud invented psychoanalysis, Max Weber debated new economic theories with Joseph Schumpeter, and Arnold Schöenberg revolutionised composition. Today, Que Linyao, a China-EU School of Law student, is also discovering the Austrian capital as an experimental lab for new ideas. Or, to be more precise, the Vienna University of Economics and Business.



Prof. Harald Eberhard and Prof. Alexander Rust talk to Que Linyao and fellow students after class.

"I think that it is very important for every student to go abroad," the 23-year-old explains as she packs her bag for her next class in her student apartment in the Donaustadt district, which is within walking distance to the Danube River and the United Nations Office. "You have to experience different lifestyles to be able to decide which one you like." For six weeks, she is attending two International Tax Law courses in the Business Law LL.M. programme. Que Linyao, with long, black hair, a white blazer and cropped boyfriend jeans, is an outstanding law student. In the pre-moots of the 2017 Vis East Moot, one of the most renowned student competitions in Business Law worldwide, she was honoured as the second best individual speaker.

The number of Chinese studying abroad has tripled since 2008

Que Linyao is one of 90 students from the China-EU School of Law spending up to two months at a partner and associ-

ate university in Europe in 2017. This opportunity is offered as part of the Master of European and International Law. Students attend courses in Hamburg, Maastricht, Budapest, Lund, Strasbourg, Madrid – or Vienna. "The students not only get an impression of life in Europe, most of all, they benefit academically from new legal perspectives and from perfecting their English", says Harald Eberhard, Professor for Public Law and China-EU School of Law coordinator in Vienna. With this focus, the China-EU School of Law is matching a trend. Content of degrees is the main motivation for young Chinese to study abroad, a study by the Berlin Mercator Institute for China Studies revealed. In recent years the stream of Chinese students flowing to Western countries has rapidly increased. According to the Chinese Ministry of Education, in 2016, about 544,000 Chinese left their home country to pursue studies abroad, more than three times as many as in 2008.

Student life in a foreign country, however, can be challenging. Que Linyao experiences that there is "a big difference" between the Chinese lecture-oriented teaching style and the Austrian discussion-oriented style. "In our Tax Treaty Law class, Professor Rust sometimes randomly calls on a student to answer a question," she explains. Her heart was pounding when he called on her the first time. However, she recalls answering it correctly. In the same course, she used clickers for the first time: small devices like a remote control, quite similar to the ones quiz show audiences use on TV. With this technique, Prof. Rust finds out whether all students understood the lecture. He asks multiple choice or yes-no questions, and students answer by pressing a button. A software programme on Prof. Rust's computer then produces a bar chart in real time showing the students' answers. If too many students get it wrong, he explains again.

For Que Linyao, this is also the first time she is covering EU and International Tax Law. "Analysing other legal systems can help you critically reflect your own legal system and further develop it", she asserts. "In my first semester I thought that law works like mathematics, where each problem has one exact answer," she recalls. "Today, I think that law in both China and Europe was shaped by many theories to become what it is today." With new developments in society, she believes the legal system also constantly evolves. "That is what makes law so exciting."

WATCHING LAW IN ACTION

IN THE ONE-SEMESTER “CHINESE LAW TAUGHT IN ENGLISH” PROGRAMME, STUDENTS REGULARLY ATTEND CRIMINAL TRIALS. THE AIM IS NOT ONLY TO BREATHE LIFE INTO THE THEORETICAL RULES OF PROCEDURE – BUT ALSO TO PROVIDE STUDENTS WITH AN EXPERIENCE THAT MAY CHALLENGE PRECONCEIVED NOTIONS.

When law students spend hours leafing through their textbooks, it's sometimes easy to forget that the cases they read concern real people. To change this, 30 Chinese and European students from the China-EU School of Law attended a criminal trial at the Beijing Changping District People's Court. The visit was part of the “Chinese Criminal Justice” course in the 2016 “Chinese Law Taught in English” programme. Several students from the “Chinese Law” master’s programme also joined. “It is important to me to provide students with a deeper understanding of the way courts work in China,” Professor Yue Liling from the China University of Political Science and Law’s Criminal Justice Institute said.

Guilty or not guilty?

The case concerned a defendant who was accused of having threatened his

boss at work. Students read the charges on the indictment in English in advance. They watched the judges reach the verdict. Prof. Yue Liling, who teaches Criminal Procedure Law, Comparative Criminal Justice, Criminal Justice and Human Rights Protection in both Chinese and English, provided simultaneous interpretation for the non-Chinese students.

“This was a very memorable event,” student Katherine Romanowski from the University of Hamburg later explained. Chinese student Pu Jiadan agreed: “Even with the evidence and the defendant’s confession which led to a decision by a summary judgement, real court proceedings are quite impressive.”

After the trial, the president of the Beijing Changping District People's Court, Ou Chunguang, and judge Du

Jinxing met the students to answer their questions. Students asked: Which aspects were most important for the judgement? How exactly does legal aid work in China? Could the convicted appeal the decision? “This discussion was very helpful to better understand court proceedings,” student Pu Jiadan said.

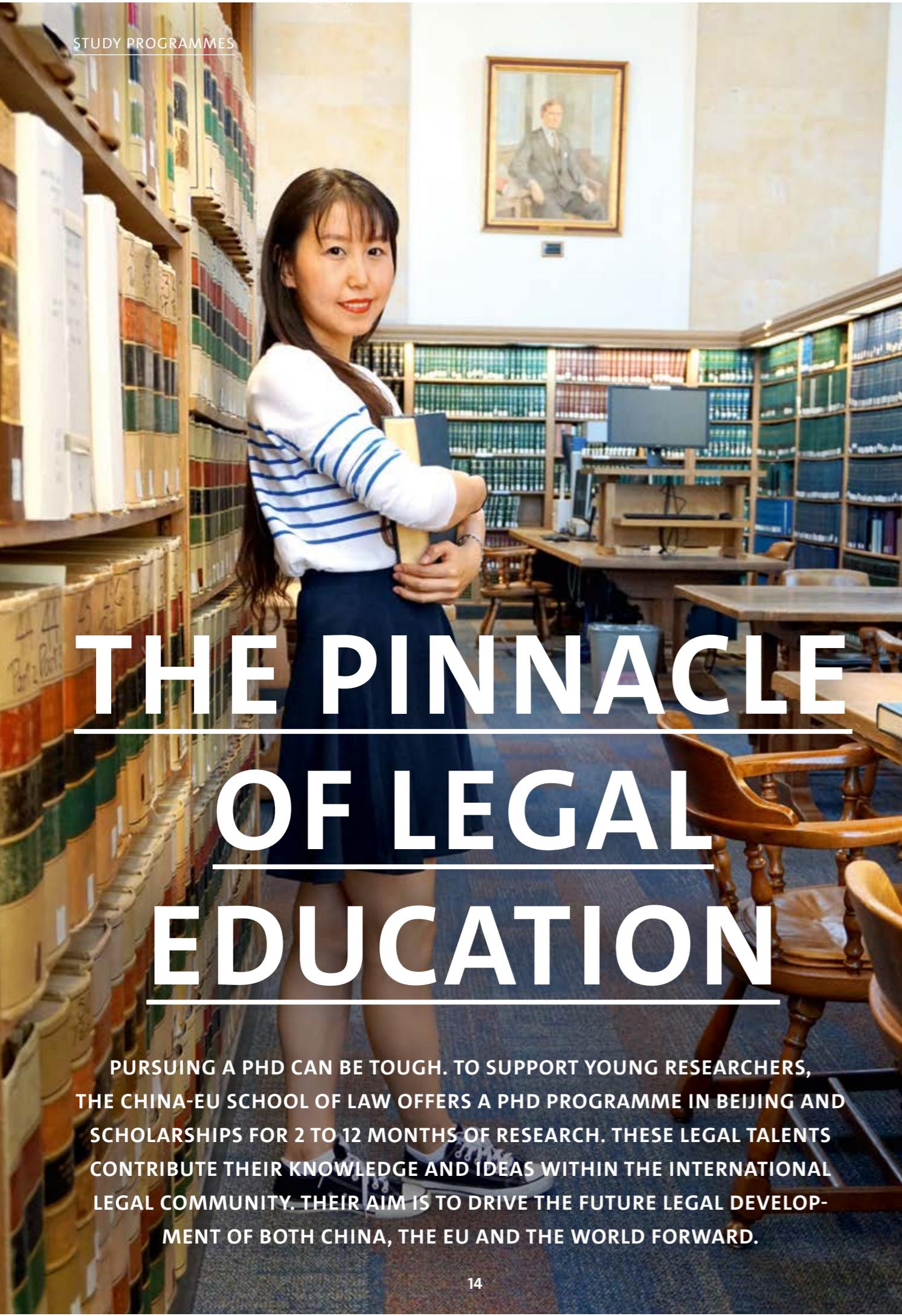
The China-EU School of Law’s “Chinese Law Taught in English” programme is offered every September. In the 2016/17 winter semester, around 20 incoming students joined the programme to learn about the Chinese legal system. In China, there are only a handful of universities where young Europeans can study Chinese law taught in English.



PROFESSOR YUE LILING

Before she became a Professor of Law at the China University of Political Science and Law and, in 2003, a Visiting Professor at Cambridge University, UK, Yue Liling was a Humboldt Research Fellow and a U.S. Fulbright Scholar. Prof. Yue Liling participated in the Chinese Criminal Procedure Law reform from 1994 to 1996 and from 2012 to 2013. Furthermore, since 2011, she has led several EU-China comparative research projects focusing on sentencing, effective criminal defense and human rights protection.





THE PINNACLE OF LEGAL EDUCATION

PURSUING A PHD CAN BE TOUGH. TO SUPPORT YOUNG RESEARCHERS, THE CHINA-EU SCHOOL OF LAW OFFERS A PHD PROGRAMME IN BEIJING AND SCHOLARSHIPS FOR 2 TO 12 MONTHS OF RESEARCH. THESE LEGAL TALENTS CONTRIBUTE THEIR KNOWLEDGE AND IDEAS WITHIN THE INTERNATIONAL LEGAL COMMUNITY. THEIR AIM IS TO DRIVE THE FUTURE LEGAL DEVELOPMENT OF BOTH CHINA, THE EU AND THE WORLD FORWARD.

"I GOT A TASTE OF EUROPE"

"I decided to pursue a PhD in law in the last year of my master's studies at the China-EU School of Law. I had just learned about China's first Anti-Monopoly Law that was enacted in 2008 with massive support from the US and the EU, and I was fascinated. I really wanted to continue research on this topic. Competition Law is still at an early stage in China. Chinese authorities are not that experienced with it. So now I'm examining "Conflicts and Compromise: Internationalisation of Competition Law and Chinese Participation", that is the full title of my thesis. If you take a closer look at jurisdictions in China, the EU, the US and Japan, you recognise clearly that these regions have very different ideas on Competition Law. As a result, there are conflicts that can even escalate into a trade war. I am hoping to point out solutions to some of these conflicts. China's economy has grown stronger since 2008, Chinese-foreign trade and investment will become even more important."

Without the China-EU School of Law, I would not have decided to go to Europe for my PhD. I was really glad I got the chance to get

in touch with European professors and lecturers such as Prof. Niels Philipsen from Maastricht University, who taught Competition Law in the European and International Law LL.M. in Beijing and who is now my co-supervisor here. Prof. Philipsen also helped me find my topic. Moreover, during my six-week visit to Central European University in Budapest during my elective courses at CESL, I got a taste of what it feels like to study abroad.

"I meet people from all over the world, and we discuss our work"

Without these experiences, I would have probably pursued my PhD in China. I am so happy to conduct research here now. At Maastricht University, almost 300 PhD students graduate each year, I meet people from all over the world, and we discuss our work and give each other useful advice. Since I receive a full scholarship from the Chinese Scholarship Council, I do not have to worry about the fees either. And when I miss my family home in Shijiazhuang, it helps to talk to one of the other 15 Chinese PhD students here at the University."



Li Shuo, 27, grew up in Shijiazhuang, a city in northern China with 10 million inhabitants. After earning a double master's degree at the China-EU School of Law in 2015, she chose to pursue a PhD in Maastricht, a Dutch city with 120,000 inhabitants.



BOOK ON HUMAN RIGHTS **SHAPING COEXISTENCE**

A joint Chinese-European book on human rights aims to raise awareness that dialogue on fundamental values is always possible.

Italian law professors Lucia Serena Rossi and Giacomo di Federico published “perhaps for the first time,” as they put it, a book which reflects on fundamental rights from both a Chinese and European perspective. “The point of the comparison is not to put two systems in competition, for they are of course markedly different, but rather to promote a dialogue,” the professors from the China-EU School of Law’s partner University of Bologna say. In the 200-page volume entitled “Fundamental Rights in Europe and China — Regional Identities and Universalism”, eight Chinese and seven European scholars examine topics such as the history of fundamental rights in Europe, the state of freedom of religion, and the protection of private property in modern China. For the future, “a lot will depend on the progress of law, but what is most important is to make sure the law is truly applied,” Professor Wang Xiumei from China Northwest University of Politics and Law writes. The book builds on a conference in Bologna in 2012 which was funded by the China-EU School of Law.



China Today sees Prof. Zheng Yongliu among China's most important legal scholars

“CHINA TODAY” RANKING **JIANG PING AND ZHENG YONGLIU AMONGST “100 MOST INFLUENTIAL LEGAL SCHOLARS”**

Professors Jiang Ping and Zheng Yongliu from the China-EU School of Law belong to China’s 100 most influential legal scholars according to the “China Today” journal. They were selected by the monthly magazine because they “substantially contribute to advancing socialist legal theory and the Chinese legal system,” editors argue in the March 2017 issue. Furthermore, they support legal education in China. Within the list of 100 legal scholars, Prof. Jiang Ping was honoured as one of the 20 “Outstanding Senior Legal Scholars in China” and Prof. Zheng Yongliu as one of the 80 “Legal Scholars Providing Prominent Contribution”. Both professors are faculty members at the China-EU School of Law.



ACADEMIC CONFERENCE IN BEIJING

NEW E-COMMERCE LAW FOSTERS INNOVATION

China's future legislation on online commerce was the focus of over 100 legal experts at the China-EU School of Law's 2016 "E-Commerce Law Forum" in Beijing. In two sessions, scholars and senior executives from China and Europe discussed their latest insights on aspects such as transaction security and data protection. They also examined other nations' approaches on regulating the sale of goods and services over the internet. "China's new law will clarify where demarcation lines go and it will foster innovation online," asserted keynote speaker Ala Musi from the China E-Commerce Association. China's planned E-Commerce Law will be enacted by the end of 2017. The European Union's digital market currently amounts to 530 million internet users, and China's amounts to 720 million users.

**SYMPOSIUM AT TSINGHUA
DRAFTING A LAW FOR A
HEALTHIER CHINA**

Two days, 160 participants, and one question: What kind of basic medical care should China legally guarantee for its 1.3 billion citizens? The 2016 Health Law Conference helped draft China's Basic Health Care Law by analysing how the right to health can be realised in everyday medical care. How should public hospitals be organised? What medical training is mandatory? What are the rules for organ donation? The conference was co-organised by the China-EU School of Law and its partner Tsinghua University.

**RESEARCHERS EXAMINE THE LEGAL BACKGROUND
MARKET ECONOMY STATUS
FOR CHINA?**

In the row over China's classification as a market economy, the China-EU School of Law endeavours to shed further light on the legal background of the decision with a new research project. How has EU legislation classified China so far? In particular, what role did the Basic Anti-Dumping Regulation play? What is the interplay between EU regulations and World Trade Organization (WTO) law? How would China-EU trade relations change with a market economy status for China? These are the questions that Prof. Yenkon Hodu from the University of Manchester, Dr Han Tianzhu from Shandong University of Science and Technology and Dr Liang Wenqiong from the China Youth University of Political Studies' Law School will examine in their new research project. The results of the study entitled "China's Post 2016 Market Economy Status and the Evolution of EU-China Trade Relations" are expected to be published by the end of 2017.



SYMPOSIA AT TRINITY COLLEGE DUBLIN

TOWARDS A CHINA-EU INVESTMENT TREATY

What is the next stage in the negotiations for a bilateral investment treaty between China and the EU? Over 100 scholars examined this question at two symposia co-organised by Trinity College Dublin and the China-EU School of Law in 2014 and 2016. "The global consensus is that Foreign Direct Investment is a good thing," said David O'Sullivan, EU Ambassador to the US and a keynote speaker. "It promotes the transfer of technology, innovative ideas, best practices and managerial skills, making companies more competitive." Common interests in policies and legal structures brought to the fore by the symposia were captured in an issue of the China-EU Law Journal. Foreign Direct Investment not only flows from Europe to China but increasingly from China to Europe.

NEW BOOK PUBLISHED

**"SUPREME COURTS SHOULD
PROVIDE LEGAL UNITY"**

Supreme courts should give guidance to the development of law and provide legal unity. This is what contributors to the new book "Supreme Courts in Transition in China and the West" argue. The volume was published by Prof. C. H. van Rhee from Maastricht University and Prof. Fu Yulin from Peking University with support from the China-EU School of Law. Authors offer ideas to avoid divergences in court ruling and reduce unmanageable caseloads such as smaller panels of judges, assistance of support staff and selection criteria mainly based on public interest.



ARTICLE ON EU-CHINA RELATIONS

**BASEDOW: "BREXIT DEAL WITH EU WILL
TAKE LONGER THAN TWO YEARS"**

The process of the United Kingdom leaving the European Union is so complex that it could take more than the prescribed two years. This is what the renowned German legal scholar and director of the Max Planck Institute for Comparative and International Private Law in Hamburg, Prof. Dr Jürgen Basedow, affirms in his article "Brexit and Business Law", which is now published in the China-EU Law Journal. Basedow's analysis provides an important contribution to the legal challenges Brexit poses to Europe, Great Britain and China. It summarises his speech at the "China and the Brexit" symposium organised by the China-EU School of Law in Beijing in 2016.

LEGAL SKILLS FOR THE 21ST CENTURY

THE CHINA-EU SCHOOL OF LAW IS ONE OF THE LEADING INSTITUTIONS FOR EUROPEAN-CHINESE LEGAL TRAINING. SINCE 2008, TRAINING COURSES HAVE ENABLED OVER 8,000 CHINESE AND EUROPEAN PROFESSIONALS TO EXPAND THEIR KNOWLEDGE IN A MULTITUDE OF LEGAL FIELDS.

Different legal professionals at different stages of their career have varying needs. The China-EU School of Law organises lectures, seminars and workshops on everything from basics for young trainees to advanced seminars for senior practitioners on complex current topics. With these training programmes, the China-EU School of Law strives to enhance knowledge of the Chinese legal profession with regard to European and International Law, as well as to educate

European professionals on Chinese Law. The law school considers itself a forum for Sino-foreign exchange of legal knowledge. Chinese judges, for instance, were trained in European trial psychology, and Chinese prosecutors examined European strategies on financial crimes and money laundering, anti-terrorism and anti-corruption. Chinese lawyers discussed EU approaches to product liability and intellectual property while Chinese civil servants learned about

European dispute settlement. European lawyers completed courses such as "Introduction to Legal Practice in China" and "Chinese Law for European Investment in China". Most training courses were organised in collaboration with the China-EU School of Law's associates, the National Prosecutors College, the National Judges College and lawyers' associations in both China and Europe.



COSMOPOLITAN AND CONNECTED

Legal professionals have to keep up with fast-evolving change in their field of expertise. The China-EU School of Law imparts the principles of state-of-the-art legal practice to lawyers, prosecutors, judges and civil servants — and also to Yu Piao from Tian Yuan law firm.

She has her finger on the pulse of change. Yu Piao is a partner at Tian Yuan law firm, founded in 1992 as one of the earliest partnership law firms in China. In 2015, the lawyer and her team provided full legal services to Chinese real estate investment trust BHG Retail REIT, which has a portfolio of malls, for their trading debut on the mainboard at the Stock Exchange of Singapore. The lawyers took care of the project design, reorganisation, assets stripping, application, issuance and listing, which was, all in all, a huge step for the trust — Yu Piao could scarcely

University and New York University and became a partner at Tian Yuan in 2008. Now she practices in the areas of Corporate Law, mainly focusing on in-bound and out-bound investment, private financing, restructuring, mergers and acquisitions, and offshore listing. However, as a top lawyer, she has to stay up-to-date with the developments in her fields of law.

In 2013, she took part in a one-month training course in Hamburg and Brussels offered by the China-EU School of Law and All China Lawyers Association. She

attended over 20 lectures and seminars on cross-border investment and financial transactions, treaties, tax, and anti-trust issues as well as visited the European Parliament, European Commission and European Council.



get away from her desk. In the end, REIT raised 394 million Singapore dollars (1.9 billion yuan or 260.3 million euros) from the stock exchange launch.

Yu Piao represents China's new legal elite. She studied at one of the best universities in China, Peking University, obtained LL.M. degrees from Korea



Together with Yu Piao, some forty lawyers from China interned at law firms in Germany, Belgium and Spain for four weeks during the second part of the training. Yu Piao interned at Uría Menéndez in Spain, one of Europe's largest law firms with over 500 lawyers and 17 offices located in the most important financial centres in Europe, Asia and the Americas. "The China-EU School of Law training was a great experience in my life," she says.

For Yu Piao, the professional journey has still just begun. She is particularly satisfied about the contact with other legal experts. "I built a network for the future in this training course," Yu Piao says. "I benefitted from long-term friendships and cooperation opportunities ever since."

AN OUTSIDER'S INSIDE LOOK

Sharp students, floor-to-ceiling bookshelves, and a smog alarm. In his blog, 2013 European Co-Dean Aalt Willem Heringa writes about his experiences on Chinese higher education and about living in China.

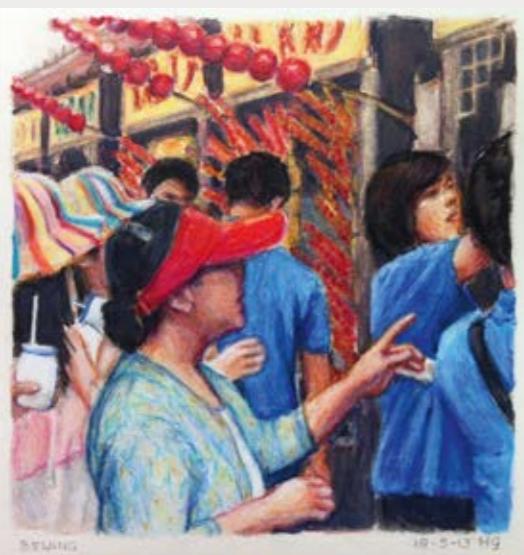


8 March

"Yesterday I attended a great, almost three(!)-hour meeting with students. It was called a welcome meeting, but it was more like a briefing where the students asked us about everything; they were persistent and sharp. The meeting was organised in the students' union building, in a vast hall with a vast stage, where we sat at a table. Good to have such close contact with the students."

22 April

"One of the nice things about eating out in Beijing is exploring a tea menu instead of a wine menu. Not that I'm a tea connoisseur, but it is very special when a variety of so many different and tasty loose leaf teas is served."



CHINA IN BLOGS AND DRAWINGS

In January 2013, Aalt Willem Heringa suddenly left for work in China. The Maastricht University law professor became European Co-Dean at the China-EU School of Law for a year. Artist Hetty Geurzen went with him. He blogged about his impressions. She drew colourful pencil portraits, showing everyday scenes on the streets, in shops and buses.

Book: "China in blogs en tekeningen" (BJu, The Hague 2013); www.hettygeurzen.nl

1 July

"We have our own China-EU School of Law section in the big university library. This library has collections of books and journals on International Law, European Law, Comparative Law, International Trade Law and Human Rights in English, German and French. Several hundred meters of bookshelves are already filled. It is something to be proud of that this growing library is accessible to all students and staff. (...) These are tangible results. An order for new books proposed by staff and students has just been placed.

At the end of the day, out on the streets, we saw it immediately — it was foggy. This can only mean one thing: severe air pollution. The website www.aqicn.org, which provides air pollution information in real time and also gives information for every district of Beijing, measured a score of 291. This status is "very unhealthy"! Visibility at our height was about 60 to 100 meters."

22 July

"In China, there were only eight law schools in 1979. In 1991, 64. In 2000, 300; and in 2012, 638! (...) There is a lot of criticism of legal education. First of all, there are real differences between the law schools in terms of quality. Furthermore, there is a big gap between graduation and finding a job. After many years of study, it is difficult to find a job, and there is a high level of unemployment among young lawyers, especially among those who do not come from top universities. (...) At the same time, there is a great need for top lawyers who can compete with international lawyers and legal experts. Undeniably, there has been much progress, but much more has to be done regarding command of English, learning skills, research methodology, critical analysis and knowledge of International Law, European Law and Comparative Law."

26 July

"At the end of June there were commencement ceremonies for both undergraduate and graduate students. (...) They did not really get the diplomas there, as the folders they got were empty. Yet it didn't matter! Then there was a buffet. It was also an experience. As Co-Deans, we went to all tables to toast each student. It is a tradition that the lower-ranking or younger person must hold the glass lower when toasting. When I held my glass down, to test whether people really do that (whether it really is common), they immediately held their glasses even lower. Then people said "gambay", that is, bottoms up! Visiting the tables as well as toasting everyone individually is a sign of showing that you care about the students. Then all the students also came to toast. So it became very convivial. (...) I think that was appreciated."

**ALL GRADUATES FIND WORK — MOSTLY IN LAW FIRMS**

In 2016, the graduate survey indicated that 96 % of 111 graduates found employment in the legal field within three months after graduation or enrolled in further master's or PhD studies. With 41 %, the majority landed a position in a law firm. A further 27 % started as lawyers in the public sector, 13 % signed their first contract in the legal department of a financial or insurance institution, and 6 % started as legal experts in a company. A further 8 % decided to study further or enroll as a PhD candidate while 4 % still had not decided between offers.

A SOLID ACADEMIC REPUTATION

Amongst more than 6,300 universities and colleges in China and Europe, the 16 in the China-EU School of Law's consortium form a group of very well-respected institutions. According to the latest Times World University Ranking, 12 belong to the best universities in the world with five even belonging to the Top 100. Tsinghua University in Beijing ranks in 35th place, KU

Leuven in 40th, the University of Manchester in 55th, Maastricht University in 94th, closely followed by Lund University in 96th place. Trinity College Dublin is in 131th place and the University of Hamburg ranks 180th.

THE ALLURE OF LAW

Why study law? Because hardly any other academic discipline is so interwoven into real life, from presidential elections to global migration flows, from renting a flat to an Alibaba or Amazon purchase? Or because it combines two essential techniques to solving problems: solid knowledge and strategic analysis? At least one thing seems to be sure: according to the China Statistical Yearbook, in 2015, 125,335 students, 6.6 % of all postgraduate students in China, were enrolled in a law programme. Across the European Union, in 2013, one third (32.7 %) of all students in tertiary education were studying social sciences, business or law.

UNDERSTANDING CHINA, STEP BY STEP

Rémi Rivoal, 24, graduated from the China-EU School of Law in 2014. Today, he works at a law firm in Brussels and considers his China experience a major asset. Nevertheless, he thinks that the road to understanding China is long.



How did your studies in Beijing prepare you for your current job?

At my law firm Van Bael & Bellis, which is Brussels-based and dedicated to EU law and World Trade Organization matters, we provide legal advice on trade and competition. I work for example on anti-dumping questions or other EU regulations on trading goods our clients are faced with. Globalisation being a reality in trade, we have a lot of inter-

national clients and many come from China. Thus, my background is clearly a big asset others do not have. An LL.M. degree from China is nothing common for a European lawyer, even though understanding Chinese culture and also a bit of the Chinese language is so valuable for the clients.

If you could give your younger self, who is just about to start at the China-EU School of Law, a piece of advice, what would that be?

Embrace the experience. Of course you will study hard but do also take full advantage of spending one year in China: living in the dorms, eating Chinese food every day, learning Mandarin, practicing the martial art Tai Chi and travelling the country. Do your best to understand the Chinese culture and integrate yourself. Then the way you see the world will

change even if you do not realise it at once, and the moment you leave China, you will only wish to learn more about it. I remember I quoted philosopher Laozi at the 2014 graduation ceremony. Laozi said: "A journey of a thousand miles begins with a single step". Several years later I am still sure that for me the China-EU School of Law was that one step.

What is the China-EU School of Law's biggest plus?

The biggest plus is the school's uniqueness. You are learning from the most distinguished professors, in a school that is at the heart of China-EU cooperation with prestigious partner universities in Europe and China, and you graduate from a renowned university. Where else would you find that?

PUBLISHING DETAILS

China-EU School of Law Magazine, July 2017

The magazine is published with a circulation of 250 copies. A PDF version can be downloaded at www.uni-hamburg.de/cesl.

PUBLISHER: China-EU School of Law, Consortium Office, University of Hamburg, Faculty of Law, Rothenbaumchaussee 33, 20148 Hamburg, Germany

RESPONSIBLE: Prof. Dr Hinrich Julius, Project Coordinator / **EDITOR:** Ursula Zipperer / **LAYOUT:** Meike Winters **PRINTER:** Bartels, Lüneburg /

PHOTOS: Cover: China-EU School of Law, U1: UHH/Sukhina, page 1, 2, 3, 4, 5, 6: China-EU School of Law, page 7: EC Service Olli Geibel, Friends of Europe CC-BY-2.0, Shen Ming, Sophia-Antonia Bir, page 8, 9: China-EU School of Law, page 10: WU Vienna press, page 11: China-EU School of Law/WU Vienna, page 12, 13: Changping District People's Court, China-EU School of Law, page 14: China-EU School of Law, page 15: Li Shuo, page 17: elenabsi/fotolia.com, page 18: China-EU School of Law, xinxing/fotolia.com, xy/fotolia.com, page 19: industrieblick/fotolia.com, China-EU School of Law, page 21: China-EU School of Law, Yu Piao, page 22, 23: Hetty Geursten, page 24: China-EU School of Law, page 25: Van Bael & Bellis.



THE ACTIVITIES OF THE CHINA-EU SCHOOL OF LAW ARE SUPPORTED BY
THE EUROPEAN UNION AND THE PEOPLE'S REPUBLIC OF CHINA.



**CHINA-EU SCHOOL OF LAW AT THE CHINA
UNIVERSITY OF POLITICAL SCIENCE AND LAW**
27 Fuxue Road, Changping District
Beijing 102249, People's Republic of China
Tel.: +86-10-5991-5782
info_cesl@cupl.edu.cn

www.cesl.edu.cn

**CHINA-EU SCHOOL OF LAW CONSORTIUM OFFICE
UNIVERSITY OF HAMBURG FACULTY OF LAW**
Rothenbaumchaussee 33
20148 Hamburg, Germany
Tel.: +49-40-42838-7936
cesl-helpdesk@jura.uni-hamburg.de

uni-hamburg.de/cesl