A B S T R A C T S

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1. CAI Congyan, **统筹推进国内法治和涉外法治中的“统筹”问题** (“Coordination” in the Promotion of the Domestic Rule of Law and Foreign-Related Rule of Law in a Coordinated Manner), 4 **武大国际法评论** (*Wuhan University of International Review*), 1–21 (2022).

Abstract Proposed at the 2020 Central Working Conference on Advancing Law-Based Governance in All Areas, “coordinating the domestic rule of law and foreign-related rule of law” makes the connection of the rule of law in different fields consciously to be strengthened with each other. The coordinated promotion of the domestic rule of law and foreign-related rule of law should simultaneously pursue the construction of rule-of-law in Chinese vision and the rule-of-law in world vision, to realize the comprehensive rule of law in domestic and foreign affairs, balance the needs of safeguarding sovereignty, security and development interests, and take into account both China’s national interests and the interests of the international community. To promote the domestic rule of law and foreign-related rule of law in a coordinated manner, not only the proper construction, mobilization, and choice of systems, actors, mechanisms, and places are involved, the issue of methodological choice also needs to be solved, that is, should the foreign-related rule of law follow the logic of normalization or the logic of exceptionalism? Given that the domestic rule of law and the foreign-related rule of law are in different social environments, the foreign-related rule of law does not necessarily follow the same standards as the domestic rule of law. Namely, it is not necessary to follow the logic of normalization, but to follow the logic of exceptionalism. Exceptionalism means that some foreign-related rule of law practices can and should be held to a “lower” standard than domestic rule of law practices. Meanwhile, it also means that other foreign-related rule of law practices can and should be held to a “higher” standard.

2. HAN Xiuli, **涉外法治：属性解读与完善进路** (Rule of Law in Foreign Affairs: Elaboration on Attributes and Approaches to Improvement), 3 **厦门大学学报（哲学社会科学版）** (*Journal of Xiamen University* [*Arts & Social Sciences*]), 126–137 (2023).

Abstract Since the rule of law in foreign affairs remains a weak link

in the Chinese rule-of-law system, clarification of its attributes is undoubtedly essential to its advancement. The rule of law in foreign affairs contains a multiplicity of attributes, and therefore, different improvement approaches and contents are required under different attributes. The domestic rule-of-law attribute focuses on the operation of law at the domestic level, while the international rule-of-law attribute emphasizes rule-of-law activities at the international level. The attribute of intersection stresses interaction between the domestic rule of law and the international rule of law, while the attribute of the rule of law in foreign relations focuses encapsulates its essence. It seems contradictory that different attributes converge in the rule of law in foreign affairs, but dialectically, this reflects the multiplicity of attributes. Only based on the multiplicity of attributes and considering different paths can we build a sound rule-of-law system in foreign affairs.

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3. HAN Yonghong, **论我国涉外立法的转型** (On Transformation of China's Legislation on International Affairs), 2 **东方法学** (*Oriental Law*), 110–122 (2023).

Abstract China's legislation on international affairs has experienced inception, expansion, upgrade and transformation which has established an initial framework from nothing to something, from less to more, from fragmented to gradual system. The interaction between policy and law, between domestic law and international law and the competition among the domestic laws of various countries are the three driving forces of China's legislation on international affairs. In the new era, it faces the need for transformation. Conceptually, it should follow the guidance of coordinated promotion of domestic rule of law and international affairs, go beyond the pure thinking of domestic law, and pay more attention to the perspective of international law in legislation. In institutional development, its focus should change from emergent legislation to planned legislation, from declaratory to implementary, from specialized to clustered. By focusing on different types of foreign relations, the construction of systemic norms should be strengthened. The proportion of declaratory provisions should be controlled, and the enforcement provisions should be increased to balance the value

position, declarative function and implementation effect of the foreign-related legislation.

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4. HE Zhipeng, 论涉外法治的安全维度 (On the Security Dimension of Foreign-Related Rule of Law), 3 法治研究 (*Research on Rule of Law*), 65–82 (2023).

Abstract When security has become a major consideration for the development of states and individuals, the construction of the rule of law must also attach great importance to universal security. Security is obviously global, so the rule of law to maintain security must also be considered in the dimensions of foreign-related relations and work, thereby forming a rule of law structure to ensure security. In the design and operation of foreign-related rule of law, it includes not only ensuring security through unilateral actions, shaping security through bilateral negotiations, but also enhancing security cooperation at the regional level, upholding and innovating security legal mechanisms at the global level. To construct foreign-related rule of law, it is necessary to improve legal system for traditional security, as well as promote rule of law for non-traditional securities. In this regard, implementing China's "global security initiative" is a crucial conceptual basis for effectively forming and developing the foreign-related security legal system.

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5. HUANG Jin, 百年大变局下的国际法与国际法治 (International Law and the International Law Rule of Law Under the Century of Great Changes), 1 交大法学 (*SJTU Law Review*), 6–19 (2023).

Abstract The world today is undergoing profound changes unseen in a century, posing unprecedented challenges to modern international law and the international rule of law. Gradually established and developed after the Second World War, modern international law and the international rule of law in general are progressive, have

played an irreplaceable role in promoting the post-war world peace and security, international cooperation and development, respect for and protection of human rights. However, modern international law and the international rule of law are not perfect, whether they are the rules of international law system themself or the operation of the international rule of law, there are many injustices, unreasonable rules and mechanisms, which do not conform to the international evolution trend, and need to improve. Contemporary China has been deeply integrated into the global governance and the international rule of law system, from the learner, follower, beneficiary to defender, builder, contributor. China has always been firm in safeguarding the international system with the United Nation as its core, the international order under pinned by international law, and the basic norms governing international relations based on the purposes and principles of the UN Charter. In the aspect of ideas, principles, rules and system of modern international law, China has contributed its wisdom and solutions. Facing the great changes in a century, we should be based on China with the world in mind and keep pace with the times, uphold fundamental principles and make innovations, strengthen the research and application of international law, be good at using the international rule of law thinking and way to be effectively against challenges and prevent risk, adhere to advancing the rule of law in domestic and foreign matters as a whole and advancing the rule of law in domestic and international matters in a coordinated manner, actively participate in global governance system reform and construction, actively participate in the enactment of international rules, strongly promote the building of a community with a shared future for mankind.

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6. LIU Renshan, **我国涉外法治研究的主要进展、突出问题与对策建议** (Main Progress, Obvious Problems and Suggestions on Research Concerning Foreign-Related Rule of Law in China), 1 **国际法学刊** (*Journal of International Law*), 35–51, 155 (2023).

Abstract At present, research on the foreign-related rule of law in China has provided a valuable intellectual support for foreign communication practice and foreign-related legislation improvement.

It has initially formed a research orientation centered on the awareness of Chinese issues, and has taken steps to build a foreign-related rule of law discourse system based on Chinese standpoint. At the same time, research on foreign-related rule of law in China has played a role in promoting the cultivation and reserve of foreign-related legal talents as a national strategy. However, the current research lacks study on the institutional issues of coordinating the promotion of domestic rule of law and foreign-related rule of law, the empirical and interdisciplinary research is not deep enough, and there is no guarantee mechanism for information transmission and utilization between researchers and relevant practical departments, especially in the aspect of research results serving major national decision-making. Therefore, it is advisable for academics to strengthen the research on foreign relations law, which links domestic law and international law, and build an academic analysis framework that links domestic law and international law. Researchers should use modern technologies such as big data to conduct empirical analysis and interdisciplinary research of foreign-related rule of law, so as to provide theoretical guidance for enhancing Chinese influence in the process of international rule-making. In addition, in order to effectively promote the deepening and transformation of research results, China should establish a standing mechanism for collaboration and cooperation between foreign-related legal theory researchers and practical departments.

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7. LIU Xiaohong, 推进高水平对外开放的法治维度 (On the Dimension of the Rule of Law in Promoting the High-Level Opening Up of China), 4 政治与法律 (*Political Science and Law*), 2–18 (2023).

Abstract The high-level opening up cannot be achieved without the development of the rule of law, which is not only the historical experience accumulated in the past 40 years of China's reform and opening up, but also the external demand for the construction of the rule of law in an era of profound changes unseen in a century, and even an integral part of advancing the Chinese modernization. At present, to further promote the high-level opening-up in line with the rule of

law, it is necessary to take Xi Jinping Thought on the Rule of Law as a guideline, clarify the dialectical relationship between reform and opening up and the construction of the rule of law from a theoretical point of view, and contemplate the notion of building a community with a shared destiny for mankind from the perspective of the international rule of law on the basis of the integrated promotion of the domestic rule of law and the foreign-related rule of law. It is also necessary to review and summarize the mode of governance shifting from opening up guaranteed by the rule of law to opening up led by the rule of law over the past 40 years from the practical perspective, and to respond to the new demands for the construction of the rule of law for the high-level opening up. Therefore, to promote the construction of the rule of law for the high-level opening-up, it is necessary to collate and stipulate corresponding principles, strengthen foreign-related legislation in a comprehensive manner, improve foreign-related commercial trials with the International Commercial Court as the focus in the course of deepened commitment to reform, and develop foreign-related legal services in an open and inclusive manner, so as to provide a continuous impetus for China's high-level opening up to the outside world.

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8. MA Zhongfa, 百年变局下涉外法治中"涉外"的法理解读 (Jurisdiction Explanation of "Foreign-Related" in Phrase of "Foreign-Related Rule of Law" Under Great Changes Unseen in a Century), 1 政法论丛 (*Journal of Political Science and Law*), 97–109 (2023).

Abstract The term "foreign-related" usually refers to "phenomena or behaviors with foreign factors." Traditionally, it mainly refers to civil and commercial activities involving foreign factors, which on most occasions means foreign investment, technology or equipment "being introduced or imported into," that is, the subjects involving in investment, transactions or other civil and commercial activities in China are that one party is a Chinese enterprise or a citizen and the other party is a foreigner or that both parties are foreign ones. "Foreign-related" in the "foreign-related rule of law" not only refers to the above meaning, but also includes the foreign factors involved in the civil and

commercial activities of "going global" Chinese enterprises or citizens in other countries or regions. In addition, it involves not only private activities such as investment and civil and commercial affairs, but also relevant public legal activities, such as participation in international rule negotiation and cooperation in anti-terrorism and anti-corruption activities, as well as the provision of legal services to relevant countries, that is, the content of foreign relations law in the general sense. The proposal of the concept of "foreign-related rule of law," and the expansion of the meaning of "foreign-related" are mainly to deal with the rule of law struggle carried out by some hegemonic countries to excessively expand the extraterritorial effectiveness of their domestic laws, abuse the "long arm jurisdiction" and adopt unilateral sanctions under the once-in-a-century situation, which has brought great harm to the sovereignty of other countries and hindered and distorted the international rule of law. China, as a responsible big power, adopting the "foreign-related rule of law," a bridge grafted on the domestic rule of law and the international rule of law, will not only safeguard the legitimate rights and interests of its country, enterprises and citizens, but also uphold international justice and make positive contributions to the promotion and improvement of the international rule of law. Therefore, it is of great significance to accurately interpret "foreign-related" in the "foreign-related rule of law."

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9. ZHANG Yan, 涉外法治的概念与体系 (The Concept and System of Foreign-Related Rule of Law), 2 中国法学 (*China Legal Science*), 264–282 (2022).

Abstract The foreign-related rule of law (FRRL) is an important part of Xi Jinping Thought on the Rule of Law. Different from the domestic rule of law and the international rule of law, FRRL is between the two and forms a system. From the perspective of normative legal theory, FRRL refers to the legislative, law enforcement, judicial and other rule of law activities formulated or confirmed by the state, validating across countries and participating in global governance. From the perspective of political legal theory, superpowers often externally promote a universalist abstract FRRL, which is essentially hegemonic. The FRRL

mainly includes two intertwined dimensions: The negative dimension is to defend and counter the abstract rule of law, and the negative dimension is to defend and counter the abstract rule of law and the hegemony behind it. The system of FRRL in China should be based on the dual idea of a community with a shared future for mankind and national dignity, and on the principle of respecting sovereignty and dignity, protecting core and development interests, and the combination of good faith cooperation and fighting according to law, and establish concrete institutional systems at multiple levels, including legislation, law enforcement, justice, and foreign-related legal services, etc.