

The China International Commercial Court:
Architecture, Pitfalls, And Promises

Julien Chaisse and Xu Qian¹

julien.chaisse@cityu.edu.hk
r.qianxu@gmail.com

Abstract: In early 2018, China announced the establishment of a special court system to resolve disputes arising out of Belt and Road Initiative (BRI) projects, the China International Commercial Court (CICC). This Article contributes to the emerging literature on hybrid courts by providing the first comprehensive analysis of the China International Commercial Court. The Article submits that the CICC corresponds to a new stage of regulatory (and economic) development reached by China which demonstrates the country's ambition to strengthen the rule of law for a number of economic transactions which are key for the country's future economic development. This Article critically reviews the genesis of the CICC, its anatomy and problematic features. The analysis places the CICC in the broader context of China's economic and regulatory development, in particular with respect to the existing domestic courts (in China and other BRI countries) as well as with respect to many arbitration centres already in place (in China and other BRI countries).

Keywords: China, Belt and Road Initiative, court, enforcement

¹ Dr. Julien Chaisse, Professor, School of Law, City University of Hong Kong & Advisory Board Member, Asian Academy of International Law (AAIL). Dr. Xu Qian, Faculty of Law, Chinese University of Hong Kong.