

**南京海事法院**

**涉外、涉港澳台审判工作情况**

**报告**

**( 2020-2025 )**

中华人民共和国南京海事法院

二〇二五年九月



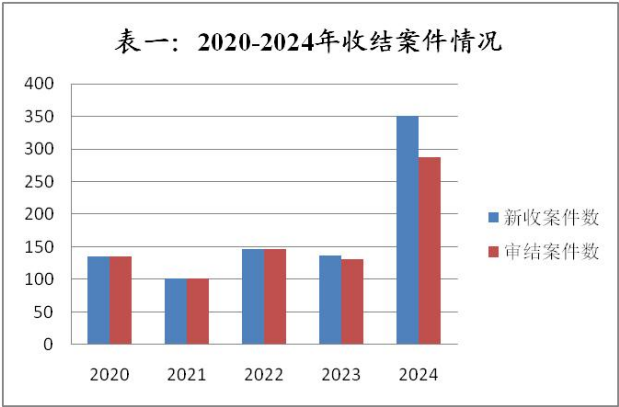
## 前 言

习近平总书记指出，“法治同开放相伴而行，对外开放向前推进一步，涉外法治建设就要跟进一步”。江苏位于共建“一带一路”、长江经济带发展、长三角一体化发展等一系列国家战略的叠加区，开放是江苏发展的鲜明特色。涉外、涉港澳台海事审判工作是涉外法治建设的重要组成部分，是展示中国法治形象、讲好中国法治故事、传播中国法治声音的重要载体。南京海事法院始终坚持以习近平新时代中国特色社会主义思想为指导，深入践行习近平法治思想，牢记“国之大者”，立足审判职能，不断完善海事审判工作机制、深入实施精品战略、大力加强队伍建设，海事司法公信力和国际影响力持续提升。

本白皮书全面介绍南京海事法院 2020 年以来涉外、涉港澳台审判工作情况，总结打造国际海事争端解决优选地工作经验，并选取发布典型案例，以期为高水平对外开放提供更加有力的海事司法服务和保障。

# 一、涉外、涉港澳台案件基本情况及特点

2020 年 1 月至 2025 年 6 月，南京海事法院新收涉外、涉港澳台案件 1079 件，审结 863 件，新收案件数呈逐年上升趋势(表一)，2024 年同比增长 155.15%，其中，新收涉外案件 850 件、涉港澳台案件 229 件；案件标的总额超人民币 52 亿元，占同期新收全部诉讼案件标的额 22%。



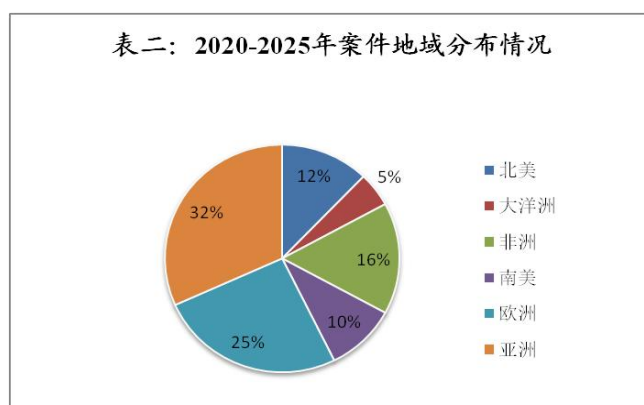
从数据统计分析情况来看，涉外、涉港澳台案件主要呈现以下特点：

## (一) 案件涉及地域广类型多

随着江苏对外开放程度不断提高和海洋经济持续发展，南京海事法院自 2020 年至 2025 年，受理的案件涉及国家和地区由 30 个逐步扩大至 82 个，遍及五大洲。

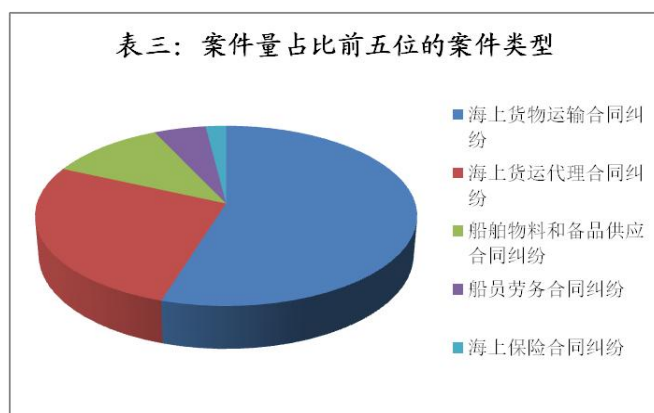
从案件分布地域看，涉亚洲案件占比 56.63%，集中于新加坡、韩国、哈萨克斯坦等“一带一路”沿线国家，与江苏“一带一路”交汇点的区位密切关联。涉美洲案件（20.39%）主要涉及美国、加拿大、巴拿马等发达国家或方便旗国家；涉欧洲案件（17.97%）主

要涉及德国、荷兰、希腊等重要港口国家。近年来，涉非洲案件数量明显上升，涉及利比里亚、尼日利亚、南非等 13 个国家，反映出中非经贸往来日益密切（表二）。此外，自 2022 年《区域全面经济伙伴关系协定》（RCEP）生效实施以来，涉 RCEP 成员国



案件持续增长，2024 年同比增幅达 271%，涉 RCEP 成员国案件占全部涉外、涉港澳台案件的 29.8%。

受理的案件类型丰富，涉及 59 种海事案由，占全部海事案由一半以上。案件量排名前五位的案由分别是，海上货物运输合同纠纷、海上货运代理合同纠纷、船舶物料和备品供应合同纠纷、



船员劳务合同纠纷、海上保险合同纠纷（表三）。

## （二）案件涉传统航贸领域和海洋经济新业态

海洋经济具有天然外向性，涉及近远洋运输、航运金融、货运代理、船舶代理等传统海洋运输产业的涉外、涉港澳台案件数量一直保持较高水平，超过涉外案件总数 90%。值得注意的是，近年数字技术带动传统海洋运输产业迭代升级，涉航运新业态案件增速明显，比如，涉跨境电商案件已占据海上货运代理案件总量的 23%。

另一方面，随着江苏加快培育海洋经济新动能，推进“通泰扬”片区高技术船舶和海洋工程装备国际制造业集群建设，涉海洋工程装备制造、海上风电、智能化船舶建造等新兴海洋产业的案件数量呈增长态势，该类案件中 10%左右具有涉外、涉港澳台因素，且标的额普遍较大。

## （三）涉法律新规和平行诉讼等疑难复杂案件显现

《反外国制裁法》《外国国家豁免法》等涉外领域新法新规正式施行后，涉外国制裁、国家主权豁免争议在司法实践已有体现，这类案件既涉及法律问题，也事关外交大局，对涉外海事司法能力提出严峻考验。2024 年，南京海事法院受理并审结全国首起反外国制裁侵权诉讼案件。随着国际经贸往来和跨境人员流动日益频繁，各国民商事领域管辖权不断扩张，涉国际、区际平行诉讼，诉讼与仲裁程序的衔接和协调等问题的案件逐渐增多，对审判专业化的要求更高。

#### （四）适用国际规则和域外法案件日益增多

从法律适用情况来看，案件适用国际条约及国际惯例情形增多。截至目前，7起案件涉及《1972年国际海上避碰规则公约》，1起涉及《1974年雅典公约》，4起涉及《承认及执行外国仲裁裁决公约》。《国际贸易术语解释通则》《国际海运危险货物规则》等国际惯例也在司法实践中较多适用。

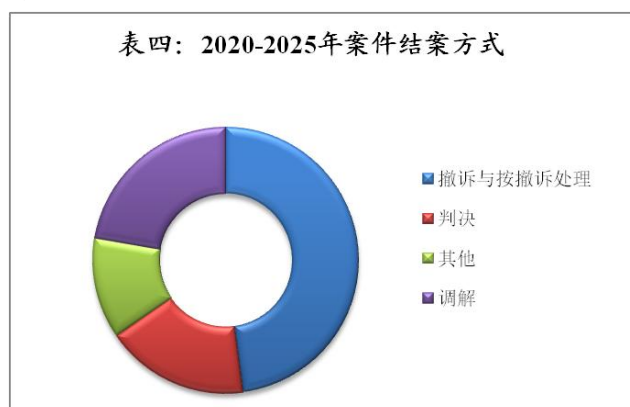
另一方面，查明并适用域外法的案件也逐步增多，7起案件委托法律查明服务机构查明域外法，涉及墨西哥法、德国法，1起案件依据德国法律查明意见书依法裁定终结执行；超过10起案件法院通过当事人协助提供以及法院依职权查询的方式，查明域外成文法及判例后促成当事人和解，涉及英国、马绍尔群岛、南非、智利、香港特别行政区等国家和地区法律。

#### （五）案件适用海事诉讼特别程序的需求多元

涉外、涉港澳台案件往往涉及跨境主体多、标的额大，加之船舶流动性较高，海事诉讼特别程序因其“快速、有效、及时”等特点，成为海事纠纷当事人重要程序保障。南京海事法院受理的涉外、涉港澳台案件有10%涉及海事诉讼特别程序适用，包括海事强制令、外轮扣押、仲裁前和仲裁中海事保全、海事证据保全、公示催告等，依法回应海事纠纷当事人多元司法需求。

#### （六）和解与调解成为纠纷解决主要方式

调解是化解矛盾、解决争议最富有成效的方式之一，具有成本低、效率高、灵活性强等优势。南京海事法院在涉外、涉港澳台案件办理中，准确把握当事人重视长期合作关系的特点，以调促和、以调止争，把纠纷实质性化解、一次性解决作为目标。审结的 863 件案件中，调解、和解后撤诉案件占比近 70%（表四），充分体现“东方经验”在化解海事纠纷，促成海事纠纷当事人求同存异、互利共赢方面的重要作用。



## 二、涉外、涉港澳台审判工作举措及成效

### （一）牢记“国之大者”，加强海事司法供给

立足“一带一路”交汇点建设，提出海事司法服务保障更高水平对外开放 14 项措施，服务打造具有世界聚合力的双向开放枢纽。在全国法院率先出台服务保障《区域全面经济伙伴关系协定》（RCEP）16 项司法举措，相关工作经验被最高人民法院推广。聚焦自贸试验区提升战略，与省自贸办、江苏海事局、省交通运输厅等单位联合出台《关于深化中国（江苏）自由贸易试验区海运物流创新发展的若干措施》，构建涉自贸试验区海事海商纠纷多元

解决模式，提升海运物流领域制度型开放水平。与省发改委共同编制《企业法律风险防范指引手册》，为外贸外资企业提供涉外诉讼工具箱，助力营造法治化一流营商环境。

## （二）优化诉讼服务，提升涉外审判质效

**破解涉外送达难题。**制定《涉外、涉港澳台案件司法文书送达工作规程》，规范送达流程，探索电子送达途径，提高涉外涉港澳台案件送达效率，有效压降审理周期。**提升诉讼服务的便捷性。**为境外当事人提供在线身份验证、授权委托视频见证服务，探索开展远程在线庭审、调查取证，用足用好境外主体概括性授权、船舶司法扣押担保快速通道等机制，不断改进中外当事人诉讼体验。**加强多元解纷，促推矛盾纠纷实质化解。**强化与中国船东互保协会、中国海事仲裁委员会等单位在涉外、涉港澳台海事保全、纠纷化解等方面的交流协作，完善诉讼与仲裁、调解相互协调、有机衔接的国际海事纠纷解决机制，推动 126 起涉外海事海商纠纷前端化解。**加强域外法查明和适用。**制定《域外法查明工作规程》，汇编查明案例，坚持“法院主导、当事人辅助”原则，充分借助最高人民法院域外法查明平台，加强与高校及专业机构合作，确保域外法准确查明与正确适用。1 篇案例入选最高人民法院发布的首批查明和适用域外法的典型案例。

## （三）尊重意思自治，平等保护中外当事人合法权益

**平等保护中外当事人的诉讼权利。**充分尊重并保障中外当事人协议选择管辖法院、适用法律、纠纷解决方式的权利，确保中

外当事人的诉讼地位和诉讼权利平等、法律适用和法律保护平等。尊重国际规则和国际惯例。坚持“条约必须信守”原则，准确理解并适用国际条约和国际惯例，强化司法裁判的稳定性和可预期性。在一起中国籍与巴拿马籍船舶碰撞损害责任纠纷中，准确适用《1972 年国际海上避碰规则公约》认定两船的避让义务，合理确定碰撞责任比例，中外当事人均服判息诉。加强司法对仲裁的支持力度。依法支持和监督仲裁，公正审理仲裁司法审查案件，尊重仲裁协议的独立性，为中外当事人申请仲裁提供司法支持。在一起航次租船合同纠纷中，依法适用香港特别行政区《仲裁条例》，确认未约定仲裁机构的仲裁协议有效，支持仲裁发挥解纷作用，切实优化海事仲裁事业发展环境。

#### （四）坚持精品审判，积极参与国际海事司法中心建设

多渠道推进专业化审判。开展涉外、涉港澳台案件集中审理，聘请 60 名国际航运、贸易等领域专家组建咨询专家库，推荐专家担任人民陪审员，充分发挥专家智库作用，确保裁判的专业性和公正性。持续深耕精品审判。发布精品案件思维导图，着力挖掘培育具有国际影响和规则引领的精品案例，12 个案例入选最高人民法院案例库，26 个案例入选最高人民法院或省法院典型案例，3 个案例被英国知名出版社出版的《中国海事商事法律报告》（Chinese Maritime and Commercial Law Reports）收录。提升海事司法吸引力。不断健全海事审判工作机制，以优质快捷的诉讼服务与专业的司法裁判，吸引 20 余起案件外方当事人主动选择或变

更到南京海事法院诉讼，其中 4 起纠纷与我国无实际联系。

### **（五）加强合作与交流，提升海事司法国际影响力**

**拓宽对外交流渠道。**高质量承办第三十届全国海事审判研讨会、长江经济带多式联运创新立法暨《海牙规则》百年纪念圆桌论坛等高端学术会议，回应海事审判专业化、国际化需求。积极参加国际研讨交流。鼓励法官参加全球滨海论坛、中欧班列国际合作论坛等，6 名法官参加《北京船舶司法出售公约》国际研讨，选派法官赴德国、香港等国家和地区培训交流，1 名法官助理被选派赴联合国驻日内瓦办事处锻炼。**加强中英双语传播。**丰富中英文网站内容，录制 13 期英文版《海法之声》，发布中英双语海事司法白皮书，积极发出海事司法声音，增强海事司法的公信力和影响力。

## **三、涉外、涉港澳台审判工作展望**

**一是聚焦中心大局，在法治轨道上护航更高水平对外开放。**坚持将海事审判工作置于统筹国内、国际两个大局，办好发展、安全两件大事中去谋划和推进。进一步把思想认识统一到习近平总书记关于加强海洋强国建设的重要讲话精神上，牢记“国之大者”，围绕“五个更加注重”，在服务保障“一带一路”交汇点建设、长江经济带发展、长三角一体化发展等国家重大战略上展现更大作为，助力市场化、法治化、国际化一流营商环境建设。

**二是坚持人海和谐，加强海洋权益和生态环境保护。**落实国家海洋新能源政策，紧前研究海洋分层权益保护问题，促进海洋

立体开发保护制度不断健全完善。加大海洋生态环境司法保护力度，探索构建海洋碳汇等替代性修复体系，健全海洋权益保护机制，推动形成海洋生态环境保护与海洋资源开发利用协同发展的法治环境。

三是对接国际规则，打造国际海事争端解决优选地。坚持平等保护，树立世界眼光，统筹国内法治与涉外法治，更加注重对国际海事规则的研究和运用，推动域外法高效查明和准确适用，建立高频适用的域外法查明案例库，培育更多具有国际影响力和规则引领力的标杆性案例，赢得境内外当事人广泛认可和主动选择。完善仲裁司法审查规则，优化仲裁保全司法保障机制，营造仲裁友好型司法环境。建立完善诉讼与非诉讼有效衔接的国际海事纠纷多元化解机制，为当事人提供低成本、可选择的纠纷解决方案。

四是讲好海事司法故事，构建中国海事司法话语和叙事体系。推进海事司法研究中心建设，以“引进来”与“推出去”为目标，聚焦“法治意义、社会影响、绿色环保、国际示范、人文关怀”维度，打造具有国际影响力的海事司法研究平台。定期发布双语审判白皮书和典型案例，邀请代表委员、国际航运界人士走进法院观摩交流，加强对中国海事司法制度、海洋法治理念、海洋法治成果的总结阐释和对外推介，全面提升海事司法国际传播效能。

五是坚持立足长远，提升海事审判队伍专业化水平。优化人才选拔和储备机制，适应国际贸易、国际航运以及生态环境等多领域知识需求，完善以实践为导向的人才培养机制，深化与高等

院校涉外法治建设和高层次人才培养协同，持续选派优秀法官赴国际组织研修交流、参与国际规则制定，提升海事法官的国际视野和综合素养，为海事审判高质量发展夯实人才支撑。

**Nanjing Maritime Court**  
**Trial Report on Foreign and Hong Kong,**  
**Macao, Taiwan-related Cases**  
**(2020-2025)**

**Nanjing Maritime Court of PRC**  
**September 2025**

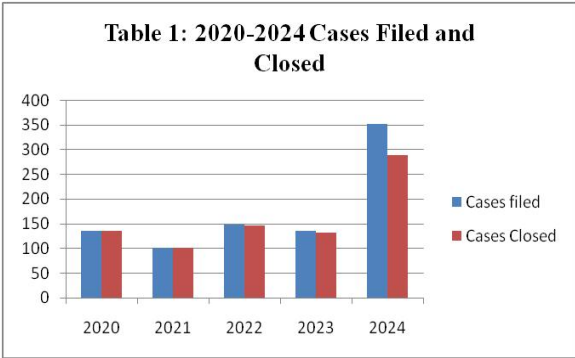
## **Preface**

General Secretary Xi Jinping has pointed out that “the rule of law advances hand in hand with opening-up; every step forward in opening-up must be accompanied by a corresponding step forward in the development of the rule of law in foreign-related matters.” Jiangsu Province is located at the intersection of several major national strategies, including the Belt and Road Initiative, the development of the Yangtze River Economic Belt, and the integrated development of the Yangtze River Delta. Openness is a defining feature of Jiangsu Province. Foreign and Hong Kong, Macao, Taiwan-related maritime adjudication is an important part of building the rule of law in foreign-related matters. It serves as a crucial platform for demonstrating China’s legal image, and articulate the stories of China’s rule of law. Guided by Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era and deeply committed to Xi Jinping Thought on the Rule of Law, the Nanjing Maritime Court has kept in mind the nation’s top priorities, focused on its adjudicative responsibility, innovated working mechanisms, implemented a strategy for adjudicative excellence, and strengthened judicial capacity building. The credibility and international influence of maritime justice have been steadily enhanced.

This White Paper provides a comprehensive overview of the Nanjing Maritime Court’s adjudication work in foreign and Hong Kong, Macao, Taiwan-related cases since 2020, summarizes the experience in building a preferred venue for international maritime dispute resolution, and presents selected model cases. It aims to offer stronger maritime judicial services and safeguards to support high-level opening-up.

I. Basic Information and Characteristics of Foreign and Hong Kong, Macao, Taiwan-Related Cases

Between January 2020 and June 2025, a total of 1,079 new foreign and Hong Kong, Macao, Taiwan-related cases were filed in the Nanjing Maritime Court, with 863 cases closed. The number of newly filed cases has shown an upward trend year by year (Table 1), with a year-on-year increase of 155.15% in 2024. Among them, 850 were foreign-related cases and 229 were Hong Kong, Macao, and Taiwan-related cases. The total amount in dispute



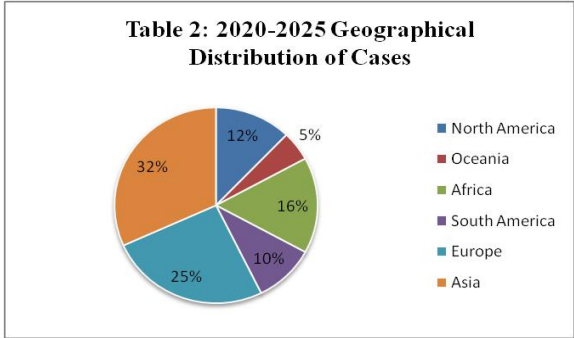
exceeded RMB 5.2 billion, accounting for 22% of the total amount in dispute for all newly filed cases during the same period.

Based on statistical analysis, these cases exhibit the following main characteristics:

(1) Cases Concerning Wide Geographical Coverage and Diverse Types

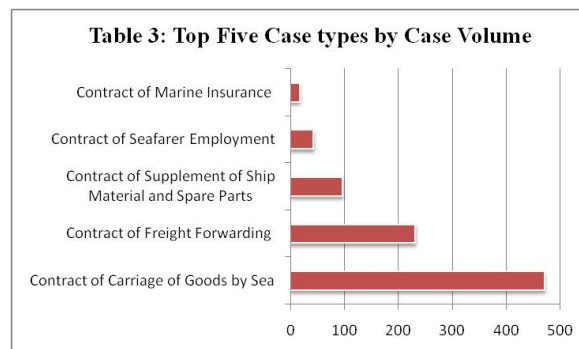
With Jiangsu’s increasing level of opening-up and the continuous development of the marine economy, the scope of maritime economic and trade activities has been expanding, and accordingly, the geographical coverage of the filed cases has continued to grow. From 2020 to 2025, the number of countries and regions involved in cases has expanded from 30 to 82, spanning five continents.

In terms of geographical distribution, Asia-related cases (56.63%) accounted for the largest share, mainly involving Singapore, South Korea, and Kazakhstan—countries along the Belt



and Road, closely linked to Jiangsu’s strategic position as a hub of the Initiative. Cases related to the Americas (20.39%) primarily concerned developed countries or open-registry states such as the United States, Canada, and Panama; Europe-related cases (17.97%) mainly involved key port countries such as Germany, the Netherlands, and Greece. In recent years, there has been a marked increase in cases related to Africa, involving 13 countries including Liberia, Nigeria, and South Africa, reflecting the growing economic and trade exchanges between China and Africa (Table 2). Moreover, since the implementation of the *Regional Comprehensive Economic Partnership (RCEP) Agreement* in 2022, cases involving RCEP member states have continued to grow, with a year-on-year increase of 271% in 2024, accounting for 29.8% of all foreign and Hong Kong, Macao, Taiwan-related cases.

The cases before the Court involved a wide range of causes of action—59 in total—representing more than half of all maritime case types. The top five causes of action in terms of case volume were: disputes over contract of carriage of goods by sea, contract of freight forwarding, contract of the supplement of ship materials and spare parts, contract of seafarer employment, and contract of marine insurance (Table 3).



## **(2) Cases Spanning From Traditional Maritime Trade To Emerging Marine Economy Sectors**

The marine economy is inherently outward-looking. Foreign and Hong Kong, Macao, Taiwan-related cases involving traditional maritime transportation industries—such as ocean shipping, shipping finance, freight forwarding, ship agency services, etc.—have consistently accounted for over 90% of all foreign-related cases. Notably, in recent years, digital technologies have driven the transformation and upgrading of traditional maritime transportation industries, resulting in a significant rise in cases involving new maritime business models. For example, cases involving cross-border e-commerce now account for 23% of cases of contract of freight forwarding.

Meanwhile, as Jiangsu accelerates the cultivation of new drivers for the marine economy and promotes the development of an international manufacturing cluster for high-tech ships and marine engineering equipment in the “Tong–Tai–Yang” area, there has been a growing number of cases related to emerging marine industries, including marine engineering equipment manufacturing, offshore wind power, and intelligent shipbuilding. Around 10% of such cases involve foreign or Hong Kong, Macao, Taiwan elements, often with large amounts in dispute. These cases tend to be more complex due to both their international nature and the technical standards for shipbuilding involved.

### **(3) Complex Cases Continuing Emerging**

With the implementation of new foreign-related laws and regulations such as the *Anti-Foreign Sanctions Law* and the *Foreign State Immunity Law*, disputes involving foreign sanctions and state sovereignty immunity have already appeared in judicial practice. In 2024, the Nanjing Maritime Court accepted and concluded the national first civil tort case concerning the *Anti-Foreign Sanctions Law*. Such cases not only involve intricate legal issues but also bear on broader diplomatic considerations, posing significant challenges to the capacity of foreign-related maritime adjudication. Moreover, with the increasing frequency of international economic and trade exchanges as well as cross-border personnel movements, states are continuously expanding jurisdiction in civil and commercial matters, this has given rise to a growing number of cases concerning issues of international and interregional parallel proceedings, and the coordination between litigation and arbitration procedures, thereby placing higher demands on specialized adjudication.

### **(4) Cases Involving International Rules and Foreign Laws Increasing**

From the perspective of applicable law, there has been a growing number of cases applying international conventions and practices. To date, 7 cases have involved the *Convention on the International Regulations for Preventing Collisions at Sea, 1972* (COLREGs); one case has involved the *Athens Convention Relating to the Carriage of Passengers and their Luggage by Sea, 1974*; and 4 cases have involved the *Convention on the Recognition and Enforcement of Foreign Arbitral Awards*. International practices such as *Incoterms* and the *International Maritime Dangerous Goods (IMDG) Code* have also been frequently referred to in judicial practice.

Meanwhile, the number of cases requiring the ascertainment and application of foreign laws has also been increasing. In 7 cases, the court commissioned specialized legal institutions to

ascertain foreign laws, concerning Mexican law and German law; in one case, the court terminated enforcement proceedings pursuant to an expert opinion on German law. In more than 10 cases, the court, either through parties' assistance or on its own initiative, ascertained foreign statutes and case law—covering jurisdictions such as the United Kingdom, the Marshall Islands, South Africa, Chile, and the Hong Kong—thereby facilitating settlements between the parties.

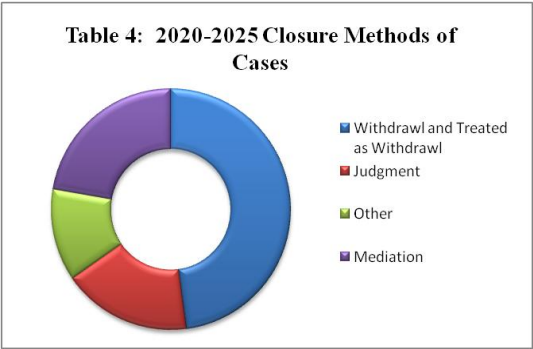
#### **(5) Needs for Special Maritime Procedures Diversifying**

Foreign and Hong Kong, Macao, Taiwan-related cases often involve multiple cross-border parties and large amounts in dispute. Given the high mobility of ships, special maritime litigation procedures—characterized by their speed, effectiveness, and timeliness—have become an important procedural safeguard for parties in maritime disputes. About 10% of the foreign and Hong Kong, Macao, Taiwan-related cases filed in the Nanjing Maritime Court have involved special maritime procedures, including maritime injunctions, arrest of ships, maritime preservation measures before and during arbitration, preservation of maritime evidence, and procedure for public exigence, thereby providing judicial responses to the diverse needs of maritime dispute parties.

#### **(6) Conciliation and Mediation Becoming the Primary Means of Dispute Resolution**

Mediation is one of the most effective methods for resolving conflicts and disputes, offering advantages such as low cost, high efficiency, and great flexibility. In handling foreign and Hong Kong, Macao, Taiwan-related cases, the Nanjing Maritime Court has accurately grasped the parties' emphasis on long-term cooperative relationships, promoting

conciliation through mediation and aiming for the substantive and one-time resolution of disputes. Among the 863 concluded cases, nearly 70% were resolved through mediation or



conciliation leading to withdrawal (Table 4), fully demonstrating the important role of the “Eastern Experience” in resolving maritime disputes and helping parties achieve mutual understanding and win-win outcomes.

**II. Measures and Achievements in Foreign and Hong Kong, Macao, Taiwan-Related Adjudication**

**(1) Keeping in Mind the “Interests of the Nation” and Strengthening Maritime Judicial Services**

Focusing on the development of the Belt and Road Initiative hub, the Court introduced 14 measures to enhance judicial services and safeguards for a higher level of opening-up, serving the creation of a globally influential two-way open hub. It was the first court nationwide to release 16 judicial initiatives to support the implementation of the *Regional Comprehensive Economic Partnership (RCEP)*, with related experience promoted by the Supreme People’s Court. Targeting the strategy of upgrading pilot free trade zones (FTZs), the Court, together with the Jiangsu FTZ Office, Jiangsu Maritime Safety Administration, and Jiangsu Provincial

Department of Transport, jointly issued *Several Measures on Deepening Innovative Development of Maritime Logistics in the China (Jiangsu) Pilot Free Trade Zone*, building a diversified dispute resolution model for maritime and commercial disputes in FTZs and enhancing institutional openness in the maritime logistics sector. In cooperation with the Jiangsu Provincial Development and Reform Commission, the Court co-compiled the *Manual on Legal Risk Prevention for Enterprises*, providing a toolkit for foreign trade and foreign-invested enterprises to prevent litigation risks and helping create a first-class, law-based business environment.

## **(2) Optimizing Litigation Services and Improving the Quality and Efficiency of Foreign-related Adjudication**

To address the challenge of extraterritorial service, the Court formulated the *Procedural Guidelines for the Service of Judicial Documents in Foreign and Hong Kong, Macao, Taiwan-related cases*, standardizing service procedures, exploring electronic service methods, and improving the efficiency of serving documents in such cases, thereby reducing trial duration. To make litigation services more convenient, the Court has provided overseas parties with online identity verification and video witnessing services for powers of attorney, explored remote online hearings and evidence collection, and made full use of mechanisms such as general authorization for overseas parties and expedited ship arrest guarantee mechanism, thereby continuously improving litigation experiences for both Chinese and foreign parties. The Court has also strengthened diversified dispute resolution to achieve substantive dispute settlement. It has enhanced collaboration with organizations such as the China P&I Club and China Maritime Arbitration Commission in areas including

foreign-related maritime preservation and dispute resolution, improved coordination and integration among litigation, arbitration, and mediation in international maritime dispute resolution, and facilitated the early resolution of 126 foreign-related maritime and commercial disputes. Additionally, the Court has strengthened the ascertainment and application of foreign laws by formulating procedural guidance, compiled related cases, adhered to the principle of court-led and litigant-assisted, leveraged the Supreme People's Court's platform of ascertainment of foreign law, and cooperated with universities and specialized institutions to ensure accurate and proper application of foreign laws. One case was selected as the first batch of typical cases on foreign law ascertainment by the Supreme People's Court.

### **(3) Respecting Party Autonomy and Equally Protecting the Lawful Rights and Interests of Chinese and Foreign Parties**

To ensure equal protection of the rights and interest of both Chinese and foreign parties, the Court fully respects and safeguards the parties' choice of court, applicable law, and dispute resolution methods, as well as the equality in litigation status, litigation rights, application of law, and protection of law. The Court respects international rules and practices, adheres to the principle of *pacta sunt servanda* ("treaties must be observed"), and accurately interprets and applies international conventions and practices, thereby strengthening the stability and predictability of judicial decisions. In one case concerning collision liability between a Chinese ship and a Panamanian ship, the Court applied the *Convention on the International Regulations for Preventing Collisions at Sea, 1972* (COLREGs) to correctly determine the obligations of both ships and reasonably apportion collision liability, with both parties accepting the judgment without appeal. To strengthen judicial support for arbitration, the Court lawfully supports and supervises arbitration, fairly adjudicates cases involving judicial review of arbitration, respects the independence of arbitration agreements, and provides

judicial support for Chinese and foreign parties. In a dispute concerning voyage charter-party, the Court applied the *Arbitration Ordinance* of the Hong Kong Special Administrative Region to uphold the validity of an arbitration agreement even though no arbitration institution was specified, thereby supporting arbitration in dispute resolution and improving the judicial environment for maritime arbitration development.

#### **(4) Pursuing Excellence in Adjudication and Actively Contributing to the Development of an International Maritime Judicial Center**

To promote specialized adjudication, the Court has centralized the trial of foreign and Hong Kong, Macao, Taiwan-related cases, invited 60 experts in international shipping, trade, and related fields to join an expert advisory pool, and recommended experts to serve as people's assessors, fully leveraging their expertise to ensure professionalism and fairness in judgments. Bearing in mind the strategy for adjudicative excellence, the Court published mind maps of exemplary cases and cultivated cases with international influence and rule-shaping significance. 12 cases have been included in the Case Databases of People's Court, 26 cases were select as typical cases by the Supreme People's Court or the High People's Court of Jiangsu Province, and 3 cases have been published in the UK publisher *Chinese Maritime and Commercial Law Reports*. By continuously improving mechanisms and providing high-quality, efficient, and professional judicial services, the Court has attracted foreign parties in over 20 cases to actively choose or transfer jurisdiction to the Court, including four disputes with no substantial connection to China.

#### **(5) Strengthening Cooperation and Exchanges to Enhance the International Influence of Maritime Justice**

To expand channels for international exchanges, the Court has successfully hosted high-level academic conferences such as the Maritime Adjudication Symposium, the Yangtze River

Economic Belt Multi-modal Transport Legislative Innovation Forum, and the Centennial Commemoration Round-table of the Hague Rules, addressing the needs for specialization and internationalization in maritime adjudication. The Court encourages judges participating in international seminars, such as the Global Coastal Forum and the China-Europe Railway Express International Cooperation Forum. 6 judges attended the international seminar on the *Beijing Convention on the Judicial Sale of Ships (Convention on the International Effects of Judicial Sales of Ships)*. The Court has also dispatched judges for training and exchange in Germany and Hong Kong, and selected one judge assistant to work at the United Nations Office in Geneva. To Court has enriched the content of its Chinese and English websites, produced 13 episodes of the English-language program *Voice of Maritime Court*, and released bilingual white papers and cases, sharing the voice of Chinese maritime justice.

### III. Outlook on Foreign and Hong Kong, Macao, Taiwan-Related Maritime Adjudication

**First, focusing on the central mission and safeguarding higher-level opening-up on the track of the rule of law.** We will promote and advance maritime adjudication will be within the overarching framework of both domestic and international imperatives, addressing the dual tasks of development and security. We will further align our thinking with General Secretary Xi Jinping's important speeches on strengthening China as a maritime power, remain mindful of the "matters of national importance," focus on the "five greater emphases," and play a greater role in serving and safeguarding major national strategies such as the construction of the Belt and Road Initiative hub, the development of the Yangtze River Economic Belt, and the integrated development of the Yangtze River Delta, thereby contributing to a world-class, market-oriented, law-based, and internationalized business environment.

**Second, upholding harmony between humanity and the ocean, and strengthening the protection of maritime rights and interests as well as the marine ecological environment.**

We will promote to implement national marine new energy policies, conduct research on cutting-edge topics, such as layered protection of marine rights and interests across different layers, for the continuous improvement of the legal framework for integrated marine development and protection. Efforts will be intensified to strengthen judicial protection of the marine ecological environment, explore alternative ways of marine restoration such as imposing liability of purchasing marine carbon credits, and improve the protection mechanisms for maritime rights and interests, thereby cultivating a legal environment where marine ecological conservation and the sustainable use of marine resources can strike a balance.

**Third, aligning with international rules and building a preferred venue for international maritime dispute resolution.** Adhering to the principles of equal protection of both Chinese and foreign parties, we will coordinate domestic and foreign-related rule of law, place greater emphasis on researching and applying international maritime rules, promote efficient and accurate application of foreign laws, and establish a case database for frequently ascertainment of foreign laws. More landmark cases with international influence and rule-shaping significance will be cultivated. We will promote to refine rules and practice on judicial review of arbitration, improve judicial mechanisms to assist arbitration preservation, foster an arbitration-friendly judicial environment, and establish a diversified dispute resolution mechanism that effectively offering parties low-cost and flexible dispute resolution options.

**Fourth, articulating the story of maritime justice well and establishing China's maritime judiciary discourse and narrative framework.** We will advance the development of the Maritime Judicial Research Center of the Nanjing Maritime Court, with the goal of both “bringing in” and “promoting abroad.” By focusing on the dimensions of “legal significance,

social impact, environmental sustainability, international demonstration, and humanistic care”, we aim to promote a maritime judicial research platform with global influence. Bilingual white papers on maritime adjudication and typical cases will be published regularly. We will also invite representatives, legislators, and figures from the international shipping community to visit courts for exchanges, enhancing the understanding and international communication of China’s maritime judicial system, legal concepts, and achievements, and comprehensively improving the global reach and impact of China’s maritime adjudication.

**Fifth, taking a long-term perspective and enhancing the professionalism of the maritime adjudication.** Talent selection, training mechanisms will be optimized to meet the diverse demands of international trade, international shipping, and environmental protection. A practice-oriented talent training mechanism will be improved, with deeper collaboration with universities to foster the high-level talent cultivation. Outstanding judges will continue to be selected for training and exchanges with international organizations and for participation in international rule-making, thereby broadening their global perspective and improving their overall competencies to provide solid talent support for the high-quality development of maritime adjudication.

