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Practical aspects of recognition and enforcement of foreign arbitral awards in the people's republic of China

China's large-scale infrastructure projects within the framework of the Belt and Road Initiative (known within China as the One Belt One Road), cooperation in key sectors, participation in the Shanghai Cooperation Organization, and other factors contribute to the further development of trade and economic relations between the countries of the Commonwealth of Independent States and China, making the issue of recognition and enforcement of foreign arbitral awards in China even more relevant.

The legal framework for the recognition and enforcement of foreign arbitral awards

In 1987, China acceded to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards 1958 (hereinafter – **the New York Convention**).

When acceding to the New York Convention, China made two reservations. One of them is that the New York Convention only applies to the recognition and enforcement of arbitral awards made in the territory of another contracting state. This is known as the "reciprocity reservation". Another so-called "commercial reservation" stipulates that the New York Convention should only apply to those legal relationships that are considered commercial under the national law of the PRC.



Practice areas

DISPUTE RESOLUTION

Locations

CHINA

Key contacts



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