

**WHU Center of Overseas Investment  
Law**

**Monthly Events**

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## **Domestic Events**

1. On March 1, 2019, the "Protocol of the Government of the People's Republic of China and the Government of the Republic of Chile on the revision of the Free Trade Agreement and the Supplementary Agreement on Free Trade Agreements on Trade in Services" came into effect. This is the second free trade zone upgrade agreement implemented by China after the upgrade of China-ASEAN Free Trade Area. It is also the first free trade zone upgrade agreement signed between China and Latin American countries.

*(<http://www.mofcom.gov.cn/article/ae/ai/201903/20190302839160.shtml>)*

2. On March 4, 2019, the General Office of the State Council issued the Notice of the General Office of the State Council on the Establishment of the China International Import Expo Organizing Committee. The Organizing Committee of the Second China International Import Expo was formally established. The Organizing Committee is led by the Ministry of Commerce, the Ministry of Foreign Affairs, the Ministry of Science and Technology, Shanghai and other units. It is responsible for researching and coordinating major issues in the preparation work, promoting the preparation and participation of various departments and localities, and promoting the implementation of the government of China to invite participation in regional, international and international organizations.

*([http://www.gov.cn/zhengce/content/2019-03/04/content\\_5370445.htm](http://www.gov.cn/zhengce/content/2019-03/04/content_5370445.htm))*

3. On March 15, 2019, the Second Session of the 13th National People's Congress passed the Foreign Investment Law of the People's Republic of China. On March 21, 2019, according to the report by Xinhua News Agency, in order to ensure the smooth implementation of the Foreign Investment Law, the Ministry of Commerce is working with relevant departments to actively promote the formulation of supporting laws and regulations.

*([http://www.npc.gov.cn/npc/xinwen/2019-03/15/content\\_2083532.htm](http://www.npc.gov.cn/npc/xinwen/2019-03/15/content_2083532.htm))*

4. On March 18, 2019, the State Administration of Foreign Exchange issued the Notice on Printing and Distributing the Provisions on the Management of Transnational Funds for Transnational Activities of Multinational Corporations, and revised the Regulations on the Centralized Operation of Foreign Exchange Funds of Multinational Corporations. The biggest change is that the cross-border fund pool will allow RMB funds to enter the pool.

*(<http://m.safe.gov.cn/safe/2019/0318/12717.html>)*

5. On March 18, 2019, the State Council promulgated the "Decision of the State Council on Amending Certain Administrative Regulations" ("Decision of the State Council"), which was implemented on the day of its promulgation. It is noteworthy that the decision has amended the Regulations on the Administration of Import and Export of Technology, and deleted the provisions on the technology import contract that does not

contain restrictive clauses and the improvement of the ownership of technical achievements.

*([http://www.gov.cn/zhengce/content/2019-03/18/content\\_5374723.htm](http://www.gov.cn/zhengce/content/2019-03/18/content_5374723.htm))*

6. On March 21, 2019, the spokesman of the Ministry of Commerce, Gao Feng, spoke at a regular press conference. He said that the Political Bureau of the CPC Central Committee, the Vice Premier of the State Council, and the Chinese leader of the China-US Comprehensive Economic Dialogue, Liu He, and US Trade Representative Robert Emmet Lighthizer, Finance Minister Steven Terner Mnuchin recently held several rounds of telephone consultations on Sino-US economic and trade issues. The two sides agreed that Emmet Lighthizer and Mnuchin will be invited to visit China from March 28th to 29th to hold the eighth round of China-US high-level economic and trade consultations in Beijing. Vice Premier Liu He will be invited to visit the United States in early April and hold the ninth round of high-level Sino-US economic and trade consultations in Washington.

*(<http://www.mofcom.gov.cn/xwfbh/20190321.shtml>)*

7. On March 25th, leader of the National Development and Reform Commission of China He Lifeng, together with the Italian Deputy Prime Minister and Minister of Labor and Industry, Luigi Di Maio, signed a memorandum of understanding between the Chinese and Italian governments on jointly promoting the construction of the “Belt and Road” under the witness of the leaders of both sides. Italy became the first "G7" country to sign this agreement.

<http://www.mofcom.gov.cn/article/ae/ai/201903/20190302845899.shtml>

8. On March 25th, a series of research results such as the 2019 “Belt and Road” Energy Risk Assessment Report on Energy Resources Investment was released in Beijing. The “One Belt, One Road” Energy Partnership Series Energy Research Results Conference was jointly organized by the Energy and Resources Strategy Research Center of the National Development and Strategy Research Institute of Renmin University of China and the International Energy Strategy Research Center. The results of the 2019 assessment showed that there were 3 countries with low political risk, 20 with low political risk, 30 with moderate political risk, 7 with higher political risk, and 4 with high political risk.

<http://www.srcic.com/xinwen/zhongguo-yidali-yidaiyilu/>

9. On March 25th, the two-day Sino-French Global Governance Forum kicked off in Paris, France. More than 200 high-level officials from government departments, high-end think tank experts and scholars, well-known corporate executives and international organizations attended the forum. The two sides discussed the global governance program and discussed topics such as “One Belt, One Road and Interconnection”, “Multilateralism and Global Governance”, “Challenges and Opportunities for Digital Governance” and “Climate Change and Biodiversity”.

[http://www.xinhuanet.com/mrdx/2019-03/28/c\\_137930026.htm](http://www.xinhuanet.com/mrdx/2019-03/28/c_137930026.htm)

10. On March 26, Hong Kong and Australia signed the Free Trade Agreement and the Investment Agreement in Sydney. Hong Kong and Australia initiated negotiations on a free trade agreement (FTA) and an Investment Agreement in May 2017 and completed in November 2018. The Hong Kong-Australia FTA and BIT cover a wide range of areas including trade in goods, trade in services, investment, intellectual property, government procurement, competition issues and other related areas.

[https://www.tid.gov.hk/sc\\_chi/ita/fta/hkafta/index.html](https://www.tid.gov.hk/sc_chi/ita/fta/hkafta/index.html)

## **International Events**

1. On March 1, the office of the U.S. trade representative (USTR) released 《2019 Trade Policy Agenda and 2018 Annual Report of the President of the United States on the Trade Agreements Program》. The report outlines the contribution of U.S. trade policy to strong U.S. economic growth and identifies the U.S. government's trade mandate for 2019. Ensuring that U.S. intellectual property owners have full and fair access to and profit from their intellectual property around the world is one of the key objectives of U.S. trade policy. To protect innovation and jobs, the U.S. government is prepared to hold countries accountable and expose laws, policies and practices that do not adequately and effectively protect intellectual property rights for American inventors, manufacturers, service providers, and others.

<https://ustr.gov/about-us/policy-offices/press-office/reports-and-publications/2019/2019-trade-policy-agenda-and-2018>

2. On March 2, the 7th ministerial meeting of the regional comprehensive economic partnership (RCEP) was held in siem reap, Cambodia. Ministers or representatives of the 16 member states, China, Japan, South Korea, Australia, New Zealand and India attended the meeting. Assistant minister of commerce Li Chenggang attended the meeting on behalf of minister Zhong Shan. Representatives from the development and reform commission, the ministry of finance, the ministry of agriculture and villages and the general administration of customs attended the meeting. Cambodian prime minister hun sen attended the opening ceremony and delivered a keynote speech.

<http://www.mofcom.gov.cn/article/ae/ai/201903/20190302839615.shtml>

3. On March 5, EU Regulation on Establishing a Framework for Screening of Foreign Direct Investments into the European Union Has Been Adopted. The regulation establishes a review framework for foreign direct investment in the EU, which will take effect on oct 10, 2020.

<https://www.gibsondunn.com/eu-regulation-on-establishing-framework-for-screening-of-foreign-direct-investments-into-eu-has-been-adopted/>

4. On March 14, the first brics coordinators' meeting of 2019 was held in Curitiba, Brazil. The main task of the meeting is to make preparations for the brics leaders' meeting in Brasilia ,and to exchange views on priorities of cooperation for the whole year.

[https://www.fmprc.gov.cn/web/wjbxw\\_673019/t1645677.shtml](https://www.fmprc.gov.cn/web/wjbxw_673019/t1645677.shtml)

5. On March 19, the US President Donald Trump and his Brazilian counterpart Jair Bolsonaro released a joint statement after meeting in Washington. The final paragraph of the lengthy statement, which is worth noting, reads: "at the suggestion of the United States, President Bolsonaro, commensurate with his (Brazil's) position as global leader, has agreed to begin the process of giving up special and differential treatment in WTO negotiations."

<https://br.usembassy.gov/joint-statement-from-president-donald-j-trump-and-president-jair-bolsonaro/>



6. On March 26, the “‘Belt And Road’ policy communication committee” was announced in Strasbourg, France. The "Belt And Road" policy communication committee is mainly composed of members of the European parliament who respond to and support the "Belt And Road" initiative, aiming to promote the expansion of the "Belt And Road" initiative and relevant cooperation within the framework of the initiative in the European region through strengthening communication and coordination with China.

*[http://www.xinhuanet.com//silkroad/2019-03/28/c\\_1210093408\\_2.htm](http://www.xinhuanet.com//silkroad/2019-03/28/c_1210093408_2.htm)*

7. A Chinese investor is considering an investment arbitration request against South Korea, according to an investment arbitration report on March 28. In February 2019, Chinese real estate developer Greentown group filed an administrative lawsuit in a south Korean court. Greentown group believes in Jeju Island to build a private, for-profit greenfield projects, international medical center South Korea against China and South Korea free trade agreement standard, fair treatment of hospital management constraints imposed no legal basis, has violated the company's legitimate expectation, it have the reason according to the China and South Korea free trade agreement.

*<https://www.iareporter.com/articles/chinese-investor-threatens-claim-against-korea/>*

*[https://www.guancha.cn/economy/2019\\_03\\_04\\_492252.shtml](https://www.guancha.cn/economy/2019_03_04_492252.shtml)*

8. Data released by the international monetary fund (IMF) on March 29 showed that

the proportion of RMB assets held by central Banks in foreign exchange reserves rose to 1.89% in the fourth quarter of 2018, surpassing the Australian dollar and Canadian dollar, and reach the highest level since the IMF reported RMB reserve assets in October 2016. Since October 2016, the IMF has separately listed RMB assets in the quarterly survey of currency composition of official foreign exchange reserves to reflect the global holdings of RMB foreign exchange reserves.

*[http://www.xinhuanet.com//mrdx/2019-03/31/c\\_137937919.htm](http://www.xinhuanet.com//mrdx/2019-03/31/c_137937919.htm)*

9. On 29 March 2019, the United Nations conference on trade and development (UNCTAD) released an inventory report Reforming named Investment Dispute Settlement: A Stocktaking (advance copy).

*<https://investmentpolicyhub.unctad.org/Publications/Details/1194>*

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