



The US-China Legal Cooperation Fund

Nurturing the Rule of Law in China

March 2008

Since 1999, 44 American businesses have invested nearly \$1 million in a unique effort to strengthen the rule of law (RoL) in China, known as the US-China Legal Cooperation Fund (Fund).

The Fund was established by members of the US-China Business Council (USCBC) after the presidents of the United States and the People's Republic of China in October 1997 and June 1998 committed to enhance bilateral cooperation in the field of law.

The Fund so far has made 92 grants that support a wide variety of RoL projects in China. Each project is jointly conducted by Chinese and American co-participants, most of which are educational institutions and legal services organizations. The Fund's Trustees have selected the supported projects from among more than 300 requests. Many of the Fund's grants are seed money leveraging larger grants by others. The Fund uses 100 percent of its assets for its RoL investments; all of its overhead and operating costs are absorbed without charge by the USCBC and Jones Day.

Below are some of the Fund's accomplishments to date:

Promoted legal development of China's governmental process, by supporting

- Compilation of a handbook on conducting Chinese village elections;
- Research on possible reforms of National People's Congress legislative procedures; and
- Research and a workshop in China on freedom of information.

Enabled Chinese citizens to understand and enforce their legal rights, by supporting

- Education of Chinese farmers and lawyers in Chinese land laws, and promoting rural land reform;
- Publication of a Chinese health law textbook for Chinese law schools; and
- Training of legal aid lawyers in representing women victims of domestic violence.

US Business Supporters

This initiative by members of the US-China Business Council has been financed to date by these US business supporters of a just, law-abiding, and accessible Chinese legal system:

GE Foundation; ExxonMobil Corporation; Time Warner, Inc.; FedEx Express; Motorola, Inc.; Cargill, Incorporated; CIGNA Foundation; Dewey & LeBoeuf; Mary Kay Inc.; Robert A. Kapp & Associates; and Jones Day.

The US-China Legal Cooperation Fund

Strengthened China's judicial and administrative legal processes, by supporting

- Establishment of a facility for resolution of commercial disputes;
- Evaluations of Chinese courts' performance in commercial litigation; and
- Training of Chinese judges in court administration.

Enabled Chinese law drafters, judges, lawyers, and law teachers to learn about American laws, by supporting

- Chinese-language courses in China on US corporate, securities, and intellectual property law;
- Publication of an English-to-Chinese law dictionary and a manual for translation of international trade terms; and
- Production of a Chinese-language journal about American law.

Strengthened protection of intellectual property rights (IPR), by supporting

- A seminar for Chinese judges on IPR;
- A Chinese university patent training workshop;
- A program for US-China cooperation in education and research on IPR; and
- A study of criminal sanctions to enhance trademark protection in China.

Reinforced China's WTO education and compliance efforts, by supporting

- Dissemination of the obligations and requirements imposed on China by the World Trade Organization (WTO);
- WTO training programs for Chinese judges, government officials, academics, and enterprise managers; and
- Education of Chinese legislators and agriculture regulators on WTO agriculture implications.

In 2005, the Fund's Trustees, with the generous assistance of the GE Foundation, commissioned an independent evaluation of the Fund's work by Professor Stephen J. Golub, an expert on RoL programs. His report, available without charge on request, states its *core conclusion is that [the Fund] plays a valuable role in contributing to improvements in China's legal system.*"

For further information, e-mail the US-China Legal Cooperation Fund (info@uschinalegalcoop.org) or visit the Fund's website (www.uschinalegalcoop.org).

PRC Fund Recipients

Chinese educational institutions and other organizations that have received support from the Fund to conduct Rule of Law projects in China with American co-participants include: the All-China Lawyers Association; Beijing University; China Council for the Promotion of International Trade; China National Legal Aid Center; China University of Political Science and Law; Chinese Academy of Social Sciences; Fudan University Law School; Legal Aid Foundation of China; Legislative Affairs Office of the State Council of the PRC; Sichuan University School of Law; Sun Yat-sen University School of Law; Supreme People's Court of China; and Tsinghua University.