

The cultivation of foreign-related legal talents in the field of mineral resources

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Abstract. In recent years, the state has attached great importance to the cultivation of outstanding legal talents, and the shortage of foreign-related legal professionals in the mineral resources sector deserves particular attention. Universities should focus on “nurturing virtue and shaping character, grounding knowledge in practical experience, and cultivating high-level talents,” by training students in essential competencies such as professional knowledge, vocational skills, and foreign language communication, as well as competitive competencies including Anglo-American legal thinking, practical experience in mineral resource law, and foreign-related legal work. To innovate the training system for foreign-related legal professionals in the mineral resources field, universities may take measures such as deepening ideological and political education, innovating the law curriculum system, compiling specialized monographs on mineral law, strengthening the occupational dimension of foreign language instruction, and building platforms for internships and employment.

Keywords: foreign-related legal talent, legal talent in mineral resources, foreign-related legal education, university cultivation

1. Introduction

In 2011, the Ministry of Education and the Central Political and Legal Affairs Commission jointly issued the Opinions on Implementing the Education and Training Program for Outstanding Legal Talents (hereinafter referred to as the “Opinions”). The document opens by stating: “Chinese students lack practical skills, and there is a deficiency in the training of applied and interdisciplinary legal professionals. Improving the quality of legal talent training has become the most urgent and core task in the reform and development of higher legal education in China.”

In 2018, the Ministry of Education and the Central Political and Legal Affairs Commission jointly released another document titled the Opinions on Adhering to Morality and Law in Implementing the Education and Training Program for Outstanding Legal Talents 2.0 (hereinafter referred to as the “2.0 Opinions”), which emphasized the cultivation of legal talents from the perspectives of moral integrity, professional competence, practical experience, interdisciplinary cooperation, ethical and intellectual strength, diversification of training channels, internationalization, and standardization. Building upon the original “Opinions,” the “2.0 Opinions” broadened the scope of the reform.

2. The practical need for cultivating foreign-related legal talents in the mineral resources sector

2.1. Policy outlook on the development of foreign-related legal talents in mineral resources

2.1.1. Talent development expectations under policy orientation

As strategic competition between China and the United States intensifies and the global political and economic landscape shifts rapidly, critical minerals are increasingly becoming a new “battlefield” in major power rivalry [1]. Critical minerals are of great significance to national security, defense construction, industrial upgrading, and energy transformation. At present, the number of legal professionals specializing in critical minerals in China remains relatively small, making it difficult to cope with the anticipated surge in foreign-related mineral transactions. In the long run, this talent gap may hinder China's ability to secure resources and leave the country vulnerable to dependence on the United States, Europe, Japan, and other regions [2].

2.2. The value of cultivating foreign-related legal talents in the mineral resources sector

As of 2022, there were only just over 7,000 lawyers in China proficient in handling foreign-related legal affairs, among whom fewer than 500 were qualified to undertake “double anti-double safeguard” (anti-dumping, countervailing duties, safeguard measures, and special safeguard measures) cases. From the perspective of meeting demand-side realities, there is an urgent national need to address the shortage of legal professionals in the foreign-related mineral resources sector.

2.2.1. Contributing to legal development

Legislation concerning mineral resources not only involves legal issues but also requires consideration of technical matters related to the minerals themselves. When international mineral transactions are involved, legal professionals must be capable of anticipating potential obstacles in the transaction process and proposing appropriate solutions in advance.

2.2.2. Supporting policy formulation and implementation

In 2017, the state issued the Guiding Opinions on Further Guiding and Regulating the Direction of Overseas Investment, which encouraged “prudent participation in overseas energy and resource exploration and development based on careful assessment of economic benefits.” This policy demonstrates China’s attitude toward the development of overseas energy resources. Foreign-related legal talents in the mineral sector play a vital role in shaping, coordinating, and executing such policies, especially during the critical stages of overseas investment and cooperation.

2.2.3. Assisting in industry supervision and regulation

China currently governs mineral resources with several normative documents, including the Interim Measures for the Supervision and Administration of Mineral Resources, the Measures for the Registration and Administration of Mineral Exploration Blocks, and the Measures for the Registration and Administration of Mineral Resource Extraction, all of which were promulgated in April 1987. The latter two were amended in July 2014. However, due to rapid changes in mineral resource development and transaction practices over the past decade, these regulations are increasingly disconnected from real-world industry conditions. Involving foreign-related legal professionals in this field can help modernize regulatory frameworks, patch legal loopholes, and bring rules in line with current demands.

2.2.4. Promoting social stability

Investment in the mineral sector—especially when involving foreign entities—carries a unique set of risks: Transnational Complexity: Foreign-related mineral trade involves cross-border operations and must be conducted in compliance with the legal frameworks and operational norms of multiple countries; Long Project Cycles: Mineral trade projects span long timeframes—from exploration to extraction, transportation, and final delivery—which makes them susceptible to unforeseen events that may arise after contracts are signed. Legal professionals must be equipped to manage such risks and demonstrate strong foresight in decision-making; Diverse Stakeholder Interests: Beyond the interests of the governments or companies involved in the trade, foreign mineral investment projects also implicate local communities, environmental organizations, and other stakeholders. If not properly managed, these interests can lead to social disputes and unnecessary conflict.

2.2.5. Aligning with market needs

In October 2023, the Ministry of Natural Resources and the National Energy Administration jointly issued the Special Rectification Work Plan for Market-Oriented Transactions of Mineral Resources and Electricity. The plan outlines measures to address problems in the mineral market, including irregularities in the transfer of mining rights, unreasonable restrictions in the conditions for such transfers, and improper interference experienced by enterprises during mineral product sales. Legal professionals specializing in foreign-related mineral issues can leverage their theoretical knowledge and practical expertise in all three areas to help uphold the integrity and orderliness of the mineral resource market.

3. Practical factors affecting the development of foreign-related legal talents in the mineral resources sector

3.1. Real-world snapshots of active foreign-related legal talents in the mineral industry

3.1.1. *Engaging in overseas investment and M&A for mining enterprises*

Take Haihua Yongtai Nanchang Law Firm as an example. Its Foreign Legal Services Department has long been involved in cross-border investment and merger & acquisition (M&A) projects for mining companies. This department offers a diverse array of legal services for international clients, including legal consultations in Chinese, English, and French, and can provide trilingual contract documentation (in Chinese, English, and French) upon request. This showcases the multifaceted service capabilities of foreign-related legal talents in the field of mineral law practice.

3.1.2. *Overcoming spatial limitations to efficiently handle international legal affairs*

Yingke Law Firm provides another compelling case. Recognizing the challenges faced by Chinese citizens and enterprises abroad—particularly difficulties in safeguarding rights and the lengthy legal processes—the firm has established a “Global One-Hour Legal Service Ecosystem.” In one emergency case involving the investment and acquisition of a lithium mine in Argentina, the chief legal officer of the acquiring company urgently contacted a Yingke lawyer. The Yingke team immediately set up a WeChat workgroup with a partner from their Argentine member law firm, who had extensive experience in engineering and mining. Through swift and effective communication, the team gained the client’s trust and successfully secured the mandate [3]. This case clearly illustrates the pivotal role that foreign-related legal professionals play in the practical application of mineral law.

3.2. Real-world challenges in cultivating foreign-related legal talents in mineral resources

Currently, on the supply side, China has yet to develop a mature training pathway for foreign-related legal talents specializing in mineral resources. In November 2024, China promulgated the Energy Law of the People's Republic of China and revised the Mineral Resources Law of the People's Republic of China. This legislative update signals the need for a transformation in talent development strategies. To adapt to evolving domestic and international dynamics and to accurately anticipate trends in the global energy landscape, it remains essential to further expand the nation's pool of foreign-related legal professionals in the mineral and energy sectors.

3.2.1. *Shortage of qualified faculty members*

A common bottleneck in legal education across universities is the shortage of highly qualified faculty. In particular, there is a lack of instructors who possess both a background in foreign-related legal studies and knowledge of mineral resource management. This hinders efforts to deliver specialized and competitive training. For instance, Central South University offers nationally recognized key disciplines such as “Mining Engineering” and “Mineral Engineering,” but lacks corresponding legal courses focused on the governance of mineral resources.

3.2.2. *Inconsistent educational models across institutions*

Some universities offer master's programs with concentrations in environment, resources, and energy law. However, their curricula are not focused on legal studies related to mineral resources. For example, Peking University’s Master of Laws program in Environment, Resources, and Energy Law includes three advanced courses: “Environmental Law,” “Special Topics in Environmental and Resource Law,” and “Energy Law.” None of these directly target the training of legal professionals in the mineral resource field.

A few universities, such as China University of Geosciences (Beijing), have introduced mineral law-related courses, but these are not taught bilingually, which limits the cultivation of students’ interest and abilities in foreign-related mineral legal affairs. For example, their undergraduate law curriculum includes specialized elective courses such as “Mineral Exploration A,” “Mineral Resource Economics,” and “Frontiers in the Legal Practice of Mining Rights Transactions.”

Most other institutions, however, neither offer such specialized tracks nor provide supporting courses in environmental and resource law. Instead, they offer generalist courses. For instance, Central South University includes “Environmental and Resource Protection Law” only as an elective in its undergraduate law curriculum.

The above three points collectively highlight the absence of a systematic and unified model for cultivating legal professionals in mineral resource governance. The current lack of coherence in curriculum design and specialization pathways underscores the need for a more integrated framework.

3.2.3. Mismatch between current educational models and training objectives

Traditional legal education in China is still largely structured around a single-discipline framework. According to the National Standards for Teaching Quality in Law Majors (2021 Edition), the core curriculum follows a “1+10+X” model. However, this approach falls short in addressing the interdisciplinary demands of foreign-related mineral law. The latter requires a comprehensive disciplinary structure composed of courses such as legal frameworks for mining rights, systems for mineral exploration and extraction, mechanisms for ecological restoration in mining areas, and systems for mineral resource reserves and emergency management.

Even some engineering-oriented universities that have strengths in related disciplines lack courses that effectively integrate both engineering and legal perspectives. In addition, the current shortage of practical training resources further undermines efforts to build an effective educational model for foreign-related legal professionals in the mineral industry [4].

4. Goal orientation and capability positioning for the cultivation of foreign-related legal talents in the mineral resources sector

4.1. Goal orientation

4.1.1. Fostering virtue and integrity

“Fostering virtue through education and integrating morality with legal knowledge” represents the fundamental requirement for cultivating legal professionals in contemporary China and serves as a solid foundation for effective talent development. Moral education is a hallmark of Chinese pedagogy, and the principle of “educating through teaching and prioritizing character” reflects a distinctly Chinese educational philosophy. This approach ensures that legal professionals in the mineral sector remain grounded in ethical principles during cross-border legal practice, upholding public and private virtues as well as moral integrity. These individuals must adhere to professional ethics and continuously deepen their value-based education alongside knowledge and skill development [5]. They should be guided to not only learn and apply the law but also to respect and uphold it, thereby maintaining a professional environment in foreign-related mineral transactions and avoiding unethical or self-serving behaviors.

4.1.2. Grounding practice in real-world experience

Law is a discipline that emphasizes a close integration of theory and practice. Mere theoretical discourse cannot bridge the gap from law and legal studies to the realization of rule of law. Only through practical application can one assess a legal professional’s true competence—be it in legal foundation, jurisprudential insight, political acumen, or practical legal skills. Detachment from practice and indulging solely in lofty theorizing cannot address the pressing legal issues currently faced by China. The “true knowledge” of foreign-related legal professionals in the mineral sector can only be forged through the “tempering” of practical experience, which is essential for their professional transformation and growth.

4.1.3. Nurturing high-caliber talent for strategic needs

The foreign trade of mineral resources represents a “blue ocean” within the international transaction market. From a national perspective, the initial aim of cultivating legal professionals in this domain is to fill the current talent gap, assist in building a sound domestic legal framework for mineral resource governance, define the rights, obligations, and responsibilities of all parties involved in mineral transactions, and manage disputes arising within national borders. On a more advanced level, the objective is to develop high-end foreign-related legal professionals in the mineral sector who can collectively drive the modernization of China’s legal system in this field. These talents are expected to integrate international experiences to refine and improve the allocation of rights and responsibilities in legal practice, connect domestic and global markets, enhance risk awareness in mineral transactions, and strive for a higher level of resource interconnectivity.

4.2. Capability positioning

As a highly specialized subgroup of legal professionals, foreign-related legal talents in the mineral industry are expected to meet more demanding competency requirements. Therefore, universities should focus on cultivating both foundational and competitive skills throughout different stages of education, ensuring that the training outcomes align with the practical needs of the rule of law.

4.2.1. Essential foundational competencies

These legal professionals must possess a solid foundation in legal theory. Building a robust knowledge base and a comprehensive disciplinary system is the first step in transforming input into actionable legal output. This foundation must be internalized to become part of the individual’s legal acumen. They should have a deep understanding of China’s domestic legal framework for

mineral resources and also be well-versed in international norms and the legal systems governing mineral resources in other countries or regions. They must acquire core legal practice skills, which are critical indicators of a lawyer's professional competence. These include abilities in case analysis, evidence collection, evidentiary organization, cross-examination, legal argumentation, and procedural insight. Proficiency in basic English communication skills is also essential, as it serves as a vital “paddle” for navigating the international legal market. Moreover, they must meet the fundamental requirements of the legal professional community [6], consistently upholding professional thinking, ethics, and industry standards to maintain the integrity of the legal profession.

4.2.2. Selective and competitive capabilities

Training programs should emphasize the development of Anglo-American legal reasoning. By incorporating elements of common law thinking into the curriculum, students can resonate intellectually with the foundational legal logic of specific legal systems and jurisdictions. Additionally, training should aim to cultivate diverse practical skills specific to foreign-related legal practice in the mineral sector, emphasizing the interdisciplinary nature of “law + mining.” Legal professionals in this field must be proficient in the laws, regulatory practices, and transactional customs of both domestic and international mineral markets, and be capable of anticipating and managing legal risks. Language proficiency is another key focus area. In addition to English, training should include other working languages such as French, Russian, Malay, and Japanese. Emphasis should be placed on fluency, accuracy, and legal specialization. Ideally, foreign-related legal professionals should be able to use their second language as a working language to support their legal work and reduce communication costs.

5. Exploring the pathways for cultivating foreign-related legal talents in the mineral resources sector

5.1. Deepening education on ideals and beliefs: anchoring the morality-oriented educational philosophy

In the post-pandemic era, as China's economy gradually recovers and a new pattern of comprehensive opening-up takes shape, this openness also brings potential political risks—for instance, foreign intelligence agencies may disguise themselves to approach students and youth groups. Therefore, in the cultivation process, it is essential to deepen ideological and political education, innovate moral-political teaching models, and promote ideological instruction in other academic courses. Professional knowledge should serve as a pivot to strengthen students' ideological foundations. Meanwhile, student affairs work must be implemented thoroughly, maintaining close attention to each student's ideological condition to guide them in the correct political and moral direction.

5.2. Innovating the law curriculum system: upgrading talent development models

First, deficiencies in the current legal curriculum system should be addressed by improving courses related to mineral resources law. Course content should include mineral rights transactions, mine site ecology, and risk avoidance in mineral development. Second, interdisciplinary channels should be established to allow law students access to selected courses in mineral studies, equipping them with basic knowledge of mineral exploration, extraction, and trade. Third, talent training models must break traditional boundaries. Collaborative training between universities may be explored—such as the 2023 partnership between China University of Political Science and Law and Beijing Foreign Studies University to jointly establish a legal class for cultivating foreign-related legal professionals—to avoid homogenization in talent development.

5.3. Compiling specialized mineral law textbooks: enhancing the quality of legal instructional materials

University legal education relies heavily on high-quality instructional materials. For instance, to support the targeted training of energy law professionals and promote discipline development, the School of Law at Southwest Petroleum University has compiled a series of specialized energy law textbooks—a notable and effective response [7]. In the same vein, at the outset of implementing a training plan for foreign-related legal professionals in the mineral sector, experts in theory and practice—academics, researchers, and industry professionals—should collaborate to compile a series of specialized textbooks that reflect the unique characteristics of mineral law in foreign-related contexts.

5.4. Strengthening the functional use of foreign languages: breaking communication barriers in international exchange

The “foreign language work attribute” refers to the ability of foreign-related legal professionals in the mineral field to use one or more foreign languages as working languages, enabling them to handle oral communication and document writing proficiently. This reduces communication costs and improves efficiency—an advanced skill that must be acquired through specialized foreign language course clusters [8]. Accordingly, universities should, in their training plans, offer a wide range of language courses, create model bilingual or foreign-language-based law classes, hire foreign instructors for language teaching, or establish inter-

university mechanisms for sharing quality foreign teaching resources. This will facilitate resource flow and optimization. As for evaluation systems, traditional assessment mechanisms should be reformed, with a “dual-assessment system” introduced to test language proficiency and legal application, thereby forming a new language testing model suited to the needs of foreign-related legal talents.

5.5. Establishing internship and employment platforms: expanding practical channels in foreign-related fields

Hands-on practice is both a national and societal requirement for cultivating legal professionals and the ultimate test of their growth. In China's context, legal education in universities should not strictly separate theoretical and practical teaching stages; rather, an integrated approach should be pursued to enhance knowledge application. Based on different student profiles, universities should leverage the resource advantages of judicial bodies, foreign-related enterprises, and international legal service institutions. Through opportunities like foreign-related practical teaching and internships with international organizations, the integration of foreign-related legal instruction with practical skills should be seamlessly promoted [9]. This will help build multi-industry, multi-field, and multi-opportunity internship and employment platforms, easing student anxiety or discomfort during the transition to professional practice, and ensuring the successful training and handover of foreign-related legal professionals in the mineral sector.

6. Conclusion

China's legal education system has begun to take shape in the training of foreign-related legal professionals. The cultivation of legal talents in the mineral sector can build on this foundation by drawing from experiences in legal education related to the mineral industry. By clearly defining the goal orientation and capability positioning of such talents and exploring more development-oriented training pathways, we can more effectively meet the practical needs of China's legal modernization and global engagement.

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