

Research on Foreign-Related Commercial Dispute Settlement Mechanism of the Belt and Road Initiative

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Abstract: This paper examines the current mechanisms and challenges in resolving foreign-related commercial disputes under the Belt and Road Initiative (BRI). It begins with an overview of the existing dispute resolution mechanisms, including the China International Commercial Court (CICC) and the "One-Stop" platform, highlighting their roles and limitations. The study then explores the differences between domestic and international mediation enforcement systems, the obstacles faced by foreign arbitration institutions entering the Chinese market, and the jurisdictional and functional limitations of the CICC. Drawing lessons from the WTO and the Singapore Convention on Mediation, the paper proposes several improvements: establishing a national-level BRI International Commercial Mediation Center, developing a comprehensive online dispute resolution platform, and enhancing the training and integration of foreign-related legal talents. By implementing these recommendations, the BRI dispute resolution mechanism can become more effective, fair, and internationally credible, thus supporting the smooth progression of the BRI.

Keywords: Belt and Road Initiative, foreign-related commercial disputes, dispute resolution mechanism, China International Commercial Court.

1. Introduction

The primary dispute settlement mechanism employed in international trade is the WTO international dispute resolution mechanism. This mechanism encompasses procedures such as consultation, mediation or conciliation, dispute panel adjudication and reporting by experts, appellate review, and rulings or recommendations. The WTO dispute settlement mechanism is currently the most comprehensive and systematic international mechanism for resolving commercial disputes, exerting significant influence on global trade dispute resolution. Despite some controversies, it remains a pivotal component of international trade dispute resolution. The United Nations Convention on International Settlement Agreements Resulting from Mediation, also known as the "Singapore Convention", serves as the formal legal instrument for enforcing cross-border mediation agreements and has had a substantial impact on the establishment of Asia-Pacific and international commercial mediation frameworks. Due to its advantages of efficiency, cost-effectiveness, and preservation of mutual interests, the Singapore Convention is increasingly recognized by parties in international commercial interactions, particularly recommended for disputes related to the Belt and Road Initiative (BRI).

In recent years, China's BRI has rapidly gained global recognition and attention, leading to deepening trade relations between China and countries along its routes. The initiative spans diverse legal cultures and legal systems across Asia, Europe, and Africa, resulting in increasing commercial disputes arising from business trade, investment, and financing activities. Effective dispute resolution mechanisms are crucial for promptly and fairly resolving these conflicts, preventing prolonged disputes from adversely affecting the BRI. Currently, however, there is no unified dispute resolution mechanism capable of addressing the diverse needs of the BRI.

Therefore, this study aims to explore how existing international dispute resolution mechanisms can be leveraged to enhance the establishment of the China International Commercial Court (CICC), establish relevant procedures that effectively connect with the Singapore Convention on Mediation, and construct a dispute resolution framework that aligns with the interests and needs of the BRI. Through this research, a set of efficient and equitable dispute resolution solutions will be proposed to ensure the smooth implementation of the BRI and provide reliable legal protection for countries along its routes.

The structure of this paper is as follows: After the introduction, part2 will review the existing literature on BRI commercial dispute settlement mechanism and point out its limitations. Then, part3 will elaborate on the current status and problems of the BRI foreign-related commercial dispute settlement mechanism. Subsequently, part4 will analyze the implementation of the WTO dispute settlement mechanism and the Singapore Mediation Convention and their implications for BRI dispute settlement mechanism. On this basis, Part 5 will propose improvement plans for existing problems, including strengthening international cooperation, optimizing legal frameworks, and enhancing enforcement efficiency. Finally, Part 6 will summarize the research findings, point out the limitations of the study, and propose future research directions.

2. Literature review

As the BRI advances, economic exchanges between China and the countries along its routes are becoming increasingly close, leading to a rise in commercial disputes. Gu and Deng point out that these disputes primarily involve trade contracts, investment disputes, and infrastructure development. Due to differences in legal systems, cultural backgrounds, and business practices among nations, these disputes are complex and diverse, often spanning multiple jurisdictions [1].

Regarding the international commercial dispute resolution mechanism, Goldberg et al. pointed out three primary methods for resolving international commercial disputes: litigation, arbitration, and mediation. Litigation, though authoritative, struggles with cross-border enforcement. Arbitration is favored for its flexibility and confidentiality. Mediation has gained popularity due to its low cost and efficiency, especially after the Singapore Convention on Mediation enhanced its status [2].

The initiation of the BRI has made cooperation among countries along its routes essential in dispute resolution mechanisms. Zhang points notes that the BRI has made cooperation essential in dispute resolution. China established the CICC and a "one-stop" diversified dispute resolution platform to address commercial disputes under the BRI. This platform combines litigation, arbitration, and mediation [3]. Ke identifies several obstacles still faced by the CICC, including inadequate functionality, unclear access for foreign arbitration institutions, and discrepancies in the dual-track system for commercial mediation enforcement. He suggests optimizing rules in the Guangdong-Hong Kong-Macao Greater Bay Area, testing interim arbitration mechanisms, and enhancing cross-border mediation. These measures could improve China's credibility and enforcement capability in BRI dispute resolution [4]. Chen and others argue for the introduction of foreign judges to enhance the CICC's talent pool, particularly for cross-border cases. They find the operational scope of the Expert Committee limited and advocate for better coordination among international dispute resolution mechanisms [5]. Hu proposes establishing a unified dispute resolution mechanism for BRI countries

to efficiently resolve most international commercial disputes. However, differences in legal systems, economic development, and interests among countries make this challenging in the short term [6].

While existing literature extensively discusses the commercial dispute resolution mechanisms along the BRI, there are still several limitations. Firstly, studies focusing on specific dispute types and characteristics are fragmented, lacking systematic and comprehensive approaches. Secondly, there is a scarcity of empirical research on the operational effectiveness of international commercial courts and actual case analyses. Thirdly, existing research often concentrates on legal systems and frameworks, paying insufficient attention to cross-cultural differences in practical operations and specific implementation issues. Finally, there is a lack of comparative studies between BRI dispute resolution mechanisms and existing international mechanisms, which limits the full utilization of international best practices. Therefore, this study aims to systematically analyze the types and characteristics of commercial disputes along the BRI, evaluate the applicability and limitations of existing dispute resolution mechanisms, and propose improvement recommendations based on a review of existing literature.

3. Present Situation and Dilemmas of the BRI Foreign-Related Commercial Dispute Mechanism

3.1. Present Situation

Since the beginning of the reform and opening-up policy, China's economy has sustained growth, with significant expansions in international trade and investment. In 2013, China introduced the BRI, aimed at fostering a new pattern of all-dimensional, multi-tiered, and broad-ranging opening-up through the principles of consultation, contribution, and shared benefits. This initiative seeks to promote regional economic integration and international cooperation. The BRI has facilitated infrastructure connectivity and the free flow of economic factors, providing development opportunities for countries along its routes. However, due to differences in legal cultures, religious beliefs, and legal systems among countries, disputes in cross-border trade have been increasing, posing numerous challenges in reconciling these differences.

To address these disputes, the Supreme People's Court has established the "One-Stop" International Commercial Dispute Resolution Mechanism (hereinafter referred to as the "One-Stop" Platform) in 2018. This platform integrates various dispute resolution methods, including mediation, arbitration, litigation, and auxiliary services (neutral assessment and case scheduling). It connects multiple systems and institutions, offering parties efficient and convenient services. The CICC, part of this platform, collaborates with international mediation and arbitration institutions to create a seamless dispute resolution process. The International Expert Committee, established in 2018, provides representative support with members from various countries and fields.

3.2. Current Dilemmas

3.2.1. Obstacles to Overseas Arbitration Institutions Entering the Chinese Market

Despite efforts to promote the development of foreign arbitration institutions in China, these institutions face numerous obstacles. Currently, foreign arbitration institutions can either set the arbitration venue in China based on agreements or establish commercial operations within China. However, there are no clear legal requirements for their admission, and differences between China's Arbitration Law and other countries' systems create difficulties in understanding and applying Chinese laws. Foreign institutions must ensure compliance with Chinese regulations, requiring adjustments and compromises [7].

Additionally, due to the definitions and requirements of "arbitral tribunals" under China's Arbitration Law, as well as reservations concerning "non-domestic awards" upon acceding to the New York Convention, arbitral awards made by foreign arbitration institutions within mainland China may not be recognized as either Chinese awards or awards of another contracting state. This ambiguity poses challenges in the recognition and enforcement of such awards. Despite gradual shifts in Chinese court practices regarding the enforceability of arbitration agreements involving foreign arbitration institutions within mainland China in recent years, legislative lag may still create uncertainties for the access of foreign arbitration institutions.

Furthermore, China hosts numerous renowned arbitration institutions such as the China International Economic and Trade Arbitration Commission (CIETAC), which wield significant prestige and influence domestically and internationally. Foreign arbitration institutions must compete with domestic ones to attract clients and capture market share. Apart from domestic institutions, several globally recognized arbitration bodies are also vying for the Chinese market, such as the International Chamber of Commerce. These international arbitration institutions possess advantages in brand recognition, resources, and experience, thereby exerting competitive pressure on emerging foreign arbitration entities. Differences in legal cultures, commercial practices, and other aspects involved in BRI commercial arbitration processes may also pose challenges for foreign arbitration institutions seeking to understand and adapt to the Chinese market.

3.2.2. Limitations of the China International Commercial Court

Since its establishment, CICC has provided an important platform for resolving international commercial disputes, but still faces some limitations.

Firstly, its conservative jurisdictional settings lack sufficient appeal, leading to a concentration of cases primarily through jurisdiction transfers rather than direct acceptance. This restricts the court's international influence and scope. The existing jurisdictional provisions are also not precise enough, causing misunderstandings and uncertainties in practical operations.

Secondly, compared with other international commercial courts in different countries, the CICC shows noticeable differences in accepting offshore cases lacking substantial connections to China, limiting its ability to handle global cases freely. This jurisdictional limitation makes it challenging for the CICC to address high-value and complex multinational disputes efficiently, often resulting in lengthy processing times and increased litigation costs, thereby reducing trial efficiency.

Thirdly, the application of law in cross-border disputes is difficult and lacks unified standards. Inconsistencies and difficulties in interpreting laws from multiple countries, coupled with the absence of a unified multilateral agreement among BRI countries, hinder the formation of an effective international commercial dispute settlement model. This has to some extent affected the authority and credibility of the CICC in legal application.

Fourthly, cross-border enforcement faces issues like cumbersome procedures and poor timeliness, affecting the ruling's effectiveness and authority. Differences in judicial systems, legal frameworks, and enforcement procedures across countries add to the difficulties and costs of enforcement.

Fifthly, the current dispute resolution mechanism of the CICC still needs to be improved in terms of professionalism and authority. Further improvement and strengthening of professional team building are needed to enhance the professional competence and decision-making ability of judges and arbitrators. Although the CICC has achieved certain results since its establishment, its influence and visibility internationally are still relatively limited.

3.2.3. Differences in the Dual-Track System for Commercial Mediation

The dual-track system in the implementation of commercial mediation primarily highlights inconsistencies between domestic mediation procedures and international commercial mediation systems. These differences arise from varying legal systems and judicial systems, as well as the issue of the connection between international conventions and domestic laws.

The execution of commercial mediation in China is mainly based on the Civil Procedure Law of the People's Republic of China and relevant judicial interpretations. After reaching an agreement through mediation, it must be formalized and confirmed by the court. If a party fails to comply, the other party can seek enforcement from the court. International commercial mediation, however, involves multiple legal systems, making enforcement more complex. The Singapore Convention has provided a unified standard for cross-border enforcement, but not all countries are parties, leading to differences in legal application and enforcement procedures.

Based on this, the specific differences in the dual track system of commercial mediation mainly manifest in the application of laws, procedural differences, differences in enforcement efficiency, and uncertainty in recognition and enforcement. Domestic enforcement procedures are clear and unified, whereas international mediation enforcement varies due to different legal systems and practices. Cross-border enforcement of international mediation agreements faces more administrative and judicial reviews, resulting in lower efficiency. Despite the convenience offered by international conventions like the Singapore Convention, non-signatory countries or those not fully compliant may still present obstacles to the recognition and enforcement of mediation agreements.

4. Lessons from International Mechanisms for Resolving Foreign-Related Commercial Disputes

4.1. Analysis of the WTO Dispute Settlement Mechanism

The WTO's international commercial dispute settlement mechanism is designed to maintain the stability and predictability of the multilateral trading system. Originating from the GATT (General Agreement on Tariffs and Trade), it evolved to address the increasing number of trade disputes with a more comprehensive and unified resolution mechanism. This system became a cornerstone of the multilateral trading system, providing a platform for member countries to resolve disputes and ensuring the effective implementation of WTO agreements.

The WTO dispute settlement mechanism comprises the Dispute Settlement Body (DSB), the Panel, and the Appellate Body. The basic principles followed by this mechanism include equality, speed, effectiveness, and mutual acceptance, aiming to ensure that disputes are resolved fairly and efficiently. The main procedure consists of the following steps: the disputing parties should first engage in consultations to resolve the dispute in a friendly manner. This is the first stage of the dispute resolution mechanism and a necessary procedure. If the negotiation fails, the disputing party may apply to establish an expert group for review. The expert group is generally composed of 3 or 5 independent experts, responsible for reviewing evidence and making decisions. If the disputing party is dissatisfied with the decision of the expert group, they may appeal to the appellate body. The appellate body consists of 7 members, who review the case and make a final ruling. The respondent shall implement relevant measures in accordance with the ruling result. If the execution is not carried out on time, the winning party has the right to take retaliatory measures [8].

The WTO dispute settlement mechanism applies to all WTO members and all trade fields, ensuring the unity and consistency of dispute settlement. Its strict schedule and procedures ensure that disputes are resolved quickly, and the rulings have legal binding force on the disputing parties, ensuring effective implementation. Although the WTO provides some degree of dispute resolution

mechanisms, including mediation procedures, these mechanisms mainly target trade disputes between member states, rather than complex commercial disputes involving multiple countries and regions. Therefore, a more diversified and comprehensive and flexible dispute settlement mechanism is needed to solve the BRI foreign-related commercial disputes.

4.2. Analysis of the Dispute Settlement Mechanism of the Singapore Convention

Globalization has led to more frequent international trade and investment, making cross-border commercial disputes more common. Traditional litigation and arbitration, while effective, are costly and complex. The Singapore Convention aims to create a unified legal framework for enforcing international commercial mediation settlement agreements, promoting friendly and efficient dispute resolution.

The Singapore Convention, also known as the United Nations Convention on International Settlement Agreements Resulting from Mediation, was adopted by the United Nations General Assembly in December 2018 and opened for signature on August 7, 2019. It came into effect on September 12, 2020. The Convention has resolved the cross-border enforcement issues of international commercial mediation and settlement agreements, and has gradually gained attention in international commercial dispute resolution due to its flexibility, efficiency, and low cost advantages, providing an important legal framework for international commercial disputes.

The convention applies to written settlement agreements reached through mediation, which must have international characteristics. The main considerations include the fact that the parties' places of business are located in different countries or that the main obligations involved in the settlement agreement are performed in different countries or in countries with the closest relationships. The convention regards the settlement agreement as a directly enforceable legal document and endows it with enforceability. The convention stipulates that eligible parties to a settlement agreement have the right to apply for enforcement in accordance with the convention and the procedural rules of each contracting state, and to make specific requirements for the enforcement of the settlement agreement, such as providing the text of the settlement agreement and evidence generated by mediation. The convention also stipulates several situations in which the competent authority of the executing country may refuse to execute a settlement agreement, including incompetence, invalidity or modification of the agreement, and performance of obligations. In addition, if the execution violates public policy or disputes cannot be resolved through mediation, the competent authority may actively review and refuse to execute [9].

China, as a signatory, actively supports the Convention to improve its business environment and support the BRI. China has signed all four fundamental legal documents related to international dispute resolution, including the Singapore Convention. To align with the Convention, China needs to clarify the enforceability of settlement agreements, define their scope, and establish detailed provisions for defense reasons and the relationship between enforcement and other relief procedures. This will help build a robust domestic system for the enforcement of settlement agreements.

5. Suggestions on Improving the BRI Foreign-Related Commercial Dispute Settlement Mechanism

5.1. Promoting International Standards for Arbitration Institutions

5.1.1. Implementing Clear Admission Standards for Overseas Arbitration Institutions

Admission standards for overseas arbitration institutions should be formulated by relevant departments and industry experts, focusing on qualifications, professionalism, and impartiality. These standards must be clear, operable, and fair to ensure the quality and credibility of these institutions.

Establish strict approval procedures involving on-site inspections and case analysis. Continuous supervision and evaluation should be conducted for admitted institutions, with regular assessments to ensure they meet the required standards. Enhance communication and cooperation with these institutions through information sharing, regular exchanges, and seminars to improve dispute resolution efficiency and fairness.

While attracting high-quality arbitration institutions from overseas, it's essential to optimize the development of domestic institutions. Provide policy support and training to enhance their professional level and international competitiveness. Chinese courts should offer judicial support for awards made by recognized overseas institutions, including property and evidence preservation, ensuring effective implementation to boost the credibility and effectiveness of the BRI dispute settlement mechanism.

5.1.2. Improving Connections Between Arbitration, Litigation, and Mediation

In order to ensure smooth connection between arbitration, litigation, and mediation, relevant institutions should establish an efficient connection mechanism. This will facilitate seamless transitions between different resolution methods, reducing delays and costs. Strengthening information sharing and coordination among institutions is also crucial. Utilizing specialized dispute resolution information platforms can enhance efficiency and accuracy through better information sharing [10].

Mediation often plays an important role in the settlement of foreign-related commercial disputes. Therefore, the mediation mechanism should be further improved to enhance the efficiency and credibility of mediation. Professional mediation institutions or experts can be considered to improve and optimize the training and qualification certification system for mediators, in order to ensure the quality and fairness of mediation. Arbitration should complement the BRI dispute settlement mechanism. Strengthening cooperation with domestic and international arbitration institutions, unifying arbitration rules, and enhancing transparency and fairness are vital steps.

In terms of litigation, attention should be paid to improving relevant legal systems, enhancing judicial fairness and efficiency. Strengthening communication and cooperation with the International Court of Justice can help establish a more comprehensive international commercial litigation system. Enhancing judicial protection for foreign legal persons ensures their rights in BRI projects are safeguarded. Additionally, strengthening cooperation and exchanges with other countries and regions, and holding regular international seminars or training courses, can facilitate the sharing of experiences and best practices, promoting the progress of international commercial dispute resolution mechanisms.

5.1.3. Establishing an Online Platform for Resolving International Commercial Disputes

An online platform for resolving international commercial disputes should offer various methods, including mediation, arbitration, and litigation. Specialized modules should allow parties to choose the most appropriate resolution methods and relevant institutions based on their needs. The platform should also provide legal consultation and expert evaluation services.

Strengthening cooperation with institutions and organizations in various countries is crucial. Through international cooperation, resources can be shared, experiences exchanged, and the platform's professionalism and credibility enhanced. Regular online seminars and activities should be held to promote exchanges and cooperation in international commercial dispute resolution.

In order to ensure the effectiveness and fairness of online platforms, it is necessary to establish sound rules and procedures. These rules should include the specific process of dispute resolution, the rights and obligations of all parties involved, and the implementation of the results of dispute

resolution. By clarifying rules and procedures, it is possible to ensure that parties fully understand and comply with relevant regulations when using online platforms, thereby improving the efficiency and fairness of dispute resolution.

Technical support is also an important component of online platforms. The platform should provide stable and secure technical support, protect the privacy and information security of the parties involved, and prevent data leakage and abuse. Regular updates to technical equipment and services are necessary to adapt to evolving needs. Additionally, a connection mechanism with offline institutions should be established to ensure timely support and assistance, facilitating seamless online and offline collaboration.

5.2. Improving the Supporting System for International Commercial Mediation

5.2.1. Building a National-Level BRI International Commercial Mediation Center

The government should lead the establishment of the BRI International Commercial Mediation Center, the United Chamber of Commerce and professional institutions to jointly provide independent, impartial and professional mediation services. Detailed mediation rules should be developed, clarifying procedures, qualifications, mediator appointments, and the effectiveness of mediation results to ensure fairness and effectiveness. International best practices should be utilized and adapted to the specific conditions of BRI countries to create a distinctive mediation mechanism.

Mediation centers should select professionals with rich legal knowledge and international perspectives to serve as mediators, and provide regular training to improve their professional competence and mediation skills. At the same time, legal professionals from BRI countries should be attracted to participate, promoting the exchange and integration of different legal cultures. Cooperation with relevant institutions and international organizations should be strengthened to promote the international recognition and implementation of mediation results, thereby improving mediation's influence and authority in resolving BRI-related disputes. The functions and advantages of the BRI International Commercial Mediation Center should be publicized through various channels to increase its international visibility and attract more parties to settle disputes through mediation, thus improving the efficiency and quality of dispute resolution and providing strong legal support for the BRI.

5.2.2. Implementing an Admission and Management System for Foreign-Related Commercial Mediators

To ensure the professional competence and mediation ability of foreign-related commercial mediators, clear admission criteria should be established, including educational background, work experience, language proficiency, mediation skills, and other aspects. At the same time, a qualification certification system for foreign-related commercial mediators can be established to select qualified personnel through examinations or evaluations. For foreign-related commercial mediators, systematic training and educational opportunities should be provided to enhance their professional knowledge and mediation skills. The training content can include knowledge in international commercial law, international commercial dispute resolution, cross-cultural communication, and other areas. In addition, experienced international commercial mediation experts can be invited to give lectures or provide guidance to improve the professional level of mediators.

A management system should be established for mediators, clarifying their responsibilities, rights, and obligations, and standardizing the mediation process to ensure fairness, legality, and effectiveness. Supervisory agencies or committees should be created to oversee the mediation process, ensuring the credibility of results. Incentive mechanisms should be established to encourage outstanding talents to

participate in mediation, such as providing rewards and promotion opportunities to stimulate their enthusiasm and innovation.

5.2.3. Expanding the Functions of the Expert Committee

The expert committee, currently comprising legal experts, renowned scholars, senior judges, and senior lawyers from different legal systems, countries, and regions, should consider inviting more experts and lawyers with extensive experience in international commercial dispute resolution to join. This would provide more comprehensive consultation and advice. Cooperative relationships with international organizations should be established for joint research, exchange, and practice to stay updated on the latest developments in international commercial dispute resolution. On the basis of voluntary participation by the parties, the expert committee should be entrusted by the CICC to play a more significant role in mediating international commercial disputes. Leveraging the professional knowledge and practical experience of committee members can provide more targeted mediation advice, promoting peaceful dispute resolution.

With the changing international business environment, court rules also need to be constantly updated and improved. The expert committee can support the revision of court rules with its professional knowledge and international perspective, ensuring they remain current and comply with international practices. Research in international commercial dispute settlement should be strengthened, analyzing the characteristics and trends of BRI-related disputes, and providing targeted solutions and suggestions for the Chinese government and enterprises. By publishing and exchanging research results, China's influence and discourse power in international commercial dispute resolution can be enhanced.

5.3. Improving the Method of Identifying Foreign Laws

5.3.1. Establishing an Authoritative Database of Extraterritorial Laws

In order to resolve foreign-related commercial disputes along the BRI more effectively, China should establish an extraterritorial law database containing relevant information on laws and regulations, judicial precedents, international treaties and practices of countries and regions along BRI. The database should offer diverse query methods, such as keyword search and case type search. Intelligent search suggestions and relevant case recommendations can help users find required legal information more efficiently. Enhancing the database's authority and influence can be achieved by cooperating with international legal institutions, incorporating advanced international practices.

In addition to basic legal information queries, the database should offer legal interpretation and consulting services through a professional legal team or experts. Technical support and data security are crucial; adopting advanced technologies will ensure stable operation and secure data storage, preventing leakage and abuse.

5.3.2. Establishing the International Judicial Assistance

Countries along the BRI should strengthen judicial cooperation by concluding international judicial assistance treaties or agreements, clarifying the scope, methods, and procedures of assistance. This will provide strong legal support for resolving foreign-related commercial disputes. Information-sharing mechanisms should be established to regularly exchange data on disputes, helping to better understand their characteristics and trends, and provide more targeted solutions.

In the resolution of foreign-related commercial disputes, countries should try to unify judicial standards and procedures as much as possible, and reduce obstacles to dispute resolution caused by legal differences. At the same time, cooperation with the CICC should be strengthened to ensure fair

and efficient dispute resolution. Participating countries should be mobilized to revise and improve international laws, promoting unity and coordination in the international legal system, providing a clearer legal basis for resolving disputes. Additionally, private institutions should be encouraged to play active roles in dispute resolution by establishing cooperative relations with chambers of commerce and industry associations.

5.3.3. Promoting the Construction of Foreign-Related Legal Talents

In order to promote the construction of foreign-related legal talents, it is necessary to strengthen talent cultivation, establish a sound talent cultivation system, promote cooperation between universities, law schools, and practical departments, and jointly cultivate foreign-related legal talents with international perspectives and practical abilities. Encouraging students to participate in foreign-related legal practice activities will enhance their practical skills and international competitiveness. Training in legal English, international legal rules, and practices should be emphasized to improve their professional competence and cross-cultural communication skills. Cultivating innovative thinking and problem-solving abilities is also crucial.

Integrating domestic and foreign legal talent resources is vital. Establishing the BRI foreign-related rule of law talent pool will provide strong support for commercial dispute settlement. Ensuring personnel in this talent pool have rich international legal knowledge and practical experience is essential for handling transnational commercial disputes. Building cooperative relations with international legal institutions and participating in the formulation and revision of international legal rules will improve China's influence in international legal affairs. Introducing advanced international legal concepts and practices through cooperation will enhance the construction of the BRI legal talent team.

6. Conclusion

This paper takes the BRI foreign-related commercial dispute settlement mechanism as the research object, and deeply discusses its current situation, the difference between the two track system of commercial mediation implementation, and the improvement path. Identified the shortcomings and limitations in the current access of overseas institutions and the limitations of international commercial courts. And proposed improvement suggestions in response to these challenges.

In general, the improvement of the BRI foreign-related commercial dispute settlement mechanism is a complex and long-term process, which requires the joint efforts of countries along the BRI, international organizations and all sectors of society. By constantly strengthening cooperation and innovating mechanisms, we will jointly build a dispute settlement mechanism that is more responsive to the development needs of the BRI and more in line with the practical needs of international commercial dispute settlement. This will provide a solid legal guarantee for the in-depth implementation of the BRI, and promote closer and deeper economic cooperation and common development of countries along the line.

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