

## 专业简历

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# 教育背景、专业资格、培训或会员资格:

英国阿伯丁大学法学院国际私法博士

英国阿伯丁大学法学院商法(国际)法学硕士

同济医科大学医学学士(现华中科技大学)

浙江大学法律文凭

中华人民共和国法官资格

中华人民共和国律师资格

英国剑桥大学克莱尔堂访问学者英国 (现为剑桥大学克莱尔堂终身学者)

中国大陆执业律师

中华司法研究会管理委员会成员

中华人民共和国涉外审判工作研究常务委员会委员

中国国际私法学会理事

英国剑桥大学克莱尔堂终身学者

美国国际法学会会员

国际比较法学会联系会员

## 专业经验概述



涂 广健教授澳门大学法学院高级法律研究所所长、法学教授、博士生导师;中国国际私法学会常务理事兼中国国际私法学会区际冲突法专题研究委员会召集人,英国剑桥大学克莱尔堂终身学者,国际比较法学会联系会员;珠海仲裁委员会、广州仲裁委员会、广州南沙国际仲裁中心等多家仲裁机构仲裁员,《中国国际法杂志》(牛津大学出版社)编辑,众多国际、国内著名专业期刊的审稿人。

他获得了理科学士学位,毕业于华中科技大学(中国武汉),于浙江大学(中国杭州)取得法学文凭,并于中国全国统考中分别取得律师及法官资格。在中国浙江省宁波市中级法院服务一段时间后,他前往英国阿伯丁大学攻读法律硕士和博士学位。2007年9月,他在澳门大学正式开始了他的学术生涯。自那时起,一直主要在国际私法领域进行教学和研究,研究领域具体包括国际(区际)民商事诉讼、国际(区际)商事仲裁、 国际(区际)实体冲突法、欧洲国际私法、美国国际私法、比较实体私法。目前, 已出版专著3部,在国际、国内著(知)名期刊上发表学术论文数十篇,在国际、国内重要学术会议上频繁做专题发言。

## 在仲裁、调解/替代性争议解决方案(ADR)中的经验

我多年来一直在澳门大学教授一门名为"国际商事仲裁"的硕士课程,系统而全面地向学生讲授这一领域的主题,共15节,既有理论课,也有实际案例课。多年来,我也一直在处理仲裁案件。此外,我非常擅长国际诉讼和调解。我特别擅长仲裁和他们之间的问题。

## 主要出版物、著作

#### 1. Books:

Guangjian Tu, A Study on A Global Jurisdiction and Judgments Convention, Sweet & Maxwell/UM, Hong Kong, 2009, pp. 348 + xxvi (ISBN 9789626613740).

涂广建, «澳门国际私法», 中国社会科学文献出版社/澳门基金会, 2013, 共351页 (ISBN 9787509739860).

Guangjian Tu, Private International Law in China, Springer, Singapore London New York Heidelberg Dordrecht, 2016, pp. 192 + xi (ISBN 9789812879929).

### 2. Book Chapters:

Guangjian Tu, "Macau Codification of Private International Law" in Salvatore Mancuso & Tong Io Cheng (ed.), XVIIIth International Congress on Comparative Law: Macau Regional Reports, Imprensa Wah Ha, Macau, 2010, pp. 90-108.

Guangjian Tu, "the Brussels Convention and I Regulation on Jurisdiction and Foreign Judgments — A Diluted Success of the EU" in P. C. de Castro (ed.), the European Union at 50: Assessing the Past, Looking ahead, Macau, 2010, pp. 465-



#### 92 (ISBN 978-99965-1-012-0).

Guangjian Tu, "'Obligation in Question' in Article 5 (1) of the Brussels Convention and I Regulation" in Tong Io Cheng & Salvatore Mancuso (ed.), the New Frontier of Comparative Law, Lexis-Nexis, Hong Kong, 2013, pp. 279-86.

Guangjian Tu, "Proof of and Information about Foreign Law in Macau" in Yuko Nishitani (ed.), Treatment of Foreign Law—Dynamics towards Convergence?, Springer, Switzerland, 2017, pp. 541-49.

Guangjian Tu, "Report on Macau SAR" in J. Basedow & G. Ruehl (et al), Encyclopedia of Private International Law, Edward Elgar Publishing, UK & US, 2017, pp. 2305-15.

Guangjian Tu & Zeyu Huang, "People's Republic of China: Optional Choice of Court Agreements in the Vibrant Age" in Mary Keyes (ed.), Optional Choice of Court Agreements in Private International Law, Springer, Switzerland, 2019, pp. 151-168.

Guangjian Tu & Si Chen, "Private International Law Aspects of Corporate Social Responsibility: China (PRC)" in Catherine Kessedjian & Humberto CantúRivera (ed.), Private International Law Aspects of Corporate Social Responsibility, Springer, 2020, pp. 257-83.

涂广建:香港国际私法,载黄进教授主编《中国大百科全书:法学篇(国际私法)»,2021,第211-212页。

涂广建:澳门国际私法,载黄进教授主编《中国大百科全书:法学篇(国际私法)»,2021,第213-214页。

Guangjian Tu, "The Hague Choice of Law Principles in Macau" in J. Neels & Y. Nishitani et al (ed.), The Hague Principles on Choice of Law for International Commercial Contracts, OUP, England, 2021, pp. 588-97.

3. Academic publications in widely-circulated international journals:

Guangjian Tu, "The Hague Choice of Court Convention - A Chinese Perspective" (2007) 55 American Journal of Comparative Law pp. 347-66. 【SSCI】 [SJR, Q2] Guangjian Tu, "Forum non Conveniens in the Federal Courts of the United States - An Update" (2007) 54 Netherlands International Law Review, pp. 529-37. [SJR, Q3]

Guangjian Tu, "Finding a Proper Nexus for Constructing Specific (Special) Jurisdiction regarding Commercial Contract and Tort Cases: A Comparative Study of the US and European Approaches" (2009) 5 Journal of Private International Law pp. 243-80. [SJR, Q3]

Guangjian Tu, "The Conflict of Laws System in Macau" (2010) 40 Hong Kong Law Journal pp. 85-110. 【SSCI】[SJR, Q4]

Guangjian Tu, "China's New Conflicts Code: General Issues and Selected Topics" (2011) 59 American Journal of Comparative Law pp. 563-90. [SSCI] [SJR, Q2]

Guangjian Tu & Muchi Xu, "Contractual Conflicts in China: the Applicable Law



in the Absence of Choice" (2011) 7 Journal of Private International Law pp. 179-202. [SJR, Q3]

Guangjian Tu, "Recognition and Enforcement of Non-local Judgments in Macau—A Critical Review" (2012) 42 Hong Kong Law Journal pp. 633-60. 【SSCI】[SJR, Q4]

Guangjian Tu, "Forum non Conveniens in the People's Republic of China—an Empirical Study" (2012) 11 Chinese Journal of International Law pp. 341-65. [SJR, Q1]

Guangjian Tu, "The Arrangement on Mutual Recognition and Enforcement of Judgments in Civil and Commercial Matters between Mainland China and Macau SAR: Inherent Problems, Six Years' Experience and the Way Forward" (2013) 43 Hong Kong Law Journal pp. 349-76. 【SSCI [SJR, Q4]

Guangjian Tu, "The Codification of Conflict of Laws in China: What Has/Hasn't yet Been Done for Cross-border Torts?" (2012/13) 14 Yearbook of Private International Law pp. 341-51. (This is the Journal of the famous Swiss Institute of Comparative Law).

Guangjian Tu & Xiaolin Li, "The Second Amendment of Chinese Civil Procedure Law—A Note from the Perspective of International Civil Litigation" (2013) 43 Hong Kong Law Journal 633-58. 【SSCI】[SJR, Q4]

Guangjian Tu, "Service of Process (Documents) in International Civil and Commercial Proceedings: A Critical Review of the Chinese Approach" (2014) 13 Chinese Journal of International Law pp. 577-604. 【SSCI】[SJR, Q1]

Guangjian Tu & Xiaolin Li, "The Chinese Approach toward Cross-border Bankruptcy Proceedings: One Progressive Step Ahead" (2015) 24 International Insolvency Review, pp. 57-66. [SSCI] [SJR, Q3]

Guangjian Tu & Hongyan Wang, "Resolution of Cross-border Securities Disputes under the Scheme of Shanghai-Hong Kong Stock-Connect: An Exploration on the Applicable Law" (2016) 15 Chinese Journal of International Law pp. 167-193. 【SSCI】[SJR, Q1]

Guangjian Tu, "Review of Title and Title Conflicts in respect of Intermediated Securities under English Law" (2017) 32 Journal of International Banking Law and Regulation pp. 375-76 [An expanded version is published in (2017) 47 Hong Kong Law Journal pp. 317-20 【SSCI】[SJR, Q4]].

Guangjian Tu, "Recognition and Enforcement of Mainland China's Civil and Commercial Judgments in Hong Kong—An Update" (2017) 25 Asia Pacific Law Review pp. 190-98. [SSCI] [SJR, Q2]

Xiaolin Li & Guangjian Tu, "Recent Development in Recognition of and Assistance to Foreign Insolvency Representative under the Hong Kong Common Law" (2018) 27 International Insolvency Review pp. 32-57. 【SSCI】[SJR, Q3]

Guangjian Tu, "The Flowing Tide of Parties' Freedom in Private International Law: Party Autonomy in Contractual Choice of Law in China" (2019) 15 Journal of Private International Law pp. 234-46. [SJR, Q3]



Wenliang Zhang & Guangjian Tu, "The 1971 and 2019 Hague Judgments Conventions: Compared and Whether China Would Change Its Attitude Towards The Hague" (2020) 11 Journal of International Dispute Settlement pp. 614-37 (I am the corresponding author for this article). 【SSCI】[SJR, Q1]

Wenliang Zhang & Guangjian Tu, "The 2019 Hague Judgments Convention and Mainland China-Hong Kong Judgments Arrangement: Compared and How Mainland China Would Respond?" (2021) 20 Chinese Journal of International Law pp. 1-35. (I am the corresponding author for this article). [SSCI] [SJR, Q1]

Zhihua Zhao, Zhihao Hao, Guancheng Wang, Dianhui Mao, Bob Zhang, Min Zuo, Jerome Yen & Guangjian Tu, "Sentiment Analysis of Review Data Using Blockchain and LSTM to Improve Regulation for a Sustainable Market" (2022) 17 Journal of Theoretical and Applied Electronic Commerce Research pp. 1-19. 【SSCI】[SJR, Q2] (This is a cross-disciplinary research).

Guangjian Tu & Zeyu Huang, "Inter-regional Judicial Assistance within China: Achievements, Problems and Suggestions" (2022) 13 Czech Yearbook of International Law pp. 173-211. [SJR, Q3]

Wenliang Zhang & Guangjian Tu, "Recent Efforts in China's Ambition to Become a Centre for International Commercial Litigation" (2023) 97 The Rabels Journal of Comparative and International Private Law pp. 1-35. (This is the almost-100-year-old Journal of the famous Max Plank Institute of Comparative and Private International Law at Hamburg. I am the corresponding author for this article which actually arises out of my invited presentation for the Institute in January for the year).

Guangjian Tu & Tiezheng Yang, "The Doctrine of Public Policy in Chinese Interregional Conflict of Laws" (2023) 14 Czech Yearbook of International Law pp. 109-136. [SJR, Q3]

4. Public Seminars & Conference Presentations are largely left out because of the large number. A few important ones are:

"China's New Conflicts Code: Some Selected Issues", conducted in Clare Hall, Cambridge University in November 2010.

"China's Ambition to Build Up the Highland for Resolution of International Commercial Disputes: Some Recent Attempts", conducted for the Max Plank Institute of Comparative and Private International Law at Hamburg in January 2023.

"Mediation in Macau", conducted for the Preparatory Conference for the establishment of International Organization for Mediation in Hong Kong in April 2023.

"Private International Law: the Goal of Uniformity v. the Approach of Scission", conducted for the Journal of Private International Law Conference in Singapore in August 2023.



"The Hague Principles on Choice of Law for International Commercial Contracts", invited by the Secretary General of the Hague Conference on Private International Law to be conducted for the HCCH Asia Pacific Week in September 2023.

## 语言(注明熟练程度)

英语,作为一种工作语言没有任何问题; 中文(母语为汉语)

#### 荣誉和成就

《中国国际法杂志》编辑(SSCI收录)。

《人文社会科学通讯》编辑(SSCI收录)

博客的编辑: www.conflictoflaws.net,这是世界上最著名的国际私法博客。

中国政法大学、广东财经大学客座教授等。

中国政法大学外国法证明中心咨询专家。

经常被最高人民法院咨询,特别是2018年香港与内地中国的判决安排,广东省高级人民法院也经常咨询。

2017年,作为中方代表团成员,出席《2019年判决公约》海牙谈判。

接受CGTN采访并于2019年12月20日现场直播,时间跨度为几个小时。

接受CETV-1采访,并于2021年9月6日现场直播。

珠海、南沙、深圳、广州等仲裁委员会的仲裁员。

为澳大利亚法院、新西兰法院、内地中国法院、澳门法院及部分仲裁机构提供专家意见。曾在剑桥大学出版社、国际私法期刊、香港法律期刊(SSCI索引)、中国国际法杂志(SSCI索引)、亚太法律评论(SSCI索引)、中国评论(SSCI索引)、国际文化政策杂志(SSCI索引)、人文社会科学通讯(SSCI索引)等多家出版社、期刊、研究项目评估和大学博士考试或其他事务中担任推荐人。中国比较法杂志、中国跨国法学杂志、中国国际法评论、墨尔本大学(澳大利亚)、香港城市大学、澳门科技大学、常江大学等。