



Shanghai Declaration of the World Enforcement Conference

The World Enforcement Conference was convened in Shanghai, China from January 20 to 23, 2019, hosted by the Supreme People’s Court (SPC) of the People’s Republic of China, and attended by 92 participants from 29 countries and 2 international organizations.

The participants, through this conference, learned more about the efforts and achievements of the Chinese courts in “basically resolving difficulties in enforcement” and in safeguarding reform and development in accordance with law. The reform and innovation in enforcement carried forward by Chinese courts, formed a unique Chinese mode, contributed to the international practice, which promoted the advancement and development of rule of law. The participants expressed their appreciation to SPC of China for convening this conference.

Focused on the theme of “Modernization in Enforcement”, and in

a friendly, pragmatic, and constructive atmosphere, the participants carried out broad-based exchanges and in-depth discussions in several areas, including new development of information technology and its application to enforcement; recent developments and trends of asset search and investigation; recent developments and trends of judicial sales; mutual promotion between enforcement and social credit system; recent developments and trends of enforcement organs and working mechanisms; and recent developments and trends of enforcement legislation.

With the objective of strengthening exchange and cooperation among enforcement organs and subject to domestic laws of the respective countries, the participants expressed the following views:

I. Efficient enforcement of effective legal instruments is of great significance to protecting the legitimate rights and interests of judgment creditors, maintaining judicial authority, and promoting the development of a society based on good faith. Enforcement organs should commit themselves to promoting new leap-forward development in enforcement.

II. Enforcement organs should prioritize and conform to the process of modernization. They should actively respond to the new situation, constantly reform and innovate, boldly undertake new missions, and improve the level of modernization in

enforcement.

III. Enforcement organs should take positive and effective measures to further enhance openness and transparency in enforcement, continuously improve enforcement efficiency, avoid enforcement delays, regulate enforcement procedures, protect the parties' right to information, and enhance judicial credibility.

IV. Enforcement organs, through enforcement activities, should be committed to strengthening protection of property rights, and promoting continuous improvement in the business environment and economic prosperity.

V. Enforcement organs should adhere to the philosophy of fair enforcement, appropriate enforcement, and enforcement based on good faith, exercise their enforcement powers prudently, balance the legitimate rights and interests of both creditors and debtors, and effectively prevent abuse of enforcement power.

VI. Enforcement organs, while respecting the parties' privacy and ensuring information security, should aim to actively create conditions to apply, amongst others, relevant information technology in the field of enforcement, improve the efficiency of property search and investigation, control, evaluation, and disposal, effectively reduce the realization cost of creditor's rights.

VII. Enforcement organs should enhance professional training, ensure the welfare and safety of enforcement personnel, carry out

exchange and mutual visits, and thereby improve the enforcement personnel's professional quality and security.

VIII. Enforcement organs should conduct research on enforcement principles, improve enforcement systems, explore widely-used enforcement regulations, and ensure regulated operation of enforcement powers.

Based on the achievements of this conference, the participants actively consider, through the appropriate channels, to establish a network secretariat, to deepen international communication and cooperation in this field, and strengthen the sharing of best practices, experience and outcomes.

This declaration is adopted on January 22, 2019 in Shanghai, China in Chinese and English.