



HAMBURG LECTURE SERIES ON KOREAN LAW

Dr. LI Yan

**Focusing on the Rules on International
Jurisdiction to Adjudicate Under the “Korean
Private International Law Act 2022”**

Tuesday 13 June 2023 – 5:00 p.m. (CEST)

The lecture will be held **in person** at the
Max Planck Institute for Comparative and International Private Law,
Mittelweg 187, 20148 Hamburg.

Please register no later than Monday, 12 June 2023 for the lecture using
this [LINK](#).

All employees and guests of the institute as well as other interested
parties are cordially invited to the lecture.

Knut Benjamin Pißler



About the speaker:

Li Yan is a postdoctoral researcher at the Law Research Institute of Seoul National University. She obtained an LLB at China University of Political Science and Law and an LLM as well as a PhD at Seoul National University. She has also been a qualified legal professional in the People's Republic of China since 2017. Since April 2023 she has been conducting research at the Max Planck Institute for Comparative and International Private Law. Her main research areas include private international law (in a broad sense), international business law, and comparative private law. As regards the Korean PIL Act 2022, she is the independent author of several related articles, one of the authors of the "ONJU Online Commentary on the Korean PIL Act 2022", and one of the translators of the Chinese version.

About the topic:

The new Private International Law Act of the Republic of Korea ("Korean PIL Act 2022"), which took eight years to prepare, was promulgated on January 4, 2022, and finally took effect on July 5, 2022. The greatest significance of the Korean PIL Act 2022 is the introduction of many detailed rules on international jurisdiction to adjudicate. Consequently, the Korean PIL Act has a dual structure, with one wing comprising the rules on international adjudicatory jurisdiction and another on conflict of laws. It has been accordingly evaluated as a breakthrough change and is a significant development in the history of Korean private international law. Regarding their substantive content, the rules on international jurisdiction to adjudicate under the Korean PIL Act 2022 have the following features. Firstly, many of them have been developed by consulting the venue provisions of domestic laws. Secondly, some of them reflect the attitude of the precedents of the Supreme Court under the "Prior PIL Act". Thirdly, several provisions of international conventions were incorporated in pursuit of global decisional harmony. Fourthly, the "targeting activity" criteria have been adopted in consideration of internet use. Fifthly, the doctrine of *forum non conveniens*, as understood under Anglo-American law, was accepted subject to strict requirements. This lecture aims to develop the above points so as to broadly introduce the Korean PIL Act 2022.