

CIETAC HK Arbitration Centre enhances HK's status as legal services hub

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The Secretary for Justice, Mr Rimsky Yuen, SC, today (September 24) said that the establishment of the China International Economic and Trade Arbitration Commission (CIETAC) Hong Kong Arbitration Centre would enhance Hong Kong's status as an international dispute resolution centre.

The Department of Justice, together with the China Council for the Promotion of International Trade (CCPIT), CIETAC and the Hong Kong Trade Development Council, held an inauguration ceremony for the CIETAC Hong Kong Arbitration Centre at the Central Government Offices in Tamar today.

Speaking at the ceremony, Mr Yuen said that the new Arbitration Ordinance, which came into effect in June 2011, represented a major milestone in efforts to enhance Hong Kong's arbitration regime. The Ordinance reinforces the advantages of arbitration, including respect for the parties' autonomy, savings in time and costs, and confidentiality in arbitration proceedings and related court hearings.

He pointed out that arbitral awards made in Hong Kong could be enforced in over 140 contracting jurisdictions under the New York Convention. Regarding the Mainland, in 1999 the Supreme People's Court and the Department of Justice signed the Arrangement Concerning Mutual Enforcement of Arbitral Awards, which was modelled on the principles of the New York Convention and sets out the conditions for mutual enforcement of arbitral awards. It has been effectively implemented by courts in both Hong Kong and the Mainland, further strengthening the status of Hong Kong as a regional centre for international arbitration.

Mr Yuen expressed his gratitude for CIETAC's recognition of Hong Kong as a regional centre for international arbitration and its support in setting up in Hong Kong its

first arbitration centre outside the Mainland.

Mr Yuen said, "The establishment of the CIETAC Hong Kong Arbitration Centre, coupled with the existing arbitral institutions in Hong Kong, including the Hong Kong International Arbitration Centre and the Secretariat of the International Chamber of Commerce International Court of Arbitration (Asia Office), will place Hong Kong in an even stronger position to meet the demand for high-end arbitration services."

The Vice Chairman of the CCPIT, Mr Dong Songgen; the Executive Director of the Hong Kong Trade Development Council, Mr Fred Lam; and senior officials of the Legislative Affairs of the State Council, the Hong Kong and Macao Affairs Office of the State Council and the Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region (HKSAR) were also present at today's ceremony.

Mr Dong said CIETAC had made impressive achievements in arbitration services involving foreign entities since its establishment in 1956. The number of cumulative cases it has concluded is the highest among the Mainland arbitration organisations, involving clients from more than 70 countries and regions, and establishing its credibility in the international community.

Mr Dong said, "The establishment of the CIETAC Hong Kong Arbitration Centre is a requirement for CIETAC to achieve first class international status. While this is a necessary development in the close partnership between Hong Kong and the Mainland, it is also needed for Hong Kong to become recognised as an international dispute resolution centre."

Mr Dong is confident that the CIETAC Hong Kong Arbitration Centre will become an international organisation by leveraging on Hong Kong's advantages and co-operating with Hong Kong's arbitration services to achieve a win-win

situation.

The CCPIT, established in 1952, is the first national organisation providing legal services in commercial matters involving foreign entities, including international arbitration and mediation services, intellectual property protection conciliation and various legal services in commercial matters.

A conference on arbitration was held after the ceremony to promote greater use of arbitration in the business community and give participants a better understanding of the new centre and the development of arbitration services in both the Mainland and Hong Kong. More than 200 people from the legal and arbitration services and representatives of commercial organisations attended the conference, during which they discussed the stepping up of co-operation between the arbitration services of Hong Kong and the Mainland.

The Deputy Director of the Hong Kong Basic Law Committee of the National People's Congress Standing Committee, Ms Elsie Leung, gave a closing speech at the conference. Other speakers included the Judge of the Supreme People's Court, Mr Yang Honglei; former High Court Judge of the HKSAR, Professor Anselmo Reyes; and CIETAC's senior officials.

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