

HKSAR Government welcomes Judiciary's establishment of Hong Kong International Commercial Court

The Hong Kong Special Administrative Region (HKSAR) Government today (May 28) said that it welcomes and supports the Judiciary's announcement on the establishment of the Hong Kong International Commercial Court (HKICC), which will specialise in adjudicating major cross-border and international commercial disputes, marking a new milestone in the development of Hong Kong's legal system.

The Chief Executive, Mr John Lee, said, "The National 15th Five-Year Plan explicitly outlines the initiatives of accelerating the development of the system and capacity for the rule of law in foreign affairs, improving mechanisms for international commercial mediation, arbitration, and litigation, and supporting Hong Kong to consolidate and enhance its status as an international financial, shipping, and trade centre and an international aviation hub, as well as deepening its development as an international legal and dispute resolution services centre. The HKSAR is the only common law jurisdiction in the country. Hong Kong's commercial and trade laws based on common law are internationally compatible, and well trusted by international businesses or investors. The establishment of the HKICC fully demonstrates Hong Kong's unique advantages under 'one country, two systems' of enjoying strong support of the motherland and being closely connected to the world. It will contribute new and greater strength to the country's high-level opening up, while further promoting the development of international commercial rules."

Litigation, arbitration, and mediation are the three main major means of dispute resolution. While Hong Kong has been developing international arbitration and mediation, litigation remains one of the most fundamental and indispensable ways of dispute resolution. As an international financial centre with a robust and well-established judicial system, Hong Kong's establishment of the HKICC will provide a fair, just, and professional mechanism for handling high-value or complex global commercial disputes, such as those arising from cross-border transactions, international trade, finance, infrastructure, or investment projects.

Mr Lee added, "Hong Kong has long been supporting free trade and is the world's fifth-largest trading entity in merchandise trade. The International Organization for Mediation, which is headquartered in Hong Kong, has come into operations. Amid the current complex and volatile geopolitical landscape, there is a keen demand among various economies for commercial dispute resolution platforms with international credibility. The establishment of the HKICC will strengthen Hong Kong's core capabilities and advantages in international litigation, complementing Hong Kong's existing international arbitration and mediation services to provide global enterprises or investors with diversified and comprehensive options for dispute resolution. This will further enhance the international competitiveness of Hong Kong's legal and dispute resolution services, propelling Hong Kong to a higher level of development in international dispute resolution services. The Judiciary of the HKSAR enjoys a lofty reputation internationally. I am deeply confident that the HKICC, upholding the excellent and professional credibility of the Judiciary, will be highly respected globally."

The Secretary for Justice, Mr Paul Lam, SC, noted that the HKICC will focus on handling complex and high-value international commercial disputes. The judges presiding over the cases will include not only judges from Hong Kong, but also those with high prestige and experience in such cases from other common law jurisdictions. Furthermore, with reference to the practices of other international commercial courts, a dedicated Practice Direction will be issued to streamline the litigation process and ensure that cases will be handled in a timely and efficient manner. He stated that the HKICC meets the needs and expectations of the country, Hong Kong, and the international business community, and will also bring new opportunities for the legal sector in Hong Kong.

Mr Lam said, "The HKSAR Government has the utmost confidence that the HKICC, leveraging the international background of its judges and efficient litigation procedures, will not only deliver authoritative and convincing rulings for the cases it hears, but also make significant contributions through its jurisprudence to the development of international commercial law. This will further consolidate the international reputation and status of Hong Kong's common law system, allowing Hong Kong to better leverage its unique advantages in this regard under the 'one country, two systems' principle."

The HKSAR Government will fully support and facilitate the preparatory work and relevant arrangements for the HKICC.

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