

Speech by SJ at Hong Kong Mediation Lecture

Following is the welcome remarks by the Secretary for Justice, Mr Teresa Cheng, SC, at the Hong Kong Mediation Lecture held in the evening on November 4:

Good evening Simon (Partner of Herbert Smith Freehills, Mr Simon Chapman, QC), good afternoon Mark (Independent International Mediator and Arbitrator, Mr Mark Appel).

I am very pleased to be here to say a few words. The annual Hong Kong Mediation Lecture is one of the fixtures of the Hong Kong Legal Week, which was started last year. We are very pleased and honoured to have Herbert Smith Freehills agreed to sponsor it for five years. We hope that this will continue to be a very good tradition that Hong Kong would be able to contribute to the development of mediation.

I understand that Herbert Smith Freehills is not only one of the largest leading global law firms but they also provide alternative legal services in China. That is an interesting aspect to note.

The current Chief Executive Officer, Mr Justin D'Agostino, has been in Hong Kong for a long time. I am very pleased that he is able to station here whilst heading this law firm, keeping the link in Hong Kong and putting Hong Kong on the global map.

The Mediation Lecture this evening is about a very interesting subject. Something that we have been trying to promote: investment mediation. We have been running investment law and mediation training courses for the past two years. But due to the COVID-19 pandemic, we have to reschedule the third training course.

Investment mediation is a very important subject which arouses a lot of interest. For example, UNCITRAL Working Group III Virtual Pre-Intersessional Meeting, to be held next Monday, will be talking about investment mediation. I am sure we will be hearing a lot more on this. But most importantly, we are very pleased to have Mr Mark Appel to talk to us on "Investor-State Mediation at the Tipping Point".

Mark is a long-term friend of mine. Most of you may know him through his senior executive positions at the American Arbitration Association and International Centre for Dispute Resolution. But some of you may not know, and I think it is very relevant to what we are hearing tonight, is that since 2016, Mark has served as Chair of the IMI Investor-State Mediation Task Force, working with state and investor representatives, expert, academics, the Energy Charter Secretariat, ICSID and UNCITRAL on investor-state dispute settlement reform and mediation, in particular.

Last year, Mark was able to join us in Hong Kong and spoke at the Department of Justice's Mediate First Pledge 2019 - "Mediation First – Unlocking Potential" on "Can Mediators be Deal Makers". It was a very impressive session. Thank you very much to Mark for sharing with us his expertise last year and again sharing with us his insight tonight.

I am sure all of you are very eager to listen to Mark and to learn from his experience. I will say no more and pass on, if I may, to Mark. Thank you.

Ends/Wednesday, November 4, 2020