

Speech by SJ at AALCO Annual Session Side Event "Dispute Settlement - Online Dispute Resolution" (English only) (with photo)

Following is the speech by the Secretary for Justice, Ms Teresa Cheng, SC, at the Side Event entitled "Dispute Settlement - Online Dispute Resolution" of the 59th Annual Session of the Asian-African Legal Consultative Organization (AALCO) today (November 30):

Secretary General Kennedy Gastorn (Secretary-General of AALCO), your excellencies, distinguished delegates, ladies and gentlemen,

On behalf of the Department of Justice of the Hong Kong Special Administrative Region of the People's Republic of China, it is my great pleasure to welcome you to the Side Event of the 59th Annual Session of the Asian-African Legal Consultative Organization. I must once again express my gratitude for the support of the Central People's Government and AALCO for agreeing to host the Annual Session in Hong Kong which facilitates this Side Event today. The theme of this Side Event is "Dispute Settlement - Online Dispute Resolution (ODR)".

Under the Agreement between the Government of the People's Republic of China and AALCO, the AALCO Hong Kong Regional Arbitration Centre is established with a view "to promote the growth and effective functioning of arbitration institutions and other alternative dispute resolution services, including online dispute resolution services, in the People's Republic of China including the Hong Kong Special Administrative Region (HKSAR)".

In fact, AALCO has always been promoting peaceful, efficient and effective dispute resolution since the Asian-African Conference held in Bandung, Indonesia. The Ten Principles of Bandung, being the declaration of the Bandung Conference, calls for, inter alia, the "Settlement of all international disputes by peaceful means, such as negotiation, conciliation, arbitration or judicial settlement as well as other peaceful means of the parties' own choice, in conformity with the Charter of the United Nations". In order to realise this principle, AALCO has established a number of regional arbitration centres in Asia and Africa over the years to promote the development of international commercial arbitration in different regions.

The HKSAR Government has been fostering the development of ODR on various fronts, including opting into the APEC (Asia-Pacific Economic Cooperation) Collaborative Framework on ODR in April last year to promote the use of ODR for MSMEs (micro, small and medium-sized enterprises) in APEC economies as well as launching the Inclusive Global Legal Innovation Platform on ODR, iGLIP on ODR, earlier this year to keep track of international developments of ODR and study various issues on ODR in collaboration with UNCITRAL (United Nations Commission On International Trade Law) with the support of the DOJ Project Office for Collaboration with UNCITRAL.

To implement these initiatives, the eBRAM Centre is active in providing an efficient, cost-effective and secure platform for online dealmaking and dispute resolution among parties from all over the world, offering services such as e-negotiation, e-mediation, e-arbitration and e-signing of ODR agreements by integrating the latest technology such as blockchain, smart contract and AI. I will leave it to the CEO of the eBRAM Centre to tell you more in a while.

Lastly, I would like to thank AALCO, the Asian Academy of International Law and the eBRAM Centre for co-organising this Side Event. This Side Event is indeed one of the several events on the subject of ODR that we have held this month. I would like to mention in particular, the Workshop on ODR for ASEAN (Association of Southeast Asian Nations) trade organised with the support of the ASEAN Secretariat during the Hong Kong Legal Week 2021 earlier this month, which attracted over 600 registered participants from over 30 jurisdictions. At the Workshop, top international experts met to discuss the importance of ODR for cross-border trade, providing much food for thought and ideas to be taken forward. To conclude my opening remarks, I would now like to show you a video highlight of what these experts say about ODR. Thank you.

Ends/Tuesday, November 30, 2021