

Online dispute resolution comes of age

(by Secretary for Justice, Ms Teresa Cheng, SC)

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Formed by a group of enthusiastic legal and dispute resolution practitioners and technology experts, eBRAM International Online Dispute Resolution Centre (eBRAM Centre) was established in 2018 with a view to providing a one-stop platform for international commercial parties.

It aims to develop LawTech to offer online dispute resolution (ODR) services at competitive prices, keeping pace with the latest technologies, such as blockchain and artificial intelligence.

Going for ODR is now a dominant trend.

For instance, the APEC Economic Committee has been encouraging businesses to resolve cross-border disputes by way of ODR.

In August 2019, the APEC Economic Committee endorsed the APEC Collaborative Framework for ODR of Cross-Border Business-to-Business Disputes (APEC ODR Framework) and model procedural rules to promote the use of ODR, with micro, small and medium-sized enterprises (MSMEs) as major beneficiaries.

Hong Kong opted into the framework in April 2020.

In fact, since the initial development of the APEC ODR Framework, representatives and experts from Hong Kong, including those from eBRAM Centre, have been participating actively by joining various APEC workshops and webinars as well as APEC Economic Committee meetings.

Last year, eBRAM Centre launched the APEC Online Dispute Resolution procedural rules tailor-made for the APEC Collaborative Framework, showcasing its determination in providing a fast

and affordable resort to resolving commercial disputes among the APEC economies, in particular for the MSMEs.

This year, eBRAM Centre indicated to APEC its commitment to become an ODR service provider for APEC economies and has been successfully listed since this month as the first and only ODR provider from Hong Kong under the APEC ODR Framework.

The ODR platform provided by eBRAM is equipped with advanced technologies, ranging from a highly secured video conferencing system, e-Signature service, blockchain, to multifactor identity authentication as well as an AI machine Translation so as to offer an online three-stage ODR procedure (e-negotiation, e-mediation and e-arbitration) in a secure and user-friendly environment economically and efficiently.

eBRAM's ODR platform has excelled in this year's International Exhibition of Inventions of Geneva by winning a Bronze Medal at the "Special Edition 2022: Invention Geneva Evaluation Days".

The exhibition, bringing together over 1,000 new products and joined by more than 700 exhibitors from 45 countries, is supported by the World Intellectual Property Organization and International Federation of Inventors Associations.

It is recognised as one of the most significant annual events in the world devoted exclusively to inventions.

In addition to extending my congratulations to eBRAM Centre, I also echo the remarks made by its Chairman, Dr Thomas So, that eBRAM is always devoted to LawTech development for the betterment of the legal community in Hong Kong and society as a whole.

Businesses are encouraged to adopt eBRAM's model clauses in their contracts so that they can use the award-winning ODR platform to settle disputes.

Back in 2020, eBRAM Centre was engaged to provide ODR and related services under the COVID-19 ODR Scheme which was established by the Government's Anti-epidemic Fund to provide speedy and cost effective ODR services to the general public and businesses, in particular the MSMEs, in anticipation of an upsurge of disputes arising from or relating to the pandemic.

Further, to make full use of the remaining balance of the LawTech Fund under the Anti-epidemic Fund, the Department of Justice (DoJ) provided funding support of HK\$15.7 million to subsidise eligible subscribers from local legal and dispute resolution sector to subscribe to the "Hong Kong Legal Cloud", an online facility that is equipped with advanced information security technology to provide safe, secure and affordable data storage services for the local legal and dispute resolution industries with cloud servers hosted locally in Hong Kong.

The relevant services are also provided by eBRAM Centre.

The extensive use of technology in day-to-day practice of the legal and dispute resolution industry has sparked demands for services that are unrestricted by geographical boundaries.

ODR brings numerous benefits to users by saving time and cost.

The DoJ strongly encourages the industry to take active steps to develop, use and promote ODR.

Over the years, eBRAM Centre has tasked itself with elevating Hong Kong's arbitration and mediation services to meet rapidly expanding demand for ODR services across borders by utilising innovative technologies to reinforce our city as a LawTech centre.

I trust that eBRAM will continue to stride ahead, innovate and create with our stakeholders for the betterment of Hong Kong.