

Opening remarks by DSJ at "Resolve2Win - Legal Services of Hong Kong, Opportunities for All" in Bangkok (English only) (with photo)

Following are the opening remarks by the Deputy Secretary for Justice, Mr Cheung Kwok-kwan, at the "Resolve2Win - Legal Services of Hong Kong, Opportunities for All" in Bangkok, Thailand, today (March 16):

Dr Patrick Lau (Deputy Executive Director of Hong Kong Trade Development Council), fellow speakers, honourable guests, ladies and gentlemen,

Introduction

It gives me great pleasure to welcome you all to "Resolve2Win", co-organised by the Department of Justice of Hong Kong (DoJ) and the Hong Kong Trade Development Council (HKTDC), and supported by various key players in the legal and alternative dispute resolution (ADR) field in the Hong Kong Special Administrative Region of the People's Republic of China (HKSAR).

We are really excited to be able to travel and meet our friends all over the world again. Thailand is the very first destination of our Resolve2Win international campaign. I am glad that the top legal and ADR experts of the HKSAR and Thailand have this opportunity to exchange ideas in person and build closer ties with each other.

Co-operation between Hong Kong and Thailand

Being one of Hong Kong people's favourite travel destinations and our close trading partner, Thailand and Hong Kong have had a long-standing relationship. In 2021, Thailand was Hong Kong's fourth largest trading partner among all ASEAN (Association of Southeast Asian Nations) member states, representing 12.8 per cent of Hong Kong's total merchandise trade with ASEAN; and the value of Hong Kong's total trade with Thailand was over 160 billion Hong Kong Dollars, which is equivalent to over 715 billion Thai Baht.

Thailand's legal services

As one of the largest economies in ASEAN, Thailand continuously amazes and

inspires us in many aspects. In respect of legal services, Thailand has a mature ADR culture supported by a devoted Government, a pool of knowledgeable and experienced dispute resolution professionals, and a strong legal infrastructure in line with international standards. This is illustrated by the passing of the Dispute Mediation Act in 2019, the amendments to the Civil Procedure Code in 2020 encouraging the use of mediation, and the launching of an online dispute resolution platform for intellectual property cases in 2021. Through collaborations like this campaign, we hope to foster exchange and create opportunities for legal and ADR services providers and businesses in both Thailand and Hong Kong.

Campaign theme

The theme of the Resolve2Win campaign, "Legal Services of Hong Kong, Opportunities for All", encapsulates the core objective of our campaign, that is, to connect Hong Kong professionals and talents with the world, and thereby creating synergy and achieving win-win for both Hong Kong and our campaign partners. We are very pleased to have the opportunity to share with you and the world the uniqueness of Hong Kong's legal and professional services in which we take pride.

Introducing Hong Kong legal services

First and foremost, we are very fortunate to have the strong backing of the Central People's Government (CPG) in establishing Hong Kong as the centre for international legal and dispute resolution services in the Asia-Pacific region. The HKSAR Government is committed to leveraging on the unique strengths under "one country, two systems" and as the only common law jurisdiction within China to promoting Hong Kong's legal and dispute resolution services on all fronts. Our government departments and bodies including the DoJ, the HKTDC and Invest Hong Kong (including the FamilyOfficeHK) have been leading various initiatives, together with a diverse pool of legal talent and many international legal and ADR organisations, to support all sorts of businesses to flourish in Hong Kong.

Arbitration and mediation

We are happy to see that our work to establish Hong Kong as an international dispute resolution hub is recognised. In the 2021 International Arbitration Survey conducted by Queen Mary University of London, Hong Kong is ranked the third most popular seat for arbitration, chosen by 50 per cent of the survey respondents

worldwide, thanks to, among other things, our pro-arbitration judiciary and up-to-date arbitration legal framework which includes the newly operative Outcome Related Fee Structures for Arbitration regime providing flexible funding options for clients and lawyers.

In May 2022, under the auspices of the Asian-African Legal Consultative Organization (AALCO) and with major support from the CPG, the AALCO Hong Kong Regional Arbitration Centre was officially opened. The establishment of the centre constitutes a significant vote of confidence from the CPG and the AALCO in Hong Kong's rule of law and legal system.

The Pilot Scheme on Facilitation for Persons Participating in Arbitral Proceedings in Hong Kong allows arbitrators and related parties to come to Hong Kong as visitors to participate in arbitral proceedings without the need to apply for an employment visa.

Apart from being a leading international arbitration centre, Hong Kong is also a well-developed mediation centre, with a legal framework conducive to facilitating the conduct of mediation, a pro-mediation judiciary, and a large pool of accredited mediators.

In February 2023, the International Organization for Mediation Preparatory Office was set up in Hong Kong with the staunch support of the CPG. The establishment of the Preparatory Office is a significant international initiative on promoting the use of mediation for resolving international conflicts in an amicable manner. We are very grateful to the participating states for placing their trust in the HKSAR to facilitate dispute resolution by mediation internationally.

Hong Kong's ADR services in GBA

As a gateway to the Greater China, we commit our efforts to developing ADR services for cross-boundary disputes. The DoJ, together with the legal departments of Guangdong and Macao, has set up the Greater Bay Area (GBA) Mediation Platform to promote the wider use of mediation within the region. Since then, a set of unified accreditation standards and code of conduct best practice for mediators, and mediation model rules has been promulgated.

Further, the DoJ established the GBA Task Force in January this year. It

comprises representatives from the legal sector, the academics, the business sector, Hong Kong residents on the Mainland and the DoJ. The GBA Task Force will deepen the mutually beneficial co-operation for the convenience and benefit of the people in the GBA and facilitate the development and construction of the GBA, including the establishment of an online mediation platform for the GBA and to promote the use of lawtech in the region. We believe such initiatives will promote co-ordinated regional developments. Legal and ADR professions of the HKSAR and Thailand can make good use of the unique advantages of Hong Kong to tap into the development opportunities of the GBA and beyond.

Online dispute resolution (ODR)

In an era of fast-evolving technology, in 2018, our home-grown online dispute resolution platform provider, eBRAM Centre, was established, providing an efficient, cost-effective and secure platform for resolving disputes between parties in any part of the world, including commercial and investment disputes involving the Belt and Road countries.

Programme

In today's programme, you will hear from distinguished lawyers and international arbitrators and mediators from Hong Kong. They will introduce Hong Kong's full-fledged legal services and developments in mediation and arbitration. You will also hear from the Chief Executive Officer of eBRAM, who will explain the trends in ODR and Hong Kong's latest lawtech services.

Furthermore, we bring to you "Mediate First" Pledge, an initiative of the DoJ since 2009 and now officially launched here in Thailand. Our friends from Thailand Arbitration Center and Hong Kong Mediation Accreditation Association Limited will address the question "why mediate", and my colleague will explain in depth what the "Mediate First" Pledge initiative is all about.

Last but not least, we cannot wait to welcome all new "Mediate First" pledgees from Thailand. I know that some of you are already here with us right now. We look forward to seeing you all on stage at the signing ceremony later on.

Closing

Today's event is a remarkable milestone. We celebrate old and new friendships, as well as enlightening dialogues. In doing so, I am confident that together we will create opportunities for businesses as well as legal and ADR services providers in both Thailand and the HKSAR.

Before I conclude, I would like to thank you all again for your participation and support. I hope you will enjoy the programme today. Thank you.

Ends/Thursday, March 16, 2023