

Speech by SJ at 5th UNCITRAL Asia Pacific Judicial Summit - Judicial Conference
(English only) (with photo/video)

Following is the welcome remarks by the Secretary for Justice, Mr Paul Lam, SC, at the 5th UNCITRAL Asia Pacific Judicial Summit - Judicial Conference under Hong Kong Legal Week 2023 today (November 6):

Ms Anna Joubin-Bret (Secretary of United Nations Commission on International Trade Law (UNCITRAL), Ms Anna Joubin-Bret), Acting Commissioner Li (Acting Commissioner of the Office of the Commissioner of the Ministry of Foreign Affairs of the People's Republic of China in the Hong Kong Special Administrative Region, Mr Li Yongsheng), Your excellencies, distinguished guests, ladies and gentlemen,

Good morning, and to those watching from overseas, good afternoon, and perhaps good evening. It gives me great pleasure to welcome you all not only to the start of the 5th UNCITRAL Asia Pacific Judicial Summit 2023, but also to the start of the Hong Kong Legal Week 2023.

Legal Week 2023

Hong Kong Legal Week is a significant annual flagship event for Hong Kong. Organised by the Department of Justice with a number of co-organisers, including UNCITRAL today, it serves as a vital platform for exchange on various topical issues in the legal and dispute resolution sector among judges, government officials, academics, legal practitioners and other professionals from Hong Kong and around the world.

The theme for this year's Hong Kong Legal Week is "Onward & Forward: Connecting the World", as we aim to highlight Hong Kong's role in facilitating international co-operation and global connectivity in the post-pandemic world. Under the "one country, two systems" principle, Hong Kong has distinctive advantages of enjoying strong support from China, our motherland, while being closely connected to the world. Having direct access to the huge Mainland market and strong international connectivity at the same time, Hong Kong is determined to serve as a "super connector" and a bridge linking the Mainland and the rest of the world.

I am confident that the events during the Legal Week will serve as a powerful

demonstration of our unwavering commitment in strengthening our unique status as the "super connector" in promoting global connectivity.

Judicial Summit

As we emerge from the impact of the COVID-19 pandemic, it is crucial for us to reflect on the lessons learned and foster global connectivity to move forward together. To strengthen global connectivity, continuous exchanges and knowledge sharing on legal rules governing cross-border commerce and exchanges are of utmost importance.

In today's Judicial Summit, we are delighted to gather here in Hong Kong, a leading international trade centre and a legal and dispute resolution services hub, to discuss current issues in international trade law and dispute resolution under this year's theme, "Post-pandemic resilience, new beginnings, and innovations in international trade law and dispute resolution". The last edition of the Judicial Summit was held in Hong Kong in 2021 when we were still in the midst of the pandemic and participation from overseas was basically confined to online participation. I am therefore pleased to see so many overseas participants in person today at this fifth edition of the Judicial Summit, which is a very good testimony of the fact that Hong Kong is connecting to the world again.

On top of that, the biennial Judicial Summit marks a memorable occasion for our seamless collaboration with UNCITRAL in the past decade. The inaugural Asia-Pacific Judicial Summit first took place in Hong Kong in 2015, and we are proud to be hosting the 5th Judicial Summit today.

I would like to take this opportunity to celebrate the strong and fruitful collaboration between the Department of Justice and UNCITRAL. UNCITRAL, being the core legal body of the United Nations system in the area of international trade law, has been working in commercial law reform worldwide since its establishment in 1966 with a view to harmonising and modernising various international commercial rules.

In recent years, the Department of Justice has been working closely with UNCITRAL on various initiatives. For example, we have co-organised events such as the UNCITRAL Working Group III Inter-Sessional Meeting on the Use of Mediation in Investor-State Dispute Settlement, and worked with UNCITRAL to set up the

Inclusive Global Legal Innovation Platform on ODR (online dispute resolution) to facilitate studies on issues relating to online dispute resolution and to foster development of innovative solutions. These collaborative efforts have allowed us to contribute to the evolution of international trade law and dispute resolution mechanisms.

In addition, we are delighted to see UNCITRAL's strong support for the secondment programme with the Department of Justice, which enables our officers to actively take part in UNCITRAL's work and enhance their knowledge of international legal matters, strengthening Hong Kong's capacity in foreign-related legal affairs. I am glad that a colleague of mine who has been seconded to the UNCITRAL Regional Centre for Asia and the Pacific is also with us today and will be speaking on some UNCITRAL texts at the Judicial Conference this morning.

Indeed, the Judicial Conference today will cover a wide spectrum of UNCITRAL texts, from the recently signed United Nations Convention on the International Effects of Judicial Sales of Ships, also known as the Beijing Convention, UNCITRAL texts on micro, small and medium-sized enterprises, to UNCITRAL's recent work on dispute resolution and on digital economy and trade. These carefully selected topics are of great significance in re-establishing connectivity in the post-pandemic world. They also highlight the concerted efforts made by UNCITRAL and the international community in advancing the development of international trade law to prepare for a more interconnected world.

In addition to today's Judicial Conference, tomorrow, we will also host a closed-door Judicial Roundtable. This exclusive session is specifically designed to better balance and cater to the needs of judges and judicial officers, allowing them to gain knowledge while also sharing their valuable experiences, and the closed-door format is a tradition that has continued since 2017. This year, judge participants from all over the world will engage in roundtable discussions on the UNCITRAL mediation framework as well as sharing experience in the use of technology in dispute resolution and court proceedings.

Other events

In addition to our events co-organised with UNCITRAL, the Legal Week 2023 features also other significant events. Tomorrow, we will host the Legal Forum on Interconnectivity and Development, focusing on our effort to promote global

interconnectivity and high-quality development along the Belt and Road region.

On Wednesday, we will host events under the theme of "New Domains in Mediation and Arbitration" to explore current topics in international commercial arbitration and mediation.

Thursday's programme includes panel discussions and forums exploring the potential of Hong Kong as a gateway to the opportunities in the Guangdong-Hong Kong-Macao Greater Bay Area.

Finally, on Friday, we will hold a series of sessions under the theme "Rule of Law for the Future", featuring panel discussions on various topics, ranging from the legal aspects of the development of the maritime and aviation industry in Hong Kong, rule of law and national security law education, to intriguing topics in art law and intellectual property law, aiming to support Hong Kong's development as an East-meets-West cultural centre and a regional intellectual property trading centre.

Therefore, you will see that the events during the Hong Kong Legal Week 2023 echo the strong support for further development of Hong Kong in eight key areas (eight centres) under the National 14th Five-Year Plan.

Our priority is to reinforce our position as an international financial centre, and promote the development of two emerging industries by enhancing our status as an innovation and technology centre, as well as the East-meets-West centre for international cultural exchange. At the same time, we will continue to play our role as an international trade centre and fully capitalise on our existing status as an international shipping centre and global aviation hub to enhance our functions in the regional and global supply chain. We will also continue to enhance our strengths as the legal and dispute resolution services centre in the Asia-Pacific region and develop Hong Kong into a regional intellectual property trading centre.

As participants will appreciate, the events and the theme of the Hong Kong Legal Week 2023 are highly relevant to the development of the "eight centres" in Hong Kong. I am confident that the Hong Kong Legal Week 2023 will serve as a platform to showcase and explore how individuals, organisations, and communities, based locally in Hong Kong or overseas, can seize these opportunities and move forward together.

Capacity building

Finally, I must pay tribute to UNCITRAL and other partners this week for their significant contribution to capacity building for this region and beyond.

The United Nations 2030 Agenda for Sustainable Development, adopted by all United Nations member states in 2015, serves as a shared blueprint for promoting peace and prosperity for people and the planet, both now and into the future. Target 3 in Goal 16 of the Sustainable Development Goals (SDGs) requires us to: "promote the rule of law at the national and international levels and ensure equal access to justice for all". Furthermore, Goal 17 is to "strengthen the means of implementation and revitalise the Global Partnership for Sustainable Development". This goal recognises capacity building as a crucial part of implementing the SDGs.

Hong Kong is determined to further enhance its status as a regional hub for capacity building. In line with our Chief Executive's Policy Address 2023, we will set up a dedicated office and an expert group within next year to take forward the establishment of the Hong Kong International Legal Talents Training Academy. Leveraging Hong Kong's bilingual common law system and international status, the Academy will regularly organise practical training courses, seminars, and international exchange programmes to promote exchanges among legal professionals, judges and government officials in the Asia-Pacific region as well as around the world. The Academy, when established, will also provide training for talent in the practice of foreign-related legal affairs for the country, and nurture legal talent conversant with international law, common law, civil law, and the country's legal system.

In fact, capacity building initiatives by and among international organisations play a pivotal role in equipping government officials, practitioners and other stakeholders with the necessary legal skills and knowledge to navigate the complex international legal landscape. These initiatives foster collaborative relationships between international organisations and economies, while also nurturing a pool of legal talent and professionals. Such efforts would contribute to improved access to justice within the region and beyond, addressing the growing demand for legal expertise as international trade increases. The Judicial Summit taking place today, jointly organised by UNCITRAL and the Department of Justice, exemplifies Hong Kong's distinctive potential as a regional centre for capacity building.

Moving forward, the Hong Kong International Legal Talents Training Academy will strive to organise more and more capacity building programmes and regular training courses to cater to the growing demands for legal training and exchanges in the region. I encourage all of you to stay updated on our future activities and take full advantage of the excellent training opportunities they provide.

Conclusion

Ladies and gentlemen, I hope that today's discussions will serve as a source of inspiration for us all. Let us seize this opportunity to further engage in exchanges and discussions, as we navigate the post-pandemic world together.

On this note, may I express my sincere appreciation to each and every one of you for joining us, either online and in person. I would like to extend my special thanks to the Asian Development Bank for their generous support in providing online simultaneous interpretation of the event into Tetun, so that judges and other participants from Timor-Leste will be able to actively participate and engage in this event. I would also like to extend a special note of gratitude to UNCITRAL again for their unwavering support. The dedication of my fellow colleagues in the Department and the hard work of our working partners have contributed significantly to bringing us all together here today, making Hong Kong Legal Week 2023 possible. And with that, I officially pronounce the commencement of the Judicial Summit and the Hong Kong Legal Week 2023. Thank you.

Ends/Monday, November 6, 2023