

Speech by Acting SJ at Talk of the Town: Arbitration, Emerging Trends and the Scale of Justice of CIETAC Hong Kong Arbitration Center and Asian International Arbitration Centre (English only) (with photo)

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Following is a speech by the Acting Secretary for Justice, Mr Cheung Kwok-kwan, at the event Talk of the Town: Arbitration, Emerging Trends and the Scale of Justice co-organised by the China International Economic and Trade Arbitration Commission (CIETAC) Hong Kong Arbitration Center and the Asian International Arbitration Centre (AIAC) today (August 9):

Minister Dato' Sri Azalina Othman Said (Minister in the Prime Minister's Department (Law and Institutional Reform), Malaysia), Justice Dato' Mary Lim Thiam Suan (Chairperson, Protem Committee for the AIAC Court of Arbitration, AIAC), Mr Brad Wong (Deputy Secretary General, CIETAC Hong Kong Arbitration Center), distinguished guests, ladies and gentlemen,

A very good morning to all of you. To our friends from Malaysia, a very warm welcome to Hong Kong. Thank you for inviting me to deliver the opening remarks for today's event co-organised by the CIETAC Hong Kong Arbitration Center and the Asian International Arbitration Centre.

Hong Kong and Malaysia have always been close partners. We were each other's ninth largest trading partner in 2023. During our Chief Executive, Mr John Lee's visit to Malaysia last year, 11 MOUs were signed with Malaysian enterprises and organisations in areas including trade, investment, finance, innovation and technology, logistics, academic research, and cultural exchanges. We welcome the extension of the visa-free entry period of 90 days for holders of the HKSAR (Hong Kong Special Administrative Region) passport to Malaysia, strengthening closer ties between the two jurisdictions. Also, with the increase in Belt and Road Scholarship quotas starting in the next academic year, we welcome more students from Malaysia to study in Hong Kong to deepen exchanges amongst young people between the two jurisdictions.

The theme of today's event is "Talk of the Town: Arbitration, Emerging Trends and the Scale of Justice". In the development of arbitration services, Hong Kong does not shy away from being the "Talk of the Town". In fact, since 2015, Hong Kong has ranked

among the top five preferred seats for arbitration globally, and was among the top three in the latest international arbitration survey conducted by Queen Mary University, London. In May this year, Hong Kong hosted the world's largest international arbitration congress, with a record-breaking attendance of over 1 400 professionals from over 70 jurisdictions.

With increasing connectivity and developments in various areas, we anticipate growing demand for quality legal and dispute resolution services for entities. Under the "one country, two systems", Hong Kong is the only common law jurisdiction within China. Being a bridge between the East and West, our legal and dispute resolution practitioners have a wide range of expertise. A vast majority of our legal talents are bilingual, trilingual, or even multilingual, and many are qualified in multiple jurisdictions. With over 14 000 solicitors and barristers and over 1 400 registered foreign lawyers in Hong Kong, we are well placed to provide unparalleled one-stop professional legal services of a wide spectrum of matters in different industries, ensuring that parties to arbitration can find suitable representation or arbitrators in proceedings.

The Hong Kong Arbitration Ordinance is based on the UNCITRAL (United Nations Commission on International Trade Law) Model Law on International Commercial Arbitration, and arbitral awards made in Hong Kong can be enforced in over 170 contracting parties under the New York Convention.

Hong Kong has entered into various mutual legal assistance arrangements with the Mainland authorities on mutual enforcement of arbitral awards as well as in interim measures agreements, which allow parties to arbitral proceedings seated in Hong Kong and administered by qualified institutions to apply to relevant Mainland courts for interim measures for preservation of property, evidence and conduct.

The independent exercise of judicial power by the Hong Kong courts is an essential cornerstone to the rule of law. Our judiciary has long been adopting a pro-arbitration stance which is well documented in court judgements, essential for a healthy development of arbitration practice in Hong Kong.

On this note, I wish you all fruitful and insightful discussions this morning, and to our friends from Malaysia, a most enjoyable stay in Hong Kong. Thank you.

Ends/Friday, August 9, 2024

