

Speech by SJ at opening ceremony of 22nd Willem C Vis East International Commercial Arbitration Moot (English only) (with photo)

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Following is the speech by the Secretary for Justice, Mr Paul Lam, SC, at the opening ceremony of 22nd Willem C Vis East International Commercial Arbitration Moot today (March 30):

Ms Barrington (Director of the Vis East Moot Foundation, Ms Louise Barrington), Ms Tung (Director and the Chief Executive Officer of the Vis East Moot Foundation, Ms Sherlin Tung), distinguished guests, ladies and gentlemen,

Good evening. On behalf of the Department of Justice of Hong Kong (DoJ), it is my great pleasure to welcome you all to the 22nd Willem C. Vis (East) International Commercial Arbitration Moot (Moot). For those coming from other jurisdictions, a very big and warm welcome to Hong Kong. I would like to start by thanking the Vis East Moot Foundation for holding the Moot in Hong Kong again this year.

I am very delighted to learn that over 1 500 students and coaches from 154 university teams around the world will participate this year. I also wish to extend another very warm welcome to over 400 arbitrators for joining us. This Moot is more than just a competition. It is a platform for gaining knowledge in international arbitration and trade law, while honing the legal and advocacy skills of our young legal talents.

I understand that the Moot will focus on the use of international commercial arbitration to resolve international commercial disputes, and involves the harmonised legal texts of UNCITRAL (United Nations Commission on International Trade Law) including the CISG (United Nations Convention on Contracts for the International Sale of Goods) and the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards, both of which apply to Hong Kong. This demonstrates Hong Kong's commitment to adopting established international commercial law and practices.

Hong Kong is a leading international financial, commercial and trading centre well known for its strong rule of law, independent judiciary, and well-established legal framework. Under the important principle of "one country, two systems", Hong Kong is the only common law jurisdiction within China. Our unique legal system is bilingual in both Chinese and English, which enable people and friends from around the world to navigate with ease. And it provides very strong legal protection to cross-border business transactions and investments, which helps to establish Hong Kong as a deal-making, legal, and dispute resolution services hub.

Hong Kong is and has always been one of the most preferred seats of arbitration in the world. Arbitral awards made in Hong Kong are generally recognised and enforced by the local courts, the Mainland courts and in over 170 Contracting Parties to the New York Convention. In addition, Hong Kong is the first and only common law jurisdiction outside the Mainland where, as a seat of arbitration, parties to arbitral proceedings

administered by designated arbitral institutions would be able to apply to the Mainland courts for preservation measures. An award creditor of a Hong Kong arbitral award may also make simultaneous enforcement applications to both the Mainland and Hong Kong courts.

To further facilitate the conduct of arbitrations in Hong Kong, starting from March 1, 2025, the Hong Kong Government has regularised the Pilot Scheme on Facilitation for Persons Participating in Arbitral Proceedings, now known as the Immigration Facilitation Scheme for Persons Participating in Arbitral Proceedings in Hong Kong. This initiative enables eligible visitors to participate in arbitration in Hong Kong without requiring any employment visa. Hong Kong launched the Scheme back in 2020 on a short-term basis. The arbitration community has been supportive of the Scheme since its launch, finding it conducive to maintaining Hong Kong's competitiveness as an international legal and dispute resolution services centre. The streamlined process under the Scheme covers arbitrators, experts and factual witnesses, parties to the arbitration, parties' representatives, and other persons directly related to or involved in the arbitration such as tribunal secretaries, tribunal-appointed experts. The DoJ will issue a Guidance Note on the Scheme to the relevant arbitral and dispute resolution institutions soon. I really look forward to seeing many of you coming to Hong Kong to participate in international arbitration in future.

To conclude, I wish each and everyone of you a rewarding moot experience and a very fruitful stay in Hong Kong. Please do seize this opportunity not only to showcase your advocacy skills but also to forge connections and explore the vast possibilities and opportunities Hong Kong offers, including our fascinating food and drinks and entertainment. Let us look forward to another successful year of the Moot! Thank you very much!

Ends/Sunday, March 30, 2025