

Speech by SJ at Capital of Mediation event (English only) (with photo/video)

Following are the welcome remarks by the Secretary for Justice, Mr Paul Lam, SC, at the Capital of Mediation event under Hong Kong Legal Week 2025 today (December 3):

Distinguished guests, ladies and gentlemen,

Thank you for joining us today to discuss Hong Kong's unique and visionary status as the Capital of Mediation.

Hong Kong as the Capital of Mediation is not merely an aspirational slogan but a status built upon a foundation of strong national backing and a distinct identity: rooted in history, reinforced in practice, and recognised in policy. The 14th Five-Year Plan expressly supports Hong Kong's development as a centre for international legal and dispute resolution services in the Asia-Pacific region. This national endorsement provides the momentum for us to leverage our unique position and project our robust rule of law globally.

Hong Kong's development in mediation began with the Civil Justice Reform initiated in the early 2000s and the pioneering work of the Working Group on Mediation headed by the then Secretary for Justice. These early efforts marked a decisive cultural shift in our legal landscape - from litigation being viewed as the default mechanism for dispute resolution towards embracing mediation as a primary, preferred approach that serves the interests of all parties involved. Today, Hong Kong has built an exceptionally mature mediation culture, anchored by comprehensive legal infrastructure. Effective since January 2013, the Mediation Ordinance provides a robust regulatory framework for mediation, ensuring that it remains a process characterised by confidentiality, flexibility, and reliability. Complementing this is the innovative Apology Ordinance, introduced in 2017, which facilitates reconciliation by allowing expressions of apology without admitting liability. These developments have been powered by concerted efforts across the Department of Justice, the Judiciary, and other key institutions to make amicable settlement the preferred path to justice.

The Hong Kong Judiciary also plays a vital role in promoting mediation as a key dispute resolution tool. Through initiatives like Practice Direction 31 and the

establishment of Integrated Mediation Offices, our Judiciary encourages parties to resolve conflicts efficiently and amicably. This supportive stance reflects Hong Kong's commitment to fostering a culture of settlement, reducing litigation costs, and enhancing access to justice.

With a solid and longstanding foundation in mediation, amplified by strong national support, Hong Kong excels as an international mediation hub and as a "super-connector" between the Chinese Mainland and the international community. We serve as a neutral bridge between common law and civil law systems, not in theory but in practice. Under the Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA), for example, we have established a specialised mediation mechanism for cross-boundary investment disputes, giving Hong Kong investors and Mainland enterprises an efficient and culturally attuned channel to resolve differences and facilitating integration and building commercial trust along the way.

To ensure this ecosystem thrives from the ground up, the Department of Justice vigorously promotes a "mediate first" culture. Key initiatives include the "Mediate First" Pledge campaign, which encourages businesses to explore to adopt mediation as a first resort in resolving disputes; the bi-annual Mediation Week, which raises public awareness in sector-specific use of mediation; and a government-wide policy requiring mediation clauses to be incorporated in government contracts. Together with a strong and growing pool of over 2 300 accredited mediators, these efforts are building a dynamic, self-reinforcing mediation culture.

And we carry this story to the world. Through targeted delegations and duty visits across Southeast Asia, Europe, and the Middle East, we are not just promoting our services; we are sharing successes, forging new partnerships, and issuing a compelling invitation to the world to collaborate with us in advancing the future of dispute resolution. This is a commitment to building a global community grounded in harmony and constructive problem-solving, the exact principles that Hong Kong is uniquely positioned to model and lead as the Capital of Mediation.

In addition to the above initiatives and developments, what has set Hong Kong apart from any other mediation centres in the world and made it the Capital of Mediation is by hosting the International Organization for Mediation (IOMed) headquartered right here. The IOMed is the world's first intergovernmental legal organisation exclusively dedicated

to mediation as a means for the peaceful resolution of international disputes - filling an important institutional gap that previously existed in global mediation.

Since the signing ceremony of the IOMed Convention held in Hong Kong on May 30 this year attended by around 400 representatives from 85 countries across Asia, Africa, Latin America, and Europe including officials at the ministerial level from over 30 signatories, as well as high officials from around 20 international organisations, the Convention has already come into effect in August with the IOMed commencing actual operations on October 20 this year. Within just five months, the IOMed achieved the milestones of signing, coming into effect, and beginning operations - an exceptionally rapid pace in the history of international organisation establishment. This fully demonstrates that the establishment of the IOMed is in line with the trend of the times and has received widespread support and positive responses from the international community.

The IOMed will mediate disputes between states or between a state and foreign investors, and international commercial disputes based on the will of relevant parties. Its establishment signals a new era for mediation. It institutionalises mediation at the international level, providing a treaty-based framework that enables states and private parties to engage in bespoke, voluntary mediation processes with the assurance that the outcomes are respected.

As Foreign Minister Wang Yi aptly remarked at the IOMed signing ceremony, Hong Kong was chosen and trusted by the international community to host the IOMed for our unparalleled strengths in international mediation, our affinity to the motherland and connection to the world, our enabling business environment, and highly developed legal system.

The value of mediation and the role of Hong Kong will be further highlighted during the discussion to follow. Today's discussion will start with the keynote address by Mr Alberto Ninio, the General Counsel of the Asian Infrastructure Investment Bank, who will tell us how multilateral development banks and international organisations could engage with mediation. The first session will then examine mediation's rising significance in international disputes, both between states and among private entities, and how tailored frameworks could facilitate the process, as illustrated by the IOMed Mediation Rules. The second session will turn the spotlight to our city's own initiatives,

including government efforts to deepen mediation culture and diverse community mediation applications.

As we embark on today's discussions, let us remember the spirit that underpins the Capital of Mediation - a spirit of collaboration, respect, and relentless pursuit of peaceful solutions that benefit all.

Thank you.

Ends/Wednesday, December 3, 2025