

Speech by SJ at opening ceremony of 23rd 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 23rd Willem C Vis East International Commercial Arbitration Moot today (March 15):

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,

A very good evening. On behalf of the Department of Justice (DoJ) of Hong Kong, it is my great pleasure to welcome you all to the 23rd Willem C. Vis East International Commercial Arbitration Moot (Moot). Let me begin by expressing my sincere thanks to the Vis East Moot Foundation for once again bringing this prestigious and vibrant event to Hong Kong.

This year, the Moot has reached exciting new heights, bringing altogether over 1 300 students and coaches from 161 university teams from 37 jurisdictions worldwide, alongside more than 500 professionals. It is unfortunate that around 10 teams are unable to come here, and some arbitrators are also unable to be here because of what is happening in the Middle East. This is perhaps a very timely reminder of the importance of resolving international disputes of whatever nature by peaceful means, including arbitration. In any event, the remarkable figures that I have just mentioned reflect the growing influence of the Moot as a global platform for nurturing young legal talent and fostering the next generation of arbitration leaders.

The Moot is far more than a competition. It is a meaningful platform for learning, exchange and collaboration. Each year, the Moot problem is designed around a different set of arbitral rules, which govern the procedural aspects of the arbitration. Navigating through these diverse rules not only enhances the students' ability to tackle the procedural complexities of international arbitration but also enriches the understanding of different institutional practices, paving way for the students to become highly adaptable practitioners in a globalised legal landscape.

The Moot problem this year concerns a fictitious and somewhat "fragrant" dispute arising from an agreement to sell orchids for producing vanilla, yet the purchaser cannot obtain the import licence given prohibition under international trade convention. The seller terminates the agreement, sells the orchids at a lower price and claims damages for the price difference. The Moot engages the SIAC (Singapore International Arbitration Centre) Arbitration Rules, with procedural issues such as disclosure of third-party funding, and substantive questions on force majeure clause and damages under the CISG (United Nations Convention on Contracts for the International Sale of Goods). I am sure that participating teams will find this Moot problem intellectually challenging.

The Moot also provides a practical setting for students to engage with the harmonised legal texts of UNCITRAL (United Nations Commission on International Trade Law), including the CISG and the New York Convention, both of which apply to Hong Kong. These instruments embody our shared commitment to international commercial law and dispute resolution, and they highlight Hong Kong's role as a jurisdiction that proudly embraces established global standards.

As participants of the Moot are looking ahead to your future careers, I want to impress upon you that Hong Kong continues to stand out as a leading international financial and trading centre, underpinned by our strong rule of law, independent judiciary, and bilingual common law system. Under the principle of "one country, two systems", Hong Kong remains to be the only common law jurisdiction within China. This unique position allows us to serve as a trusted hub for cross-border transactions and dispute resolution, offering robust legal protections to businesses and investors alike.

Because of these foundational strengths, Hong Kong is consistently ranked among the most preferred seats of arbitration globally. This enduring appeal is powerfully validated by the HKIAC's (Hong Kong International Arbitration Centre) 2025 statistics, which recorded HK\$126.2 billion in disputes which parties attempted to resolve by arbitration, drawing parties from 61 different jurisdictions. With over 84 per cent of these arbitrations being international in nature and an overwhelming 96.6 per cent seated right here in Hong Kong, the global business community continues to demonstrate unwavering support and trust in our robust legal infrastructure. Arbitral awards rendered in Hong Kong are recognised and enforceable not only in our local courts but also in the Chinese Mainland and in over 170 jurisdictions which are parties to the New York Convention. Hong Kong is also the first and the only common law jurisdiction outside the Chinese Mainland where parties to arbitral proceedings administered by designated institutions can apply directly to Mainland courts for interim measures. This arrangement provides unparalleled protection and efficiency for parties engaged in arbitration here, making it an ideal environment for top-tier legal practice.

Venturing into emerging domains, we launched the Pilot Scheme on Sports Dispute Resolution last December, with a view to extending the use of mediation and arbitration into the sports sector. The scheme aims to provide the sports sector with a fair, efficient and convenient mechanism for resolving sports disputes, and began accepting case applications from February 13 this year. If the disputes are not resolved after parties' first attempt through the mediation, they may refer the dispute to arbitration under the scheme. The DoJ will continue to collaborate with the legal and sports sectors to organise promotional and training activities to further enhance public awareness of sports dispute resolution. We also encourage professionals from different fields to actively participate in and make further contributions to the development of sports industry and dispute resolution services in Hong Kong. These initiatives reflect our commitment to developing innovative mechanisms tailored to emerging areas of dispute resolution.

In October 2025, we established a Working Group on Arbitration Law Reform to advise on the legislative framework for arbitration in Hong Kong, including reviewing

and making recommendations to amend our Arbitration Ordinance. This important exercise will ensure that our arbitration regime remains modern, robust, and aligned with international best practices, further consolidating Hong Kong's position as a leading international arbitration centre that is ready for the future.

As the participants embark on this year's Moot, I encourage all of you to seize the opportunity not only to showcase your advocacy skills but also to explore the rich professional and cultural experiences Hong Kong offers. Beyond the intensity of the competition, I hope you will take the time to discover and enjoy our city's dynamic energy, vibrant traditions and diverse cuisine, perhaps starting from what the Vis East Moot Foundation has arranged here at the cocktail reception later tonight.

I wish all participants of the Moot a rewarding and fruitful mooting journey. May all of you gain invaluable insights for your professional growth, forge lasting connections with peers and mentors around the world, and along the way, create lots of great memories in Hong Kong. Let us look forward to another successful year of the Moot! Thank you.

Ends/Sunday, March 15, 2026