

**For discussion on
4 January 2021**

**Legislative Council Panel on
Administration of Justice and Legal Services
2020 Policy Initiatives of the Department of Justice**

Introduction

This paper sets out the 2020 policy initiatives of the Department of Justice (“DoJ”)¹.

Vision of “Rule of Law and Justice for All”

2. The rule of law is a core value of our community. It is also the cornerstone of Hong Kong’s success as a leading international financial centre. The Constitution is the root of the Basic Law and “One country, Two systems”. Under the principle of “One country, Two systems” which is enshrined in the Basic Law, Hong Kong enjoys independent judicial power and the power of final adjudication as a common law jurisdiction within China. In the face of the recent social unrest in Hong Kong, the National People’s Congress (“NPC”) has taken steps at the national level to put in place the legal system and enforcement mechanisms for Hong Kong to safeguard national security. The enactment of the Law of the People’s Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region, which offers Hong Kong a way out of its predicament and steers it back on the right track, signifies the successful implementation of “One country, Two systems”.

3. This year marks the 30th anniversary of the promulgation of the Basic Law. The Hong Kong Special Administrative Region (“HKSAR”) Government will continue to implement the “One country, Two systems” principle resolutely in accordance with the Constitution and the Basic Law. It will also strive to safeguard Hong Kong’s core values of the rule of law and judicial independence. DoJ seeks to implement the vision of “Rule of Law and Justice for All” through effective, efficient and equitable administration of justice and strategic legal policy, thereby advancing the rule of law and access to justice to achieve inclusive and sustainable development.

¹ DoJ will continue to implement relevant Policy Address initiatives and other ongoing initiatives. The latest progress of the work involved is set out at [Annex I](#).

4. The spirit of “inclusiveness” transcends boundary, colour, age, sector, gender and language. In other words, DoJ is tasked with the objective of facilitating access to justice and providing equal opportunities for people from all walks of life and for all sectors without boundary, advancing the United Nations 2030 Sustainable Development Goals in this region and beyond, focusing on the promotion of peaceful and inclusive societies for sustainable development, and the provision of access to the rule of law and justice for all. Premised on the spirit of “inclusiveness”, the Inclusive Dispute Avoidance and Resolution Office (“IDAR Office”) was established in January 2019 to provide support to the Secretary for Justice (“SJ”) in planning and taking forward initiatives with a view to consolidating Hong Kong’s role as an ideal hub for deal making and a leading centre for international legal and dispute resolution services in the region and beyond, facilitating access to justice, and promoting the long term development of the rule of law and inclusiveness. To optimise the implementation of the Basic Law and “One country, Two systems”, and to promote the sustainable development of a fair and inclusive society both locally and internationally, DoJ will continue to step up its efforts to educate the public, in particular young people, on the proper concept of the rule of law. In addition, DoJ will continue to promote the Hong Kong’s distinctive advantage of “One country, Two systems” while actively consolidating Hong Kong’s status as an international legal and dispute resolution services centre in the region, harness the opportunities offered by the Belt and Road (“B&R”) Initiative and the development of the Greater Bay Area (“GBA”), and to enhance the standing of Hong Kong’s international legal services through closer collaboration with various international and governmental organisations and institutions.

I. Major policy initiatives

(A) Vision 2030 for Rule of Law

5. In 2019, DoJ announced the launch of the 10-year initiative, i.e., “Vision 2030 for Rule of Law” (“Vision 2030”). This visionary initiative, supported by the Chief Executive, aims to build and maintain a fair and rule-based society underpinned by the rule of law through collaboration with stakeholders towards sustainable development for all. Vision 2030 was officially launched during the Hong Kong Legal Week 2020 held in November this year.

6. The concept of Vision 2030 was inspired by the United Nations 2030 Agenda for Sustainable Development (“the Agenda”), a blueprint to achieve a better and more

sustainable future for all. The Agenda and its 17 goals were adopted by all Members of the United Nations (“UN”) in 2015 to address global challenges, including poverty, inequality, climate change, environmental degradation, peace and justice, etc. The 17 goals are interconnected, with the rule of law being a pillar for their successful implementation. Vision 2030 aligns with the Goal 16 of the Agenda which aims to “promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.”

7. The launch of DoJ’s 10-year Vision 2030 initiative this year is particularly meaningful as it coincides with the UN’s calls for a “Decade of Action” to achieve the goals by 2030 or earlier. In addition, in a speech delivered by President Xi Jinping at the High-Level Meeting to commemorate the 75th Anniversary of the UN held on 21 September this year, he raised four recommendations for the work of the UN, namely, stand firm for justice, uphold the rule of law, promote cooperation and focus on real action. The essence of these four recommendations coincides with the origins of Vision 2030 to respect the rule of law, to uphold the rule of law, to collaborate and to focus on development to advance the rule of law for sustainable development.

8. Since the preparation for the launch of Vision 2030 last year, DoJ has set up a Task Force on Vision 2030 for Rule of Law (“Task Force”) with a membership of local and international renowned experts to advise the Government on its proposal to achieving the intended policy objectives. The membership list of the Task Force and the 10-year framework of Vision 2030 is at **Annex II**. The Task Force held its first online meeting on 12 June this year and the second online meeting has already been held on 27 November to provide further guidance on the initiative.

9. To help the general public, youth and professionals strengthen their understanding and practice of the rule of law for the promotion of sustainable development, DoJ organises and participates in various seminars on the rule of law, including the international seminar on Chinese rule of law organised by the China Law Society on 13 November 2020, during which SJ spoke about B&R international commercial dispute avoidance and resolution. In addition, to foster exchanges between the judicial and legal professionals in Hong Kong and the Mainland, share experience of the successful implementation of the Basic Law in Hong Kong since its return to the Motherland, and strengthen the community’s understanding of “One Country, Two Systems” and the relationship between the Constitution and the Basic Law, DoJ hosted in hybrid mode for the first time the Basic Law 30th Anniversary Legal Summit with the theme of “Back to Basics” on 17 November, during which a number

of renowned local and Mainland legal professionals, Basic Law experts and academics shared their insights and experience on “One country, Two systems”, the Constitution and the Basic Law. The summit attracted about one million viewers via online and TV channels.

10. Meanwhile, DoJ has launched various public education and promotional activities, for example, to promote the rule of law to the general public through “Studio DoJ”, to organise rule of law education projects for youth in this academic year, and to compile legal publications for professionals. It is hoped that by engaging, enriching and empowering the general public, youth and legal professionals respectively through various activities, it could strengthen their understanding of the rule of law and its practice for sustainable development. Furthermore, DoJ has started preparation on setting up of a rule of law database in Hong Kong with objective data and relevant information.

11. DoJ will continue its efforts to implement the 10-year Vision 2030 initiative through collaboration with various stakeholders, by organising more focused public education activities for various stakeholders of the community, aiming at, among other things, educating youth on the proper understanding of the rule of law, advancing the rule of law and conducting research and collating relevant rule of law data, with a view to building and maintaining a fair and rule-based society for Hong Kong’s prosperity, stability and sustainable development.

(B) Hong Kong Legal Week

12. The Hong Kong Legal Week is held annually by DoJ on the first week of November to promote Hong Kong’s legal and dispute resolution services. It showcases to the international community our strengths in the provision of legal, deal-making and dispute resolution services, and our work in the promotion of and education on the rule of law, enabling the international community to see that we actively and willingly seek continuous exchange and cooperation with other jurisdictions. One of the events in the Hong Kong Legal Week 2019 was the Inaugural Hong Kong Mediation Lecture, in which we invited Professor Jack J. Coe of Pepperdine Law School as a speaker. This inaugural Lecture, together with the 3rd United Nations Commission on International Trade Law (“UNCITRAL”) Asia Pacific Judicial Summit and the 32nd LAWASIA Annual Conference, were the prominent events of the 2019 Hong Kong Legal Week. The 2nd Hong Kong Mediation Lecture held on 4 November this year,

which was delivered by Mr Mark Appel, a seasoned independent international mediator and arbitrator, was one of the highlights of the Hong Kong Legal Week 2020.

13. Since the launch of the first Hong Kong Legal Week in November last year, this event is scheduled to be held annually in the first week of November for sustainable promotion of Hong Kong's legal and dispute resolution services. Despite the many challenges brought by the COVID-19 epidemic, our determination to maintain normal operations has not wavered. Against this background, the Hong Kong Legal Week 2020 was held virtually from 2 to 6 November this year, during which renowned experts and scholars from home and abroad were invited to discuss, among others, legal, mediation and arbitration issues, with a view to enhancing local and international awareness of related issues with a series of flagship events. The opening ceremony for the Hong Kong Legal Week 2020 also marked the official opening of the Hong Kong Legal Hub (please refer to paragraphs 54 to 55 for details about the Hong Kong Legal Hub).

14. Hong Kong Legal Week 2020 comprises various events, including the Inaugural Rule of Law Congress with the theme "Towards 2030: A Decade of Action for Rule of Law", the 14th Annual Generations in Arbitration Conference, the Mediation Conference 2020, the 2nd Hong Kong Mediation Lecture mentioned above, and the Sports Dispute Resolution Conference. The theme of the Mediation Conference 2020 is "Mediate First – More Than You Can Imagine". Renowned international and local speakers gathered together to discuss topical issues on mediation, including the UN Mediation Convention, the use of online dispute resolution ("ODR") and mediation advocacy. Representatives from the Court of Arbitration for Sport have also been invited to speak at the Sports Dispute Resolution Conference.

(C) LawTech

15. As a knowledge-based economy, Hong Kong has gradually developed into an innovation hub in the region in terms of technology and its applications. In recent years, Hong Kong's innovation, information and communication technology industries have developed rapidly with a diversity of advanced technological facilities and innovative technology professionals. It is noted that in recent years, government bureaux and departments, public organisations and different industries have been actively leveraging Hong Kong's advantages in innovation and technology while strengthening the application of technology in their respective fields to enhance management effectiveness, improve service quality and business environment, and

strengthening Hong Kong's sustainable development, efficiency and security. In the circumstances, the development and application of technology in legal services certainly cannot be ignored. In fact, the Government always attaches great importance to LawTech in line with the global trend in using technologies to provide legal services. In the face of the COVID-19 epidemic, there is a pressing need for Hong Kong to enhance its capability in LawTech to provide legal services to clients from around the world amidst social-distancing measures and to keep up with the development of remote hearings by the Judiciary.

(1) Online Dispute Resolution and Deal Making Platform

16. In the 2018 Policy Address, the Government gave policy support to the development of an online platform for arbitration and mediation by a non-governmental organisation to facilitate the provision of efficient and cost-effective ODR services in Hong Kong. The Government also allocated funding for the development of this project.

17. In fact, the development of an ODR and deal making platform is not novel. With more extensive application of technology in business transactions and the rapid development of e-commerce, there has been increasing demand for reliable and efficient online alternative dispute resolution (“ADR”) and deal making services over the recent years. Domestic courts are constrained from settling cross-border disputes as they are too tied to geography, jurisdiction and in-person enforcement. Other factors, including high legal and travel costs as well as cultural and language barriers, also hinder parties' access to justice through local courts. The ODR and deal making platform will facilitate the provision of one-stop cross-border dispute resolution services to enterprises worldwide including those in the B&R region and the GBA, thus redefining the ideas of deal making, negotiation, mediation, arbitration and e-commerce trading in the new innovation era.

18. We note that various international and regional organisations are taking active steps to promote and use ODR to provide a reliable and efficient platform for ADR. In 2016, the UN General Assembly has recognised that ODR (as provided in the UNCITRAL ODR Technical Notes) “can assist the parties in resolving disputes in a simple, fast, flexible, and secure manner, without the need for physical presence at a meeting or hearing.” Besides, by drawing reference from the UNCITRAL ODR Technical Notes, the Asia-Pacific Economic Cooperation (“APEC”) developed an APEC Collaborative Framework on ODR of Cross-Border Business to Business

Disputes (“APEC ODR Framework”) and model procedural rules in 2019, with micro, small and medium-sized enterprises (“MSMEs”) as the major beneficiary. The APEC ODR Framework promotes the use of ODR by global enterprises (MSMEs in particular) to resolve low-value cross-border disputes. Hong Kong is one of the first few economies which have opted into the APEC ODR Framework.

19. Furthermore, the presence of reputable dispute resolution bodies, comprehensive and high-quality arbitration facilities, an extensive pool of highly reputable multilingual talent and the capitalistic free-market system have for long provided Hong Kong with a solid foundation to develop as an international legal and dispute resolution services centre.

20. In light of the aforesaid global trend, the rising demand for services, Hong Kong’s own strengths in innovation and technology and the policy support from the Central Government and the HKSAR Government, Hong Kong must seize the golden opportunity to promptly develop an efficient, cost-effective and secure online platform which would enable parties in any parts of the world to enter into deals and resolve disputes online, including commercial and investment disputes involving B&R region and within the GBA.

21. On 27 February 2019, the Financial Secretary announced in the 2019-20 Budget that \$150 million would be earmarked for the development and initial operation of an ODR and deal making platform. On 25 March 2019, the Legislative Council Panel on Administration of Justice and Legal Services (“AJLS Panel”) expressed support for the 2019-20 Budget’s provision of one-off funding of \$150 million to the eBRAM International Online Dispute Resolution Centre Limited (“eBRAM Centre”)² for the development of an ODR and deal making platform which was intended to integrate state-of-the-art technologies (including Neural Machine Learning on Translation, Artificial Intelligence, Internet of Things, Blockchain and Smart Contract). Following the onset of the COVID-19 pandemic, in anticipation of an upsurge of

² The eBRAM Centre, a non-profit making organisation incorporated in 2018 under Hong Kong law, is the only ODR service provider in Hong Kong of wide representation (with representatives from the Hong Kong Bar Association, Law Society of Hong Kong, Asian Academy of International Law serving on the Board) with support from the Logistics and Supply Chain MultiTech R&D Centre (“LSCM”). Members of the Board include government representatives from DoJ, the Commerce and Economic Development Bureau, the Innovation and Technology Bureau, etc., who give advice from different policy perspectives. With the support of the Innovation and Technology Fund, a sum of about \$11 million was provided to LSCM in 2018 for the eBRAM technical platform development project in order to create a Proof-of-Concept prototype of an internet-based electronic arbitration and mediation platform. The eBRAM Centre has demonstrated a strong commitment to implementing an ODR platform. It is also the only service provider from Hong Kong participating in the APEC workshops and meetings on ODR services.

disputes arising from the pandemic, the Government announced the COVID-19 ODR Scheme in April 2020, with a view to providing a speedy and cost-effective means, by deploying ODR, to resolve global and local COVID-19 related disputes. Funding support of \$50 million under the Anti-epidemic Fund (“AEF”) had been allocated for the development, initial set up and first-year operation of an ODR platform under the COVID-19 ODR Scheme (as elaborated in paragraphs 22 to 24). On 23 November 2020, the AJLS Panel expressed support for the provision of one-off funding of \$100 million to the eBRAM Centre for the development, enhancement and initial operation of its ODR and deal making platform.

(2) Measures under Anti-epidemic Fund 2.0

(a) COVID-19 ODR Scheme

22. Since early this year, the COVID-19 pandemic has caused an unprecedented impact on the local and global economy, severely affecting the normal operation of businesses (especially MSMEs). In anticipation of an upsurge of disputes arising from or relating to the COVID-19 pandemic, the Government announced in April this year the provision of \$70 million under the second round of AEF for the establishment of the COVID-19 ODR Scheme and commissioned the eBRAM Centre to provide services. In May 2020, DoJ signed a memorandum of understanding (“MoU”) with the eBRAM Centre in relation to its operation and utilisation of any funding received. The eBRAM Centre launched the COVID-19 ODR Scheme on 29 June this year, providing a speedy, reliable and cost-effective means for MSMEs impacted by the pandemic to resolve low-value disputes relating to the COVID-19 pandemic.

23. Under the COVID-19 ODR Scheme, a dispute can be submitted to the online platform for resolution if it involves one party from Hong Kong (a resident of Hong Kong or a company registered in Hong Kong), is COVID-19 related and the amount in dispute is not more than HK\$500,000. The platform has its own video conferencing technology developed specifically for ODR which enables parties to sign an “electronic ODR agreement” and conduct negotiation and mediation meetings as well as arbitration hearings online in a secure and effective environment. All data submitted to the platform will be stored in a private cloud hosted in Hong Kong.

24. It is worth mentioning that the COVID-19 ODR Scheme is in line with the APEC ODR Framework, which is useful for businesses to resolve their disputes online through negotiation, mediation and arbitration in a speedy and cost-effective manner.

We hope that the COVID-19 ODR Scheme can help those in need to resolve their disputes through a reliable, secure and user-friendly online platform, showcasing to economies in the Asia-Pacific region at the same time the LawTech capability of Hong Kong and our talented pool of professionals.

(b) LawTech Fund – enhancing information technology and training

(i) Support for system upgrade and staff training

25. In light of the speedy technological development, we have always been fully aware of the enormous challenges posed by the limitations of traditional techniques and working modes to the provision of professional legal services. It is a prominent global trend to use technology to provide legal services. Given Hong Kong’s position as an international legal and dispute resolutions services centre in the region, our legal sector should promptly explore the wider use of LawTech to provide efficient, user-friendly and cost-effective professional legal services while facilitating access to professional legal services by MSMEs to advance equal access to justice for all.

26. The onset of COVID-19 highlighted the imminent need for wider use of LawTech for the legal sector and brought about an opportunity for the sector to transform itself. To assist the local legal sector in coping with the challenges, the Government has set up the “LawTech Fund” under the second round of AEF to assist small and medium-sized law firms and barristers’ chambers in procuring and upgrading information technology systems and arranging their staff to attend LawTech training. Over 500 applications were received from over 70% of target firms and chambers. An amount of up to \$50,000 was granted to each eligible applicant.

(ii) Exploring the development of Hong Kong Legal Cloud

27. The popularisation of LawTech is a long-term policy direction. To facilitate overall transformation of the legal sector in using information technology to provide legal and dispute resolution services and to keep pace with the global development in LawTech, it is necessary for Hong Kong to equip itself with the relevant infrastructure and supporting facilities while encouraging the legal industry to keep up with the development and adapt to changes in their mode of operation.

28. To promote the sustainable development of LawTech in Hong Kong, DoJ will actively look into developing “Hong Kong Legal Cloud”, an online facility

equipped with advanced information security technology to provide safe, secure and affordable data storage services for the local legal and dispute resolution industries, which will be conducive to promoting the long-term development of Hong Kong's overall legal and dispute resolution services. The proposed initiative is also welcomed by the legal and dispute resolution sectors.

29. The COVID-19 ODR platform and the LawTech Fund have laid the foundation for the development of LawTech in Hong Kong. However, the development of LawTech requires cooperation from the legal industry and relevant supporting measures. In view of this, DoJ will continue to communicate closely with the industry to understand their needs and join our efforts in studying and exploring ways to develop the most appropriate LawTech measures. At the same time, DoJ will encourage and support the legal profession through different channels to strengthen their relevant LawTech capabilities as we move towards popularising LawTech in the long run, promoting equal access to justice and achieving the goal of "Justice for All".

(3) Establishment of the DoJ Project Office for Collaboration with UNCITRAL

30. On 4 November 2019, DoJ signed an MoU with UNCITRAL to enhance exchanges and cooperation in respect of international trade law and dispute resolution, including organising the biennial Asia Pacific Judicial Summit in Hong Kong. Furthermore, on 2 November 2020, the DoJ Project Office for Collaboration with UNCITRAL was established in the Hong Kong Legal Hub to explore and take forward the collaborative opportunities and projects with UNCITRAL under the said MoU. The first project of the Project Office will be related to ODR.

(D) Stepping up promotion in the Mainland and overseas and enhancing global and regional cooperation

31. Hong Kong has always been at the international forefront in terms of its efficacy in making use of the legal framework to resolve disputes, judicial independence and ranking as a preferred seat of arbitration. Through enhanced efforts in promotion and explanation to clarify misconceptions and misunderstanding, DoJ will continue to showcase that Hong Kong remains a neutral and effective international legal hub for deal-making and dispute resolution services; and to facilitate equal access to justice and sustainable development by creating synergy and momentum through international and regional collaboration.

32. Capitalising on our unique position under “One Country, Two Systems” and the ample opportunities offered by the B&R Initiative and the development of the GBA, DoJ will continue to strengthen global and regional cooperation and reinforce Hong Kong’s status as a regional hub of international legal services.

(1) Work in support of national development

(a) Development of the B&R Initiative

(i) Promoting rule-based trading system

33. DoJ supports the promotion of a rule-based trading system, which is essential for providing certainty in international trade to facilitate cross-border commercial activities along the B&R countries. Adopted in 1980, the United Nations Convention on Contracts for the International Sale of Goods (“CISG”), one of the important legal instruments in this respect, provides uniform rules to govern contracts for international sales of goods, with a view to removing legal barriers in, and promoting the development of, international trade. As the year of 2020 marks the 40th anniversary of the conclusion of the CISG, DoJ organised an online international conference entitled “Celebrating the 40th Anniversary of the CISG: CISG as a Tool for Global Trade – Theory and Practice” with UNCITRAL and the Asian Academy of International Law (“AAIL”) to celebrate this special occasion on 27 October this year.³ Furthermore, DoJ and AAIL organised an online talk entitled “Hong Kong Businesses and the CISG: The ‘Must Knows’ from International Court Practice” on 30 October this year. In both events, leading international CISG experts discussed the latest developments of the CISG and issues closely related to the legal and business sectors. These seminars helped promote more extensive use of the CISG, thereby facilitating rule-based international trade. DoJ also issued on 2 March this year a public consultation paper titled “Proposed Application of the United Nations Convention on Contracts for the International Sale of Goods to the Hong Kong Special Administrative Region”. The consultation period ended on 30 September this year and DoJ is actively consolidating the views received and plans to brief the AJLS Panel within this legislative year.

(ii) Establishing a permanent communication platform between Mainland enterprises and the Hong Kong legal profession

³ Over 440 registrants from almost 50 countries or regions registered for the online international conference, and around 170 of them participated through online platform.

34. DoJ has secured the support of the Ministry of Commerce (“MOFCOM”) and the State-owned Assets Supervision and Administration Commission of the State Council (“SASAC”) for establishing a permanent tripartite communication platform for Mainland enterprises and the Hong Kong legal profession. Such platform would serve as a communication channel between Mainland enterprises and the Hong Kong legal profession to connect Mainland enterprises with Hong Kong legal experts in various areas, and through regular exchange of experience and knowledge, optimise the business and investment environment of both places and facilitate the export of Hong Kong’s legal services. The first seminar on the legal challenges and strategies under the B&R Initiative was held in Beijing on 26 November 2019. It was attended by 17 representatives from 11 Mainland enterprises, comprising nine state-owned enterprises and two private enterprises, and eight legal experts from Hong Kong. DoJ is now actively preparing to hold the second seminar with the MOFCOM and the SASAC, while engaging in active discussions on entering into a related memorandum of cooperation.

(b) The Guangdong-Hong Kong-Macao GBA

35. The GBA has the unique strength of one country, two systems and three jurisdictions and the Outline Development Plan for the Guangdong-Hong Kong-Macao GBA (“Outline Development Plan”) recognises the distinctive advantage of Hong Kong’s legal system under “One Country, Two Systems” and our ability to assume a vital role in the development of the GBA. The HKSAR Government will in line with the guiding directions in the Outline Development Plan, actively take forward the development of the GBA, and assist the profession to strive for policy innovation and breakthroughs that are needed for exploring the opportunities.

(i) Framework arrangement on exchange and mutual learning in legal aspects signed with High People’s Court of Guangdong Province

36. To facilitate legal exchange and cooperation, DoJ signed the Framework Arrangement on exchange and mutual learning in legal aspects with the High People’s Court of Guangdong Province (“Framework Arrangement”) in September 2019, pursuant to which the parties agreed to promote and facilitate legal exchange and collaboration between courts of Guangdong Province and relevant Hong Kong legal organisations through setting up projects. Under the Framework Arrangement, a series of legal seminars have been organised with the Shenzhen Municipal Intermediate People’s Court.

37. On 7 September 2019, DoJ and the High People's Court of Guangdong Province signed a framework arrangement on exchange and mutual learning in legal aspects, under which a series of legal seminars were organised in collaboration with the Shenzhen Intermediate People's Court. DoJ participated in the "Greater Bay Area judicial case seminar in Guangzhou" organised by the High People's Court of Guangdong Province on 6 January this year. The seminar was a key step towards implementing the Outline Development Plan and strengthening the collaboration among the three places.

38. DoJ co-organised the "2019 Seminars on Adjudicating with Common Law Concepts" series with the Shenzhen Municipal Intermediate People's Court, in which Hong Kong's judges or senior counsel spoke to Mainland judges on the development of Hong Kong law in civil and commercial matters. Hong Kong's legal profession was also invited to attend one of the seminars held on 8 September 2019 in Shenzhen on the comparative study of the contract laws of the Mainland and Hong Kong.

39. On 2 to 3 November 2019, DoJ participated in the 4th Qianhai Legal Intelligence Forum and co-organised the mock hearing under the "2019 Seminars on Adjudicating with Common Law Concepts" series. SJ also attended the "Mediate First" Pledge Ceremony co-organised by DoJ with the Bureau of Justice of Shenzhen Municipality and the Qianhai Authority to promote the use of mediation to resolve disputes beyond Hong Kong. On 7 November this year, DoJ participated in the 5th Qianhai Legal Intelligence Forum with the theme "The Impact of the Global Epidemic on International Commercial Disputes and Countermeasures".

(ii) Further liberalisation measures on partnership associations and legal consultants

40. DoJ has succeeded in securing the Guangdong Province as the first to implement further liberalisation measures for partnership associations in August 2019, including the removal of the minimum capital injection ratio of 30% by Hong Kong partner firms in partnership associations set up between Hong Kong and Mainland law firms, as well as allowing partnership associations to employ Mainland and Hong Kong lawyers directly in their own name. Since June 2020, such measures have been extended to the whole of the Mainland. Furthermore, the Central Government has also agreed to allow Hong Kong legal practitioners to be retained as legal consultants by one

to three Mainland law firms simultaneously, and to replace the approval requirements with filing procedures.

(iii) GBA Legal Professional Examination

41. The Hong Kong legal services sector welcomes two recent major breakthroughs in the GBA, including the GBA Legal Professional Examination and choice of applicable laws for civil and commercial contracts by wholly-owned Hong Kong enterprises (“WOKEs”) and foreign-invested enterprises set up in Qianhai. Following the decision adopted by the Standing Committee of the National People’s Congress on 11 August 2020 regarding the GBA Legal Professional Examination, the State Council issued on 22 October the pilot measures for Hong Kong and Macao legal practitioners to obtain Mainland practice qualifications and to practise as lawyers in the nine Mainland municipalities in the GBA. Hong Kong solicitors and barristers with accumulated practice experience of five years or above are eligible to apply for taking the examination. Upon obtaining a lawyer’s practice certificate (GBA), one can provide legal services in the nine Mainland municipalities in the GBA on specified civil and commercial matters (including litigation and non-litigation matters) to which the Mainland laws apply, and enjoy the same privileges and subject to the same obligations as Mainland lawyers. On 6 November, the Ministry of Justice (“MoJ”) made an announcement providing details on the GBA Legal Professional Examination, including eligibility for the examination, application procedures as well as scope of examination. The 2021 GBA Legal Professional Examination will be held on 30 January 2021. The GBA Legal Professional Examination will not only provide better facilitation and opportunities to the Hong Kong legal services sector, but, more importantly, also provide diversified legal services and safeguards to clients in the GBA. To promote the GBA Lawyer Professional Examination, DoJ joined hands with the MoJ, the Department of Justice of Guangdong Province and the Legal Affairs Bureau of Macao to co-host a seminar on 19 November. Respective representatives from the MoJ and the Department of Justice of Guangdong Province introduced the relevant examination policies as well as the current position and development opportunities of legal services in the GBA. The seminar attracted enthusiastic response with over 700 online participants.

(iv) Choice of applicable laws for civil and commercial contracts by WOKEs and foreign-invested enterprises set up in Qianhai

42. The “Regulations of the Qianhai Shenzhen–Hong Kong Modern Service Industry Cooperation Zone of the Shenzhen Special Economic Zone” (“Regulations”) were amended and approved in August this year. Article 57 of the Regulations allows Hong Kong-, Macao-, Taiwan- and foreign-invested enterprises registered in Qianhai to agree on the choice of applicable law in their civil and commercial contracts. This early and pilot implementation measure is a major breakthrough as it means that over 11 000 WOKEs registered in Qianhai may agree on the choice of applicable law, including Hong Kong law, when they enter into civil and commercial contracts. It adapts the requirement of “foreign-related elements” under current Mainland law such that enterprises in the GBA may enjoy wider application of Hong Kong law.

43. DoJ is actively seeking the support of the Central Government in extending the measure to the entire GBA, as well as in the wider use of Hong Kong as a place of arbitration outside the Mainland in the GBA.

(v) Guangdong-Hong Kong-Macao GBA Legal Departments Joint Conference

44. At the first Joint Conference meeting, the three legal departments agreed to establish a mediation platform in the GBA, and suggested promulgating a set of unified accreditation standards for mediators in the GBA, guiding principles for mediation rules applicable to cross-border disputes within the GBA, principles and requirements for mediators’ code of conduct, etc. for reference by the GBA mediation institutions and mediators, thereby enhancing the confidence of mediation users within the GBA. The second Joint Conference was convened on 11 December this year, at which the three parties endorsed the proposal to set up the GBA Mediation Platform and to establish a Working Group on the GBA Mediation Platform.

(c) *Mutual cooperation/assistance with the Mainland judiciary authority*

45. Under the framework of “One Country, Two Systems”, the common-law-based legal system of the HKSAR continues to develop steadily. This is an important institutional cornerstone upon which Hong Kong maintains its long-term prosperity and stability. With the increasingly close socio-economic ties between Hong Kong and the Mainland, it is necessary to establish a structured and effective legal cooperation mechanism in civil and commercial matters for both places. Article 95 of the Basic Law lays down the legal foundation for judicial cooperation between the two places, and DoJ has been taking active steps in strengthening legal cooperation between Hong Kong and the Mainland in civil and commercial matters. Apart from addressing the

needs of the community in this area, this initiative also consolidates Hong Kong's status as an international legal and dispute resolution services centre in the region so that Hong Kong can give full play to its strengths under the framework of the Basic Law with its unique edge under "One Country, Two Systems".

(i) Arrangement on Interim Measures in Aid of Arbitral Proceedings

46. On 2 April 2019, DoJ and the Mainland signed the Arrangement Concerning Mutual Assistance in Court-ordered Interim Measures in Aid of Arbitral Proceedings by the Courts of the Mainland and of the HKSAR ("Interim Measures Arrangement"). Since the coming into operation of the Interim Measures Arrangement on 1 October 2019, as of 18 November this year, the Hong Kong International Arbitration Centre has processed 34 interim measures applications to preserve evidence, conduct or assets worth RMB 11.6 billion in total, and court orders preserving RMB 9.7 billion worth of assets have been made. Through concluding various arrangements on civil and commercial judicial assistance with the Mainland, Hong Kong is able to strengthen its mechanism for civil and commercial mutual legal assistance and provide more comprehensive legal protection to parties, thereby attracting more stakeholders in the HKSAR and the Mainland to use Hong Kong's legal, deal-making and dispute resolution services.

(ii) Arrangement for judgments in civil and commercial matters between Hong Kong and the Mainland

47. The Arrangement on Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters by the Courts of the Mainland and of the HKSAR signed on 18 January 2019 establishes a more comprehensive and clearer mechanism for the reciprocal recognition and enforcement of judgments in civil and commercial matters between Hong Kong and the Mainland. DoJ is now drafting the bill for the implementation of this Arrangement in Hong Kong and will consult the public in due course. When implemented, this Arrangement will help reduce the need for parties to re-litigate the same disputes in both jurisdictions, offering better protection to the parties' interests, and further enhancing Hong Kong's status as a regional centre for international legal and dispute resolution services.

(iii) Refinement of the Arrangement for Mutual Service of Judicial Documents in Civil and Commercial Proceedings between the Mainland and Hong Kong Courts

48. The “Arrangement for Mutual Service of Judicial Documents in Civil and Commercial Proceedings between the Mainland and Hong Kong Courts” (“Service Arrangement”) was signed in January 1999 and took effect in March of the same year. It was the first mutual legal assistance arrangement in civil and commercial matters signed between Hong Kong and the Mainland after Hong Kong’s return to the Motherland with the aim of facilitating mutual service of judicial documents in civil and commercial proceedings between the courts of both places. DoJ and the Supreme People’s Court (“SPC”) are now actively pursuing discussions on possible refinements of the Service Arrangement so as to further enhance the efficacy of service and to bring better facilitation to parties.

(iv) Amendments to the Arrangement Concerning Mutual Enforcement of Arbitral Awards between the Mainland and the HKSAR (“Arbitral Awards Arrangement”)

49. The Arbitral Awards Arrangement was signed between DoJ and the SPC on 21 June 1999 and came into effect on 1 February 2000. Having accrued years of implementation experience and taking into account the comments from the arbitration sector, DoJ conducted a review of the Arbitral Awards Arrangement in consultation with the SPC. It is anticipated that the amendments to the Arbitral Awards Arrangement will be implemented by way of signing the Supplemental Arrangement Concerning Mutual Enforcement of Arbitral Awards between the Mainland and the HKSAR (“Supplemental Arrangement”) and amending the relevant provisions of the Arbitration Ordinance (Cap. 609). The Supplemental Arrangement has been signed on 27 November 2020 and DoJ plans to introduce the Arbitration (Amendment) Bill 2021 to the Legislative Council in early 2021 and to seek its support.

(v) Corporate insolvency and debt restructuring

50. In June 2020, DoJ consulted the AJLS Panel on the key features of a suggested framework for cooperation between Hong Kong and the Mainland on recognition of and assistance in corporate insolvency matters. The Panel welcomed the strengthening of cooperation in this regard between the two places.

51. DoJ is now actively discussing with the SPC with a view to furthering cooperation between the two places on mutual recognition of and assistance in corporate insolvency (including debt restructuring matters). This will offer better legal

protection for the stakeholders of both places, enhance Hong Kong's competitiveness as an international commercial and investment centre and strengthen Hong Kong's position as a regional hub for insolvency and debt restructuring. DoJ is now seeking an early breakthrough with the Mainland.

(d) Regular exchanges with Mainland authorities and courts

52. Pursuant to the minutes of meeting in respect of strengthening mutual legal assistance between the Mainland and the HKSAR signed by DoJ and the SPC in May 2018, representatives of the two sides hold regular meetings and exchanges so as to deepen the exchanges and cooperation between the judicial and legal sectors of both places, to review and refine the existing mutual legal assistance regimes, and to expand in a timely manner the scope of mutual legal assistance in civil and commercial matters as needed by the two places. DoJ has also secured the support of the MOFCOM and the SASAC for establishing a permanent tripartite communication platform for Mainland enterprises and the Hong Kong legal profession to optimise the business and investment environment of both places and facilitate the export of Hong Kong's legal service. DoJ is actively preparing to hold the second seminar with the MOFCOM and the SASAC, while engaging in active discussions on entering into a related memorandum of cooperation.

53. In recent years, DoJ has also arranged for officers to meet and exchange with various Mainland authorities, including officers from the Hong Kong and Macao Affairs Office, the Ministry of Foreign Affairs, the MoJ, the MOFCOM and the SASAC, on a regular yearly basis or from time to time to discuss the formulation of directional policies, strive for policy support that benefit Hong Kong and explore cooperation opportunities together.

(2) International cooperation and promotion

(a) Establishing new reputable international dispute resolution institutions in the Hong Kong Legal Hub

54. To showcase the emphasis and recognition Hong Kong places on the rule of law and law-related services and to consolidate and enhance Hong Kong's status as a centre for international legal, deal-making and dispute resolution services in the Asia-Pacific region, the HKSAR Government offers office space in parts of the former Central Government Offices West Wing, the former French Mission Building and Two

Exchange Square to over 20 local, regional and international law-related organisations (“LROs”) for setting up offices. Together with the offices of DoJ, these office spaces have clustered to form an international Legal Hub. By housing selected LROs, users of legal services and DoJ offices in close proximity in the central business district, we look forward to further synergy in their operations. The Hong Kong Legal Hub, officially opened on 2 November this year, underscores the confidence of international organisations in Hong Kong’s rule of law and legal system. It also provides a platform for effective exchange and collaboration between local LROs and international institutions, further advancing Hong Kong’s legal professional expertise and services in different areas.

55. DoJ has been working closely with various international organisations. The Regional Office for Asia and the Pacific of the Hague Conference on Private International Law (“HCCH”), being HCCH’s first office in the Asia Pacific Region, opened officially in December 2012 in Hong Kong. Furthermore, as mentioned in paragraph 30 above, the DoJ Project Office for Collaboration with UNCITRAL was established in the Hong Kong Legal Hub on 2 November 2020. DoJ will continue to promote the Hong Kong Legal Hub to other renowned international legal organisations.

(b) Hosting decision-making meetings of international organisations

(i) North-East Asian Multistakeholder Forum on Sustainable Development Goals

56. Due to the COVID-19 epidemic, the 4th North-East Asian Multistakeholder Forum on Sustainable Development Goals originally scheduled to be held during the Hong Kong Legal Week this year was held online by the United Nations Economic and Social Commission for Asia and the Pacific (“UNESCAP”). DoJ will actively follow up with UNESCAP on hosting the forum in Hong Kong in the coming years to support the UN’s Agenda for Sustainable Development with concrete actions, particularly for Goal 16, which aims to advance the rule of law and equal access to justice.

(ii) Inter-sessional meetings of working groups of UNCITRAL and related activities

57. UNCITRAL undertakes its substantive preparatory work on different topics through a number of working groups (“WGs”). For example, its WG III has been entrusted with the mandate to work on the possible reform of investor-state dispute

settlement. This topic is particularly relevant to the B&R Initiative and Hong Kong as an international investment hub and international dispute resolution centre. During the resumed 38th session of WG III in January this year, the Chinese delegation successfully applied for hosting an inter-sessional meeting of WG III in Hong Kong. In view of the epidemic situation, the inter-sessional meeting of WG III, originally scheduled for November 2020 in Hong Kong, was tentatively postponed to the second half of 2021. Nevertheless, to continue promoting the related work of WG III, a pre-inter-sessional meeting of WG III was held online for the first time together with UNCITRAL and AAIL on 9 November 2020. Representatives of member states of UNCITRAL and renowned international experts were invited to share their views and experience on various frontier issues of investment mediation at the meeting, which attracted participants from over 70 countries and regions.

58. Such significant international meetings would give the profession a better understanding of prevailing international legal practices, broaden their international horizons and allow the representatives of Hong Kong, as members of the Chinese delegation, to participate in the policy making of reforming the investment dispute resolution mechanism at the international level.

(iii) Annual Session of the Asian-African Legal Consultative Organization (“AALCO”)

59. With the support of the Central Government, DoJ has successfully secured the hosting of the 59th Annual Session of AALCO in Hong Kong. The Annual Session was originally scheduled to be held at the end of 2020 but was postponed due to the COVID-19 epidemic. Important international law topics in the Asian-African regions such as maritime law, cyberspace law and peaceful settlement of disputes are discussed in the Annual Session of AALCO. The member states are represented by high ranking diplomats (often at ministerial level) and legal experts. Observer delegations representing governments and international organisations from across the globe also participate. With close links between AALCO and the International Court of Justice (“ICJ”) and the International Law Commission (“ILC”), it has become customary that judges of the ICJ and members of the ILC actively participate in AALCO’s Annual Sessions. The Under-secretary General for Legal Affairs of the UN and the Secretary-General of HCCH have also participated in its Annual Sessions. A number of major Asian cities (e.g. Beijing, Tokyo, Singapore, Bangkok and Seoul) have hosted its Annual Sessions.

60. Through the hosting of AALCO's Annual Session in Hong Kong, our legal community would gain exposure to international law at the policy-making level, and further their understanding of this area of law. Our legal professionals would also have the chance to expand their network with top legal experts from around the world brought together in Hong Kong for the event. The Annual Session would also provide an excellent opportunity for AALCO member states and its participants to learn more about Hong Kong's legal system and rule of law, and the implementation of "One country, Two systems", enabling Hong Kong to extend its strength abroad and promote cooperation with Asia and Africa through exchanges and experience sharing.

(c) Exchanges and collaborations with other overseas jurisdictions

61. Last year, DoJ signed a Memorandum of Cooperation ("MoC") respectively with the MoJ of Japan, the MoJ of Korea and the Office of the Judiciary of Thailand to strengthen collaboration on aspects of law and promote international exchange and collaboration under the B&R Initiative. DoJ will continue to explore and pursue the conclusion of cooperation arrangements with other overseas jurisdictions.

(d) Participation in international organisations

(i) HCCH

62. DoJ counsel have been actively participating in the strategic discussions on the development of private international law at meetings of the Council on General Affairs and Policy of HCCH as members of the Chinese delegation in recent years. In addition, since 1998, DoJ counsel, as part of the Chinese delegation, have been actively participating in HCCH's Judgments Project which led to, inter alia, the "HCCH Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters" ("Judgments Convention") concluded at HCCH's 22nd Diplomatic Session on 2 July 2019. With the successful conclusion of the Judgments Convention, DoJ counsel will continue to take part in a new stage of work on the Jurisdiction Project as members of the Chinese delegation. Meanwhile, the Commissioner of IDAR Office of DoJ will also participate in the Tourists and Visitors Project of HCCH as a member of the Chinese delegation to explore related work on ODR.

63. It is believed that the above efforts can further enhance the Mainland's and neighbouring regions' knowledge of and confidence in Hong Kong, thus strengthening

Hong Kong's position as a deal-making and commercial and trade dispute arbitration and mediation centre.

(ii) UNCITRAL

64. Hong Kong has also been taking part in the work of UNCITRAL WG III (Investor-State Dispute Settlement Reform) and WG VI (Judicial Sale of Ships) as part of the Chinese delegation. The former may have far-reaching implications on the dispute settlement regime under international investment agreements, including in particular Hong Kong's investment promotion and protection agreements, and promote the development of investment mediation internationally. The latter will facilitate the development of maritime industry and ship finance in Hong Kong, thereby reinforcing its leading position as an international maritime centre in the Asia-Pacific Region.

(iii) APEC

65. In recent years, DoJ has been actively engaged in the work of the Friends of the Chair on Strengthening Economic and Legal Infrastructure ("SELI") under the APEC Economic Committee and has been taking the lead in developing the APEC ODR Framework for MSMEs in developing business-to-business ("B2B"). Hong Kong, China has opted into the said framework in April this year. In March this year, APEC endorsed the HKSAR Government's proposal to provide funding support of USD 1 million to set up a sub-fund under APEC to strengthen economic and legal infrastructure in the region. The establishment of the sub-fund will demonstrate Hong Kong's contribution to the strengthening of economic and legal infrastructure in the region and help enhance Hong Kong's visibility and reputation. The Commissioner of IDAR Office of DoJ has been serving as the Chair of the APEC Economic Committee since September 2019 and has been actively promoting the development of economic and legal infrastructure among member economies and encouraging more members to opt into the APEC ODR Framework.

(e) *Capacity building*

66. Following the success of the first in Asia Investment Law and Investor-State Mediator Training, co-organised by DoJ, the International Centre for Settlement of Investment Disputes ("ICSID") and AAIL in October 2018, the second training was also held from late October to early November 2019. DoJ will continue to organise this training with a view to building up a team of investment mediators in Asia and

developing Hong Kong into an international investment law and international investment dispute resolution skills training base. We expect to hold the next round of the training later in 2021.

67. DoJ has reached an agreement with the Hague Academy of International Law, one of the world's leading academic institutes on international law, on the organisation of regular capacity building courses in Hong Kong in collaboration with AAIL starting from this year. The courses provide high-quality training for legal professionals in Hong Kong and the neighbouring regions and further raise Hong Kong's international profile. Owing to public health reasons, the organiser arranged an online seminar on 7 December this year before holding the "Hague Academy of International Law Advanced Course in Hong Kong First Edition: Current Trends on International Commercial Dispute Settlement" in Hong Kong from 8 to 12 November 2021.

68. In addition, DoJ organised an online conference to commemorate the 40th anniversary of the CISG in collaboration with UNCITRAL and AAIL on 27 October and a webinar entitled "Hong Kong Businesses and the CISG: The 'Must Knows' from International Court Practice" with AAIL on 30 October this year, providing participants with a valuable opportunity to exchange views with CISG experts.

(3) Local promotion and education efforts

(a) *Nurturing local legal talent*

(i) Training by international organisations and legal bodies

69. In order to sustain Hong Kong's position as a leading international legal and dispute resolution services centre, it is crucial to nurture our legal talent through continuous provision of training opportunities to equip them with the necessary skills and strengthen their competitiveness. To this end, DoJ is actively engaged in close liaison with UNCITRAL, HCCH and the International Institute for the Unification of Private Law ("UNIDROIT") with a view to offering secondment arrangements to local legal professionals (including lawyers in both public and private sectors). These opportunities will provide valuable on-the-job training for nurturing our legal talent in diverse areas of international law.

70. Through participating in the work of those international bodies, our local legal professionals will be able to expand their knowledge of the operation of international organisations, broaden their horizons through learning from international law experts, and inject a Hong Kong perspective in shaping the development of international law. International organisations can, in return, connect with Hong Kong's legal talent, which can help raise Hong Kong's profile with those bodies and promote further cooperation.

(ii) Participating in international conferences

71. As mentioned above, DoJ has been actively participating in the meetings of the APEC Economic Committee. For example, during the APEC meetings hosted by Chile last year, DoJ organised a number of workshops and seminars on topics related to SELI's work on the APEC ODR Framework (See Item A6 of Annex I for details). The Commissioner of IDAR Office of DoJ, as the Chair of APEC Economic Committee, chaired the first plenary meeting of the Economic Committee in Putrajaya, Malaysia in February this year. As physical meetings could not be held due to the limitations brought by COVID-19, the Commissioner successfully chaired the second plenary meeting of the Economic Committee virtually on 13-14 August this year and chaired two virtual informal meetings on 28 July and 28 October respectively, which prompted APEC economies to achieve important results in strengthening economic and legal infrastructure and structural reforms.

72. As aforementioned, DoJ counsel, as part of the Chinese delegation, participate in a number of international conferences, including the Council on General Affairs and Policy, the Judgments Project, the Jurisdiction Project, and the Tourists and Visitors Project of HCCH, and take part in the work of UNCITRAL WG III (Investor-State Dispute Settlement Reform) and WG VI (Judicial Sale of Ships). DoJ believes that our active participation in relevant international conferences worldwide will allow local legal talent to exchange knowledge and experience on the latest trends in the development of different areas of law with our counterparts in other jurisdictions, and to establish connections with legal professionals worldwide. At the same time, through personal contact with people around the world, Hong Kong's legal professionals will not only be able to broaden their own horizons, but will also act as Hong Kong's ambassadors in promoting our legal system and rule of law to the outside world.

73. Hong Kong successfully won the bid in 2018 to host the International Council for Commercial Arbitration (“ICCA”) 2022 Congress⁴. Renowned for stimulating in-depth discussion and providing new insights on matters related to international arbitration, the ICCA Congress is the largest conference devoted to international arbitration. It is held biennially and each Congress attracts a large number of participants from across the globe and makes significant contributions to the development of dispute resolution theory and practice. The ICCA Congress originally scheduled for May this year in Edinburgh, United Kingdom has been postponed to September 2021 due to the epidemic. Depending on the situation of the pandemic, DoJ may send counsel to attend the Congress in order to gather experience of hosting the Congress and promote the next Congress to be held in Hong Kong.

(iii) Increasing participation in international organisations

74. Through training in and exposure to international organisations and conferences, local legal professionals can become even more well-equipped to play active and substantive roles in the work of international organisations where Hong Kong participates as part of the Chinese delegation, such as HCCH and UNCITRAL, or as a member, such as APEC. This will allow us to do our part in aiding our nation to have a greater say and influence in international organisations, and to facilitate international cooperation and raise Hong Kong’s international profile.

75. DoJ also encourages and supports local legal talent to take up leading positions in international organisations in which Hong Kong participates as a member. A DoJ counsel has been serving as the Convenor of the “Friends of the Chair on SELI established under the Economic Committee of APEC since 2015. Hong Kong, China has been taking the lead in SELI, which promotes the use of international legal instruments for structural reform and strengthening economic and legal infrastructure. Its relevant work includes developing the APEC ODR Framework for use by MSMEs in the APEC region, which was completed in August 2019. As mentioned above, on 1 September 2019, the Commissioner of the IDAR Office of DoJ was appointed as the Chair of the APEC Economic Committee for a term of two years. Another counsel of DoJ also continues to serve as the representative of Hong Kong, China on SELI. The above participation shows the potential for Hong Kong legal professionals to take leading roles in international bodies and further enhances the status of Hong Kong and its influence in international organisations.

⁴ The 2022 Congress will be postponed due to the COVID-19 epidemic.

(iv) An opportunity for young legal practitioners: Understudy Programme

76. DoJ has launched the revised Understudy Programme for civil and prosecution work since 15 June this year under which barristers and solicitors with less than five years' post call/admission experience may assist in civil and criminal cases or provide legal advice on civil cases. This programme provides junior legal practitioners with more training opportunities, thereby widening their exposure, enriching them with valuable experience and enhancing their professional skills.

(b) Hong Kong's well-established legal system

77. Judicial review has always been an integral part of our legal system. Judicial review enables individuals to seek redress from the Court against wrongful decisions of public authorities, and ensures that the exercise of public functions is in accordance with the law and is subject to necessary check and balance. According to the information from the Judiciary, there were 3 899 applications for leave to apply for judicial review in 2019. During that year, the Civil Division ("CD") of DoJ handled 745 judicial review cases.

78. Legal aid service also plays an important role in upholding the rule of law in Hong Kong. An applicant may apply to the Legal Aid Department for provision of legal representation by solicitor or barrister to take or defend legal action in civil proceedings (including judicial review). Legal aid will be granted if the applicant is able to satisfy the criteria as to the merits for taking or defending the legal proceedings and the financial eligibility. According to the statistics from the Legal Aid Department, there were 12 922 applications for legal aid in civil cases in 2019, accounting for 80% of the total number of applications.

79. The use of ADR services, including mediation, is also promoted under our legal system as an alternative to litigation to resolve disputes. According to the information from the Judiciary, in 2019, the Court of First Instance handled a total of 622 mediated cases, 317 (i.e. 51%) of which arrived at full/partial agreement; and the District Courts handled a total of 327 mediated cases, 137 (i.e. 42%) of which arrived at full/partial agreement.

(c) Facilitating professionals' visits to Hong Kong

80. To continue promoting Hong Kong's strengths as a neutral and efficient international legal hub for deal making and dispute resolution services, facilitation must be provided for more talent to come to Hong Kong. DoJ launched the Pilot Scheme on Facilitation for Persons Participating in Arbitral Proceedings in Hong Kong ("Pilot Scheme") on 29 June 2020 to provide facilitation for eligible non-Hong Kong residents participating in arbitral proceedings in Hong Kong on a short-term basis in order to strengthen Hong Kong's position as a centre for international legal and dispute resolution services in the Asia-Pacific Region, and is in line with the B&R Initiative as well as the development of the GBA. Under the Pilot Scheme, nationals of countries who may visit Hong Kong visa-free ("visa-free nationals") and who possess a "Letter of proof" are allowed to participate in arbitral proceedings in Hong Kong as visitors, i.e. they are not required to obtain employment visas. The duration in which they may stay in Hong Kong for participating in arbitral proceedings shall not exceed the current visa-free period for visit. The Pilot Scheme will run on a trial basis for two years and cover the following four categories of visa-free nationals, namely (i) arbitrators; (ii) expert and factual witnesses; (iii) counsel acting for parties to the arbitration; and (iv) parties to the arbitration ("Eligible Persons"). The Pilot Scheme will be reviewed in two years' time. Subject to the review, it may be extended to those Eligible Persons coming from other jurisdictions, including the Mainland of China. DoJ will continue to explore the launch of similar schemes to attract and provide facilitation for non-local talents and professionals to come to Hong Kong to participate in legal and dispute resolution-related services on a short-term basis.

81. On the other hand, in light of the impact brought by COVID-19 on legal practitioners who need to travel to Hong Kong to provide necessary professional services, the Government announced on 19 May this year that eligible arbitrators, mediators or qualified legal practitioners acting as counsel for parties who travel between Hong Kong and the Mainland, Macao or Taiwan to provide necessary legal services could apply for exemption from the compulsory quarantine arrangement. Starting from 15 June this year, the Government also allowed qualified legal practitioners acting for parties in important and large-scale commercial transactions who travel between Hong Kong and the Mainland, Macao or Taiwan to provide necessary legal services for such transactions to apply for exemption from the compulsory quarantine arrangement. DoJ is responsible for processing the relevant applications.

II. Optimising internal operations to meet challenges, seize opportunities and keep pace with the times

82. Apart from the above initiatives, DoJ has for years been actively taking forward various internal policies and measures (including making full and extensive use of information technology and providing continuous professional training for in-house counsel) to enhance service quality and efficiency and to strengthen people management. Despite the many challenges COVID-19 has posed, it has indeed presented us with an opportunity to be more proactive in exploring diversified measures to enhance internal operations and continuously build our staff's capacity to tackle future challenges in a way that best aligns with our motto "Rule of Law and Justice for All" and our sustainable development strategy.

(A) More extensive use of information technology

83. DoJ is committed to making more extensive use of information technology to increase operational efficiency and agility, and to improve service quality while enhancing the public's general legal knowledge and their proper understanding of the rule of law.

(1) Hong Kong e-Legislation ("HKeL")

84. DoJ continues to publish and update copies of legislation (including verified copies with legal status) on the HKeL for free access by the public. In parallel, taking into account users' views and feedback, we have also introduced new features to the HKeL and enhanced its existing functions to facilitate the searching of and access to Hong Kong legislation.

85. Rich Text Format ("RTF") copies for all current versions (whether verified or not) and all past verified versions of Hong Kong legislation have been made available on the HKeL since March 2020 for reference purpose. They can be downloaded in individual provision format from the "View Legislation" page or in whole chapter format from the "Download" area. The RTF copies make it easier for users to "copy and paste" legislative texts to email or other documents, and enable users to draft amendments to or mark comments and notes on copies of legislation using desktop word processing software.

86. The popular Chinese-English Glossary and English-Chinese Glossary in the HKeL have also been made available in RTF format since August. They are in zipped

files, divided according to the alphabetical order or the number of strokes of the expressions, to facilitate retrieval and download.

87. In addition, the frequently-used “Quick Search” function was further enhanced in September this year. To provide more convenient access to target chapters or provisions, the “Cap. No.” and “Cap. Title” boxes have been combined and linked up with the selected provision(s) and keyword(s) searches. A drop-down menu is also added to show the list of chapter titles that match the inputted words in the “Cap. Title” box for easier selection. Adding and printing of selected provisions have become easier under the enhanced “Printing List” function. Besides using the “Search Legislation—Results” page, users may also add selected provisions across different chapters to the “Printing List” through the “View Legislation” page for individual chapters.

(2) **Combined DoJ English-Chinese Glossary of Legal Terms and Combined DoJ Chinese-English Glossary of Legal Terms**

88. DoJ will publish a Combined DoJ English-Chinese Glossary of Legal Terms and a Combined DoJ Chinese-English Glossary of Legal Terms (collectively referred to as “Combined Glossaries”) on DoJ’s website in electronic format for public use. Each of the Combined Glossaries will consist of glossaries prepared by the five legal divisions of DoJ.

89. For each of the Combined Glossaries, there will be a search function to enable users to conduct searches across all glossaries or in one or more selected glossaries, and various advanced search functions will be available to suit the needs of different users. Hyperlinks to the source of the entries (e.g. legislative provisions or relevant documents) will also be provided. Users will also be able to download the search results or each individual glossary in PDF or RTF format.

90. The publication of the Combined Glossaries is conducive to the promotion of the development of legal bilingualism.

(3) **Remote court hearings and provision of e-bundle services for DoJ staff**

91. DoJ provides video conferencing systems and facilities for remote court hearings in line with the Judiciary’s arrangement. DoJ has also introduced e-bundle services to provide Government Counsel with tablets for electronic access to court

documents during court hearings to enhance counsel's efficiency at hearings, as well as eliminate the need to take voluminous documents to courts.

(4) Knowledge Management System ("KMS")

92. In order to manage the research, analysis, opinions and interpretations related to major legal issues more systematically, DoJ completed the KMS platform for DoJ staff at the end of last year to ensure that valuable knowledge accumulated over the years in various legal fields is properly preserved. KMS is a central data repository built for storing departmental legal information with high reference value, and for promoting the sharing of such information within and among DoJ divisions, thereby enhancing the knowledge of DoJ counsel required in handling legal matters. Various divisions in DoJ have already established their own KMS, among which the KMS of CD was first implemented on a trial basis on 30 April 2019. Regular reviews on KMS will be conducted by divisions to continuously enhance the folder structure and enrich the content of the knowledge database.

(5) Revamp of departmental website

93. DoJ's departmental website underwent a major revamp and the new website (www.doj.gov.hk) was launched this October. The revamped website adopts a more flexible and user-friendly interface, providing the legal profession and the public with easy access to information on DoJ's work and services.

(B) Training for DoJ staff

(1) Continuous Professional Training

94. DoJ has all along attached great importance to the continuous development of its counsel. Apart from practical knowledge gained through daily work, DoJ arranges regular job-related legal training, including topical seminars conducted by local, Mainland and overseas guest speakers, work briefings and sharing sessions, and mock hearings.

95. To enable our counsel to focus more on legal analysis and advocacy skills, CD has formally established the CD Chambers specialising in civil advocacy work. Its nature of work is akin to that of barristers in private practice.

96. To broaden the horizons of our counsel, enhance their experience and knowledge, and develop and improve their skills in different areas of work, DoJ arranges, from time to time, different postings for them so as to build their confidence and develop their potential for shouldering greater responsibilities. In the long run, appropriate postings are not only beneficial to the development of the Government Counsel Grade, but also conducive to identifying talented candidates for directorate posts. To achieve the above objectives, DoJ has been providing secondment opportunities to different legal divisions for counsel of different ranks.

97. DoJ counsel are also provided with Mainland and overseas training opportunities to enrich their legal knowledge, international horizons and knowledge about the development of our country. For example, CD provides advocacy training for those counsel who are interested in court advocacy work, including overseas advocacy courses and placement in overseas barrister's chambers.

(2) National Studies Programme

98. DoJ organises training courses regularly to further improve officers' knowledge and understanding of our country's latest development, including its legal and judicial systems, socio-economic conditions and development direction. The content of training is reviewed and updated in a timely manner to ensure the participants are provided with the most suitable teaching materials. All Government Counsel joining DoJ after 2017 are required to complete the national studies programme within probation period. In mid-October this year, DoJ co-organised with Tsinghua University for the first time a seminar course entitled "The Fundamental Principles of Chinese Law". The entire course was conducted virtually in view of COVID-19. After the epidemic subsides, we will arrange visits to various government departments and other site visits in the Mainland for some of the course participants to gain first-hand knowledge of our country's latest development and current situation. The programme was organised with the support of the Hong Kong and Macao Affairs Office of the State Council.

Closing

99. In view of the rapid development in the region and beyond, coupled with ever-changing geopolitics, it is imperative to strengthen local education on the rule of law and external promotion. In the new era of global digital economy, the promotion of LawTech and the facilitation of opening up of the business environment of the region

and that of the GBA will also become increasingly crucial. DoJ will continue to take forward various initiatives, including assisting all parties to handle disputes in an effective, efficient and fair manner, so as to achieve “Rule of Law and Justice for All”.

Department of Justice
December 2020

DoJ's New Initiatives in the Policy Address and other On-going Initiatives
Work Progress in 2020

A. Progress of DoJ's New Initiatives in 2017, 2018 and 2019 Policy Address and Policy Agenda Booklets

Item	New Initiatives in 2017	Progress to date
1	<p>Proactively strive for more liberalisation measures for our professional services when forging trade agreements with the Mainland and overseas governments. At the same time, we will allocate more resources to promote Hong Kong as a platform for providing professional services and a centre for dispute resolution service for the Belt and Road (“B&R”) countries. Through the Mainland and Hong Kong Closer Economic Partnership Arrangement (“CEPA”) framework and the upcoming development plan of the city cluster in the Guangdong-Hong Kong-Macao Bay Area, we will assist professional service companies in further opening up the Mainland market.</p> <p>[also under the Commerce and Economic Development Bureau and the Constitutional and Mainland Affairs Bureau]</p>	<ul style="list-style-type: none"> • DoJ counsel attended CEPA consultations with representatives from the Ministry of Justice (“MoJ”) and successfully secured more liberalisation measures on legal services. • The Agreement Concerning Amendment to the CEPA Agreement on Trade in Services signed by the Mainland and Hong Kong on 21 November 2019 introduced various new liberalisation measures including (1) removing the restriction on the minimum capital injection ratio of the Hong Kong law firm for partnership associations set up by Hong Kong and Mainland law firms in the entire Mainland; (2) allowing Hong Kong legal practitioners to be retained as legal consultants by not more than three Mainland law firms simultaneously, and replacing the relevant approval requirements with filing procedures; and (3) allowing Hong Kong legal practitioners to obtain practice qualification in the Greater Bay Area (“GBA”) by passing a special examination and to engage in matters on specific areas of Mainland law. • Guangdong Province was the first to implement the “Trial

		<p>Measures of the Department of Justice of Guangdong Province on Hong Kong Law Firms and Macao Law Firms Operating in the Form of Partnership Association with Mainland Law Firms in Guangdong Province (2019 Revision)” in August 2019 with further liberalisation measures for partnership associations. Major measures include the removal of the minimum capital injection ratio of 30% by Hong Kong partner firms in the partnership associations set up between Hong Kong and Mainland law firms, as well as allowing partnership associations to employ Mainland and Hong Kong lawyers directly in their own name, etc. Since June 2020, such measures have been extended to the whole of the Mainland. Furthermore, the Central Government has also agreed to allow Hong Kong legal practitioners to be retained as legal consultants by one to three Mainland law firms simultaneously, and to replace the approval requirements with filing procedures.</p> <ul style="list-style-type: none"> • Following the decision adopted by the Standing Committee of the National People’s Congress (“NPCSC”) on 11 August 2020 regarding the GBA Legal Professional Examination, the State Council issued on 22 October this year the pilot measures for Hong Kong and Macao legal practitioners to obtain Mainland practice qualifications and to practise as lawyers in the nine Mainland municipalities in the GBA. Hong Kong solicitors and barristers with accumulated practice experience of five
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Annex I

		<p>years or above are eligible to apply for taking the examination. Upon obtaining a lawyer's practice certificate (GBA), one can provide legal services in the nine Mainland municipalities in the GBA on specified civil and commercial matters (including litigation and non-litigation matters) to which the Mainland laws apply, and enjoy the same privileges and subject to the same obligations as Mainland lawyers. On 6 November, the MoJ made an announcement providing details on the GBA Legal Professional Examination, including eligibility for the examination, application procedures as well as scope of examination. The 2021 GBA Legal Professional Examination will be held on 30 January 2021.</p>
2	<p>Study possible options to enhance the efficiency and operation of the Law Reform Commission ("LRC"). The study includes examining the experience of various law reform agencies in other jurisdictions.</p>	<p>The LRC conducted a study to consider various options to enhance its efficiency and operation. The findings of the study were reported to and endorsed by the Legislative Council Panel on Administration of Justice and Legal Services ("AJLS Panel") in December 2017. The AJLS Panel agreed that the current Commission and sub-committee structure of the LRC should be maintained with enhanced resources by adding more lawyers and supporting staff to the LRC Secretariat.</p>
New Initiatives in 2018		
3	<p>Prepare for publication on the website of DoJ a</p>	<ul style="list-style-type: none"> • In promoting the development of legal bilingualism, DoJ is

	<p>Combined DoJ English-Chinese Glossary of Legal Terms and a Combined DoJ Chinese-English Glossary of Legal Terms, each consisting of glossaries compiled by the five legal divisions of DoJ.</p>	<p>going to publish a Combined DoJ English-Chinese Glossary of Legal Terms and a Combined DoJ Chinese-English Glossary of Legal Terms (collectively “Combined Glossaries”) on DoJ’s website in an electronic format for public use. Each of the Combined Glossaries will consist of glossaries prepared by the five legal divisions of DoJ. The preparation work is being actively carried out with a view to roll out the Combined DoJ English-Chinese Glossary of Legal Terms by the end of the first half of 2021 and the Combined DoJ Chinese-English Glossary of Legal Terms by the end of 2021.</p> <ul style="list-style-type: none"> • According to our current plan, for each of the Combined Glossaries, there will be a search function to enable users to conduct searches across all glossaries or in one or more selected glossaries, and various advanced search functions will be available to suit the needs of different users. Hyperlinks to the source of the entries (e.g. legislative provisions or relevant documents) will also be provided. Users will also be able to download the search results or each individual glossary in PDF or RTF format. The development of these functions have broadly been completed in October 2020, and these functions are currently under testing. • In relation to the editorial work of the Combined Glossaries, we are constantly reviewing new legislation published in the Gazette for the purpose of selecting new glossary entries and
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		<p>updating existing glossary entries as appropriate. As at October 2020, we have reviewed the legislation published on or before 30 June 2020, and the Combined DoJ English-Chinese Glossary of Legal Terms under preparation contains more than 62 000 glossary entries.</p> <ul style="list-style-type: none"> • To prepare for the publication of the Combined Glossaries, we have launched an in-house prototype of a Combined English-Chinese Glossary of Legal Terms within DoJ for internal use and testing. The prototype was enhanced in March 2019 in two respects, both in terms of IT design (mainly, adding hyperlinks to source legislative provisions) and editorial content (mainly, adding new glossary entries and adding Legal Policy Division's glossaries). The enhanced prototype has laid the ground work for the IT design and editorial work of the Combined Glossaries.
	<p>Moreover, since 2018, DoJ has been uploading bilingual summaries of important judgments involving Government (including background, issues in dispute and rulings) to DoJ website for reference by the public.</p>	<p>When courts hand down important judgments involving the Government, DoJ will prepare summaries of such judgments (covering the background, issues in dispute and rulings of the cases) and upload them to DoJ's website. The summaries are prepared in bilingual versions and aim to assist the public to understand the legal principles involved (especially in controversial or complicated cases). Such measure has been implemented since 1 July 2018. As at 1 November 2020, DoJ has</p>

		uploaded summaries of 35 criminal cases, 13 civil cases and 43 judicial review cases.
4	Actively consider expanding the existing Understudy Arrangement for less-experienced barristers to act as junior counsel in prosecution cases, and to promulgate a similar programme for less-experienced barristers to undertake suitable civil work, so as to provide more opportunities for them to gain precious experience and skills in case handling.	<p>The Prosecutions Division has completed reviewing the Understudy Programme and has put in place a new arrangement since 15 June 2020 to provide more opportunities to Barristers and Solicitors with less than five years' post call/admission experience to act as junior counsel in prosecution cases. The revised features include expansion of the scope to cover other suitable categories of cases, increase in the number of participants and adjustment of the token daily rate.</p> <p>The Civil Division ("CD") has also launched a new Understudy Programme under which barristers and solicitors with less than five years' post call/admission experience may assist in suitable civil cases. This programme provides junior legal practitioners with more training opportunities, thereby enriching them with valuable experience.</p> <p>Since the end of 2018, the International Law Division ("ILD") has invited some less-experienced barristers to participate in our studies on some specific international law topics to enhance their experience and broaden their international outlook. Specifically, several young barristers were invited to write discussion papers for the Investor-State Dispute Settlement ("ISDS") international</p>

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		<p>conference under the theme of “Mapping the Way Forward” co-organised by DoJ and the Asia Academy of International Law (“AAIL”) in Hong Kong on 13 February 2019 for comment by world-renowned experienced legal experts. The discussion papers have been included in the publication of the records of the conference minutes for distribution at the meeting of the United Nations Commission on International Trade Law (“UNCITRAL”) UNCITRAL Working Group III (“WG III”) so as to contribute to the discussion on the reform of ISDS and to facilitate relevant policy formulation by Asian countries. Several young barristers, solicitors and academics were invited to write background papers for the UNCITRAL WG III Virtual Pre-Intersessional Meeting held on 9 November 2020 for comment by world-renowned experienced legal experts. ILD also invited some less-experienced barristers to participate in the legal study on the proposed application of the UN Convention on Contracts for the International Sale of Goods (“CISG”) to Hong Kong and to assist in preparation of the relevant public consultation paper.</p>
5	<p>With the introduction of the Mediation Mechanism for Investment Disputes in the Investment Agreement made under the CEPA, Hong Kong will provide training for mediators in handling international investment disputes with a view to building up a team of international investment dispute mediators in Asia to support</p>	<p>DoJ, the International Centre for Settlement of Investment Disputes (“ICSID”) and AAIL co-organised the first Investment Law and Investor-State Mediator training in Hong Kong from 15 to 21 October 2018. The training was attended by about 50 legal and dispute resolution practitioners and government officials from 18 jurisdictions. The second training course was held from late</p>

	resolution of investment disputes through mediation.	October to early November 2019. World-renowned speakers gathered together to share their knowledge and experience on topics relating to international investment law and mediation of investor-state disputes with government officials and other participants from Asia and overseas countries. DoJ will continue to co-organise the training, and the next training course is expected to be held later in 2021.
6	Encourage the development of online dispute resolution, and give policy support to the development of a Belt and Road (“B&R”) e-arbitration and e-mediation platform by non-governmental organisations so that Hong Kong will be able to provide efficient and cost-effective online dispute resolution services. In addition, we also give policy support to the development of a smart contract platform for use by enterprises of countries along the B&R in exploiting developments in LawTech to facilitate deal-making and dispute resolution.	<ul style="list-style-type: none"> On 27 February 2019, the Financial Secretary announced in the 2019-20 Budget that \$150 million would be provided for the development and initial operation of the online dispute resolution and deal-making platform. On 25 March 2019, the AJLS Panel supported the Government’s proposal to provide one-off funding support of \$150 million for the development of an Electronic Business Related Arbitration and Mediation Platform by the eBRAM International Online Dispute Resolution Centre Limited (eBRAM Centre) and its initial operation. The eBRAM Centre has also indicated at various Asia-Pacific Economic Cooperation (“APEC”) events its interest in becoming a pilot provider of online dispute resolution services in Hong Kong, China under the APEC Collaborative Framework on ODR of Cross-Border Business to Business Disputes, which was endorsed by APEC in August 2019. Hong

		<p>Kong, China opted into the said framework in April 2020.</p> <ul style="list-style-type: none"> In light of the prolonged epidemic's unprecedented impact on the local and global economy and its severe negative effects on the operation of businesses (especially MSMEs), it is anticipated that there would be an upsurge of disputes arising from or relating to COVID-19. DoJ announced the establishment of the COVID-19 Online Dispute Resolution ("ODR") Scheme in April 2020 to provide MSMEs with a speedy and cost-effective means to resolve low-value disputes relating to COVID-19. The COVID-19 ODR Scheme provides ODR services to the general public and businesses in resolving low-value and COVID-19 related disputes. The Government provided funding support of \$70 million under the second round of AEF to the eBRAM Centre and signed a memorandum of understanding with the eBRAM Centre in May 2020 in relation to its operation and the utilisation of funding provided. The said scheme was rolled out by the eBRAM Centre on 29 June 2020. <p>On 23 November 2020, the AJLS Panel expressed support for the provision of one-off funding of \$100 million to the eBRAM Centre for the development, enhancement and initial operation of its ODR and deal making platform.</p>
7	Study the desirability and means of establishing a Belt	The Task Force on Belt and Road Dispute Resolution was set up

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	and Road Dispute Resolution Centre, and formulate a set of bespoke B&R dispute resolution rules for the resolution of disputes arising from B&R transactions which will be manifestly international and multilingual, to overcome geographical distances and language barriers that exist between the B&R economies.	by DoJ to study the establishment of a dispute resolution body in Hong Kong and its rules for the resolution of international disputes concerning B&R projects. The work of the Task Force has been satisfactorily concluded and its proposals have been put forward to the Government.
8	Actively support legal professionals to enhance cooperation and exchanges with the Mainland and at the regional and international levels.	<ul style="list-style-type: none"> • DoJ and the Ministry of Justice of Japan signed a Memorandum of Cooperation (“MoC”) on 9 January 2019 to strengthen their collaboration on issues relating to international arbitration and mediation. The first event under the MoC was held in May 2019 in Hong Kong on sports arbitration. Other collaborative activities include a possible secondment programme with the Hong Kong International Arbitration Centre (“HKIAC”). • On 7 September 2019, DoJ signed a framework arrangement with the High People’s Court of Guangdong Province on exchange and mutual learning in legal aspects, under which a series of legal seminars were organised in collaboration with the Shenzhen Intermediate People’s Court. DoJ also took part in a Guangdong-Hong Kong-Macao GBA judicial case seminar organised by the High People’s Court of Guangdong Province on 6 January 2020. • On 12 September 2019, the first Guangdong-Hong Kong-Macao Bay Area Legal Departments Joint Conference was held

		<p>in Hong Kong. The main purpose for setting up the Joint Conference is, in accordance with the guiding directions set out in the Outline Development Plan for the Guangdong-Hong Kong-Macao GBA, to strengthen the legal exchanges and collaborations between Guangdong, Hong Kong and Macao with a view to jointly promoting legal development in the GBA, thereby providing more comprehensive and inclusive legal and dispute resolution services for enterprises.</p> <ul style="list-style-type: none"> • On 25 September 2019, DoJ signed aMoC with the Ministry of Justice of Korea. • On 4 November 2019, DoJ signed a MoC with the Office of the Judiciary of Thailand. • DoJ secured the support of the Ministry of Commerce (“MOFCOM”) and the State-owned Assets Supervision and Administration Commission of the State Council (“SASAC”) for establishing a permanent tripartite communication platform for Mainland enterprises (including state-owned enterprises) and the Hong Kong legal profession. The first event to facilitate such communication was held on 26 November 2019 in Beijing. It was the first exchange project of the “Tripartite Exchange and Cooperation Platform” among MOFCOM, SASAC and DoJ. The seminar was attended by 17 representatives from 11 Mainland enterprises, comprising nine
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		state-owned enterprises and two private enterprises, and eight legal experts from Hong Kong. DoJ is now engaged in discussions on entering into a related MoC.
9	Strengthen cooperation with international organisations	On 4 November 2019, DoJ signed a MoC with the UN to enhance exchanges and cooperation with UNCITRAL, including organising the biennial Asia Pacific Judicial Summit in Hong Kong. An office for cooperative projects between DoJ and UNCITRAL was established at the Hong Kong Legal Hub on 2 November 2020 to explore cooperation opportunities and facilitate cooperative projects with UNCITRAL in accordance with the MoC.
10	Promote Hong Kong as a regional capacity building centre for international law and dispute resolution through organising and co-organising international conferences and training programmes with international and local bodies	<p>DoJ has strengthened collaboration with renowned international, regional and local organisations, including UNCITRAL, Hague Conference on Private International Law (“HCCH”), Asian-African Legal Consultative Organization (“AALCO”), APEC, ICSID and AAIL by co-organising, supporting or participating in a variety of capacity building and promotional activities, in order to raise the international profile of Hong Kong.</p> <p>Some examples of international conferences and training held in 2020 include:</p> <p>➤ On 6 January 2020, DoJ took part in a Guangdong-Hong Kong-</p>

		<p>Macao GBA judicial case seminar organised by the High People's Court of Guangdong Province, with a view to facilitating the implementation of the Outline Development Plan for the Guangdong-Hong Kong-Macao GBA and strengthening the collaboration between the three places.</p> <ul style="list-style-type: none"> ➤ On 16 January 2020, the Chartered Institute of Arbitrators ("CI Arb") organised the 45th Alexander Lecture in the Function Hall of Justice Place, DoJ. The Secretary for Justice ("SJ") delivered a lecture on the changing landscape of the investor-state dispute settlement mechanism, which was attended by senior legal practitioners, academics as well as government officials. ➤ On 22 March 2020, the 17th Willem C. Vis (East) International Commercial Arbitration Moot was held virtually for the first time in Hong Kong with the assistance of the eBRAM Centre. DoJ will continue to support legal education and development of LawTech. ➤ On 29 June 2020, the eBRAM Centre introduced and demonstrated in Justice Place, DoJ its ODR platform developed under the COVID-19 ODR Scheme.
New Initiatives in 2019		

11	<p>In face of keen competition for international legal and dispute resolution services in the region, Hong Kong must enhance its presence, reputation and influence in a systematic manner through closer collaboration with various international and inter-governmental organisations and institutions.</p>	<ul style="list-style-type: none"> • DoJ signed with the Mainland the Arrangement on Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters, the Arrangement Concerning Mutual Assistance in Court-ordered Interim Measures in Aid of Arbitral Proceedings by the Courts of the Mainland and of the Hong Kong Special Administrative Region (“Interim Measures Arrangement”) and the Investment Agreement made under the CEPA, and published a list of mediation institutions and mediators mutually recognised by both sides under the Investment Agreement. Since the coming into operation of the Interim Measures Arrangement on 1 October 2019, as of 18 November this year, the HKIAC has processed 34 interim measures applications to preserve evidence, conduct or assets worth RMB 11.6 billion in total, and court orders preserving RMB 9.7 billion worth of assets have been made. • DoJ has succeeded in securing the Guangdong Province as the first to implement further liberalisation measures for partnership associations in August 2019, including the removal of the minimum capital injection ratio of 30% by Hong Kong partner firms in partnership associations set up between Hong Kong and Mainland law firms, as well as allowing partnership associations to employ Mainland and Hong Kong lawyers directly in their own name, etc. Since June 2020, such measures have been extended to the whole of the Mainland. Furthermore, the Central Government has also agreed to allow
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		<p>Hong Kong legal practitioners to be retained as legal consultants by one to three Mainland law firms simultaneously, and to replace the approval requirements with filing procedures.</p> <ul style="list-style-type: none"> • Following the decision adopted by the NPCSC on 11 August 2020 regarding the GBA Legal Professional Examination, the State Council issued on 22 October the pilot measures for Hong Kong and Macao legal practitioners to obtain Mainland practice qualifications and to practise as lawyers in the nine Mainland municipalities in the GBA. Hong Kong solicitors and barristers with accumulated practice experience of five years or above are eligible to apply for taking the examination. Upon obtaining a lawyer's practice certificate (GBA), one can provide legal services in the nine Mainland municipalities in the GBA on specified civil and commercial matters (including litigation and non-litigation matters) to which the Mainland laws apply, and enjoy the same privileges and subject to the same obligations as Mainland lawyers. On 6 November, the MoJ made an announcement providing details on the GBA Legal Professional Examination, including eligibility for the examination, application procedures as well as scope of examination. The 2021 GBA Legal Professional Examination will be held on 30 January 2021. • The Regulations of the Qianhai Shenzhen–Hong Kong Modern
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		<p>Service Industry Cooperation Zone of the Shenzhen Special Economic Zone (“Regulations”) were amended and approved in August this year. By allowing Hong Kong-, Macao-, Taiwan- and foreign-invested enterprises registered in Qianhai to agree on the choice of applicable law in their civil and commercial contracts despite the absence of “foreign-related elements”, enterprises in the GBA may enjoy wider application of Hong Kong law.</p> <ul style="list-style-type: none"> • DoJ has been actively engaged in the work of the Friends of the Chair on Strengthening Economic and Legal Infrastructure (“SELI”) under the APEC Economic Committee. In March this year, APEC endorsed the HKSAR Government’s proposal to provide funding support of USD 1 million to set up a sub-fund under APEC to strengthen economic and legal infrastructure in the region. The establishment of the sub-fund will demonstrate Hong Kong’s contribution to the strengthening of economic and legal infrastructure in the region and help enhance Hong Kong’s visibility and reputation.
12	Explore the possibility of hosting the 59th Annual Session of the AALCO in 2020, and invite international legal bodies such as UNCITRAL to host inter-sessional meetings and related activities in Hong Kong.	<ul style="list-style-type: none"> • DoJ has successfully secured the hosting of the 59th Annual Session of AALCO in Hong Kong. Originally scheduled to be held in Hong Kong in late November 2020, the Annual Session has been postponed to 2021 due to the COVID-19 epidemic.

		<ul style="list-style-type: none"> During the resumed 38th session of WG III in January this year, we successfully applied for hosting an inter-sessional meeting of WG III in Hong Kong. In view of the epidemic situation, the inter-sessional meeting of WG III, originally scheduled for November 2020 in Hong Kong, was tentatively postponed to the second half of 2021. Nevertheless, to continue promoting the related work of WG III, a pre-inter-sessional meeting of WG III was held online for the first time together with UNCITRAL and AAIL on 9 November 2020. Representatives of member states of UNCITRAL and renowned international experts were invited to share their views and experience on various frontier issues of investment mediation at the meeting, which attracted participants from over 70 countries and regions. The results of the meeting will be included in the records of the conference for distribution at the relevant meetings of the UNCITRAL WG III.
13	Plan to consult the public on a mechanism with the Mainland for mutual recognition of and assistance in corporate insolvency matters, so as to offer better legal protection to stakeholders in Hong Kong and on the Mainland and further optimise the business and investment environment of both places.	In June 2020, DoJ consulted the AJLS Panel on the key features of a suggested framework for cooperation with the Mainland on recognition of and assistance in corporate insolvency matters. Members of the panel and representatives of the Hong Kong Bar Association (“HKBA”) who were invited to attend the meeting expressed their support to the establishment of such cooperation mechanism.

14	<p>Provide training and support for Hong Kong legal talent to participate in international organisations, including international legal bodies such as the HCCH and UNCITRAL, and encourage and support local legal talent to take up leading positions in international organisations which Hong Kong participates as a member such as taking up the position of Chair of the Economic Committee of the APEC.</p>	<p>DoJ is actively engaged in close liaison with the UNCITRAL, the HCCH and the International Institute for the Unification of Private Law (“UNIDROIT”) with a view to offering secondment arrangements to local legal professionals (including lawyers in both public and private sectors). These opportunities will provide valuable on-the-job training for nurturing our legal talent in diverse areas of international law. Besides, with the support of the Central Government, the Commissioner of the Inclusive Dispute Avoidance and Resolution Office (“IDAR Office”) was appointed as the Chair of the APEC Economic Committee for a term of two years since 1 September 2019.</p>
15	<p>Launch a Pilot Professional Exchange Programme to facilitate cross-fertilisation of knowledge and experience among lawyers in the private sector and the Government to enhance mutual understanding, cooperation and collaboration, with a view to widening the experiences and horizons of the industry and consolidating Hong Kong’s status as a legal hub, a leading centre for international legal and dispute resolution services and a legal platform for deal-making and dispute resolution in the Asia Pacific Region.</p>	<ul style="list-style-type: none"> • Launched in mid-September 2019, the Pilot Professional Exchange Programme invites interested and eligible lawyers to apply through their respective law firms/chambers for a short attachment to DoJ. • After considering the profile of applicants, the preferred areas of interest as well as the timing and duration of availability, DoJ has arranged for the first lawyer participant in private practice to participate in the “Vision 2030 for Rule of Law” initiative coordinated by IDAR Office, including engaging in relevant public education and promotional work. • In addition, the lawyer on attachment also assisted the

		Arbitration Unit of the Legal Policy Division in organising arbitration conferences and conducting research on various topics for consolidating Hong Kong's position as a centre for international legal and dispute resolution services in the Asia-Pacific region.
16	Discuss with the Hague Academy of International Law the proposal to organise annual training courses in Hong Kong for the GBA and the neighbouring jurisdictions, and actively explore collaboration opportunities with international bodies to promote rule-based trading system, such as co-organising a conference on the 40th Anniversary of the CISG with the UNCITRAL in 2020, and to enhance the promotion of the rule of law and anti-corruption education in the neighbouring regions. Conclude a cooperation arrangement with the MOFCOM and the SASAC for establishing a permanent communication platform between Mainland enterprises and the Hong Kong legal profession.	<ul style="list-style-type: none"> DoJ has reached an agreement with the Hague Academy of International Law, one of the world's leading academic institutes on international law, on the organisation of regular capacity building courses in Hong Kong in collaboration with AAIL starting from 2020. The courses provide high-quality training for legal professionals in Hong Kong and the neighbouring regions and further raise Hong Kong's international profile. Owing to public health reasons, the organiser arranged an online seminar on 7 December 2020 before holding the first Hague Academy of International Law Advanced Course in Hong Kong on "Current Trends on International Commercial Dispute Settlement" from 8 to 12 November 2021. In addition, DoJ organised an online international conference entitled "Celebrating the 40th Anniversary of the CISG: CISG as a Tool for Global Trade – Theory and Practice" in collaboration with UNCITRAL and AAIL on 27 October 2020. Furthermore, DoJ and AAIL organised a webinar entitled

		<p>“Hong Kong Businesses and the CISG: The ‘Must Knows’ from International Court Practice” on 30 October this year. Meanwhile, DoJ issued on 2 March 2020 a public consultation paper titled “Proposed Application of the CISG to the Hong Kong Special Administrative Region”. The consultation period ended on 30 September 2020. DoJ is actively consolidating the views received.</p> <ul style="list-style-type: none"> DoJ also secured the support of the MOFCOM and the SASAC for establishing a permanent tripartite platform for regular communication between Mainland enterprises and the Hong Kong legal profession. Such platform would facilitate the export of Hong Kong’s legal and dispute resolution services to the B&R countries and the GBA. DoJ is actively preparing to hold the second seminar with the MOFCOM and the SASAC, while engaging in active discussions on entering into a related MoC.
17	Launch an initiative in 2020, namely, “Vision 2030 for Rule of Law” for the promotion and education of the rule of law. As a long term commitment towards 2030, a dedicated inclusive platform will be established for stakeholders, including youths, practitioners and experts, to take forward the initiative through academic and	<ul style="list-style-type: none"> DoJ has set up a Task Force on Vision 2030 for Rule of Law with memberships of local and international renowned experts to advise the Government on how to achieve the intended policy objectives. The Task Force held its first online meeting on 12 June this year and the second online meeting has already been held on 27 November to provide further guidance for the initiative.

	<p>professional exchanges, research, capacity building and activities to promote and reinforce the rule of law</p>	<ul style="list-style-type: none"> • In response to the recommendations of the Task Force, DoJ has started preparation on setting up a rule of law database in Hong Kong with objective data and relevant information. • Officially launched the Vision 2030 for Rule of Law and organised the Inaugural Rule of Law Congress during the Hong Kong Legal Week 2020. • The public education and promotional activities to be organised in 2020/21 includes: <ul style="list-style-type: none"> ➤ Studio DOJ ➤ Rule of Law Workshop for Secondary Schools Students Pilot Scheme ➤ e-Resources for Rule of Law and the Basic Law and release more important summary of judgments and prepare to publish more legal publications
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B. Ongoing Work of DoJ - Work Progress in 2020

Item	Initiatives	Progress to date
1	Mediation Mechanism established under the Investment Agreement of the CEPA Framework	Following the establishment of the Mediation Mechanism in accordance with the Investment Agreement signed under the framework of the CEPA, Hong Kong is to organise training for mediators on investor-state disputes resolution so as to build up a team of investment mediators in Asia to handle international investment disputes and to support the use of mediation in resolving these disputes. Following the success of the first in Asia Investment Law and Investor-State Mediator Training, co-organised by DoJ, ICSID and AAIL in October 2018; the second training was also held from late October to early November 2019. DoJ will continue to organise this training, and we expect to hold the next round of the training in the first quarter of 2021.
2	Enhance Hong Kong's attractiveness as a centre for international legal, deal-making and dispute resolution services by various means	<ul style="list-style-type: none"> DoJ signed with the Mainland the Arrangement on Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters, the Arrangement Concerning Mutual Assistance in Court-ordered Interim Measures in Aid of Arbitral Proceedings by the Courts of the Mainland and of the Hong Kong Special Administrative Region ("Interim Measures Arrangement") and the Investment Agreement made under the CEPA, and published a list of mediation institutions and mediators mutually recognised by both sides under the Investment Agreement. Since the coming into operation of the Interim Measures Arrangement on 1 October 2019, as of 18 November 2020, the HKIAC has processed 34 interim measures applications to preserve evidence, conduct or assets worth RMB 11.6 billion in total, and

Item	Initiatives	Progress to date
		<p>court orders preserving RMB 9.7 billion worth of assets have been made. Through concluding various arrangements on civil and commercial judicial assistance with the Mainland, Hong Kong is able to strengthen its mechanism for civil and commercial mutual legal assistance and provide more comprehensive legal protection to parties, thereby attracting more stakeholders from the HKSAR and the Mainland to use Hong Kong's legal, deal-making and dispute resolution services.</p> <ul style="list-style-type: none"> • DoJ is actively discussing with the Mainland the proposed establishment of a mechanism for mutual recognition of and assistance in corporate insolvency and debt restructuring matters between the two places. It is believed that upon the establishment of the mechanism, it will offer better legal protection for the stakeholders and further optimise the business and investment environment of both places. DoJ is now seeking an early breakthrough with the Mainland. • Since 19 May 2020, DoJ started processing applications for exemption from the compulsory quarantine arrangement for eligible arbitrators, mediators or qualified legal practitioners acting as counsel for parties who travel between Hong Kong and the Mainland, Macao or Taiwan to provide necessary legal services. Since 15 June 2020, DoJ also started processing applications for exemption from the compulsory quarantine arrangement for qualified legal practitioners acting for parties in important and large-scale commercial transactions who travel between Hong Kong and the Mainland, Macao or Taiwan to provide necessary legal services for such transactions.

Item	Initiatives	Progress to date
		<ul style="list-style-type: none"> DoJ launched the Pilot Scheme on Facilitation for Persons Participating in Arbitral Proceedings in Hong Kong (the “Pilot Scheme”) on 29 June 2020. It aims to provide facilitation for eligible non-Hong Kong residents participating in arbitral proceedings in Hong Kong on a short-term basis in order to strengthen Hong Kong’s position as a centre for international legal and dispute resolution services in the Asia-Pacific Region, and is in line with the B&R Initiative as well as the development of the Guangdong-Hong Kong-Macao GBA. Under the Pilot Scheme, nationals of countries who may visit Hong Kong visa-free (“visa-free nationals”) and who possess a “Letter of proof” are allowed to participate in arbitral proceedings in Hong Kong as visitors, i.e. they will not be required to obtain employment visas. The duration in which they may stay in Hong Kong for participating in arbitral proceedings shall not exceed the current visa-free period for visit. The Scheme will run on a trial basis for two years and cover the following four categories of visa-free nationals, namely (i) arbitrators; (ii) expert and factual witnesses; (iii) counsel acting for parties to the arbitration; and (iv) parties to the arbitration (“Eligible Persons”). The Pilot Scheme will be reviewed in two years’ time. Subject to the review, it may be extended to those Eligible Persons coming from other jurisdictions, including the Mainland. The official opening of the Hong Kong Legal Week 2020 cum opening of the Hong Kong Legal Hub and launch of “Vision 2030 for Rule of Law” was held on 2 November 2020. The Legal Week 2020 comprising various local and

Item	Initiatives	Progress to date
		<p>international legal events was held from 2 to 6 November 2020. Broadcasted live on the internet for the first time, the event provided local and international participants a platform for exchanging best practices, getting updates on the latest legal developments, and exploring collaboration prospects. The Legal Hub project (comprising parts of the former Central Government Offices, the former French Mission Building and Two Exchange Square) aims to attract reputable local, regional and international law-related organisations to provide services and set up offices in Hong Kong in order to consolidate and enhance Hong Kong's status as a centre for international legal, deal-making and dispute resolution services in the Asia-Pacific region. "Vision 2030 for Rule of Law" is a 10-year visionary initiative which aims to maintain and strengthen a fair and rule-based society underpinned by the rule of law through collaboration with stakeholders.</p> <ul style="list-style-type: none"> • DoJ conducted a review of the Arbitral Awards Arrangement in consultation with the SPC. It is anticipated that the amendments to the Arbitral Awards Arrangement will be implemented by way of signing the Supplemental Arrangement Concerning Mutual Enforcement of Arbitral Awards between the Mainland and the HKSAR ("Supplemental Arrangement") and amending the relevant provisions of the Arbitration Ordinance (Cap. 609). The Supplemental Arrangement has been signed on 27 November 2020 and DoJ plans to introduce the Arbitration (Amendment) Bill 2021 to the Legislative Council in early 2021 and to seek its support.

Item	Initiatives	Progress to date
3	Take forward the Legal Hub project	The Hong Kong Legal Hub officially opened on 2 November 2020. More than 20 selected local, regional and international law-related organisations are gradually moving in and commencing operation upon completion of respective fitting-out works and relevant procedures.
4	Consolidate Hong Kong's status as a legal hub for the B&R countries and the region	<ul style="list-style-type: none"> • At the first Guangdong-Hong Kong-Macao Bay Area Legal Departments Joint Conference meeting, the legal departments of the three places agreed to study the establishment of a mediation platform in the GBA, and suggested promulgating a set of unified accreditation standards for mediators in the GBA, guiding principles for mediation rules applicable to cross-border disputes within the GBA, principles and requirements for mediators' code of conduct, etc. for reference by the GBA mediation institutions and mediators, thereby enhancing the confidence of mediation users within the GBA. The second Joint Conference convened on 11 December this year, at which the three parties endorsed the proposal to set up the GBA Mediation Platform and to establish a Working Group on the GBA Mediation Platform. • DoJ secured the support of the MOFCOM and the SASAC for establishing a permanent tripartite regular communication platform for Mainland enterprises and the Hong Kong legal profession. Such platform would serve as a communication channel between Mainland enterprises and the Hong Kong legal profession to connect Mainland enterprises with Hong Kong legal experts in various areas, and through regular exchange of experience and knowledge, optimise the business and investment environment of both places

Item	Initiatives	Progress to date
		<p>and facilitate the export of Hong Kong's legal services. Following the first exchange event held under the tripartite communication platform together with the MOFCOM and the SASAC, DoJ is actively preparing to hold the second seminar with the MOFCOM and the SASAC, while engaging in active discussions on entering into a related MoC.</p> <ul style="list-style-type: none"> • The Regulations amended and approved in August this year stipulates that Hong Kong-, Macao-, Taiwan- and foreign-invested enterprises registered in Qianhai can agree on the choice of applicable law in their civil and commercial contracts despite the absence of “foreign-related elements”. The amendment allows wholly-owned Hong Kong enterprises registered in Qianhai to agree on the choice of applicable law, including Hong Kong law, when they enter into civil and commercial contracts. At the same time, DoJ is actively seeking the support of the Central Government in extending the measure to the whole GBA, as well as in the wider use of Hong Kong as a place of arbitration outside the Mainland in the GBA.
5	Succeeded in securing the Guangdong Province as the first to implement further liberalisation measures for partnership associations set up between Mainland and Hong Kong law firms	<ul style="list-style-type: none"> • Since June 2020, liberalisation measures like removal of the minimum capital injection ratio of 30% by Hong Kong partner firms in partnership associations set up between Hong Kong and Mainland law firms, as well as allowing partnership associations to employ Mainland and Hong Kong lawyers directly in their own name, etc. have been extended to the whole of the Mainland. Furthermore, the Central Government has also agreed to allow Hong Kong legal practitioners to be retained as legal consultants by one to three Mainland

Item	Initiatives	Progress to date
		<p>law firms simultaneously, and to replace the approval requirements with filing procedures.</p> <ul style="list-style-type: none"> • Following the decision adopted by the NPCSC on 11 August 2020 regarding the GBA Legal Professional Examination, the State Council issued on 22 October the pilot measures for Hong Kong and Macao legal practitioners to obtain Mainland practice qualifications and to practise as lawyers in the nine Mainland municipalities in the GBA. Hong Kong solicitors and barristers with accumulated practice experience of five years or above are eligible to apply for taking the examination. Upon obtaining a lawyer's practice certificate (GBA), one can provide legal services in the nine Mainland municipalities in the GBA on specified civil and commercial matters (including litigation and non-litigation matters) to which the Mainland laws apply, and enjoy the same privileges and subject to the same obligations as Mainland lawyers. On 6 November 2020, the Ministry of Justice made an announcement providing details on the GBA Legal Professional Examination, including eligibility for the examination, application procedures as well as scope of examination. The 2021 GBA Legal Professional Examination will be held on 30 January 2021. • To promote the GBA Lawyer Professional Examination, DoJ joined hands with the MoJ, the Department of Justice of Guangdong Province and the Legal Affairs Bureau of Macao to co-host a seminar on 19 November. Respective representatives from the MoJ and the Department of Justice of Guangdong

Item	Initiatives	Progress to date
		<p>Province introduced the relevant examination policies as well as the current position and development opportunities of legal services in the GBA. The seminar attracted enthusiastic response with over 700 online participants.</p>
6	Build Hong Kong as a capacity building centre	<ul style="list-style-type: none"> • DoJ has reached an agreement with the Hague Academy of International Law, one of the world's leading academic institutes on international law, on the organisation of regular capacity building courses in Hong Kong in collaboration with the AAIL starting from 2020. The courses provide high-quality training for legal professionals in Hong Kong and the neighbouring regions and further raise Hong Kong's international profile. Owing to public health reasons, the organiser will arrange an online seminar on 7 December 2020 before holding the first Hague Academy of International Law Advanced Course in Hong Kong on "Current Trends on International Commercial Disputes Settlement" from 8 to 12 November 2021. • Some examples of international conferences and training held in 2020 include: <ul style="list-style-type: none"> ➤ On 6 January 2020, DoJ took part in a Guangdong-Hong Kong-Macao GBA judicial case seminar organised by the High People's Court of Guangdong Province, with a view to facilitating the implementation of the Outline Development Plan for the Guangdong-Hong Kong-Macao GBA and strengthening the collaboration between the three places. On 16 January 2020, the CIArb organised the 45th Alexander Lecture in the Function Hall of Justice Place, DoJ. SJ delivered a lecture on the changing

Item	Initiatives	Progress to date
		<p>landscape of the investor-state dispute settlement mechanism, which was attended by senior legal practitioners, academics as well as government officials.</p> <ul style="list-style-type: none"> ➤ On 16-17 February 2020, the Commissioner of IDAR Office of DoJ chaired the first plenary meeting of the Economic Committee of APEC in Putrajaya, Malaysia as the Chair of the Economic Committee, a role to which he was appointed on 1 September 2019. ➤ On 22 March 2020, the 17th Willem C. Vis (East) International Commercial Arbitration Moot was held virtually for the first time in Hong Kong with the assistance of the eBRAM Centre. DoJ will continue to support legal education and development of LawTech. ➤ On 29 June 2020, the eBRAM Centre introduced and demonstrated in Justice Place, DoJ its ODR platform developed under the COVID-19 ODR Scheme. ➤ On 28 July and 28 October 2020, due to the restrictions caused by COVID-19, the Commissioner of IDARO of DoJ chaired two virtual informal meetings of the Economic Committee of APEC as its Chair, which was attended by 21 member economies and various policy advisors in the region. ➤ On 13 to 14 August 2020, due to the restrictions brought by COVID-19, the Commissioner of IDAR Office of DoJ chaired the second plenary meeting of the Economic Committee of APEC virtually as its Chair. The meeting was attended by 21 member economies and different policy advisors and experts in the region, as well as the APEC Secretariat and

Item	Initiatives	Progress to date
		<p>representatives from international organisations including UNIDROIT and the Organisation for Economic Co-operation and Development (“OECD”).</p> <ul style="list-style-type: none"> • The Hong Kong Legal Week 2020 was held online from 2 to 6 November with a series of activities tailored for professionals. The opening ceremony for the Hong Kong Legal Hub premises was also held during the Legal Week. The Hub attracts reputable local, regional and international law-related organisations, international legal services and dispute resolution institutions to develop business or set up offices in Hong Kong. It amply demonstrates Hong Kong’s status as an international hub for legal, deal-making and dispute resolution services in the Asia Pacific Region and shows the confidence of international organisations in Hong Kong’s rule of law and regimes. The Hong Kong Legal Week showcased to the international community our strengths in the provision of legal, deal-making and dispute resolution services, and our work in the promotion of and education on the rule of law, enabling the international community to see that we actively and willingly seek continuous exchange and cooperation with other jurisdictions to create the synergy and development momentum needed for providing equal opportunities of access to justice and achieving sustainable development. • On 7 November 2020, DoJ actively participated in the 5th Qianhai Legal Intelligence Forum with the theme “The Impact of the Global Epidemic on International Commercial Disputes and Countermeasures”.

Item	Initiatives	Progress to date
		<ul style="list-style-type: none"> • The 59th Annual Session of the AALCO, originally scheduled to be held in Hong Kong in late November 2020, has been postponed to the latter half of 2021 in view of the epidemic situation. • During the resumed 38th session of WG III in January this year, we successfully applied for hosting an inter-sessional meeting of WG III in Hong Kong. In view of the epidemic situation, the inter-sessional meeting of WG III, originally scheduled for November 2020 in Hong Kong, was tentatively postponed to the second half of 2021. Nevertheless, to continue promoting the related work of WG III, a pre-inter-sessional meeting of WG III was held online for the first time together with UNCITRAL and AAIL on 9 November 2020. Representatives of member states of UNCITRAL and renowned international experts were invited to share their views and experience on various frontier issues of investment mediation at the meeting, which attracted participants from over 70 countries and regions. The results of the meeting will be included in the records of the conference for distribution at the relevant meetings of UNCITRAL WG III.
7	LawTech	<ul style="list-style-type: none"> • “LawTech Fund”: The Government has set up the “LawTech Fund” under 芽 the second round of AEFto assist small and medium-size law firms and barristers’ chambers in procuring and upgrading information technology systems and arranging their staff to attend Lawtech training courses through reimbursement. Over 500 applications were received from over 70% of target small-medium sized firms and chambers. An amount of up to \$50,000 was

Item	Initiatives	Progress to date
		<p>granted to each eligible applicant.</p> <ul style="list-style-type: none"> • “Hong Kong Legal Cloud”: To further develop LawTech, DoJ actively looks into developing “Hong Kong Legal Cloud”, an online facility equipped with advanced information security technology to provide safe, secure and affordable data storage services for the local legal and dispute resolution industries, which will be conducive to promoting the long-term development of Hong Kong’s legal and dispute resolution services. • COVID-19 ODR Scheme: on 29 June 2020, the eBRAM Centre launched the COVID-19 ODR Platform (“ODR Platform”) to provide speedy, reliable and cost-effective ODR services for MSMEs that are adversely affected by the pandemic to resolve low-value disputes relating to COVID-19. Such ODR service is commissioned by DoJ pursuant to the Scheme. Under the Scheme, a dispute can be submitted to the online platform for resolution if it involves one party from Hong Kong (a resident of Hong Kong or a company registered in Hong Kong), is COVID-19 related and if the amount in dispute is not more than HK\$500,000. The ODR Platform has its own video conferencing technology developed specifically for ODR which enables parties to sign an “electronic ODR agreement” and conduct negotiation and mediation meetings as well as arbitration hearings online in a secure and effective environment. All data submitted to the ODR Platform will be stored in a private cloud hosted in Hong Kong.

Item	Initiatives	Progress to date
		<ul style="list-style-type: none"> The first project of the DoJ Project Office for Collaboration with UNCITRAL, which was established on 2 November 2020, will be related to online dispute resolution.
8	Hong Kong e-Legislation (“HKeL”)	<ul style="list-style-type: none"> DoJ continues to publish and update copies of legislation (including verified copies with legal status) on the HKeL for free access by the public. In parallel, taking into account users’ views and feedback, we have also introduced new features to the HKeL and enhanced its existing functions to facilitate the searching of and access to HK legislation. Rich Text Format (RTF) copies for all current versions (whether verified or not), and all past verified versions, of HK legislation have been made available on the HKeL since March 2020 for reference purpose. They can be downloaded in individual provision format from the “View Legislation” page or in whole chapter format from the “Download” area. The RTF copies make it easier for users to “copy and paste” legislative texts to email or other documents, and enable users to draft amendments to, or mark comments and notes on, copies of legislation using desktop word processing software. The popular Chinese-English Glossary and English-Chinese Glossary in the HKeL have also been made available in RTF format since August. They are in zipped files, divided according to the alphabetical order or the number of strokes of the expressions, to facilitate retrieval and download.

Item	Initiatives	Progress to date
		<ul style="list-style-type: none"> • In addition, the frequently-used “Quick Search” function was further enhanced in September this year. To provide more convenient access to target chapters or provisions, the “Cap. No.” and “Cap. Title” boxes are combined and linked up with the selected provision(s) and keyword(s) searches. A drop-down menu is also added to show the list of chapter titles that match the inputted words in the “Cap. Title” box for easier selection. • Adding and printing of selected provisions become easier under the enhanced “Printing List” function. Besides using the “Search Legislation—Results” page, users may also add selected provisions across different chapters to the “Printing List” through the “View Legislation” page for individual chapters.
9	Knowledge Management System (“KMS”)	<p>In order to manage the research, analysis, opinions and interpretations related to major legal issues more systematically, DoJ completed the KMS platform for DoJ staff at the end of last year to ensure valuable knowledge accumulated over the years in various legal fields is properly preserved. KMS is a central data repository built for storing departmental legal information with high reference value, and to promote the sharing of such information within and among DoJ’s divisions, thereby enhancing the knowledge of counsel in DoJ required in handling legal matters. Various divisions in DoJ have already established their own KMS, among which the KMS of CD was first implemented on a trial basis on 30 April 2019. Regular reviews on KMS will be conducted to enhance the folder structure and enrich the content of the knowledge database.</p>

Item	Initiatives	Progress to date
10	Revamp of the Departmental Website	The departmental website underwent a major revamp. The new website (www.doj.gov.hk) was launched this October. The revamped website adopts a more flexible and user-friendly interface, providing the legal profession and the public with easy access to information on DoJ's work and services.
11	Enhancing communication with the profession/public education/publicity activities	<ul style="list-style-type: none"> • DoJ participated in the international seminar on Chinese rule of law organised by the China Law Society on 13 November this year, during which SJ spoke about the B&R international commercial dispute avoidance and resolution. • To foster exchanges between the judicial and legal professions in Hong Kong and the Mainland, share the experience of the successful implementation of the Basic Law in Hong Kong since its return to the Motherland, and strengthen the community's understanding of "One Country, Two Systems" and the relationship between the Constitution and the Basic Law, DoJ hosted in hybrid mode the Basic Law 30th Anniversary Legal Summit with the theme "Back to Basics" on 17 November, during which a number of renowned local and Mainland legal professionals, Basic Law experts and academics shared their insights and experience on "One Country, Two Systems", the Constitution and the Basic Law. The summit attracted over 80 000 viewers online and over one million viewers via TV channels. • IDAR Office of DoJ has set up its official page on Facebook to introduce legal knowledge on dispute avoidance and resolution to the general public in a simple and easy-to-understand manner and to publicise DoJ events.

Item	Initiatives	Progress to date
		<ul style="list-style-type: none"> • The eBRAM Centre is supported by AAIL Limited, the HKBA and the Law Society of Hong Kong. DoJ signed a memorandum of understanding with the eBRAM Centre in May 2020 in relation to its operation and the utilisation of the funding provided and will continue to actively provide input from a policy perspective through which communication with representatives from the legal sector will be maintained. • The Hong Kong Legal Week was held online from 2 to 6 November 2020 with a series of activities tailored for professionals. The event showcased to the local and international community our strengths in the provision of legal, deal-making and dispute resolution services, and our work in the promotion of and education on the rule of law, enabling the international community to see that we actively and willingly seek continuous exchange and cooperation with other jurisdictions to create the synergy and development momentum needed for providing equal opportunities of access to justice and achieving sustainable development. DoJ has launched a dedicated website (www.legalweek.hk) to provide the public with information on Hong Kong Legal Week 2020. • DoJ is committed to promoting more extensive use of mediation. Apart from organising various promotional activities and seminars, DoJ co-organises events (including competitions, talks and training programmes) with other stakeholders to promote mediation. It also lends support as a supporting organisation to mediation-related activities conducted by the profession.

Item	Initiatives	Progress to date
		<ul style="list-style-type: none"> DoJ also launched its own pages on social media, including Facebook, LinkedIn and Weibo for direct communication with the public and publicising DoJ's initiatives in promoting mediation services.
12	Promotion of more extensive use of mediation	<ul style="list-style-type: none"> Mediation Essay Competition 2020 ("Competition") and Seminar on School Mediation <ul style="list-style-type: none"> The theme of the Competition was "Mediation: Listening, Dialogue and Conflict Resolution". It was co-organised by the DoJ, the Education Bureau, Rotary International District 3450, and Asia Conflict Resolution Institute Limited. The Competition aimed to raise the awareness on the use of mediation as an amicable means to resolve conflicts in school, home, business or general contexts. It also aimed to promote the use of mediation skills as daily life skills. It was hoped that through the Competition, students were inspired to develop a positive and constructive mindset in dispute resolution, thereby bringing home the importance of resolving conflicts amicably and maintaining harmonious relationships with others. The Competition was held between late January and 31 July 2020, while the School Mediation Seminar and the Prize Presentation Ceremony of the Competition were held on 21 November 2020. ICC International Commercial Mediation Competition - Hong Kong

Item	Initiatives	Progress to date
		<ul style="list-style-type: none"> ➤ ICC International Commercial Mediation Competition - Hong Kong 2019/2020 was held online from 11 to 14 November 2020. • Internationalisation of “Mediate First” Pledge (“MFP”) <ul style="list-style-type: none"> ➤ DoJ is working towards holding the MFP campaign outside Hong Kong. Following the MFP event held in Shanghai in 2019, DoJ planned to co-organise an MFP event in Thailand in 2020; the event date is postponed due to the epidemic.
13	Steering Committee on Mediation	<ul style="list-style-type: none"> • To foster the development of mediation services in Hong Kong, the Steering Committee on Mediation (“Steering Committee”) was set up by DoJ, with members from different sectors, including legal professionals, doctors, scholars, administrative staffs and social workers. The Steering Committee is assisted by the following Sub-committees/Special Committee/Supervisory Committee: <ul style="list-style-type: none"> ➤ Regulatory Framework and Accreditation Sub-committee ➤ Public Education and Publicity Sub-committee ➤ Special Committee on Evaluative Mediation ➤ West Kowloon Mediation Centre Supervisory Committee • Evaluative Mediation

Item	Initiatives	Progress to date
		<p>➤ The Special Committee on Evaluative Mediation under the Steering Committee reviews the current development of the use of evaluation in mediation and provision of mediation services using evaluative techniques in Hong Kong, and makes recommendations on certain matters (including the promotion of the use of evaluative mediation). The Report on Evaluative Mediation is expected to be ready in late 2021.</p>
14	The West Kowloon Mediation Centre (“WKMC”) and the mediation pilot scheme for handling Small Claims Tribunal cases	The WKMC commenced operation in November 2018. As at 31 October 2020, a total of 499 mediations had been conducted under the pilot scheme.
15	Key publications and summaries of notable judgments	<ul style="list-style-type: none"> • The latest third edition of <i>The Judge Over Your Shoulders – A Guide to Judicial Review for Administrators</i>, published by CD, has been uploaded to DoJ’s website for public viewing to raise public knowledge of judicial review and its importance in upholding the rule of law and deepen understanding of the principles underpinning good governance and administration. • The Commercial Unit of CD publishes “Commercial Law Review” around half-yearly. It aims to review commercial law matters which may be of relevance or interest through its concise, topical and practical articles and

Item	Initiatives	Progress to date
		<p>case-law notes.</p> <ul style="list-style-type: none"> DoJ website also provides summaries of notable judgments to assist the public to understand the major notable judgments. The selected cases involve important or significant legal principles or issues, issues of public interest, issues that attract strong media and/or public interest.
16	National Studies Programme	<p>DoJ organises training courses regularly to further improve officers' knowledge and understanding of our country's latest development, including its legal and judicial systems, socio-economic conditions and development direction. The training content is reviewed and updated in a timely manner to suitably customise teaching materials for the participants. In mid-October this year, DoJ co-organised with Tsinghua University for the first time a seminar course entitled "The Fundamental Principles of Chinese Law". The entire course was conducted virtually in view of COVID-19. After the epidemic subsides, we will arrange visits to various government departments and other site visits in the Mainland for some of the course participants to gain first-hand knowledge of our country's latest development and current situation. The programme is organised with the support of the Hong Kong and Macao Affairs Office of the State Council.</p>

Vision 2030 for Rule of Law (“Vision 2030”) – 10-Year Plan

Year	Project
2020	<ul style="list-style-type: none"> • Set up a Task Force on Vision 2030 for Rule of Law with memberships of local and international renowned experts • Launch various public education and promotional activities <ul style="list-style-type: none"> ✧ “Engagement”, ✧ “Empowerment” and ✧ “Enrichment”, with a focus on strengthening the understanding and practice of rule of law for general public, youths and professionals so as to facilitate sustainable development. • In Hong Kong Legal Week 2020: <ul style="list-style-type: none"> ✧ Officially launched Vision 2030 ✧ Held the 1st Rule of Law Congress • Held the Basic Law 30th Anniversary Legal Summit • Collection of objective data and information pertinent to the rule of law, and preparation for the establishment of a database in Hong Kong
2021	<ul style="list-style-type: none"> • Comprehensive implementation of the public education and promotional activities from 2020/21 onwards, including: <ul style="list-style-type: none"> “<u>Engagement</u>” – <u>General Public</u> <ul style="list-style-type: none"> ✧ Studio DoJ “<u>Empowerment</u>” – <u>Youths</u> <ul style="list-style-type: none"> ✧ Rule of law through drama (primary school) ✧ Pilot Scheme on Rule of Law Education for Secondary School Students ✧ e-Resources for Rule of Law and the Basic Law ✧ Organise the Youth Empowerment Exchanges to Advance the Rule of Law in the Asia Pacific Region “<u>Enrichment</u>” – <u>Professional and Legal Community</u> <ul style="list-style-type: none"> ✧ Young Professional Overseas Enrichment Programme

Year	Project
	<p>✧ Legal publications for professionals</p> <ul style="list-style-type: none"> • Organize the Signature Engagement Event for the Rule of Law (“SEE”) (propose to focus on youth related topics) • Propose to publish the proceedings of the Inaugural Rule of Law Congress • Launch the database in Hong Kong; share experiences and exchanges with other jurisdictions of different cultural and social backgrounds from 2021 onwards
2022	<ul style="list-style-type: none"> • Further develop and promote the database from 2022 onwards • Publish the report and the recommendations of the Task Force on Vision 2030 • Publish the Annotation of the Basic Law - 25th Anniversary of the Reunification of Hong Kong SAR • Organize the 2nd Rule of Law Congress
2023 to 2030	<ul style="list-style-type: none"> • Endeavor to achieve the vision of Vision 2030 i.e., - “To build and maintain a fair and rule-based society underpinned by the rule of law through collaboration with stakeholders towards sustainable development for all in line with the spirit and intent of the UN 2030 Agenda for Sustainable Development” through facilitating stakeholders collaboration, encouraging professional exchanges, enhancing capacity building, and continuing promotional activities to building a strong rule of law community within this region and beyond.

Task Force on Vision 2030 for Rule of Law
Membership List

(as at 27 November 2020)

Chairperson

Ms. Teresa CHENG, GBS, SC, JP
Secretary for Justice, Hong Kong SAR

Members

Mrs. Olufunke ADEKOYA
Partner, ALEX, Nigeria

Mr. Makhdoom ALI KHAN
Senior Advocate, Supreme Court of Pakistan

Mr. Justice Michael John HARTMANN, GBS
Former Non-Permanent Judge of the Court of Final Appeal, Hong Kong SAR

Professor Yoshihisa HAYAKWA
Professor of Law, Rikkyo University, Japan

Judge LIU Daqun
Judge of the International Residual Mechanism for Criminal Tribunals

Professor Dr. Surakiart SATHIRATHAI
Chairman of Asian Peace and Reconciliation Council

Professor Nico SCHRIJVER
Professor of Public International Law, Leiden University, the Netherlands

Dr. Thomas SO, JP
Partner, Mayer Brown, Hong Kong SAR

Ms. Winnie TAM, SBS, SC, JP
Senior Counsel, Des Voeux Chambers, Hong Kong SAR

Professor Albert Jan van den Berg
Honorary President of the International Council for Commercial Arbitration

Mr. Hans van Loon

Former Secretary General of the Hague Conference on Private International Law

Judge XUE Hanqin

Vice President, International Court of Justice

Professor ZHANG Yuejiao

Adjunct Professor, Tsinghua University, China

Law Officer (Civil Law) (ex officio)

Commissioner of Inclusive Dispute Avoidance and Resolution (IDAR) Office
(ex officio)

Secretariat

Rule of Law Unit, IDAR Office

Task Force on Vision 2030 for Rule of Law
Brief biographical information of Members

	Name
1.	<p>Mrs. Olufunke ADEKOYA <i>Partner, ALEX, Nigeria</i></p> <p>Mrs. Olufunke Adekoya is also a member of the World Bank Sanctions Board, a member of the Governing Board of the International Council for Commercial Arbitration and a member of Africa International Legal Awareness.</p>
2.	<p>Mr. Makhdoom ALI KHAN <i>Senior Advocate, Supreme Court of Pakistan</i></p> <p>Mr. Makhdoom Ali Khan served as the Attorney General of Pakistan from 2001-2007. He is also a member of the Board of American Arbitration Association and a member of the Governing Board of International Council for Commercial Arbitration.</p>
3.	<p>Mr. Michael John HARTMANN, GBS <i>Former Non-Permanent Judge of the Court of Final Appeal, Hong Kong SAR</i></p> <p>Mr. Michael Hartmann joined the Hong Kong Judiciary in 1991 and was the former Non-Permanent Judge of the Court of Final Appeal from 2010-2016. He was also the first Representative of the Asia Pacific Regional Office of the Hague Conference on Private International Law.</p>
4.	<p>Professor Yoshihisa HAYAKAWA <i>Professor of Law, Rikkyo University, Japan</i></p> <p>Professor Yoshihisa Hayakawa is also the Secretary General of the Japan International Dispute Resolution Centre. He has represented Japan in many international fora, for example, he is currently the Convenor of the group on Strengthening Economic Legal Infrastructure under APEC Economic Committee.</p>
5.	<p>Judge LIU Daqun <i>Judge of the International Residual Mechanism for Criminal Tribunals</i></p> <p>Prior to his current position, Judge Liu Daqun was the Vice-President of the</p>

	Name
	International Criminal Tribunal for the former Yugoslavia. He is also a member of the Permanent Court of Arbitration and the <i>Institut de Droit International</i> .
6.	<p>Professor Dr. Surakiart SATHIRATHAI <i>Chairman of Asian Peace and Reconciliation Council</i></p> <p>Prior to his current position, Dr. Surakiart Sathirathai occupied top posts in the government of Thailand including serving as Deputy Prime Minister, Minister of Culture, Minister of Foreign Affairs and Minister of Finance in different periods.</p>
7.	<p>Professor Nico SCHRIJVER <i>Professor of Public International Law, Leiden University, the Netherlands</i></p> <p>Professor Nico Schrijver is the immediate past President of the <i>Institut de Droit International</i>. He is also a Member of the UN Committee on Economic, Social and Cultural Rights and a Member of the Advisory Committee on International Law Affairs of the Dutch Government.</p>
8.	<p>Dr. Thomas SO, JP <i>Partner, Mayer Brown, Hong Kong SAR</i></p> <p>Dr Thomas So was the President of the Law Society of Hong Kong from 2016-2018, and previously served as Deputy Judge at the District Court and Temporary Deputy Registrar at the High Court of Hong Kong. He is also the Chairman of the Hong Kong Academy of Law.</p>
9.	<p>Ms. Winnie TAM, SBS, SC, JP <i>Senior Counsel, Des Voeux Chambers, Hong Kong SAR</i></p> <p>Ms Winnie Tam served as the Chairman of the Hong Kong Bar Association from 2015 to 2017. She is also the Chairman of the Hong Kong Communications Authority, a Member of the Hong Kong Law Reform Commission and the Chief Executive's Council of Advisers on Innovation and Strategic Development.</p>
10.	<p>Professor Albert Jan van den Berg <i>Honorary President of the International Council for Commercial Arbitration</i></p>

	Name
	<p>Professor Albert Jan van den Berg previously served as the President of the International Council for Commercial Arbitration and a former Vice-President of the London Court of International Arbitration. He is now a partner in Hanotiau & van den Berg and also Professor Emeritus of Law at Erasmus University, Rotterdam.</p>
11.	<p>Mr. Hans van Loon <i>Former Secretary General of the Hague Conference on Private International Law</i></p> <p>Mr. Hans van Loon was the Secretary General of the Hague Conference on Private International Law (HCCH) from 1996 to 2013 and was instrumental in establishing the HCCH Asia Pacific Regional Office in Hong Kong in 2012. He is also an honorary Member of the <i>Asociación Americana de Derecho Internacional Privado</i>.</p>
12.	<p>Judge XUE Hanqin <i>Vice President, International Court of Justice</i></p> <p>Judge Xue Hanqin has been a judge at the International Court of Justice since 2010. She previously served as the Ambassador of China to the Netherlands, Permanent Representative to the Organization on the Prohibition of Chemical Weapons, Ambassador of China to ASEAN. She also chaired the U.N. International Law Commission in 2010.</p>
13.	<p>Professor ZHANG Yuejiao <i>Adjunct Professor, Tsinghua University, China</i></p> <p>Professor Zhang Yuejiao served as one of the seven members and Chair of the Appellate Body of the World Trade Organization between 2007 and 2016. In 2017, she was designated by the President of the World Bank to the Panel of Arbitrators of the International Centre for the Settlement of Investment Dispute for 6 years.</p>