

# Speech by DSJ at Asia-Pacific International Private Law Summit 2024 (English only) (with photo/video)

Following are the closing remarks by the Deputy Secretary for Justice, Mr Cheung Kwok-kwan, at the Asia-Pacific International Private Law Summit 2024 under Hong Kong Legal Week 2024 today (November 4):

Professor Ignacio Tirado (Professor Ignacio Tirado, Secretary-General of the International Institute for the Unification of Private Law (UNIDROIT), distinguished guests, ladies and gentlemen,

It is a great honour for me to deliver the closing remarks of the Asia-Pacific International Private Law Summit 2024, a remarkable event co-organised by UNIDROIT and the Department of Justice of the Hong Kong Special Administrative Region.

I am especially delighted to see Ignacio and Anna (the Deputy Secretary-General of UNIDROIT, Professor Anna Veneziano) again in person today. It brings back my memories of my visit to UNIDROIT's Secretariat in the beautiful city of Rome last year, where I attended an insightful conference co-organised by UNIDROIT and the Chinese Embassy in Italy. I still recall the generous hospitality extended to me by Ignacio and Anna during my visit. I sincerely hope that we have been able to reciprocate that same warmth and hospitality during your time here in Hong Kong.

Today's Summit has been nothing short of inspiring. We have been privileged to hear insightful presentations from distinguished officials, industry players and experts from Hong Kong and overseas, including high-level officials from several renowned international organisations of UNIDROIT, Asian Infrastructure Investment Bank and the Hague Conference on Private International Law. We are also honoured to have had a senior official from Mongolia to share her insights, which have further enriched our discussions.

The quality and depth of these presentations have been commendable, addressing critical issues pertinent to the evolving landscape of international private law. The topics explored by our expert panellists are both timely and relevant not only to Hong Kong, but also to the Asia-Pacific region and beyond. I am confident that the insights shared today will contribute significantly to ongoing discussions within our legal communities and other stakeholders.

As we reflect on today's Summit, one overarching theme has particularly stood out, that is the importance of legal certainty and predictability. In an increasingly globalised world, where cross-border transactions are growing in volume and complexity, the harmonisation and modernisation of private law are more important and essential than ever. Reducing legal uncertainties is

not merely an academic or technical exercise. It directly benefits businesses by enabling them to operate with greater confidence and facilitating smooth cross-border commercial activities. Legal certainty and predictability fostered by international private law will therefore be a "springboard to opportunities" for the Asia-Pacific region, as encapsulated in the theme of today's Summit.

#### Panel 1: Harnessing Opportunities from Digital Assets, Tokenisation and Carbon Credits

In our first panel, we delved into the need for a consistent approach to the legal treatment of digital assets across jurisdictions.

The advent of technologies such as distributed ledgers has paved the way for cryptocurrencies and other digital assets, which are now integral to various sectors of our economy and financial markets.

In order to unlock the potential of the digital economy, a clear and certain legal framework is vital. Such clarity instils trust in technology, ensures platform resilience and protects the rights of consumers and businesses alike. In this context, the UNIDROIT Principle on Digital Assets and Private Law which provides a common framework addressing legal issues related to the holding, transfer and use of digital assets, are particularly relevant to Hong Kong and the Asia-Pacific.

Today's discussion offered much to consider about integrating international principles with local laws in each jurisdiction to achieve harmonisation and consistency. As an international financial hub, Hong Kong is committed to promoting the integration of real economy and digital economy, and fostering the development of the digital economy.

#### Panel 2: Unleashing Economic Potential Through Secured Transaction Law Reform in the Asia-Pacific Region

The benefits and role of harmonised secured transactions law in promoting economic growth across the Asia-Pacific region was discussed in Panel 2.

Secured transactions are essential for businesses seeking access to credit and working capacity. As a leading international trading hub with a robust legal system, Hong Kong is the prime destination for Mainland and overseas enterprises establishing their international headquarters to manage offshore trading and supply chain operations. In fact, Hong Kong ranks at the top globally in terms of international trade and business legislation according to the World Competitiveness Yearbook 2024 by the International Management Development Institute.

Our experts in Panel 2 examined the importance of international instruments supporting secured transactions, while exploring UNIDROIT's contribution to secured transactions law, such as the Convention on International Interests in Mobile Equipment and its various Protocols, as well as the recent adopted Model Law on Factoring. Such efforts are crucial

for enhancing access to credit for businesses across the Asia-Pacific Region to unleash our economic potential.

### Panel 3: Gateway to International Investment and Sustainability

The experts at Panel 3 brought our attention to the need for reducing legal uncertainties surrounding international investment contracts for both states and private investors.

In this regard, the panel introduced the UNIDROIT's ongoing international investment project, which seeks to modernise, harmonise and standardise international investment contracts by developing clear guidance to foster consistency in these vital agreements. It also addresses recent developments in international investment law, such as the increasing focus on corporate social responsibility and sustainability.

These topics are of particular relevance to Hong Kong, given its role as an important gateway between China and the global markets. Hong Kong's unique arrangements with Mainland China enhance its appeal as a jurisdiction for international investment and arbitration. Investments from Hong Kong into Mainland China enjoy the substantive protections offered by the investment agreement under the Mainland and Hong Kong Closer Economic Partnership Arrangement. Moreover, we are the first common law jurisdiction where parties involved in arbitrations seated in Hong Kong can seek interim measures from Mainland courts, such as asset preservation.

This synergy between Hong Kong's legal infrastructure and its strategic relationship with Mainland China not only bolsters investor confidence but also further strengthens Hong Kong's position as a leading centre for international legal and dispute resolution services within the Asia-Pacific region.

### Panel 4: Building Bridges by Strengthening Engagement in the Asia-Pacific Region

Finally, Panel 4 discussed building bridges to strengthen engagement and capacity building has been identified as a key to strengthening engagement in the Asia-Pacific region. This involves not only improving legal infrastructure but also developing skilled professionals capable of handling the complexities of international private law.

The Panel highlighted the significance of legal co-operation and legal talents development. Capacity building initiatives among international organisations and Asia-Pacific economies are crucial in equipping our region's government officials, practitioners and other stakeholders with the skills and knowledge needed to navigate the complex international legal landscape. Amid the growing demand for legal expertise driven by increasing international trade, these initiatives foster collaboration and nurture skilled legal professionals, thereby improving access to justice regionally and beyond.

Hong Kong is deeply committed to enhancing its status as a regional hub

for capacity building. With a strong pool of legal and dispute resolution professionals who possess extensive international experience, the Department of Justice has been actively involved in organising and supporting various training and development programmes across different areas of law and practice. For example, we have co-organised or supported multiple editions of the Investment Law and Investor-State Mediator Training and the China-AALCO Exchange and Research Program on International Law in Hong Kong.

As noted by our Secretary for Justice during his opening remarks, the Hong Kong International Legal Talents Training Academy will be officially launched this Friday, and we warmly invite all of you to join us to witness this significant moment. Building on our strong foundation in capacity-building and our close collaboration with UNIDROIT and other international organisations, the Academy will regularly offer practical training courses, seminars and international exchange programmes aimed at promoting collaboration among legal professionals, judges and government officials throughout Asia Pacific and beyond. Already in the pipeline for the Academy is to support the organisation of the Second Edition of The Hague Academy of International Law's Advanced Course in Hong Kong.

## Conclusion

Ladies and gentlemen, it is my pleasure to announce that we have successfully concluded the Asia-Pacific International Private Law Summit 2024. The success of this Summit is a testament to the collective efforts and dedication of UNIDROIT, my colleagues at the Department of Justice, and your active participation. I extend my heartfelt gratitude to everyone who contributed to making this Summit a resounding success.

As we wrap up today's event, we also mark the end of the first day of the Hong Kong Legal Week 2024. We warmly welcome you all to participate in the exciting events we have prepared for you throughout this week.

Thank you once again! I wish you all an enriching experience throughout the Hong Kong Legal Week 2024. For those visiting abroad, I hope you enjoy your time in Hong Kong.



## LegCo to debate motion on further enhancing housing ladder

The following is issued on behalf of the Legislative Council Secretariat:

The Legislative Council (LegCo) will hold a meeting on Wednesday (November 6) at 11am in the Chamber of the LegCo Complex. During the meeting, Members will debate a motion on further enhancing the housing ladder. The motion, moved by Mr Vincent Cheng, is set out in Appendix 1. Mr Louis Loong, Mr Leung Man-kwong, Ms JoePHY Chan, Dr Wendy Hong, Mr Kenneth Leung and Dr So Cheung-wing will move separate amendments to Mr Cheng's motion.

Ms Doreen Kong will also move a motion on implementing the spirit of the Third Plenary Session of the 20th Central Committee of the Communist Party of China and earnestly addressing people's concerns and difficulties in daily life. The motion is set out in Appendix 2. Dr Johnny Ng, Dr So Cheung-wing, Dr Hoey Simon Lee and Professor Priscilla Leung will move separate amendments to Ms Kong's motion.

Meanwhile, Mr Ma Fung-kwok will move a proposed resolution under section 34(4) of the Interpretation and General Clauses Ordinance to extend the period for amending subsidiary legislation. The proposed resolution is set out in Appendix 3.

Members will also ask the Government 22 questions on various policy areas, six of which require oral replies.

The agenda of the above meeting can be obtained via the LegCo Website ([www.legco.gov.hk](http://www.legco.gov.hk)). Members of the public can watch or listen to the meeting via the "Webcast" system on the LegCo Website. To observe the proceedings of the meeting at the LegCo Complex, members of the public may call 3919 3399 during office hours to reserve seats.

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## Update on cluster of Candida auris cases in Princess Margaret Hospital

The following is issued on behalf of the Hospital Authority:

Regarding an earlier announcement on Candida auris carrier cases, the spokesperson for Princess Margaret Hospital made the following update today (November 4):

Following a contact tracing investigation, one more patient, an 83-year-old male in a Medicine and Geriatrics ward, was identified as a carrier of *Candida auris* without signs of infection. The patient is now being treated in isolation and is in stable condition.

The ward concerned has adopted the following enhanced infection control measures:

1. Enhanced patient and environmental screening procedures;
2. Applied stringent contact precautions and enhanced hand hygiene of staff and patients; and
3. Thorough cleaning and disinfection of the ward concerned.

The hospital has reported the case to the Hospital Authority Head Office and the Centre for Health Protection for follow-up and will continue to closely monitor the situation.

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## **CHP investigates case of severe paediatric enterovirus infection**

The Centre for Health Protection (CHP) of the Department of Health is today (November 4) investigating a case of severe paediatric enterovirus (EV) infection, and again urged the public and institutions to maintain strict hand, personal and environmental hygiene.

The case involves a 12-year-old boy with congenital heart disease. He developed fever and seizure on October 31. He attended the Accident and Emergency Department of Caritas Medical Centre and was admitted for management on the same day. The patient is now in a stable condition.

A laboratory test of his cerebrospinal fluid specimen was positive for EV. The clinical diagnosis was meningitis.

Initial enquiries by the CHP revealed that the patient had no travel history during the incubation period. His father and mother developed upper respiratory tract infection symptoms two weeks ago and have both already recovered. His other home contacts have remained asymptomatic. The school he attends has had no reported outbreak of hand, foot and mouth disease. The CHP's investigations are ongoing.

A spokesman for the CHP said that as EV infection is transmitted by direct contact with nose and throat discharges, the public should be vigilant and observe the following preventive measures:

- Wash hands before eating and after going to the toilet and changing diapers;
- Cover the mouth and nose when coughing and sneezing;
- Maintain good ventilation; and
- Thoroughly clean toys or appliances that are contaminated by nasal or oral secretions.

Children suffering from EV infection should stay at home and avoid contact with other children until they have recovered.

The public may visit the CHP's page on [hand, foot and mouth disease and EV71 infection](#) for more information.

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## [Asia+ Festival's concerts by Kinan Azmeh fuse Arabic music with classical and jazz elements \(with photos\)](#)

This year's Asia+ Festival has invited Kinan Azmeh, a core member of Yo-Yo Ma's Silk Road Ensemble and an award-winning clarinettist and composer, to perform in Hong Kong for the first time in November. He will be joined by percussionist John Hadfield and five emerging local musicians in a pair of concerts that showcase a broad range of music. The events are presented by the Culture, Sports and Tourism Bureau and organised by the Leisure and Cultural Services Department.

Born in Syria and now based in the United States, Azmeh is widely acclaimed for his genre-crossing repertoire that blends Arabic music with Western classical and jazz influences. His work has been hailed by The New York Times as "intensely soulful", describing him as a "virtuoso". In 2017, Silk Road Ensemble's "Sing Me Home", which he contributed to, won the Grammy Award for Best World Music Album. Within the album is his composition "Wedding", in which he also appeared as a clarinettist.

Azmeh has performed in many major venues around the world, such as the Bastille Opera House in Paris, Berliner Philharmonie in Berlin and the United Nations General Assembly in New York. In the upcoming Hong Kong concerts, he will perform four compositions of different styles, which will express emotions that are universally shared. "The Fence, the Rooftop and the Distant Sea" portrays the composer's longing for his hometown, while "Ibn Arabi Postlude" exalts love and freedom, which he deems as sacred as religion. Another piece, "In the Element", depicts Azmeh's state of bliss as he becomes



one with the natural environment he is familiar with. Lastly, "Suite for Improvisor and Orchestra" is his contemplation of the intriguing correlations between the composed and the improvised.

Besides sharing the stage with Hadfield are the five local musicians, namely violinists Nina Wong and Sammi Chan, violist Martin Kuo, cellist Kelvin Lee, and double bassist Evette Chiu. Part of this programme was performed to critical acclaim for Azmeh's collaboration with the London Philharmonic Orchestra in London Southbank Centre last year.

"Concert by Kinan Azmeh" is one of the celebratory programmes of the 35th anniversary of the Hong Kong Cultural Centre. It will be staged at 8pm on November 22 and 23 at the Hong Kong Cultural Centre Studio Theatre. Each performance will be followed by a meet-the-artist session. Tickets priced at \$260 and \$400 are now available at URB TIX ([www.urbtix.hk](http://www.urbtix.hk)). For telephone bookings, please call 3166 1288; or use the mobile ticketing app "URBTIX". Besides the concert, a composition and improvisation workshop, with tickets priced at \$200, will be held on November 20 at the Hong Kong Cultural Centre Administration Building's Podium Workshop. Azmeh will also coach Hong Kong Academy for Performing Arts students in a clarinet masterclass on November 21 at the Academy's Recital Hall. Members of the audience are welcome to view the class for free. For more details, please visit [asiaplus.gov.hk/2024/en/concert-by-kinan-azmeh](http://asiaplus.gov.hk/2024/en/concert-by-kinan-azmeh).

The second Asia+ Festival is running from September to November, highlighting the arts and cultures of nearly 30 Asian and Belt and Road countries and regions. Apart from stage programmes, there are also thematic exhibitions, an outdoor carnival, film screenings, outreach activities and more, numbering over 100 in total. For programme enquiries and concessionary schemes, please call 2370 1044 or visit [asiaplus.gov.hk/2024/en](http://asiaplus.gov.hk/2024/en).





