

Speech by SJ at 4th UNCITRAL Asia Pacific Judicial Summit (English only) (with photo)

Following is the opening remarks by the Secretary for Justice, Ms Teresa Cheng, SC, at the 4th UNCITRAL Asia Pacific Judicial Summit: Sustainably Adapting to a New Normal – Judicial Conference under the Hong Kong Legal Week 2021 today (November 1):

Chief Justice (Chief Justice of the Court of Final Appeal, Mr Andrew Cheung Kui-nung), Anna (Secretary of United Nations Commission on International Trade Law (UNCITRAL), Ms Anna Joubin-Bret), Mr Ninio (General Counsel of the Asian Infrastructure Investment Bank, Mr Alberto Ninio), distinguished guests, ladies and gentlemen,

Legal Week 2021

Good morning, and to those watching from overseas, good afternoon, and perhaps even good evening to you. It gives me great pleasure to welcome you all not only to the start of the Judicial Summit, but also to the start of the Hong Kong Legal Week 2021. The Hong Kong Legal Week is an annual flagship event for the legal sector in Hong Kong. I hope that the Hong Kong Legal Week will serve as a platform for exchange on a series of topical issues between legal practitioners, academics, judges and experts not only in Hong Kong, but also in the region and internationally as well.

Apart from today's Judicial Summit, other focal events of the Legal Week include the International Criminal Law Conference tomorrow; on Wednesday, there is the Workshop on Online Dispute Resolution which we co-organise with ASEAN (Association of Southeast Asian Nations) and which we will bring to Hong Kong again next year for a physical meeting; and also in the evening on Wednesday, the Hong Kong Mediation Lecture sponsored by Herbert Smith Freehills. The Law Society's 4th Belt and Road Conference with the theme of "Global Recovery and Harmony through the Belt and Road Initiative" will be held on Thursday.

In the Hong Kong Legal Week 2020 held last year, the Department of Justice launched the "Vision 2030 for Rule of Law" initiative, a 10-year project which aims to promote the proper understanding and recognition of the rule of law by studying its various elements through research, stakeholder's collaboration and capacity building, thereby contributing to the sustainable development of inclusive and fair societies at both the domestic and international levels. This Friday we will be hosting the inaugural Rule of Law Signature Engagement Event, acronym "SEE", as part of Vision 2030 with the theme "A Journey of Transformation for a Sustainable Future". It aims to complement the Rule of Law Congress last year, discussing specific areas that impact on the practice of the rule of law and encourage the participants to "see" how we as global citizens could contribute towards a more inclusive and

sustainable future for the development of the rule of law.

Judicial Summit

It is especially heartwarming to bear witness to the Judicial Summits' journey. As with all good things, it has gone through the conceptual embryonic stage before coming to fruition. Some of you may not be aware, the embryonic stage took place in Beijing when the former Secretary-General of UNCITRAL, Renaud Sorieul, travelled there in his first year in term of office, and together with the judges we shared experiences on the application of the New York Convention. I can vividly remember the room that was filled with judges from the Supreme People's Court, the Supreme Court of India and various other jurisdictions and our very own Mr Justice William Stone who participated in the event. The first iteration of the Asia-Pacific Judicial Summit in Hong Kong in 2015 was attended by some 40 judges and was a part of the Hong Kong Arbitration Week, with the theme that year of promoting the uniform interpretation and application of the New York Convention. The Department of Justice, apart from co-organising the event with the United Nations Commission on International Trade Law and the Hong Kong International Arbitration Centre, also sponsored judges from Least Developed Countries, Landlocked Developing Countries and Small Island Developing States in the Asia Pacific Region to attend the Summit in Hong Kong.

The second iteration of the Judicial Summit in 2017 featured a breakthrough by featuring two events in the Summit – the Judicial Conference and the closed door Judicial Roundtable – to better balance and cater for the needs of judges and judicial officers to gain knowledge but to also share their experiences. This format has continued since.

In the 2019 edition of the Judicial Summit, held in the first Hong Kong Legal Week, thanks to the support of the Central People's Government, a Memorandum of Understanding was signed between the Government of the Hong Kong Special Administrative Region of the People's Republic of China and the United Nations. Not only does it formalise and provide a framework of co-operation and understanding between the Department of Justice and UNCITRAL, it also provides for a regular biennial collaboration in this Judicial Summit, and importantly, expanding its scope so that we can cover more topics beyond just arbitration, and to include security interests, insolvency, public-private partnerships, and other UNCITRAL texts such as the Convention on the International Sale of Goods (CISG). As you may know, in Hong Kong we have just passed the legislation, allowing the CISG to be applied to Hong Kong, and it will come into force some time next year.

As the first event of Hong Kong Legal Week 2021, I am pleased to say that notwithstanding the challenges posed by the pandemic, today we have more 80 judges attending in person and online.

I am also pleased to note that this year's Judicial Summit also contains a "first" – that is the first time that Armenian simultaneous interpretation has been provided so that judges from Armenia may be able to participate in this event in their native language. My special thanks goes to the Asian Development Bank (ADB) for making this possible and initiating this

collaboration, and the Regional Centre for Asia and the Pacific of UNCITRAL for facilitating this process. This new groundbreaking collaboration with the ADB perhaps will continue to encourage us to unleash the potential of the Asia-Pacific Judicial Summit as a platform for exchanges for judges in the region.

In the Judicial Conference today, we will benefit from the wisdom and knowledge of eminent speakers, starting with today's keynote speaker Mr Alberto Ninio, General Counsel of the Asian Infrastructure Investment Bank (AIIB). I thank him and the AIIB for sharing their experiences and insights in this most important area of climate and sustainable financing.

Conclusion

Ladies and gentlemen, the theme for today is "Sustainably Adapting to a New Normal", and we must all adapt to this new normal in a sustainable manner. I hope that after today, we can all be inspired to push for sustainability in both the legal and financial sectors, and to look for tools such as LawTech to assist in this new development. On this note, may I express my thanks to you all for joining us online and in person, and to UNCITRAL for their continuous support. Last but not the least, a special note of thanks must be extended to my colleagues, in particular those at the Inclusive Dispute Avoidance and Resolution Office, who have put the events of the Legal Week together. They have managed splendidly. And may I ask you to thank them, in particular for all their efforts of bringing us here together in the Hong Kong Legal Week? And by that I will now also pronounce the beginning of the Judicial Summit and also the Hong Kong Legal Week. Thank you very much.

