

Speech by SJ at closing of ICC International Commercial Mediation Competition – Hong Kong 2019/20 (English only)

Following is the speech by the Secretary for Justice, Ms Teresa Cheng, SC, at the closing of the ICC International Commercial Mediation Competition – Hong Kong 2019/20 today (November 14):

Mr J P Lee (Chairman of the International Chamber of Commerce – Hong Kong (ICC-HK)), Mr Ronald Sum (Co-Chair of the Steering Committee of the ICC International Commercial Mediation Competition – Hong Kong), Mr Christopher To (Co-Chair of the Steering Committee of the ICC International Commercial Mediation Competition – Hong Kong), participants,

Good evening. It must have been an exciting few days! I would like to congratulate all the teams who have made their way to the final round, and thank you everyone who has helped make the ICC International Commercial Mediation Competition – Hong Kong 2019/20 a successful event. Special thanks to ICC-HK for hosting the Asian round of the competition in Hong Kong again this year, which affirms Hong Kong's status as one of the leading international dispute resolution centres and its strong mediation profession. I am sure our participants have gained invaluable experience competing with each other, learning from the very top-notch practitioners, and have a taste of how a real mediation would be like.

The COVID-19 pandemic has affected everyone's life. Social distancing has completely changed the way in how we interact and do business, and inevitably, also the landscape of dispute resolution. The pandemic has caused an accelerated change to dispute resolution and going online is part of the new normal.

With the aid of technology, going online has indeed quickly taken over various aspects of our lives. Online dispute resolution (ODR) platforms allow dispute resolution practitioners and the parties to use electronic communications and other information and communications technology in ADR (alternative dispute resolution) processes such as negotiation, mediation and arbitration.

In mediation, where parties' interaction is most prized, questions arise as to whether ODR can cater to the need of interaction and communications that makes a successful mediation. Thanks to the advancement of technology, ODR platforms now allow parties to attend virtual meetings and interact together with the mediator in joint meetings or in separate virtual rooms in caucuses just like they would if they are attending a physical mediation. People are now acknowledging the benefits of using ODR in mediation: online mediation offers convenience to both the mediator and the parties, in

particular, making mediation happen whenever they desire and wherever they are. In the current state of affairs, ODR offers a hassle-free experience which proves to be very attractive to parties who wish to resolve their disputes speedily by overcoming the social distancing or locking down requirements.

This year, the competition has taken on this trend and is held virtually. Instead of having physical network drinks to get to know each other, now all of you mingled in the "virtual drinks" at the opening of the competition while pre-competition training and coaching has gone online. Despite the change in mode, the essence of the competition remains unchanged: the worldwide interflow of ideas and learning from each other to excel. We are glad to see that as a result of holding the competition online, teams from all over the world have keenly participated, eagerly learning and not deterred by the pandemic. With the support of Hong Kong's very own ODR platform eBRAM, a non-profit-making organisation formed by enthusiastic professional arbitrators, mediators and legal practitioners in Hong Kong, the ICC-HK competition has taken place smoothly. We hope that the participants, trainers, judges and mediators would benefit from this new ODR norm, and together embrace this new mode of dispute resolution.

While we are eagerly waiting for the results, may I take this opportunity to thank the organisers, participants and volunteers for all your time and help. Once again, good luck to the winning team in the Paris 2021 ICC International Commercial Mediation Competition, and congratulations to all of you for taking part in this competition. Thank you very much.