

Transcript of remarks by Secretary for Justice at media session

Following is the transcript of remarks by the Secretary for Justice, Ms Teresa Cheng, SC, at a media session after attending the "Mediate First" Pledge Event at the Hong Kong Convention and Exhibition Centre today (May 24):

Reporter: Can you clarify reports that there are three other arbitration cases that you did not resign as arbitrator after you took over to head the Department of Justice? Were these three cases included in the six cases that were approved by the Chief Executive?

Secretary for Justice: First of all, there are two questions that are mentioned. The first is whether I resigned in three cases. The three cases I assume that you are talking about are the three cases of the World Bank ICSID (International Centre for Settlement of Investment Disputes) cases. They are in the public domain. So if you can go on the web, you will see that in all those three cases I have well resigned as arbitrator. And I am no longer arbitrator in those cases. Those cases are still ongoing because the fact that I resigned and the new arbitrator is appointed to replace my role would, of course, allow the parties to continue to have their dispute resolved under the relevant rules. So those three cases continue but I am not the arbitrator. And if there is any reporting that I have not resigned from those three cases, they are wrong.

Reporter: When did you resign? Did you resign after you took over as the Secretary for Justice? Or did you resign before that? Were these three cases included in the six cases that were approved by the Chief Executive? Thank you.

Secretary for Justice: The resignation process has to be looked at in this way. First of all, bearing in mind the six cases that I have had to handle, for the reasons that we have already mentioned when I took the appointment as the Secretary for Justice. The cases of which there is no further involvement or that I can resign without causing too much troubles to the parties, I have completely resigned. So, in all the cases I resigned. There are six cases as we have reported, as you have noted, and as informed to the Chief Executive where I continue to serve as an arbitrator in order to finish what I am doing, or what I was doing at that point in time with my co-arbitrators. So in those six cases I continued to remain as arbitrator in finishing, for example, the interim award, or final award that I have had to handle, or the rendering the interim order, interim measures, or interlocutory orders that I have had to handle at that point in time. Once those relevant orders and awards have been rendered, assigned and distributed, I immediately resigned. Thank you.

(Please also refer to the Chinese portion of the transcript.)