

# Speech by DSJ at Conference on Climate Change and International Trade Law (English only) (with photo)

Following are the closing remarks by the Deputy Secretary for Justice, Dr Cheung kwok-kwan, at the Conference on Climate Change and International Trade today (March 14):

Esteemed speakers, distinguished guests, ladies and gentlemen,

Good afternoon. It is my honour to stand before you today as we draw to a close this significant Conference on Climate Change and International Trade Law, co-organised by the United Nations Commission on International Trade Law (UNCITRAL), the Department of Justice of the Hong Kong Special Administrative Region and the Hong Kong International Legal Talents Training Academy.

Today's Conference has been nothing short of inspiring, and it has been so due to the wealth of knowledge and expertise that has been shared throughout the day. Over the course of this intensive and productive day, we have navigated complex issues, and engaged in thought-provoking discussions. From the key takeaways from the UNCITRAL Colloquiums to the intricacies of sustainable supply chains, and from the potential impacts of climate change on insolvency to the vital mechanisms for dispute prevention and settlement, we have explored a complex and multifaceted landscape. I trust that the discussions we have had today will serve as a catalyst for continued dialogues and collaborations among legal experts, policymakers, and stakeholders in addressing the critical issues of climate change and international trade.

Before moving to the summary of each Panel, I would like to first express my heartfelt gratitude to each and every one of our speakers, moderators, and attendees. The depth and quality of the presentations have been truly commendable, shedding light on how UNCITRAL instruments and international trade law can effectively support the achievement of climate action goals. Your contributions have been invaluable, and the insights shared will undoubtedly resonate far beyond the walls of this conference hall.

As we reflect on today's Conference, it is clear that our work here is far from over. Today's discussions have underscored the urgent need for a paradigm shift in how we approach climate change and international trade. The conclusions and recommendations from this Conference will be presented to UNCITRAL at its 58th session later this year.

Main takeaways

Our Conference began with the inspiring keynote address of Mr Ma Xinmin, the Director-General of the Department of Treaty and Law of the Ministry of

Foreign Affairs of the People's Republic of China and a distinguished member of the International Law Commission, discussing the State Obligations and Responsibilities under the Paris Agreement: Implications for International Trade Law, followed by an overview of the main takeaways from the UNCITRAL Colloquium last year in our first panel. This session provided a crucial foundation for our discussions, highlighting the significant work being done at the international level to address the intersection of climate change and trade law. There were discussions surrounding the legal nature of verified carbon credits from the perspective of a multilateral development bank, and also from the perspective of China being an UNCITRAL member state.

Panel 2 explored the complexities of greening supply chains, covering both commercial goods and public procurement. Building on an overview of international standards including the OECD (Organisation for Economic Co-operation and Development) guidelines, the panel examined sustainability risks in the supply chains of critical minerals and natural resources essential for the energy transition. Discussions covered due diligence approaches to mitigate these risks, as well as the role of CISG (United Nations Convention on Contracts for the International Sale of Goods), EBRD (European Bank for Reconstruction and Development) and CSDDD (Corporate Sustainability Due Diligence Directive) in achieving sustainable supply chains and combating climate change or contributing to sustainability efforts.

In our third panel, the experts focused on novel climate change aspects including mitigation, adaptation and resilience arising from the 2015 Paris Agreement. The discussion began with the intersection of climate change and insolvency law agendas, taxonomy of climate-linked insolvency risks, with analysis on practical examples illustrating how relevant issues could arise. While insolvency alone cannot resolve climate challenges, the panel raised some practical questions for consideration.

The final panel on dispute prevention and settlement looked into some practical examples of climate change and discussed the characteristics of climate change disputes, with reference to value and challenges of applying UNCITRAL dispute resolution instruments for resolving climate change disputes. Some useful suggestions on the way forward were also explored.

## Conclusion

Ladies and gentlemen, the issues surrounding climate change and international trade are interlinked and not straight-forward, but the fruitful and insightful discussions today have given us a clearer understanding of where we are and possible directions ahead. The Conference also highlighted the importance of concerted efforts and the need for international co-operation, given that climate change is a global issue, which poses rising challenges to international trade that no single body can address alone. By harnessing the use of various international law instruments, sharing of experience and collaboration at the international level, we can work together to address the challenges to international trade caused by climate change and build a more resilient and environmentally responsible global economy. In this connection, capacity building is also of

critical importance so that people will be better acquainted with the issues and equipped with the skills or instruments to address the issues. This Conference is an exemplary capacity-building initiative in this regard, and our Hong Kong International Legal Talents Training Academy will continue to work on capacity building in different areas of international concerns or interests.

Before I officially close this Conference, I would like to extend a final word of thanks to our co-organiser UNCITRAL, for their efforts and supports. I would also like to thank our supporting organisations, and all those who worked tirelessly behind the scenes to make this Conference a success. On behalf of the Department of Justice of the Hong Kong Special Administrative Region, I look forward to collaborating with you all in our future events and activities.

Once again, thank you very much for your engagement and participation in this Conference. I hope you leave here feeling inspired, empowered, and ready to help create a better future for all. To those of you travelling from abroad, I wish you safe travels home. Have a nice weekend. Thank you very much.

