

Speech by SJ at virtual signing ceremony of MoU between HKSAR Government and UNIDROIT for collaboration relating to private international law and international commercial law (English only)

Following is the speech by the Secretary for Justice, Ms Teresa Cheng, SC, at the virtual signing ceremony of the memorandum of understanding (MoU) for the administrative arrangements for collaboration relating to private international law and international commercial law today (May 27):

Professor Malaguti (President of the International Institute for the Unification of Private Law (UNIDROIT), Professor Maria Chiara Malaguti) (Note), ladies and gentlemen,

It gives me great pleasure to participate in today's virtual signing ceremony of the Memorandum of Understanding between the International Institute for the Unification of Private Law and the Department of Justice (DoJ) of the Government of the HKSAR.

In May last year, the DoJ and UNIDROIT concluded the first MoU which put in place our secondment programme. The signing of the MoU marked a milestone of our mutual collaboration, and pursuant to that MoU, we have successfully seconded two legal professionals from Hong Kong – a government counsel from the DoJ and a solicitor from private practice – to UNIDROIT. I am deeply grateful to UNIDROIT for their continuous support for the secondment programme. I also trust that our secondees have settled into their new roles at UNIDROIT and are making full use of this invaluable opportunity to gain international exposure and contribute to the development of international law by taking part in the various projects currently undertaken by UNIDROIT.

Riding on this momentum, I am very pleased to announce that the DoJ and UNIDROIT will be turning a new chapter to our close co-operation, with the signing of our second MoU today. This MoU will lay the foundation for our enhanced collaboration in the field of private international law, furthering our shared goals and objectives in the promotion of the development, implementation and greater understanding of private international law and international commercial law in the Asia-Pacific region. Under the MoU, the DoJ and UNIDROIT will be co-organising events in Hong Kong regularly to advance these shared goals. To set things in motion, in November this year, we will be jointly launching with UNIDROIT the inaugural Asia-Pacific Private International Law Summit in Hong Kong. The Summit, which will be held biennially, will be one of the flagship events of our Hong Kong Legal Week.

The conclusion of the MoU would not have been possible without the staunch support of the Central People's Government, for which I am most sincerely grateful. The signing of the MoU today is a clear manifestation of the intrinsic advantages that Hong Kong enjoys under the policy of "one country, two systems" as codified in our Basic Law. It is our duty to earnestly uphold, honour and respect this policy which underpins Hong Kong's continuing prosperity.

I also wish to express my most heartfelt appreciation to eBRAM for providing the necessary technical support for this virtual signing, as well as to congratulate eBRAM for its recent achievements, being officially listed by APEC (Asia-Pacific Economic Cooperation) as one of the very first batch of online dispute resolution (ODR) service providers under the APEC Collaborative Framework for Online Dispute Resolution of Cross-Border Business-to-Business Disputes, and awarded a Bronze Medal at this year's International Exhibition of Inventions of Geneva, one of the most significant annual events in the world devoted exclusively to inventions. We are much encouraged to see that Hong Kong's homegrown service provider of ODR and related services has earned international recognition.

Virtual signing and ODR are only a few of the many recent breakthroughs in lawtech which have cast a transformative impact on the way business is conducted. As the use of lawtech becomes increasingly prevalent, the interplay between law and technology will no doubt be a topic which continues to attract significant international attention. This is an area of great interest to both the DoJ and UNIDROIT, and it is my hope that our synergy under the MoU will bring about fresh perspectives and new achievements in this area.

Finally, I would like to express my deepest gratitude to UNIDROIT for their continuing trust and support to the DoJ. With the signing of the MoU today, our relationship with UNIDROIT has been as close as ever. I look forward to collaborating closely with UNIDROIT in areas of our common interest in furtherance of this MoU and to meeting Professor Malaguti, as well as all of you, in person very soon. Thank you.

Note: Professor Malaguti signed the MoU in place of the Secretary-General of UNIDROIT, Professor Ignacio Tirado.