



THE
LAW SOCIETY
OF HONG KONG
香港律師會

Peace and Prosperity *on the Belt and Road*

International Summit 2023
in celebration of the 10th Anniversary
of the Belt and Road Initiative



Peace: Preventing and Resolving Commercial and Sovereign Disputes

Dr Thomas So, Chairman
11 October 2023

About eBRAM



**Arbitration
Institution**

Mediation institution



**Start-up from
Hong Kong**

LawTech



**Independent
Non-Profit NGO**

Independent non-profit
NGO

Background

Founders



Hong Kong Bar Association
香港大律師公會



Supporting Partners



香港特別行政區政府
律政司

中華人民共和國香港特別行政區政府

π 創新科技署

創新及科技基金



eBRAM: Institution – LawTech Provider



Deal-Making Portal
Dispute Avoidance



Online Dispute Resolution
Facilitate the resolution of disputes



eBRAM Rules

eBRAM Arbitration Rules

eBRAM Mediation Rules

eBRAM APEC Rules

Overview of APEC Rules

To promote B2B cross border **confidence**
To address conflicts promptly in BRI projects



- Opt-in jurisdictions include:
- China
 - Hong Kong, China
 - Japan
 - Singapore
 - United States of America

The APEC Collaborative Framework For
ODR of Cross-Border B2B Disputes

Model Procedural Rules

eBRAM APEC Rules

Structure of eBRAM APEC Rules

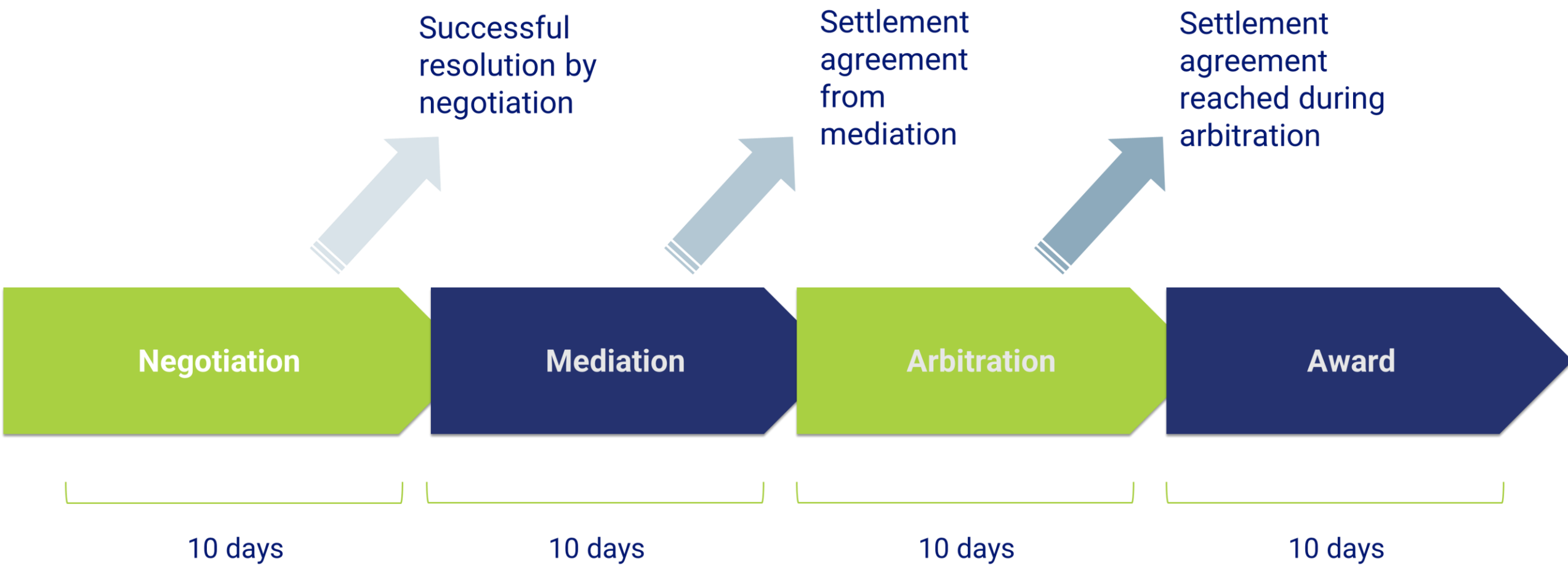


Negotiation

Mediation

Arbitration

Default procedural timeline eBRAM APEC Rules



Neutral under APEC Rules

- Neutral = Mediator + Arbitrator
- Neutral is professional who can act in different capacities
- eBRAM offers Panel of Neutrals



Neutral

- Dispenses with need to refamiliarise with case facts and legal issues
- Saves time and cost

Negotiation

Mediation

Arbitration

Award

Interim Measures Arrangement

One of seven Hong Kong institutions eligible to apply to Mainland courts for interim measures for Hong Kong-seated arbitrations



Adopt eBRAM APEC Rules Model Clauses

Model clause for eBRAM APEC Rules

“Any dispute, controversy or claim arising hereunder and within the scope of the APEC Collaborative framework for Online Dispute Resolution of Cross-Border Business-to-Business Disputes, shall be settled in accordance with the APEC Rules of eBRAM in force when the Notice of the Claim is submitted to eBRAM .”

Parties may consider adding the following to the clauses for eBRAM APEC Rules:

“The number of Neutrals shall be one.

The place of arbitration shall be [jurisdiction].

The applicable law of this arbitration agreement and of the procedure for the proceedings by ODR under the eBRAM

APEC Rules shall be the laws of [jurisdiction].

The language used in the arbitration under the eBRAM Arbitration Rules shall be [English/other agreed language].”



Significance of ODR along the Belt and Road

Transcend
geographical and
language barriers

Accessible to all parties, regardless of location – including commercial and investment disputes along the Belt and Road

Efficient and
cost-effective

Expedited models of mediation + arbitration
Costs ancillary to traditional dispute resolution proceedings (e.g., legal costs, travel costs, etc) may be reduced or not be necessary.

Safe and secured
platform

Leveraging technology such as AI, blockchain and cloud to facilitate the process of dispute resolution proceedings with high level of security

Mediation



Joint Mediation Session

[Click Here To Join Video-Conferencing Meeting](#)

 Invite Guest



Private Mediation Session (with Claimant)

[Click Here To Join Video-Conferencing Meeting](#)

 Invite Guest



Private Mediation Session (with Respondent)

[Click Here To Join Video-Conferencing Meeting](#)

 Invite Guest



Communications

[Upload Document](#)

[Compose Message](#)



Communications & Files



Upload and e-sign settlement agreement

11. Governing law

11.1 This Settlement Agreement is governed by the laws of Hong Kong.


Dated this 6 May 2023

Claimant

Signature Box ✕

Please sign on the signature box:



Sign on mobile 

Clear

Confirm

Data and internet security is essential



Users' data is **protected** under the **Personal Data Privacy Ordinance (PDPO)** in Hong Kong, **General Data Protection Regulation (GDPR)** in EU and **Personal Information Protection Law** in mainland China.



eBRAM relies on systems that are **certified** by **ISO/IEC 27001 ISMS, ISO/IEC 27018 Code of practice for protection of PII and ISO 9001**, which complies with **international cyber security standards** .



All data are **encrypted** and stored in data centres located in Hong Kong. All files transfer logs are stored in **blockchain-enabled** immunity storage.

User accounts are protected using **multi-factor authentication**.



Penetration tests and security audits by external, Big-4 cybersecurity consultants. Comprehensive and independent **Privacy Impact Assessments** and **Security Risks Assessments** have been conducted.



Stringent policies are in place that disallow staff to access data stored on the platform. Any atypical request for data not through normal user account access process and in extraordinary circumstances can only be done through CEO approval and CTO supervision.



eBRAM Platform is protected by highest level of Cloud Security that includes **DDoS Protection, Firewalls, Intrusion Detection, Web traffic filtering, and Vulnerability Scanning with 24x7 monitoring of network threats**

Online Dispute Resolution through eBRAM





eBRAM

一邦國際網上仲調

International Online Dispute Resolution Centre

