



**Statement on Hong Kong as a Legal and Dispute Resolution Service Hub
by The Law Society of Hong Kong**

1. The rule of law is one of Hong Kong's strengths. International recognition of Hong Kong's respect for the rule of law has earned the city a global reputation as a leading financial centre and business hub, which offers a fair, just and transparent business environment for international investors to engage in business transactions. Hong Kong's attraction also lies with the support provided by an abundance of local and international legal practitioners providing a wide range of professional legal services to meet diverse needs.
2. Challenges to the rule of law are not uncommon. Hong Kong, like many other jurisdictions around the world, is faced with such challenges from time to time. More importantly for any jurisdiction is whether it has strong judicial and legal systems in place to tackle and dispel these challenges.
3. The basic rights to legal advice and access to the courts and the independence of the judiciary are constitutionally guaranteed under the Hong Kong Basic law. Article 35 provides that Hong Kong residents shall have the right to confidential legal advice, access to the courts, choice of lawyers for timely protection of their lawful rights and interests or for representation in the courts, and to judicial remedies. Article 85 provides that Hong Kong courts shall exercise judicial power independently, free from any interference. Article 84 states that judges and judicial officers shall adjudicate cases in accordance with the law. Further, the Judicial Oath taken by all judges and judicial officers requires adherence to the law and the safeguarding of the law without fear or favour.
4. Hong Kong's judicial and legal systems have remained robust notwithstanding challenges arising from the social unrest since the latter half of 2019 and have demonstrated their unwavering integrity and strong independence.
5. As a legal service and dispute resolution hub, Hong Kong has been and remains one of the most popular seats for international arbitration. The factors contributing to Hong Kong's popularity include, among others, the presence in Hong Kong of world-class legal professionals, including high calibre solicitors and a strong independent Bar, providing high quality arbitration services together with a number of well-established international arbitration institutions, as well as the adoption of a modern and user-friendly arbitration law. The Hong Kong Arbitration Ordinance (Cap. 609), which is based on the UNCITRAL Model Law, governs arbitrations seated in Hong Kong. There has been no change to these factors. Hong Kong is also developing a technological system of e-arbitration and mediation with multiple language capabilities to address the needs of local and international clients during the pandemic and post-pandemic era.

6. Hong Kong arbitral awards are enforceable in over 160 signatory countries of the New York Convention. In addition, Hong Kong is the first and only jurisdiction outside the Mainland where, as a seat of arbitration, parties to arbitral proceedings administered by eligible arbitral institutions are able to apply to the Mainland courts for interim measures.
7. It is important that Hong Kong will continue to be, as it always has been, a neutral and effective seat of arbitration and that its judicial and legal systems will continue to uphold the rule of law and to carry on their proper functions under “One Country Two Systems” in accordance with the Basic Law.
8. It is also important not to lose sight of the unique advantages that have earned Hong Kong’s reputation. These advantages remain and are expanding in support of Hong Kong’s position as an international financial and business centre as well as a legal and dispute resolution service hub. The Law Society takes on every available opportunity to promote such advantages to local and international communities and encourages everyone to do the same.

The Law Society of Hong Kong

8 February 2021