

[Translation]

**Opening Remarks of the Secretary for Justice  
at the Special Meeting of Finance Committee  
of the Legislative Council  
to Examine the Estimates of Expenditure 2020-21  
on 7 April 2020**

Chairman and Members,

The total estimated expenditure of the Department of Justice (DoJ) for 2020-21 is about \$2,448 million, representing an increase of only about 5.1% over the original estimate for the last financial year.

2. With regard to manpower, there will be a net creation of 57 posts.
3. For briefing out and court costs, the estimated expenditure was worked out on the basis of information available at the time of preparing the estimates and the principles of prudent management of public finances.
4. The policy initiatives implemented by DoJ in 2019 have been set out in detail in the paper submitted to the Panel on Administration of Justice and Legal Services. Let me summarise our work in 2019 and 2020.
5. In 2019, DoJ established the **Inclusive Dispute Avoidance and Resolution Office** to co-ordinate initiatives to enhance Hong Kong's position as a leading legal and dispute resolution centre.

**(A) International initiatives**

**(1) Enhancing cooperation with other jurisdictions and international organisations**

6. Internationally, DoJ separately **signed a Memorandum of Cooperation (MoC)** each **with Japan, Korea and Thailand** in 2019. With the support of the

Central People's Government (CPG), DoJ also **signed an MoC with the United Nations Commission on International Trade Law (UNCITRAL)** in 2019.

7. Moreover, we have made considerable progress with the Asian-African Legal Consultative Organization (AALCO) in exploring the proposal of establishing a regional centre for international commercial arbitration in Hong Kong.

**(2) Cooperating with inter-governmental international organisations**

8. With the support of the CPG, DoJ is also **targeting decision-making meetings of inter-governmental international organisations to be held in Hong Kong**. The fruits of our efforts include: (1) the AALCO Annual Session; (2) an inter-sessional meeting of the UNCITRAL Working Group III.

9. **International legal conferences** held in 2019 include: (1) the Investor-State Dispute Settlement Reform; (2) a conference on the Hague Judgments Convention, etc. DoJ will also co-organise an **international conference to mark the 40th anniversary of the United Nations Convention on Contracts for the International Sale of Goods** with UNCITRAL and the Asian Academy of International Law (AAIL) in 2020.

**(B) Mainland-related initiatives**

**(1) Enhancing legal cooperation arrangements in civil and commercial matters with the Mainland**

10. The scope of enforcement of **the Arrangement on Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters by the Courts of the Mainland and of the HKSAR** concluded in January 2019 extends beyond that of the Hague Judgments Convention.

11. **The Arrangement Concerning Mutual Assistance in Court-ordered Interim Measures in Aid of Arbitral Proceedings by the Courts of the Mainland and of the HKSAR** signed on 2 April 2019 made Hong Kong the first and only jurisdiction outside Mainland China to date where, choosing Hong Kong as the seat of arbitration, parties to arbitral proceedings administered by eligible arbitral institutions can apply to Mainland courts for interim measures.

12. We are setting up an **arrangement for cooperation on cross-boundary insolvency matters** with the Supreme People's Court.

**(2) Policy initiatives relating to the development of the Guangdong-Hong Kong-Macao Greater Bay Area (GBA)**

13. DoJ and the High People's Court of Guangdong Province signed a **framework arrangement on exchange and mutual learning in legal aspects** in September 2019 and already rolled out exchange activities.

14. To leverage on the strength of "One Country, Two Systems and Three Jurisdictions", the legal departments of Guangdong Province, Macao and Hong Kong held the **Guangdong-Hong Kong-Macao Bay Area Legal Departments Joint Conference** in Hong Kong on 12 September 2019. A joint conference mechanism was established to explore areas for collaboration.

**(3) Policy initiatives for advancing contribution to the Belt and Road Initiative**

15. DoJ, the Ministry of Commerce and the State-owned Assets Supervision and Administration Commission of the State Council worked in collaboration to establish a **tripartite platform** for Mainland enterprises and the Hong Kong legal profession, with the first event held in 2019 and the second roundtable meeting to be held later in 2020.

(C) **Local initiatives**

16. With the support of the CPG, DoJ has secured training opportunities in international organisations (such as UNCITRAL) for Hong Kong's legal talent, which can be effected upon completion of relevant internal administrative procedures.

(D) **Policy initiatives on strengthening Hong Kong as a capacity building centre**

17. In addition to organising **capacity building courses** from time to time, DoJ has also reached an agreement with the **Hague Academy of International Law** to support its organisation of regular courses in Hong Kong in collaboration with the AAIL starting from late 2020.

(E) **Vision 2030 for Rule of Law**

18. In November 2019, DoJ hosted the **inaugural annual Legal Week** comprising the 3rd UNCITRAL Asia Pacific Judicial Summit, the inaugural Hong Kong Mediation Lecture and the 32nd LAWASIA Conference 2019.

19. DoJ will **launch the “Vision 2030 for Rule of Law”, a visionary initiative spanning over ten years**, during the second Legal Week, which will be held in November this year.

20. Under the **“Vision 2030 for Rule of Law”**, through professional exchanges, capacity building and promotional activities with people from different jurisdictions, stakeholders (including our youth, legal practitioners and academics) can strengthen the Hong Kong community's understanding of the concept of the rule of law and its implementation, enhance the development of the rule of law internationally and safeguard Hong Kong's prosperity, stability and sustainable development. Moreover, DoJ will work with the Independent

Commission Against Corruption to promote the rule of law. DoJ will set up a task force to identify short, medium and long term goals for effective implementation of the initiative.

21. Under the “**Vision 2030 for Rule of Law**”, DoJ will, through provision of subsidies, encourage less experienced legal professionals to participate in international conferences.

**(F) Highlights of other work and initiatives of DoJ**

**(1) Promotion of mediation**

22. DoJ has been actively promoting mediation as an effective means to resolve disputes, including exporting the Hong Kong brand, the “**Mediate First**” **Pledge campaign**, to Shanghai and Shenzhen in 2019.

**Conclusion**

23. I look to the Committee for support for DoJ’s estimated expenditure, ongoing policy initiatives and future work outlined above. My colleagues and I will be happy to answer your questions.

24. Thank you.