

Report of the Committee on Arbitration 2025
(“CARb” or the “Arbitration Committee”)

Hong Kong’s role as a major global hub for international legal and arbitration services, provides barristers with increasing opportunities to practice international arbitration, including as counsel and arbitrators. The 2025 work of the Arbitration Committee included:

- (1) Meeting with arbitration institutions and stakeholders in Hong Kong, the Mainland and internationally to discuss co-operation activities in education and capacity building and events to promote the Bar, its members and Hong Kong’s arbitration services.
- (2) Supporting arbitration courses and workshops on arbitration in Hong Kong and the Mainland in conjunction with Hong Kong and Mainland arbitral institutions and lawyers’ associations.
- (3) Working with the Bar Council to arrange for the Bar’s funding to young barristers to subsidise their attendance at the ICC HK PIDA 1 2025 Training, a three-day arbitration training course in October 2025 conducted by ICC HK in collaboration with the ICC, and co-organised by the Hong Kong Department of Justice. The Hong Kong Bar Association was a supporting organisation.
- (4) Organising a seminar in Beijing during China Arbitration Week on 15 September 2025 co-organised with the China International Economic and Trade Arbitration Commission (“CIETAC”).
- (5) Participating in eBRAM Online International Dispute Resolution Centre (“eBRAM”).
- (6) Reviewing applications to join the Bar’s Arbitration List.

In October 2025 a working group headed by the Secretary for Justice, and including the Deputy Secretary for Justice (the “**Working Group**”) was established to review the Hong Kong *Arbitration Ordinance* (Cap 609) and to advise the Department of Justice on the legislative framework for arbitration in Hong Kong, including reviewing and making recommendations to amend the *Arbitration Ordinance* with a view to further strengthening Hong Kong’s position as an international arbitration centre. The Hong Kong Bar Association (the “**Bar**”) and the Arbitration Committee will actively contribute to the Working Group’s Consultation in 2026.

Arbitration Programme for the Bar’s Members

As in 2024, the Arbitration Committee continues to consider the most effective way to offer an arbitration programme for members of the Bar bearing mind their practice commitments and the voluntary nature of members’ attendance at the Bar’s continuing legal education events.

As outlined in introduction, the Bar was a supporting organisation of the ICC HK PIDA 1 2025 Training, organised by ICC-Hong Kong the ICC Institute of World Business Law in collaboration with the HKSAR Department of Justice from 23 to 25 October 2025 in Hong Kong. The participants engaged in a mock arbitration under ICC Rules from its commencement to conclusion,

including in working group sessions, plenary sessions and simulated hearings, taught by faculty members who practise in arbitration, including as arbitrators, arbitration counsel, ICC International Court of Arbitration members and ICC counsel/staff.

The Bar offered to sponsor 3 young barristers to attend the ICC HK PIDA 1 2025 Training by paying 70% of their registration fees. Two young barristers, Chris Fong and Benjamin Tsang were sponsored by the Bar (a third young barrister who had been offered sponsorship withdrew very shortly before the Training commenced). Carol Wong and another barrister also attended this course. A copy of the report on the ICC HK PIDA 1 2025 Training by Chris Fong and Benjamin Tsang is attached. They outline the content of the Training and its value to them including in bridging the gap between academic theory and the practical realities of international dispute resolution, and also in providing significant networking opportunities. As they say, participants included not only lawyers from Hong Kong but legal professionals from the Mainland including from major cities such as Beijing and Shanghai and from around the Mainland. Many participants were partners of their firms and experienced in handling complex transactions.

The two co-chairs of the ICC HK PIDA 2005 Training were Sylvia Tee and myself. The Faculty for the Training included 7 members of the Bar: John Scott SC, Rimsky Yuen SC, Horace Wong SC, Winnie Tam SC, Queenie Lau SC, Christopher To and David Fong. The other Faculty members were Simon Chapman KC, Yvonne Shek, Antony Crockett, Anran Zhang, Tom Walsh, Xin Zhang, Peter Chow, Sun Wei, Sherlin Tung, and Noam Zamir. The Hon. Deputy Secretary for Justice, Dr. Horace Cheung made a speech at the Closing Ceremony and presented certificates to the participants.

Meetings with Arbitration Institutions and Stakeholders

In 2025 the Bar and Arbitration Committee representatives met with a number of arbitration commissions in the Mainland as well as with arbitral institutions based in Hong Kong and internationally to talk about how the Bar may co-operate with them in education, training for members and capacity building, as well as to discuss other matters of mutual interest. Opportunities were explored for members to teach arbitration tertiary institutions in the mainland.

Event on 15 September 2025 in Beijing During China Arbitration Week

The Arbitration Committee co-organised with CIETAC a half-day seminar in Beijing on how Chinese businesses should manage cross-boundary disputes as they grow and expand overseas during China Arbitration Week. This is the second collaboration of its kind between the HKBA and CIETAC, and came at an opportune time as it coincided with the publication of the revised Chinese Arbitration Law which will come into force in March 2026, allowing Hong Kong arbitration institutions to set up in free trade zones in the Mainland, amongst others.

Vice President Xie Changqing of CIETAC gave the opening address and José Maurellet SC, the Bar Chairman, gave a keynote address virtually. Richard Khaw SC, Co-Chairman of HKBA's Standing Committee on Mainland Affairs discussed "*Arbitration vs Insolvency Proceedings: Position at Common Law*" while Mariana Zhong, Partner, Hui Zhong Law Firm discussed "*Insolvency and International Arbitration- Issues Arising: Chinese law and practice perspective*". Brad Wang, Deputy Secretary (in Charge), CIETAC Hong Kong, Douglas Lam SC, Chairman of

HKBA's Committee on Company Law and myself discussed together "*Managing Legal Dispute Risks (including Parallel Proceedings) for Chinese Enterprises Going Global*". The seminar attracted Chinese corporate senior executives, inhouse counsel and lawyers. Jason Cheng of the Bar Secretariat provided valuable assistance to the organisation and media reporting of this event.

eBRAM

The Bar is a founding member of eBRAM established in 2018. From August 2024 Horace Wong SC has served on eBRAM's Board as the Bar's nominated director and Norman Nip SC as the alternate director. Adrian Lai, among others, continues to serve on eBRAM's Board.

Membership and Thanks

The members of the Arbitration Committee in 2025 were:

Kim Rooney (Chairperson)
Horace Wong SC (Vice Chairman)
Winnie Tam SC (Vice Chair)
John A Scott SC
Jeremy J., Bartlett SC
Richard Khaw SC
Jenkin Suen SC
Norman S.P. Nip SC
Catrina D.W. Lam SC
Andrew Y.S. Mak
Charles K.C. Chan
Chun Wai Ling
Colin J. Wright
Thomas W.M. Lee
Helen H.L. Au
Jonathan Winston Ah-Weng
Kenneth K.Y. Lam
Calvin Y.C. Cheuk
Edward A.G. Alder
Ken C. To
Benny Lo
Sabrina S.Y. Ho
Jeffrey C.K. Tam
Julian A. Cohen
Hugh T.T. Kam
Solomon L.F. Lam
Victor T.S. Lui
Shiu Man David Fong
Athena Hiu Hung Wong
Val P.Y. Chow

Michael Hui Yin Lok
Eric Kar-yan Ng
Paul K.L. Chan
Tara Minhao Liao
Keith Tam
Adela Mao Mao
Christopher Wing To
Angel H.Y. Wong
Leon Junye Guo
Ian P.N. Chu
Ching Him Ho
Nicole H.K. Liu
Matthew H.B. Suen
Jason P.H. Wong

May I thank the Arbitration Committee members for their contribution to the work of the Arbitration Committee in so many ways in 2025. I also thank the Mainland Affairs Committee and its Chairs, Victor Dawes SC and Richard Khaw SC and for their kind collaboration on various activities and the Bar's Chairman, José Maurellet SC, Vice Chairs, Eva Sit SC and Martin Hui SC, Hon Secretary Eugene Yim, Dep. Hon Sec Martin Wong, and the Bar Council members for their support. My thanks as well to Bonnie Chiu (Director of Administration and Development), Amy Lee, (Deputy Director, Membership), Jason Cheng, Melody Lau and Connie Yau of the Bar's Secretariat for their kind assistance in 2025.

Finally, may I send Seasons Greetings to all members and the Bar Secretariat and wish all a happy, healthy and prosperous 2026.

Kim M Rooney
Chair, Committee on Arbitration

30 December 2025

REPORT ON ATTENDANCE: ICC PIDA 1 TRAINING

From: Chris Fong and Benjamin Tsang, Barristers-at-Law

Date of the Training: 23 to 25 October 2025

1. We are grateful of being selected to participate in the International Chambers of Commerce (the “ICC”)’s International Commercial Arbitration Training (the “**PIDA 1 Training**”), held from 23 to 25 October 2025. Organised by the ICC Institute of World Business Law and ICC-Hong Kong, in collaboration with the HKSAR Department of Justice, this programme provided premier instruction in dispute resolution. We express our sincere gratitude to the Bar Association for the generous subsidy. It demonstrates a strong commitment to the professional development of the junior bar, and we deeply appreciate the chance to enhance our skills in this specialised field.
2. The primary value of this training lays in bridging the gap between academic theory and the practical realities of international dispute resolution. While arbitration is increasingly popular, young barristers rarely manage complex ICC cases from inception to conclusion. This programme addressed that deficit through an in-depth, “start-to-finish” simulation. Rather than attending disconnected lectures, we were immersed in the full lifecycle of a case, from the initial request for arbitration to the enforcement of the award. This comprehensive approach provided practical insights difficult to obtain through regular seminars. Insightful experiences were also shared by very seasoned practitioners and experts in the field.
3. The course structure was excellent, utilising a single, continuous mock case to anchor the learning experience. This ensured coherence, as we had to navigate the consequences of our strategic choices throughout the three days. The programme began with foundational steps: preparing the Request for Arbitration and the Answer. Working in groups under strict time constraints, we drafted documents to mimic real-world pressure. Plenary sessions followed, where we analysed our work against ICC standards, receiving immediate feedback on our drafts and refining our drafting techniques.
4. As the training progressed, we examined the procedural complexities of ICC arbitration, specifically the constitution of the tribunal and the Terms of Reference. We received detailed instruction on arbitrator selection and the unique role of the Secretariat of the ICC International Court of Arbitration, followed by the session on drafting the Terms of Reference. Exploring case management techniques gave us a clearer understanding of the powers and duties inherent in the tribunal’s role.

5. The most engaging aspect was the simulation of the arbitral hearing, spanning through each stage from preliminary hearings, testimony with cross-examination, and to submissions. This required us to think on our feet and practise oral advocacy in a realistic setting. Receiving direct advice from experienced practitioners regarding the arbitration (and importantly, how they would have handled the mock trial as if a real case) was invaluable. The faculty emphasised the differences between local litigation tactics and the nuanced approach required in international arbitration. Learning how to adjust the cross-examination technique to suit an international tribunal was a highlight, and the professional atmosphere made the experience highly applicable to actual practice.
6. The quality of instruction was exceptional, led by renowned leaders such as Co-Chairs Kim Rooney and Sylvia Tee, alongside Senior Counsel including John Scott SC, Rimsky Yuen SC, Horace Wong SC, Winnie Tam SC and Queenie Lau SC. The faculty also featured experienced practitioners, including Simon Chapman KC, Yvonne Shek, Antony Crockett, Dr. Anran Zhang, Tom Walsh, David Fong, Xin Zhang, Peter Chow, Dr. Christopher To, Sun Wei, Sherlin Tung, and Dr. Noam Zamir. Their contributions went beyond reciting rules; they shared practical and strategic insights. Hearing directly from them about handling procedural issues and managing client expectations provided a depth of learning that was both inspiring and practically useful.
7. Beyond the academic content, the networking opportunities were significant. The cohort included not only lawyers from Hong Kong but also legal professionals from the Mainland in major cities such as Beijing and Shanghai. Many are partners of their firms and experienced in handling complex transactions. Working alongside them facilitated a genuine exchange of ideas and helped build cross-border professional relationships. Given the increasing integration of the Greater Bay Area, establishing connections with such experienced Mainland counterparts is a distinct advantage for our future practices.
8. We must also commend the high quality of the course materials, which included samples for every stage of the arbitration process. From initial pleadings to the final award, these documents offer a clear standard for high-level international dispute resolution and will serve as a practical toolkit we can adapt for our own instructions. The focused and rigorous atmosphere maximised the utility of the samples and simulation exercises, ensuring the resources provided will have a lasting impact on our work.
9. In conclusion, the ICC PIDA 1 Training was a rigorous experience that significantly enhanced our understanding of international commercial arbitration. The combination of expert instruction, practical simulation, and high-level networking has better equipped us to handle arbitration matters with confidence. We highly recommend that the Bar Association

continues the subsidy in future, as it offers a unique platform for young barristers to develop necessary specialised skills. We look forward to applying these lessons in our practice and remain grateful for the Bar's support.

Chris Fong
Benjamin Tsang