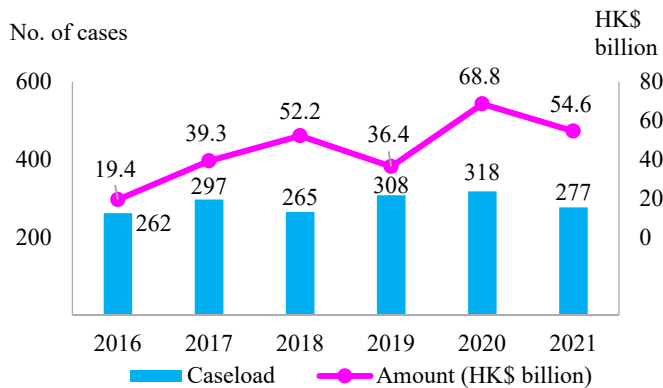




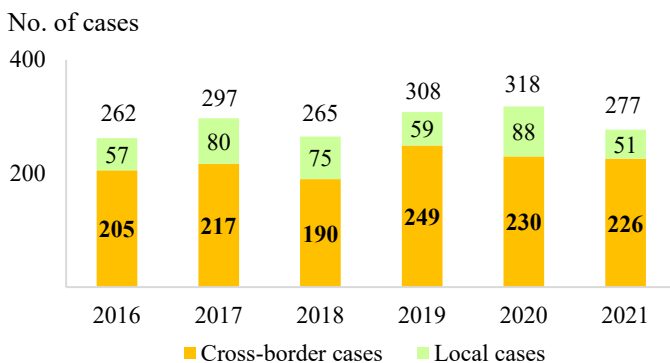
**International arbitration services in Hong Kong**

**Figure 1 – Overall arbitration caseload<sup>(1)</sup> and value handled by HKIAC**



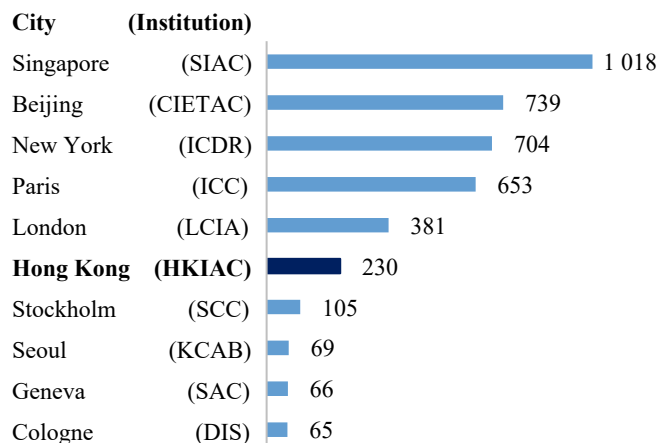
Note: (1) Including both local and cross-border new cases.

**Figure 2 – Cross-border cases<sup>(1)</sup> of HKIAC**



Note: (1) Cases with at least one party from places outside Hong Kong, including the Mainland.

**Figure 3 – Cross-border arbitration caseloads of selected arbitration centres in 2020<sup>(1)</sup>**



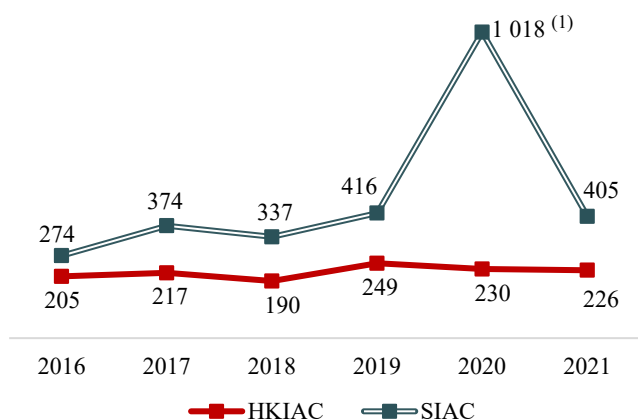
Note: (1) Most recent statistics available.

**Highlights**

- Hong Kong has long been a global centre of arbitration, offering a more cost-effective dispute resolution method than litigation in courtrooms. The arbitration regime was further enhanced by the enactment of the new Arbitration Ordinance in 2011 (further amended in June 2017 and June 2022) for better alignment with international practice. At present, there are at least eight international arbitration institutions in Hong Kong, on top of those bodies serving mainly local cases, which are beyond the scope of this piece.
- In the absence of comprehensive data on arbitration services, this piece focuses on cases handled by Hong Kong International Arbitration Centre (“HKIAC”), the home-grown regional leader in arbitration. HKIAC is an independent not-for-profit arbitration body founded with government support in 1985. From 2016 to 2021, while the annual number of arbitration cases (both local and cross-border) filed to HKIAC fluctuated within a narrow range of 260-320, the annual value in dispute saw an 181% rise to HK\$54.6 billion in 2021 (Figure 1), translating into a 166% upsurge in unit case value.
- Leaving aside local cases, HKIAC handled 220 cross-border disputes on average annually over the past six years (Figure 2). Altogether 41 jurisdictions were involved in 2021, slightly more than 39 in 2016. To facilitate cross-border arbitration, HKIAC is increasing the use of digital technology, with a memorandum of understanding signed in 2020 with the Electronic Business Related Arbitration and Mediation (“eBRAM”) Centre, a government-funded organization founded in 2018 to promote online dispute resolution.
- There is keen competition in cross-border arbitration services from other institutions in the world. In 2020, HKIAC ranked sixth globally among major arbitration institutions in terms of cross-border caseload (230 cases), behind counterparts based in Singapore, Beijing, New York, Paris and London (Figure 3).

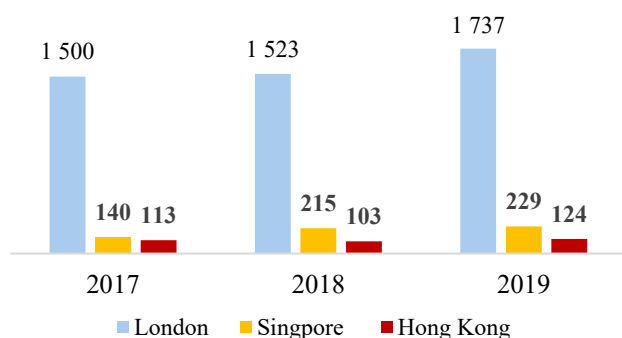
## International arbitration services in Hong Kong (cont'd)

**Figure 4 – Cross-border caseloads of HKIAC and SIAC**



Note: (1) 406 cases were reportedly related to two incidents, but further details are not available to the public.

**Figure 5 – Maritime arbitrations handled in selected places<sup>(1)</sup>**



Note: (1) Estimates by Holman Fenwick Willan (2019, 2020), and may include the number of cross-border maritime cases for multiple arbitration institution in each place.

**Figure 6 – Requests for preserving assets in the Mainland for arbitral proceedings, 1 October 2019 to 24 August 2022**

Requests made by HKIAC	
Number of applications	75
Total value involved	RMB18.8 bn (HK\$22.7 bn)
Decisions made by Mainland courts	
Number of decisions made	52
Number of approved applications	48
Total value preserved	RMB13.3 bn (HK\$16.0 bn)

## Highlights

- Singapore is a close competitor of Hong Kong in arbitration services in Asia. More specifically, the Singapore International Arbitration Centre (“SIAC”) is the top leader in the region, persistently receiving more cross-border cases than HKIAC in recent years. Its caseload hit a record high of 1 018 (partly due to a spike of 406 cases arising from two incidents) in 2020, before easing back to 405 in 2021 (Figure 4). However, taking both local and cross-border caseloads together, the average value per arbitration case handled by SIAC in 2021 was S\$19 million (HK\$109 million) only, 45% lower than the corresponding unit value of HK\$197 million seen in Hong Kong.
- The Government has identified two growth drivers of cross-border arbitration services. First on maritime arbitration, which is touted as “Hong Kong’s core strength”, other institutions in addition to HKIAC, such as Hong Kong Maritime Arbitration Group, also provide maritime arbitration services. Including cases handled by these institutions, the cross-border maritime caseload in Hong Kong was estimated at 124 in 2019, but still lagging behind 1 737 in London and 229 in Singapore (Figure 5). In September 2020, the Baltic and International Maritime Council (one of the world’s largest international shipping associations) officially included Hong Kong as one of the four arbitration venues, along with London, New York and Singapore, which was apparently a positive development for Hong Kong.
- Mainland-related business is deemed as another growth driver of arbitration services, accounting for almost half (48%) of HKIAC cross-border caseload in 2018 (more updated figures are not available). In October 2019, additional reciprocal arrangements were made between the Mainland and Hong Kong, making Hong Kong the only place outside the Mainland that can request interim court measures to freeze assets in the Mainland during arbitral proceedings. It gives Hong Kong a unique advantage in attracting international cases involving Mainland parties. Over the past three years or so, HKIAC has made 75 applications for preservation of assets, of which 48 (64%) have been approved by Mainland courts at unit case value of RMB277 million (HK\$334 million) (Figure 6).

Data sources: Latest figures from Holman Fenwick Willan, Hong Kong International Arbitration Centre, Singapore International Arbitration Centre and other arbitration centres.

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