

Latham & Watkins International Arbitration Practice

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Hong Kong International Arbitration Centre Releases 2024 Annual Statistics

The statistics show a robust demand for arbitration and reflect Hong Kong's importance as an arbitral venue for resolving cross-border commercial disputes.

On 20 February 2025, the Hong Kong International Arbitration Centre (HKIAC) released its <u>annual statistics for 2024</u>. The newly published statistics demonstrate an increasing use of the HKIAC as an arbitration centre. This growth reinforces Hong Kong's position as a leading international arbitration institution, and follows on the heels of the issuance of the HKIAC's new 2024 Administered Arbitration Rules which, as we discussed in a <u>previous Client Alert</u>, are aimed at further innovating the procedural framework for arbitration users.

Overview of Caseload

- Total Number of Cases and International Reach: HKIAC received 503 new cases in 2024, of which
 352 cases were arbitrations. The number of new arbitrations reflects a 25% increase over 2023,
 reflecting the continued popularity of the HKIAC as a dispute resolution venue. 76.4% of HKIAC
 arbitrations in 2024 were international in nature, with at least one party being based outside of
 Hong Kong.
- Amount in Dispute: The total amount in dispute in all HKIAC arbitrations increased from US\$12.5 billion in 2023 to US\$13.6 billion in 2024. This increase highlights the HKIAC's growing importance as a centre for resolving high-stake disputes, and the confidence of the international arbitral community in Hong Kong.
- **Top Five Geographic Origins**: Similar to 2023, the top five geographical origins or nationalities of parties remained Hong Kong, Mainland China, the British Virgin Islands, the Cayman Islands, and Singapore in 2024. Parties from 53 jurisdictions participated in HKIAC arbitrations in 2024 an increase from 45 jurisdictions in 2023. The geographic diversity of the parties underscores the HKIAC's appeal as a neutral and internationally respected venue for dispute resolution.

Statistics in Relation to Arbitration Procedures

 Challenges to Arbitrators: In 2023, five challenges to arbitrators were submitted to the HKIAC, resulting in varying outcomes such as one resignation of an arbitrator and one withdrawal by a

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challenging party. In 2024, five challenges were submitted, with one sustained, one resulting in resignation of the arbitrator, two dismissed, and one still pending.

Applications under the Hong Kong-Mainland China Arrangement on Interim Measures
 (Arrangement): Pursuant to the Arrangement which came into force on 1 October 2019, any party to
 arbitral proceedings seated in Hong Kong and administered by a qualified institution, may, before or
 after commencing arbitration, apply to the competent Mainland Chinese courts to obtain interim
 measures. As of today, Hong Kong remains the only seat outside of Mainland China where parties to
 arbitrations may obtain interim relief directly from the Mainland courts.

In 2024, pursuant to the Arrangement, 40 applications were made to 21 different Mainland Chinese courts (an increase from the 19 applications made in 2023), with orders issued to preserve assets worth approximately US\$865 million (which increased significantly from US\$76.1 million in 2023).

The significantly higher number of applications under the Arrangement in 2024 reinforces the attractiveness of resolving disputes through an arbitration seated in Hong Kong and administered by an eligible arbitral institution (including the HKIAC), especially when the counterparty is a Chinese party or has assets located in China. The surge in the amount of assets preserved also displays the success of the Arrangement in helping to maximise the prospects of effective enforcement of the final award.

- **Emergency Arbitrator Applications**: There were three emergency arbitrator applications in 2023 and five in 2024, indicating a stable demand for urgent interim relief in HKIAC arbitration proceedings.
- Expedited Procedure: Similar to the numbers in 2023, 24 expedited procedure applications were submitted in 2024, 13 of which were granted. This shows consistent utilisation of the expedited procedure for speedier resolution of disputes.
- Early Determination Procedure: In 2024, three applications for early determination were submitted, of which two were allowed to proceed. The early determination procedure is increasingly recognised as a valuable option for resolving discrete issues that do not require comprehensive arbitral proceedings, saving time and resources for all parties involved.

Conclusion

The 2024 HKIAC statistics highlight the growing use of the HKIAC as a forum of international arbitration, as well as the popularity of the robust mechanisms available at the HKIAC for addressing complex and urgent disputes efficiently. In particular, the increase in applications for interim measures under the Arrangement and the consistent use of expedited procedures and early determination procedures suggest that the HKIAC is well-equipped to handle a wide range of international disputes, including those with a Mainland China nexus, and disputes that are time-sensitive in nature.

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