

Kluwer Arbitration Blog

International Law Talk Podcast: Arbitrating in Hong Kong – Technology, Institutionalisation & Transparency

Esmé Shirlow (Associate Editor) (Australian National University) · Friday, September 1st, 2023



[International Law Talk](#) is a series of podcasts through which Wolters Kluwer provides the latest news and industry insights from thought leaders and experts in the fields of International Arbitration, IP Law, International Tax Law, and Competition Law. Here at *Kluwer Arbitration Blog*, we highlight the podcasts focused on international arbitration. In this latest episode, [Dr Esmé Shirlow](#), Associate Editor of *Kluwer Arbitration Blog*, interviews [Dr Mariel Dimsey](#), Secretary-General of the [Hong Kong International Arbitration Centre \(HKIAC\)](#).

Prior to joining the HKIAC, Mariel was a Partner at CMS and Co-Head of the global CMS International Arbitration Group. She worked in private practice for almost two decades and has experience of both civil and common law jurisdictions, acting as both counsel and arbitrator. Mariel also sits regularly as arbitrator and has experience as arbitrator under the HKIAC, ICC, KCAB, and DIS Rules, and in *ad hoc* disputes. She is on the arbitrator panels of several institutions. Mariel is a past co-chair of the [HK45 Committee](#), and a member of the [WILHK Advisory Board](#).

In the podcast, Esmé and Mariel focus on the role of technology, institutionalisation, and transparency in international arbitration, with a particular focus on arbitrating disputes in Hong Kong and at the HKIAC. The [discussion](#) focusses on:

- The involvement of institutions in administering arbitration proceedings, including the capacity for international arbitration centres to capture and showcase their approaches to common issues that arise in the arbitral proceedings they administer.
- HKIAC's innovative Case Digest Tool, which offers insights into HKIAC's procedural decision-making through collation of anonymised decisions on common procedural issues. The Tool won

the [GAR Award for Best Innovation](#) in 2022, and aims to make the HKIAC's internal procedures more transparent for HKIAC users and to highlight key trends in HKIAC procedural decisions.

- The role for AI and other technologies in the work of arbitral institutions, and the need to balance use of new technologies with an ongoing 'human element' in institutional decision-making.
- The scope for institutions to collaborate with one another, including the extent to which the HKIAC seeks to draw insights from the practice and approaches of other institutions to common procedural issues or reform options.
- The commitment of HKIAC to communicating its activities to the broader arbitration community, and the diffuse impacts of such pro-transparency initiatives.
- The impact of an arbitration institution's seat on the scope to enforce awards and seek interim measures. Mariel discusses, in particular, the unique benefits to parties of arbitrating in Hong Kong, including to highlight arrangements relevant to enforcing HKIAC awards in Mainland China.

[Click here](#) to listen to the full discussion.

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