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# Arbitration Enforcement on Regional Judicial Arrangement in China and its SARs: International and Comparative Perspective

by

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# ABSTRACT

The growth in commercial transactions with Mainland China, Hong Kong and Macau Special Administrative Region (SAR) as well as the economic integration in the entire area have led to an increase in disputes. Arbitration, as an independent and practical way of non-judicial dispute resolution, its role is becoming more and more important and irreplaceable.

The fundamental instrument for the enforcement of international arbitral awards, the New York Convention, has made arbitral awards readily enforceable across the world. But in application, the New York Convention remains reliant upon the divide between domestic and international arbitral awards. Interregional enforcement of arbitral awards within the constitutional principle of "one country, two systems", mainland China and Hong Kong authorities make a bespoke agreement "the Arrangement Concerning Mutual Enforcement of Arbitral Awards Between the Mainland and Hong Kong" (Hong Kong Arrangement) in 1999.

However, with the development these years, there are many problems need to be solved in the process of formulation and implementation, which involved the system itself and new ones in the application process.

Through the analysis of the specific problems of Hong Kong Arrangement and Macau Arrangement on Reciprocal Recognition and Enforcement of Arbitration Awards, the article prefer to set the topic into an international vision and make reference to the relevant provisions of regional enforcement of arbitral awards in other countries. Furthermore, to provide a few of feasible suggestions under Hong Kong Arrangement and Macau Arrangement in order to make improvement of regional enforcement of arbitral awards in China.



**Key Words:** Enforcement of Arbitral Award, Regional Arrangement, Hong Kong SAR, Macau SAR



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