



Kobre & Kim's Cross-Border Disputes Team

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Hong Kong Is A Practical Hub for Multi-Jurisdictional Enforcement and Recovery

Hong Kong arbitration serves as a gateway for cross-border disputes involving both Mainland China and offshore financial centers. Its arbitration-friendly courts, unique access to mainland interim measures, and strong enforcement reach position Hong Kong not just as a neutral seat, but as a practical hub for multi-jurisdictional enforcement and recovery.

Hong Kong has cemented its position as one of the world's leading seats for international arbitration. With a modern legal framework, an experienced arbitration-friendly judiciary, and strong links to both Mainland China and global financial markets, Hong Kong provides a powerful platform for resolving cross-border disputes involving parties and assets both "onshore" in the PRC and "offshore" in common law financial centers. Hong Kong is increasingly used not just as a neutral seat, but as a strategic hub for multi-jurisdictional disputes and enforcement efforts.

Hong Kong combines the procedural certainty of a common law system with a sophisticated arbitration infrastructure. Its arbitration regime is based on the UNCITRAL Model Law, supported by specialist judges and a judiciary with a strong track record of enforcing arbitration agreements and awards, granting interim measures, and limiting court intervention in arbitral proceedings.

Key advantages include:

- **Judicial support and predictability.** Hong Kong courts are widely regarded as arbitration-friendly, commercially sophisticated, and willing to grant urgent interim relief in support of arbitration, including asset-preservation and anti-suit measures.
- **Neutrality and international credibility.** Hong Kong remains a preferred neutral seat for parties from Asia, the Middle East, Europe, and the Americas.
- **Unique China connectivity.** Hong Kong is the only common law jurisdiction with a formal

arrangement enabling parties to Hong Kong-seated arbitrations to seek interim measures directly from mainland Chinese courts, a powerful advantage where assets, witnesses, or counterparties are located in the PRC.

- **Enforcement reach.** Hong Kong awards benefit from the New York Convention, special enforcement and interim-measure arrangements with Mainland China (including the Arrangement on Mutual Enforcement of Arbitral Awards), and Hong Kong's strong track record of enforcement both in the PRC and in offshore common law jurisdictions.

Hong Kong also offers advantages for **parties operating through offshore holding and investment structures**. Many international disputes involve assets and funds located in jurisdictions such as the BVI, Cayman Islands, and Bermuda. Hong Kong-seated arbitrations integrate naturally into these frameworks, allowing parties to pair arbitration with offshore court actions for asset tracing, interim relief, and enforcement. Hong Kong awards are well-positioned for recognition across offshore financial centers, enabling coordinated strategies that link arbitration with freezing orders, disclosure applications, and control disputes where assets are held.

Hong Kong often acts as the procedural center while related proceedings take place offshore, alongside "onshore" actions in Mainland China. These may include shareholder, insolvency, trust, fund, or enforcement proceedings against holding vehicles. This alignment strengthens a party's ability to preserve assets, build leverage, and pursue cross-border recoveries.

For corporate entities, investors, funds, and ultra-high-net-worth individuals engaged in cross-border business, Hong Kong offers more than a neutral venue. It provides a forum capable of **supporting complex disputes involving offshore structures, creditor claims, and assets spread across multiple jurisdictions**. Parties considering Hong Kong arbitration should assess:

- How Hong Kong's interim-relief regime can support early free-standing asset-preservation efforts in Mainland China and offshore.
- Whether Hong Kong's connectivity to mainland China is relevant to counterparties, operations, or evidence.
- How a Hong Kong award could be deployed alongside offshore proceedings to accelerate enforcement and recovery.
- How to structure dispute resolution clauses to preserve maximum strategic flexibility across jurisdictions.

About Kobre & Kim

Kobre & Kim is a global law firm focusing on cross-border disputes and investigations, often involving fraud and misconduct.

To preserve the assets, liberty, and reputation of ultra-high-net-worth individuals with global business interests, our team:

- Often works with other law firms in matters beyond their geographic reach to enforce high-value judgments and arbitration awards worldwide with our integrated team of Hong Kong Solicitor Advocates, offshore lawyers, US lawyers, and UK solicitors and King's Counsel before forums such as the International Chamber of Commerce (ICC) and the Hong Kong International Arbitration Centre (HKIAC).
- Has deep experience in prominent enforcement actions, including those involving national security and economic sanctions, securities law, market manipulation, bribery and corruption, antitrust and competition, asset forfeiture, money laundering, extradition, fraud, and other misconduct.
- Provides offensive and defensive cross-border litigation and crisis management strategies in court and out-of-court.