

**LAWASIA President Inauguration Speech**

**30<sup>th</sup> LAWASIA Conference**

**Tokyo, 21 September 2017**

Distinguished guests, friends and family of LAWASIA, a very good afternoon to you all.

As we approach the conclusion of what has been by all accounts a successful and enjoyable conference - stimulating in content and discourse; invigorating in its energy; and warm in hospitality - I am sure, looking at the sprightly delegates that you all are, that you could go on for another 4 days. But all good things have to come to an end. I am therefore mindful of how appreciated it would be if I were to keep my inaugural task this afternoon short and sweet.

I would like to begin by thanking the Organising Committee of Japan for the 30<sup>th</sup> LAWASIA Annual Conference 2017 chaired by Mr. Kenji Yamagishi, the Managing Board of the Organising Committee which is chaired by Mr. Isomi Suzuki, and comprising of the Japan Federation of Bar Associations and whose president is Mr. Kazuhiro Nakamoto; the Japan Bar Association and whose president is Mr. Kanetsuki; and the Japan LAWASIA Friendship Association whose president is Mr. Takeo Kosugi (a past president of Lawasia), for the tremendous job they have done in organising this fantastic conference. I also thank the members and staff of the Organising Committee of Japan (their names appear in the conference program), all of whom I am sure had many long and sleepless nights. They have been meticulous in every detail and tireless in ensuring that we were not wanting in any aspect. I also thank the sponsors for their generous support of the conference, and whose financial contributions have made the splendour of the conference possible.

I would also like to acknowledge and thank the Secretariat of LAWASIA, headed by Mr. Michael Tidball, and its members, Magdalena Malota, Magda Imre, Kim Shazell, Kate Hewson, as well as Belinda Walker and Wendy Loo both of whom have recently moved on to other pursuits, for their invaluable contributions and support, not only in helping put together this conference, but also for their constant commitment and industry in keeping the engine of Lawasia primed and humming.

To my good friend Prashant Kumar, the 24<sup>th</sup> President of LAWASIA, we thank you warmly for your tremendous work and leadership of LAWASIA. Prashant and I ‘grew up’ together in LAWASIA. Our work with LAWASIA has taken us to the mountains of Nepal and Bhutan, to the robust environment in Pakistan through to India and Sri Lanka, across the sea to South East Asia, then further east to the cities of our member organisations in East Asia, and down to Australia and New Zealand. We have throughout that experience and time built a friendship and bond which I will cherish.

To the outgoing Executive Committee of LAWASIA, with whom I have had the pleasure and privilege of serving with last term, I extend my appreciation to each and every one of you for your dedication and friendship. I look forward to continue working with my colleagues in the new term. Permit me to introduce the Executive Committee members for 2017 to 2018.

Mr. Chunghwan Choi - the President-Elect; Prashant Kumar - the Immediate Past President; Justin Dowd, Melissa Pang, and Yap Teong Liang are the 3 Vice-Presidents; Upul Jayasuriya, Shyam Divan, Chisako Takaya, Eric Yang, Steven Thiru and Yin Baohu are the 6 executive committee members, and Michael Tidball – the Secretary General.

Due to the important role of LAWASIA and the reverberant effects of its work in the Asia Pacific, I appreciate that it is a heavy responsibility which I have assumed. In this regard, I am keenly aware that I seek to follow in the footsteps of giants who have made great strides with LAWASIA, and who have flown its flag way high. I shall thus render my best endeavour in the carriage of the office and honour you have provided me.

Speaking of giants of LAWASIA, I would like to take this opportunity to pay homage to one of our Past Presidents, the late Mr. Anil Divan, who served LAWASIA with distinction and grace as its 11<sup>th</sup> President from 1991 to 1993. Mr. Anil Divan was also a Past President of the Bar Association of India and the father of our good friend, Mr. Shyam Divan, with whom I had the opportunity to share a session with today, and who is a member of the Executive Committee of LAWASIA and the Vice-President of the Bar Association of India.

Mr. Anil Divan had dedicated much of his time and resources, and lent his intellect, both in and out of court, to advocating respect and protection for human rights, the rule of law, and advancing the course of justice and the public interests. He is regarded by many as the

conscience of the Bar of India. He stood up for the independence of the judiciary and advocated for accountability by the judicial collegium of India in its selection of judges. In his years of practice as a constitutional expert and leading jurists, Mr. Divan appeared in various public interest matters and in doing so, had contributed to shaping the history of constitutional judicial precedent in India. Among his other achievements are being conferred an Honorary degree of Doctor of Law by Ravenshaw University, Orissa in 2009 and on being felicitated with the 'Naitik Samman' award by the President of India Dr. A.P.J Abdul Kalam in 2004. Mr. Anil left us on 20 March 2017, and he will be dearly missed.

Ladies and gentlemen,

LAWASIA is unique. It was established in 1966 at the behest or on the proposal of the United Nations for the need of a law organisation representing the Asia and the Pacific. Hence, LAWASIA is a super-structured law organisation whose governing council comprises of the national Bar and law organisations found in the United Nations ESCAP Region.

It has since its inception, advanced and maintained the core values and objectives as provided in its constitution, which among others are:

- the promotion of the administration of justice, the protection of human rights and the maintenance of the rule of law within the Region;
- to advance the standard of legal education;
- to promote the development of the law in the Region;
- to enhance the development and advance the status of legal professionals in their professional and business relations within the Region.
- to foster relations and community between lawyers, associations and organisations of lawyers within the Region.

Its territory is therefore vast and its mandate is wide. The various LAWASIA jurisdictions being at different stages of growth and development have differing priorities, foci and challenges. Some are more concerned with rudimentary subsistence issues, basic development and infrastructure, whilst other jurisdictions are relentlessly hitting

technological frontiers and grappling with philosophical, moral, and existentialist issues regarding artificial intelligence.

Thus, the numerous jurisdictions, economies and peoples within the LAWASIA region differ in many aspects and face different challenges, and yet we ought to bear in mind that we all ultimately have similar or the same core aspirations, principles and values. These are the pursuit for economic and business opportunity, prosperity and stability; recognition of and protection for our human rights; the right to self determination and the right to a life of dignity.

On many occasions, there have been tensions between these aspirations, principles and values; between establishing an equitable environment and the pursuit for business development and economic wealth. It may have been the case that policies, regulations and activities undertaken by governments and corporations in various jurisdictions to facilitate and further economic and business objectives have been formulated and undertaken disjunctively from the requirement to recognise, respect and protect human rights and the rule of law.

But with the fast pace of globalisation of trade, investment, business and the provision of services it is inescapable that the focus for all these jurisdictions moving forward has to be a synergy of business, human rights and the rule of law. The more frequent and intimate interactions and inter-twining of disparate jurisdictions and their economies in Asia and the Pacific, the more it would render the silo approach to business law and human rights outdated and difficult to maintain.

We have had sessions in the last few days on business law, family law, criminal law, human rights, dispute resolution, the judiciary and legal practice issues. These were individual and dedicated sessions on their topics.

Each area in themselves being important and which ought to, and does in varying degrees, incorporate human rights. The recent Supreme Court of India decision in recognising and enforcing the right to privacy against the backdrop of the government intention to implement compulsory biometrics for all citizens of India being an example.

The last plenary session however on convergence of business law and human rights encapsulates the initiatives which we in LAWASIA ought to pursue moving forward.

As each jurisdiction and economy reaches its successive milestones in economic progress, the awareness of the importance of and assertion for recognition and protection of fundamental human rights and the primacy of the rule of law correspondingly grows.

Whilst recognising that the LAWASIA jurisdictions and their respective economies may have disparate foci or emphasis, it is nevertheless imperative that LAWASIA in carrying out the objects within its charter not only continue to advance and enhance the practice of business law, business and professional relations, human rights and the rule of law as individual pursuits, but also to promote and develop these as composite goals.

There is of course no “*one size fit all*” approach or solution when addressing these issues, but as the theme of our conference this year states, “*Big Leap through the Rule of Law – LAWASIA Legacy and Future Role*”, in moving forward it remains incumbent upon us to determine and shape our role as the legal profession in the region collectively, and individually as legal practitioners providing legal services to businesses or input to government policies, in upholding the rule of law, promoting human rights principles and at the same time advancing the narrative for the convergence of these latter values with the promotion and facilitation of global trade, investment and business.

Ladies and gentlemen,

I am sure this would indicate to you the direction in which I wish to steer, namely, the continued development and promotion of business and business law, human rights and the rule of law as imperative individually, as well as to advance the proposition that all of these are synergistic.

As such, we at LAWASIA shall keep faith with and honour the work and ethos of LAWASIA in the last 51 years, whilst we grow, adapt and take a “*big leap*” in responding to the demands and challenges of today and tomorrow.

Ladies and gentlemen,

I thank you for having contributed to the fun and success of this conference. To those who have come from abroad, I wish all of you an enjoyable time for the rest of your stay in Japan and safe travels. To our Japanese friends I bid you “*sayonara*” and see all of you soon. I leave you with a Japanese proverb “*kou fuku to han ei no jin sei*”, which means have a life of happiness and prosperity.

Thank you.

Christopher Leong  
President  
LAWASIA