

Welcome Remarks

Delivered by Atty. Avelino V. Cruz

President, Asean Law Association (ALA) of the Philippines

Chairman, ALA Philippine National Committee

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ALA 25th Anniversary Special Commemorative Session

24-27 November 2005, Makati Shangri-La Hotel

The Honorable Chao Hick Tin, President, Asean Law Association

Honorable Hilario G. Davide, Jr, Chief Justice, Supreme Court of the Philippines,

Distinguished members of the Senate and House of Representatives

Excellencies of the Diplomatic Corps

Esteemed Justices, Judges and

Government lawyers

Members of the Academe, and

Distinguished leaders of the Bar and the legal profession

Ladies & Gentlemen:

In behalf of the Asean Law Association (ALA) of the Philippines and the Philippine National Committee, I am privileged to welcome you all to this 25th Anniversary Special Commemorative Session of ALA.

Welcome especially to Makati City as ALA convenes for the first time in my home city. Makati is a charming enclave of business, culture and entertainment where surprising but immeasurable rewards await you. Care to venture further afield? Just over an hour away are: a white water falls, an active volcano, and the pristine beaches of Batangas, still one of the world's great secrets, thanks to our faulty infrastructure.

That said, please turn to the opening pages of your Anniversary Yearbook, and you are reminded that at exactly 9:00 am at exactly the same day and month, November 25, 1980, ALA was born when the historic first ALA General Assembly convened in Manila to adopt its Constitution and By-laws.

Before ALA, members of the ASEAN legal community hardly knew each other; indeed, eyed each other with indifference, if not outright suspicion. Then in 1979, the late Teuku Mohamed Radhie of Indonesia's Ministry of Justice, visited us at the Philippine's Integrated Bar office, teamed up with the IBP President, Edgardo J. Angara,

made the rounds of five ASEAN nations and in a Jakarta conference, proclaimed one shared vision, in Mr. Radhie's words,

"To organize the legal community of ASEAN as an institution and leave a deep and lasting impact on greater ASEAN cooperation".

Fast forward 25 years hence. Rising from the seeds of that shared vision, ALA grew to a vibrant and strong institution; expanded its membership from five to eight countries; filled its rolls with the most distinguished names in the ASEAN legal community (at least one has become Prime Minister (of Thailand), 2 as Senate Presidents (of the Philippines) and several as Chief Justices of the highest Courts, and Presidents of the Bar Societies; held eight General Assemblies; hosted 24 Governing Council meetings – (tomorrow would be the 25th) – established an ALA Foundation, forged standing committees in various legal fields; published the 8-volume Asean Law series culminating in the 1995 authoritative volume "Asean Legal Systems"; succeeded in 1986 to secure accreditation as a non-governmental organization serving as legal arm of the ASEAN; shared in the resolutions of such regional issues as GATT, AFTA and Intellectual Property; launched a business law program; discussed, thru countless workshops, numerous legal problems, ascertained how they were solved, and copied freely those deemed workable; outlasted assorted political turbulence and the economic crisis of 1997; endured the gap between 1995 and 2002 with no General Assemblies but made up by yearly Governing Council meetings; defied the odds against the threats of SARS, terrorism, mad cow and avian flu; and of course on November 25, 1994, survived an ALA boat that capsized just off the shores of Mactan, Cebu, that could have wiped out the entire ALA leadership, but all of whom resurfaced because the waters were not deep enough.

I am therefore confident of the resiliency of our organization. The bridges of friendship and goodwill forged by 25 years of legal cooperation among ALA members will not end with each assembly or governing council meeting. Therein lies the difference between the ALA and with due respect, the rest of the Bar associations of Asia. Each ALA member now belongs to an extended family of Asean lawyers, judges

and teachers of law bound by lasting bonds of friendship, through which borders, the Asean legal community can cross with speed and ease.

Mr. President, I wish to report on two matters.

First, through this ALA 25th Anniversary celebration, the Philippine National Committee succeeded in networking all leading law firms, corporate counsels, government lawyers, the Academe and the Judiciary. Thus, ALA Philippines was rejuvenated with new faces of young lawyers, many of whom will still be around to celebrate ALA's 50th anniversary, 25 years from now.

Secondly, we submit that it is high time ALA recognize ADR, particularly mediation and arbitration, as clearly the wave of the future for settlement of disputes in commercial transaction. The ASEAN region and almost all the ASEAN members, including the Philippines, have national organizations promoting ADR. In the Philippines, the arbitration advocacy has been broadened through the Philippine Dispute Resolution Center (PDRC), a non-profit organization, incorporated in 1996. The PDRC has forged cooperation agreements with foreign arbitration centers in ASEAN and has networked various committees in the International Chamber of Commerce and the International Court of Arbitration.

I submit, Mr. President, that through ADR ASEAN will move close toward harmonization of certain fields of law as mandated by Article IIB of the ALA Constitution. While Court litigation processes differ, there is now a lot of commonality in ADR practice so that potential harmonization of its rules and administration has become realizable.

In my view, Mr. President, no stronger legal cooperation and harmonization exist today than in the field of settlement of dispute in commercial transactions, including maritime, banking, construction, securities, intellectual property and other such fields of business law. Indeed, the ADR is destined to become a force for globalization of trade and commerce, guaranteeing quick resolution of disputes, relieving the Courts' overload

and thereby promote stability of business transactions, so necessary to successful economic integration and development in the ASEAN region.

For ALA's anniversary, we have crafted a programme honoring those who contributed the building blocks of ALA, produced a Yearbook of memories of what ALA stands for – past and present, for which we thank all contributors. With our Secretary General's personal attention, a website has launched ALA and its images into cyberspace. Finally, as authorized, the Philippine National Committee has produced an ALA Hymn which we hope will, in the future, rekindle the unforgettable memories left behind in this 25th anniversary celebration. Thank you.