

**14<sup>th</sup> ASEAN LAW ASSOCIATION GENERAL ASSEMBLY**  
**PRESIDENT'S REPORT**

Saturday, 21 October 2023

The Honourable the Chief Justice of Singapore Sundaresh Menon  
President, ASEAN Law Association

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The Right Honourable Chief Justice of Malaysia, Tun Tengku Maimun, our host  
Vice Presidents and Heads of Delegation  
of the ASEAN Law Association (“ALA”)  
ALA Secretary-General  
ALA members  
Ladies and gentlemen

1. A very good afternoon. In my brief address on Thursday, I had mentioned that I wanted to offer my perspectives and reflections on the course of the last five years in two parts. I presented the first part in my opening address on Thursday, and I will present the second part in this address, as I look back on the term of my presidency through four lenses: namely, resilience, relevance, renewal and rejuvenation.

**Resilience**

2. First, let me outline how I suggest ALA has demonstrated its resilience over the past five years. As we enjoyed ourselves in a very successful meeting in Phuket towards the end of 2019, we were blissfully unaware of what was very shortly to come. When the pandemic hit us, there was much confusion all around. But as a family, I think we have stood our ground with *resilience*. We knew that our first priority had to be getting our respective affairs back

home in order, before we could return to pursuing our regional engagements in ALA. We therefore decided to bide our time and ALA went on a one-year hiatus.

3. By 2021, we emerged as a family stronger than before, after the worst of the pandemic, with ALA Cambodia, our youngest member, gamely taking on the task of hosting ALA's first virtual Governing Council meeting. This was a resounding success. And, in 2022, ALA Indonesia broke new ground again when it hosted ALA's first hybrid Governing Council meeting in Bandung. At the same time, we decided that we wouldn't take unnecessary risks. We were all clear that we wanted to avoid the General Assembly being held remotely. A large part of the magic of the ALA family is our opportunity to be together. Recognising the complexities of organising an in-person General Assembly while the pandemic was still very much in our communities, we stood behind ALA Malaysia and collectively decided to reschedule this large-scale event until things became clearer in terms of both safety and funding. Indeed, we have seen the wisdom of this decision in the overwhelming success of all the events that we have seen and participated in over the past few days. It is indeed satisfying that our collective resilience has helped draw us closer as an ALA family, strengthened the ties that bind us, and helped us participate in this wonderful and successful celebration organised so well by our Malaysian hosts and colleagues.

## **Relevance**

4. We did some of our best work during the pandemic, and crucially also maintained and enhanced ALA's *relevance* within the wider ASEAN community. It is to this point on relevance that I now turn. In our efforts to strengthen ALA's links with other ASEAN institutions, I called on the then Secretary-General of ASEAN, Dato' Lim Jock Hoi, in 2019, and we had a very fruitful discussion on how ALA could assist the ASEAN Secretariat (or "ASEC") in helping to promote the effective implementation of ASEAN instruments by ASEAN Member States, an idea that had been actually mooted by then Deputy Secretary-General Dr AKP Mochtan at our last General Assembly in Singapore in 2018.
5. Dato' Lim not only welcomed ALA's offer but also requested ALA's assistance in three other areas, and this precipitated the drafting of four concept notes, respectively, on promoting legal convergence in the enforcement of foreign arbitral awards and international settlement agreements; working with ASEC to support compliance with ASEAN instruments by ASEAN Member States; establishing a panel of experts that ASEC may consult in specific areas; and promoting and raising awareness of ASEAN legal instruments and their implementation within ASEAN member states. That outlined the possible parameters for collaboration between ASEC and ALA. The Governing Council broadly endorsed the concept notes at its meeting in Phuket and ASEC also confirmed that it would work with ALA on the activities envisaged by the concept notes. Four ALA Working Groups were constituted to study the concept notes further, and they built on what we had achieved with ASEC before the pandemic.

These Working Groups continued their painstaking work throughout the pandemic. This eventually led to a revised set of concept notes, and this was subsequently endorsed formally by the Governing Council for submission to ASEC earlier this year, in time for my call on Dr Kao Kim Hourn, the incumbent ASEAN Secretary-General, in March.

6. When I apprised Dr Kao of the concept notes, he identified specific priorities and areas for further collaboration with ALA aimed at building the capacity of ASEAN Member States and ASEC, as well as promoting awareness of ASEAN legal instruments. On this positive note, ASEC is already looking at running a series of capacity-building programmes with ALA. The inaugural event will take place next year, and is expected to cover investor-state dispute resolution as well as the ASEAN Protocol on the Enhanced Dispute Settlement Mechanism. This is most encouraging. At the same time, ASEC's dialogue with the ASEAN Senior Law Officials Meeting (or "ASLOM") continues, arising from some comments that ASLOM had provided on an initial set of draft concept notes that had been prepared for ASEC's consideration.
7. In our efforts to maintain ALA's relevance to other stakeholders in the legal industry, the ASEAN Law Institute organised four virtual Roundtables during the pandemic with the ALA National Committees of Malaysia, Thailand, Philippines and Singapore. These events fostered greater cooperation between ALA and other key industry stakeholders by creating spaces for

discussions to take place on the ASEAN Comprehensive Investment Agreement.

## **Rejuvenation**

8. I turn now to the important subject of rejuvenation. I called on the Honourable Chief Justice of the Lao PDR, Chief Justice Viengthong Siphandone, last month, where I also met the officials involved in the establishment of ALA Lao PDR. In my discussions with her, Chief Justice Siphandone spoke about the encouraging progress that Laos is making towards the establishment of an ALA National Committee. You heard Justice Phasouk speak to us earlier today and we all hope that ALA Laos will be a reality and firmly established before long. This will be an important part of our efforts to strengthen and rejuvenate ALA.
9. Another aspect of rejuvenation relates to the future role of the ALA Standing Committees. We had a long discussion on this at the Governing Council meeting earlier today and we have agreed to establish a Working Group, under the lead of the incoming Secretary-General, on an exercise to re-envision the role of the ALA Standing Committees alongside the ASEAN Law Institute. We look forward to the presentation of their report and proposals at the next Governing Council meeting. I do not wish to pre-empt the work that will be undertaken, but I would imagine that this would entail looking at aligning and refining the various portfolios of the Standing Committees, identifying where perhaps new Standing Committees may be required, and more broadly at how the ALA Standing Committees might

complement the work done by the ASEAN Law Institute in fulfilling its mandate and performing its role as ALA's implementation arm. This will likely also extend to considering the reorganisation of the Standing Committees to ensure that they are fit for purpose as we move into the future.

## **Renewal**

10. I turn finally to what is perhaps the most important of the four "Rs": renewal. It is essential for the continuing success and growth for any organisation that there be young blood among its ranks, to supply its future leaders who will be able to meet the new challenges that lie ahead and steward the organisation into the future. To this end, two signature programmes have been launched that will enhance our ability to attract new talent into ALA.
11. The first is The ASEAN Moot, the inaugural edition of which was so successfully organised by ALA Malaysia, our hosts for this General Assembly. I am confident that The ASEAN Moot will attract law students to take an interest in ASEAN Law and will become the primary outreach mechanism for ALA in the Universities of ASEAN Member States. Today's law students are the members and leaders of tomorrow's ALA, and the continuation of The ASEAN Moot will be a key pillar in our efforts to ensure ALA's longevity. I am delighted that we have approved this in principle today at our Governing Council meeting, and I look forward to hearing the detailed proposals for the long-term conduct of the competition at the next Governing Council meeting.

12. The second signature programme is the Virtual Training Marketplace (“VTM”), which matches candidates with host law firms offering training and internship opportunities. The VTM not only allows younger ASEAN lawyers to upskill themselves, but also enables them to become part of a growing community of lawyers in an interconnected ASEAN. This will serve to increase the mindshare of ALA among legal practitioners in the region. I hope that all National Committees will do their utmost to encourage their law firms to offer training places, and encourage their young lawyers to take up these training opportunities in order to make this programme a success. If our vision of the VTM is successfully realised, it will make a very important contribution to raising the level of legal services, promoting a closely interconnected network of law practitioners in the region, and injecting new blood into ALA.

## **Conclusion**

13. Ladie and gentlemen, let me close by saying that it has been a great honour and privilege to have had the opportunity to steward ALA in the course of my presidency. It has truly been a fulfilling and rewarding five years. By my side I have always had the ALA Vice-Presidents, whose unstinting support has lightened my burden and it has been a joy to work with each of them. I have also had the great benefit of having my colleague, Secretary-General Paul Quan, to whom I would like to express my heartfelt gratitude for running the Secretariat so efficiently, and for doing so with the sunniest of dispositions.

14. It is my hope that, by strengthening links within ALA, fostering greater cooperation between ALA and other stakeholders in the legal industry, and strengthening ALA's links with other ASEAN institutions, I have fulfilled the manifesto that I outlined when I took office as ALA President, and that I leave to my successor, my admired friend, Tun Maimun, a strong legacy built on what I inherited from my predecessor, Attorney Avelino Cruz.
15. I respectfully suggest that the incoming ALA President has everything that is needed for perhaps a fifth "R" – to *re-invent* ALA so that it stands ready to meet the challenges that we may be confronted with in tomorrow's world, to provide legal consultancy and technical assistance to ASEAN and beyond. This includes the impending establishment of ALA Laos, which will add to the strength and depth of our family; the envisioning exercise in relation to the ALA Standing Committees to better equip ALA and the Institute; and the establishment of further key areas of collaboration with ASEAN as the dialogue with ASLOM and ASEC continues. This has all been made possible by two visionary Secretaries-General of ASEAN and the painstaking efforts of our ALA Working Groups. I wish the new President and ALA Secretary-General the very best, and I have every confidence that with them at the helm, the future of ALA is assured and very bright indeed.
16. Thank you all so very much.