



ASEAN LAW ASSOCIATION

Newsletter 2024



OPENING ADDRESS



ALA PRESIDENT
THE RIGHT HONOURABLE
CHIEF JUSTICE OF MALAYSIA TUN TENGKU MAIMUN
45TH ALA GOVERNING COUNCIL MEETING
19 NOVEMBER 2024

Honourable Chief Justices of the ASEAN nations; Chairpersons and Heads of Delegation of the ASEAN Law Association (ALA) National Committees; H.E. Nararya S. Soeprapto, Deputy Secretary-General of ASEAN; Madam Bharti Seth, Secretary-General of ALA; Honourable Judges from ASEAN Judiciaries; Your Excellencies, distinguished guests, ladies and gentlemen, Assalamualaikum warahmatullahi wabarakatuh and a very good morning.

It is with great pleasure that I welcome you all to the 45th ALA Governing Council Meeting in Cebu. This gathering holds special significance as it marks our return to Cebu precisely three decades after our last meeting here in 1994.

On behalf of all attendees, we wish to convey our profound gratitude to the Honourable Chief Justice Alexander G. Gesmundo and the ALA Philippines National Committee for their remarkable dedication in organising and hosting the 45th ALA Governing Council Meeting. We truly appreciate the warm and generous hospitality extended to all of us.

On that note, I am pleased to welcome the Honourable Chief Justice Alexander G. Gesmundo as the new ALA Vice-President and the new Chair of ALA Philippines. The Honourable Chief Justice Alexander G. Gesmundo succeeds the outgoing Chair, the Honourable Chief Justice (Rtd) Artemio V. Panganiban.

I also wish to extend a very warm welcome to four other new ALA Vice-Presidents. These are the new Chairs of the ALA National Committees of Singapore, Malaysia, Indonesia and Thailand.

- a. First, my predecessor Chief Justice Sundaresh Menon who has taken over the reigns as the Chair of ALA Singapore after relinquishing his post as the President of ALA last year.
- b. Second, the new Chair of ALA Malaysia, the Right Honourable Tan Sri Datuk Amar Abang Iskandar bin Abang Hashim, who succeeds me.
- c. Next, the new Chair of ALA Indonesia, the Honourable Chief Justice Prof. Dr. Sunarto, who succeeds the Honourable Chief Justice Prof. Dr. Muhammad Syarifuddin. Chief Justice Prof. Dr. Sunarto was elected Chief Justice of the Supreme Court of Indonesia on 16 October 2024.
- d. Finally, the new Chair of ALA Thailand, the Honourable Chief Justice Chanakarn Theeravechpolkul, who succeeds the outgoing Chair, the Honourable Chief Justice Anocha Chevitsophon. Chief Justice Chanakarn was appointed President of the Supreme Court of Thailand on 1 October 2024.



I extend my heartiest congratulations to the new Chairs and ALA Vice-Presidents on their appointments, and I look forward to collaborating with them to advance the work of the Association. I would also like to express my deepest appreciation to the outgoing Chairs and ALA Vice-Presidents for their unwavering support and invaluable contributions throughout the years, which have left a lasting impact on our Association.

In a momentous leap forward, we proudly welcome ALA Laos. This addition to our ALA family marks the culmination of years of dedicated effort and unwavering commitment. We are honoured to have the Honourable Bounkhouang Thavisack, Head of Delegation of ALA Laos. The birth of ALA Laos promises to inject fresh perspectives and invaluable insights into our organization. This remarkable achievement stands as a living tribute to the tireless efforts of Chief Justice Menon, who, since 2019, has championed the cause of bringing Lao PDR into the ALA fold. As we celebrate this new chapter, we are not just expanding our geographical reach – we are amplifying our collective voice, strengthening our shared purpose, and paving the way for an even more dynamic future for ALA.

For 45 years, the ASEAN Law Association has stood as a beacon of our shared commitment to the ASEAN motto: “One Vision, One Identity, One Community.” This is not a mere rhetoric, but the very essence of our mission. ALA’s role in fostering legal cooperation and enhancing regional integration is not just significant; it is indispensable. The vision of a united and dynamic ASEAN thrives on our ability to embrace diversity, with each Member State contributing its unique histories, cultures and legal traditions. This collaborative spirit forms the foundation of our collective strength, empowering us to work towards common goals in law and governance.

The 45th ALA Governing Council Meeting presents a valuable opportunity for a diverse array of legal professionals from across our region to come together, reflect on our achievements and chart the course for future initiatives. This gathering serves as a pivotal moment for deepening our integration and collaboration, laying the groundwork for initiatives that address pressing legal

challenges and promote best practices throughout the region. Our efforts will undoubtedly strengthen the rule of law and support the development of robust legal frameworks that underpin the stability and prosperity of the ASEAN community.

As we gather for this Governing Council Meeting, I commend the diligent efforts of our Secretary-General and the ALA National Committees in crafting an agenda that befits our purpose. Our commitment to excellence is evident in the numerous initiatives under ALA's purview, particularly through our Working Groups, Standing Committees, and the pivotal ASEAN Law Institute (AsnLI).

AsnLI's role is vital in advancing ALA's objectives. At this juncture, I draw your attention to the AsnLI's 2024 Work Report and 2025 Work Plan, soon to be tabled for approval. These documents are crucial, outlining AsnLI's continued support in fostering long-term engagement with the ASEAN Secretariat and optimizing our committee structures.

Reflecting on Chief Justice Menon's astute observations last year, we recognize the timeliness of a visioning exercise for our Standing Committees. Four years since AsnLI's inception, it is imperative that we reassess and strengthen its role as ALA's implementation arm. The suggestion to establish special interest committees to pursue ideas from our General Assembly and ASEAN Law Conference is both practical and forward-thinking. In this regard I look forward to the forthcoming Study Report on the future of ALA's Standing Committees. This document is not merely a report; it is a blueprint for enhancing the efficacy and impact of our organization.

Last year, we witnessed the launch of a remarkable initiative - the Virtual Training Marketplace, or VTM. VTM embodies our commitment to embracing the future of our profession. It's our way of reaching out to young lawyers, saying, "We see you; we value you, and we're here to help you soar." In our increasingly interconnected ASEAN, we cannot afford complacency. Instead, we must engage and inspire the next generation to join our ranks.

As we gather here today, I eagerly anticipate the report on VTM's trajectory over the past year. This report will not only showcase our progress but also illuminate the path forward in our collective effort to shape the future of ASEAN's legal landscape.

Speaking of young legal professionals, ALA Singapore will be tabling its proposal for the establishment of a Youth Wing under its National Committee later in the course of this meeting. This initiative seeks to bridge generational perspectives by offering tailored programmes such as moots, virtual marketplaces, informal networking with senior lawyers and events aligned with youth interests, including discussions on climate change. Such engagement is essential in helping young lawyers feel more connected to our profession's traditional values. I look forward to the presentation from ALA Singapore on this promising initiative.

In my address as the incoming President at the 14th ALA General Assembly last year, I put forward two key proposals: first, the establishment of a Standing Committee for Women in Law (SCWL) within ALA; and second, the initiation of an annual regional ALA Lecture Series. Both proposals will be tabled for endorsement at today's meeting.

In respect of the SCWL, I must emphasise that our vision for gender equality in the legal profession is not intended to isolate or diminish the role of any gender. Rather, it aspires to foster an inclusive legal landscape where all individuals can thrive based on merit and free from gender-based constraints. To this end, the SCWL will actively engage male allies in its initiatives, underscoring that gender equality is a collective concern and that meaningful progress towards inclusion and empowerment will benefit the entire profession.

The SCWL will also continue the impactful work of my predecessor, Chief Justice Sundaresh Menon, by strengthening ALA's links with other ASEAN institutions. Recently, the Secretary-General of ASEAN, Dr. Kao Kim Hourn, emphasised that the underrepresentation of women in leadership roles across our region underscores the urgent need for sustained advocacy and

collaboration to amplify women's voices in decision-making processes. In support of this mission, the SCWL aims to build stronger bridges with the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) to provide targeted and effective legal support, thereby advancing our shared goals of gender equality and women's empowerment.

My second proposal that will be tabled before the Governing Council today is the establishment of the ALA Lecture Series. This initiative aims to create a dynamic platform for legal experts to engage in meaningful discussions on contemporary legal issues, fostering knowledge sharing and strengthening regional cooperation among ASEAN member states. More fundamentally, the lecture series seeks to nurture camaraderie and collaboration among legal professionals across our region, reinforcing the understanding that, despite our diverse legal systems and cultural backgrounds, we can find common ground in our shared commitment to justice and the rule of law.

In closing, I would like to express my heartfelt gratitude to Madam Bharti Seth, whose invaluable support as Secretary-General has been instrumental in ensuring the smooth operation of ALA. I am also deeply appreciative of the Vice-Presidents, the ALA National Committees, and each and every member of the ALA family for their unwavering support throughout the past year.

Thank you.

45th ALA Governing Council Meeting

19 November 2024



The 45th ASEAN Law Association Governing Council Meeting was held on 19 November 2024 at the Shangri-La Mactan, Cebu, Philippines.

The Meeting was presided by the Hon. President of ASEAN Law Association (ALA), Tun Tengku Maimun binti Tuan Mat.

During the meeting, the President of the ALA, Tun Tengku Maimun conveyed a powerful message to the members, emphasizing that the gathering



marked a crucial opportunity for strengthening regional integration and collaboration. The President noted that the discussions laid the groundwork for future initiatives aimed at tackling urgent legal challenges and promoting best practices across the region. These efforts, according to Tun Tengku Maimun, are set to enhance the rule of law and contribute to the development of robust legal frameworks that are vital for the stability and prosperity of the ASEAN community.

Present at the Meeting were Chairmen of National Committees, Heads of Delegation and delegates from Cambodia, Indonesia, Laos, Malaysia, Philippines, Singapore, Thailand, and Vietnam.

The ASEAN Deputy Secretary-General H.E. Nararya S. Soeprapto and ALA Secretary-General Ms. Bharti Seth also addressed the gathering. Several key and emerging initiatives were discussed during the meeting, with the dialogue reflecting a positive and constructive outlook – underscoring the ALA's forward-looking commitment to fostering regional legal innovation.



In addition to this, there was for the first time a meeting on the discussions of the future of the Standing Committees. This initiative to re-look at the status of the Standing Committees is an initiative of ALA Singapore.

The 45th Governing Council Meeting was a resounding success. All participants were exceptionally well looked after, and special appreciation goes to the Chairman of ALA Philippines, The Honourable Chief Justice Alexander G. Gesmundo, and his dedicated team for their outstanding arrangements and the tremendous effort that made the event so successful.



Future of the Standing Committees

A special in-person meeting with representatives from member states took place on 19 November 2024 in Cebu. The session was co-chaired by the Secretary-General, Ms. Bharti Seth, and the Immediate Past Secretary-General, Judge Paul Quan.

At the beginning of the meeting, Ms. Bharti Seth expressed her gratitude for the comprehensive paper prepared by Judge Paul Quan, which had been circulated to all members in advance. The primary focus of the discussion was on the future structure, scope, and relevance of the current Standing Committees. Judge Paul Quan's paper formed the foundation for the conversation, in which he highlighted key limitations of the existing committees and proposed a framework for their future organization.

Judge Paul Quan informed the members that the Standing Committees were inherited structures, and emphasized that moving forward, they should operate under clear Terms of Reference. He noted that historically, the committees lacked a defined mandate, making it difficult to assess their objectives. The circulated paper outlined the necessity for a reset and a re-evaluation of the committees' scope and functions.

All members present actively participated in the discussions, making it a productive meeting.

The meeting ended with the general consensus that Ms Bharti Seth and Judge Paul Quan will prepare a revised framework paper taking into account the issues which were raised during the meeting.

The session concluded with a heartfelt thanks to all attendees for their valuable contributions and constructive engagement.

Welcome Reception and Gala Dinner

The Welcome Reception and Gala Dinner were particularly outstanding—magnificent in every sense—beautifully showcasing the grandeur, attention to detail, and thoughtful organization that defined the entire event.

The event concluded on a high note of camaraderie and shared commitment to furthering regional cooperation. The spirit of collaboration and mutual respect among all participants was evident, leaving everyone with a sense of unity and a renewed dedication to the collective goals of the ASEAN Law Association.



19th ALA Championship Golf Tournament

18 November 2024



Held on 18 November 2024, at Alta Vista Golf & Country Club, Cebu City, the Philippines. A total of 65 golfers from five ALA Member States participated in this year's tournament. The Philippines fielded the largest contingent with 27 golfers, followed by Malaysia with 13 participants, Singapore with 12, Indonesia with 8, Vietnam with 3, and Thailand with 2 representatives.

At the conclusion of the tournament, members of ALA Philippines emerged victorious in all individual categories, with the sole exception of the women's category, which was won by Ms. Lim Siew Kuan of ALA Singapore. The Gross Champion was Atty Samuel Gaerlan from ALA Philippines.



The ALA Philippines team delivered an outstanding performance as well, winning the team event with a remarkable score of 195 points. ALA Malaysia claimed the first runner-up with 181 points and second runner up went to ALA Singapore with the score of 176 points.

The 19th ALA Championship Golf Tournament exemplifies the unifying power of sports and reaffirmed its significance in fostering regional solidarity among legal professionals in ASEAN. It is hoped that the ALA Golf Chapter will continue to grow and evolve, building on its successes to further the objectives of ALA.

ALA President's Call On ALA Indonesia



On 19 August 2024, ALA President Tun Tengku Maimun, accompanied by Secretary-General Ms. Bharti Seth, Chairman of ALA Malaysia Tan Sri Abang Iskandar, and Honorary Secretary of ALA Malaysia Dato' Edwin Paramjothy, paid a courtesy visit to the Honourable Chief Justice Prof. Dr. Muhammad Syarifuddin, S.H., M.H., who serves as Chairman of ALA Indonesia. The meeting was also attended by several judges and ALA members.

This visit served as a platform to exchange views on key initiatives and to reinforce cooperation within the ASEAN legal community. President Tun Tengku Maimun highlighted the need for unity among member states in tackling common legal issues and in promoting the rule of law across the region.



ALA President's Call On ALA Singapore

REPORTED BY ALA SINGAPORE

The ALA President, the Right Hon Chief Justice Tun Tengku Maimun binti Tuan Mat, commenced her tour of calls on ASEAN Member States with her call on ALA Indonesia, followed by a call on ALA Singapore's National Committee in August 2024.

The ALA President and the ALA Secretary-General, Ms Bharti Seth, together with the Chairman and members of the Executive Committee of ALA Malaysia, called on the Chairman of the ALA Singapore National Committee, the Hon the Chief Justice Sundaresh Menon, at the Supreme Court of Singapore. During the call, the ALA President shared the initiatives that she intends to introduce during her term.



After the call, the ALA President and her delegation were treated to an evening filled with delightful flavours and captivating entertainment. ALA Singapore was honoured to put up a lively music performance, which added a touch of magic and joy to the celebrations. The ALA President and her delegation were not left out, joining Chief Justice Menon and members of ALA Singapore in beautiful harmony as they sang the traditional folk song "Rasa Sayang".



ALA President's Call On ALA Philippines



On 17 November 2024, ALA President Tun Tengku Maimun binti Tuan Mat, who also serves as Chief Justice of Malaysia, paid a courtesy visit to Chief Justice of the Philippines, Alexander G. Gesmundo. The meeting centered on enhancing

judicial cooperation and fostering regional dialogue within ASEAN. Both leaders underscored their shared values and firm commitment to the rule of law and ongoing justice reforms in the region.

A key focus of their discussion was promoting gender representation within the judiciary. Chief Justice Maimun outlined Malaysia's commitment to achieving gender parity in judicial appointments, while Chief Justice Gesmundo shared the Philippines' initiatives through the Supreme Court's Committee on Gender Responsiveness. Both expressed strong support for the establishment of a Standing Committee on Women in Law under the ASEAN Law Association (ALA) and explored potential collaborative efforts, including with the Philippine Women Judges Association (PWJA).

The conversation also covered governance and financial sustainability matters concerning the ALA and the ASEAN Law Institute (AsnLI), with attention to operational frameworks and reinforcing regional unity.

In closing, both Chief Justices reaffirmed their dedication to strengthening bilateral ties and advancing the shared objectives of the ASEAN Law Association.

News From National Committees

ALA MALAYSIA



On 9 May 2024, Dato Edwin Michael, Hon. Secretary of ALA Malaysia attended the 16th ASEAN Security Community Coordination Office (ASCCO) convened at the ASEAN Headquarters in Jakarta. The Meeting was chaired by the Deputy Secretary-General for the ASEAN Political-Security Community, H.E. Dato' Astanah Abdul Aziz. The meeting brought together regional leaders to advance the ASEAN Community Vision 2045, with a strong emphasis on enhancing connectivity, resilience, and regional integration.



Key highlights included:

- **Vision 2045 Planning:**

Strategic planning is underway for adoption during Malaysia's chairmanship in 2025, focusing on ASEAN Centrality, digital transformation, climate resilience, and gender equality.

- **Lao PDR's Chairmanship Priorities:**

Connectivity, inclusivity, digital trade, and cultural heritage were emphasized, aligning with long-term integration goals.

- **Timor-Leste's ASEAN Integration:**

Updates were shared on Timor-Leste's progress toward full membership through participation and capacity-building efforts.

- **High APSC Blueprint Implementation:**

A 99% completion rate was reported, with remaining efforts targeting governance education and legal system integration.

- **Emerging Issues and Cooperation:**

Cybersecurity, youth and women's roles in peace and security, and post-COVID challenges were identified as key areas for adaptation under the APSC Blueprint.

The conference concluded with a renewed pledge to uphold ASEAN Centrality and strengthen coordination across all pillars for a secure, inclusive, and prosperous future.

News From National Committees

ALA SINGAPORE



On 14 May 2024, members of ALA Singapore (District Judge Ramu Miyapan, as well as law clerks Valerie Lim and Bay Jia Wei from the Supreme Court of Singapore) attended the 8th Forum of Entities Associated with ASEAN at the ASEAN Headquarters in Jakarta. Secretary-General of ASEAN H.E. Dr Kao Kim Hourn opened the forum by emphasising the growth of entities associated with ASEAN over the years and expressed his hopes for the forum to continue to serve as a platform for collaboration between ASEAN and its Centres and Entities. Ambassador H.E. Bovonethat Douangchak.

Chair of the Committee of Permanent Representatives to ASEAN and Permanent Representative of Lao PDR to ASEAN, also shared the objectives and priorities of the ASEAN Chairmanship for 2024. Representatives of the various entities also had the opportunity to exchange ideas with the newly appointed Deputy Secretaries-General of ASEAN for Political-Security Community and Community and Corporate Affairs. H.E. Dato· Astanah Abdul Aziz and H.E. Nararya Soeprapto respectively. It was indeed a fruitful day, and many ideas were exchanged.

ALA New Appointment

ALA BRUNEI



The Honourable Judicial Commissioner Muhammed Faisal bin Pehin Datu Juragan Laila Diraja Dato Seri Pahlawan Hj Kefli was elected Chair of ALA Brunei on 21 November 2024.

The Honourable Judicial Commissioner Muhammed Faisal bin Pehin Datu Juragan Laila Diraja Dato Seri Pahlawan Hj Kefli has served the legal and judicial service of Brunei Darussalam since 1994.

He was appointed as a Judicial Commissioner of the Supreme Court of Brunei Darussalam in May 2021.

Justice Mohammed Faisal graduated from the University of Wales College, Cardiff (UWCC) in 1993. Upon his return to Brunei Darussalam, he joined the Attorney General's Chambers in 1994, undertaking both civil advisory work and criminal prosecutions. In 1996, he was posted to the International Affairs Division, where he specialised in maritime law.

In 1999, Justice Mohammed Faisal began his service in the Judiciary and was appointed as a Magistrate of the Subordinate Court. In that capacity, he heard both civil and criminal matters, including cases in the Juvenile Court. He was concurrently appointed as Deputy Registrar and Adjudicator of the Small Claims Tribunal, a role he held until 2017. He was also appointed as Judge Advocate of the Military Court in 2006, a position he continues to hold.

Justice Mohammed Faisal was appointed Chief Magistrate in December 2014 and served in that role until May 2017. As Chief Magistrate, he was responsible for the overall administration of the Subordinate Courts across all districts of Brunei Darussalam.

In May 2017, Justice Mohammed Faisal was appointed as a full-time Judge of the Intermediate Court, having been conferred the powers to hear cases in the Intermediate Court since 2015. During his tenure at the Intermediate Court, he presided over both civil and criminal trials.

In addition to his judicial responsibilities, Justice Mohammed Faisal briefly served as Acting Chief Registrar of the Supreme Court from February 2023 to September 2023.

Justice Mohammed Faisal is also an accredited mediator with the Singapore Mediation Centre and currently serves as Chairman of the Competition Appeals Tribunal.

ALA New Appointment

ALA MALAYSIA



The Right Honourable Tan Sri Dato' Amar Abang Iskandar bin Abang Hashim was elected Chair of ALA Malaysia on 13th May 2024.

His Lordship began his judicial career in 1983, serving as a Magistrate in various courts across Sarawak before moving to the Sarawak Legal Aid Bureau in 1989. He returned to the judiciary as a Sessions Court Judge in Kuala Lumpur and gained extensive experience by working in various government departments, including the Fisheries Department of the Ministry of Agriculture and the Attorney General's Chambers where he led both the General Crime and Commercial Crime Units.

In 2000. Tan Sri was appointed Chairman of the Department of Cooperative Development Malaysia Tribunal before being seconded to the Central Bank of Malaysia as the Head of the Prosecution Unit/Deputy Public Prosecutor. His expertise was further recognized when he returned to the Attorney General's Chambers as the Head of the Commercial Crime Unit. and later. he served as the Director of the Enforcement Division at the Malaysia Securities Commission from 2004 to 2007.

On 1 March 2007. His Lordship was appointed as a Judicial Commissioner. In the same year. His Lordship was also appointed as the Chairman of the Appeal Board. Board of Engineers Malaysia. On 14 October 2009. His Lordship was appointed as a High Court Judge.

On 30 September 2013. His Lordship was elevated as a Judge of the Court of Appeal. On 26 November 2018. His Lordship was appointed as a Federal Court Judge. On 20 February 2020. His Lordship was appointed as the Chief Judge of Sabah and Sarawak. On 13 January 2023. His Lordship was appointed as the President Court of Appeal.

ALA New Appointment

ALA THAILAND



Chief Justice Chanakarn Theeravechpolkul has been appointed as the 50th President of the Supreme Court of Thailand.

Chief Justice Theeravechpolkul graduated with a Bachelor of Laws degree from Thammasat University. She also completed the Barrister-at-Law requirements of the Institute of Legal Education, Thai Bar Association under the Royal Patronage.

Prior to her appointment as President, Chief Justice Theeravechpolkul served as President of the Juvenile and Family Case Division of the Supreme Court.

Throughout her illustrious career, she held various esteemed positions in the Court of Justice of Thailand, including Vice - President of the Court of Appeal Regions IX, Vice - President of the Court of Appeal for Specialized Cases and Deputy Chief Justice of the Bangkok South Civil Court.

Presently, Chief Justice Theeravechpolkul also holds the positions of Chairman of the Judicial Commission, Chairman of the Judicial Administration Commission, President of the Thai Bar under the Royal Patronage and Chairman of ASEAN Law Association (ALA) National Committee of Thailand.

