

Address of the ALA President, Atty. Avelino V. Cruz

***Address by ALA President
39th Governing Council Meeting
March 23-25, 2017
The Empire Hotel & Country Club
Brunei Darussalam***

Good morning and Welcome
Honorable Chairmen of the ALA National Committees
Madam Secretary General
Distinguished ASEAN Chief Justices & Judges
Distinguished Past President of ALA
Esteemed colleagues in ALA, leaders and members of Bar Societies, government lawyers and
the Academe
Ladies and Gentlemen:

To one and all, welcome to this 39th ALA Governing Council Meeting. Before all else, and in behalf of ALA, our grateful appreciation for the boundless hospitality of the Brunei National Committee led by the Honorable Chief Justice Kifrawi Kifli. On January 24, 1987, Brunei hosted for the first time an ALA Governing Council meeting, followed by meetings in 1993, 2002 and 2009, all with the same impeccable arrangements, under the leadership of Chief Justice Kifli, who, I must point out, is the longest serving National Committee Chairman in the history of ALA, barring none (round of applause). Presumably, that term continuous until he becomes ALA President.

Furthermore, congratulations for the successful holding of the 14th ALA Golf Chapter tournament in the Empire Hotel's fabled Jack Nicklaus course. What comes to mind is Chief Justice Arifin of Malaysia's statement in the Sungai Long 2014 tournament, on terms golfers use in the search for a straight shot, and I quote – "for right handers, a ball that stays to the left is a hook; to the right it's a slice; if it goes straight, it's a miracle". Of course, we all pray for a miracle every time we tee off. No question, the ALA Golf Chapter is one hallmark of ALA's success in legal cooperation alongside ALA's myriad of highly successful studies, conferences and scholarly treaties on ASEAN law and jurisprudence. Having said that, I now ask: should ALA continue to go the way of other Asian Bar Societies whose work is circumscribed by legal cooperation, research and endless networking? Or should ALA now reach beyond, move vigorously as the ASEAN Charter's exclusive civil society affiliate for law and to help achieve harmonization of laws in real terms? ALA's destiny, I submit, lies with the second one.

In January last year, the ASEAN Economic Community (AEC) was launched to integrate the economic strength of the ASEAN's 630 million people. But true to its principle of consensus, the ASEAN has moved onwards slow by slow and at a snail's pace even in such areas as Free Trade, foreign investment, banking, Mutual Recognition of Agreements (MRAs) of professional services and most especially, on regional "Ease of Doing Business". All these could move faster through sustained and energetic programs for harmonization of laws and that should bring us to the very

doorstep of ALA, if it wishes to stay relevant. ALA should now commit to fast track effective channels of legal communications with the ASEAN Summit and its various ministerial agencies such as the ASLOM, to seek approval of its proposals.

In your files today are copies of the Resolutions of our two Working Groups, the “ALA at the Crossroads” and the “Harmonization of Laws”. Both met quietly in Manila in October last year. Both in my view, have succeeded in breaking new ground. Indeed, ALA is now at the “crossroads”, to borrow the words of Justice Lee of Singapore. The recommendations of the Working Groups once approved, should point to the way ahead. In capsule, the groups’ recommendations are two-fold. One, restructure and reinforce representation in each National Committee so as to ensure that each Governing Council delegation is more representative of its country’s national leadership; and second, to energize liaison activities with the ALAWMM and ASLOM and other crucial agencies of ASEAN so that ALA could help promote ASEAN integration with its unique capacity building resources, legal specializations and partnered legal institutions.

Last October in Manila, on the evening following the meetings of the Working Groups, the Philippine National Committee, under the leadership of Chief Justice Artemio Panganiban, promptly walked the talk in reinforcing national leadership representation. Formally inducted as new Minister-Representatives of the National Committee to the Governing Council are at least six Cabinet members from the new administration of President Duterte. Some are ALA veterans who are your friends. For instance, the new Executive Secretary Bingbong Medialdea, who is not here today because of President Duterte’s trip to Bangkok and Myanmar; the Secretary for the Department of Information & Communications Technology, Rodolfo Salalima; the President of the Philippine Gaming Corporation, once an ALA golf champion Alfredo Lim; and our new recruits – the Secretary of Justice Vitaliano Aguirre; Secretary for Transportation Arthur Tugade and Solicitor General Jose Calida. Surely, their presence in the ASEAN ministerial and other meetings would provide enough Philippine representation for ALA proposals which alongside equivalent representations from other ALA National Committees, should represent sufficient clout to support ALA’s proposals.

Fortunately, these initiatives are to be surely fortified by the yearlong celebration of the ASEAN’s Commemorative Golden Anniversary in the Philippines. Last January I attended in behalf of ALA, the launching of the Philippines’ chairmanship of the ASEAN Summit in Davao City. On the pipeline for 2017 are pre-scheduled 45 meetings in the Philippines of various ASEAN Ministerial meetings and those of other ASEAN agencies. A Summit of the Heads of State is to be held early November this year. Participants are the Heads of the 10 ASEAN countries and those of the ASEAN dialogue Partners such as China, Japan and the USA. The national organizing committee of this year-long activity is headed by none other than Bingbong Medialdea himself, and we are proposing on the sidelines of that Summit, the holding of a Governing Council Commemorative meeting on October 26-28, 2017 to coincide with the Council of Chief Justices’ own commemorative meeting. As the events are essentially commemorative in nature, activities would be largely ceremonial, plus a brief colloquium to be participated in by one of the ASEAN’s original Summiteers, former Philippine President Fidel V. Ramos and another ASEAN legal authority to be chosen upon advice of the other National Committees of ALA. Of course, we will have as

special guest the new Chairman of the ASEAN for 2017, President Duterte himself, who happens to be a Philippine lawyer.

All of the above will entail a lot of homework.

But not to forget, a myriad other concerns we are to tackle this morning. They are found in today's Agenda.

For instance, I am particularly interested in uploading the most recent updates of the E-book on ASEAN Legal Systems, the original book published by Singapore's Butterworths in 1995 when I was ALA Secretary General. Let us ensure a prompt and punctual system of updates on this important project. No other organization is in a position to undertake this practical and most useful compendium. We hope that ALA Singapore which handles the ALA website would be able to fast track this project and hence forward produce useful up-to-date information timely obtained from each country's National Committee. We must also decide finally whether to put online the ALA Law Journal or leave a hard copy at hand.

Let me close by asking all officials and members of ALA to be mindful always with a strong sense of urgency, of the need to harness the resources of our organization and its National Committees, for the goals we have set. I am confident that with our strong and vibrant organization for legal cooperation, we can all buckle down to this exciting work in these exciting days for ALA.

Thank you.