

Opening Speech

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OPENING SPEECH

by

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Distinguished guests and dear participants, on behalf of the IDE/JETRO, let me have the pleasure of declaring the opening of our Roundtable Meeting on “Law, Development and Socio-Economic Change in Asia II”. This Meeting follows the last year’s successful RTM in Manila, which we owed to the cordial assistance of the College of Law, The University of Philippines as well as the active cooperation of our joint research counterparts.

First of all, let me express my heartfelt thanks to the participants for joining in this RTM all the way from various Asian countries despite the present unstable international political climate. I must admit that we feel some fears when we take airplanes abroad. I also would like to express my sincere thanks to the Central Intellectual Property and International Trade Court, and, the Faculty of Law, the Thammasat University, Thailand for kind assistance in holding this RTM.

At this RTM we will concentrate on the study of Asian law through presentations and discussions. IDE researchers as well as our joint research counterparts from seven Asian countries will present papers about Asian laws. We will focus on the two subjects: one is “the Dispute Resolution Process” and the other is “Law and Political Development in Asia.”

The role of law in Asia is changing. According to the latest news, China is participating in WTO and the Climate Change Meeting on the Global Warming has just ended in Morocco. China’s Participation in the WTO regime represents the process that the Giant in Asia will step by step join in the world economic order. The Climate Change Meeting on the Global Warming symbolizes a trend that all the developed and developing countries are uniting together to reinforce environmental law regime through international agreements and treaties. These two phenomena are not necessarily exceptional cases for us. Rather, we can see essential changes or movements in these events. That is the change of the role of Asian countries in the international setting. As the Asian countries play more important roles in the world, laws will become an important tool to protect and consolidate their legal stances. Law is increasingly becoming an important tool for any Asian country in order to stay as a member of the international community.

We can witness similar radical changes in the recent economic and political development in Asian countries. In terms of economy, we observe the transition from the old socialist or communist regime to an open market system in China, Indochina and Central Asian countries. In order to accelerate or support their smooth transition to an open economy, international organizations and developed countries have been providing legal technical assistance to these countries. Introduction of new laws conducive to free marketing systems or revision of old laws into modernized legal

systems are primarily based on the principle of ownership. Such laws are indispensable to cope with radical changes that may take place under new socio-economic conditions. Japan is also amid the globalization process and we are in need of coping with such newly arising international requirements.

Further, in terms of the politics of the Asian region especially after the cold war, we witness a transition from the old dictatorial regime to a more democratized regime. Some Asian countries have successfully achieved their political democratization; however, the attainment of their democracy in terms of establishing legal systems still remains as nominal. Eradicating corruption and nepotism is a matter of general social concern. Transparency, accountability, decentralization and participation are becoming key issues in all Asian developing countries. There is much to be expected with the role of law in Asia. Laws can assist such democratization movements in firmly rooting in developing societies. Our discussion here will be hopefully led to explore the new role of laws which can assist and consolidate the way ahead to a more democratized governments and societies in Asia.

As the Asian society changes rapidly, the role of law will also have to change. In the process of modernization and globalization in Asia, the number of legal disputes will increase, which would invite unstable conditions in the societies. This is an unavoidable phenomenon; however, this is where the capacity of law in Asia is being challenged. At present, it becomes common issues to discuss the implementation and the enforcement of laws. It is one of the essential parts of the role of law, which relates to the functions of the judiciary as well as the mechanism of dispute resolution.

With the research background and conceptual framework, I have just mentioned, in mind, let us start our today's discussion on the dispute resolution process in Asian countries.

I sincerely hope that all the participants will find this RTM discussions very enjoyable and fruitful. I am sure that our academic ties among our institutions will be further developed and strengthened through this two-day RTM. Thank you very much.