The Honorable Chief Justice Truong Hoa Binh, of the Supreme Peoples’ Court of Viet Nam, the Honorable Bui Ngoc Hoa, Permanent Deputy Chief Justice of the Supreme People's Court of Viet Nam, Chief Justices, senior members of the judiciaries, distinguished speakers, ladies and gentlemen, good morning. On behalf of the Asian Development Bank (ADB), I am very pleased to welcome you to the Fourth ASEAN Chief Justices' Roundtable on Environment and show ADB’s support to the Supreme People’s Court of Viet Nam in convening this Roundtable. ADB is also pleased to see such marked progress amongst many of the ASEAN judiciaries over the last twelve months, since the Third Roundtable in Thailand.

I will cover three main themes:

- First, ADB’s Support for Regional Cooperation amongst Judges, Natural Capital, and the Rule of Law;
- Second, Viet Nam’s Key recent contribution’s to protecting Natural Capital and the environment; and
- Third, the Viet Nam Supreme Peoples’ Court’s commitment to Natural Capital and the environment.

First, ADB’s Support for Regional Cooperation amongst Judges, Natural Capital, and the Rule of Law

Since we met last year at the Third ASEAN Chief Justice’s Roundtable on Environment in Bangkok, ADB in conjunction with regional judiciaries has formally launched the Asian Judges' Network on Environment. This Network is a pan-Asia regional network to link Asian judiciaries together under a common platform for addressing the region’s common environmental and legal challenges and to share knowledge about successes and challenges in environmental adjudication. The launch of the Network happened, at the Second Asian Judges Symposium on Environment which ADB hosted, with partners, in Manila. Over 150 judges from around the region attended, including representatives from the Viet Nam Supreme Court. The significance of the Asian Judges’ Network on Environment is that it has the potential to better link and share the work being done within ASEAN countries and under this Roundtable, with that of the parallel South-Asia Judicial Roundtable on Environment, and judiciaries in China, Mongolia, other developed countries, and other regions of the world.
The Second Asian Judges’ Symposium had the theme “Natural Capital and the Rule of Law.” I mention that because that theme combines two themes critical to ADB and highly relevant to the current Roundtable. ADB’s Environment Operational Directions, 2013-2020, outlines ADB’s objectives for helping the Asia Pacific region conserve natural capital and protect ecosystem services in order to reduce poverty, increase resilience, and create green economies. ADB is committed to investing in natural capital, which is the forests, freshwater, and ocean ecosystems, and the biodiversity they contain that give, for example, food, water purification, and climate regulation, because natural capital is comprised of the natural ecosystems that form the foundation of life and livelihoods and our economy. They include Further supporting the importance of Natural Capital within the region, ADB is supporting the Environmental Ministers of the Greater Mekong Subregion to host an event on Natural Capital in January next year, which my colleague Sanath Ranawana will speak to. I note that this natural capital theme is reflected in sessions that the Supreme Peoples’ Court has chosen to be discussed over the next two days.

Moreover, the rule of law is integral to good governance, and good governance is at the core of ADB’s work. To strengthen environmental governance, ADB works with the Asian Environmental Compliance and Enforcement Network (AECEN) to enhance capacity for the environmental protection agencies throughout the region, which is informally linked to the Asian judicial networks. ADB’s Environment Operational Directions, specifically supports ADB’s support for the Asian Judges Network on Environment, because of the judiciary’s critical role in championing the rule of law through both economic development and the conservation of natural capital to make way for sustainable, economic growth.

The ASEAN Chief Justices’ Roundtable on Environment and the parallel South Asia Judicial Roundtable on the Environment are important in their own right, and are also key sub-regional collectives of justices supporting the pan Asia-network. Within this network and these Roundtables concrete institutional reform achievements have been achieved and can be celebrated, including: (i) the Supreme Peoples’ Court of Viet Nam and the Supreme Court of Sri Lanka’s, commitments to environmental adjudication, some of which I will speak to shortly, (ii) the Supreme Court of Indonesia’s decree to certify specialist judges on the environment and ensure that they decide environmental cases; (iii) the Supreme Court of Pakistan and the Federal Court of Malaysia’s, establishment of environmental courts and judicial training on the environment; and (iv) most recently following the Third Roundtable, the establishment of National Judicial Working Groups on Environment within ASEAN countries including Viet Nam,
Myanmar, Indonesia, and Thailand, among others.

**Second, Viet Nam’s Key Recent Contributions to Environmental Protection**

I would also like to highlight several environmental protection initiatives in Viet Nam and recognize the role Viet Nam plays in ASEAN and the Greater Mekong Subregion (GMS). Viet Nam is one of the 10 most biologically diverse countries in the world. It possesses varied natural ecosystems such as tropical jungles, dry forests, mountains, wetlands, and marine ecosystems. Viet Nam has adopted and is implementing a Green Growth Strategy for the period 2011-2020 with a vision to 2050 “to achieve a low carbon economy and to enrich natural capital.” These are key goals that resonate with ADB’s and ASEAN’s own goals of pursuing green, low carbon growth and investing in natural capital.

This year, Viet Nam also enacted large-scale reforms to the Law on Environmental Protection (2005), the country’s first comprehensive law on the prevention and remediation of environmental damage. The 2014 amendment was passed in June this year.

Viet Nam’s Law on Environment Protection includes a number of truly innovative features, which other countries could well follow. First, it requires strategic environmental assessment (SEA), for national plans, policies and overall development strategies, such as the country’s hydropower strategy. An SEA regime is a truly innovative policy tool because it assesses the environmental impacts of overarching policies and strategies and not just specific, isolated, projects. Under the Law on Environment Protection, an SEA is to describe the condition of the natural environment and social-economic regions likely to be affected by the plan or strategy, assess the objective of the strategy against the object of protecting the environment, and evaluate trends in relevant environmental governance.

Second, under the 2014 amendments to the Law on Environment Protection, the mandate of the Ministry of Natural Resource and Environment has now been expanded to include the comprehensive management of all persistent organic pollutants (POPs) - which are organic pollutants that have severe environmental impacts due to their ability to resist normal degradation, and because they bioaccumulate within living organisms.

Third, in 2014, Viet Nam’s Prime Minister issued a decree calling upon all government executive and enforcement agencies to crack down on transnational organized environmental crime and the illegal wildlife trade. This decree is a
clear signal of Viet Nam’s leadership in addressing illegal wildlife trade at both the international and domestic levels.

In the Greater Mekong Subregion, Viet Nam also participates in the **Greater Mekong Subregion (GMS) Core Environment Program (CEP)**, and its flagship component, the **Biodiversity Conservation Corridors Initiative (BCI)**, supported by ADB. The Biodiversity Conservation Corridors Initiative (BCI), seeks to avert biodiversity loss in the Mekong countries – Cambodia, Lao PDR, the Union of Myanmar, Thailand, as well as Viet Nam, and the two southern provinces of the People's Republic China. Viet Nam does this through policies and laws aimed at improving the cover, condition, and biodiversity of its forestlands and associated ecosystems.

Given the critical importance of these ecosystems to human life, Viet Nam was amongst the first countries to pilot a Payment for Forest Ecosystem Service (PFES) scheme. This scheme mandates payments at the national level. The Government of Viet Nam has also issued a Decree (99/2010) in January 2010 which requires nationwide application of PFES schemes. The Government with ADB's support is introducing new approaches to improve the implementation of PFES schemes, particularly to ensure that revenues are used for their intended purpose, sustainable forestry and livelihood development.

In addition to all of this, Viet Nam also co-chairs with the U.S.A. the Lower Mekong Initiative's Environment and Water Pillar, which addresses cross-border development and policy challenges facing the five Lower Mekong partner countries.

Overall, the Viet Nam government is taking important steps to increase its environmental responsiveness and work with regional partners to meet the regions pressing environmental challenges of which there are many, not least of which are the region's vulnerability to natural disasters.

**Second, the Viet Nam Supreme Court's Commitment to Environmental Protection**

The Supreme Peoples’ Court of Viet Nam has also taken important steps for their Court and for the ASEAN region. At the national level, [we heard from the chief justice] the Law on Organisation of the People’s Courts was amended just a few weeks ago in November, with the aim of better allocating resources amongst the Courts and paving the way for important improvements to further improve judicial adjudication.
In the environmental field in particular, the Chief Justice and Deputy Chief Justice of Viet Nam Supreme Peoples’ Court have both shown leadership in working towards a path of increasing effectiveness in environmental adjudication both in Viet Nam and region-wide. What are they doing?, you may ask.

Well, by now, you are all no doubt familiar with the establishment and evolution of the ASEAN Chief Justices’ Roundtable, originating in 2011. You are also no doubt familiar with the Jakarta Common Vision on Environment for ASEAN Judiciaries, which ASEAN judiciaries have agreed, charts a path towards greater cooperation on ASEAN Judiciaries Common Environmental and Legal Challenges, to at least the 2020 time-frame.

Well, shortly after we all met in in last year in December 2013, in Bangkok for the Third Roundtable, and Viet Nam confirmed its offer to host the Fourth Roundtable, Viet Nam judicial representatives attended the Second Asian Judges Symposium on Environment. Since the Symposium, ADB has been working with the Viet Nam Supreme Peoples’ Court to strengthen judicial capacity within the country to decide environmental cases. ADB has been very impressed with the speed with which, the Viet Nam Supreme Peoples’ Court has acted. Over the past 12 months, the Supreme Peoples’ Court:

- Rapidly established a National Judicial Working Group on Environment, last December;
- Rapidly signed an MOU with ADB whereby they committed to take steps in country to strengthen the judiciary’s capacity to decide environmental cases;
- Completed a study of the effectiveness of environmental adjudication in Viet Nam’s courts;
- Hosted the first ever ASEAN Judicial Working Group on Environment Meeting;
- Prepared to host this ASEAN Chief Justice Roundtable on Environment; and
- Requested and supported an ADB team conducting an assessment of the court’s needs to further ways to strengthen environmental decision-making with the courts and to consider how to go about further training.

I am pleased to say that ADB fully supports these initiatives, and currently has a team of environmental and legal experts in Viet Nam, working with the Supreme Court to further deepen the needs assessment work, to come up with
training curricula and other institutional suggestions for the Supreme Peoples’ Court.

In September 2014 - this year - the Supreme People’s Court of Viet Nam and ADB, hosted the first ever ASEAN Judicial Working Group on Environment to serve as a working level forum to provide inputs for the ASEAN Chief Justices’ Roundtable on Environment. The idea first arose in 2012, when participants in Melaka, Malaysia, at the second ASEAN Chief Justices’ Roundtable on Environment suggested it, and the Supreme Peoples’ Court of Viet Nam should be congratulated for bringing it to fruition.

In September, judicial working group members, nominated by their Chief Justice’s met with the purpose of achieving closer regional cooperation amongst the ASEAN judiciaries on environment. It was a great success with the meeting reviewing proposals from the Third Roundtable, calling for acceleration of the implementation of the Jakarta Common Vision and preparing the draft Hanoi Action Plan to achieve it. Their draft Hanoi Action Plan was endorsed to this meeting. Senior Justices from eight ASEAN countries joined this event, marking this important “first” milestone for the ASEAN Chief Justices’ Roundtable. And concrete results are already being realized from the Action Plan, with more than half of the ASEAN Judiciaries, now having a form of National Working Group on Environment.

Finally, Towards Greater Cooperation on Environment amongst ASEAN Judiciaries

The extent that judges from the Asian region in general, and ASEAN in particular, cooperate and share knowledge on environmental issues has increased markedly since 2010, when the first Asian Judges Symposium was held. This cooperation has contributed to, or strengthened concrete institutional achievements in many different countries.

Even over the last 12 months, you have all taken the significant step of establishing the ASEAN Judicial Working Group on Environment, with many ASEAN nations also having national level working groups. The next steps must be taken at multiple scales: (i) at the regional level, the Asian Judges Network on Environment, needs to take ownership of its agenda; (ii) at the subregional level, the ASEAN Chief Justices’ Roundtable on Environment, has achieved much, but still has more to do, and can be strengthened with the new informal institutional arrangements established through the ASEAN Environmental Judicial Working Group on Environment; (iii) finally to avoid the networks being only talk shops, greater institutionalization, and capacity building in member countries is needed.
I look forward to joining you in the knowledge sharing over the next two days, and working with you over what these concrete next steps will look like in finalizing the Hanoi Action Plan to realize the Jakarta Common Vision. The ADB welcomes the partnership with you all looks forward to working with your judiciaries as the region gears up for the ASEAN Economic Community 2015.

Thank you and welcome to the Fourth Roundtable.