Honorable Chief Justice Dith Munty, Vice President Chiv Keng, chief justices and senior members of ASEAN judiciaries, distinguished speakers, ladies and gentlemen – good morning. As our General Counsel has just mentioned, it is our pleasure to be here this morning to jointly sponsor the Fifth ASEAN Chief Justices Roundtable on Environment with our wonderful host, the Supreme Court of Cambodia.

As Chris emphasized the importance of the Roundtable in the overall context of environmental challenges faces by the ASEAN region, and recent international developments, such as the United Nations’ Sustainable Development Goals (SDG) and COP 21 meeting on climate change in Paris, I would like to focus on ADB and its role in promoting environmental governance.

In my remarks, I would like to touch upon three things: (1) the General overview of ADB and its vision and commitment to environmental sustainability, (2) our “Law and Policy Reform Program (LPR)” and (3) our most impactful technical assistance project, working with you, the judiciaries in Asia - and its accomplishments.

Of course, ADB is well-known to many of you – it was conceived amid the Post-war rehabilitation and reconstruction era in early 60s. The vision of the founders was a financial institution that would be Asian in character and foster the economic growth and cooperation in the region. As you know, we are headquartered in one of the ASEAN countries - in Manila, Philippines.

Created about the same time as other regional development banks – all modeled after the World Bank - ADB was the last of such banks created in the 1950s/60s period. ADB opened its doors in December 1966 – with 31 member countries. Now it has expanded into 67 member countries, 48 of which are in the Asia and Pacific region.

Our fundamental vision is Asia and Pacific free of poverty, and our overriding mission is to help our developing member countries improve quality of life. ADB’s core operations are conducted with that view – as we are a bank, it mostly consists of financings such as (1) loans, (2) guarantees, and (3) equity investments – but we also provide (4) technical assistance (TA) to our DMCs, which is the most relevant assistance for ADB’s legal department’s work on environment.

Why does ADB work for environmental sustainability?
[As Chris mentioned] ADB’s Long-Term Strategic Framework (Strategy 2020) identifies good governance and capacity development as a driver for change, and environment (including climate change) as a core operational area.

To translate this strategic framework into context, ADB developed its Safeguards Policy Statement.
The goal of this Policy is to promote the sustainability of ADB-funded project outcomes, by protecting the environment and people from projects’ potential adverse impacts.

[As Chris also mentioned] ADB’s Environmental Operational Directions (2013-2020) sets out guidance for operational work on environment. It identifies environmental governance and natural capital as two of our four operational directions, to promote transition to green growth.

Law and Policy Reform. ADB’s Office of the General Counsel, our legal department, runs a Law and Policy Reform (LPR) Program (which also has been known as “Law, Justice and Development” program) with a focus on legal development through strengthened policy, legal, judicial, and regulatory systems.

Central premise is that the “Rule of Law” – a functioning legal system – that is, comprehensive legal frameworks and effective judicial, regulatory and administrative institutions that implement and enforce laws and regulations fairly, consistently, predictably and ethically - is essential for development (esp. inclusive and sustainable development).

ADB LPR projects started in 1995, and we have had 77 projects to date and new projects are being approved as we speak. Our TAs cover a number of areas, as listed here – but our most effective and successful TAs have been in the area of environmental justice.

Why does ADB work with Judiciaries? Because senior judiciaries in Asia play a key role in environmental enforcement:

Directly: (i) by making environmental decisions, (ii) issuing rules and directions to lower courts, and (iii) establishing green benches

Indirectly: leading the legal profession towards credible rule-of-law systems that promote environmental sustainability

Judges influence the entire legal system, how legal and regulatory frameworks are interpreted and enforced, which, in turn, affects private sector investment in related sectors

Environmental Justice TA 7735: Building Capacity for Environmental Prosecution, Adjudication, Dispute Resolution, Compliance, and Enforcement in Asia

Goal: Increased knowledge, strengthened adjudication of environmental law, and improved networking and regional cooperation among Asia’s judiciaries

Regionally, ADB organizes roundtables attended by Chief Justices and senior judiciaries from each jurisdiction. National activities have included judicial
trainings on environmental laws, bench books and publications, and establishment of green benches

Of course, and it has led to the establishment of the Asian Judges Network on Environment (AJNE) in 2013

As shown in this diagram, there are two Roundtables - in ASEAN and South Asian Association for Regional Cooperation (SAARC) – and a number of other Asian countries participate as observers.

Impact of AJNE

- AJNE strengthened Judges’ capacity, provided them with a like-minded support group, introduced innovative ideas, provided economic and technical information;
- AJNE brought all stakeholders together - Prosecutors, Lawyers, Judges, Regulators, and Civil Society;
- AJNE provided a neutral platform to conduct frank discussions without any pressures or biases; and
- AJNE provided motivation and acknowledgement to judges.

AJNE also has a website – “www.asianjudges.org” was launched in December 2013 during the 2nd Asian Judges Symposium on Environment.

This is how the AJNE website looks like – showing the Cambodia page. Among other information, AJNE website provides laws, rules, regulations, case laws of several Asian countries.

ADB supports AJNE through (1) Technical expertise (2) Institutional support and financial assistance by hosting the website and facilitating face-to-face meetings (3) Facilitating the Chief Justices/Judicial Roundtables on the Environment (4) Supporting national projects with member judiciaries.

This page shows of all meetings that have taken place to date –
(1) ASIAN JUDGES SYMPOSIA (Manila, 2010 and 2013)

Knowledge Products - We have also produced “Knowledge Products” – all the previous proceedings of the CJRs have been recorded and made into a booklet. [We will be distributing the proceedings of the Hanoi CJR later. ]

I would like now also to touch upon another TA led by ADB’s legal department, called “Environmental Champions.” The focus is to “Train the trainers”, exposing the environmental law professors and lecturers to new teaching methods and international best practice and to involve younger generation of
lawyers, exposing them to environmental law – fits in nicely with the ADB’s work with judiciaries. More than 80 participants took part in the event this year at ADB’s HQ – the program will move to national level so each country can develop its own tailor-made program reflecting the environmental laws in each country. Knowledge products will also be produced (including teaching materials).

So what have been specific outcomes?

- **Green benches** or courts where required;
- **Green bench books** and environmental law curriculum;
- **Judicial working groups** and committees on environmental governance;
- **Judicial certification program** in environment;
- **Knowledge products** in the form of country reports and reports of the proceedings of each roundtable to serve as a repository of the discussions and presentations;
- **Innovative ideas** and evolving concepts in international environmental law [like the concept of “Environmental Justice”];
- **Champion Judges**

So, in conclusion - Tremendous results have been achieved-

- Judges making success stories to strengthen environmental rule of law and governance in their respective countries
- Regional judicial networks have been established for cross-border consultations and knowledge sharing

We look forward to hearing more from each of the judiciaries of their achievements in the next session. [The session following that will be facilitated by Professor Ben Boer and will open with the video message from the environmental champion judge from Latin America, Justice Antonio Benjamin of Brazil.] Thank you.