

## COMMUNICATION

### China

1. On June 26-28, 2016, Wuhan University Institute of International Law and Leiden University International Law Center co-organized an academic seminar on maritime law. More than 30 international law scholars from Asia, Africa, Europe and the US discussed the South China Sea arbitration and its impact on the international rule of law in The Hague.
2. On July 16, 2016, the International Law Workshop on Maritime Dispute Settlement was held in Hong Kong. The experts and scholars from all over the world criticized the South China Sea Award.
3. On July 19, 2016, East China University of Politics and Law hosted the Workshop on the Promotion and Development of International Criminal Law.
4. On September 20, 2016, Wuhan University Law School hosted the International Law Seminar on Network Space Governance.
5. On October 21, 2016, a joint statement was released by China and The Philippines, declaring to address their territorial and jurisdictional disputes through friendly consultations and negotiations in accordance with the universally recognized principles of international law.
6. On November 2, 2016, Xi'an Communication University organized an international symposium under the topic, "China and International Dispute Settlement Mechanism under the Background of The Belt and Road initiative."
7. On November 3-5, 2016, Xiamen University held the 2016 Chinese International Economic Law Annual Conference with the theme of "Reconstruction of the International Economic Order and China's Contribution."
8. On November 5, 2016, Wuhan University hosted the Tenth Annual Conference of the Chinese Society of European Law, with the theme of "The Rule of Law in the Construction of the Comprehensive Strategic Partnership between China and the EU."

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## Korea

### *A. General*

North Korea carried out its fifth nuclear weapon test on September 9. The US Geological Survey detected an artificial earthquake with a magnitude of 5.3 near the Kilju nuclear test site at 9 a.m., local time. North Korea claimed it “can now make warheads small enough to fit onto a missile.”

The Republic of Korea and the United States jointly agreed to deploy a Terminal High Altitude Area Defense (THAAD)-“a US anti-ballistic missile system designed to shoot down short, medium, and intermediate range ballistic missiles in their terminal phase using a hit-to-kill approach”-around a city of the South Eastern part of the Korean peninsula. There are strong objections to this arrangement, within Korea. Such an agreement has been seriously resisted by China and Russia.

The Center for International Law of the Korea National Diplomatic Academy hosted the 2016 Seoul Academy of International Law, in July.

The Center for International Law of the Korea National Diplomatic Academy co-hosted an academic conference on the “Arbitration on the South China Sea: Issues and Future Tasks,” on September 28, 2016.

### *B. The YIJUN Institute of International Law*

Volume 9, Number 1 of the *JOURNAL OF EAST ASIA AND INTERNATIONAL LAW* was published on, May 30, 2016.

Volume 2, Number 2 of the *CHINA AND WTO REVIEW* was published on September 1, 2016.

President Eric Y.J. Lee was invited to the Fourth Northeast Asia Legal Forum, hosted by the Jilin University School of Law, on October 21-23, 2016.

### *C. Korean Society of International Law*

The Society co-organized the Conference of Refugee Protection and International Law with Korean Red Cross, on November 17.

The Society co-organized the Second Maritime Security Law Symposium with the ROK Navy, on November 10.

The 2016 International Law Conference was held on October 21-22 at Kyungbook National University School of Law.

#### *D. International Law Associatio – Korea Branch*

The ILA – Korea Branch hosted the Conference of New & Traditional Issues in International Society, on December 2.

#### *E. Personal News*

Dr. Jay-Kun Yoo, Chairman of YIJUN Institute of International Law will be staying at Pepperdine University School of Law in Los Angeles, as a visiting scholar for one year, from January 2017.

# Malaysia

## 1. ASEAN Economic Integration Forum (AEIF)

The ASEAN Economic Integration Forum (“AEIF”) was held at the Kula Lumpur Regional Centre of Arbitration (“KLRAC”) on September 14-15, 2016. It was organized by the Institute of the Malaysian and International Studies (“IKMAS”) of the National University of Malaysia (“UKM”), the World Trade Institute of the University of Bern and the University of Oxford.

The theme of the conference was *Towards Global ASEAN: Prospects, Impacts and Challenges*, which was reflected upon in the welcome and keynote speeches, round tables discussions and the paper presentations. The welcome speeches were given by Professor Pierre Sauvé, University of Bern, Associate Professor Dr. Nantana Gajasen, ASEAN University Network and Professor Dato’ Dr. Noor Azlan Ghazali, the Vice Chancellor of UKM. The keynote speakers were H.E. Estanislava da Silva, Minister of Timor-Leste and Professor Emeritus Dr. Abdul Rahman Embong, UKM. There were four round table discussions as follows: (1) Where do we stand; (2) Integrating the ASEAN way: A post-Brexit discussion; (3) How Digitally Ready is the ASEAN; and (4) the ASEAN in the Global context. This was followed by presentation of papers covering matters including the ASEAN Business Perspectives on growth and inequality, the ASEAN Economic Integration, Mega Regional Trade Agreements and the ASEAN, the Security and Health Dimensions of the ASEAN integration and the Maritime ASEAN.

AEIF critically analyzed the prospects and challenges of economic integration between the ASEAN State governments. It also recommended that the integration should be moved a step ahead towards the integration of the people of the region in general, rather than the integration between the governments alone.

A book titled, *ASEAN COMPREHENSIVE INVESTMENT AGREEMENT* by Dr. Julien Chaisse and Dr. Sufain bin Jusoh was launched on the second day of the Forum. This session was chaired by H.E. Dato’ Mohamed Noor Yacob, a former High Commission of Malaysia and Adjunct Professor of UKM. It was tentatively agreed that the next Forum will be held in Bangkok in tandem with the 50th anniversary of the ASEAN in 2017.

## 2. Maritime Law Conference

The Maritime Law Conference was held at KLRAC on October 25-26, 2016. It was

organized by Legal Plus in collaboration with the International Malaysian Society of Maritime Law, the Malaysia Inner Temple Alumni Association and the Honorable Society of the Lincoln's Inn Alumni of Malaysia.

The theme of the conference was *Resolving Maritime Claims Effectively*. The subthemes include the following: the maritime claim and its handling; crafting the maritime claim; difficulties in Maritime hearing; the marine authorities and the enforcement consideration; the issue of the engagement of experts and harnessing evidence; the recovery of damages, and the future prospects and challenges of the resolution of the maritime claims.

Officially opened by Dato' Sri Liow Tiong Lai, the Minister of Transport of Malaysia, former Chief Justice of Malaysia and the Chairman of Legal Plus, Tun Dato' Seri Zaki Bin Tun Azmi delivered the welcome address. The occasion was also addressed by three special guests, namely Raus Bin Sharif, the President of the Court of Appeal of Malaysia; Nallini Pathmanathan, the Judge of the Court of Appeal of Malaysia; and Professor Sundra Rajoo, the Director of KLRAC. Other speakers are as follows: Jeremy Joseph and Shannna Ghose (introduction of the maritime claims and its resolution through arbitration); Sitpah Selvaratnam and Nigel Cooper (drafting of the maritime claim); Professor Anselmo Reyes and Andrew Moran (occurrence of the difficulties faced by the parties during the maritime claim); Saiful Redzuan Jamil, Rossid Bin Musa and Zulkifli Bin Abu Bakar (enforcement of the maritime arbitral awards); Jainil Bhandari and Marion Smith (importance of the witnesses and evidences and different types and ways to collect evidence, during the maritime proceeding); and Arun Krishnalingam and Ernest Yang (enforcement of an arbitral award and the arrest after the enforcement).

The event ended up with a round table discussion on the "Effective resolution of the maritime claims in future." The panel consisted of Denys Hickey and Nigel Cooper from London, V.J. Mathew from India, Chris Edwards from Singapore and Zulkifli Bin Abu Bakar and Arun Krishnalingam from Malaysia. The closing speech was delivered by Tan Sri James Foong Cheng Yuen, a former judge of the Federal Court of Malaysia.

### *3. Summer Academy on International Investment Law and Dispute Settlement*

The Summer Academy on International Investment Law and Dispute Settlement was held at KLRAC on July 25-29, 2016. The event was organized by KLRCA in collaboration with IKMAS of UKM and the Clifford Chance (Law Firm), Singapore.

The basic purpose of the Summer Academy was to develop research, complement

academic education, and promote dialogues between the academics and the business world. Leading practitioners in the field and experts from around the world delivered speeches during the Academy. The speakers included Professor Sundra Rajoo, Director of KLRCA, Dr. Ioannis Konstantinidis, formerly Head of Investment Treaty Arbitration and International Law at KLRCA, Dr. Sufian Jusoh, Deputy Director, IKMAS) of UKM, Olga Boltenko, Senior Associate, Clifford Chance, Singapore and Dr. Sam Luttrell, Counsel, Clifford Chance, Perth, Australia.

The Academy consisted of lecturers and a moot court. The lectures contained the following topics over four days: (a) Introduction to the public international law and international investment law; (b) Standards of protection and other substantive clauses in investment treaties (fair and equitable treatment, umbrella clauses, protection of the foreign investments and the investors under the ASEAN Comprehensive Investment Agreement-ACIA); (c) Dispute settlement under bilateral and multilateral investment treaties (role of national courts, negotiation, conciliation, etc., and Investor-State dispute settlement under ACIA); (d) Jurisdiction, admissibility, and procedural issues in Investor-State arbitration (jurisdictional requirements under the ICSID convention, procedural issues, and the post-award remedies and procedures). The lecturers were followed by practical exercises on hypothetical cases, which involved drafting of memorandum of legal advice, response to notice of arbitration, etc. The Summer Academy was concluded with a one-day moot court on the last day of the event, on July 29, 2016.

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## Thailand

### *In Memory of His Majesty King Bhumibol Adulyadej*

His Majesty King Bhumibol Adulyadej of Thailand passed away on October 13, 2016. King Bhumibol was the longest-reigning monarch in Thai history, serving for over 70 years, from June 9, 1946. Fitting the promise His Majesty made to his people, “We will reign with righteousness for the benefits and happiness of the Siamese people,” during his reign, King Bhumibol Adulyadej was not only respected as the father of all Thai people, but was also admired as one of the most warmhearted leaders by many minorities internationally.



His Majesty King Bhumibol Adulyadej made great contributions to the implementation of international law, under his “Philosophy of Sufficiency Economy” harmonizing with the substantive development agenda. His Majesty received the first UNDP Human Development Lifetime Achievement Award in 2006. The accolade hailed the monarch’s tireless efforts to help the most poor and vulnerable people of the kingdom. Aside from the deep and unwavering commitment to the welfare and development of Thailand, His Majesty was also well known for his policies on opium replacement. He achieved it not via law enforcement, but encouraging former opium growers among Thailand’s hill tribes to grow coffee, corn, and other crops that were medium to high value, instead. As the result, the royal initiative projects were created to replace opium production in the golden triangle within Thailand’s boarder. These projects eliminated opium cultivation from the area and improved living conditions

for former opium growers. The UNODC invokes the successful projects as one of the best practices for opium replacement in other countries. The UN General Assembly also recognized the efforts and his leading role in the promotion of soil science and conservation, and sustainable land resource management. His Majesty raised global awareness on the importance of soil as a means for poverty reduction, climate change adaptation, sustainable development, and security. Responding to such devotions, the UN designated 'December 5' - His Majesty's birthday - as the World Soil Day since the year 2013, and designating 2015 as the International Year of Soils.

I would like to express my most sincere sorrow for the heart-breaking demise of His Majesty, with the readers of the Journal of East Asia and International Law

Looking after His Majesty's spirit in his journey to the heavens...

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