

**STRENGTHENING CAPACITY FOR ENVIRONMENTAL LAW IN MALAYSIA'S JUDICIARY:
TRAIN-THE-JUDGES PROGRAM**

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OPENING REMARKS

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Honorable judges of the Malaysian judiciary; representative of UKM, ILKAP, and DOE; ladies and gentlemen: *Selamat Pagi*, Good Morning.

On behalf of the Asian Development Bank, I am pleased to welcome you all to this Train-the-Judges Program. It is our pleasure to partner with the National University of Malaysia (UKM), the Judicial and Legal Training Institute (ILKAP), and other organizations for this important event. We sincerely thank the organizing team and the facilitators from UKM for all the effort in the preparations, which I am sure will bear fruit in the next four days.

Today I would like to briefly talk about ADB's Law and Policy Reform Program (or LPR), run by our Legal Department (the Office of the General Counsel or OGC); and our work with judges in Asia on environment and climate change through the Asian Judges Network on Environment (or AJNE).

Our LPR Program was established in 1995 in order to support the role of legal systems in the region's economic development. The central premise of this initiative is that a properly functioning legal system is essential to sustainable development. We see the importance of judiciaries at the center of this initiative. The judiciary is vital in ensuring the fairness, certainty, predictability, integrity, and stability of the rule of law and good governance that is the foundation of financial investment and commerce.

Equally important is the judge's role in environmental protection and sustainable development. Judges play a key role by adjudicating disputes that establish precedents on environmental issues; promulgating rules on environmental litigation; and establishing green benches. Your decisions carry economic consequences that affect policymaking, development priorities and the allocation of billions of dollars of investment capital across the region.

For these reasons, OGC views our engagement with judiciaries in Asia and the Pacific as an important part of our member countries' economic and social development.

Our work with judiciaries in Asia on environmental adjudication, began in 2010 and led to the establishment of the Asian Judges Network on Environment in 2013. AJNE is an informal organization of senior judges from 23 countries that serves as a means for judicial capacity building and knowledge-sharing on environmental adjudication. The AJNE website – www.ajne.org – has been revamped to provide more comprehensive content in a more user-friendly manner. Through this judicial network, annual chief justices and judicial roundtables on environmental justice were held in the two regions, as well as triennial Asian Judges' Symposia. If you will recall, Malaysia graciously hosted the Second ASEAN Chief Justices' Roundtable on Environment in Melaka on December 2012. AJNE has resulted in more green courts, more environmental judges, and jurisprudence on environment and climate change that continues to grow.

AJNE has been recognized as a role model for judiciaries around the world; a “best practice” for judicial engagement, cooperation, and collaboration for the environment. Its success is due to the dedication and commitment of Asia’s judiciaries – that include our honorable judges here today – and is proof that our region can also lead the world on environmental law and adjudication.

Despite our efforts and gains, challenges remain – and none more so than climate change. Recently, during last year’s roundtables in the Philippines and Bangladesh, as well as during the Third Asian Judges’ Symposium on Environment held in Manila, judges of Asia recognized that climate change and its potential cases will be the next big challenge for courts around the world. As a response, ADB has commenced a new technical assistance project designed to aid Asian judiciaries in adjudicating climate change and sustainable development issues. It focuses on customized in-country training programs that specifically target capacity gaps and opportunities identified by the requesting country/judiciary. Your training for the next four days is one of the first activities which we are supporting under this project. In August we will be holding a training for the Cambodia judiciary; and we have received requests for similar initiatives in Bangladesh, Bhutan, India, Myanmar, Nepal, and Pakistan.

ADB is proud to be your partner in supporting work on the environment and climate change. We look forward to continue working with the judiciaries and our development partners.

I wish you all a productive and fruitful training. I look forward to meeting and interacting with you in the next four days.

Terima kasih banyak banyak, thank you very much!