

UNDP Judicial Integrity Network in ASEAN (“JIN ASEAN”)

Evolving Justice: ASEAN Judges Conference

5-6 October 2023 Bangkok

SESSION OUTLINE

Session 1: How judiciaries in ASEAN implement the Bangalore Principles

09:50-11.00 Bangkok time, 5 October 2023

Background

Goal 16 of the Agenda 2030 for Sustainable Development focuses on Peace, Justice and Strong Institutions and includes targets to ensure effective, accountable and transparent institutions along with access to justice for all. Further, the United Nations Convention Against Corruption (UNCAC) binds States to take measures to strengthen integrity and prevent corruption among members of the judiciary¹.

The judiciaries in ASEAN have a great responsibility in driving progress towards the achievement of the sustainable development goals in the region. Judicial integrity and court excellence are a means to ensure that all citizens have equal access to transparent and effective justice. A strong and independent judiciary catalyses sustainable growth and lifts people out of poverty, contributing to fairer, just and peaceful societies.

Aligned with these global goals, and with the support of the Bureau of International Narcotics and Law Enforcement Affairs (INL), U.S. Department of State, the UNDP Bangkok Regional Hub convened the inception meeting of the [Judicial Integrity Network in ASEAN](#), *a Network for Judges by Judges*, in 2018. The initiative was designed to support countries in pursuing judicial reforms, focusing particularly on transparency, accountability, integrity, accessibility and court excellence. This group aims to strengthen a forum for networking, peer-to-peer exchange, and collaboration among ASEAN judges interested in exchanging knowledge and seeking solutions related to court excellence.

In 2019, the Supreme Court of Indonesia and UNDP hosted the Second Network Meeting, “[The Path towards judicial excellence](#)”, where the [Judicial Integrity Self-assessment Checklist](#) developed by UNDP in consultation with the International Consortium for Court Excellence (ICCE), was presented as a tool for courts to readily identify measures for improving judicial integrity.

In 2021-2023, JIN ASEAN supported the implementation of country-specific initiatives in [Indonesia](#), [Thailand](#), [Lao PDR](#) and [Vietnam](#), gathered judiciaries for online and in-person [events](#), and published three research projects: [Gender and Judicial Excellence](#), [Emerging Technologies and Judicial Integrity](#) and [Empowering Judiciaries to Bring ROLHR Leadership to Decisions about Court Technology](#).

¹ Article 11 of the UNCAC: Bearing in mind the independence of the judiciary and its crucial role in combating corruption, each State Party shall, in accordance with the fundamental principles of its legal system and without prejudice to judicial independence, take measures to strengthen integrity and to prevent opportunities for corruption among members of the judiciary. Such measures may include rules with respect to the conduct of members of the judiciary.

Objectives of the event

The Bangalore Principles, a set of international standards and best practices for the judiciary, serve as a guiding framework for enhancing judicial integrity, competence, and efficiency. They emphasize principles such as impartiality, integrity, independence, and competence, with the aim of promoting fairness and public confidence in the judiciary. Some of their objectives include:

- Promote Judicial Integrity: Encourage judges to maintain the highest standards of honesty, impartiality, and fairness in their judicial roles.
- Enhance Public Confidence: Build trust and confidence in the judiciary by demonstrating a commitment to ethical conduct and professional competence.
- Safeguard Independence: Protect the independence of the judiciary from undue influence, ensuring judges can make impartial and fair decisions.
- Guide Judicial Behavior: Provide a framework for judges to make ethical decisions and navigate complex legal and ethical issues.
- Uphold the Rule of Law: Strengthen the rule of law by ensuring that judges adhere to ethical standards that underpin a just and democratic society.

Session Description

This session will provide an opportunity to learn from other jurisdictions how they are adopting and adapting the Bangalore and how these measures have shaped their courts. Further, it will discuss the value of commissioning a deeper study into how courts in ASEAN and the wider region have drawn on the Bangalore Principles in their decisions.

Format

Question 1

How jurisdictions in ASEAN integrated the Bangalore Principles into their legal framework and judicial processes?

Question 2

Specific examples of successful implementation and the resulting improvements in judicial integrity and competence?

Question 3

What challenges or obstacles have arisen during the adoption of the Bangalore Principles, and how were they overcome?

Question 4

What lessons can other ASEAN countries learn from experiences in implementing the Bangalore Principles?

Question 5

In what ways has the implementation of the Bangalore Principles contributed to public trust and confidence in legal system?

Speakers and Panellists

- Justice Nani Indrawati, Supreme Court of Indonesia
- Justice Khamphay Xayasouk, Supreme People Court of Lao PDR
- Judge Yang Arif Justice Dato' Mary Lim Thiam Suan, Federal Court of Malaysia
- Judge Dr Kanok Jullamon, Research Justice Division of the Supreme Court of Thailand
- Judge Nguyen Hoai Nam Phuong, Court of District 3 of Ho Chi Minh, Vietnam

Speakers Profiles



Justice Dr. Nani Indrawati serves as a Judge in the Supreme Court of Indonesia. Her extensive career has revolved around a broad spectrum of cases, with expertise in environmental, commercial, and corruption-related matters. She holds a bachelor's and master's degree in law from Universitas Gadjah Mada. She furthered her academic journey by earning a doctorate degree in law from Universitas Airlangga. With over a decade of experience, she has served in various roles within district courts and is the author of the book "Strategic Lawsuit Against Public Participation".



Justice Khamphay Xayasouk serves as a Judge at the Deputy General Director Department of Technical Management and Court Statistics at the People's Supreme Court in the Lao People's Democratic Republic (Lao PDR). He holds a master's degree in civil and Commercial Laws from Kyushu University of Law, Japan, and a bachelor's degree from the Faculty of Law and Administration in Laos. His dedicated service at the People's Supreme Court started in 2006. He began as a Technical Officer and served as Judge at the Deputy General Director Department of Judicial Research and Training Institute from 2009 to 2021.



Justice Dato' Mary Lim Thiam Suan is a Judge at the Federal Court and Appeal Court in Malaysia. She holds a LLB (Hons) degree from the University of Leeds, United Kingdom and a master's degree from the University of Western Australia. She previously was admitted to Lincoln's Inn as a Barrister-at-law and later held different roles at the Attorney General's Chambers of Malaysia, including as Federal Counsel, Senior Federal Counsel, Senior Assistant Parliamentary Draftsman, Legal Advisor to the State of Negeri Sembilan, Deputy Head of Civil Division and Commissioner of Law Revision and Law Reform. Justice Lim also serves as the chairman of the Law Revision Committee.



Judge Dr. Kanok Jullamon has been working with the Thailand Court of Justice for over 17 years, where he has been attached to Bankruptcy Division of the Supreme Court for the past 10 years. Before joining the judiciary, he worked as a bankruptcy trustee with the Thailand Ministry of Justice. Dr. Jullamon received his LLB (First Class Honors) from Chulalongkorn University in 2002 and two LLM degrees from New York University in 2004 and the University of Chicago in 2005 with the scholarships of the Thai government. He studied for the Doctor of the Science of Law degree (J.S.D.) at University of Illinois from 2010 to 2012 with the scholarship of the Court of Justice. Dr. Jullamon has written extensively in the areas of business, international insolvency and foreign court and case managements both in Thai and English languages.



Judge Nguyen Hoai Nam Phuong presently holds the position of Chief of the Criminal Division at the People's Court District 3, and she also serves as the President of the Trade Union of the People's Court District 3 in Ho Chi Minh City, Vietnam. She holds a master's degree in international business law from Southampton University and a bachelor's degree in civil law from Ho Chi Minh City University of Law. With over a decade of dedicated service in the judicial sector, Judge Nam Phuong embarked on her journey as a Junior Judge at The People's Court District 3, Ho Chi Minh City, in 2016. Her expertise led to her appointment as the Deputy Chief of the Criminal Division in 2019.