

Annual Conference of the International Bar Association 2019

Seoul, South Korea

22 - 27 September 2019



Conference Report

1. The Annual Conference (“the Conference”) of the International Bar Association (“IBA”) was held in COEX Convention and Exhibition Center in Seoul, South Korea, from 22 September 2019 to 27 September 2019. The Chairman of the Hong Kong Bar Association, Mr. Philip Dykes SC, together with Mr. Robert Pang SC, Mr. James McGowan, Mr. Jeffrey Tam, Mr. Robin D’Souza and Ms. Lorraine Tsang represented the Hong Kong Bar Association as delegates. Mr. Sam Chow (“Sam”) and Ms. Karen Lau (“Karen”) were representatives of the Young Bar of Hong Kong to attend the Conference.
2. The IBA Conference was indeed one of the central events of the international legal community as it presented an unparalleled opportunity to exchange knowledge, to create and renew global network of legal professionals. Attended by around 6000 legal professionals from across the globe, the programme of the 2019 IBA Conference

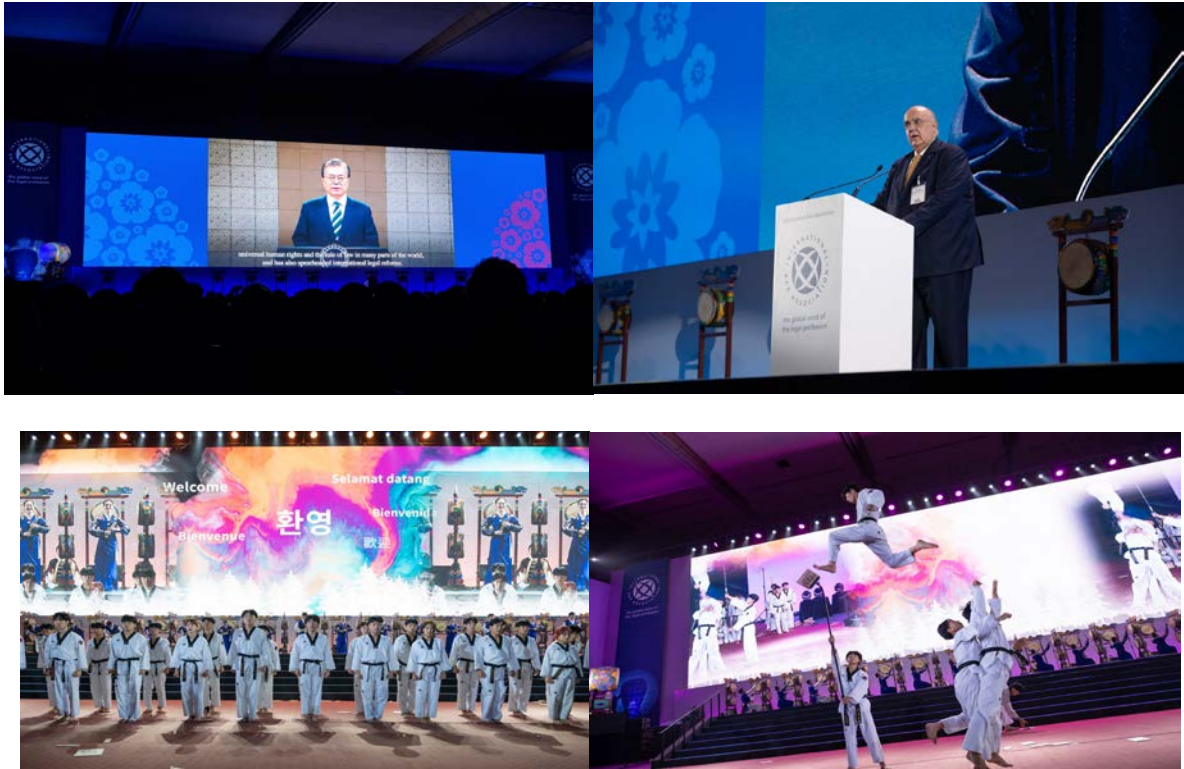
included more than 200 sessions on a wide range of topics, such as Asian investments in Latin America, the future of the legal profession, the transnational approach for international commercial contracts based on UNIDROIT principles, and combating climate change, followed by the inspiring Rule of Law Symposium. There were outstanding showcase sessions presented by seasoned delegates in the field.

3. The winners of the IBA Award for Outstanding Contribution by a Legal Practitioner to Human Rights in 2019 were awarded to Mr. Martin Lee Chu-ming SC, JP, and Dr. Margaret Ng Ngoi-yee. We extend our warmest congratulations to Mr. Lee SC and Dr. Ng.



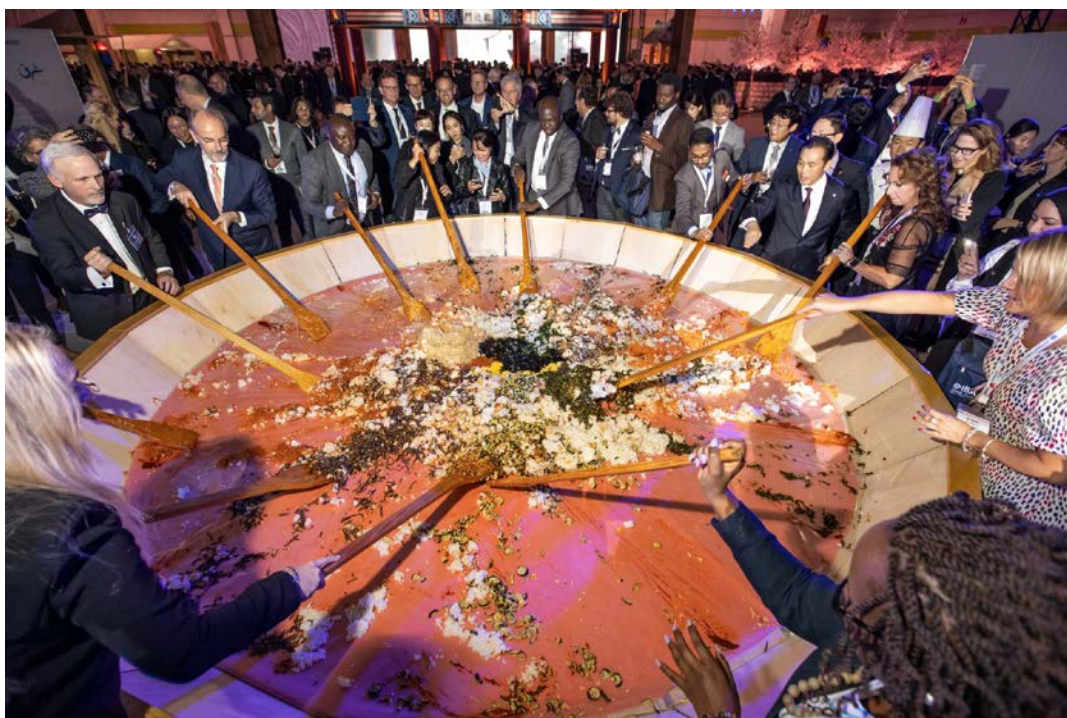


4. The evening of 22 September 2019 marked the beginning of the Conference. The Opening Ceremony was grand and elaborate with traditional Korean drums and mind-blowing Taekwondo performances. Welcoming speeches were delivered by the President of the Republic of Korea, Mr. Moon Jae-in, the Chairperson of the IBA Seoul Annual Conference Host Committee the Honourable Song Sang-Hyun, the Mayor of Seoul Mr. Park Won Soon, the IBA President Mr. Horacio Bernardes Neto and Former Secretary General of the United Nations Mr. Ban Ki-moon. The sound of the traditional Korean drums played by all officiating Guests of Honour marks the official opening of the Conference.



5. The Opening Ceremony was immediately followed by the IBA Welcome Party which brings to life the Korean concept of Obangseak, the five traditional colours, each of which represents an element of our world. The Welcome Party showcased Korea of the past, present and future as the party was distinctly themed into zones of earth, wood, water, fire and metal according to the theory of Obangseak. Each zone provided a different sensorial adventure where delegates sample local culture and cuisine that were creatively crafted to provide an unforgettable Korean welcome. From intricate gardens and traditional villages to contemporary Seoul, all delegates were mesmerized by the excellent array of Korean life - all in one evening.





6. Sam and Karen explored Korean calligraphy, traditional wooden mask sculpting and stamp making. When we talk about contemporary South Korean culture, K-pop can never be missed. There were, of course, K-pop band shows, silent discos and soju bars.





7. On the first day of the Conference (23 September 2019), Sam and Karen attended a Criminal Law Mock Trial co-chaired by Ms. Claire Daams from Geneva, Secretary of the Anti-Corruption Committee, Mr. Filippo Ferri from Milan, Secretary of the Business Crime Committee, and Mr. Riccardo Lucev from Milan, Website Officer of the Criminal Law Committee. The mock trial was demonstrated by foreign lawyers using Korean Law. It focuses on a case of conflict and alleged criminal liability of a corporate entity and some of its top management, all of whom are charged with

various criminal allegations. Among these allegations were corruption and foreign bribery. The mock trial featured real life Korean judge and prosecutors. It is interesting to learn that trials in Korea are adversarial although Korea is a civil law jurisdiction. On the face of it, it looks the same as a Hong Kong court setting. Yet, the Defendants were allowed the right to silence in general when testifying.



8. Karen attended the Women Lawyers' Interest Group Lunch and had the honour of meeting the Honourable So-Young Kim, Former Justice of the Supreme Court of Korea, Seoul, South Korea, as the keynote speaker of the occasion. The Honourable

So-Young Kim shared with everyone in attendance the change in gender equality over the course of the past few decades in Korea, especially in the legal profession. It used to be male dominant but as the first female Justice of the Supreme Court of Korea, The Honourable So-Young Kim shared her journey to success.



9. On Tuesday (24 September 2019), we attended the Asia Pacific Regional Forum Lunch, with The Honourable Chief Justice Geoffrey Ma as the keynote speaker. The forum lunch was a full house, attended by delegates from various countries. The Honourable Chief Justice Geoffrey Ma commented on the judicial independence of Hong Kong with reference to the provisions of the Basic Law. With the transparency of court proceedings and that judgments have been critically examined, judges have abided to constitutional factors. The Honourable Chief Justice Geoffrey Ma ended his speech emphasizing that all rights and liberties of all are respected.



10. In the afternoon, we, on our own initiative, paid a visit to the Korean Supreme Court. Although we were unable to enter the courtrooms, we managed to visit the Court museum which introduced us to the Korean legal system and its history.



11. We were invited to the “Korean Night” organized by the Korean Bar Association where we met a lot of local Korean lawyers and judges, including the Chairman of Deagu Bar Association, Chairman of Busan Bar Association and a judge from the Korean High Court.





12. On Wednesday night (25 September 2019), we had dinner with Mr. Martin Lee SC, Dr. Margaret Ng, Mr. Jeffrey Tam, Mr. Robin D’Souza and Ms. Lorraine Tsang at a traditional Samgyetang (Korean ginseng chicken soup) restaurant near the Gyeongbokgung Palace.



13. On Thursday morning (26 September 2019), the Hong Kong Bar Association and the Law Society of Hong Kong jointly hosted a breakfast meeting with the theme of “Hong Kong’s unique role as an Asian International legal hub under ‘one country,

two systems’’. The guest speakers were The Honourable Teresa Cheng Yeuk-wah GBS, SC, JP, the Chairman of the Bar Association Mr. Philip J Dykes SC, and the President of the Law Society of Hong Kong Ms. Melissa K Pang MH, JP. The session was co-moderated by Ms. Kim M Rooney and Mr. Amirali B Nasir MH, JP, the Vice-President of the Law Society of Hong Kong. The focus of the breakfast meeting was how the principle of ‘one country, two systems’ following the return of Hong Kong’s sovereignty to China on 1 July 1997, supports the cross-border and international practice of Hong Kong-based lawyers in capital markets, finance, intellectual property, M&A, investment and trade and dispute resolution in Mainland China, Asia and globally.





14. Chairman Mr. Dykes SC in his speech introduced the Hong Kong legal system as well as the role of the bar. He also commented briefly on the current situation in Hong Kong. He described the people of Hong Kong as being resilient, resourceful, redoubtable and jealous of their freedoms and rights under the Basic Law. And with such qualities, he believes the Hong Kong people will find a way out.

15. On Friday (27 September 2019), the Rule of Law Symposium, presented by the Rule of Law Forum, was held. The objective of the IBA Rule of Law Forum is to provoke, urge and assist the membership of the IBA in supporting and promoting the rule of law. Since 2006, the final day of the IBA Annual Conference has been dedicated to rule of law issues.
16. We attended the Rule of Law Symposium with Mr. Martin Lee SC and Ms. Margaret Ng. The themes of the Rule of Law Symposium were “persecution of lawyers and judges - threats to the rule of law and the independence of the legal profession”. The session was co-chaired by Mr. Stephen MacLIVER, Salvos Legal, Sydney, New South Wales, Australia, and Ms. Carmen Pombo, Fernando Pombo Foundation, Madrid, Spain. The co-chairpersons expressed how in every region of the world, judges, lawyers and other human rights defenders who promote the rule of law experience increasing persecution and intimidation. They face frivolous criminal charges, retaliatory disciplinary proceedings, illegal surveillance, online smear campaigns, physical threats, incarceration and even assassination. Overwhelmingly, the state is implicated as either the sponsor of the retaliation, or because of its failure to prevent or punish the perpetrators. Corporations are also often involved, either through complicity or active participation. Where attacks on human rights defenders occur with impunity, the rule of law and the independence of the legal profession and the judiciary are at stake.
17. There were twelve distinguished keynote speakers and panellists, namely, Ramazan Demir from Istanbul Bar Association, Turkey, Diego Garci-Sayan from the Special Rapporteur on the Independence of Lawyers and Judges, The Office of the United Nations High Commissioner for Human Rights, Lima, Peru, Judge Tahney Lee from Gonggam Human Rights Law Foundation, Seoul, South Korea, Alfredo Romero of Foro Penal, Caracas, Venezuela, Neri Javier Colmenares from National Union of People’s Lawyers, Quezon City, Phillippines, Emerlynne Gil from the International Commission of Jurists, Bangkok, Thailand, Pill Kyu Hwang from Gonggam Human Rights Law Foundation, Seoul, South Korea, U Khin Maung Zaw from the Central Executive Committee of the Independent Lawyers’ Association of Myanmar (ILAM), Nay Pyi Taw, Myanmar, Simon Davis from the Law Society of England and Wales, England, Erik Hammerstein from Bureau Brandeis, Amsterdam, Baroness Helena Kennedy QC from IBA’s Human Rights Institute, England and Martin Solc from Prague, Czech Republic, Immediate Past IBA President.

18. The speakers and panellists focused on the pressing concern and proposed ways for the IBA membership to get involved. Some human rights lawyers shared their personal experience in being persecuted by the government of their countries because of their civil rights activities. The session ended with questions and comments opened to the floor in which attendees participated most enthusiastically.



19. The Closing Party was held on Friday evening (27 September 2019) in Raum. It was a wonderful occasion to reconnect with delegates we met over the course of one week at the conference.







20. We thank the Bar Association and the Young Barristers' Committee for the generous subsidies towards our conference expenses. It was an inspiring and thought-provoking Conference, and we are grateful for the many friendships we made across the globe.

21. Special credits are also given to the IBA official photographers for the photographs that are included in this report.

Dated 30 November 2019

Sam Chow, Albert Luk's
Chambers
Karen Lau, Admiralty Chambers

