

As delivered

**Speech at Embassy of Japan
at 101-104 Piccadilly London W1J 7JT
by Ambassador Extraordinary and Plenipotentiary Mr Koji Tsuruoka
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Distinguished guests, ladies, and gentleman it is indeed a great honour for me to host this reception. It is to celebrate 20 year history of British Japanese Law Association and it is co-hosted by Professor Chizu Nakajima and Mr Scott Hopkins the co-founders and core chair persons of the BJLA and, first of all I would like to thank the co-hosts for having every one of you invited to attend this reception.

When people are surrounded by lawyers, normal people don't feel very comfortable. Especially the criminal lawyers or the justices who pass on sentences but, I have to confess I am not a practicing lawyer but I have had legal education both in Tokyo and in US and I have worked many years in what is called the treaties bureau for the minister of foreign affairs in Tokyo. People who work in the treaties bureau in Tokyo, in the foreign ministry's headquarters, are not necessarily liked because people who, the other officers, who write policy papers or draft speeches for the Minister or the Prime Minister or are required to present their government position in international conferences, they will require more often than not the clearance and approval of the treaties bureau because, we don't want Japanese foreign policy to be inconsistent with international law or agreements or treaties bureau that we have signed with the other countries. So when you bring your own policy paper to the treaties bureau it seems that those who do, are being tested by a junior officer who really has had less experience than most of these people who are more senior to the people at the treaties bureau.

Unfortunately, I have spent close to ten years in the treaties bureau and therefore my colleagues both senior and junior don't like me very much, but it has been for me also a very enjoyable experience and, I have always thought that speaking about treaties because this is what the foreign ministry does but, law in general is not unique in one county. It is a tool that binds all civilised nations together and it is a very difficult issue who are disciplined in a way because law evolves and changes and grows as the human society does, and if you don't keep up with the changes or the evolution then the law itself may become an impediment for development and growth, rather than providing a stable basis for prosperity that we all try to achieve.

Today we are faced with a huge challenge, I must say, especially in the international community. Rule based international order has been the basis for more than seventy years of prosperity, stability and peace that we are currently enjoying. This framework has been established very much by the UK lawyers, when they contributed in building the post war structure of the international community. We know that the contribution of the UK lawyers are indeed, quite significant even for Japan. You may know that after the war we needed a peace treaty to come back to the international community, which was signed in San Francisco and came into force 1953 many, many years ago. Many of those provisions were I

understand drafted by UK lawyers. They did not necessarily take credit because the drafts were passed on to the super power the Americans, who were not necessarily good drafters as opposed to the drafting skill of the UK lawyers, but we have benefited. Japan have benefited from that and here we are again recognised as an equal partner in the international community, and our relationship of course has flourished and developed ever since. The relationship between two governments of course is very, very good. Prime Minister May was in Japan last year as you all know. So did Prime Minister Abe visit earlier in the year last year, and they are continuing to be in contact in a number of international conferences as well as exchanging phone calls. Those are of course contact at the highest level of politics, which is of course quite important and significant but the day to day work is really in the hands of people who are engaged in important and actual substance of the work that we all undertake.

I am quite impressed and I must again have to confess I wasn't fully aware of the scale and depth of Japan UK lawyers cooperation. Of course, it is thanks to many of the friends of Japan here in London that has welcomed and allowed Japanese jurist to continue to study hard and then learn a great deal from you. Likewise, of course we would welcome the UK lawyers coming into Japan to acquire some Japanese knowledge. But this is very important because the rule of law is not just in the abstract, it is a down to earth discipline that civilised countries must respect and must be enforced and must also evolve further in line with the current challenges that the international community faces. I am very worried that the tradition that has been common in many of the civilised and difficult countries are perhaps being challenged by a different norm but, I think it is up to Japan and the UK to continue to work to strengthen the rule of law which I believe is the basis for equality, fairness, respect for human rights, democracy and free market economy that are key for prosperity of not just two countries, but globally. This was not what my draft said, so it was not meant to be said in this lawyers gathering but, because I feel very strongly the connection between the contribution that you have been making and you will be making further, connecting that to the important role of diplomacy of ensuring continued prosperity and stability, I couldn't help but mentioning it to you in an effort of asking you to continue to do the good work and also work with the Japanese lawyers whom I think are also quite capable of contributing to the larger world.

Of course, I have to mention the contribution of BJLA which all of you I am sure are very well aware, it is an effort by the lawyers of two countries that has gone on for twenty years. It was first established in 1998 to develop legal ties between Japan and Britain and ever since there has been a large number of Japanese legal experts coming to UK and be part of BJLA. Just one year after the establishment of BJLA a Japanese judicial reform counsel was set up and this was very timely because the work of that counsel had connected itself with a British system, you may very well know that it resulted in instituting what we call *saiban-in* system which is not necessarily equal to the jury system but similar to that. In any case having a normal citizen participate in the judgements by the Court, this was achieved in 2009. So in the UK of course a notable development was the establishment in 2009 of the Supreme Court of the United Kingdom based on the Constitutional Reform Act 2005. I studied this after I came to London a year and eight months ago and again I was totally unaware that there hasn't been an independent Supreme Court in the UK for this long. I don't know how

many years Great Britain was able to function without this Supreme Court and its quiet and efficient way of governance, you don't need too many lawyers to start with but perhaps you became aware that you may need some positions to justify the great contribution you make, on top of course structuring the government and the Constitutional Act. Again of course the UK is famous for not having a written constitution. We do, and because of that we are having a very difficult debate as to whether we should amend the Japanese constitution and the leadership of Prime Minister Abe. Of course, this is such a sensitive political issue I will speak no more about it.

Now it really gives me great pleasure to have this many lawyers gathered in one room to commemorate and celebrate 20 years of activity by BJLA and also, all presenting a venue for further networking which is very important for the lawyers to know each other and continue to work together. Many of the Japanese lawyers here are visiting of course, some are here on a permanent basis. The visiting lawyers will eventually go back to Japan and they will continue to be lawyers, but after having spent some years in London or UK studying UK law they will become a different lawyer in Japan. They will be your representative, UK representative, when they are asked what are the UK law on this, they are the ones who will be looked after for briefing them and explaining to them, if it were in the UK this is what happens. For that these young lawyers who have done their studies here need to continue to study and be in tune with the latest development, as I said law evolves although many people believe law is static, if that is the case then it will become no longer useful for the development of society and there are so many changes that are happening so rapidly, of course enactment only comes after the fact, but legal thinking can always be just a bit ahead of time so that law can be applied when there is need to do so and, I would be more than happy if that sort of coordination can be done between the chosen lawyers from Japan who have come, or chosen to come here, you have chosen yourself to come, which is not ordinary it is extraordinary for the Japanese, the young lawyers to come and study law here on top of English language. It is a kind of investment by these people to do which merits Japan as a nation and I hope that the UK lawyers who have created personal ties with these Japanese lawyers will continue to cherish them and then in case of need, help each other so that the legal profession will continue to contribute further to the public good of both countries and the world as a whole.

So thank you very much and congratulations for the 20 year anniversary, I hope you will enjoy sake since this is the Japanese embassy you have to not just stick to sparkling wine but, have some sake and there will be some Japanese delights that will come later. Thank you very much.