

Speech by Ambassador Tsuruoka of the Embassy of Japan

Japanese British Lawyers Networking Reception – 28th February 2019

Good evening ladies and gentlemen. Thank you all for coming to the Japanese Embassy. This is a record turnout for the Embassy for inviting lawyers to our Reception. Of course, there are a few non-lawyers in the room, but I think 98% or 99% of the participants are from the legal community. It is a real privilege and honour for us to have so many of you come to this Reception. We are delighted that we have been able to co-host this with the BJLA - and we will hear from their representatives later - because the networking and collaboration between Japanese and UK lawyers has been a very important engine and access for promotion of Rule of Law. Of course, the UK doesn't need Japanese participation to promote, continue and sustain the Rule of Law: it is the mother of Rule of Law to begin with, and we benefit a great deal. We have in this room a number of Japanese lawyers and public prosecutors, judges and legal practitioners who are here either practising or studying further the British legal system in order to improve the quality of Japan's legal systems back home.

Now we are at a fairly difficult time; all embassies in the UK that have a significant trade interest with the UK have been following - and I think you can guess what I am talking about - the discussion ongoing, first in the government and then second in Westminster, and much of that is being reported in various media, without really knowing what's really happening or what will happen next. When we are operating under Rule of Law, the value of the law is in the provision of stability and predictability, which produces a sense of confidence in being able to promote or deploy one's resources for a certain objective. This is because you can rely on a system that has been with us for a long time, and you can have at least some informed anticipation of what actions may lead to which results. This is not just an important element for the stability and prosperity of one country, but it is very important for the stability and prosperity of the international community - which is why Japan and the UK have been emphasising the importance of international rule based order.

This is the crux of what the seventy-years-plus of prosperity has been based on. We are enjoying indeed a much better world than we had seventy years ago. You may have some difficulties today, but I don't think anyone would argue that we are not better off than seventy years ago. Much of that depends on a system created by human beings, the legal system being one of the important bases which gives structure to how people behave. Lawyers are the supporting engine or pillars to make that happen, and while as I said the UK goes without saying, the legal quality and capacity of the Japanese legal community is I believe very high. Unfortunately because of the language difference, this may not be well known. But I have no doubt that the quality of the Japanese legal community is world class. This is very important because by combining the quality of the legal communities both of Japan and UK, given the significant economy that both sides have as well as the political influence both sides can exert together, we can indeed promote rule-based international order, which of course will be supported by a domestic, well enforced, rule-based society: if you are confident that laws will be observed and enforced when necessary, you can at least have some kind of expectation that will give you confidence. This, I believe, is important for any democracy, especially when we are promoting free market economy. Businesses have to be confident when they are investing and engaging in new endeavours, because those of course will carry certain risk. But you can't take these risks unless you can expect certain results, otherwise they will all be gambles. I know that gambling is a popular game in the UK, I am often surprised by the many advertisements I see on television - which is not, by the way, yet the situation in Japan; maybe we will introduce that soon - but gambling is perhaps a pastime. The real economic activity is supported by structure, and allows the risk takers to be comfortable and be able to convince the investors it's a risk worth taking.

Now, this is what I believe Japan and the UK, in the spirit of sustaining Rule of Law, can work together on. But that cannot be done unless the lawyers of the two countries know each other first, can identify the areas in which they can collaborate, and then promote further this major goal of

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supplying the private sector or individuals with a very solid base on which they feel comfortable in making their investment or deploying their resources. So tonight I am very much looking forward to having all of you meet with each other and identify which areas and which issues you can work on together. In fact, the Embassy has been promoting this exchange and collaboration between the lawyers of the two countries because of the belief - which not just myself, but the Government has - that we are committed to strengthening international rule-based order and Rule of Law throughout the world, inclusive of course of domestic structure.

Now in Japan we believe lawyers are very serious people, and that when you speak to lawyers you have to be alert - you can't even smile, because lawyers will not take seriously anyone who is not serious on face value. I am not a lawyer by the way: I did go to law school, but I have chosen to serve in the Foreign Service, the diplomatic life, for forty three years. Unfortunately however, I have been charged with International Law on many occasions, including one case where I have been assigned to represent Japan - not very well! I have always been wondering whether to mention it or not, but I represented Japan on the case of whaling in the Antarctic in the International Court of Justice. You know the result of that: it is because I represented Japan that Japan was defeated. But right after that judgement came out, I, representing the Government of Japan, spoke in public very clearly to say that Japan abides by the Rule of Law and therefore we respect the decision of the International Court of Justice. You can discuss what happened later on, which I think is public knowledge now, with my embassy staff, who are very capable at explaining how things have evolved since that time. But this strong commitment to abiding by the law is the principle of Japan, and we hope that we will continue to maintain it, as is the case also with the UK.

So this is the reason we have asked you all to come and get together and meet as many people as possible, because we don't do this very often – I'm afraid to say once every year – and we have very high representation from the British legal community and I hope that you will benefit from that. In order for you to associate and network with the participants, we have had a contribution from *Sake Samurai* of Japanese Sake. When you drink Japanese Sake, you become friends. This is guaranteed, nothing to do with Rule of Law! It is Rule of Sake, promoting friendships among all. So thank you very much for coming, for your attention, and please enjoy the evening.