



## OVERVIEW

Comprising well over half of the world's population, the Asia Pacific region is arguably the world's most diverse, stretching from the remote Pacific Islands to the regional powerhouses of China and India, and further still to the former Soviet republics of Central Asia. Drawing upon experiences and lessons in rule of law advancement that are as dynamic as the region itself, the World Justice Project (WJP) will hold its second major regional conference in the Asia Pacific region on January 26-28, 2011, in Kuala Lumpur, Malaysia. This second Asia Pacific Rule of Law Conference continues the WJP's long-standing engagement with the region and is a part of the WJP's broader efforts to strengthen the rule of law by incorporating it into the work of non-legal professionals. Following eight previous regional mainstreaming meetings on five continents and two global World Justice Forums, this multidisciplinary, action-oriented conference will convene 150 leaders from across the region and a breadth of professional disciplines to discuss and address regional rule of law<sup>[1]</sup> concerns.

## OBJECTIVES

**The main objective of the Asia Pacific Conference is to generate new cross-disciplinary plans to advance the rule of law in the region.** Utilizing data from the WJP's groundbreaking Rule of Law Index™, lessons learned from the WJP's Opportunity Fund programs, and the wealth of knowledge and experience of speakers and fellow colleagues through plenary and small working group sessions, participants will develop concrete and realistic action plans to advance the rule of law in the Asia Pacific region.

## TOPICS

Plenary sessions at the Asia Pacific Rule of Law Conference will focus on three thematic topics, including: Building a Better Business Enabling Environment; Ensuring Basic Rights for Migrants and Refugees; and Mitigating Environmental Degradation.

**Building a Better Business Enabling Environment** – Though much of the Asia Pacific region has experienced remarkable growth in the past twenty years, barriers continue to prevent the private sector from achieving its tremendous potential to stimulate economic growth, to lift individuals out of poverty, and to champion reforms both within and outside the business community. Uneven enforcement of business regulations and a lack of knowledge of or ability to access key legal business information create an environment of uncertainty and increase the susceptibility of the private sector to pressures from unscrupulous government regulators and inspectors. By gathering representatives of business, government, and civil society, the Asia Pacific Conference will lead to the development of programs which link strengthening respect for the rule of law to building a better business enabling environment, empowering private sector actors to be drivers for advancing the rule of law.

**Ensuring Basic Rights for Migrants and Refugees** – Whether due to conflict, oppression, natural disaster, or economic opportunity, residents of the Asia Pacific region are growing increasingly mobile. There are vast differences between political refugees fleeing persecution, natural disaster, and

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<sup>[1]</sup> Throughout this overview, the rule of law will be defined based on four principles developed by the World Justice Project: 1) governments and their officials and agents are accountable under the law; 2) laws are clear, publicized, stable and fair, and protect fundamental rights, including security of persons and property; 3) the process by which laws are enacted, administered and enforced is accessible, fair and efficient; and 4) Access to Justice is provided by competent, independent and ethical adjudicators, attorneys or representatives and judicial officers who are of sufficient number, have adequate resources, and reflect the makeup of the communities they serve

conflict; economic refugees and migrants pursuing employment; and the men, women, and children who fall victim to human trafficking. The commonality between these diverse groups of migrants lies in the ambiguous legal nature of their citizenship or residency status and their basic rights. To this end, the Asia Pacific Rule of Law Conference will examine the shortcomings of the Asia Pacific region's legal framework in principle and in practice, ultimately leading to programs that ensure that the basic rights for all migrant populations are effectively protected.

**Mitigating Environmental Degradation** – The Asia Pacific region faces countless environmental challenges as it continues on its path of rapid development. Some of the region's most difficult issues – Asia's largest cities' notoriously poor air quality; access to safe drinking water; and the environmental cost of extracting natural resources, from timber and minerals to fish stocks and oil and gas – have profound implications for effective rule of law. It is far easier to catalog these many challenges than to propose concrete solutions that recognize the Asia Pacific region's need for continued growth and balance the often competing interests of business, government, and civil society. The Asia Pacific Conference will bring diverse stakeholders to the table and build upon the World Justice Project's success and experience in implementing environmental Opportunity Fund programs in the region. The WJP will facilitate discussion and implementation of innovative multidisciplinary solutions to the region's most intractable environmental issues that, ultimately, promote mutual understanding and strengthen the rule of law.

The Asia Pacific Rule of Law Conference will feature nine distinct working sessions, seven of which flow directly from the above themes:

- *Combating Human Trafficking*
- *Ensuring Access to Safe Water*
- *Fostering a Business Enabling Regulatory Environment*
- *Improving Access to Information on Business Regulations*
- *Incentivizing a Sustainable Use of Resources*
- *Mainstreaming the Rule of Law*
- *Mitigating the Impact of Pollution*
- *Protecting the Right to Land*
- *Securing the Rights of Migrant Laborers*

**The objective of all discussions at the Asia Pacific Conference, whether within plenary or small group working sessions, will be to identify best practices in rule of law advancement and to develop action plans that build on the region's strategic advantages to generate reform.**

### **THE WJP'S UNIQUE APPROACH TO THE RULE OF LAW**

*Our mission is to lead a global, multidisciplinary effort to strengthen the rule of law for the development of communities of opportunity and equity.*

Two characteristics make the WJP approach to advancing the rule of law unique: the multidisciplinary nature of WJP programs and activities and the commitment to action required of WJP stakeholders. For too long, efforts to enhance the rule of law and expand access to justice have focused solely on those affiliated with the legal profession. While lawyers and judges are an integral component of promoting effective rule of law, the WJP is a firm believer that we are all stakeholders in the rule of law. Thus, the WJP encourages and engages non-legal professionals, from artists and doctors, to scientists and journalists, to view the world through the lens of the rule of law and to develop and implement programs that strengthen legal frameworks relating to their professions and communities.

In addition, the focus of the WJP's international and regional outreach meetings is to develop concrete, realistic multidisciplinary action plans that advance the rule of law the world over. As such, a significant component of the Asia Pacific Conference will be working sessions in which participants

determine what actions they will take to improve the rule of law across specific issues in the year following the conclusion of the event. The WJP draws on individuals who are willing not just to participate in a conference, but to translate the ideas they help cultivate into action in their communities. Participants are selected through a careful process that includes: a review of prior participants' effectiveness; recommendations from the WJP's extensive global network of contacts, co-sponsoring organizations, board members, and supporters; suggestions from local and international meeting planning committees; and surveys of academic research and the media for disciplinary leaders and activists. The Asia Pacific Conference therefore marks the continuation of the WJP's meaningful relationship with diverse stakeholders to enhance the rule of law in the region. Bringing such a diverse group of stakeholders to the same table ensures results that are both innovative and effective. It is through this distinctive approach that the World Justice Project will address the rule of law in the Asia Pacific region.

### THE WJP'S PROGRAMS

The WJP advances the rule of law through three complementary and mutually reinforcing program areas:

**Mainstreaming** — As a part of its Mainstreaming initiatives, the WJP holds regional and global events to integrate the rule of law into the work of a variety of disciplines and professions. These action-oriented events, such as the Asia Pacific Conference, aim to develop concrete plans to advance the rule of law in the course of the next year. To complement these events, the WJP developed the Opportunity Fund, a seed grants program that encourages the use of new and innovative methods to strengthen the rule of law. Opportunity Fund programs comprise a wide variety of rule of law initiatives in Asia, ranging from ensuring compliance of environmental law in the Philippines, to providing legal aid to migrant workers in China, to empowering the urban poor to access their legal rights in India.

**The WJP Rule of Law Index™** — The *WJP Rule of Law Index™* is a new quantitative assessment tool designed to measure the extent to which countries around the world adhere to the rule of law. The *Index* provides detailed information regarding a variety of dimensions of the rule of law, which enables policymakers and other stakeholders to assess a nation's adherence to the rule of law in practice, identify a nation's strengths and weaknesses in comparison to similarly situated countries, and monitor changes over time.

The *Rule of Law Index* has covered 35 countries in the past year, including eight from the Asia Pacific region: Australia, India, Indonesia, Japan, Pakistan, the Philippines, Singapore, and Thailand. The *Index* will expand its coverage to 70 countries in 2011 and to 100 countries in 2012. The current preliminary list for additional countries to be indexed from the Asia Pacific region includes Bangladesh, China, Malaysia, Nepal, New Zealand, Sri Lanka, and Vietnam.

**Scholarship** — The WJP supports rigorous scholarship that examines the contributions of the rule of law to various aspects of economic, political, and social development and sheds new light on how to strengthen the rule of law. Authors have included Nobel Laureates James Heckman and Amartya Sen, and the WJP has published two volumes of rule of law studies to date.

The WJP is committed to leading a multidisciplinary effort to strengthen the rule of law through stimulating and building collaboration between diverse actors and identifying and implementing best practices in rule of law advancement. At the geographical center of the Asia Pacific region, Malaysia is the ideal location for this conference, as its population is a microcosm of the ethno-religious diversity of the region as a whole. The rule of law dialogue at the Asia Pacific Conference will resonate far beyond this conference and serve as a catalyst for new debates and actions among regional leaders, policymakers, academics, business, and civil society.